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SERVICE DATE - OCTOBER 13, 1998

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

DOCKET NO. AB-33 (Sub. No. 126X) - Union Pacific Railroad Company
Notice of Exemption
in Jefferson County, Wisconsin

BACKGROUND

In the above entitled proceeding, the 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 of a portion its Clyman Branch, extending from the end of the line at Milepost 110.0 to Milepost 112.0, near Fort Atkinson, a distance of 2.0 miles in Jefferson County, Wisconsin. A map depicting the rail line in relationship to the area served is appended to the report. If the notice 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 passes through the generally rural community of Ft. Atkinson. In its application, UP states that there has been no traffic on this portion of the line during the past two years.

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 have reviewed and investigated the record in this proceeding.

The U.S. Army Corps of Engineers has indicated that abandonment of the Clyman Branch may be subject to the Corps' review and permitting authority and asks that UP contact the

Corps when salvage and abandonment plans are completed in order to determine the need for Corps' permits. We will recommend a condition to this effect.

The National Geodetic Survey has informed us that three geodetic station markers may be affected by the proposed abandonment. NGS requests that it receive not less than 90 days' notification in advance of any salvage activities that may affect the markers in order to plan for their relocation. NGS also sent a copy of the list and location of the markers to UP. We will recommend NGS's request as a condition to any abandonment authority.

CONDITIONS

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

Before any salvage of the line, UP will contact the Waukesha Office of the U.S. Army Corps of Engineers to determine whether any Corps permits are needed for this work.

The National Geodetic Survey (NGS) has identified three geodetic station markers that may be affected by the proposed abandonment. Therefore, UP shall notify NGS at least 90 days prior to any salvage activities that may disturb or destroy these markers to that plans can be made for their relocation.

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 Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub No. 126X) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to Dana White at (202) 565-1552.**

Date made available to the public: October 13, 1998.
Comment due date: **October 27, 1998 (15 days).**

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

Vernon A. Williams
Secretary

Attachment

PLEASE SCAN MAP