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SEA

SERVICE DATE - AUGUST 11, 2003

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-33 (Sub-No. 207X)

Union Pacific Railroad Company – Abandonment Exemption – in Lancaster County, NE

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 in connection with the abandonment of 0.57 miles of rail line known as the Jamaica Industrial Lead, formerly called the Lincoln Subdivision, in Lancaster County, Nebraska. The proposed abandonment extends from the Burlington Northern and Santa Fe Railway Company (BNSF) connection at milepost 56.43 to the end of the line at milepost 57.00 in Lincoln. 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

UP states that the right-of-way is generally 100 feet in width and level. An open wooded area with some wetlands is located to the northeast of the right-of-way, and an industrial area with some wetlands is to the northwest. The line crosses Salt Creek and is likely not suitable for trail use, according to UP. UP plans to work with the City of Lincoln to sell the non-reversionary property on the line to the City of Lincoln. Otherwise, UP will sell the non-reversionary property to adjoining landowners.

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 and historical reports 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 and reviewed the record in this proceeding.

The National Geodetic Survey has submitted comments stating that one geodetic station marker may be affected by the proposed abandonment and requests 90 days notification in advance of any activities that may disturb or destroy this marker.

The U.S. Army Corps of Engineers (Corps) has submitted comments stating that if the proposed abandonment would involve work in waters of the United States, a Section 404 permit may be required. The Corps requests the opportunity to review final project plans in order to conduct a detailed review of permit requirements.

Traffic

Snyder Industries (Snyder) was the only customer on the line during the time period from 2000 to 2002. UP states that in 2000, Snyder shipped 136 railcars of plastic tanks. In 2001, Snyder shipped 130 railcars of plastic tanks and 1 railcar of rubber articles. Using year 2001 data as the base year,¹ the proposed abandonment could result in the conversion of about 131 railcars to truck traffic. Using a conversion factor of 4 trucks per railcar,² SEA calculated that, if all the rail traffic is diverted to truck traffic, about 524 loaded trucks per year or 1,048 total trucks (assuming an empty backhaul) could be added to area roadways. On a per day basis about 4 trucks per day could be added to the area roadways during a 240 workday year.³

UP states that Snyder has already terminated its rail use on the line by relocating its operations to the Omaha, Lincoln and Beatrice Railway Company (OLB), and UP continues to have access to Snyder via a switching agreement with BNSF and OLB. Lincoln, Nebraska is served by UP, BNSF and OLB, as well as major highways, including Interstate 80.

HISTORIC REVIEW

The railroad submitted a historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. The railroad served the report on the Nebraska State Historical Society (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected by the proposed abandonment. We have reviewed the report and the information provided by the SHPO and concur with the SHPO's comments.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of the National Historic Preservation Act at 36 CFR 800.4(d)(1) and 36 CFR 800.8, we have determined that the proposed abandonment will not affect historic

¹ Because 2001 is the most recent complete year of data, the Section of Environmental Analysis (SEA) is using 2001 as the base year.

² The conversion factor is an estimate used to calculate the rail to truck conversion of varied commodities.

³ 240 workdays result when weekends and holidays are subtracted from a 365 day year.

properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public.

CONDITIONS

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

1. Based on the comments of the National Geodetic Survey (NGS), we recommend that the following condition be imposed on any decision granting abandonment authority: **Union Pacific Railroad Company shall consult with NGS and provide NGS with 90 days notice prior to disturbing or destroying any geodetic station markers.**
2. Based on the comments of the U.S. Army Corps of Engineers, we recommend that the following condition be imposed on any decision granting abandonment authority: **prior to beginning salvage activities, Union Pacific Railroad Company shall consult with and submit final project plans to Mr. Mike Rabbe at the Corps to determine Corps' permit requirements.**

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended conditions are imposed, 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 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, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Rini Ghosh, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 207X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Rini Ghosh, the environmental contact for this case, by phone at (202) 565-1539, fax at (202) 565-9000, or e-mail at ghoshr@stb.dot.gov.

Date made available to the public: **August 11, 2003**

Comment due date: September 9, 2003.

