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SERVICE DATE – JANUARY 7, 2016

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 331 (Sub-No. 2X)

THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI–ILLINOIS
METROPOLITAN DISTRICT—ABANDONMENT EXEMPTION—IN THE CITY OF ST.
LOUIS, MO.

Decided: January 7, 2016

The Bi-State Development Agency of the Missouri–Illinois Metropolitan District (Metro) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F–Exempt Abandonments to abandon 1.43 miles of rail line extending from milepost 1.8 to milepost 3.23 within the City of St. Louis, Missouri (the Line). Notice of the exemption was served and published in the Federal Register on December 9, 2015, (80 Fed. Reg. 76,617). The exemption is scheduled to become effective January 8, 2016.

The Board’s Office of Environmental Analysis (OEA) served an environmental assessment (EA) in this proceeding on December 14, 2015. In the EA, OEA states that the U.S. Environmental Protection Agency (EPA) submitted comments and recommended that OEA include several pieces of information in its NEPA documentation: what measures Metro will employ to prevent incidental spills, control erosion, limit damage to plants, and manage construction debris; any soil sample data that may indicate historic spills or contamination in the right-of-way; and measures taken for treatment or removal of invasive plant species. In assessing EPA’s recommendations, OEA notes that Metro stated that salvage activities would not cause sedimentation or erosion of the soil and that Metro does not anticipate any dredging or use of fill when removing the track material. Moreover, Metro stated that no debris would be discarded along the right-of-way, and any work along the right-of-way would be subject to appropriate measures to prevent or control spills from fuels, lubricants, or any other pollutant materials. OEA notes that the most recent soil sampling in the right-of-way took place more than ten years ago and indicated no contamination of soil or groundwater; therefore, OEA does not believe including this sampling in this EA is necessary. Accordingly, OEA recommends that a condition be imposed requiring Metro to consult with EPA Region 7 prior to conducting any salvage activities to address the EPA’s concerns regarding the treatment of invasive plant species that may be identified in the project area.

Comments to the EA were due December 29, 2015. No comments were received. Accordingly, the condition recommended by OEA in the EA will be imposed.

Based on OEA's recommendation, the proposed abandonment, if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.

2. Upon reconsideration, the notice served and published in the Federal Register on December 9, 2015, exempting the abandonment of the Line is subject to the condition that, prior to conducting any salvage activities, Metro shall consult with EPA Region 7 to address its concerns regarding the treatment of invasive plant species that may be identified in the project area.

3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.