

SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 463 (Sub-No. 2X)

August 16, 2019

RECOMMENDATION: Modify Section 106

In this proceeding, Alabama Railroad Company (ALAB) filed a notice of exemption to abandon a line of railroad in Escambia, Conecuh, and Monroe Counties in Alabama. The line extends approximately 47.5 miles from Milepost 607.73 at Flomaton to Milepost 655.2 near Tunnel Springs. Because the Section 106 process of the National Historic Preservation Act (NHPA) had not been completed at the time of the May 17, 2019 decision granting abandonment authority, a condition was imposed requiring ALAB to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the line that are 50 years old or older until completion of the Section 106 process of the NHPA.

The Alabama Historical Commission (SHPO) submitted correspondence dated May 20, 2019 (attached) indicating that project activities would have no effect on any cultural resources listed on or eligible for the National Register of Historic Places provided all structures (bridges, raised beds, etc.) remain in place. As indicated in OEA's Environmental Assessment and ALAB's Environmental and Historic Report, ALAB does not intend to remove or dismantle any bridges or other structures along the line. Salvage would consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed would remain as is, and existing drainage systems would remain intact.

The SHPO also states that should artifacts or archaeological features be encountered during salvage activities, work should cease, and its office should be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and human burials.

OEA recommends that the Section 106 condition originally imposed in May 2019 be removed and a new condition be imposed (set forth in the Conclusions section below)

to address the SHPO's concerns about artifacts and archaeological features in the project area.

Pursuant to the Section 106 regulations of the NHPA at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, we have determined that, if the recommended condition is imposed, the proposed abandonment and related salvage activities would not affect historic properties listed in or eligible for inclusion in the National Register. The Board has satisfied its responsibilities under Section 106 of the NHPA. 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, and the 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>.

Conclusions

For the reasons stated above, OEA recommends that the Board remove the Section 106 condition that was imposed in the May 17, 2019 decision and impose a new condition as follows:

In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during Alabama Railroad Company's (ALAB's) salvage activities, ALAB shall immediately cease all work and notify the Office of Environmental Analysis (OEA), interested Federally recognized tribes, and the Alabama Historical Commission (SHPO) pursuant to 36 C.F.R. § 800.13(b). OEA shall then consult with the SHPO, interested Federally recognized tribes, ALAB, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.

If the above condition is imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

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