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SERVICE DATE – JANUARY 17, 2003
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket NO. AB-33 (Sub-No. 190X)

**Union Pacific Railroad Company–Abandonment Exemption–
in Dunn County, MI**

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 of a 2.00-mile rail line over the Menomonie Industrial Lead from milepost 0.90 near Stout Oak Street to milepost 2.90 near 12th Avenue West, in Dunn County, 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 line is constructed with 90-pound rail. The right-of-way is generally 10 feet wide, however, there are a few segments where it is 50 feet wide and crosses both a river and a creek. The topography of the line is level and is in a predominately industrial/commercial. In its application UP states that there has been no traffic on 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)]. Also we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included: Department of Natural Resources; Dunn County Supervisors; National Geodetic Survey; Jeff Smith, Section Chief, Federal State Relations, Division of Energy & Intergovernmental Relations; Menomonie Farmers Union Coop; State Coastal Zone Management Agency, Coastal Policy Section, Division of Energy & Intergovernmental Relations; U.S. Army Corps of Engineers, U.S. Army Engineer District, St. Paul; U.S. Environmental Protection Agency, Region 5; U.S. Fish and Wildlife Service, Region 3;

National Park Service; U.S. Natural Resources Conservation Service; and Wisconsin Historical Society.

The Wisconsin Department of Transportation (WisDot) has expressed concern regarding the possible impacts the proposed abandonment may have on the right-of-way. WisDot specifically states that the greatest potential for environmental damage would be for the failure to clean up debris. Therefore, WisDOT recommends that UP comply with WisDot's Abandoned Railroad Line Salvage and Clean-up Policy/Standards/Procedures to ensure cleanup of salvage debris. WisDOT also states that UP needs to protect surveying benchmarks, monumentation and mapping information for the right-of-way. Furthermore, WisDOT states, UP must remove the rail, ties and ballast at the crossings of the state highways, restore the roadways, and obtain a permit from the District Maintenance section to work on highway right-of-way. UP also must handle traffic while the crossings is being removed, and coordinate work with the maintaining authority before crossings are removed across other streets and roadways.

The Wisconsin Historical Society (SHPO) states that it is possible that there are structures on the line that could be eligible for inclusion in the National Register of Historic Places.¹

CONDITIONS

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

(1) In light of WisDot's comments, we recommend a condition be imposed requiring UP to consult with the WisDot prior to salvage operations.

(2) UP shall retain its interest in and take no steps to alter the historic integrity of the line in its entirety until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470(f).

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

¹ SHPO states that this is based on the digital images (D-3 and D-5) submitted by UP.

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 rail 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, 1925 K St., N.W., 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 Surface Transportation Board, 1925 K. St., N.W., Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 190X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1657, fax at (202) 565-9002, or e-mail at Ann.Newman@STB.dot.gov.

Date made available to the public: January 17, 2003.

Comment due date: February 3, 2003

By the Surface Transportation Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

