

# ***SURFACE TRANSPORTATION BOARD***

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

EO-87  
CD

April 12, 2004

Norfolk Southern Railway Company  
James R. Paschall, General Attorney  
Law Department  
Three Commercial Place  
Norfolk, VA 23510-9242

**Re: Docket No. AB - 167 (1095X), Consolidated Rail Corporation -  
Abandonment Exemption - in Lancaster and Chester Counties,  
Pennsylvania**

Dear Mr. Paschall:

The Surface Transportation Board's Section of Environmental Analysis (SEA) has completed its review of Consolidated Rail Corporation's proposed abandonment exemption in Lancaster and Chester Counties, Pennsylvania, pursuant to Section 106 of the National Historical Preservation Act (NHPA).

Enclosed for your signature is the Final Memorandum of Agreement (MOA), which resulted from the Section 106 consultation process. The Final MOA sets forth measures to avoid or minimize adverse effects on historic properties resulting from the proposed abandonment. Copies of the Final MOA have been sent to: the Advisory Council on Historic Preservation; Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation (the State Historic Preservation Officer or SHPO); Norfolk Southern Railway; Friends of the Atglen-Susquehanna Trail; Historic Preservation Trust of Lancaster County; Lancaster County; Lancaster County Conservancy; Lancaster Farmland Trust; Northeast Regional Field Office of the Rails-to-Trails Conservancy; Pennsylvania Department of Transportation; Southern End Community Association; Township of Bart; Township of Conestoga; Township of Eden; Township of Martic; Township of Providence; Township of Sadsbury; and Township of West Sadsbury.

If agreed upon, the Final MOA will be signed by the signatory and concurring parties, and the NHPA review will be complete.<sup>1</sup> Thereafter, the Section 106 condition imposed in this case

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<sup>1</sup> Under the ACHP's regulations for implementing the Section 106 process at 36 CFR

(continued...)

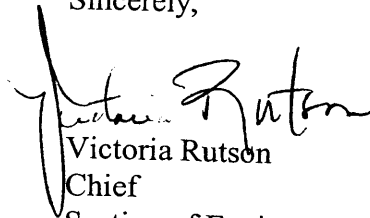
would be removed. If no agreement on mitigation is reached by the signatory parties, the consultation may be terminated, and the agency must request and take into account ACHP's formal comments prior to issuing a final decision. See 36 CFR 800.6 and 800.7.

Pursuant to Section 106 of the NHPA, SEA is submitting the Final MOA for your review. In the interest of completing the Section 106 process in a timely manner, we request that signatory parties and concurring parties respond within 20 days after receipt of this letter. Please reference Docket No. AB-167 (Sub-No. 1095X) in all correspondence for this proceeding. We request that you sign at the appropriate line and return the original signature page for your agency to:

Troy Brady  
Surface Transportation Board  
Section of Environmental Analysis  
1925 K Street, NW Suite 500  
Washington DC 20423-0001

The Final MOA is available on the Board web site at "WWW.STB.DOT.GOV," if you need additional copies. If you have questions regarding the Final MOA or require further information, please do not hesitate to contact me or Troy Brady at (610) 793-4301. Thank you for your assistance.

Sincerely,



Victoria Rutson  
Chief  
Section of Environmental Analysis

Enclosure

cc: Advisory Council on Historic Preservation  
Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation  
Norfolk Southern Railway Company  
Friends of the Atglen-Susquehanna Trail  
Historic Preservation Trust of Lancaster County  
Lancaster County  
Lancaster County Conservancy  
Lancaster Farmland Trust  
Northeast Regional Field Office of the Rails-to-Trails Conservancy

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<sup>1</sup>(...continued)

800.6, the concurrence of consulting parties in the final outcome of the Section 106 process is not required.

Pennsylvania Department of Transportation  
Quarryville Borough  
Southern End Community Association  
Township of Bart  
Township of Conestoga  
Township of Eden  
Township of Martic  
Township of Providence  
Township of Sadsbury  
Township of West Sadsbury  
SEA Chron