

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

DRAFT ENVIRONMENTAL ASSESSMENT

Docket No. AB 1117 (Sub-No. 1X)

**St. Lawrence & Atlantic Railroad Company–Abandonment Exemption–
In Cumberland County, Me.**

BACKGROUND

In this proceeding, St. Lawrence & Atlantic Railroad Company (SLR) filed a notice of exemption with the Surface Transportation Board (Board) under 49 C.F.R. § 1152.50 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Cumberland County, Maine. The rail line proposed for abandonment extends approximately 24.23 miles from milepost 1.74 near East Deering, Me. to milepost 25.97 at the town line between New Gloucester and Auburn, Cumberland County, Me. (the Line). SLR states that it owns a perpetual freight easement on the Line and the underlying property and physical assets are owned by Maine Department of Transportation (Maine DOT). A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (Draft EA).

DESCRIPTION OF THE LINE

According to SLR, the Line travels north from East Deering toward the Cumberland County line, in Auburn, Me. The land uses along the Line are primarily urban/suburban and vary in pattern and type. In East Deering, land uses are suburban and are a mix of residential and commercial. The land use patterns are lower in density as the Line travels northwest of East Deering. The majority of the land outside of named towns is forested, farmland and rural residential.¹

¹ Town of New Gloucester Zoning Map, [Final_Zoning_Map_11x17_5-7-2018.pdf](#) (last visited February 14, 2025); Falmouth, ME GIS Mapping System, <https://gis.vgsi.com/FalmouthMEMap/> (last visited February 14, 2025); Town of Yarmouth Zoning Map, <https://cms5.revize.com/revize/yarmouth/Departments/planning%20and%20development/Zoning%20Map.pdf> (last visited February 14, 2025); Town of North Yarmouth Zoning Map, https://www.northyarmouth.org/sites/g/files/vyhli9216/f/uploads/zoningmap_0.pdf (last visited February 14, 2025); Town of Cumberland Zoning Map, https://www.cumberlandmaine.com/sites/g/files/vyhli9216/f/uploads/official_zoning_map_feb_2024_rvsd_signed.pdf (last visited February 14, 2025).

SLR states that it received authority to discontinue service over the Line in 2015, and no service has been provided since then.² The right-of-way, rail ties, and other track materials on the Line belong to Maine DOT, and SLR states that because Maine DOT owns those materials, SLR will not be conducting any salvage. According to SLR, Maine DOT is interested in converting the Line to a trail.

The width of the right-of-way generally ranges from 60 to 99 feet, and the Line traverses United States Zip Codes 04101, 04103, 04105, 04021, 04096, 04097, 04069, and 04260, all within Cumberland County. Based on the available information, SLR states that the Line does not contain any federally granted rights-of-way.

ENVIRONMENTAL REVIEW

SLR submitted a Revised Environmental and Historic Report (Revised E&H Report)³ concluding that the quality of the human environment would not be affected significantly as a result of the proposed abandonment of the Line, including salvage. SLR served the Revised E&H Report on a number of appropriate federal, state, and local agencies as required by the Board's environmental rules [49 C.F.R. § 1105.7(b)] implementing the National Environmental Policy Act. The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

As noted above, SLR states that no local or overhead traffic has moved over the Line over the last two years, and no overhead traffic exists because service on the Line has been discontinued. Therefore, the proposed abandonment would not result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network. Nor would the proposed abandonment adversely impact the development, use and transportation of energy resources or recyclable commodities, or the transportation of ozone-depleting materials.

² St. Lawrence & Atlantic R.R. – Discontinuance of Service Exemption – In Cumberland Cnty., Me., Docket No. AB 1117X (served Oct. 15, 2015).

³ The Revised E&H Report is available for viewing on the Board's website at www.stb.gov by clicking "Search STB Records;" selecting "Filings" in the "Search for" dropdown menu; entering "AB" "1117" "1" "X" sequentially in the four boxes for "Docket Number," then selecting "Search." The E&H Report was initially filed on February 4, 2025. The Revised E&H Report, filed on February 18, 2025, makes corrections and provides an updated map clearly showing the beginning and ending mileposts.

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures 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 Maine DOT owns the underlying right-of-way and related physical assets, if abandonment authority is granted, SLR states that it would not conduct any salvage.

SLR requested comments from the U.S. Fish and Wildlife Service Northeast Region 5 (USFWS), regarding potential impacts on protected wildlife, including federally listed threatened and endangered species under the Endangered Species Act (16 U.S.C. §§ 1531-1544). To identify protected species in the project area, OEA conducted a search of the USFWS Information for Planning and Consultation (IPaC) system.⁴ The following species may be present in the area surrounding the Line:

Protected Species in Cumberland County, Maine			
Group	Common Name	Federal Status	Habitat Description
Mammals	Northern Long-eared Bat	Endangered	Forested areas for roosting, foraging and commuting between summer and winter habitat.
	Tricolored Bat	Proposed Endangered	Living and dead leaf clusters of live or recently dead deciduous hardwood trees.
Birds	Roseate Tern	Endangered	Nests on eight Maine islands. Feeds on mainland shore at shallow sandbars, mouths of rivers and streams, salt marshes. Winter migration to Caribbean.
Insects	Monarch Butterfly	Proposed Threatened	Prairies, meadows, grasslands and along roadsides.

