

SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 6 (Sub-No. 490X)

September 11, 2015

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**

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OEA served an Environmental Assessment (EA) for this proceeding on August 24, 2015, for public review and comment. In the EA, OEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

On August 20, 2015, the City of Seattle submitted comments to OEA discussing the City's interest in preserving the corridor for trails use and railbanking. On September 8, 2015, the City filed a Motion to Reopen and a Motion for an Environmental Stay. In that filing, the City requests a stay of the effective date of the abandonment pending clarification that the line will remain available for railbanking under 16 U.S.C. § 1247(d).

OEA has reviewed the City's filings. The City raises no concerns about the adequacy of the EA or the environmental review process. Rather, the City's filings are limited to concerns regarding potential trails use and railbanking that might take place after the abandonment authority becomes effective.

The railbanking issues raised by the City are not part of the environmental review process under NEPA. Therefore, based on all information provided from all sources to date, the City has not demonstrated that OEA should defer issuing this Final EA concluding the NEPA process. OEA concludes that, as currently proposed, abandonment of the line will not significantly affect environmental resources in the area of the proposed abandonment, if the recommended Coastal Zone Management condition is imposed.

Conclusions

The EA comment period has ended. No changes to the EA are required. Accordingly,

OEA recommends that the following condition previously recommended in the EA should be imposed upon any decision granting abandonment authority:

- 1. Pursuant to the Coastal Zone Management Act (16 U.S.C. § 1451 et seq.) and the Board's environmental regulations at 49 C.F.R. § 1105.9, BNSF shall consult with the Washington Department of Ecology, State Coastal Zone Management Program to determine whether it must obtain state coastal management consistency certification, and meet any applicable requirements. BNSF may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until it reports the results of these consultations in writing to the Board's Office of Environmental Analysis and the Board has removed this condition.**

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