

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

#EO-1495

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB-1053 (Sub-No. 0X)

August 20, 2010

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**

In this proceeding, the Michigan Air-Line Railway Company (MAL Railway) filed a notice of exemption with the Surface Transportation Board (Board) seeking approval authority to abandon 2.37 miles of railroad a portion of railroad located in West Bloomfield Township, Oakland County, Michigan. SEA served an Environmental Assessment (EA) for this proceeding on August 2, 2010 for public review and comment. In the EA, SEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

SEA received four comments – three in writing (see attached) and one verbally – after the issuance of the EA. The U.S. Fish and Wildlife Service (USFWS) commented that the proposed abandonment would have no effect on federally listed species. Therefore, no further consultation with the USFWS is necessary. The U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) commented that the proposed abandonment would have no effect on prime and unique farmland. Therefore, no further consultation with the NRCS is necessary.

A private citizen commented that the proposed abandonment would cause the destruction of rail infrastructure, despite ongoing efforts, the commenter asserts, to rebuild this system. The commenter did not provide any more details to support the argument and SEA is not certain where the referenced rail improvements are being made. However, SEA did discuss the comment with MAL Railway and was informed that no improvements are occurring on the rail line proposed for abandonment. MAL Railway reports that no local traffic has moved on this segment of rail line in the past two years, and that due to this inactivity, the line has not been maintained. The West Bloomfield Parks and Recreation Commission (WBPRC) previously commented that it plans to purchase this segment of right-of-way for use as a multi-use

recreational trail that would link to an existing 4.25-mile trail. If the abandonment is authorized, the rail appurtenances would be salvaged, but the right-of-way would remain intact.

MAL Railway commented that the EA contains an error in the first sentence of the second paragraph. The sentence indicates that the West Bloomfield section of the MAL Railway system is the only section left of the MAL Railway system. This is not correct, and SEA would like to retract the following statement:

MAL Railway indicates that construction of the rail system was completed in 1889, but that the West Bloomfield section is all that remains of the system today.

And replace it with:

MAL Railway indicates that construction of the rail system was completed in 1889.

Conclusions

The EA comment period has ended. Accordingly, SEA recommends that the one condition recommended in the EA be imposed upon any decision granting abandonment authority. SEA concludes that if the following conditions are imposed, the proposed action would not significantly affect the quality of the human environment.

1. The Michigan Air-Line Railway Company (MAL Railway) shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that would disturb or destroy any geodetic station markers.

SEA CONTACT: Diana Wood 
202-245-0302
woodd@stb.dot.gov

Distribution: Ann Newman, Office of Proceedings
SEA Chron
ECT

Attachments

#E1-18255



**FW: Michigan Air-Line Railway Co. - Abandonment Exemption - Line In
Oakland County, Michigan, STB Docket No. AB-1053**
Bob Alderson to: Diana Wood

08/13/2010 01:06 PM

Dear Ms. Wood:

I am remiss in not forwarding the attached email to you in a more timely manner. Fortunately, the comments by Tameka Dandridge on behalf of the U.S. Fish & Wildlife Service are supportive of the Exemption Notice submitted by Michigan Air-Line Railway Co., as the salvage operations that will occur upon abandonment will have no effect on Federally listed species.

Please let me know if you need anything further regarding this matter.

Bob Alderson

-----Original Message-----

From: Tameka_Dandridge@fws.gov [mailto:Tameka_Dandridge@fws.gov]

Sent: Tuesday, July 27, 2010 1:33 PM

To: Bob Alderson

Subject: Michigan Air-Line Railway Co. - Abandonment Exemption - Line In
Oakland County, Michigan, STB Docket No. AB-1053

Mr. W. Robert Alderson
Alderson, Alderson, Weiler, Conklin,
Burghart, & Crow, LLC
Attorney for Michigan Air-Line Railway Co.

Dear Mr. Alderson:

I just wanted to follow up our phone conversation with this email.

