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SERVICE DATE – FEBRUARY 12, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 768X

MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORPORATION—
ABANDONMENT EXEMPTION—IN LEWIS AND JEFFERSON COUNTIES, N.Y.

Decided: February 11, 2025

Mohawk, Adirondack & Northern Railroad Corporation (MAN) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon (1) an approximately 16-mile rail line that runs between milepost 58.1 and milepost 74.0 located between the Village of Lowville, N.Y., and the Village of Carthage, N.Y.; and (2) 0.5 miles of an unused spur track and 300 feet of terminal end of main line all within the Village of Lyons Falls, N.Y.¹ Notice of the exemption was served and published in the Federal Register on January 14, 2025 (90 Fed. Reg. 3272). The exemption is scheduled to become effective on February 13, 2025.

The Board's Office of Environmental Analysis (OEA) served a Draft Environmental Assessment (Draft EA) on January 17, 2025, recommending that one condition be imposed on any decision granting abandonment authority.

OEA stated that MAN submitted a combined environmental and historic report and served the report on the New York Parks, Recreation and Historic Preservation Office (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c). The Draft EA stated that an email from the SHPO dated August 24, 2023, requested additional documentation including photographs and a map of inventoried resources. The Draft EA also stated that MAN replied that they had no historical material or photos for the Line. OEA stated that it had not heard from the SHPO and therefore had not been able to consider the SHPO's opinion before determining if the Line may be potentially eligible for listing on the National Register of Historic Places (National Register).

¹ By decision served on January 22, 2024, the Board held this proceeding in abeyance and directed MAN to update its Environmental and Historic Report (E&H Report), serve that updated report on the parties required to receive it, and allow 20 days for responses. Mohawk, Adirondack & N. R.R.—Aban. Exemption—in Lewis & Jefferson Cntys., N.Y., AB 768X et al., slip op. at 3-4, 8 (STB served Jan. 22, 2024). By decision served December 19, 2024, the Board found that MAN had complied with the Board's directive and removed this proceeding from abeyance.

Accordingly, 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 (NHPA), 54 U.S.C. § 306108, has been completed and the Board has removed this condition.

OEA issued its Final Environmental Assessment (Final EA) on February 7, 2025, indicating that no new comments were received and that OEA continues to recommend that the condition recommended in the Draft EA be imposed. Based on OEA's analysis and recommendation, the condition recommended in the Final EA will be imposed.

This decision, and the proposed abandonment if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. The notice served and published in the Federal Register on January 14, 2025, exempting the abandonment of the Line described above is subject to the condition that MAN shall 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 Area of Potential Effect that are eligible for listing or listed in the National Register until the Section 106 process of the NHPA has been completed. MAN shall report back to OEA regarding any consultations with the SHPO and the public. MAN may not file its consummation notice until the Section 106 process has been completed and the Board has removed this condition.²
3. This decision is effective on its service date.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

² If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 is reached for the Line (or a portion thereof), compliance with the condition in ordering paragraph 2 is not required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.