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SERVICE DATE – OCTOBER 30, 2009

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**STB Docket No. AB-551 (Sub-No. 1X)**

**Knox and Kane Railroad Company – Abandonment Exemption –  
in Clarion, Forest, Elk and McKean Counties, PA**

**BACKGROUND**

In this proceeding, Knox and Kane Railroad Company (Knox and Kane) 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 discontinuance of service and abandonment of a line of railroad in Clarion, Forest, Elk and McKean Counties, Pennsylvania. The rail line proposed for abandonment extends from Milepost 95.3 at North Clarion Junction to Milepost 165.2 at Mt. Jewett, a total distance of 69.9 miles. A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, Knox and Kane will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

**DESCRIPTION OF THE LINE**

The line proposed for abandonment was originally constructed in several stages between 1881 and 1883 by the Pittsburgh and Western Railroad, the Pittsburgh Bradford and Buffalo Railroad and the New York, Lake Erie, and Western Railroad. The line was eventually consolidated under the Pennsylvania and Western Railroad and was purchased in 1902 by the Baltimore and Ohio Railroad. The Baltimore and Ohio Railroad operated the line as part of the Northern Subdivision until 1982, when the newly formed Knox and Kane assumed operation.

Knox and Kane indicates that no local or overhead freight traffic has moved over the line since the first quarter of 2006 due to declining demand for freight movement and deteriorating track conditions. No new industry is foreseen that would produce rail traffic sufficient to justify rehabilitation of the line and cover ongoing operational expense. There has been no passenger service on the line since prior to 2006, largely because of the destruction of the Kinzua Bridge by tornado in 2003.

Knox and Kane states that the rail line right-of-way width varies up to a maximum of 60 feet. The Clarion Junction area contains approximately twenty acres within the turnaround area. The line primarily passes through rural areas with some small towns. The line was constructed to be as level as possible and follows a winding path in the moderately hilly

topography. Based on information in the possession of Knox and Kane, the line does not contain any reversionary property or Federally granted rights-of-way.

Knox and Kane indicates that there are railroad structures in Marienville and Lucinda as well as several steel and wood trestles that are more than 50 years old. The actual construction dates of the buildings are not known. The roundhouse and Knox and Kane offices in Marienville have been renovated and rebuilt to the point that they are not likely to be historically significant. The Knox and Kane offices were originally a feed/grain mill, but the mill was completely gutted and retrofitted as a modern office in the 1990s. The roundhouse structure includes an older concrete block section (the portion greater than 50 years old) and a newer frame and steel/wood section, which was constructed in the 1990s. The Lucinda and Marienville stations have each been historically restored within the past decade.

## **ENVIRONMENTAL REVIEW**

Knox and Kane 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. Knox and Kane served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules (49 CFR 1105.7(b)). The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

### ***Diversion of Traffic***

According to Knox and Kane, no local or overhead rail traffic has moved over the line during the past two years. As a result, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

### ***Salvage Activities***

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

Knox and Kane states that the line is located within a corridor that is currently adequately serviced by existing roads and utility lines. The proposed abandonment would not result in any negative impacts to public health or safety. The proposed abandonment would not impact any prime, unique, statewide, or locally important farmland. The proposed abandonment appears to be consistent with existing land use plans.

The proposed abandonment would not result in the transportation of hazardous materials. Knox and Kane is not aware of any known hazardous waste sites or hazardous materials spills along the line. Knox and Kane note that surface staining was observed in the Marienville maintenance shed and roundhouse, as well as in the Kane Yard, but indicates that the staining is most likely the result of incidental releases of oil/grease during routine maintenance of railroad equipment.

The National Geodetic Survey (NGS) has advised SEA that approximately 61 geodetic station markers have been identified that may be affected by the proposed abandonment. Accordingly, we will recommend a condition requiring that Knox and Kane consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.

The U.S. Department of the Interior, Fish and Wildlife Service, Pennsylvania Field Office in State College, Pennsylvania has determined, based on the information provided, that no Federally listed species under its jurisdiction is known or is likely to occur in the proposed project area.

The U.S. Army Corps of Engineers, Pittsburgh District (Corps), has assigned File Number 2009-658 to the proposed abandonment, but has not provided any details about possible Corps concerns. We will therefore recommend a condition requiring Knox and Kane to consult with the Corps prior to commencing salvage activities to address any Corps concerns about the proposed abandonment.

The Pennsylvania Department of Transportation, Bureau of Rail Freight, Ports & Waterways (PA DOT), has stated that it does not have jurisdiction over the management and protection of environmental resources that may be affected by the proposed abandonment. PA DOT requests that it be contacted for more information regarding any necessary permits if any work is to be performed within PA DOT rights-of-way in Clarion County or if access to state roads, such as driveways or construction entrances, is needed in Clarion County. Accordingly, we will recommend a condition requiring Knox and Kane to contact PA DOT if work is to be performed within PA DOT right-of-way in Clarion County.

