

**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-290 (Sub-No. 210X)

May 27, 2009

ABANDONMENT TYPE

(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

The decision in this proceeding, served January 21, 2009, imposed a condition requiring Norfolk Southern Railway Company 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 of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA), has been completed.

The attached correspondence dated May 14, 2009, from the Georgia Department of Natural Resources, Historic Preservation Division (State Historic Preservation Office or SHPO) indicates that the Georgia SHPO has determined that the abandonment would not result in adverse effects on historic properties. We concur with the Georgia SHPO's determination that the abandonment would not affect historic properties. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's historic report, all relevant correspondence, and the Environmental Assessment, which have been made available to the public through posting on the Board's Web site. SEA therefore recommends that the Section 106 condition imposed by the Board in this proceeding be removed at this time.

SEA CONTACT: Dave Navecky
202-245-0294
naveckyd@stb.dot.gov

Distribution: Ann Newman, Office of Proceedings (Original)
SEA Chron
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Georgia Department of Natural Resources

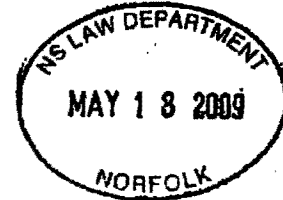
Chris Clark, Commissioner

Historic Preservation Division

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer
34 Peachtree Street, NW, Suite 1600, Atlanta, Georgia 30303-2316
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

May 14, 2009

James R. Paschall
Senior General Attorney
Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-2191



**RE: Abandon 4.3 Miles of Railroad, Between Mileposts 633.1 & 637.4, Atlanta; Part of Atlanta Beltline
Fulton County, Georgia
HP-080804-007; Reference HP-080729-001**

Dear Mr. Paschall:

The Historic Preservation Division (HPD) has received additional information concerning the above referenced undertaking. Our comments are offered to assist the Surface Transportation Board (STB) and Norfolk Southern Corporation in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended.

Based on additional information provided by Atlanta Beltline Inc. (ABI) in an April 14, 2009 letter to our office, and your April 21, 2009 letter, HPD agrees that any alterations to historic property resulting from the subject undertaking will be coordinated through our office as a result of consultation between ABI and our office. Therefore, HPD finds that no archaeological resources or historic structures that are listed in or eligible for listing in the National Register of Historic Places (NRHP) will be affected by the subject project, as defined in 36 CFR Part 800.4(d)(1).

This letter evidences coordination with our office for Section 106 compliance for this undertaking. If we may be of further assistance, please contact Elizabeth Shirk, Environmental Review Coordinator, at (404) 651-6624.

Sincerely,

A handwritten signature in dark ink, appearing to read "Karen Anderson-Cordova".

Karen Anderson-Cordova
Manager, Planning and Local Assistance Unit

KAC/ECS

cc: Paul Vesperman, Director of Real Estate, Atlanta Beltline Inc.
LeVar Rice, ARC
Doug Young, AUDC



Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

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Office of Proceedings

James R. Paschall
Senior General Attorney

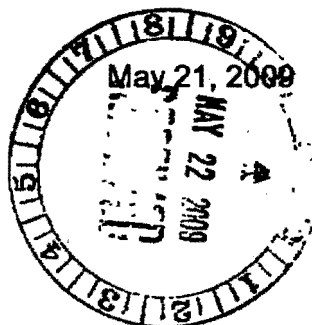
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(757) 629-2759

VIA UPS NEXT DAY AIR

Honorable Anne K. Quinlan, Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20024



Re: STB Docket No. AB-290 (Sub. No. 210X), Norfolk Southern Railway
Company - Abandonment - In Atlanta, Fulton County, Georgia

Dear Ms. Quinlan:

Enclosed is a copy of a letter dated May 14, 2009 from the Georgia Department of Natural Resources, Historic Preservation Division (HPD). The letter states that HPD finds no archeological resources or historic structures that are listed in or eligible for listing in the National Register of Historic Places will be affected by the subject project.

In a decision served January 21, 2009, the Board ordered NSR 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 that are eligible for listing or are listed in the National Register until completion of the section 106 process of the NHPA. Inasmuch as the enclosed response completes the section 106 process in this proceeding, NSR requests that the Board remove the section 106 condition from the exemption.

Yours very truly,

James R. Paschall

JRP/kch
Enclosure