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OEA

SERVICE DATE – DECEMBER 27, 2021

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 167 (Sub-No. 1195X)

**Consolidated Rail Corporation – Abandonment Exemption – in Schuylkill & Carbon
Counties, Pa.**

ABANDONMENT TYPE

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

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

(X) NO NEW COMMENTS WERE RECEIVED

() NEW COMMENTS WERE RECEIVED

In this proceeding, the Consolidated Rail Corporation (Conrail) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 to abandon a line of railroad in Schuylkill and Carbon counties, Pennsylvania. The rail line, known as the Tresckow Branch, extends approximately 7.7 miles from milepost 0.00 to milepost 7.7 (the Line). The Office of Environmental Analysis (OEA) served a Draft EA for this proceeding on December 7, 2021 for public review and comment. In the Draft EA, OEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Modifications to the Draft EA

Upon further independent review, OEA believes that the Draft EA contained a misstatement. The Draft EA stated that the Pennsylvania Historical and Museum Commission (SHPO) responded to Conrail's submission with a request for additional information, and that Conrail sent the additional information. However, the SHPO did not respond to Conrail's submission and did not request additional information. OEA contacted the SHPO to explain the error and sent a copy of the Draft EA to the SHPO via email on December 10, 2021. None of the findings or determinations in the Draft EA have changed. Therefore, OEA is not recommending any changes to the mitigation listed below.

Conclusions

The Draft EA comment period has ended. Accordingly, OEA recommends that the condition recommended in the Draft EA should be imposed upon any decision granting

abandonment authority:¹

The Consolidated Rail Corporation (Conrail) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effects) 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, 54 U.S.C. § 306108, has been completed. Conrail shall report back to OEA regarding any consultations with the State Historic Preservation Office and the public. Conrail 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 condition is imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

By the Board, Danielle Gosselin, Acting Director, Office of Environmental Analysis.

¹ If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 is reached for the Line (or a portion thereof), compliance with this condition is not required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.