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SERVICE DATE – SEPTEMBER 14, 2021

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 122 (Sub-No. 2X)

TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS—ABANDONMENT EXEMPTION
—IN ST. LOUIS COUNTY, MO.

Decided: September 13, 2021

On July 27, 2021, Terminal Railroad Association of St. Louis (TRRA) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon an approximately 0.1-mile segment of rail line, between milepost 0.7 (near Bodine Industrial Drive crossing) and milepost 0.8 (the end of the track) in St. Louis County, Mo. (the Line). Notice of the exemption was served and published in the Federal Register on August 16, 2021 (86 Fed. Reg. 45,796). The exemption is scheduled to become effective on September 15, 2021.

The Board's Office of Environmental Analysis (OEA) served a Draft Environmental Assessment (Draft EA) on August 20, 2021, recommending that one condition be imposed on any decision granting abandonment authority. OEA found that the proposed abandonment would have no effect on historic properties that are listed in or eligible for listing in the National Register of Historic Places (National Register) within the Area of Potential Effect but noted that the Missouri State Historic Preservation Office (State Historic Preservation Office or SHPO) had not yet commented. To give the SHPO sufficient time to comment on OEA's finding, OEA recommended a condition requiring the railroad to 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 in the National Register until the Section 106 process of the National Historic Preservation Act, 54 U.S.C. § 306108 (NHPA), has been completed and the Board has removed the condition.

On September 9, 2021, the SHPO informed OEA of the SHPO's concurrence with OEA's finding of no historic properties affected. On September 10, 2021, OEA issued a Final Environmental Assessment stating that, in light of the comment from the SHPO, OEA no longer recommends that the Section 106 condition described in the Draft EA be imposed. Therefore, OEA is not recommending that any conditions be imposed in this proceeding.¹ Accordingly, a

¹ West Belt Railway LLC (WBRY) filed a verified notice of exemption on August 4, 2021, to discontinue service over the Line, and notice of that exemption was served and published on August 24, 2021. See W. Belt Ry.—Discontinuance of Serv. Exemption—in St. Louis Cnty., Mo., AB 1318X (STB served Aug. 24, 2021). (86 Fed. Reg. 47,364). Pursuant to that exemption, WBRY may consummate its discontinuance authority on or after September 23, 2021. TRRA may not abandon the Line until WBRY has discontinued its service over the Line.

finding of no significant impact under 49 C.F.R. § 1105.10(g) will be made pursuant to 49 C.F.R. § 1011.7(a)(2)(ix).

It is ordered:

1. Abandonment of the Line will have no significant effect on the quality of the human environment and conservation of energy resources or on historic resources.
2. If consummation has not been effected by TRRA's filing of a notice of consummation by August 16, 2022, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.
3. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.