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SERVICE DATE - LATE RELEASE DECEMBER 20, 1996
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-441 (SUB-NO. 2X)

SWKR OPERATING CO.
--ABANDONMENT EXEMPTION--
IN COCHISE COUNTY, ARIZONA

BACKGROUND

In this proceeding, the SWKR Operating Co. (SWKR) 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 the stub end of its railroad line, known as the Douglas Branch, located between milepost 1055.8 near Charleston and milepost 1097.3 at the end of the line near Paul Spur, a distance of 41.5 miles in Cochise County, Arizona, 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 LIKE

SWKR . acquired the Douglas Branch from Southern Pacific (SP) in late 1994, In 1993, 529 carloads moved over the line, In 1994, that number increased to 648, but decreased to 537 carloads in 1995 and 384 carloads (projected) in 1996.

Currently, there is one shipper (Chemical Lime Company) located at the end of the line segment proposed for abandonment, Chemical Lime will continue to have railroad service available to it at stations in the area (Benson or Wilcox), which are served by SP. A number of trucking companies also serve the area.

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. Environmental Protection Agency; U.S. Army Corps of Engineers; Natural Resources Conservation Service; U.S. Fish and Wildlife Service, Arizona Ecological Services Field Office; and Arizona State Parks.

CONDITIONS

The Arizona State Historic Preservation Office has noted that because the Douglas Branch was crucial to the mining related development of Cochise County, the line proposed for abandonment may be eligible for listing in the National Register of Historic Places. Therefore, we recommend that SWKR Operating Co. be required to retain its interest in and take no steps to alter the sites and structures on the line until completion of the 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended condition, 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 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. 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 Assistance (OPA) responds to questions regarding interim trail use, public use, and other reuse alternatives, You may contact OPA directly at (202) 9276184, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Room 4412, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an original and one copy to the Board's Section of Environmental Analysis, Office of Economic and Environmental Analysis, Room 3221, Washington, DC 20423, to the attention of Victoria Rutson, who prepared this environmental assessment. Please refer to Docket No. AB-441 (Sub No. 2X) in all correspondence addressed to the Board. If you have questions regarding this environmental assessment, you should contact Ms, Rutson at (202) 927-6211.

Date made available to the public: December 17, 1996.

Comment due date: January 17, 1997. (30 Days)

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

(SEAL)

Vernon A. Williams
Secretary