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OEA

SERVICE DATE – OCTOBER 24, 2024

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 1332X

**Athens Transportation Partners, LLC – Abandonment Exemption –
In Clarke County, Ga.**

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 April 23, 2024, Athens Transportation Partners, LLC (ATP) filed a verified notice of exemption under 49 C.F.R. § 1152.50 to abandon a line of railroad located in Clarke County, Georgia. The rail line extends approximately 6.5 miles from milepost F-MP 98.8 on the northern side of the Oconee River trestle bridge in Athens-Clarke County north to milepost F-MP 105.3 near East Broad Street in the city of Athens (the Line). By decision served on June 11, 2024, the Surface Transportation Board (Board) imposed a historic preservation condition pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108 (Section 106 condition).

The Section 106 condition requires ATP 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 Area of Potential Effect that are eligible for listing or listed in the National Register of Historic Places (National Register) until the Section 106 process of the NHPA has been completed; (b) report back to the Office of Environmental Analysis (OEA) regarding any consultations with the Georgia Department of Community Affairs, Historic Preservation Division (State Historic Preservation Office or SHPO) and the public; and (c) 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.

Comments

On June 10, 2024, the Cherokee Nation (Nation) submitted a late-filed comment. The Nation stated that it had conducted a search of its data bases and records to determine the potential presence of ancestral cultural, historic, and pre-historic resources in the project area and

found no instances of overlap. The Nation also stated that the proposed abandonment would have no impact on its resources but requested that the Board (through OEA) immediately halt any abandonment-related salvage activities if items of cultural significance are found and contact its office for further consultation. In addition, the Nation requested that OEA consult with other pertinent historic preservation offices regarding historic and prehistoric resources not included in the Nation's databases or records. As discussed below, OEA has prepared and executed a Memorandum of Agreement (MOA) that addresses the Nation's requests.

On October 22, 2024, OEA, SHPO, and ATP executed an MOA, pursuant to 36 C.F.R. § 800.6(b)(i)(vi) of the NHPA's implementing regulations. The MOA requires ATP to prepare a Photographic Permanent Archival Record of the Line, as well as produce interpretive signage. It also requires ATP to immediately stop all abandonment-related salvage activities if items of cultural significance are discovered and requires the parties to consult and ATP to implement a discovery plan, if necessary. The filing of the MOA with the Advisory Council on Historic Preservation and the execution of its terms completes the Board's compliance responsibilities under Section 106 of the NHPA.

Conclusions

For the reasons stated above, OEA recommends that the Board remove the Section 106 condition imposed in its June 11, 2024, decision.

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