

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

DRAFT ENVIRONMENTAL ASSESSMENT

**Docket No. AB 290 (Sub-No. 420X)
Norfolk Southern Railway Company – Abandonment Exemption –
In the City of Baltimore, Md.**

BACKGROUND

In this proceeding, Norfolk Southern Railway Company (NSR) 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 freight rail easement in the City of Baltimore, Maryland (the City). The freight rail easement proposed for abandonment extends approximately 1.0 mile from milepost UU 0.00 +/-southeast of North Howard Street to milepost UU 1.00 +/- north of Wyman Park Drive, known as the Cockeysville Industrial Track (CIT) which runs between Baltimore and Cockeysville, Md. (the Line). A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (Draft EA).

NSR previously filed a notice of exemption with Board seeking abandonment of the same freight rail easement in October 2024.¹ NSR requested permission from the Board to withdraw the notice of exemption due to real estate and other issues and to dismiss the proceeding without prejudice to NSR which the Board approved.² According to NSR, it has resolved the underlying issues; therefore, it filed the notice of exemption for the Line in a new docket.

According to NSR, the National Railroad Passenger Corporation (Amtrak) owns the underlying right-of-way and physical assets of the Line from milepost UU 0.00 +/- to milepost UU 0.50 +/-, and the Maryland Transit Administration (MTA) owns the underlying right-of-way and physical assets of the Line from milepost UU 0.50 +/- to milepost UU 1.00 +/- . MTA operates light rail transit service over the Line in connection with the construction of the Central Light Rail Line, between downtown Baltimore, Timonium, and Glen Burnie, Md.³ Because MTA and Amtrak have no residual common carrier obligation to provide freight rail service over the Line, the entire common carrier obligation of any rail carrier or party to provide freight

¹ Norfolk Southern Railway Co.—Abandonment Exemption—in the City of Baltimore, Md., AB 290 (Sub-No. 412X), Notice of Exemption (served October 31, 2024).

² Norfolk Southern Railway Co.—Abandonment Exemption—in the City of Baltimore, Md. (December 2024 Decision), AB 290 (Sub-No. 412X), Decision (STB served Dec. 9, 2024).

³ Conrail retained the freight operating easement over the CIT.

service over the Line would be extinguished with abandonment of the freight operating easement. If the notice becomes effective, the freight rail easement on the Line would be relinquished; the Line would remain intact; and MTA's light rail transit service would continue to operate on the Line.

DESCRIPTION OF THE LINE

According to NSR, the Line is located in the City of Baltimore, Maryland, in an urban setting and is part of MTA's 30-mile light rail system which runs from Hunt Valley in Baltimore County to Cromwell Station in Glen Burnie, Anne Arundel County, Maryland. Conrail, predecessor to NSR, conveyed portions of the right-of-way to Amtrak in 1976 and the MTA in 1990, and retained the exclusive freight operating easement on the Line.

NSR eventually obtained Conrail's interest in the CIT through a merger with Pennsylvania Lines, LLC. NSR abandoned 13.26 miles of the CIT freight rail easement in 2010 and retained approximately 1 mile of it, which is now the subject of this abandonment.⁴ There are no NSR owned or maintained structures on the Line.

ENVIRONMENTAL REVIEW

NSR submitted a combined environmental and historic report (E&H Report) that concludes the quality of the human environment would not be affected significantly as a result of the proposed abandonment of the Line, including salvage. NSR served the 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)]¹ 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

According to NSR, no local traffic has moved over the Line over the last five years, and overhead traffic on the Line has been rerouted. 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.

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-

⁴ See Norfolk Southern Railway Co.—Petition for Exemption—In Baltimore City and Baltimore Cnty., Md., AB 290 (Sub-No. 311X) (STB served Apr. 5, 2010).

way. According to NSR, it does not own or maintain any structures on the Line. If abandonment authority is granted, NSR states that it would not conduct any salvage operations.

Land Use

NSR considers the proposed abandonment to be consistent with existing land use plans. NSR requested comments on the proposed abandonment from the City and Baltimore County. By letter dated September 8, 2023, the City stated that the property is zoned for industrial use and is not located within an Urban Renewal Plan area. Therefore, the City had no objection to the proposed abandonment. The City also stated it was overseeing a State mandated Comprehensive Planning process for the next decade that may include recommended changes in land use. Therefore, OEA is providing a copy of this Draft EA to the City for its review.

NSR notified the United States Department of Agriculture's Natural Resources Conservation Service (NRCS) of the proposed abandonment by letter dated June 27, 2025. To date, OEA has not received a response. However, because the Line is located within an urban area and no salvage activities are proposed, OEA concludes that the proposed abandonment is unlikely to have an adverse effect on prime agricultural land.

Hazardous Materials/Spills and Safety

NSR states that the proposed abandonment would have no detrimental effects on public health and safety. There are no known hazardous waste sites or sites where there have been known hazardous material spills on the Line. Therefore, OEA concludes that the proposed abandonment is unlikely to affect the transportation of hazardous materials.

Biological Resources

NSR requested comments from the U.S. Fish and Wildlife Service (USFWS) regarding the potential impact of the proposed abandonment to protected wildlife, including federally listed threatened and endangered species. To date, USFWS has not provided comments. To identify protected species in the project area, OEA conducted a search of the USFWS Information for Planning and Consultation (IPaC) system.⁵ The following two species may be present in the project area: tricolored bat (*Perimyotis sublavus*), a proposed endangered mammal and monarch butterfly (*Danaus plexippus*) a proposed threatened insect. According to the IPaC report, there is no designated critical habitat for these species in the project area.

Because no land disturbance or instream work is contemplated; no bridge, viaduct, embankment, or tree removal is contemplated; no salvage activities are proposed; and no critical habitat is present, OEA concludes that the proposed abandonment would have no effect on these

⁵ U.S. Fish and Wildlife Service, Information for Planning and Consultation Tool (IPaC), <https://ipac.ecosphere.fws.gov> (OEA accessed on December 18, 2025, Project Code: 2026-0028956).

species. OEA is providing a copy of this Draft EA to the USFWS Chesapeake Bay Field Office for its review.

NSR notified the National Park Service (NPS) of the proposed abandonment requesting assistance in identifying any potential effects on wildlife sanctuaries or refugees, National or State parks or forests. To date, NPS has not provided comments. Because no salvage is contemplated and the Line does not cross any wildlife sanctuaries or refuges, National or State parks or forests, OEA believes that no such area would be affected by the proposed abandonment.

Water Resources

The Line is located within a Coastal Zone. NSR notified the Maryland Coastal Zone Management Program (MD CZMP) of the proposed abandonment by letter dated June 27, 2025. To date, MD CMZP has not provided comments. Because no land disturbance or instream work is contemplated, no salvage activities are proposed, no freight rail traffic would be diverted to truck traffic, and MTA passenger service would continue to operate, OEA concludes the proposed abandonment would not affect land or water uses within the Maryland Coastal Zone and thus would have no impact to coastal resources or cause coastal use conflicts. By phone call on December 18, 2025, MD CZMA concurred with this conclusion. Accordingly, OEA is providing a copy of this Draft EA to MCMZP for its review.

NSR requested assistance from the U.S. Environmental Protection Agency, Region 3 (USEPA) and the U.S. Army Corps of Engineers, Baltimore District (USACE) in identifying whether permits under Sections 402 and 404 of the Clean Water Act (CWA) (33 U.S.C. §§ 1342 and 1344) are required for the proposed abandonment, respectively. To date USEPA and USACE have not provided comments. Because NSR does not intend to conduct any salvage operations, disturb any roadbed underlying the Line, or do any work in Waters of the United States (WOTUS), there would be no discharge of dredged or fill materials into WOTUS or jurisdictional wetlands. Therefore, OEA does not anticipate the need for permits under Section 402 and 404 of the CWA. Accordingly, OEA is providing USEPA and USACE a copy of this Draft EA for review.

Air Quality and Noise

OEA believes that any air emissions associated with abandonment activities would be temporary and would not have a significant impact on air quality. Similarly, any noise related to abandonment activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Summary

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, Chesapeake Bay Ecological Services Field Office; the City; MD CZMP; USEPA, Region 3; and USACE, Baltimore District.

HISTORIC REVIEW

NSR served the E&H Report on the Maryland Historical Trust (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).⁶ Based on available information, the SHPO submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected within the right-of-way (the Area of Potential Effect, or APE) of the proposed abandonment.⁷

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. The documentation for this finding as specified at 36 C.F.R. § 800.11(d), consists of NSR'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.⁸ 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: Delaware Nation, Oklahoma; Delaware Tribe of Indians; and Seneca-Cayuga 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.

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 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 overviewing historic preservation at <https://www.stb.gov/resources/environmental/historic-preservation-overview>.

⁷ Maryland Historic Trust Log #: 202404410; Project #: AB-290 (Sub-No. 412X).

⁸ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat> (last accessed December 19, 2025).

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.

PUBLIC USE

Following abandonment and salvage of the rail line, 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.⁵

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.⁶

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, scroll down to the blue "How to File" box. Select the "E-Filing (recommended)" button. From the E-Filing page, select "Environmental Comments" under "Select your E-Filing Type." 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.

