

EO
16/7

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 384 3X

March 10, 2011

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

() Notice of Exemption (X) Petition for Exemption () Regulated Abandonment

(X) NO NEW COMMENTS WERE RECEIVED

() NEW COMMENTS WERE RECEIVED

OEA served an Environmental Assessment (EA) for this proceeding on February 4, 2011, for public review and comment. In the EA, OEA recommended 1 environmental condition.

Upon further independent review, OEA believes that the recommended environmental condition in the EA should be modified. OEA concluded that requiring DSR to consult with either the USFWS or the Arkansas Ecological Services may have been confusing. Therefore, OEA has modified the recommended environmental condition to reflect that DSR shall consult only with the USFWS and not the Arkansas Ecological Services Staff.

Conclusions

The EA comment period has ended. Accordingly, OEA recommends that the following condition previously recommended in the EA, as modified by the recommendations in this document should be imposed upon any decision granting abandonment authority. The condition is:

Delta Southern Railroad, Inc. (DSR), shall consult with the U.S. Fish and Wildlife Service (501.513.4489) regarding potential impacts from salvaging activities to the breeding activities of the federally listed endangered Interior Least Tern (*Sterna antillarum athalassos*) that may occur near the Line. DSR shall report the results of these consultations in writing to the Board's Office of Environmental Analysis prior to the onset of salvage operations.

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

OEA CONTACT: Troy Brady

