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SERVICE DATE - AUGUST 10, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-355 (Sub-No. 30X)

SPRINGFIELD TERMINAL RAILWAY COMPANY—ABANDONMENT EXEMPTION—IN
HAMPDEN COUNTY, MA

Decided: August 6, 2004

Springfield Terminal Railway Company (ST) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 4.8-mile line of railroad known as the Westover Industrial Track extending from milepost 0.0 to milepost 4.8 in Chicopee, Hampden County, MA. Notice of the exemption was served and published in the Federal Register on July 13, 2004 (69 FR 42084-85). The exemption is scheduled to become effective on August 12, 2004.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on July 16, 2004, requesting comments by August 2, 2004. In the EA, SEA initially recommended that no conditions be imposed on any decision granting abandonment authority. A comment was received on the EA from the Westover Metropolitan Development Corporation (WMDC), requesting the Board to impose two conditions upon ST's proposed abandonment. WMDC states that it has a reversionary property interest in the right-of-way that will vest when ST exercises its authority to abandon. WMDC requests that conditions be imposed requiring ST to: (1) restore the entire track to Federal Railroad Administration (FRA) Class 1 status, and (2) restore every public at-grade railroad crossing on the track to the specification determined by the Department of Public Works for the City of Chicopee, MA. The City of Chicopee (the City) did not comment on the EA. On August 2, 2004, ST replied to WMDC's comments and asked that the Board deny WMDC's requested conditions.

The conditions requested by WMDC will not be imposed. Concerning the request for a condition requiring ST to restore the entire track to FRA Class 1 conditions, WMDC has not shown that reasons of public safety or other environmental reasons require such a condition. WMDC has not made it clear how public safety would be improved by upgrading track on a line over which no traffic has moved for at least two years. Concerning the requested restoration of every public at-grade railroad crossing, the only impacts to public roadways that could result from this proposed abandonment are likely to occur as a result of salvage. Here, however, ST has no right to salvage the line because WMDC's reversionary interest in the property will vest on consummation of the abandonment. Accordingly, a Finding of No Significant Impact under 49 CFR 1105.10(g) will be made pursuant to 49 CFR 1011.7(b)(9).

It is ordered:

1. Abandonment of the involved rail line will have no significant effect on the quality of the human environment and conservation of energy resources or historic resources.
2. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary