

EO-991

**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST ENVIRONMENTAL ASSESSMENT

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

July 22, 2008

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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SEA served an Environmental Assessment (EA) for this proceeding on July 3, 2008 for public review and comment. In the EA, SEA recommended three environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments

SEA received one comment after issuance of the EA. The Ohio Historic Preservation Office (SHPO) stated that the bridge located at milepost TW 0.62 is eligible for listing in the National Register of Historic Places, and two additional bridges at mileposts TW 0.54 and TW 0.99 may also be eligible. Because NSR intends to demolish these three bridges, the Ohio SHPO believes that an adverse affect would occur. The Ohio SHPO indicated that salvage would most likely affect other historical properties as well. Therefore, SEA recommends that the 106 condition previously recommended in the EA be imposed upon any decision granting abandonment authority.

Conclusions

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

1. Prior to the commencement of any salvage activities, Norfolk Southern Railway Company shall consult with the Ohio Environmental Protection Agency and

obtain the necessary permits should the proposed abandonment disturb one or more acre of land or cause discharge of pollutants.

2. Norfolk Southern Railway Company 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.
3. Norfolk Southern Railway Company (NSR) shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years old or older) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. NSR shall report back to the Section of Environmental Analysis regarding any consultations with the SHPO and any other Section 106 consulting parties. NSR 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, SEA believes that the proposed action will not significantly affect the quality of the human environment.

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