

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 733X and AB 1121X

September 30, 2014

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

☒ (X) Notice of Exemption ☐ () Petition for Exemption ☐ () Regulated Abandonment

☐ () **NO NEW COMMENTS WERE RECEIVED**

☒ (X) **NEW COMMENTS WERE RECEIVED**

OEA served an Environmental Assessment (EA) for this proceeding on September 11, 2014 for public review and comment. In the EA, OEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment. The conditions recommended in the EA are as follows:

1. **Coltsville Terminal Company, Inc. (CTC) shall 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 (the Area of Potential Effect) that are eligible for listing or listed on the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f, has been completed. CTC shall report back to the Office of Environmental Analysis regarding any consultations with the Massachusetts Historical Commission (State Historic Preservation Office), the public, and any other Section 106 consulting parties that have been identified. CTC may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.**
2. **The Natural Resources Conservation Service (NRCS) provided a map showing areas of prime farmland located along the right-of-way of the proposed abandonment. Accordingly, CTC shall consult with NRCS prior to commencement of any salvage activities regarding measures to minimize impacts to prime farmlands.**

Comments on the EA

The EA comment period has ended and OEA received the following three comments:

Comment 1:

OEA received a letter (attached as EI-20542) from the Massachusetts Historical Commission, office of the State Historic Preservation Officer, stating that there are no recorded

significant historic properties located in the area of potential effect of the proposed abandonment.

OEA finds that the proposed abandonment, including salvage activities that may occur following any Board approval, would have no effect on historic properties pursuant to Section 106 of the National Historic Preservation Act. OEA has therefore made a determination of “no historic properties affected” (36 CFR 800.4(d)(1)) for the proposed action. This is based on the documentation provided in the applicant’s historic report, the EA and the opinion provided by the SHPO. No further action under Section 106 is required.

OEA consequently recommends that the Section 106 condition (Condition 1 above) be removed.

Comment 2:

OEA received a comment from the National Resources Conservation Service (NRCS) recommending that the NRCS condition as shown above (Condition 2) continue to be included in any Board decision (attached, EI-20549). The agency is primarily concerned about the potential for the increase of invasive plant species that could intrude into the area of the proposed abandonment following salvage activities.

Comment 3:

Thomas Gray, Senior Counsel at the Massachusetts Department of Transportation Board (DOT), informed OEA via email (attached, EI-20544)) that the DOT intends to purchase the rail line following the Board’s approval of the abandonment. Acquisition of the line would be for the purpose of converting the line into a recreational trail. The newly acquired line would connect with and extend the existing 11.2 mile Ashuwillticook Rail Trail.

Conclusion

OEA recommends that the Section 106 condition be removed and that the NRCS condition continue to be included in any Board decision. If these recommendations are heeded, OEA believes that the proposed action will not significantly affect the quality of the human environment.

OEA CONTACT: Catherine Nadals, 202-245-0293 *CN*

EI-20542
CW

The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

September 24, 2014

Catherine Nadals
Office of Environmental Assessment
Surface Transportation Board
395 E Street, S.W.
Washington DC 20423

RE: Docket No. AB-733X Housatonic Railroad Company Inc. Discontinuance of Service Exemption &
Docket No. AB-1121X Coltsville Terminal Company Inc. Abandonment Exemption. MHC #RC.56539.

Dear Ms. Nadals:

Staff of the Massachusetts Historical Commission (MHC), office of the State Historic Preservation Officer, received notification of the project referenced above on July 28, 2014, and recently a copy of a letter to you dated September 17, 2014, received by the MHC on September 22, 2014.

The MHC did not comment on the initial notification within thirty (30) days of receipt of the project information. The MHC will have no further comment on the STB's undertaking as proposed, because no further MHC review of the STB undertaking is required (36 CFR 800.3(c)(4)).

To advise and assist the STB in its responsibilities, the MHC offers the following: The MHC reviewed the Inventory of Historic and Archaeological Assets of the Commonwealth for the area of potential effect for STB's undertaking, and no recorded significant historic properties were identified. The MHC advises that no further historic properties identification effort for the STB's undertaking should be required (36 CFR 800.3). The MHC advises that the STB make a determination of "no historic properties affected" (36 CFR 800.4(d)(1)) for the STB's undertaking.