The database indicates that there is no critical habitat for these species along the Line. Because no land disturbance, salvage, instream work, or bridge or tree removal is contemplated here, and no critical habitat is present, OEA concludes that the proposed abandonment would have no effect on any of the four species. OEA is providing a copy of this Draft EA to the USFWS Northeastern Region 5 office for its review.

SLR requested comments from the Maine Department of Environmental Protection (MDEP) regarding potential impacts from the proposed abandonment. MDEP, Bureau of Land

⁴ U.S. Fish and Wildlife Service, Information for Planning and Consultation (IPaC) system, <https://ecos.fws.gov/ipac> (last visited February 7, 2025).

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Resources responded and stated that it does not have any concerns about the proposed abandonment within its area of jurisdiction, which includes the Natural Resources Protection Act, the Stormwater Management Law, and the Site Location of Development Law.

According to the Maine Coastal Zone Map,⁵ a portion of the southern part of the Line appears to be located in the marked Coastal Management Zone. Because SLR is not proposing any salvage activities, OEA has determined that no disturbance of the Coastal Zone is likely to occur. OEA is sending a copy of this Draft EA to the Maine Coastal Zone Management Program for its review.

SLR submitted its Revised E&H Report to the U.S. Environmental Protection Agency, New England Region 1 (USEPA) and the U.S. Army Corps of Engineers' New England District, Maine Project Office (Corps) for comments on potential permitting requirements under the Clean Water Act (CWA) (33 U.S.C. § 1342). To date, OEA has not received a response from either agency. However, OEA does not anticipate the need for any permits under the CWA because SLR does not intend to salvage the Line, disturb the right-of-way, or do any instream work. OEA is providing a copy of this Draft EA to the USEPA and the Corps for their review.

OEA concludes that there would be no impact from any air emissions or noise on the area surrounding the proposed abandonment because no salvage or other land disturbing activities would occur.

Based on all information available to date, OEA does not believe that the proposed abandonment would cause significant environmental impacts. In addition to the parties on the Board's service list for this proceeding, OEA is providing a copy of this Draft EA to the following agencies for review and comment: USFWS Northeastern Region 5; Maine Coastal Zone Management Program; USEPA, New England Region 1; and the Corps, New England District, Maine Project Office.

HISTORIC REVIEW

SLR served the Revised E&H Report on the Maine Historic Preservation Commission (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).⁶ On

⁵ Department of Marine Resources, Coastal Zone Map, <https://www.maine.gov/dmr/programs/maine-coastal-program/coastal-zone-map> (last visited February 14, 2025).

⁶ Applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of the National Historic Preservation Act. Applicants are authorized to initiate the Section 106 review process and carry

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January 23, 2025, SLR received a letter from the SHPO stating that the proposed abandonment would not result in an adverse affect on historic properties. Therefore, pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, OEA has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding as specified at 36 C.F.R. § 800.11(d), consists of SLR's historic report, all relevant correspondence, and this Draft EA, which have been provided to the SHPO and made available to the public through posting on the Board's website www.stb.gov.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the U.S. Department of Housing and Urban Development's Tribal Directory Assessment Tool (TDAT) to identify federally recognized Tribes that may have ancestral connections to the project area.⁷ The database indicated that the following federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the APE) of the proposed abandonment: Mi'kmaq Nation and Penobscot Nation. Accordingly, OEA is sending a copy of this Draft EA to these Tribes for review and comment.

CONDITIONS

OEA recommends no conditions be imposed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes 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.

out some of its steps, but the Board retains overall responsibility for the Section 106 review. See 36 C.F.R. § 800.2(c)(4); 49 C.F.R. Part 1105; Delegation Letter (Dec. 9, 2009). The Delegation Letter can be found at a link on the bottom of the Board's website overlooking historic preservation at <https://www.stb.gov/resources/environmental/historic-preservation-overview>.

⁷ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat> (last accessed February 7, 2025).

PUBLIC USE

Following abandonment, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Board's Federal Register notice of the proposed abandonment. The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁸

TRAIL 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 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 C.F.R. § 1152.29). The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁹

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

OEA encourages interested parties to submit their comments on the Draft EA electronically through the Board's website at <https://www.stb.gov/>. From the Board's home page, select "File an Environmental Comment" below the "Need Assistance?" button. Log-in accounts are not needed to file environmental comments electronically, and brief comments can be typed in the comment field, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

⁸ Board decisions are available for viewing on the Board's website at www.stb.gov by clicking "Search STB Records;" selecting "Decisions" in the "Search for" dropdown menu; entering "AB" "1117" "1" "X" sequentially in the four boxes for "Docket Number," then selecting "Search."

⁹ Id.

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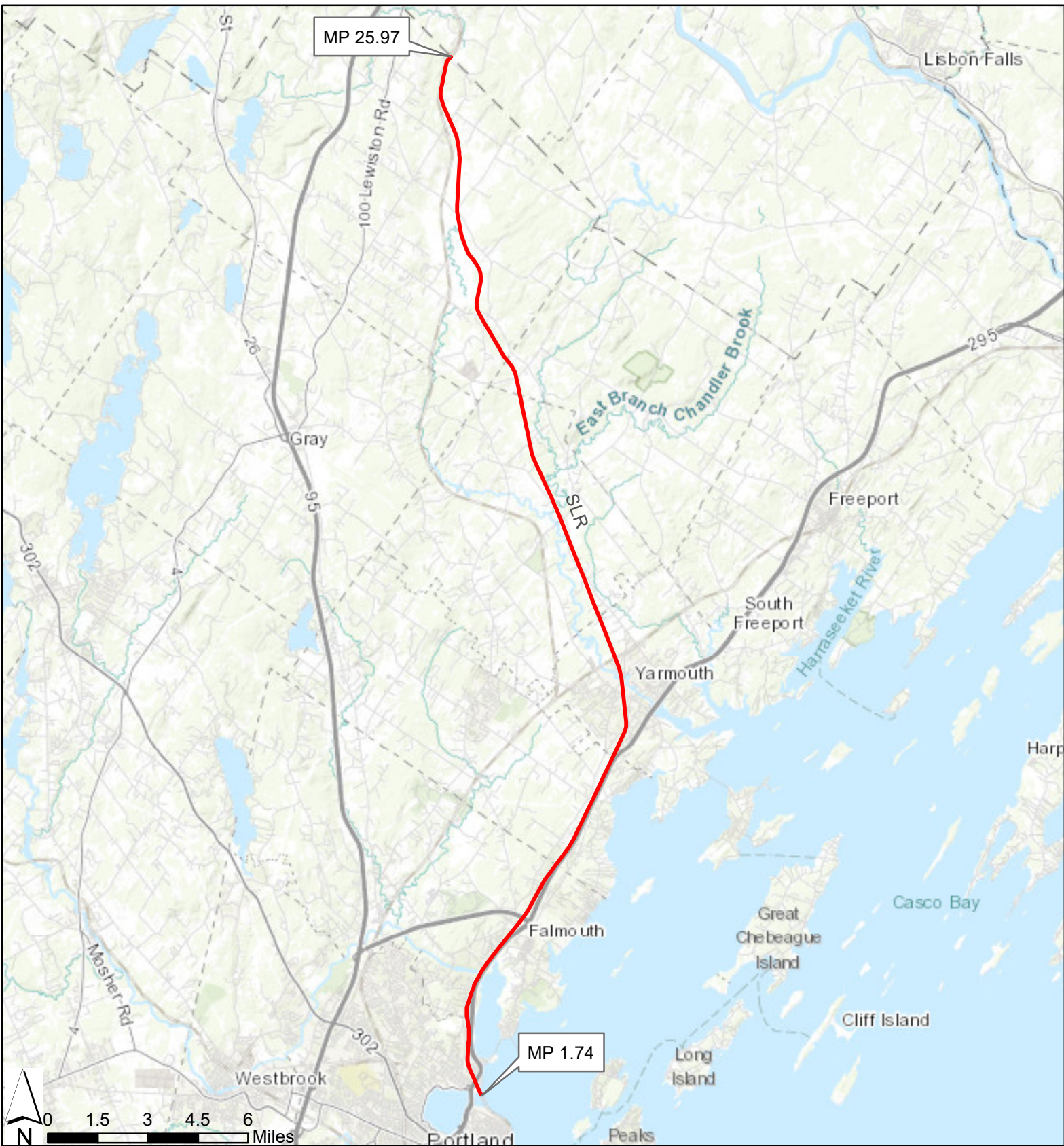
Alternatively, comments submitted by mail should be addressed to: Elizabeth Webster, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, Attention: Environmental Filing, Docket No. AB 1117 (Sub-No. 1X). If you have any questions, please contact Elizabeth Webster by email at elizabeth.webster@stb.gov or by phone at 202-360-0742.

Date made available to the public: April 3, 2025.

Comment due date: April 18, 2025.

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

Attachment



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In Cumberland County, Me.

Legend

— the Line

Note: Maps produced by the STB's Office of Environmental Analysis are based on information provided by the applicant and are for reference purposes only.



Cumberland County



Maine