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SERVICE DATE - LATE RELEASE NOVEMBER 7, 1996

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-470

SOUTHEAST KANSAS RAILROAD COMPANY--ABANDONMENT
EXEMPTION--IN VERNON AND BARTON COUNTIES, MO

Decided: November 5, 1996

Southeast Kansas Railroad Company (SEK) has filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 24.1-mile portion of its line of railroad between milepost 319.3, at Nassau Junction Station, and milepost 343.4, at or near Liberal, in Barton and Vernon Counties, MO. The notice was served and published in the Federal Register on October 11, 1996 (61 FR 53487-88). The exemption is scheduled to become effective on November 10, 1996.

The Board's Section of Environmental Analysis (SEA) has issued an environmental assessment (EA) in this proceeding served October 23, 1996. In the EA, SEA indicates that the Missouri Department of Natural Resources (DNR) requests that SEK follow specific water conservation procedures during salvage operations of the line. Therefore, SEA recommends that SEK shall: (1) remove only the minimum amount of vegetation necessary to complete salvage operations; (2) conduct salvage operation near waterways only when water levels are low or absent; (3) restore riparian areas, banks, etc., to a stable condition through recontouring and revegetation as necessary; (4) minimize the use of machinery in waterways; and (5) if more than five acres of land will be disturbed, consult with the Missouri DNR Water Pollution Control Program to determine if permits are required. The conditions recommended by SEA will be imposed.

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

It is ordered:

1. This proceeding is reopened.
2. The notice of exemption published in the Federal Register on October 11, 1996, is modified to impose the salvage conditions recommended by SEA. Thus, SEK shall: (1) remove only the minimum amount of vegetation necessary to complete salvage operations; (2) conduct salvage operation near waterways only when water levels are low or absent; (3) restore riparian areas, banks, etc., to a stable condition through recontouring and revegetation as necessary; (4) minimize the use of machinery in waterways; and (5) if more than five acres of land will be disturbed, consult with the Missouri DNR Water Pollution Control Program to determine if permits are required.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary