

32787

SERVICE DATE - JULY 12, 2002

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

DOCKET NO. AB-33 (Sub-No. 189X)

Union Pacific Railroad Company - Abandonment Exemption - in Eau Claire County, WI

BACKGROUND

In this proceeding, the Union Pacific Railroad Company (UP) has filed an application seeking authority under 49 U.S.C. 10903 to abandon and discontinue service on the Eau Claire Industrial Lead from MP 0.00 near N. Barstow Street to MP 1.65 south of Truax Blvd., a distance of 1.65 miles in Eau Claire, Wisconsin. The line is located in Eau Claire County, Wisconsin. 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

According to UP, the line was originally constructed in approximately 1870 by the West Wisconsin Railway. It is constructed with 80-pound rail. UP intends to salvage the track structure and dispose of the underlying real estate.

The sole shipper on the line is Central Storage Warehouse (CSW), which ships and receives various frozen, canned, and dried foods and dairy products. CSW handled 70 cars in the year 2000 and 74 cars in the year 2001. As a result of an agreement between UP and CSW, CSW will relocate its current rail activity to the nearby station of Menomonie and handle the storage and consignment of the remaining railed commodities at that point. No traffic on the line is anticipated in the future from this shipper. All other customers once served by the line have either closed their facilities or have ceased using rail freight transportation. There will be no impact on area traffic patterns or fuel consumption because there will be no diversion of rail traffic to truck traffic.

The right-of-way of the proposed abandonment is 150 feet wide as it comes out of the main line to the Chippewa River. After it crosses the river, it is generally 100 feet in width. The topography of the line is slightly hilly near the Chippewa River and levels out as it travels west and north. The adjacent use is either light industrial, commercial or residential. The right-of-way consists of approximately 14.58 acres, of which all is non-reversionary. There is no title limitation and the right-of-way is suitable for other public purposes. The City of Eau Claire has expressed interest in using the

corridor for a recreational trail. UP will attempt to donate the bridge over the Chippewa River to the City. If the City of Eau Claire fails to obtain the property for a recreational trail, the property on the line will be sold to the adjoining landowners. Based on information in UP's possession, the line does not contain federally granted right-of-way.

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 (Board's) environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The United States Department of the Interior, Fish and Wildlife Service, Green Bay ES Field Office has concluded that, due to the nature and location of the proposed activities, no federally listed threatened and endangered species or critical habitat will be affected.

The Department of the Army, Corps of Engineers, St. Paul District, has indicated that the project, as proposed, is not within the regulatory jurisdiction of the Corps of Engineers. No Department of the Army permits are required because no work is proposed in or over a navigable water of the United States and no dredged or fill material will be discharged in any water of the United States.

Two railroad bridges are located on the line proposed for abandonment. The 31-foot railroad bridge over Forest Street was constructed in 1941. The 720-foot railroad bridge over the Chippewa River was constructed in 1881. The Wisconsin Historical Society (Wisconsin SHPO) has advised us that the Chippewa River Bridge, based on the information provided, may be eligible for inclusion in the National Register of Historic Places. The Wisconsin SHPO has asked UP to prepare a determination of eligibility form for the bridge for them to review. UP is currently complying with this request.

CONDITIONS

We recommend that the following environmental condition, addressing the environmental concerns discussed above, be placed on any decision granting abandonment authority.

The Wisconsin Historical Society (Wisconsin SHPO) has determined that the bridge over the Chippewa River may be eligible for listing on the National Register of Historic Places. Pending resolution of this issue, UP shall retain its interest in and take no steps to alter the historic integrity of the bridge until completion of the Section 106 process of the national Historic Preservation Act, 16 U.S.C. 470f.

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

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 Surface Transportation 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 Surface Transportation 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 the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this environmental assessment. **Please refer to Docket No. AB-**

33 (Sub No. 189X) in all correspondence addressed to the Board. If you have any questions regarding this environmental assessment, you should contact Kenneth Blodgett, the environmental contact for this case by phone at (202) 565-1554, fax at (202) 565-9000, or e-mail at blodgettk@stb.dot.gov.

Date made available to the public: July 12, 2002.

