

**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-55 (Sub-No. 699X)

November 2, 2009

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**

(X) **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on October 16, 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.

Comments

SEA received 5 comments after issuance of the EA. The Corps, NRCS and Mr. Anthony Casteel, Athens Community Development Director, submitted comments stating, "No environmental impact." The State of Tennessee Department of Environment and Conservation commented that after reviewing the project, the Division of Remediation (DoR) did not have any known DoR issues associated with the location of the rail. USFWS commented that "No significant adverse impacts to wetlands or federally listed endangered or threatened species are anticipated from this proposal."

Conclusions

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

CSX Transportation, Inc. (CSXT) shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years old or older) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. CSXT shall report back to the Section of Environmental Analysis regarding any consultations with the SHPO and any other

Section 106 consulting parties. CSXT 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, SEA believes that the proposed action will not significantly affect the quality of the human environment.

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