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SERVICE DATE - JUNE 29, 2004

DO

FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 216X)]

Union Pacific Railroad Company—Abandonment Exemption—in Weld County, CO

On June 15, 2004, Union Pacific Railroad Company (UP) filed with the Board a petition¹ under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a 1.12-mile portion of its Monfort Industrial Lead between milepost 141.12 and milepost 140.00 near Kersey, in Weld County, CO.² The line traverses United States Postal Service Zip Code 80644 and includes no stations.

The line contains both federally granted rights-of-way and fee title property. Any documentation in UP's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding

¹ The petition was initially received on May 28, 2004, but contained conflicting information regarding ownership of the right-of-way. On June 15, 2004, a supplemental filing was received correcting the draft notice to indicate that the line contains both federally granted rights-of-way and fee title property. Accordingly, June 15, 2004, is considered to be the actual filing date and the due dates in this notice are based on that date.

² UP states that after abandonment the track and right-of-way will be sold to ConAgra Foods, the only shipper on the line. The shipper will then reconfigure its facility to receive larger, more efficient unit shuttle trains of grain, and the line will be converted to an industry track.

pursuant to 49 U.S.C. 10502(b). A final decision will be issued by October 1, 2004.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,100 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than July 22, 2004. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-33 (Sub-No. 216X) and must be sent to: (1) Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001; and (2) Mack H. Shumate, Jr., 101 North Wacker Drive, Room 1920, Chicago, IL 60606. Replies to the UP petition are due on or before July 22, 2004.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition.

The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our website at
“WWW.STB.DOT.GOV.”

Decided: June 18, 2004.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary