

#EO-2539

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 314 (SUB-NO. 7X)

April 27, 2015

ABANDONMENT TYPE

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

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

(X) NO NEW COMMENTS WERE RECEIVED

() NEW COMMENTS WERE RECEIVED

In this proceeding, the Chicago Central & Pacific Railroad Company (CC&P) filed a petition under 49 U.S.C. § 10502 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 to abandon approximately 2.56 miles of interconnected track across and adjacent to the Missouri River in Iowa and Nebraska (the Missouri River Bridge Line). The Missouri River Bridge Line consists of: (1) approximately 2.12 miles of rail line extending from milepost 510.62 in Council Bluffs, Pottawattamie County, Iowa, across the Missouri River to milepost 514.80 near North 25th Street E in Omaha, Douglas County, Neb.¹ and (2) the south leg of its wye track at Council Bluffs, extending from milepost 511.7 on CC&P's main line near Avenue K to the connection with the first line segment at North 16th Street, an additional distance of approximately 0.44 miles. The Missouri River Bridge Line includes the station of Council Bluffs, which will continue to remain open even if CC&P's abandonment is granted.

The Office of Environmental Analysis (OEA) served an Environmental Assessment (EA) for this proceeding on March 23, 2015 for public review and comment. In the EA, OEA recommended five environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Conclusion

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

¹ According to CC&P, that segment includes a milepost equation, or adjustment, at Levy Junction near Nash Boulevard in Council Bluffs where milepost 511.35 = milepost 513.41.

1. Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1535), Chicago Central & Pacific Railroad Company (CC&P) shall consult with the Board's Office of Environmental Analysis and the U.S. Fish and Wildlife Service in order to develop appropriate mitigation measures, if necessary. CC&P may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 7 consultation process is complete and the Board has removed this condition.
2. CC&P shall consult with USEPA regarding the need to remove or treat invasive plants during salvage to prevent further spread of these plants and shall comply with the reasonable requirement of USEPA in preparing for and conducting salvage activities.
3. CC&P to consult with INDR regarding the need for sovereign lands permit and comply with the reasonable requirements of such a permit, should CC&P receive the necessary federal permits to remove the Missouri River Bridge.
4. CC&P shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.
5. CC&P shall retain its interest in and take no steps to alter the historic integrity of all historic properties on the Missouri River Bridge Line 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. CC&P shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the State Historic Preservation Offices and the public. CC&P may not file its consummation notice or initiate any salvage activities related to abandonment of the Missouri River Bridge Line (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

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

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

Distribution: Office of Proceedings
 OEA Chron
 ECT