

30545 SERVICE DATE - LATE RELEASE OCTOBER 1, 1999

**CORRECTED DECISION *
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

**NO. AB-33 (SUB-NO. 140)
UNION PACIFIC RAILROAD COMPANY
--ABANDONMENT AND DISCONTINUANCE OF OPERATIONS--
IN LANCASTER AND GAGE COUNTIES, NE
AND MARSHALL COUNTY, KS**

BACKGROUND

In this proceeding, the Union Pacific Railroad Company (UP) has filed an application seeking authority under 49 U.S.C. 10903 to abandon its railroad line located from milepost 66.0 near Jamaica, NE, to milepost 125.0, near Marietta, KS, a distance of 57.72 miles in Lancaster and Gage Counties, and Marshall County, KS. Due to a track relocation, the milepost numbers do not reflect a reduction of 1.28 miles of line resulting from the relocation. A map depicting the rail line in relationship to the area served is appended to the report. If the application is approved, 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

There are six shippers on the line. In 1997, there were 710 carloads moved over the line; in 1998 there were 788 carloads, and in the months of January through May, 1999, there were 86 carloads (which were shipped by only two of the six shippers). The major commodities handled were wheat, cement, rebar, corn, scrap iron, and sorghum grain. There are 44 bridges in Nebraska and 3 in Kansas. There are no buildings 50 years old or older on the line. The land traversed by the line has rolling hills and is used primarily for agricultural purposes. The line itself closely parallels the Big Blue River between Beatrice, NE and Marietta, KS.

* This corrects the decision served today, October 1, 1999, which inadvertently omitted Appendix A.

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. Responses to the railroad's request for comments thus far have indicated the need for one environmental condition (requested by the U.S. Department of Commerce, National Geodetic Survey).

CONDITION

We recommend that the following condition be placed on any decision granting abandonment authority:

If salvage operations are expected to destroy or disturb any of the 32 geodetic station markers listed in Appendix A, the railroad shall notify the U.S. Department of Commerce, National Geodetic Survey in not less than ninety days prior to commencement of such operations.

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 certificate of interim trail use (CITU) is due to the Board, with a copy to the railroad, within 30 days of filing of the application. 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 Harold McNulty, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 140) 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: October 1, 1999.

Comment due date: November 1, 1999.

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

Vernon A. Williams
Secretary

Please Scan Map and Appendix A