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SERVICE DATE – AUGUST 11, 2021

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 83 (Sub-No. 17X)

MAINE CENTRAL RAILROAD COMPANY—ABANDONMENT EXEMPTION—IN
KENNEBEC AND SOMERSET COUNTIES, ME.

Decided: August 11, 2021

On June 24, 2021, Maine Central Railroad Company (MEC) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments for MEC to abandon an approximately 32.46-mile rail line known as the Madison Branch, extending from milepost 0.00 to milepost 32.46 in Kennebec and Somerset Counties, Me. (the Line).¹ Notice of the exemption was served and published in the Federal Register on July 14, 2021 (86 Fed. Reg. 37,204). The exemption is scheduled to become effective on August 13, 2021.

The Board's Office of Environmental Analysis (OEA) served a Draft Environmental Assessment (Draft EA) on July 19, 2021, recommending that one condition be imposed on any decision granting abandonment authority. OEA stated that MEC served the historic report on the Maine Historic Preservation Commission (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c). The SHPO responded on February 17, 2021, with a request for additional information, and MEC sent digital photographs and historic railroad valuation maps to the SHPO via email on July 2, 2021. The Draft EA noted that OEA had not been contacted by the SHPO and therefore had not been able to consider the SHPO's opinion before determining if the rail line may be eligible for listing on the National Register of Historic Places (National Register).

Accordingly, OEA recommended a condition requiring MEC 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 eligible for listing, or listed, in the National Register until the Section 106 process of the National Historic Preservation Act, 54 U.S.C. § 306108, has been completed and the Board has removed the condition.

Comments on the Draft EA were due by August 6, 2021. By letter received on August 5, 2021, the SHPO commented that the proposed abandonment would have no adverse effect on historic properties. On August 6, 2021, OEA issued a Final Environmental Assessment stating

¹ In the same jointly filed notice, Springfield Terminal Railway Company sought to discontinue service over the Line. Springfield Terminal Ry.—Discontinuance of Serv. Exemption—in Kennebec & Somerset Cntys., Me., AB 355 (Sub-No. 44X) (STB served July 14, 2021).

that, in light of the comment from the SHPO, OEA no longer recommends that the Section 106 condition described in the Draft EA be imposed. Therefore, OEA is not recommending that any conditions be imposed in this proceeding. Accordingly, based on OEA's recommendation, a finding of no significant impact under 49 C.F.R. § 1105.10(g) will be made pursuant to 49 C.F.R. § 1011.7(a)(2)(ix).

It is ordered:

1. Abandonment of the Line will have no significant effect on the quality of the human environment and conservation of energy resources or on historic resources.
2. If consummation has not been effected by MEC's filing of a notice of consummation by July 14, 2022, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.
3. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.