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SERVICE DATE - MARCH 27, 1998
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-503 (SUB-NO. 1X)

Bootheel Rail Properties, Inc.
-- Abandonment Exemption --
in Pemiscot and Dunklin Counties, MO

NO. AB-502 (SUB-NO. 1X)

Bootheel Regional Rail Corporation
-- Discontinuance Exemption --
in Pemiscot and Dunklin Counties, MO

BACKGROUND

In this proceeding, Bootheel Rail Properties, Inc. (BRPI) 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 located between milepost 212.73 near Hayti, MO and milepost 230.00 near Kennett, MO, a distance of 17.27 miles in Pemiscot and Dunklin Counties, MO. The Bootheel Regional Rail Corporation (BRRRC) has jointly filed this petition to discontinue its trackage rights over this rail line. 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

BRPI is the owner and BRRRC is the operator of the rail line. Local traffic on the consists of building materials, fertilizer, and cotton seed. Only 78 carloads moved on the line in 1996, and no local traffic has moved since October 30, 1996. The line has no overhead traffic. On April 7, 1997, one of the bridges on the line was completely destroyed by fire. The line is in very poor condition and in need of substantial repair.

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 investigated the record in this proceeding. 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 U.S. Fish and Wildlife Service, U.S. National Geodetic Survey, Natural Resources Conservation Service, and the Missouri Department of Natural Resources (State Historic Preservation Office).

CONDITIONS

The Missouri State Historic Preservation Office has not completed its evaluation of the potential impact of this project on historic resources. Accordingly, we recommend imposition of the following condition: **Bootheel Rail Properties, Inc. and Bootheel Regional Rail Corporation shall retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.**

The National Geodetic Survey (NGS) identified 2 geodetic station markers along the rail line that may be affected by the proposed abandonment and requests 90 days notice to plan relocation of any markers which may be disturbed or destroyed. Therefore, we recommend that the following condition be imposed on any decision granting abandonment authority: **Bootheel Rail Properties, Inc. and Bootheel Regional Rail Corporation shall consult with the National Geodetic Survey and provide NGS with 90 days notice prior to disturbing or destroying any geodetic markers.**

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended conditions, 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

Following abandonment and salvage of the rail line, the right-of-way may not be suitable for other public use. BRRC and BRPI state that the line traverses a predominately rural area and there is little likelihood that the rail corridor is needed for a transit or highway corridor or for other public uses. 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. 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 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 Surface Transportation Board, Office of Public Services, Room 848, 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 711, Washington, DC 20423, to the attention of Mike Dalton, who prepared this environmental assessment. **Please refer to Docket No. AB-502 (Sub No. 1X) and AB-503 (Sub No. 1X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Mike Dalton at (202) 565-1530.

Date made available to the public: March 25, 1998.

Comment due date: April 24, 1998.

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

Vernon A. Williams
Secretary

PLEASE SCAN MAP