

31039

SERVICE DATE - JULY 14, 2000

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket NO. AB-33 (Sub-No. 153X)

**Union Pacific Railroad Company--Abandonment
Exemption--in Monroe County, IA**

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903-10905 to abandon a line of railroad known as the Oskaloosa Subdivision, extending between milepost 312.1 near Eddyville and milepost 322.9 near Maxon, a distance of 10.8 miles in Monroe County, LA. 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

In its petition, UP states that there is one shipper on the line, Cargill, Incorporated (Cargill), that operates a corn processing plant located at approximately milepost 313.0. Cargill receives corn, corn germ, and other corn mill products and ships corn syrup, corn oil, corn gluten, corn feed, ethanol and other corn by-products by rail. UP also states that Cargill receives and ships by truck. UP further states that Cargill will not be adversely affected and supports the abandonment.

The line was constructed in 1870 and '71 by the Central Railroad Company of Iowa and is constructed primarily with 85-pound track material most of which will be removed, and some (approximately 1miles) 112-pound track material which will be sold in place to Cargill. From milepost 312.1 to approximately milepost 313.75, the right-of-way is 20 feet in width. The remainder of the right-of-way to milepost 322.9 is 100 feet in width and consists of approximately 120.4 acres, of which 41.44 acres are reversionary and 78.60 acres are non-reversionary.

ENVIRONMENTAL REVIEW

UP 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. UP served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules at 49 CFR 1105.7(b).

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: Military Traffic Command, Transportation Engineering Agency; U.S. Department of the Interior, National Park Service, Recreation Resources Assistance Division; U.S. Department of Agriculture, Chief of the Forest Service; Iowa Department of Management, Attn. Peggy Baer - Staff Coordinator; Iowa Department of Transportation; Iowa Railway Finance Authority; Cargill, Inc., Jeffrey B. Johnson, Esq.; State Clearinghouse; Iowa Game and Parks; Iowa Department of Natural Resources; Monroe County Board of Supervisors; U. S. Environmental Protection Agency, Region 7; U.S. Fish and Wildlife Service - Region 3; U.S. Army Corps of Engineers; National Park Service, Recreation and Conservation; U. S. Natural Resources Conservation Service, Attn. John Freiden; National Geodetic Agency; and the State Historical Society of Iowa.

CONDITIONS

We recommend the following environmental conditions be placed on any decision granting abandonment authority:

1. The U.S. Department of the Interior, Fish and Wildlife Service (FWS) has determined that the Indiana bat (*Myotis sodalis*), Prairie bush clover (*Lespedeza leptostachya*), Western prairie fringed orchid (*Platanthera praeclara*), and the Eastern prairie fringed orchid (*Platanthera leucophaea*), may be present within the proposed abandonment area. SEA recommends, that UP consult with the FWS prior to conducting salvage operations.
2. The Natural Resources Conservation Service (NRCS) has expressed several concerns in regarding the handling of any land being returned to agriculture production. NRCS states that during salvage operations, UP should avoid possible conversion of wetlands and make sure that high erodible land is covered under an acceptable conservation plan. Contact John Freiden, District Conservationist. We will recommend that the condition be imposed to implement NRCS's concerns.
3. The National Geodetic Survey (NGS) has identified eight geodetic station markers that may be affected by the proposed abandonment. NGS requests that it receive not less than 90 days' notification in advance of any salvage activities in order to plan for their relocation. We will recommend NGS's requests as a condition to any abandonment.

CONCLUSIONS

Based on the information provided from all sources to date, 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 this case, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

If abandonment and salvage of the rail line does not take place, 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 responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 153X)** in all correspondence addressed to the Board. If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629.

Date made available to the public: July 14, 2000.

Comment due date: August 14, 2000.

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

Vernon A. Williams
Secretary

Attachment

MAP NEEDS TO BE SCANNED.