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SEA

SERVICE DATE – JULY 13, 2007

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-32 (SUB-NO. 53X)
BOSTON AND MAINE CORPORATION—ABANDONMENT EXEMPTION—IN ESSEX
COUNTY, MA
AND
STB DOCKET NO. AB-355 (SUB-NO. 5X)
SPRINGFIELD TERMINAL RAILWAY COMPANY—DISCONTINUANCE OF
SERVICE EXEMPTION—IN ESSEX COUNTY, MA

BACKGROUND

On June 19, 2007, the Boston and Maine Corporation (B&M) and the Springfield Terminal Railway Company (ST) filed a verified notice of exemption pursuant to the Surface Transportation Board's (Board) regulations at 49 C.F.R. 1152.50. B&M proposes to abandon, and ST proposes to discontinue service over 1.47-miles of the "Georgetown Branch" line of railroad in Haverhill, Massachusetts, extending from milepost 4.66 to milepost 6.13 in Essex County. The line of railroad proposed for abandonment and discontinuance traverses through United States Postal Service Zip Code 01830. A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, the B&M will be able to salvage track, ties, and other railroad appurtenances and dispose of the right-of-way.

ENVIRONMENTAL REVIEW

The B&M and ST submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of abandonment, including salvage and disposition of the right-of-way. The B&M and ST served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by Board's environmental rules [49 CFR 1105.7(b)]. The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the environmental record in this proceeding.

The Georgetown Branch was constructed in 1851. The branch line was built by the Newburyport Railroad Company and served as a link between Georgetown, Massachusetts and Bradford (Haverhill), Massachusetts for over a century. Newburyport Railroad Company was merged into the Boston and Maine Corporation's predecessor, Boston and Maine Company, in 1906.

B&M and ST explain in their notice of exemption that the title to the branch line proposed for abandonment and discontinuance would be sold to a third party interested in alternative public use of the right-of-way, if abandonment authority is granted. Applicants maintain that because no traffic has moved over the line in since 1988, the proposed abandonment and discontinuance would not adversely affect the transportation of energy resources or recyclable commodities, and would not result in an increase in overall energy consumed in the region. No impacts to noise or air quality are anticipated because B&M and ST explain that they do not intend to salvage the line, but would sell the right-of-way intact. B&M and ST believe that the effects of the proposed action on regional or local transportation patterns would be positive for the local communities along the line.

The Massachusetts Office of Coastal Zone Management stated in a letter of February 5, 2007, that the activities associated with this proposed abandonment and discontinuance fall outside the geographical boundaries of the Massachusetts Coastal Zone. In a letter of February 23, 2007, the United States Fish and Wildlife Service indicated that no Federally-listed threatened and endangered species or critical habitat under its jurisdiction are known to occur in the area of the proposed abandonment and discontinuance.

B&M and ST state that the proposed abandonment would be handled in a manner that is consistent with the applicable Federal, state, and local water quality standards. B&M maintains that no known hazardous waste sites or spills have occurred on the right-of-way. Because B&M does not intend to salvage the line, no permits under sections 402 and 404 of the Clean Water Act would be required for the proposed abandonment and discontinuance.

The National Geodetic Survey (NGS) has notified SEA that approximately five geodetic survey markers may be located in the area of the proposed abandonment and discontinuance. NGS states that if any ground disturbance or salvage activities occurs within the right-of-way, NGS should be given a 90-day advanced notice to attempt formal relocation of the geodetic station markers.

HISTORIC REVIEW

B&M and ST submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the Massachusetts State Historic Preservation Office (MASHPO) pursuant to 49 CFR 1105.8(c). Based on available information, the MASHPO has submitted comments stating that the proposed abandonment would not adversely affect National Register of Historic Places (National Register) historic properties located within the right-of-way (the Area of Potential Effect or APE) of the proposed abandonment.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 CFR 800.5(b), and following consultation with the MASHPO and the public, we have 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 CFR 800.11(e), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the MASHPO and made available to the public through posting on

the Board's web site at <http://www.stb.dot.gov>.

SEA conducted a search of the Native American Consultation Database at www.cast.uark.edu/other/nps/nacd/ to identify Federally recognized tribes that may have ancestral connections to the project area. The database did not identify any federally recognized tribes that may have an interest in the proposed abandonment and discontinuance.

CONDITION

SEA recommends that the following environmental condition be placed on any decision granting abandonment authority:

- If any salvage activities or land disturbance occurs within the right-of-way, Boston and Maine Corporation shall consult with the National Geodetic Survey (NGS) 90 days prior to beginning salvage activities in order to allow NGS to plan for the possible relocation of the geodetic station markers.

CONCLUSIONS

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, abandonment would 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, discontinuance of service and salvage of the rail line, a portion of the rights-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 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the class 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 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 245-0230, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Phillis Johnson-Ball, who prepared this environmental assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-32 (SUB-NO. 53X) and AB-355 (SUB-NO. 5X).** If you have any questions regarding this environmental assessment, please contact Phillis Johnson-Ball, the environmental contact for this case, by phone at (202) 245-0304, fax at (202) 245-0454, or e-mail johnson-ballp@stb.dot.gov.

Date made available to the public: July 13, 2007.

Comment due date: July 30, 2007.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment