

SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
STB DOCKET NO. AB 290 (Sub-No. 378X)
October 13, 2015

ABANDONMENT TYPE

The time for comments on the 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**

OEA served an Environmental Assessment (EA) for this proceeding on September 22, 2015 for public review and comment. In the EA, OEA recommended three environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

OEA received one comment after issuance of the EA. On September 22, 2015, the Norfolk Southern Railway Company (NSR), the applicant in this case, provided OEA with a September 4, 2015 letter from the Virginia Department of Historic Resources (DHR, or SHPO). In the letter, the SHPO writes that the Board's approval of the proposed abandonment would have No Adverse Effect on historic properties pursuant to Section 106 of the National Historic Preservation Act (see attached SHPO letter). OEA concurs with this assessment and recommends removal of the Section 106 condition in this case.

Accordingly, OEA recommends that the following condition previously recommended in the EA should be removed.

Norfolk Southern Railway Company (NSR) 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 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. NSR shall report back to the Office of Environmental Analysis regarding any consultations with the Virginia Department of Historic Resources (State Historic Preservation Officer or SHPO) and the public. NSR 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.

OEA recommends that the following remaining two conditions continue to be imposed:

1) The Norfolk Southern Railway Company shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.

2) Prior to commencement of any salvage activities, the Norfolk Southern Railway Company shall consult with the U.S. Fish and Wildlife Service regarding potential impacts from salvaging activities to federally listed threatened and endangered species that may occur in the vicinity of the line. Norfolk Southern Railway Company shall report the results of these consultations in writing to the Board's Office of Environmental Analysis prior to the onset of salvage operations.

Conclusions

OEA recommends that the existing Section 106 historic preservation condition be removed and that the remaining two conditions continue to be imposed. If this recommendation is heeded, OEA believes that the proposed action will not significantly affect the quality of the human environment.

OEA CONTACT: Catherine Nadals, 202-245-0293

CN



COMMONWEALTH of VIRGINIA

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September 4, 2015

Ms. Crystal Zorbaugh
Baker and Miller

Re: Railroad Abandonment between Mileposts N 133.4 and N 134.1
Nottoway County
DHR File No. 2015-0843

Dear Ms. Zorbaugh,

On August 26, 2015, the Virginia Department of Historic Resources (DHR) received additional information on the above referenced project pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended. We understand that the project will be receiving federal approval for abandonment from the Surface Transportation Board (STB).

DHR understands that the Norfolk Southern Railway Company (NSR) is proposing to abandon service for 0.70-miles of rail between milepost N 133.4 and N 134.1 in Nottoway County. The segment was originally part of the Southside Railroad, an important transportation resource during the Civil War. It was constructed between Petersburg and Lynchburg between 1849 and 1854. The western segment is roughly 31-miles and was abandoned in 2005, and now largely comprises High Bridge Trail State Park. The purpose of the abandonment is to discontinue service and salvage the track..

This Norfolk Southern rail line (DHR ID#006-5007) was determined potentially eligible for listing in the National Register of Historic Places. Based upon a review of the information provided, we concur that the abandonment of the line will have *no adverse effect* on historic properties, however we requested that consultation is continued for a proposed trail pursuant to federal regulations. Should you have any additional questions, I can be reached at (804) 482-6084 or via email, andrea.burke@dhr.virginia.gov.

Sincerely,

A handwritten signature in black ink that reads "Andrea Burke".

Andrea Burke
Architectural Historian, Review and Compliance Division

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