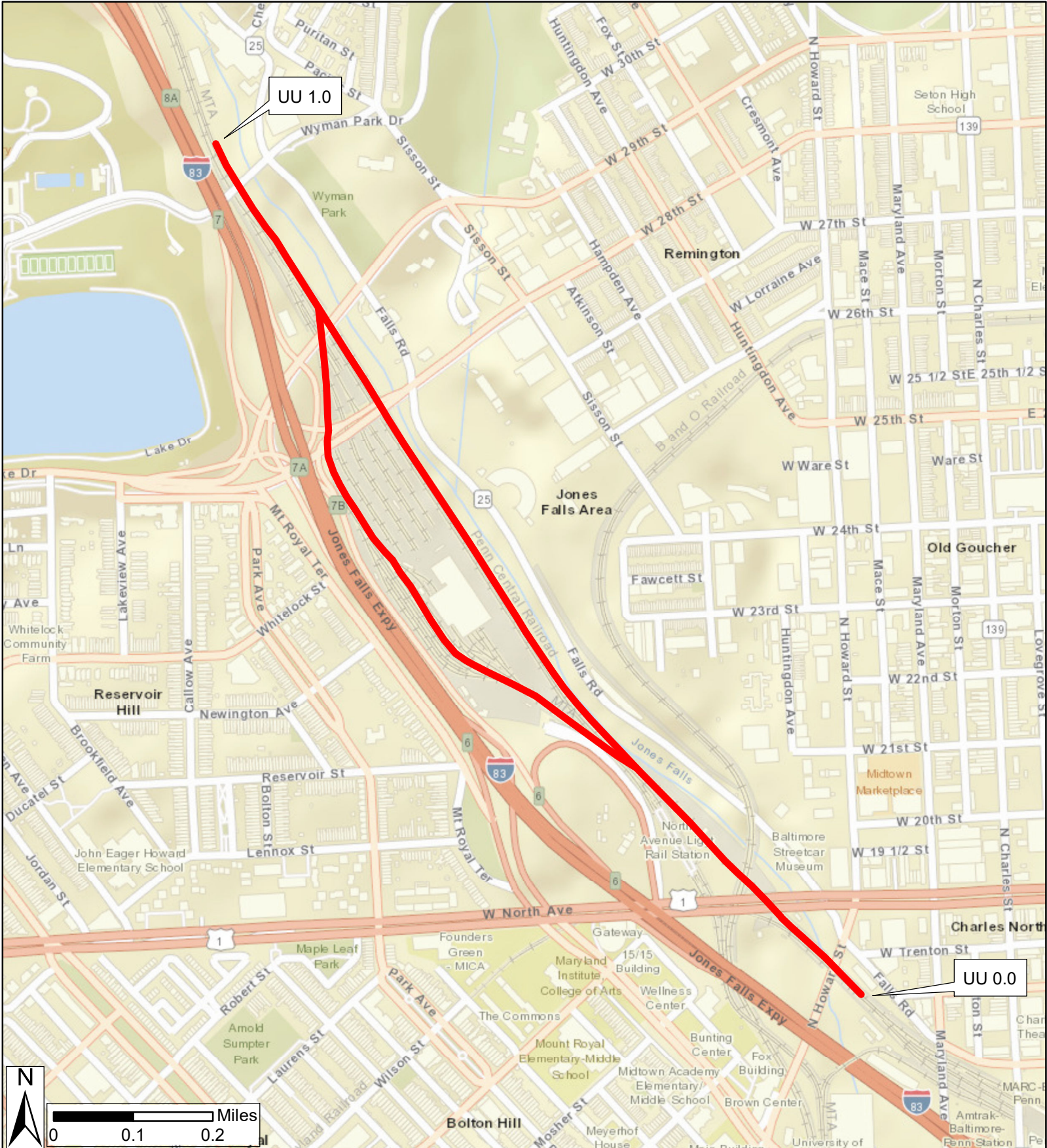
Alternatively, comments submitted by mail should be addressed to: Karen Stevens, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, Attention: Environment Filing, Docket No. AB-290 (Sub-No. 420X). If you have any questions, please contact Karen Stevens by email at Karen.Stevens@stb.gov or by phone at 202-245-0304.

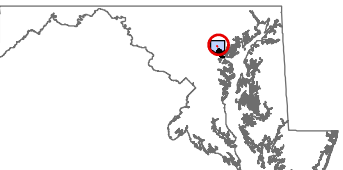
Date made available to the public: December 29, 2025.

Comment due date: January 13, 2025.

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

Attachment



 Docket No. AB 290 (Sub-No. 420X) Norfolk Southern Railway Company Abandonment Exemption Baltimore City, Md.	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.	 Baltimore City	 Maryland
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