

SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 1068 (SUB-NO. 1X) AND
DOCKET NO. AB 1070 (SUB-NO. 1X)

November 22, 2013

RECOMMENDATION: Remove Section 106 Condition

OEA served a Final Environmental Assessment for this proceeding on July 3, 2013. In the Final EA, OEA recommended three environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

By decision served on July 8, 2013, the Board imposed the three recommended environmental conditions, including a condition requiring the Missouri Central Railroad Company (MCRR) to 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 Effects) that are eligible for listing or listed in the National register of Historic Places until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA); report back to OEA regarding any consultations with the Missouri Historic Preservation Office (State Historic Preservation Office or SHPO) and the public; and 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.

New Developments

OEA has negotiated a Memorandum of Agreement (MOA) with the SHPO and MCRR to resolve any adverse effects to historic properties for the proposed undertaking, pursuant to 36 C.F.R. § 800.6(b)(i)(iv). The Missouri Department of Natural Resources' Division of State Parks also signed the MOA as an invited signatory, and the City of Windsor signed the MOA as a concurring party. On October 25, 2013, OEA submitted the signed MOA to the Advisory Council on Historic Preservation (ACHP). The filing of the MOA with ACHP completes the Board's compliance responsibilities under Section 106 of the NHPA, and accordingly, we recommend that the Board remove the Section 106 condition.

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