

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 1303X

**Somerset Railroad Corporation – Abandonment Exemption –
in Niagara County, N.Y.**

ABANDONMENT TYPE

The time for comments on the Draft Environmental Assessment (Draft EA) has expired in this:
() Notice of Exemption (X) Petition for Exemption () Regulated Abandonment

(X) NO NEW COMMENTS WERE RECEIVED

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In this proceeding, Somerset Railroad Corporation (SRC) filed a petition under 49 U.S.C. § 10502 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Niagara County, New York. The rail line proposed for abandonment extends approximately 13.39 miles from milepost 2.2 at Lockport to the end of the line at the gates of the decommissioned Somerset power generation station (the Line). OEA served a Draft EA for this proceeding on December 4, 2020 for public review and comment. In the Draft EA, OEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment. No comments were received on the Draft EA.

Conclusions

The Draft EA comment period has ended. Accordingly, OEA recommends that the following conditions previously recommended in the Draft EA should be imposed upon any decision granting abandonment authority:¹

1. Somerset Railroad Corporation shall notify the National Geodetic Survey at NGS.Infocenter@noaa.gov at least 90 days prior to beginning abandonment-related salvage activities.
2. Somerset Railroad Corporation shall consult with the U.S. Environmental Protection Agency, Region 2 regarding the scope of proposed abandonment-related salvage activities and appropriate best management practices to protect streams and wetlands.

¹ If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 is reached for the Line (or a portion thereof), compliance with these conditions is not required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.

If the above conditions are imposed, OEA believes that the proposed action would not significantly affect the quality of the human environment.

By the Board, Danielle Gosselin, Acting Director, Office of Environmental Analysis.