

OFFICE OF ENVIRONMENTAL
ANALYSISSUPPLEMENTAL FINAL
ENVIRONMENTAL ASSESSMENT

DOCKET NO. AB 1032 (SUB-NO. 0X)

September 14, 2015

In this proceeding, OEA served an environmental assessment (EA) on August 14, 2015, recommending the imposition of three environmental conditions, requiring Nebraska, Kansas & Colorado Railway, L.L.C. (NKCR) to: prior to the commencement of any salvage activities, consult with the Kansas and Nebraska Departments of Environmental Quality regarding fugitive dust, construction storm water, water quality, and waste disposal; (2) prior to the onset of salvage activities, consult with the Nebraska Army Corps of Engineers regarding proposed abandonment activities; and (3) in the event that any archaeological sites, human remains, funerary items or associated artifacts are discovered during salvage activities, immediately cease all work and notify OEA, interested federally recognized tribes, and the Kansas or Nebraska State Historic Preservation Office (SHPO). OEA would then consult with the SHPO, interested federally recognized tribes, and NKCR to determine whether any mitigation measures are necessary.

OEA issued a final EA in this proceeding on September 2, 2015 stating it had received an additional comment from the Kansas Department of Health & Environment, Bureau of Waste Management (BWM) regarding the disposal of railroad ties and other waste material. To address its concerns, OEA recommended the following new condition be imposed on any decision granting abandonment authority:

Prior to the commencement of any salvage activities, the Nebraska, Kansas & Colorado Railway, L.L.C. shall consult with the Kansas Department of Health & Environment, Bureau of Waste Management regarding the appropriate disposal of railroad ties and other waste materials.

In a decision issued on September 4, 2015, the Board imposed the above four conditions in this proceeding.

New Comment Received

Following issuance of the Board's September 4, 2015 decision, OEA received a comment from the National Geodetic Survey. The comment sent by email on September 8, 2015, states that the project area may contain 19 geodetic station markers that could be disturbed as a result of any abandonment salvage activities (see attached, EI-21079).

Consequently, OEA recommends the imposition of the following new environmental condition in this proceeding:

New Condition:

The Nebraska, Kansas & Colorado Railway, L.L.C. 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.

Conclusion:

OEA concludes that with imposition of the above new environmental condition and existing four environmental conditions, the proposed action would not significantly affect the quality of the human environment.

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Distribution: ECT, OEA Chron



Fw: Response, STB Docket AB-1032X
Environmental E-Filing to: Catherine Nadals
Sent by: **Phillis Johnson-Ball**

09/08/2015 03:25 PM

----- Forwarded by Phillis Johnson-Ball/STB on 09/08/2015 03:25 PM -----

From: Simon Monroe <simon.monroe@noaa.gov>
To: karlm@karlmorell.com
Cc: Surface Transportation Board <sea@stb.dot.gov>, Lucy Hall <Lucy.Hall@noaa.gov>, Simon Monroe <Simon.Monroe@noaa.gov>
Date: 09/02/2015 05:31 PM
Subject: Response, STB Docket AB-1032X

Thank you for sharing your railroad abandonment environmental report for
ORLEANS, Harlan County, NEBRASKA; ALMENA/OBERLIN, Decatur, Norton, and
Phillips Counties, KANSAS.

Approximately 19 geodetic survey marks may be located in the area
described. These marks may or may not be disturbed.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall
consult with the National Geodetic Survey (NGS) at least 90 days prior to
beginning salvage activities that will disturb, or destroy any geodetic
station

marks are described on the attached file. Additional advice is provided
at

<http://geodesy.noaa.gov/marks/railroads/>

|----|-----|----|-----| -
-|-----|-----|-----|----| -|-----

|...|KH0239|1934|CGS...|.
2|88/ADJUSTED|N394908.86...|W1003142.47...|D...|G|Z 155

|...|KH0745|1950|CGS...|2
.|29/SCALED...|N394744.72087|W1002337.41912|...|N|KANONA

|...|KH0721|1950|CGS...|2
.|29/SCALED...|N395010.22697|W1001201.08373|...|O|CATUR RESET

|...|KH0725|1950|CGS...|3
.|29/SCALED...|N395038.69003|W1001044.03177|...|S|NORCATUR

|...|KG0424|1934|CGS...|.
1|88/ADJUSTED|N394937.....|W0995325.....|C...|G|T 152

|....|KG0378|1933|CGS...|. .
1|88/ADJUSTED|N394942.74...|W0995317.13...|C...|P|H 11

|....|KG0377|1933|CGS...|. .
1|88/ADJUSTED|N394948.7....|W0995319.5....|C...|G|NORTON

|....|KG0423|1943|RIRR...|. .
3|88/RESET...|N395020.....|W0995028.....|B...|G|J 159 RESET

|....|KG0419|1934|CGS...|. .
2|88/ADJUSTED|N395107.11...|W0994528.08...|C...|N|F 159

|....|KG0415|1934|CGS...|. .
2|88/ADJUSTED|N395325.0....|W0994225.0....|C...|G|B 159

|....|KG0416|1934|CGS...|. .
2|88/ADJUSTED|N395327.9....|W0994224.9....|D...|G|C 159

|....|KG0417|1934|CGS...|. .
2|88/ADJUSTED|N395321.....|W0994236.....|D...|N|D 159

|....|KG0418|1934|CGS...|. .
2|88/ADJUSTED|N395236.....|W0994333.....|C...|N|E 159

|....|KG0414|1934|CGS...|. .
2|88/ADJUSTED|N395418.....|W0994053.....|D...|G|A 159

|....|KG0412|1934|CGS...|. .
2|88/ADJUSTED|N395519.....|W0993648.....|B...|G|Y 158

|....|KG0413|1934|CGS...|. .
2|88/ADJUSTED|N395454.....|W0993844.....|B...|G|Z 158

|....|KG0411|1934|CGS...|. .
2|88/ADJUSTED|N395549.....|W0993428.....|C...|G|X 158

|....|KG0408|1934|CGS...|. .
2|88/ADJUSTED|N395709.....|W0993158.....|C...|N|V 158

|....|KG0409|1934|CGS...|. .
2|88/ADJUSTED|N395658.....|W0993209.....|D...|G|W 158