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OEA

SERVICE DATE – JANUARY 19, 2022

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

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

**Consolidated Rail Corporation – Abandonment Exemption – 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

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

On November 12, 2021, the Consolidated Rail Corporation (Conrail) filed a notice with the Surface Transportation Board (Board) under 49 C.F.R. § 1152.50 seeking authority to abandon a line of railroad extending approximately 7.7 miles from milepost 0.00 to milepost 7.7 (the Line), in Schuylkill and Carbon counties, Pennsylvania. By decision served on December 27, 2021, 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. The condition was imposed to give the State Historic Preservation Office (SHPO) additional time to review, and if appropriate, concur with the Board's Office of Environmental Analysis' determination of no effect to historic properties.

The condition requires Conrail to: (a) 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; (b) report back to the Board's Office of Environmental Analysis (OEA) regarding any consultations with the 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) until the Section 106 process has been completed and the Board has removed this condition.

On January 10, 2022, OEA received a letter from the SHPO stating that the undertaking would have No Effect on above or below-ground resources. As the SHPO has concurred with OEA's determination that the proposed abandonment would have no effect on historic properties that are listed in or eligible for listing in the National Register, OEA is recommending that the Board remove the Section 106 historic preservation condition.

Conclusions

OEA recommends that the Board remove the Section 106 historic preservation condition imposed in its December 27, 2021 decision and 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.