

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 1269X

April 10, 2019

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 Environmental Assessment (EA) for this proceeding on March 22, 2019 for public review and comment. In the EA, OEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

OEA received several comments after issuance of the EA. Iowa Traction Railway Company (Iowa Railway) submitted a 30-day review notice it received from the Iowa State Historic Preservation Officer (SHPO) confirming receipt of the Historic Report, and Iowa Railway requested that the Board determine that the Section 106 process had been completed because the SHPO had not responded within 30 days as set forth in 36 C.F.R. § 800.4(d)(1)(i). Section 800.4(d)(1)(i) states that if the SHPO.... does not object within 30 days of receipt of an adequately documented finding, the agency's official responsibilities under Section 106 are fulfilled. However, the 30-day review period does not apply to the SHPO's receipt of the Historic Report in this case because it was prepared by Iowa Railway and the Board had not yet made a finding.

The SHPO also submitted a 30-day review notice to OEA confirming receipt of the Historic Report and the EA. The SHPO then submitted a comment requesting additional documentation. Therefore, OEA continues to recommend that the Section 106 condition previously recommended in the EA be imposed upon any decision granting abandonment authority.

Finally, Iowa Railway submitted a comment from the National Geodetic Survey indicating that there are no geodetic survey markers located in the area of the proposed abandonment. Therefore, OEA concludes that no further consultation is necessary.

Conclusions

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

Iowa Traction Railway Company (Iowa Railway) 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. Iowa Railway shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the State Historical Society of Iowa (State Historic Preservation Office or SHPO) and the public. Iowa Railway 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.

If the above condition is imposed, OEA believes that the proposed action would not significantly affect the quality of the human environment.

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