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OEA

SERVICE DATE – MAY 26, 2023

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 55 (Sub-No. 811X)

**CSX Transportation, Inc. - Abandonment Exemption –
in Bronx County, N.Y.**

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, CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 U.S.C. § 1152.50 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Bronx County, New York. The rail line proposed for abandonment is a 0.77-mile rail line that runs between milepost Q## 3.79 and milepost Q## 4.5 on its Albany Division, New York Terminal, Putnam Branch, in Bronx County, New York (the “Line”). The Office of Environmental Analysis (OEA) served a Draft EA for this proceeding on May 8, 2023 for public review and comment. In the Draft EA, OEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the Draft EA

In the Draft EA, OEA recommended a Section 106 condition requiring CSXT to retain its interest in and take no steps to alter the historic integrity of historic properties within the project right-of-way (the Area of Potential Effect) that are eligible for listing in or listed in the National Register of Historic Places (the National Register) until completion of the Section 106 process of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108. On May 9, 2023, the New York State Historic Preservation Officer (SHPO) submitted a letter stating that no historic properties would be affected by the proposed abandonment. OEA concurs with the SHPO’s conclusion.

Therefore, pursuant to the Section 106 regulations of NHPA at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, OEA has determined that the proposed abandonment would not adversely affect historic properties listed in or eligible for listing in the National Register. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d),

consists of the CSXT's historic report, all relevant correspondence, the Draft EA, and this 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.

Modifications to the Draft EA

Upon further independent review and consideration of the SHPO's comment, OEA concludes that the proposed abandonment would not adversely affect historic properties listed in or eligible for listing in the National Register. Therefore, the Section 106 process has been completed, and the Section 106 condition previously recommended in the Draft EA is not necessary. Accordingly, OEA is no longer recommending that the Board impose a Section 106 condition on any decision granting abandonment authority.

Conclusions

The Draft EA comment period has ended, and no conditions are recommended by OEA. Accordingly, OEA believes that the proposed action will not significantly affect the quality of the human environment.

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