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SERVICE DATE — LATE RELEASE MARCH 10, 2016

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 837 (Sub-No. 1X)

THE LONG ISLAND RAIL ROAD COMPANY—ABANDONMENT EXEMPTION—IN
QUEENS COUNTY, N.Y.

Decided: March 10, 2016

By decision served on January 22, 2016, the Board, under 49 U.S.C. § 10502, exempted from prior approval requirements of 49 U.S.C. § 10903 the abandonment by the Long Island Rail Road Company (LIRR) of two segments of railroad in Queens County, N.Y. The first segment is approximately 0.69 miles of rail line between milepost 0.0 and milepost 0.69 in Long Island City, N.Y. and runs through United States Postal Zip Code 11101. The second segment is approximately 0.38 miles of rail line between milepost 0.82 and milepost 1.2 in Long Island City, and runs through United States Postal Zip Code 11101. Notice of the exemption proceeding was served and published in the Federal Register on November 2, 2015 (80 Fed. Reg. 67,490).

The Board's January 22, 2016 decision imposed one environmental condition on LIRR's abandonment of the two line segments. The condition required LIRR to consult with the New York State Department of State – Office of Coastal, Local Government and Community Sustainability (NYDOS), pursuant to the Coastal Zone Management Act, 16 U.S.C. § 1451 et seq., and the Board's regulations, 49 C.F.R. § 1105.9, and obtain state coastal management consistency certification. This condition required LIRR to report the results of the consultation to the Office of Environmental Analysis (OEA) in writing and to have the Board remove this condition before LIRR could file its consummation notice or initiate any salvage activities.

In a supplemental final environmental assessment dated February 1, 2016, OEA states that LIRR provided OEA with the results of its consultation with NYDOS and submitted copies of its correspondence with the state agency. OEA states that NYDOS completed its review of the proposed abandonment and has no objection to the abandonment and its consistency with the New York State Coastal Management Program. OEA also states that further review of the proposed abandonment activity by NYDOS is not required. Based on the results of the consultation, OEA recommends the removal of the environmental condition.

Accordingly, based on OEA's recommendation, the proceeding will be reopened and the previously imposed environmental condition will be removed.

This action will not significantly impact the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The proceeding is reopened.
2. The environmental condition imposed in the January 22, 2016 decision is removed.
3. The decision is effective on its service date.

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