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SERVICE DATE - JULY 24, 1998  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## ENVIRONMENTAL ASSESSMENT

STB Docket NO. AB-33 (Sub-No. 122X)

Union Pacific Railroad Company--Abandonment Exemption--  
in Monroe and Juneau Counties, WI

### BACKGROUND

In the above entitled proceeding, 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 and Discontinuance of Service and Trackage Rights of a 8.4-mile line of railroad on the Camp Douglas Industrial Lead from milepost 174.3 near Wyeville to the end of the line at milepost 182.7 near Camp Douglas, in Monroe and Juneau Counties, WI. 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 right-of-way crosses several county roads and is not parallel or adjacent to a major highway. The entire line passes through rural areas only. The surrounding land is mostly wetland with some agricultural use and a few forested area. The topography is flat. There has been no traffic on the line for two years. The line previously was owned by Chicago and North Western Transportation Company, which merged into UP in April 1996.

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

The U.S. Fish and Wildlife (FWS) states that a federally endangered species, the karner blue butterfly (*lycaeides melissa samuelis*) is known to be found approximately 1-mile from the rail corridor. FW states that the butterfly is dependent upon wild lupine (*lupinus perennis*) for its existence, as it is the species sole known larval foodplant. FWS also states that during salvage operations, any possible disturbance to the right-of-way outside of the gravel rail bed, UP must

submit detailed plans for the activities planned in the project area, including the final disposition of the abandoned lands. FW suggest to avoid affecting the butterfly, UP confine salvage activities conducted along the corridor to the gravel rail bed section of the right-of-way, without any disturbance to the surrounding vegetation. Therefore, we will recommend that a condition be imposed requiring UP to consult with the U.S. Fish and Wildlife Service prior to engaging in any salvage activities on the right-of-way.

The Wisconsin Department of Transportation (WIDOT) has expressed concern, that upon abandonment, UP remove the rail, ties and ballast at the crossings of the state highways and roadways. WIDOT states that UP must comply with the State of Wisconsin Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures during salvage operations. We recommend that a condition be imposed requiring UP to consult with the WIDOT, District Maintenance Section, to obtain any permits necessary to perform work on the highway right-of-way and other streets and roadways affected by the proposed abandonment prior to any salvage activities.

### **CONDITIONS**

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

- (1) The U.S. Fish and Wildlife (FWS) has informed the Board's Section of Environmental Analysis that the presence of the federally listed endangered species, karner blue butterfly (*lycaides melissa samuelis*) is known to be found approximately 1-mile from the rail corridor. The proposed salvage activities may affect the species or its habitat. If during salvage activities, any disturbance outside of the gravel bed, UP shall notify the FWS of the detailed plan for the activities in the project area, including final disposition of the abandoned line. Therefore, we recommend that UP shall not engage in any salvage activities until completion of the Section 7 process of the Endangered Species Act, 16 U.S.C. 1536.**
- (2) The Wisconsin Department of Transportation (WIDOT) has expressed concern, that upon abandonment, UP remove the rail, ties and ballast at the crossings of the state highways and roadways. We recommend that UP consult with the WIDOT, District Maintenance Section, to obtain any permits necessary to perform work on the highway right-of-way and other streets and roadway affected by the proposed abandonment prior to any salvage activities.**

### **CONCLUSIONS**

Based on the information provided from all sources to date and subject to the recommended conditions, 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 discontinuance would include denial (and, therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In this case, the existing quality of the human environment and energy consumption should not be affected.

### **PUBLIC USE**

If abandonment and salvage of the rial line does not 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 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 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.

### **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 Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 122X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629.

STB Docket No. AB-33 (122X)

Date made available to the public: July 24, 1998.

**Comment due date: August 7, 1998.**

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

Vernon A. Williams  
Secretary

Attachment

STB Docket No. AB-33 (122X)

PLEASE SCAN MAP