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SERVICE DATE - MAY 28, 1997

SEC

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-318 (Sub-No. 4X)]

Louisiana and Delta Railroad, Inc.--Abandonment Exemption--In Lafourche and Assumption Parishes, LA

On May 8, 1997, Louisiana and Delta Railroad, Inc. (Louisiana and Delta), filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903-04<sup>1</sup> to abandon a line of railroad known as the Napoleonville Branch. This line extends from milepost 1.0, located at or near Thibodaux, Lafourche Parish, LA, to milepost 15.28, located at or near Supreme, Assumption Parish, LA, for a distance of 14.28 miles. The line traverses U.S. Postal Service Zip Codes 70301, 70302, 70372, and 70390.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it. The interests of the employees will be protected by *Oregon Short Line R. Co.--Abandonment--Goshen*, 360 I.C.C. 91 (1979).

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<sup>1</sup> While Louisiana and Delta's petition recites that exemption is sought from the provisions of section 10904, as well as section 10903, the petition offers no basis for an exemption from the offer of financial assistance provisions of section 10904.

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued within 90 days (by August 26, 1997).

Any offer of financial assistance under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$900. *See* 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 and any request for trail use/rail banking under 49 CFR 1152.29 will be due no later than June 17, 1997.<sup>2</sup> Each trail use request must be accompanied by a \$150 filing fee. *See* 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-318 (Sub-No. 4X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001; and (2) Eric M. Hocky or Sebastian Ferrer, Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full

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<sup>2</sup> The City of Thibodaux, LA has requested a public use condition and interim trail use/rail banking. Its request is supported by the Governor of Louisiana.

abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the hearing impaired is available at (202) 565-1695.]

An environmental assessment (EA) (or, if necessary, an environmental impact statement (EIS)) prepared by SEA will be served on all parties of record and on any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact SEA. EAs in these abandonment proceedings normally will be available within 60 days from the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Decided: May 15, 1997.

By the Board, Vernon A. Williams, Secretary

Vernon A. Williams

Secretary