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SERVICE DATE - AUGUST 27, 1999

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB-33 (SUB-NO.138X)

UNION PACIFIC RAILROAD COMPANY -- ABANDONMENT EXEMPTION -- IN
ADAMS COUNTY, CO (BOULDER BRANCH AT BRIGHTON)

BACKGROUND

In this proceeding, the Union Pacific Railroad Company (hereinafter referred to as "UP") 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 and discontinuance of service of its switching/industrial lead trackage extending from Engineering station 8+00 to Engineering Station 32+21, which transverses through the U.S. Postal Service zip code 80601, a distance of 2421 feet in Brighton Adams County, Colorado (hereinafter referred to as the "Line"). A map depicting the 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 sole active shipper on the Line, Kuner Empson, ships food products from its facility. Carload traffic statistics show, that Kuner Empson has shipped out a total 8 and 4 carloads respectively, in 1997 and 1998. There has been no shipment over the Line since April 1998. Revenue generated is insufficient to justify the costs of operation including two road crossings that are equipped with flashing signal lights. Alternative transportation service is available to the shipper on the Line over a major U.S. Highway and UP's main line which is a short distance away.

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 Colorado Department of Public Health & Environment, Brighton City Planning Department, Adams County Planning Department, United States Department of Agriculture, Division of Transportation Development, Department of Natural Resources, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, National Park Service U.S. Environmental Protection Agency, Colorado Historic Preservation Agency and National Geodetic Survey.

The U.S. Army Corps of Engineers, Omaha District, has expressed concern regarding the removal of a portion of the railroad embankment located in the flood plain along the line. SEA consulted with Jan Regier, Registered Practitioner with UP regarding the removal of the embankment. Ms. Regier informed SEA that the embankment will not be removed and the flood plain will not experience an adverse affect.

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. Thus, the environmental impact statement process is unnecessary. Therefore, we recommend that no conditions be placed on any decision granting abandonment authority.

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 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 Bernard L. Brown, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub No. 138x) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Bernard L. Brown at (202) 565-1554.

Date made available to the public: 8/27/99.

Comment due date: 9/30/99.

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

Vernon A. Williams
Secretary

MAP NEEDS TO BE SCANNED.