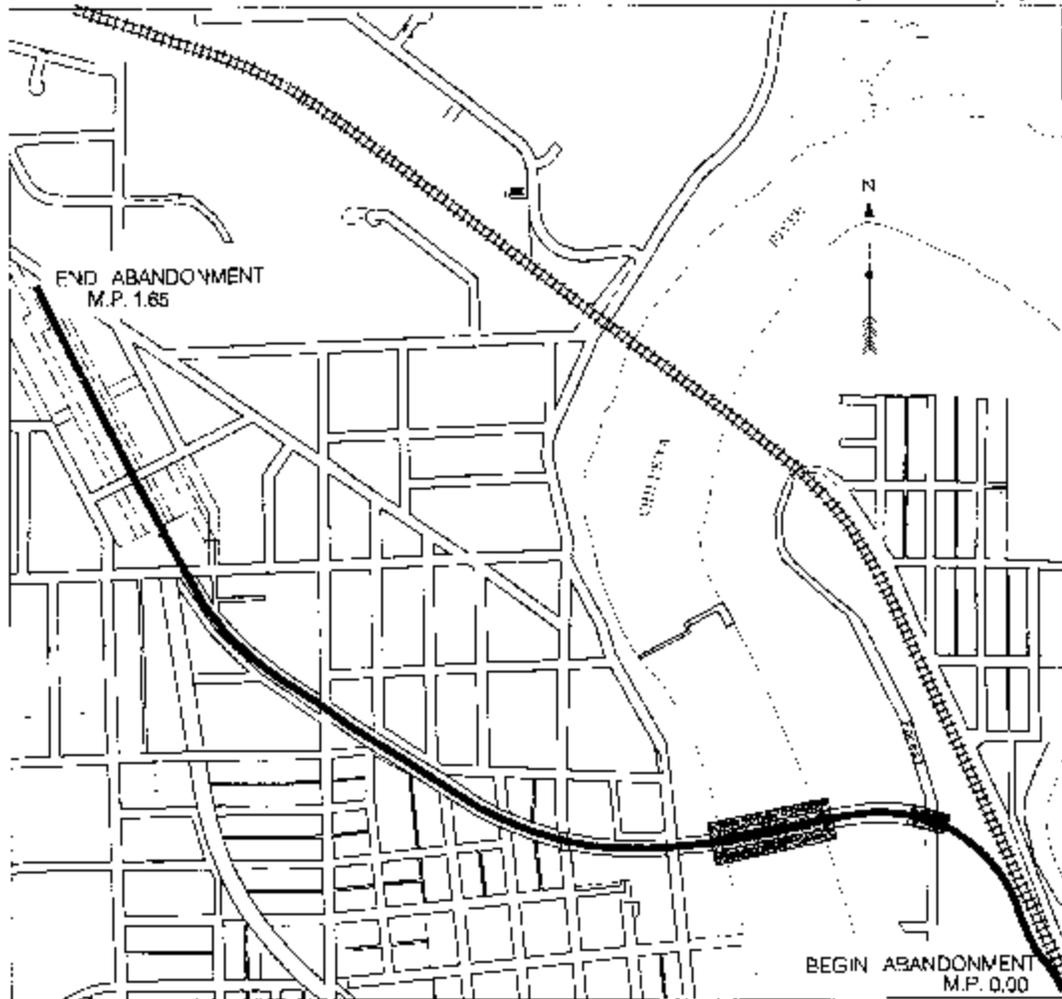
Comment due date: **August 12, 2002 (30 days)**.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

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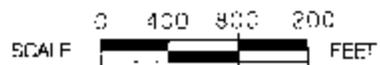


BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
SR 27-42 A	1 - 3' OPG	3'	1941
SR 27-42 A	6 - SPAN FT		1941
SR 27-42 B	4 - 180 FT	720'	1961

EAU CLAIRE INDUSTRIAL LEAD
 M.P. 0.00 TO M.P. 1.65
 1.65 MILES WITH INDUSTRIAL LEAD & TOTAL OF 1.65 MILES
 IN EAU CLAIRE, EAU CLAIRE COUNTY, WISCONSIN

UNION PACIFIC RAILROAD CO.
 EAU CLAIRE INDUSTRIAL LEAD
 INCL 50+ YEAR OLD STRUCTURES

- LEGEND**
- RR LINES TO BE ABANDONED
 - OTHER UPRR LINES
 - OTHER RAILROADS
 - 50+ YEAR OLD STRUCTURES
 - PRINCIPAL HIGHWAYS
 - OTHER ROADS



Revised February 11, 2008. DRAWING NO. EAU CLAIRE INDUSTRIAL LEAD