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (36 CFR 800).

Sincerely,

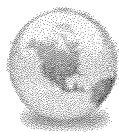
A handwritten signature in dark ink, appearing to read "Edward L. Bell".

Edward L. Bell
Deputy State Historic Preservation Officer
Massachusetts Historical Commission

cc:

John D. Heffner, Strasburger & Price LLP
Thomas P. Gray, MassDOT

220 Morrissey Boulevard, Boston, Massachusetts 02125
(617) 727-8470 • Fax: (617) 727-5128
www.sec.state.ma.us/mhc



RE: Rail Abandonment in Pittsfield, MA
Snyder, Vince - NRCS, Hadley, MA
09/29/2014 11:13 AM

EI-20549
EN

To:

Catherine.Nadals@stb.dot.gov

Hide Details

From: "Snyder, Vince - NRCS, Hadley, MA" <vince.snyder@ma.usda.gov>

To: "Catherine.Nadals@stb.dot.gov" <Catherine.Nadals@stb.dot.gov>

History: This message has been replied to.

It is fine the way you have submitted it.

Thanks,

Vince

From: Catherine.Nadals@stb.dot.gov [<mailto:Catherine.Nadals@stb.dot.gov>]

Sent: Monday, September 29, 2014 11:09 AM

To: Snyder, Vince - NRCS, Hadley, MA

Subject: RE: Rail Abandonment in Pittsfield, MA

Vince,

That explains it. I never received your comments with the map!

The railroad would like to salvage rails, ties and ballast as soon as possible and needs our approval before they can do so. We have no other concerns expressed by any other agencies etc. that we contacted.

As I never received your comments (only the map), I thought the issue was impacts to farmlands, not invasive plants. The condition addressing your concerns that I included in the EA is as follows:

1. The Natural Resources Conservation Service (NRCS) provided a map showing areas of prime farmland located along the right-of-way of the proposed abandonment. Accordingly, CTC shall consult with NRCS prior to commencement of any salvage activities regarding measures to minimize impacts to prime farmlands.

Do you want me to revise the current condition to state your concerns about invasive species, or do you feel that

your conversations with the railroad have been sufficient in expressing your concerns? If we revise the condition, it would essentially require that the railroad consult with you regarding invasive species. However, it would not prohibit them from salvaging the line.

Just so you know, there would be no new construction as the MA DOT is intending to convert the rail line into a trail.

-Cathy

Catherine Nadals
Environmental Protection Specialist
Office of Environmental Analysis
Surface Transportation Board
Washington, DC 20423
(202) 245-0293

From: "Snyder, Vince - NRCS, Hadley, MA" <vince.snyder@ma.usda.gov>
To: "Catherine.Nadals@stb.dot.gov" <Catherine.Nadals@stb.dot.gov>
Date: 09/29/2014 10:02 AM
Subject: RE: Rail Abandonment in Pittsfield, MA

The map was meant to show the location of the soils with respect to the project. The text of my email (below) was where I included my opinion. Invasive plants can always pose a problem when left unchecked, but I am not opposed to the conversion of the rail line to a trail. I don't think it will have negative effects on the important farmland soils.

Vince

"Mr. Heffner,
I am the District Conservationist that covers Berkshire County, Massachusetts. The original packet of information was sent to our Westford Field Office at the other end of the state. In any event, I am contacting you to weigh in on the effect that abandoning the rail lines will have on prime agricultural lands. I have attached a map showing the locations of Farmland of statewide and unique importance. At present, these soils are not being used for agricultural purposes. The abandonment of these rail lines could potentially increase the populations of invasive plants if the corridor is not maintained. With the knowledge I have of that area, I don't foresee any other negative impacts to important farmland soils.

Regards,
Vince

Vincent Snyder
District Conservationist
Western MA Field Offices
Hadley, MA"

From: Catherine.Nadals@stb.dot.gov [<mailto:Catherine.Nadals@stb.dot.gov>]
Sent: Monday, September 29, 2014 9:54 AM

To: Snyder, Vince - NRCS, Hadley, MA
Subject: RE: Rail Abandonment in Pittsfield, MA

Yes, I received the map. Does the map imply that you are opposed to the action? This is unclear.

Thanks,
Cathy

Catherine Nadals
Environmental Protection Specialist
Office of Environmental Analysis
Surface Transportation Board
Washington, DC 20423
(202) 245-0293

From: "Snyder, Vince - NRCS, Hadley, MA" <vince.snyder@ma.usda.gov>
To: "Catherine.Nadals@stb.dot.gov" <Catherine.Nadals@stb.dot.gov>
Date: 09/29/2014 09:51 AM
Subject: RE: Rail Abandonment in Pittsfield, MA

Hi Catherine,
I had previously responded to John Heffner but maybe it didn't get forwarded along. I have attached my earlier email. Let me know if you need anything else.

Regards,
Vince

Vincent Snyder | District Conservationist for Western MA Field Offices | USDA Natural Resources Conservation Service | 195 Russell Street, Hadley, MA 01035
vince.snyder@ma.usda.gov | P: 413-585-1000 ext 133 | F: 855-596-7671 | www.ma.nrcs.usda.gov

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From: Catherine.Nadals@stb.dot.gov [<mailto:Catherine.Nadals@stb.dot.gov>]
Sent: Monday, September 29, 2014 9:30 AM
To: Snyder, Vince - NRCS, Hadley, MA
Subject: Rail Abandonment in Pittsfield, MA

Dear Vince Snyder,

I have attached a link to an EA that addresses a proposed abandonment action in Pittsfield, MA. A map of the area of the abandonment indicates that the surrounding area includes farmland of unique importance.

Please let me know if you believe there would be impacts from the proposed action. The MA DOT has informed us that it intends to purchase the "Coltsville Line" from the Housatonic Railroad for conversion into a trail. No

construction is planned although the railroad would remove rail, ties and ballast.

Link to the EA [here](#).

Sincerely,

Catherine Nadals
Environmental Protection Specialist
Office of Environmental Analysis
Surface Transportation Board
Washington, DC 20423
(202) 245-0293

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----- Message from "Snyder, Vince - NRCS, Hadley, MA" <vince.snyder@ma.usda.gov> on Thu, 14 Aug 2014 19:52:25 +0000 -----

To: "'john.heffner@strasburger.com'" <john.heffner@strasburger.com>

Subject: Docket Nos: AB-733X and AB-1121X

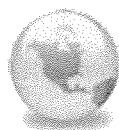
Mr. Heffner,

I am the District Conservationist that covers Berkshire County, Massachusetts. The original packet of information was sent to our Westford Field Office at the other end of the state. In any event, I am contacting you to weigh in on the effect that abandoning the rail lines will have on prime agricultural lands. I have attached a map showing the locations of Farmland of statewide and unique importance. At present, these soils are not being used for agricultural purposes. The abandonment of these rail lines could potentially increase the populations of invasive plants if the corridor is not maintained. With the knowledge I have of that area, I don't foresee any other negative impacts to important farmland soils.

Regards,
Vince

Vincent Snyder
District Conservationist
Western MA Field Offices
Hadley, MA

EI-20544



Coltsville Line
Gray, Thomas (DOT)

to:

Catherine.Nadals@stb.dot.gov

09/16/2014 04:12 PM

Cc:

Ed Rodriguez, "Ray, John (DOT)"

Hide Details

From: "Gray, Thomas (DOT)" <thomas.gray@state.ma.us>

To: "Catherine.Nadals@stb.dot.gov" <Catherine.Nadals@stb.dot.gov>

Cc: Ed Rodriguez <e.rodriguez@hrrc.com>, "Ray, John (DOT)" <john.ray@state.ma.us>

Ms, Nadals:

Ed Rodriguez has requested that I contact you as a representative of the Surface Transportation Board, to confirm that the Massachusetts Department of Transportation plans to purchase the so-called "Coltsville Line" from the Housatonic Railroad and the Coltsville Terminal Company, for use as a recreational trail. This acquisition would connect with and extend the existing Ashuwillticook Rail Trail, which runs 11.2 miles through the Towns of Adams, Chester and Lanesborough, Massachusetts.

Please do not hesitate to contact me for any additional information on this matter.

Thank you.

Thomas P. Gray
Senior Counsel
Office of the General Counsel
Massachusetts Department of Transportation
10 Park Plaza
Boston, MA 02116
857-368-9220