

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-1022 (Sub No. 1X)

June 15, 2009

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**

SEA served an Environmental Assessment (EA) for this proceeding on May 11, 2009, for public review and comment. In the EA, SEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comment on the EA

1. In an e-mail dated June 10, 2009, Mr. Duane Marti, California State Office of the Bureau of Land Management, states that he had just received the EA and if he had any comments that they would be forthcoming the week of June 14, 2009.
2. In a letter dated June 9, 2009, Mr. Greg Holmes, Unit Chief, Brownfields and Environmental Restoration Program, California Department of Toxic Substances Control submitted eight recommendations regarding proper identification and disposal of hazardous waste and/or sites.
3. In an e-mail dated May 23, 2009, Mr. Tyler McMillin, states his opposition to the proposed abandonment.

Conclusions

The EA comment period has ended. Accordingly, SEA recommends that the one environmental condition recommended in the EA and one new environmental condition should be imposed upon any decision granting abandonment authority. The conditions are:

- 1. The Arizona & California Railroad Company 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. The Arizona & California Railroad Company shall report back to the Section of Environmental Analysis (SEA) regarding any consultations with the California Office of Historic Preservation, Department of Parks and Recreation and the public. The Arizona & California Railroad Company 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.**
- 2. Prior to commencement of any salvage activities, the Arizona & California Railroad Company shall consult with Mr. Greg Holmes, Unit Chief, Brownfields and Environmental Restoration Program, California Department of Toxic Substances Control to ensure that any concerns regarding potential contamination of the right-of-way are addressed. The Arizona & California Railroad Company shall report the results of these consultations in writing to the Board's Section of Environmental Analysis prior to the onset of salvage operations.**

If the above conditions are imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

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