

EO-2037

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB-1107X

February 22, 2013

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**

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The Office of Environmental Analysis (OEA) served an EA for this proceeding on February 1, 2013 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

In a February 6, 2013 email to the West Michigan Railroad (WMI or railroad), the U.S. Fish and Wildlife Service, East Lansing Field Office (USFWS) requested additional information about the proposed abandonment. In an email reply on the same date, the railroad provided the requested information to the USFWS.

At the time this Final EA was prepared, the USFWS has not submitted final comments on the proposed abandonment. Therefore, OEA recommends that the previously recommended USFWS condition in the EA be retained.

Modifications to the EA

None.

Conclusions

The EA comment period has ended. Accordingly, OEA recommends that the following three conditions previously recommended in the EA be imposed upon any decision granting abandonment authority:

1. West Michigan Railroad Co. shall consult with the Michigan Department of Environmental Quality (MDEQ) prior to beginning salvage activities regarding permitting requirements under Section 404 of the Clean Water Act (33 U.S.C. § 1344) and, if applicable, shall comply with the reasonable permitting requirements of MDEQ.
2. West Michigan Railroad Co. shall contact the U.S. Fish and Wildlife Service, East Lansing Field Office (USFWS) prior to beginning salvage activities to discuss potential impacts to any federally listed endangered or threatened species. The railroad shall report the results of this consultation to the Board's Office of Environmental Analysis (OEA) in writing. Should any potential impacts be identified, the railroad shall consult with OEA and USFWS to develop appropriate mitigation measures.
3. West Michigan Railroad Co. (WMI) 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, 16 U.S.C. § 470f, has been completed. WMI shall report to the Board's Office of Environmental Analysis regarding any consultations with the Michigan State Historic Preservation Office and the public. WMI may not file its consummation notice until the Section 106 process has been completed and the Board has removed this condition.

If the recommended conditions are imposed, OEA believes that the proposed action would not significantly affect the quality of the human environment.

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