

**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-6 (Sub No. 465X)

March 11, 2009

ABANDONMENT TYPE

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

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on October 10, 2008 for public review and comment. In the EA, SEA recommended one environmental condition concerning Section 106 historic preservation matters and concluded that the proposed action would not significantly impact the quality of the human environment. On November 14, 2008, SEA issued a Post Environmental Assessment (Post EA) recommending that an additional condition addressing Tribal concerns over fish passage barriers be imposed upon any decision granting abandonment authority.

Comments

SEA received one comment after issuance of the Post EA. The State of Washington Department of Archaeology & Historic Preservation (the State Historic Preservation Office or SHPO) submitted an e-mail, with an attached letter, both dated February 26, 2009. In that letter, the SHPO corrected their earlier line segment misidentification as "Woodinville to Redmond" to Woodinville to Wilburton.

Additionally, the SHPO reiterated that they concur that the proposed abandonment of the BNSF right-of-way between Woodinville and Wilburton will have no adverse effect on historic properties or cultural resources listed in or eligible for inclusion in the National Register of Historic Places.

RECOMMEND REMOVAL OF SECTION 106 CONDITION

Based on the above information, SEA has determined from the SHPO's received written comments that there are no historic properties that may be affected by this abandonment. SEA concurs with this finding and recommends that the Section 106 condition be removed.

Conclusions

Based on all information provided from all sources to date, SEA has determined that the Section 106 process has been completed in this proceeding.

Pursuant to the Section 106 regulations of the National Historic Preservation Act (NHPA), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 CFR 800.11(e), consists of the railroad's Historic Report, all relevant correspondence, and the October 10, 2008 Environmental Assessment, 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>.

Accordingly, we recommend that the Section 106 condition imposed by the Board in the proceeding be removed. Please contact Alan Cassiday if you need further information or justification.

SEA requests that the current condition regarding tribal concerns over fish passage barriers remain a condition of the abandonment.

SEA believes that if the above recommendations are implemented, the proposed action will not significantly affect the quality of the human environment.

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