

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 290 (Sub-No. 346X)

January 13, 2014

ABANDONMENT TYPE

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

☐ Notice of Exemption ☒ Petition for Exemption ☐ Regulated Abandonment

☐ **NO NEW COMMENTS WERE RECEIVED**

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The Office of Environmental Analysis (OEA) served an Environmental Assessment (EA) for this proceeding on November 15, 2013 for public review and comment. In the EA, OEA recommended three environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

During the public comment period, the rail applicant, Norfolk Southern Railway Company (NSR), submitted comments clarifying that NSR has consulted with the National Geodetic Survey (NGS) regarding the presence of geodetic station markers in the project area. NSR submitted the results of these consultations, in which NGS states that two geodetic survey markers are located near the rail right-of-way. NGS requests that NSR consult with NGS at least 90 days prior to beginning any salvage activities that would disturb or destroy either of these geodetic station markers. Accordingly, OEA is recommending that the condition requiring NSR to consult with NGS be removed and is recommending a new condition requiring NSR to notify NGS if salvage activities would disturb or destroy any geodetic station markers.

Modifications to the EA

After reviewing the comments received, OEA is amending the conditions originally recommended in the EA. OEA is recommending that the condition requiring NSR to consult with NGS be removed and that a new condition requiring NSR to notify NGS if salvage activities would disturb or destroy geodetic station markers.

Conclusions

The EA comment period has ended. Accordingly, OEA recommends that the conditions recommended in the EA, as modified by the recommendations in this document should be imposed upon any decision granting abandonment authority. The conditions are:

- 1. Prior to the commencement of any salvage activities, Norfolk Southern Railway Company shall consult with the Indiana Department of Natural Resource and the Indiana Department of Environmental Management regarding mitigation measures**

to prevent potential impacts to waterways and wetlands and shall comply with those agency's reasonable recommendations.

- 2. Prior to the commencement of any salvage activities, Norfolk Southern Railway Company shall consult with the Indiana Department of Natural Resource regarding mitigation measures to prevent potential impacts to Hoosier Prairie State Nature Preserve and shall comply with that agency's reasonable recommendations.**
- 3. Norfolk Southern Railway Company shall notify the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers in order to plan for the possible relocation of the geodetic station markers by NGS.**
- 4. In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during the railroad's salvage activities, Norfolk Southern Railway Company (NSR) shall immediately cease all work and notify the Office of Environmental Analysis (OEA), interested federally recognized tribes, and the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (State Historic Preservation Officer or SHPO) pursuant to 36 C.F.R. § 800.13(b). OEA shall then consult with the SHPO, interested federally recognized tribes, NSR, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.**

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

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