

EO-1965

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 6 (Sub-No. 485X)

October 11, 2012

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

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

(X) NO NEW COMMENTS WERE RECEIVED

() NEW COMMENTS WERE RECEIVED

The Office of Environmental Analysis (OEA) served an Environmental Assessment (EA) for this proceeding on September 24, 2012 for public review and comment. In the EA, OEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

No new comments were received following the issuance of the EA.

Modifications to the EA

Upon review, OEA notes that condition one recommended in the EA contains a typographical error. The corrected condition is included below.

Conclusions

The EA comment period has ended. Accordingly, OEA recommends that the following conditions previously recommended in the EA should be imposed upon any decision granting abandonment authority:

- 1. Prior to commencement of any salvage activities, BNSF Railway Company shall consult with the Navajo Nation Natural Heritage Program regarding potential impacts from salvaging activities to Federally listed threatened and endangered species that may occur in the vicinity of the Line. The railroad shall report the results of these consultations in writing to the Board's Office of Environmental Analysis prior to the onset of salvage operations.**
- 2. BNSF Railway Company (BNSF) shall 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, has been completed. BNSF shall report back to the Office of Environmental Analysis regarding any consultations with the New Mexico Historic Preservation**

Division of the Department of Cultural Affairs, the Navajo Nation Historic Preservation Department, any other Section 106 consulting parties that have been identified, and the public. BNSF may 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.

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

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