

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 837 (Sub-No. 1X)

February 1, 2016

RECOMMENDATION: Remove Coastal Zone Management Act Condition

In this proceeding, the Long Island Rail Road Company (LIRR) filed a petition of exemption to abandon two segments of rail line (the lines) located in Long Island City, Queens County, New York. Because the Coastal Zone Management Act consistency certification had not been completed at the time of the Board's January 22, 2016 decision, the Board imposed the following condition on its decision granting abandonment authority:

Pursuant to the Coastal Zone Management Act (16 U.S.C. § 1451 *et seq.*) and the Board's environmental regulations at 49 C.F.R. § 1105.9, LIRR shall consult with the New York State Department of State – Office of Coastal, Local Government and Community Sustainability and obtain state coastal management consistency certification. LIRR may not file its consummation notice or initiate any activities related to abandonment (including removal of tracks and ties) until it reports the results of these consultations in writing to the Board's Office of Environmental Analysis and the Board has removed this condition.

New Comments On the Abandonment

On January 25, 2016, LIRR forwarded a letter (copy attached) to OEA from the New York State Department of State (NYDOS). NYDOS has completed its review of the proposed abandonment and has no objection to the abandonment and its consistency with the New York State Coastal Management Program. Further review of the proposed abandonment activity by NYDOS is not required.

Conclusions

For the reasons stated above, OEA recommends that the Board remove the Coastal Zone Management Act condition. OEA believes that the proposed action will not significantly affect the quality of the human environment.

OEA CONTACT: Kenneth Blodgett (202-245-0305)





FW: Abandonment of LIRR's Montauk Cutoff and Main Line Cutoff

Saltz, Brian

to:

'kenneth.blodgett@stb.dot.gov'

01/25/2016 02:43 PM

Hide Details

From: "Saltz, Brian" <bsaltz@lirr.org>

To: "'kenneth.blodgett@stb.dot.gov'" <kenneth.blodgett@stb.dot.gov>

History: This message has been replied to.

EI-21311

2 Attachments



F-2015-0715_MTA_LIRR-signed.pdf STB decision allowing abandonment.pdf

Dear Mr. Blodgett:

I just received a letter (1st attachment above) from the New York State Department of State Consistency Review Unit. Pursuant to the STB decision (2nd attachment above, page 4), I am required to report this information to OEA so that the STB may remove the condition from its decision approving LIRR's abandonment of the Montauk Cutoff and Main Line Cutoff.

Thank you for your assistance. If you have any questions or require additional information, please feel free to contact me.

Brian K. Saltz
Assistant Deputy General Counsel
The Long Island Rail Road Company
Tel. 718-558-8277
Email. bsaltz@lirr.org

From: Sturn, Terra (DOS) [<mailto:Terra.Sturn@dos.ny.gov>]

Sent: Monday, January 25, 2016 2:08 PM

To: Saltz, Brian

Cc: Zappieri, Jeffrey D (DOS)

Subject: RE: Abandonment of LIRR's Montauk Cutoff and Main Line Cutoff

Hi Brian,

Please find DOS letter of concurrence attached.

Let me know if we can be of any further assistance.

Sincerely,

Terra M. Sturn
NYS Coastal Management Program
Office of Planning & Development

New York Department of State

99 Washington Avenue, One Commerce Plaza, Suite 1010, Albany, NY 12231
O: 518.474.1757 | Terra.Sturn@dos.ny.gov | www.dos.ny.gov

From: Saltz, Brian [<mailto:bsaltz@lirr.org>]
Sent: Monday, January 25, 2016 10:28 AM
To: Haight, Gary (DOS); Sturn, Terra (DOS)
Subject: Abandonment of LIRR's Montauk Cutoff and Main Line Cutoff

Dear Mr. Haight and Ms. Sturn:

I am attaching: (1) the recent STB decision granting LIRR the right to abandon the Montauk Cutoff and Main Line Cutoff in Queens County, New York, subject to LIRR obtaining state coastal management consistency certification from the New York Department of State – Office of Coastal, Local Government and Community Sustainability; and (2) the consistency review determination from the New York City Waterfront Revitalization Program.

Please let me know what, if anything, LIRR needs to provide you in order to receive consistency certification. Thank you for your assistance.

Brian K. Saltz
Assistant Deputy General Counsel
The Long Island Rail Road Company
Tel. 718-558-8277
Email. bsaltz@lirr.org



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

January 20, 2016

Mr. Brian K. Saltz, General Attorney
Metropolitan Transportation Authority –
Long Island Railroad
Jamaica Station
Jamaica, NY 11435-4380

Re: **F-2015-0715**
U.S. Department of Transportation
Surface Transportation Board
Long Island Railroad –
Abandonment in Queens County, New York
Docket No. AB-837 (1X); AB-837 (2X)

General Concurrence – No Objection

Dear Mr. Saltz:

The Department of State received information pertaining to the above-referenced matter and has completed its review. The Department has no objection to the relevant federal authorization and its consistency with the New York State Coastal Management Program (NYS CMP). Therefore, further review of the proposed activity by the Department of State and the Department's concurrence with an individual consistency certification for the proposed activity is not required.

This General Concurrence is without prejudice to and does not obviate the need to obtain all other applicable licenses, permits, other forms of authorization or approval that may be required pursuant to existing State statutes. When communicating with us regarding this matter, please contact Jeffrey Zappieri at (518) 474-6000 and refer to our file #F-2015-0715.

Sincerely,

Jeffrey Zappieri
Supervisor, Consistency Review Unit
Office of Planning and Development

JZ/ ts