

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 290 (Sub-No. 351X)

March 21, 2014

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

() Notice of Exemption **(X) Petition for Exemption** () Regulated Abandonment

() NO NEW COMMENTS WERE RECEIVED

(X) NEW COMMENTS WERE RECEIVED

The Office of Environmental Analysis (OEA) served an Environmental Assessment (EA) for this proceeding on February 14, 2014 for public review and comment. In the EA, OEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment. The first condition would require the railroad petitioner, Norfolk Southern Railway Company (NSR) to consult with the National Geodetic Survey (NGS) prior to beginning salvage activities and to notify NGS if salvage would disturb any geodetic station markers. The second condition would require NSR to retain its interest in and take no steps to alter the historic integrity of all historic properties within the project right-of-way until the completion of the Section 106 process of the National Historic Preservation Act at 16 U.S.C. § 470f.

Comments on the EA

National Geodetic Survey Comments

During the public comment period, NSR provided OEA with comments submitted by NGS. In its comments, NGS states that no geodetic survey markers are located in the vicinity of the proposed abandonment. Accordingly, OEA recommends that the condition, previously recommended in the EA, requiring NSR to consult with NGS prior to beginning salvage activities not be imposed.

State Historic Preservation Officer Comments

As noted in the EA in this proceeding, the Virginia Department of Historic Resources (State Historic Preservation Office or SHPO) has not provided comments regarding the presence of any historic properties listed in or eligible for listing in the National Register of Historic Places (National Register) in the project area or the potential impact of the proposed abandonment on any such properties. Rather, the SHPO requested that NSR provide the SHPO with an additional map of the Area of Potential Effect (APE) for direct and indirect effects. The SHPO requested that this map be in digital shapefile format. The SHPO also requested that NSR perform a search of the SHPO's archives for the area within the APE. The SHPO advised NSR that, consistent with SHPO's procedures, the SHPO would perform the archives search on behalf

of NSR for a fee.

NSR provided the SHPO with the requested digital map of the project APE and paid the requested fee so that the SHPO could perform a search of the SHPO's archives. The SHPO then provided NSR with the results of the records search. The SHPO did not provide comments regarding the presence of historic properties listed in or eligible for listing in the National Register within the project APE or the potential impact of the proposed project on any such properties.

NSR notes that it inadvertently provided the SHPO with a digital map file of the project APE that is larger than the actual project APE. The digital map that NSR provided the SHPO includes the approximately 0.71 miles of railroad line proposed for abandonment, but also includes an additional approximately 8.80 miles of railroad that is not proposed for abandonment. Because the digital map file that NSR submitted does not represent the actual project APE, the SHPO requested that NSR resubmit a new digital map file of the actual APE and perform a new search of the SHPO's archives. NSR has resubmitted a digital map file of the project APE and paid an additional fee to the SHPO so that the SHPO can perform a new search of the SHPO's archives before commenting on whether historic sites or structures may be present in the APE.

OEA's Finding of No Historic Properties Affected

OEA believes that the SHPO has been provided with sufficient information to make a finding regarding the presence of historic properties in the project APE and the potential impact of the proposed abandonment on any such properties. The information provided to the SHPO includes the Historic Report prepared by NSR, which contains a written description of all structures located within the rail right-of-way that are at least 50 years old, a narrative description of the history of rail carrier operations along the line proposed for abandonment, and a description of proposed salvage activities and their impacts to structures in the project APE. Along with the Historic Report, NSR also provided the SHPO with topographic maps of the project area and photographs of all structures located within the rail right-of-way that are 50 years old or older, pursuant to the Board's environmental rules at 49 C.F.R. § 1105.7.

As noted above, the SHPO was provided, at the SHPO's request, with a digital map file of the project area, including both the project APE and adjacent areas. The SHPO was also provided with the results of a search of the SHPO's archives for the project APE and adjacent areas. The search of the SHPO's archives did not identify any known architectural or archeological resources located within or adjacent to the right-of-way of the line proposed for abandonment.

The SHPO was provided with a copy of the EA in this abandonment proceeding. The EA includes a description of the known history of the rail right-of-way, a description of structures located within and adjacent to the rail right-of-way, and a description of planned salvage activities and their potential impacts to the environmental and historical properties. The EA also includes a map of the project APE prepared by OEA. The EA was made available for public review and comment for a period of 30 days pursuant to the Board's environmental rules.

Finally, as noted in the EA, the SHPO was provided with the results of an analysis conducted by the SHPO in 2012 in connection with the expansion of the Roanoke Cement facility. The APE for the Roanoke Cement facility expansion project includes the entire APE for proposed abandonment, in addition to adjacent areas. The analysis found that the expansion of

the facility would not adversely affect any archeological or architectural resources listed in or eligible for listing in the National Register.

OEA notes that no historic properties listed in or eligible for listing in the National Register have been identified in the project APE. In its Historic Report, NSR states that the line proposed for abandonment was built in 1949 and 1950 as part of an industrial spur to serve Roanoke Cement. The only structure that would be affected by the proposed abandonment is a cement bridge, approximately 22 feet in length, which was constructed in 1949. NSR states that the bridge is ordinary in design and similar to those used throughout the region and on the NSR system generally. There is no indication in the Historic Report or the search of the SHPO's archives that either the cement bridge or the rail line proposed for abandonment is eligible for listing in the National Register. OEA has received no comments suggesting that either the rail line or the cement bridge is eligible for listing in the National Register.

The search of the SHPO's records did not identify any archeological resources listed in or eligible for listing in the National Register within or adjacent to the project APE. No unidentified archeological resources would be affected as a result of the proposed abandonment because NSR does not intend to conduct any digging, burying, soil disturbance, or removal of ballast during the course of salvage activities.

Accordingly, pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), OEA has reviewed the record in this proceeding and has determined that no historic properties listed in or eligible for listing in the National Register would be affected by the proposed abandonment. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's Historic Report, all relevant correspondence, the EA, and this Final EA, which have been made available to the SHPO and the public through posting on the Board's website at www.stb.dot.gov.

Pursuant to 36 C.F.R. § 800.4(d)(1)(i), the SHPO may object to the OEA's finding of no historic properties affected within 30 days of receipt of this finding. In order to allow adequate time for the SHPO to provide comments, OEA is recommending that the condition, previously recommended in the EA, requiring NSR to retain its interest in and take no steps to alter the historic properties within the project APE until completion of the Section 106 process be imposed on any decision granting abandonment authority. If the SHPO does not object within 30 days of the issuance of a decision granting abandonment authority in this proceeding, OEA will prepare a Supplemental EA to recommend that the Section 106 condition be removed.

Modifications to the EA

After reviewing the comments received, OEA is amending the conditions originally recommended in the EA. Because NGS has provided comments indicating that no geodetic station markers are located in the vicinity of the proposed abandonment, OEA recommends that the condition requiring NSR to consult with NGS prior to beginning salvage activity not be imposed.

Because the SHPO has not had the opportunity to comment on OEA's finding of no historic properties affected, OEA recommends that the condition requiring NSR to retain its interest in and take no steps to alter the historic integrity of all historic properties within the project right-of-way until completion of the Section 106 process should remain unchanged.

Conclusions

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

- 1. 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, 16 U.S.C. § 470f, has been completed. NSR shall report back to the Office of Environmental Analysis (OEA) 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.**

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

OEA CONTACT: Joshua Wayland
202-245-0330
waylandj@stb.dot.gov