

28179

SERVICE DATE - SEPTEMBER 5, 1997

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

NO. AB-268 (SUB-NO.15X)

**PORTLAND TERMINAL COMPANY
- ABANDONMENT AND DISCONTINUANCE OF SERVICE-
CUMBERLAND COUNTY, (PORTLAND) MAINE**

BACKGROUND

In this proceeding, the **Portland Terminal Company** has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment and discontinuance of service over a segment of its railroad line located between Engineering Station 82+03 and Engineering Station 23+97.7, a distance of approximately 1.09 miles, all in Portland, Cumberland County, Maine. A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated the record in this proceeding. Also, we have contacted appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included the Maine Historic Preservation Commission, the U.S. Fish and Wildlife Service, and the U.S. Department of Agriculture.

We recommend that no environmental conditions be placed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore, no change in operations), discontinuance of service without abandonment and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Because of the fact that the line is only 1.09 miles in length, the Portland Terminal Company is unsure about its suitability for public non-rail purposes. The railroad goes on to state that the urban industrial setting seemingly makes it unsuitable for recreational purposes. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC 20423-0001, to the attention of Scott Decker, who prepared this environmental assessment. **Please refer to Docket No. AB-268 (Sub-No.15X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Scott Decker at (202) 565-1531.

Date made available to the public: September 2, 1997.
Comment due date: September 17, 1997.

By the Board, Elaine K. Kaiser, Chief, Section of Environment Analysis.

Vernon A. Williams
Secretary

Attachment