

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

**SUPPLEMENTAL FINAL
ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB-1099X)

August 2, 2012

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**

In this proceeding, Sunflour Railroad, Inc. (SRI or railroad) filed a notice with the Surface Transportation Board (Board) seeking authority to abandon an approximately 8.1-mile segment of rail line in Roberts and Marshall counties, South Dakota (SD). By decision served on July 27, 2012, the Board granted SRI's request. The decision imposed a condition requiring SRI 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 Effect) that are eligible for listing or listed in the National Register of Historic Places (National Register) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f (NHPA), has been completed.

Comments on the EA

In the attached correspondence from the South Dakota State Historical Society (State Historic Preservation Office or SHPO), dated July 30, 2012, the South Dakota SHPO concludes that the rail line proposed for abandonment does not appear to meet any of the National Register criteria. The SHPO also recommends that the Board submit a determination of "No Historic Properties Effected" to his office for concurrence.

Conclusions

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, the Office of Environmental Analysis (OEA) has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. 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, the Final EA and this Supplemental Final EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

This completes the Section 106 process and OEA recommends that the Section 106 condition imposed by the Board in this proceeding be removed at this time.

Attachment

OEA CONTACT: Dave Navecky
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Distribution: South Dakota SHPO
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ECT



July 30, 2012

Mr. Thomas F. McFarland, P.C.
208 South LaSalle Street, Suite 1890
Chicago, IL 60604-1112

PROJECT CONSULTATION

Project: 120423004F – Sunflour Railroad, Inc. Abandonment of Rail Line Milepost No. 228.2 to Milepost 236.2 in South Dakota

Location: Multiple Counties
(STB)

Dear Mr. McFarland:

Thank you for the opportunity to comment on the above referenced project. On July 26, 2012, I received the additional information prepared by Dr. Don L. Hofsommer concerning the eligibility of the railroad for listing on the National Register of Historic Places. Based on Dr. Hofsommer assessment, the property does not appear to meeting any of the National Register Criteria.

Therefore, I recommend the Surface Transportation Board, the federal agency responsible for compliance with the National Historic Preservation Act, submit a determination of "No Historic Properties Effected" to my office for concurrence.

Should you require any additional information, please contact Paige Olson at (605) 773-6004. Your concern for the non-renewable cultural heritage of our state is appreciated.

Sincerely,

Jay D. Vogt
State Historic Preservation Officer

Paige Olson
Review & Compliance Coordinator