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**SERVICE DATE - SEPTEMBER 3, 1998**

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

## **ENVIRONMENTAL ASSESSMENT**

NO. AB-547X

**ROARING FORK RAILROAD HOLDING AUTHORITY  
-- ABANDONMENT EXEMPTION --  
IN GARFIELD, EAGLE, AND PITKIN COUNTIES, COLORADO**

### **BACKGROUND**

In this proceeding, Roaring Fork Railroad Holding Authority (RFRHA) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903-10905 in connection with the abandonment of its railroad line located between Milepost 360.22, near Glenwood Springs, and Milepost 393.66, near Woody Creek, a distance of 33.44 miles in Garfield, Eagle, and Pitkin Counties, Colorado. A map depicting the rail line in relationship to the area served is appended to the report.

If the exemption becomes effective, RFRHA will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way. However, at this time, RFRHA intends to preserve the line as an interim trail and leave the track and appurtenances intact for possible future rail commuter operations, and, if feasible, restoration of rail freight service. RFRHA is an inter-governmental agency formed to acquire the line to ensure its preservation for rail and other compatible public purposes. RFRHA acquired the line from the Southern Pacific Company in 1997. The line handled 20 carloads of freight in 1996, and 4 carloads in 1997. No traffic has moved on the line in the first half of 1998.

### **ENVIRONMENTAL REVIEW**

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental

report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have verified the record in this proceeding.

The U.S. Department of Commerce, National Geodetic Survey (NGS), has advised that 19 geodetic station markers have been identified that may be affected by the proposed abandonment. NGS requests that the railroad notify NGS 90 days in advance if any of these markers might be disturbed or destroyed by abandonment activities, so that plans to relocate affected markers can be completed.

The Colorado Historical Society (SHPO) has determined that segments of the line are eligible for inclusion in the National Register of Historic Places. The SHPO did not further identify the segments. However, the SHPO states that the Colorado Department of Transportation and RFRHA will be in consultation with the SHPO regarding the SHPO's concerns before any construction or other physical use of the rail line occurs. The SHPO is therefore of the opinion that the proposed abandonment will have no adverse effect on the qualities of significance of this historic property, provided that historic properties are considered as part of a major investment study process and the subsequent actions the study authorizes (see SHPO letter dated May 14, 1998, attached). We therefore recommend that the railroad be required to notify us when the Section 106 process is completed in the consultation procedure outlined by the SHPO.

#### **CONDITIONS**

In view of the NGS request and the above discussion of the SHPO's opinion, we recommend that the following two conditions be placed on any decision granting abandonment authority:

- 1. If the railroad finds that any of the 19 geodetic station markers identified by the National Geodetic Survey (NGS) may be disturbed or destroyed by abandonment activities, the railroad shall notify NGS 90 days in advance of commencement of such activities.**
- 2. The railroad shall retain its interest in and take no steps to alter the historic integrity of the line in its entirety until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, in consultation with the Colorado Historical Society and the Colorado Department of Transportation. The railroad shall notify the Section of Environmental Analysis in writing when the process is completed.**

## **CONCLUSIONS**

Subject to the foregoing conditions and based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore, no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

## **PUBLIC USE**

If abandonment and salvage of the rail line does take place, the right-of-way may be appropriate for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

## **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

## **ENVIRONMENTAL COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and one copy** to the Board's Section of Environmental Analysis, Suite 500, Washington, DC 20423, to the attention of Harold McNulty, who prepared this environmental

assessment. **Please refer to Docket No. AB-547X in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Mr. McNulty at (202) 565-1539.

Date made available to the public: August 28, 1998.

**Comment due date: September 28, 1998.**

By the Board, Elaine K. Kaiser, Chief, Section of Environment Analysis.

Vernon A. Williams  
Secretary

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MAP HAS TO BE SCANNED

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