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SERVICE DATE - LATE RELEASE DECEMBER 3, 1996
SURFACE TRANSPORTATION BOARD¹
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-32 (SUB-NO. 75X)
& AB-355 (SUB NO. 20X)

BOSTON AND MAINE CORPORATION AND
SPRINGFIELD TERMINAL RAILWAY COMPANY
ABANDONMENT AND DISCONTINUANCE OF SERVICE
IN HARTFORD AND NEW HAVEN COUNTIES, CONNECTICUT

BACKGROUND

In this proceeding, the Boston and Maine Corporation (B&M) and its operating affiliate the Springfield Railway Terminal Company (ST) have filed a petition under 49 U.S.C. 10505 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its railroad line located between milepost 14.50 in Cheshire and milepost 24.00 in Southington, a distance of 9.50 miles in Hartford and New Haven Counties, Connecticut. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

The width of the right-of-way varies from location to location, but is generally 66 feet+/-, with its narrowest points being about 30 feet+/@. The line is not currently in service. The line has been out of service since November 23, 1994, when it was embargoed due to hazardous operating conditions. At the time of the embargo Dalton Enterprises was transporting approximately 58 carloads of raw materials per year for processing at its plant. Country Lumber, located on Railroad Avenue in Cheshire, was also receiving approximately 24 carloads per year at that time.

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 consulted with 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 Connecticut Historical Commission, and the Farmington Canal Rail-to-Trail Association.

Protests to the pending application for abandonment were received from F. L. Ariola and Dalton Enterprises. F. L. Ariola raised the issue that abandoning this line would result in significant truck traffic with accompanying safety, noise, and air impacts. We have analyzed the railroad figures (which are verified) and determined that 82 carloads moved over the line in 1994. Assessing 4 trucks for every rail carload, we have calculated an increase of 328 trucks per year after the line was embargoed in 1994 or approximately 1 truck per day. This is a diminimus impact, well below the environmental thresholds set forth in 49 CFR 1105.7(e).

¹ Formerly the Interstate Commerce Commission (ICC). The I@C Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the ICC and transferred certain functions and proceedings to the Surface Transportation Board.

Dalton Enterprises also filed a protest which included allegations regarding possible contamination of that portion of the right-of-way adjacent to the former Ball & Socket Manufacturing Co. We then requested further information from the B & M regarding these allegations. B & M stated that they had no actual knowledge of any contamination of the right-of-way from the activities of the Ball and Socket Manufacturing Co.

Furthermore, the Connecticut Department of Environmental Protection (CDEP) is the lead party seeking to acquire the right-of-way when it becomes available post-abandonment. Although no evidence of actual contamination is presented in this proceeding, the fact that the CDEP wants to purchase the property for trails use would appear to be inconsistent with the claim of purported right-of-way contamination. We are requesting comments, specifically from the Connecticut Department of Environmental Protection, on the issue of contamination of the right-of-way.

CONDITIONS

An evaluation of the potential impact of this project on historic resources has not been completed. Accordingly, a condition is recommended requiring that B & N shall retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended condition, 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

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. The State of Connecticut has a definite interest in acquiring the rail line for recreational purposes following completion of the abandonment process. The rail line directly abuts another segment to the south which is already owned by the State of Connecticut and used as a recreational trail. 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 the petition for 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 (OPA) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPA directly at (202) 9276184, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Room 4412, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an original and two copies to Vernon A. Williams, Office of the Secretary, Room 2221, Washington, DC 20423, to the attention of Scott Decker, who prepared this environmental assessment. Please refer to Docket No. AB-32 (Sub No.75) in all correspondence addressed to the Board. If you have questions regarding this environmental assessment, you should contact Scott Decker at (202) 927-6396.

Date made available to the public: November 25, 1996.

Comment due date: December 27, 1996.

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

Vernon A. Williams
Secretary