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Service Date- December 9, 1996

SURFACE TRANSPORTATION BOARD'
WASHINGTON., DC 20423

ENVIRONMENTAL ASSESSMENT

NO*AB-33 (SUB-NO .103X)

UNION PACIFIC RAILROAD COMPANY
--ABANDONMENT EXEMPTION--
IN SARPY COUNTY, NEBRASKA
(GILMORE INDUSTRIAL LEAD)

BACKGROUND

In this proceeding, the Union Pacific Railroad Company has filed a petition under 49 U.S.C, 10505 seeking exemption from the requirements of 49 U.S.C, 10903 in connection with the abandonment of its railroad line located between milepost 11.76 and milepost 12.23, a distance of 0.47 miles in Sarpy County, Nebraska. 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

The rail line is at the end of a 1.3 mile segment of track known as the Gilmore Industrial Lead, There is one shipper on the line segment to be abandoned (DPC Industries), but this shipper will be unaffected by the abandonment because they will acquire the track structure after abandonment for use in loading and unloading cars. DPC Industries requires the line segment for its plant operations and the availability of rail service is unaffected by the proposal. DPC Industries owns the right of way underlying the track structure over which Union Pacific has an easement for operations.

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

I Formerly the Interstate Commerce Commission (ICC). The ICC Termination Act of 1995, Pub, L, No, 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect

on January 1, 1996, abolished the ICC and transferred certain functions and proceedings to the Surface Transportation Board.

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, and the Nebraska State Historical Society.

CONDITIONS

We recommend that no environmental conditions be placed on any decision granting abandonment authority,

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 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 not be suitable for other public use because after abandonment the track structure will be conveyed to DPC Industries for the shipper's use for loading and unloading purposes, 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 Assistance (OPA) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPA directly at (202) 927-6184, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Room 4412,

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, Room 2221, Washington, DC 20423, to the attention of Scott Decker, who prepared this environmental assessment, Please refer to Docket No. AB-33 (Sub No.103X) ' in all correspondence addressed to the Board. If you have questions regarding this environmental assessment, you should contact Scott Decker at (202) 927-6396.

Date made available to the public: December 4, 1996

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Comment due date: January 6, 1997

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

Vernon A. Williams
Secretary

