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SERVICE DATE - JUNE 17, 1998

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

NO. AB- 33 (SUB-NO. 117X)

**UNION PACIFIC RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN LEADVILLE, LAKE COUNTY, CO (LEADVILLE BRANCH)**

BACKGROUND

In this proceeding, the Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its railroad line known as the Leadville Branch located between Milepost 274.3 near McWethy Drive to the end of the line at Milepost 276.1 at the rail year near U.S. Highway 24 in Leadville, a distance of approximately 1.8 miles in Lake County, Colorado. A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

The proposed abandonment of this line is related to Finance Docket No. 32760, Union Pacific Corporation, et al--Control and Merger--Southern Pacific Rail Corporation et al. UP has premised its Environmental and Historic Reports in this proceeding on the Environmental Report and subsequent Environmental Assessment prepared in Finance Docket No. 32760.

The line is located in the California Gulch Superfund Site. According to UP, the U.S. Environmental Protection Agency, Region 8, is involved in negotiations concerning a Memorandum of Understanding, which contains an agreement for abandonment of the line and its use in a trail project.

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 contacted 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 U.S. Environmental Protection Agency; the National Geodetic Survey; the U.S. Fish and Wildlife Service; U.S. Army Corps of Engineers; the Colorado State Historic Preservation Office; the Colorado Department of Public Health; and Lake County Board of Commissioners.

CONDITIONS

The National Geodetic Survey has identified two geodetic station markers that may be affected by the proposed abandonment. If UP plans any activities that may disturb or destroy these markers, it must provide NGS with not less than 90 days notification in advance of such activities. We therefore recommend imposition of the following condition: **Prior to engaging in any salvage activities that may disturb or destroy the two geodetic station markers identified by the National Geodetic Survey (NGS), the Union Pacific Railroad must provide NGS with not less than 90 days notification in advance of such activities.**

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

If abandonment and salvage of the rail line does 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 exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. 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 843, 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 2215, Washington, DC 20423, to the attention of Victoria J. Rutson, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 117X) 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: June 12, 1998.

Comment due date: June 25, 1998.

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

Vernon A. Williams
Secretary

PLEASE SCAN MAP