

**SURFACE TRANSPORTATION BOARD  
OFFICE OF ENVIRONMENTAL ANALYSIS**

**FINAL ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN  
DOCKET NO. AB 290 (Sub-No. 392X) and AB 511 (Sub-No. 7X)

**13 September 2017**

**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**

☒ ( X ) **NEW COMMENTS WERE RECEIVED**

OEA served an Environmental Assessment (EA) for this proceeding on August 25, 2017 for public review and comment. In the EA, OEA recommended no environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

**Comments on the EA**

OEA received one comment after issuance of the EA from the Miami Tribe of Oklahoma (Miami Tribe). The Miami Tribe has no objection to the proposed abandonment. The Miami Tribe is not aware of existing documentation directly linking a specific Miami Tribe cultural or historic site to the abandonment area. As the abandonment area is within the aboriginal homelands of the Miami Tribe, the Miami Tribe has requested immediate consultation if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during salvage activities. Accordingly, OEA recommends a new condition to address the Miami Tribe's concerns.

**Conclusions**

The EA comment period has ended. OEA recommends that the following new condition be imposed upon any decision granting abandonment authority.

In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during Norfolk Southern Railway Company and Central Railroad Company's (collectively, Applicants) salvage activities, Applicants shall immediately cease all work and notify the Office of Environmental Analysis (OEA), the Miami Tribe of Oklahoma (Miami Tribe), and the State Historic Preservation Office (SHPO). OEA shall then consult with the Miami Tribe, SHPO, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.

If the above condition is imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

OEA CONTACT:    Kenneth Blodgett



## Miami Tribe of Oklahoma

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September 7, 2017

Kenneth Blodgett  
Surface Transportation Board  
Case Control Unit  
Washington, DC 20423

Re: Docket No. AB 290 (Sub-No. 392X) – Comments of the Miami Tribe of Oklahoma

Dear Mr. Blodgett:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this capacity, I am the Miami Tribe's point of contact for all Section 106 issues.

The Miami Tribe offers no objection to the above-mentioned project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this site is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at [dhunter@miamination.com](mailto:dhunter@miamination.com) to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

*Diane Hunter*

Diane Hunter  
Tribal Historic Preservation Officer  
Miami Tribe of Oklahoma