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SERVICE DATE - JULY 2, 1998

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-544X

SEA LION RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN KING COUNTY, WASHINGTON

BACKGROUND

In this proceeding, Sea Lion Railroad Company (SLR) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903-10905 in connection with the abandonment of its railroad line located between Milepost 2.70 and Milepost 0.09, a distance of approximately 3.0 miles, in the City of Seattle (City), King County, Washington. A map depicting the rail line in relationship to the area served is appended to the report.

If the exemption becomes effective, SLR will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way. However, SLR intends to transfer the rail line to the City of Seattle for interim trail use and other public uses. The City has indicated its desire to preserve the rail line intact for such purposes, and Ballard Terminal Railroad Company (BTRC) would continue rail operations on the line under contract to the City.¹ According to SLR, BTRC is owned by existing/potential shippers on the line.

Normally, the Section of Environmental Analysis (SEA) would not prepare an environmental assessment in instances where, as here, rail operations would continue at substantially the same levels after a change in ownership of a line. However, in this situation, an abandonment would technically take place prior to the sale of the line and we, therefore, must assess the potential impacts to the environment that may result from abandonment and salvage of this line.

¹SLR asserts that BTRC has contracted to become the operator of the line pursuant to a modified certificate of public convenience and necessity under 49 CFR 1150.21 et seq.

DESCRIPTION OF THE LINE

The line traverses an urban industrial area. According to SLR, the line was acquired from the Burlington Northern and Santa Fe Railway Company in October, 1997. At that time, the line was embargoed due to track deterioration. The line had been used to transport frozen fish, gravel products and miscellaneous freight.

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 verified the record in this proceeding. No comments have been received to date which indicate a need to impose environmental conditions.

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 and discontinuance of service 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 appropriate 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. 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 848, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and one copy** to the Board's Section of Environmental Analysis, Suite 500, Washington, DC 20423, to the attention of Harold McNulty, who prepared this environmental assessment. **Please refer to Docket No. AB-544X in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Mr. McNulty at (202) 565-1539.

Date made available to the public: June 26, 1998.

Comment due date: July 27, 1998.

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

Vernon A. Williams
Secretary

*****MAP HAS TO BE SCANNED*****