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SERVICE DATE - FEBRUARY 25, 1997

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## ENVIRONMENTAL ASSESSMENT

NO. AB-33 (SUB-NO. 105X)

UNION PACIFIC RAILROAD COMPANY  
--ABANDONMENT EXEMPTION--IN KANE COUNTY, IL

### BACKGROUND

In this proceeding, the 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 its railroad line, known as the East Elgin Industrial Lead, located between milepost 41.0 near Elgin Junction, and the end of the line at milepost 43.8 near East Elgin, a distance of 2.8 miles in Kane County, Illinois. 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 City of Elgin has acquired the properties of the two remaining shippers on the line, and rail service is no longer required. The railroad anticipates that the right-of-way will be conveyed to the City of Elgin for use as a trail. There are three bridges on the line which are 50 years old or older, however, the Illinois State Historic Preservation Officer has written that the proposed abandonment will not effect historic properties. The U.S. Department of Commerce, National Geodetic Survey (NGS), has notified the railroad that one geodetic station marker has been identified that may be affected by the proposed abandonment. There are 22 public road crossings located on the line.

### 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. Responses to the railroad's request for comments thus far have indicated the need for only one mitigation condition, set forth below.

#### **CONDITION**

As stated earlier, NGS has identified one geodetic survey marker which may be affected by the proposed abandonment. Therefore, **we recommend that a condition be placed on any decision granting abandonment authority requiring the railroad to notify the U.S. Department of Commerce, National Geodetic Survey, if the geodetic station marker, designation Z 17, PID NH0190, will be disturbed or destroyed by salvage 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**

The UPRR states that because the City of Elgin wishes to acquire the right-of-way for trail use, the right-of-way would not be suitable for other public use. If another public use request is made, such 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 Assistance (OPA) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPA directly at (202) 927-6184, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Room 4412, Washington, DC 20423.

#### **COMMENTS**

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 2215, Washington, DC 20423, to the attention of Harold McNulty, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub No. 105X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Mr. McNulty at (202) 927-6217.

Date made available to the public: February 21, 1997.

**Comment due date: March 24, 1997.**

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

Vernon A. Williams  
Secretary