

OEA
52142

SERVICE DATE – MAY 30, 2024

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 541 (Sub-No. 4X)

**The Portland & Western Railroad, Inc. – Abandonment Exemption –
In Washington County, Or.**

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, Portland & Western Railroad, Inc. (PNWR) 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 in connection with the abandonment of a line of railroad in Washington County, Oregon. The rail line proposed for abandonment extends approximately 264 feet from milepost 27.84 to milepost 27.79 in Banks, Oregon (the Line). The Office of Environmental Analysis (OEA) served a Draft EA for this proceeding on May 14, 2024 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 condition recommended in the Draft EA should be modified to include the word “notice” after the word “consummation” as it was inadvertently omitted.

Conclusions

The Draft EA comment period has ended, and OEA did not receive any comments. Accordingly, OEA recommends that the condition recommended in the Draft EA, as modified by the recommendations in this document, should be imposed upon any decision granting abandonment authority.¹ The condition is:

Portland & Western Railroad, Inc. (PNWR) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures,

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.

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, 54 U.S.C. § 306108, has been completed. PNWR shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the State Historic Preservation Office and the public. PNWR may not file its consummation notice 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, Director, Office of Environmental Analysis.