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SERVICE DATE – LATE RELEASE JULY 3, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-103 (Sub-No. 20X)

THE KANSAS CITY SOUTHERN RAILWAY COMPANY–ABANDONMENT  
EXEMPTION–IN JEFFERSON PARISH, LA

Decided: July 3, 2006

The Kansas City Southern Railway Company (KCSR) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon 0.71 miles of rail line,<sup>1</sup> extending from milepost 862.14 (near Turnbull Drive) to milepost 862.85 (near Causeway Blvd.), in Jefferson Parish, LA. Notice of the exemption was served and published in the Federal Register on June 5, 2006 (71 FR 32385). The exemption is scheduled to become effective on July 5, 2006.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on June 9, 2006. In the EA, SEA noted that, according to KCSR, Jefferson Parish is within a designated coastal zone and the Louisiana Coastal Management Division (LCMD) had not yet completed its review of the proposed abandonment. Therefore, SEA recommended that a condition be imposed on any decision granting abandonment authority requiring KCSR to consult with LCMD prior to beginning any salvage activities to determine whether state coastal management consistency certification is required. In the EA, SEA stated that, if the consistency certification is required, KCSR shall be prohibited from performing any salvage activities until it obtains consistency certification, and shall then notify SEA of that certification, pursuant to the Coastal Zone Management Act (CZMA), 16 U.S.C. 1451 et seq., and the Board's environmental regulations at 49 CFR 1105.9.

Comments to the EA were due June 26, 2006. On June 20, 2006, KCSR submitted a letter from LCMD stating that KCSR's abandonment project has been reviewed for consistency with the Louisiana Coastal Resources Program (LCRP), as required by section 307 of CZMA, and that the project is consistent with LCRP. Based on the information from LCMD, SEA now recommends that the environmental condition previously recommended in the EA not be imposed. Accordingly, the condition previously recommended in the EA served on June 9, 2006, is no longer needed and will not be imposed.

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<sup>1</sup> The rail line is a remnant of a former Louisiana & Arkansas Railway Company main line that was relocated. See Louisiana & Arkansas Railway Company–Trackage Rights Exemption–Illinois Central Gulf Railroad Company and New Orleans Terminal Company, Finance Docket No. 30639 (ICC served Apr. 17, 1985).

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the condition previously recommended in the EA served on June 9, 2006, will not be imposed.
3. This decision is effective on its service date.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams  
Secretary