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

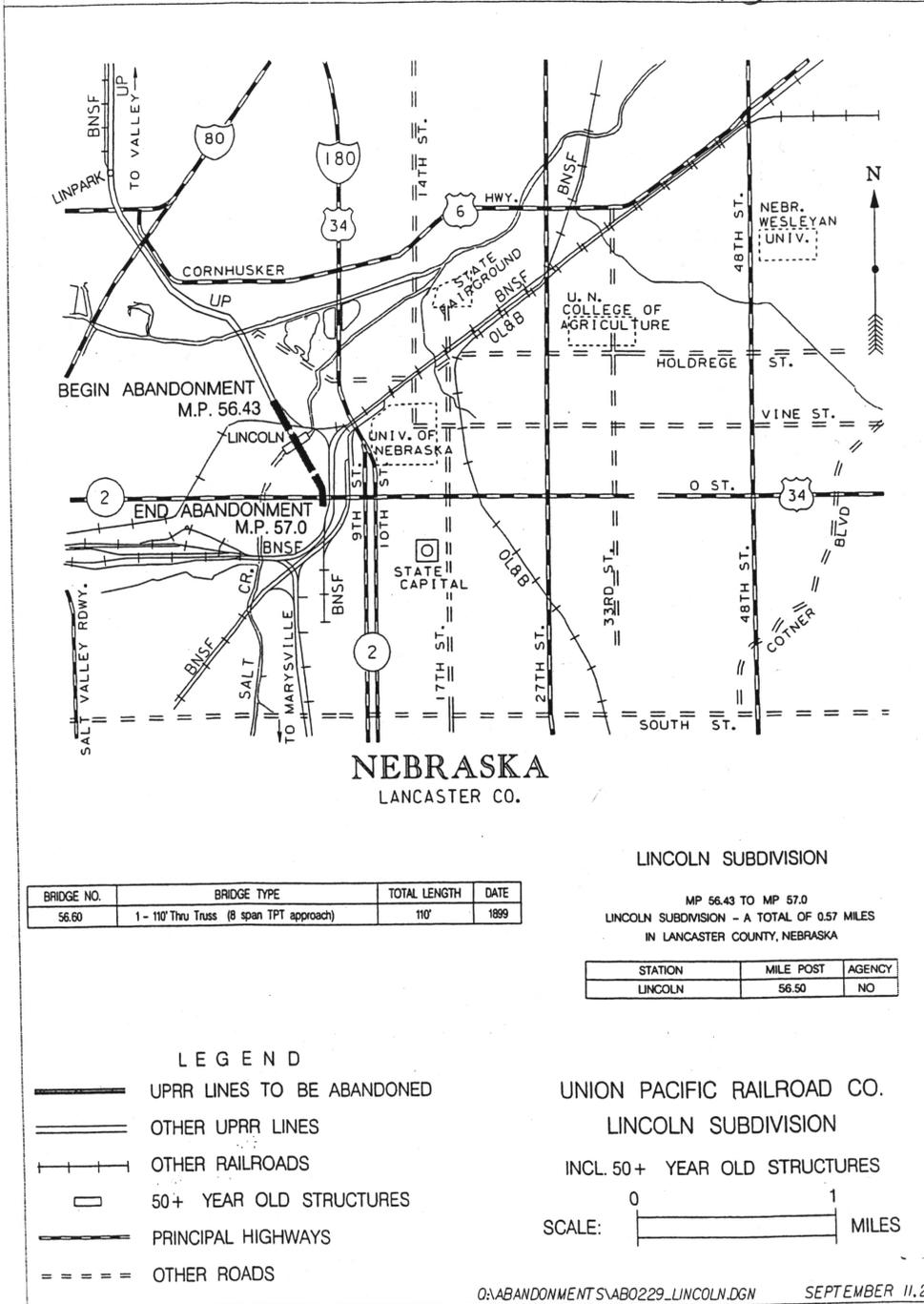
Vernon A. Williams
Secretary

Attachment

ID 33721

ATTACHMENT 1

AB 33 (SUB NO. 207X)



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