

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 6 (Sub-No. 486X)

**BNSF Railway Company—Abandonment Exemption—
In Fulton County, Ill.**

ABANDONMENT TYPE

The time for comments on the Draft 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**

On January 4, 2013, BNSF Railway Company (BNSF) filed a notice with the Surface Transportation Board (Board) under 49 C.F.R. § 1152.50 seeking authority to abandon a 14.5 mile line of railroad located in Fulton County, Illinois between milepost 52.2, in Farmington, and milepost 66.7, in Dunfermline (the Line). By decision served on March 4, 2013, the Board imposed a historic preservation condition for the entire Line, pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108.

In decisions dated March 21, 2016 and January 9, 2017, the Board modified the Section 106 historic preservation condition so that the condition would apply only to the stone arch bridge at milepost 52.86. The modified condition requires BNSF to: (a) retain its interest in and take no steps to alter the historic integrity of the stone arch bridge within the project right-of-way (the Area of Potential Effect) at milepost 52.86 that is eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the NHPA, 54 U.S.C. § 306108, has been completed; (b) report back to the Board's Office of Environmental Analysis (OEA) regarding any consultations with the Illinois State Historic Preservation Office (SHPO) and the public; and (c) not file a consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) of the stone arch bridge at milepost 52.86 until the Section 106 process has been completed and the Board has removed this condition.

In September 2019, OEA learned that the tracks and ties were removed from the entire Line, including the segment over the historic stone arch bridge at milepost 52.86. OEA consulted with the SHPO and determined that removal of the tracks and ties from the historic bridge at milepost 52.86 constitutes an Adverse Effect to the resource. On March 6, 2020, BNSF, SHPO and OEA executed a Memorandum of Agreement (MOA) to mitigate this Adverse

Effect. The filing of the executed MOA with the Advisory Council on Historic Preservation completes the Board's compliance responsibilities under Section 106 of the NHPA.¹

Conclusions

Accordingly, OEA recommends that the Section 106 historic preservation condition imposed in the January 9, 2017 decision be removed.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

¹ The correspondence, including the executed MOA, that was negotiated to comply with the Section 106 process can be found on the Board's website under "Environmental Comments" by docket number.