

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

ED-1404
KB

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-551-1X

February 25, 2010

ABANDONMENT TYPE

☒ (X) Notice of Exemption ☐ () Petition for Exemption ☐ () Regulated Abandonment

☐ () **NO NEW COMMENTS WERE RECEIVED**

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By decision served on November 23, 2009, the Board imposed a condition requiring Knox and Kane Railroad Company (Knox and Kane) to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are eligible for listing or listed in the National Register of Historic Places (National Register) until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470 f (NHPA).

Comments on the EA

In correspondence dated February 24, 2010, Knox and Kane forwarded to the Board information from the Pennsylvania Historical and Museum Commission, Bureau of Historic Preservation (PA SHPO) indicating that there are no National Register eligible or listed historic or archaeological properties in the area of the project.

Pursuant to the Section 106 regulations of the NHPA at 36 CFR 800.5(b), and following consultation with the PA SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(e), consists of the railroad's historic report, all relevant correspondence, and the October 30, 2009 Environmental Assessment which have been provided to the PA SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

Accordingly, we recommend that the Section 106 condition imposed in the Board's November 23, 2009 decision be removed.

SEA CONTACT: Ken Blodgett (202-245-0305)

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EI-18049
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February 24, 2010

Mr. Kenneth Blodgett
Surface Transportation Board
Case Control Unit
395 E Street, SW
Washington, DC 20423

By Hand Delivery

Re: Docket No. AB-551 (Sub-No. 1X)
Knox & Kane Railroad Abandonment

Dear Mr. Blodgett:

Enclosed please find a letter from the Pennsylvania Historical and Museum Commission indicating the State's satisfaction with the environmental status of the subject line.

We believe that Pennsylvania's enclosed communication now fully satisfies the environmental conditions imposed in the Board's decision of October 30, 2009, and that, subject to the timetable for interim trail use agreements, Knox & Kane can proceed with the abandonment. Please confirm that understanding.

Sincerely,

Andrew P. Goldstein

Andrew P. Goldstein
Attorney for
Knox & Kane Railroad

cc: Knox & Kane Railroad
JEMCOR



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

February 17, 2010



Andrew P. Goldstein
McCarthy, Sweeney & Harkaway, P.C.
Suite 6700, 1825 K Street, N.W.
Washington, D.C. 20006

Re: File No. ER 1998-1785-031-E
STB Docket No. AB-551
(Sub-No. 1X): Knox & Kane
Railroad Abandonment
Marienville, Clarion County

Dear Mr. Goldstein:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

Based on our survey files, which include both archaeological sites and standing structures, there are no National Register eligible or listed historic or archaeological properties in the area of this proposed project. Therefore, your responsibility for consultation with the State Historic Preservation Office for this project is complete. Should you become aware, from any source, that historic or archaeological properties are located at or near the project site, please notify the Bureau for Historic Preservation at (717) 783-8946.

Sincerely,

Douglas C. McLearen, Chief
Division of Archaeology &
Protection

DCM/tmw