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SERVICE DATE - AUGUST 27, 1997
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-470 (SUB-NO. 1X)

SOUTHEAST KANSAS RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN MONTGOMERY, LABETTE AND CHEROKEE COUNTIES, KANSAS

BACKGROUND

In this proceeding, the Southeast Kansas Railroad Company (SKR) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its railroad line located between milepost 421.0 near Coffeyville, and milepost 387.0 near Faulkner, a distance of 34 miles in Montgomery, Labette, and Cherokee Counties, Kansas. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

SKR acquired the line proposed here for abandonment in 1987 from the Missouri Pacific Railroad Company. The railroad states that few local shipments have moved over the line recently and overhead movements have been limited to soybean and grain products. No local traffic has moved over the line since March of 1996 and the remaining overhead traffic was rerouted to a parallel line in November of 1996 because of poor track conditions.

The railroad further states that the line is in very poor condition. Tracks, ties, and most of the 26 bridges on the line are in need of extensive repair.

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 investigated the record in this proceeding. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included the U.S. Army Corps of Engineers; the Natural Resources Conservation Service; the U.S. Fish and Wildlife Service; the National Geodetic Survey; and the Cultural Resources Division of the Kansas State Historical Society.

CONDITIONS

The National Geodetic Survey (NGS) has identified three geodetic station markers that may be affected by the proposed abandonment. Therefore, we recommend that the Southeast Kansas Railroad Company provide NGS with at least 90 days' notification before undertaking any activities that will disturb or destroy these markers.

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended condition, 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

Following abandonment and salvage of the rail line, the right-of-way may be suitable 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. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. 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.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Suite 700, Washington, DC 20423, to the attention of Victoria Rutson, who prepared this environmental assessment. **Please refer to Docket No. AB-470 (Sub No. 1X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ms. Rutson at (202) 565-1545.

Date made available to the public: August 22, 1997.

Comment due date: September 22, 1997.

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

Vernon A. Williams
Secretary