

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 290 (SUB-NO. 351X)

April 18, 2014

RECOMMENDATION: Remove Section 106 Condition

In this proceeding, Norfolk Southern Railway Company (NSR) filed notice of exemption in connection with the abandonment of approximately 0.71 mile rail line in Botetourt County, Virginia (the Line). In its April 2, 2014 decision, the Board imposed one environmental condition and concluded that the abandonment would not significantly affect the quality of the human environment. The condition imposed by the Board 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 project right-of-way that are eligible for listing or are listed in the National Register of Historic Places (National Register) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f (NHPA), has been completed; (b) report back to the Board's Office of Environmental Analysis (OEA) regarding any consultations with the Virginia Department of Historic Resources (the State Historic Preservation Office or 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. The condition was imposed in order to provide the SHPO adequate time to concur with or object to the Board's finding that no historic properties listed in or eligible for listing in the National Register would be affected by the abandonment.

New Comments on the Abandonment

On April 17, 2014, OEA received a letter from the SHPO in which the SHPO concurs with the Board's finding that no historic properties listed in or eligible for listing in the National Register would be affected by the proposed abandonment.

The SHPO states that its concurrence with the Board's finding is based on the information provided by NSR and OEA, as well as additional information obtained from the SHPO's archives. The SHPO reviewed the Historic Report submitted by NSR prior to the filing of the abandonment petition on December 16, 2013. The SHPO also reviewed the Environment Assessment (EA) and Final EA prepared by OEA, as well as a

map produced by OEA of the Line and the surrounding area. In addition, the SHPO conducted a search of the SHPO's archives for documented historic resources in the project APE and the surrounding area, and reviewed the results of an historic analysis conducted in 2012 in conjunction with the expansion of a cement quarry facility, a proposed project which encompasses the same APE as the abandonment, as well as adjacent areas.

In the April 17 letter, the SHPO states that it does not consider the Line to be eligible for listing in the National Register. The SHPO also states that it does not consider the sole structure on the Line, a timber and metal girder bridge constructed in 1951, to be eligible for listing. Because salvage activities would not result in any soil disturbance, no archaeological resources would be affected by abandonment of the Line.

Pursuant to the Section 106 regulations of NHPA, and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not adversely affect historic properties or archaeological resources listed in or eligible for inclusion in the National Register. 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, the EA, the Final EA, historical analysis conducted by the SHPO, and this document, which have been provided to the SHPO and made available to the public on the Board's website at <http://www.stb.dot.gov>. Accordingly, 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.

Conclusions

For the reasons stated above, OEA recommends that the Board remove the Section 106 condition that was imposed in the April 2, 2014 decision. OEA believes that the proposed action will not significantly affect the quality of the human environment and recommends that no environmental conditions be imposed.

OEA CONTACT: Joshua Wayland
202-245-0330
waylandj@stb.dot.gov