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SERVICE DATE - MAY 21, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 130X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT
EXEMPTION—IN POCAHONTAS, BUENA VISTA AND CLAY COUNTIES, IA
(ROYAL BRANCH)

Decided: May 16, 2001

On December 9, 1998, Union Pacific Railroad Company (UP) filed a petition seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 to abandon a 25.25-mile line of railroad known as the Royal Branch (the Line), extending between milepost 477.10 near Laurens and the end of the line at milepost 502.35 near Royal, in Pocahontas, Buena Vista and Clay Counties, IA. The non-agency rail stations of Rossie at milepost 495.70 and Royal at milepost 501.80 were included in the abandonment. A notice instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b) was served and published in the Federal Register on December 29, 1998 (63 FR 71670).

In a decision served March 29, 1999, the petition for exemption was granted subject to, among other things, the environmental condition that UP shall consult with the U.S. Fish and Wildlife Service (USFWS), Rock Island Field Office, prior to commencement of salvage operations on the Line

On May 9, 2001, the Board's Section of Environmental Analysis (SEA) received a copy of a letter filed on February 13, 2001, by UP requesting that the environmental condition be removed. In support of its request, UP provided copies of correspondence between UP and USFWS, which indicate that UP had contacted the USFWS and that USFWS had no objection to UP's salvage of the Line (including removal of any bridges on the Line). Based on the information provided by UP, SEA recommends that the USFWS consultation condition imposed in the March 29, 1999 decision be removed. The condition will accordingly be removed.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the environmental condition imposed in the decision served March 29, 1999, is removed.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary