

OEA
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SERVICE DATE – DECEMBER 26, 2024

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 290 (Sub-No. 417X)

**The Norfolk Southern Railway Company – Abandonment Exemption –
in Mingo County, W. Va**

ABANDONMENT TYPE

The time for comments on the Draft Environmental Assessment (Draft EA) has expired in this:
(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

In this proceeding, Norfolk Southern Railway Company (NSR) filed a notice of exemption under 49 C.F.R. § 1152.50 with the Surface Transportation Board (Board) seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Mingo County, West Virginia. The rail line proposed for abandonment extends approximately 3.5 miles from milepost AL 0.0 at Sprigg, W. Va to milepost AL 3.5 at Vimy, near Matewan, W. Va (the Line). By decision served on December 19, 2024, the Board imposed a historic preservation condition pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108 (Section 106 condition).

The Section 106 condition requires NSR 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 Area of Potential Effects that are eligible for listing or listed in the National Register of Historic Places (National Register) until the Section 106 process of the NHPA has been completed; (b) report back to the Office of Environmental Analysis (OEA) regarding any consultations with the State Historic Preservation Office (SHPO), Tribes, and the public; and (c) not file its 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 this condition.

Comments

On December 19, 2024, OEA received a letter from SHPO stating that the two railroad bridges on the Line are not eligible for the National Register and that the proposed abandonment would have no effect on any architectural resources eligible for or included in the National

Register. Accordingly, pursuant to the Section 106 regulations of the NHPA at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, OEA has determined that NSR's proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register.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 imposed in its December 19, 2024 decision.

Conclusions

For the reasons stated above, OEA recommends that the Board remove the Section 106 condition imposed in its December 19, 2024 decision.

By the Board, Danielle Gosselin, Director, Office of Environmental Analysis.

¹ The documentation for this finding, as specified at 36 C.F.R. § 800.11(e), consists of NSR's Historic Report, all relevant correspondence, the Draft EA, the Final EA, and this Supplemental Final 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.