

SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 55 (Sub-No. 777X)

March 23, 2018

RECOMMENDATION: Remove Section 106 Condition

In this proceeding, CSX Transportation, Inc. (CSXT) filed a notice of exemption to abandon a 4.40-mile line of railroad in Fulton County, Georgia. Because the Section 106 process of the National Historic Preservation Act (NHPA), 54 U.S.C. 300101 *et seq.*, had not been completed at the time of the Board's February 6, 2018, decision, the Board imposed a condition requiring CSXT to: (a) 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 that are eligible for listing or are listed in the National Register of Historic Places until the Section 106 process of the NHPA has been completed; (b) report back to the Board's Office of Environmental Analysis (OEA) regarding any consultations with the Georgia State Historic Preservation Office (SHPO) and the public; and (c) not file a consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed the condition.

New Comments on the Environmental Assessment (EA)

Georgia SHPO initially commented in its January 24, 2018 letter that the proposed abandonment would not adversely affect historic properties within the area of potential effect if the railroad voluntarily added restrictions on the sale of the property to allow SHPO to review any future projects that may adversely affect the A&WP Subdivision in its Southern Region, Atlanta Division, Atlanta Terminal (A&WP rail line). In its February 26, 2018 letter, Georgia SHPO confirmed that the voluntary condition had been met and confirmed its no adverse effect determination. Accordingly, OEA has determined that CSXT's proposed abandonment would have no effect on historic properties listed in or eligible for inclusion in the National Register of Historic Places.¹ The Board has satisfied its responsibilities under Section 106 of the NHPA in this proceeding, and OEA is recommending that the Board remove the Section 106 condition.

¹ The documentation for this finding, as specified at 36 C.F.R. § 800.11(e), consists of the railroad's Historic Report, all relevant correspondence, and the January 12, 2018 EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at www.stb.gov.

Conclusions

For the reasons stated above, OEA recommends that the Board remove the Section 106 condition imposed in the Board's February 6, 2018 decision.

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