The Pennsylvania Department of Conservation and Natural Resources, Bureau of State Parks (PA DCNR), has indicated that it supports the proposed abandonment of the railroad corridor within Kinzua Bridge State Park because abandonment would likely benefit visitors to the park. Approximately 0.55 miles of the railroad corridor traverses the Kinzua Bridge State Park in McKean County. The railroad once served as a major gateway for visitors to see the Kinzua Viaduct. The proposed abandonment would enhance the development of the visitor center that is planned for the park, which will be located next to the railroad corridor. PA DCNR further indicates that the potential abandonment of the rail line presents exciting new opportunities for the communities along the entire 69.9 mile rail corridor. PA DCNR encourages and fully supports the railbanking of this corridor under the National Trails System Act,

preserving the rail corridor in perpetuity until such time that the corridor is needed for future transportation needs in the area.

The Pennsylvania Department of Environmental Protection (PA DEP) recommends that Knox and Kane contact PA DEP prior to beginning any reclamation, demolition, or storage of materials along the corridor, as these activities may require PA DEP approval. Accordingly, we will recommend a condition requiring that Knox and Kane make the appropriate contact at the PA DEP Waste Management Program, Air Quality Program, and Watershed Management Program prior to commencing salvage activities regarding any necessary DEP approvals.

The PA DEP Coastal Resource Management Program has determined that the proposed abandonment is located outside of Pennsylvania's Erie and Delaware Coastal Zones and would not impact designated coastal zones.

The McKean County Planning Commission (MCPC) expressed its interest in converting this rail corridor to a trail. The 2007 County Comprehensive Plan Transportation Strategy states as a specific project that a region-wide land bank program be established for retaining rail right-of-way for priority and feasible future transportation uses, including rail-freight, passenger rail, or rail-trail. MCPC (partnering with Clarion, Forest and Elk counties) has filed a grant application in April of 2009 with PA DCNR to provide funds for a rail trail feasibility study for the entire corridor. The study will identify types of uses for the trail, ownership options, maintenance considerations, and operation/maintenance scenarios. It will include a conceptual trail plan and implementation strategies. As part of the study, the rail line from Kane (McKean County) to the Kinzua Bridge would be looked at to see if it would be feasible to revitalize a tourist excursion train on that section of track. The corridor is also identified in the Regional Greenway Plan currently being prepared by the North Central Pennsylvania Regional Planning and Development Commission. MCPC states that the preservation of this rail corridor is an opportunity to provide a new trail system connecting four counties, which could increase tourism and have a positive economic impact on the entire region.

The Clarion County Department of Planning and Development has indicated that the proposed abandonment would be consistent with the Clarion County Comprehensive Plan's existing land use plans.

The Forest County Conservation District and Planning Department has indicated that the proposed abandonment would be consistent with the Forest County Comprehensive Land Use Plan.

SEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts.

## **HISTORIC REVIEW**

Knox and Kane submitted an historic report as required by the Board's environmental rules (49 CFR 1105.8(a)) and served the report on the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation (State Historic Preservation Office or SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has requested that Knox and Kane provide additional information before determining whether the rail line may be potentially eligible for listing on the National Register of Historic Places. Accordingly, we are recommending a condition requiring the railroad to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register of Historic Places until completion of the Section 106 process. Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.dot.gov/stb/environment/preservation.html>.

Pursuant to 36 CFR 800.2, SEA conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify Federally-recognized tribes which may have ancestral connections to the project area. The database indicated that the Seneca Nation of New York and the Tonawanda Band of Seneca Indians of New York may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the Area of Potential Effect) of the proposed abandonment. Accordingly, SEA is sending a copy of this EA to these tribes for review and comment.

## **CONDITIONS**

We recommend that the following environmental conditions be imposed on any decision granting abandonment authority.

1. Knox and Kane Railroad Company (Knox and Kane) shall consult with the National Geodetic Survey (NGS) prior to beginning salvage activities. If NGS identifies geodetic station markers that may be affected by the proposed abandonment, Knox and Kane shall notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers in order to plan for the possible relocation of the geodetic station markers by NGS.
2. Prior to commencement of any salvage activities, Knox and Kane Railroad Company shall consult with the United States Army Corps of Engineers (Corps) regarding its requirements and, if applicable, shall comply with the reasonable requirements of the Corps.

3. Prior to commencement of any salvage activities, Knox and Kane Railroad Company shall consult with the Pennsylvania Department of Transportation (PA DOT) regarding PA DOT requirements if any work is to be performed within PA DOT rights-of-way in Clarion County and, if applicable, shall comply with the reasonable requirements of PA DOT.
4. Prior to commencement of any salvage activities, Knox and Kane Railroad Company shall consult with the Pennsylvania Department of Environmental Protection (PA DEP) Waste Management Program, Air Quality Program, and Watershed Management Program to address their concerns about reclamation, demolition, and storage of materials along the corridor and, if applicable, shall comply with the reasonable requirements of PA DEP.
5. Knox and Kane Railroad Company (Knox and Kane) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. Knox and Kane shall report back to the Section of Environmental Analysis (SEA) regarding any consultations with the Pennsylvania Historical and Museum Commission and the public. Knox and Kane may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, abandonment of the line would 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**

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. 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. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. 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 Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

## **COMMENTS**

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB-551 (Sub-No. 1X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Kenneth Blodgett, the environmental contact for this case, by phone at (202) 245-0305, fax at (202) 245-0454, or e-mail at [blodgettk@stb.dot.gov](mailto:blodgettk@stb.dot.gov).

Date made available to the public: **October 30, 2009.**

Comment due date: **November 16, 2009.**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Anne K. Quinlan  
Acting Secretary

Attachment