

EO-1925

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 117 (Sub-No. 8X)

July 24, 2012

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

- (X) Notice of Exemption () Petition for Exemption () Regulated Abandonment
- () NO NEW COMMENTS WERE RECEIVED
- (X) NEW COMMENTS WERE RECEIVED

OEA served an Environmental Assessment (EA) for this proceeding on July 3, 2012 for public review and comment. In the EA, OEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment. No comments were received during comment period, and OEA issued a Final EA on July 19, 2012.

On July 23, 2012, OEA received a comment from the Iowa Tribe of Kansas and Nebraska stating that they have no objections to the proposed abandonment. However, the Tribe requested to be notified if there are any unanticipated discoveries of historic properties, human skeletal remains, or other artifacts during salvage activities. Accordingly, we are recommending the following new condition to address concerns regarding unanticipated discoveries during salvage activities:

In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during salvage activities, Elgin, Joliet & Eastern Railway Company will immediately cease all work and notify the Board's Office of Environmental Analysis (OEA), interested federally-recognized tribes, and the Illinois Historic Preservation Agency (SHPO) pursuant to 36 C.F.R. § 800.13(b). OEA shall then consult with the SHPO, interested federally-recognized tribes, the railroad, and other consulting parties, if any, to determine whether additional mitigation measures are necessary.

Conclusions

To address concerns regarding potential unanticipated discoveries during salvage activities, OEA recommends that the Board impose one new condition upon any decision granting abandonment authority. The two environmental conditions that were recommended in the Final EA remain unchanged. Accordingly, the combined conditions, as modified by the recommendations in this document, are as follows:

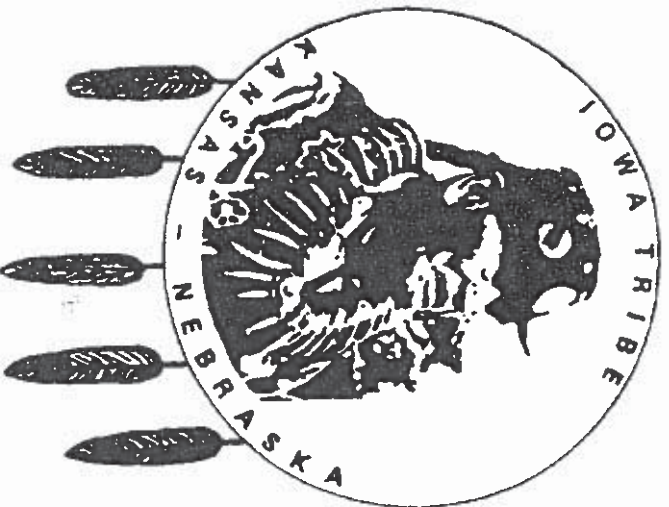
1. Prior to commencement of any salvage activities, Elgin, Joliet & Eastern Railway Company (EJ&E) shall consult with the U.S. Fish and Wildlife Service's Rock Island Field Office (USFWS) to discuss the abandonment's potential impacts to federally-listed threatened or endangered species that may occur in the vicinity of the line. EJ&E shall report the results of this consultation to the Board's Office of Environmental Analysis (OEA) in writing. Should any potential impacts be identified, the railroad shall consult with OEA and USFWS to develop appropriate mitigation measures.
2. Prior to commencement of any salvage activities, Elgin, Joliet & Eastern Railway Company shall consult with the Illinois Department of Natural Resources' Office of Water Resources regarding the abandonment's potential impacts to floodplains and comply with the reasonable requirements of the Office of Water Resources to mitigate any potential impacts.
3. In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during salvage activities, Elgin, Joliet & Eastern Railway Company will immediately cease all work and notify the Board's Office of Environmental Analysis (OEA), interested federally-recognized tribes, and the Illinois Historic Preservation Agency (SHPO) pursuant to 36 C.F.R. § 800.13(b). OEA shall then consult with the SHPO, interested federally-recognized tribes, the railroad, and other consulting parties, if any, to determine whether additional mitigation measures are necessary.

If the above conditions are imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

OEA CONTACT: Christa Stoebner 245-0299

Iowa Tribe of Kansas and Nebraska

3345 B Thrasher Road
White Cloud, KS 66094
(785) 595-3258 or (785) 595-3259
Fax: (785) 595-6610



July 11, 2012

Surface Transportation Board/ Attn: Christa Stoebner
Case Control Unit
Washington, DC. 20423

Thank you for your correspondence letter dated June 27, 2012 concerning the following project:

***RE: Docket No. AB 117 (Sub-No. 8X) Elgin, Joliet & Eastern Railway Co.-Abandonment
Exemption-In Grundy County, III***

____ SHPO Report Requested

____ No interest in the area geographically

____ No comment objections on the proposed undertaking

☒ X No objections to the project as proposed if cleared through the SHPO. I wish to be notified if any consultations are requested or of any new historical properties are discovered. If human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, please stop immediately and notify this office.

____ An objection requires additional project information. Please send the following:

Sincerely,
Coreena Adkins
Coreena Adkins, Section 106 Coordinator
Iowa Tribe of Kansas and Nebraska