Because

you only plan to remove rail and other salvageable materials and tree removal is not proposed then a "no effect" determination is appropriate in this case.

In other words, the proposed project will have "no effect" on federally listed species.

Additional information on the ESA section 7 consultation process and a glossary with section 7 terms may be found here:

<http://www.fws.gov/midwest/endangered/section7/s7process/index.htm>

Thank you,
Tameka

Tameka Dandridge
U.S. Fish & Wildlife Service
East Lansing Field Office
2651 Coolidge Rd., Suite 101
East Lansing, MI 48823
517-351-8315
tameka_dandridge@fws.gov

#E1-18254



Michigan Air Line Railroad
sppengelly to: woodd

08/08/2010 07:33 PM

Ms. Wood,

I m unsure if you are the person to contact for this but regarding the abandonment of the Michigan Air Line Railroad, I am a concerned citizen not wanting part of our rail infurstructure to be destroyed after such efforts to rebuild it are going on. Please email me back.

Sean Pengelly
Hartland, MI

#EO-1490



Re: Michigan Air Line Railroad AB-1053 (Sub-No. 0X) 
Diana Wood to: sppengelly

08/16/2010 07:16 AM

Mr. Pengelly:

I am the point of contact for the environmental assessment on this proposed abandonment. You can reach me by email or at the phone number below. I will include your comment below in opposition to proposed abandonment in the public record for this proceeding. The Board will take all comments into consideration when making its decision to approve, deny, or approve with conditions this proposed abandonment.

Please let me know if you have any questions or need more additional information on this case.

Diana F. Wood
Section of Environmental Analysis
Surface Transportation Board
395 E Street S.W. Room 1110
Washington, DC 20423
202-245-0302 (phone)
202-245-0454 (fax)

sppengelly

Ms. Wood, I m unsure if you are the person to co...

08/08/2010 07:33:21 PM

From: sppengelly@aol.com
To: woodd@stb.dot.gov
Date: 08/08/2010 07:33 PM
Subject: Michigan Air Line Railroad

Ms. Wood,

I m unsure if you are the person to contact for this but regarding the abandonment of the Michigan Air Line Railroad, I am a concerned citizen not wanting part of our rail infurstructure to be destroyed after such efforts to rebuild it are going on. Please email me back.

Sean Pengelly
Hartland, MI

E1-18263

United States Department of Agriculture



Helping People Help the Land
Natural Resources Conservation Service
3001 Coolidge Road, Suite 250
East Lansing, MI 48823
T (517) 324-5270/ F (517) 324-5171/ www.mi.nrcs.usda.gov

August 19, 2010

Diana Wood
Environmental Contact Coordinator
Surface Transportation Board
Case Control Unit
Washington, DC 20423

RE: Docket No. AB-1053 (Sub-No. 0X) Michigan Air-Line Railroad Abandonment
Exemption in Oakland County, Michigan

Dear Ms. Wood:

We have reviewed the proposal to abandon a portion of railroad located in West Bloomfield Township, Oakland County, Michigan, extending westerly from Engineer's Profile Station 2250+20 at the west line of Arrowhead Road to Engineer's Profile Station 2389+72 at the west line of Haggerty Road, a distance of 2.37 miles. Our review was conducted with respect to the effects that this proposal will have on the conversion of prime and unique farmland to other non-farm uses. We have determined that the proposed abandonment will not cause a conversion of prime and unique farmland to other non-farmland uses.

Thank you for this opportunity to comment on the proposal.

Sincerely,

A handwritten signature in cursive script that reads "Stephen S. Davis".

STEPHEN S. DAVIS
Acting State Conservationist

cc:

Jay Blair, District Conservationist, NRCS, Lapeer, MI
Albert Jones, Area Conservationist, NRCS, Flint, MI
William Bowman, State Soil Scientist, NRCS, East Lansing, MI