

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

HEO-3080

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 6 (SUB-NO. 498X)

May 17, 2019

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**

In this proceeding, BNSF Railway Company (BNSF) filed a verified notice under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of approximately 0.74 miles between milepost 6.47 and milepost 7.21 in Pawnee County, Oklahoma. The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) served an Environmental Assessment (EA) for this proceeding on April 30, 2019 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

OEA received one comment letter during the 15-day comment period. The Oklahoma Archaeological Survey (Survey)¹ reaffirmed its prior findings that, based on a search of its data base and a review of the topographic and hydrologic setting, no archaeological sites are listed as occurring in the area of the proposed abandonment and no archaeological materials are likely to be encountered during salvage. The Survey concluded that an archaeological field inspection is not needed but did request to be immediately contacted should any unanticipated discoveries be made during the salvage process. This would include finding chipped stone tools; pottery; bones; or historic crockery, glass, metal, or building materials. Accordingly, OEA is recommending a new condition (condition 3) that addresses unanticipated discoveries.

Conclusion and One New Condition

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

¹ The Oklahoma Archaeological Survey conducts environmental reviews in cooperation with the Oklahoma Historical Society (State Historic Preservation Office or SHPO). As indicated in the EA, both agencies found that no archaeological or historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected within the right-of-way (the Area of Potential Effects, or APE) of the proposed abandonment.

conditions are:

1. BNSF Railway Company (BNSF) shall consult with the National Geodetic Survey (NGS) and notify NSG at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers in order for NGS to plan for their possible relocation.
2. Prior to commencement of any salvage activities, BNSF Railway Company (BNSF) shall consult with the Oklahoma Department of Environmental Quality (DEQ) to ensure that DEQ's Tier 2a screening level requirements for the petroleum hydrocarbon contamination in the area of the proposed abandonment have been adequately addressed. BNSF shall submit the results of these consultations in writing to the Board's Office of Environmental Analysis prior to the onset of salvage operations.
3. In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during the railroad's salvage activities, BNSF Railway Company (BNSF) shall immediately cease all work and notify OEA and the Oklahoma Archaeological Survey (Survey), pursuant to 36 C.F.R. § 800.13(b). OEA shall then consult with the Survey, BNSF, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.

OEA concludes that if the above conditions are imposed, the proposed action would not significantly affect the quality of the human environment.

Attachment

OEA CONTACT: Diana Wood
 202-245-0302
 Diana.Wood@stb.gov

Distribution: Office of Proceedings
 ECT



HEI-26479

Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

May 10, 2019

Surface Transportation Board
ATTN: Diana Wood
Case Control Unit
Washington, D.C. 20423

Re: OAS FY19-1913 BNSF Proposes Abandonment Exemption of Railway Line in Pawnee County, Oklahoma: Between Mileposts 6.47 and 7.21.
Docket No. AB (Sub-No. 498X)
Legal Description: Portions of Section 31, T22N, R5E, Pawnee County, Oklahoma.

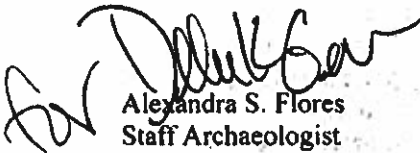
Dear Ms. Wood:

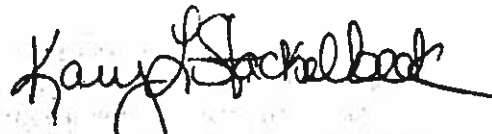
The Community Assistance Program staff of the Oklahoma Archeological Survey has reviewed the above referenced project in order to identify areas that may potentially contain prehistoric or historic archeological materials (historic properties). The location of your project has been crosschecked with the state site files containing approximately 26,000 archaeological sites, which are currently recorded for the state of Oklahoma. No Sites are listed as occurring within your project area, and based on the topographic and hydrologic setting, no archaeological materials are likely to be encountered. Thus an archaeological field inspection is not considered necessary. Should Construction expose buried archaeological materials such as chipped stone tools, pottery, bone, historic crockery, glass, metal items or building materials, please contact this office at (405) 325-7211.

This environmental review and evaluation is done in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. The responsible federal agency or their official delegate must also have a letter from that office to document consultation pursuant to Section 106 of the National Historic Preservation Act.

In addition to our review comments, under 36CFR Part 800.3 you are reminded of your responsibility to consult with the appropriate Native American tribe/groups to identify any concerns they may have pertaining to this undertaking and potential impacts to properties of traditional and/or ceremonial value.

Sincerely,


Alexandra S. Flores
Staff Archaeologist


Kary L. Stackelbeck, Ph.D.
State Archaeologist

: hjw
cc: SHPO

