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SERVICE DATE - AUGUST 31, 2001

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB-590

Maryland Mass Transit Administration
Abandonment Exemption
Rail Line in Baltimore City and Anne Arundel County, Maryland

AB-193 (Sub-No. 2X)

Canton Railroad Company
Discontinuance of Trackage Rights Exemption
Rail Line in Baltimore City and Anne Arundel County Maryland

BACKGROUND

Pursuant to 49 CFR 1151.50, the Maryland Mass Transit Administration (MTA) and the Canton Railroad Company (Canton) (collectively Applicants) have filed a Notice of Exemption for abandonment of MTA's freight common carrier obligation and discontinuance of Canton's trackage rights upon the 5.78 mile segment of MTA's rail line known as the South Line-Central Light Rail Line (the Line). The Line runs from the Central Light Rail Line's point of connection with CSX Transportation, Inc. at Patapsco Avenue in Baltimore City (CSXT milepost 0.0, Clifford Junction, MAugust 28, 2001) to the end of the Central Light Rail Line at a point called Dorsey (Dorsey Road) in Glen Burnie, MD. Applicants state neither MTA nor Canton has provided freight service of the Line for over two years. A map of the Line depicting it in relationship to the area served is appended to this report.

Currently the Line is used by MTA for light rail transit service as part of its 29-mile north-south rail corridor running between Cromwell Station in Glen Burnie and Hunt Valley. MTA states that it will continue to operate light rail service over the Line and that the proposed action here will not change current operations and maintenance of the Line.

Applicants state that the Line is suitable for the public purpose of light rail mass transportation, and MTA, a public agency of the State of Maryland, will continue to use the Line for provision of such service after the abandonment and discontinuance. Applicants further state that the Line is not suitable for any other concurrent use, public or private and that MTA will not transfer title to the Line or use the property for other than light rail purposes.

ENVIRONMENTAL REVIEW

Applicants submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment and discontinuance. Applicants 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 and reviewed the record in this proceeding.

Applicants are seeking approval for an action which, if granted, will result in removal of the Line from the Board's jurisdiction. We are, therefore, obligated, pursuant to the requirements of the National Environmental Policy Act (NEPA), to review the potential environmental impacts of salvage of the rail line, even though applicants intend to keep the rail line in operation.

The notice of exemption explains that there will be no change from existing conditions because MTA will continue to operate the Line for light rail mass transportation. According to the Applicants, the proposed action is consistent with land use plans and will have no effect on the local transportation system, energy resources, biological resources, or public health and safety. Applicants consulted with appropriate Federal and state agencies and responses from these agencies, contained in the environmental report, support Applicants' conclusion that there are no anticipated environmental effects associated with the proposed action.

If abandonment and discontinuance is granted, and Applicants continue to operate and maintain the Line for light rail mass transportation for the reasonably foreseeable future, as stated in their notice of exemption, there would be no environmental effect and, consequently, we see no need to propose any mitigation measures. However, by granting abandonment and discontinuance authority, Applicants would be able to salvage the Line at some point in the future without seeking the Board's authorization. Therefore, even though Applicants do not intend to perform any salvage activities on the Line, we have conducted an environmental analysis of possible future salvage to meet the Board's responsibilities under NEPA.

Impacts from salvage and disposal of the line usually include removal of tracks and ties, removal of ballast, dismantling of any bridges 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. Because the Line is located in an urban area along land that has been previously disturbed, we believe that it is unlikely that salvage would affect either the natural or the human environment. Therefore, we do not believe that it is necessary for us to recommend measures relating to potential impacts from the salvage of the Line.

Alternatives to the proposed abandonment and discontinuance would include denial (and therefore no change in operations), 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.

CONDITIONS

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

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment and discontinuance, and continued operation and maintenance of the Line by MTA for light rail mass transportation, will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

PUBLIC USE

Because MTA intends to operate and maintain the Line for light rail mass transportation, the right-of-way may not be suitable for other public use. Therefore, a request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28), and which would normally need to be filed with the Board and served on the railroad within the time specified in the Federal Register notice may not be appropriate.

TRAILS USE

Similarly, a request for a notice of interim trail use (NITU) which would normally need to be filed at 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, may not be appropriate because MTA intends to operate and maintain the Line for light rail mass transportation.

PUBLIC ASSISTANCE

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, 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, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB- 590 and AB-193 (Sub-No. 2X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Dana White at (202) 565-1552.

Date made available to the public: **August 31, 2001.**

Comment due date: September 14, 2001. (15 Days)

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

Vernon A. Williams
Secretary

Attachment

MAP TO BE SCANNED