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SERVICE DATE - NOVEMBER 19, 2002

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB - 6 (SUB-NO. 396X)

**BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY ABANDONMENT
EXEMPTION IN FRANKLIN COUNTY, KANSAS**

BACKGROUND

Burlington Northern and Santa Fe Railway Company (BNSF) filed a notice of exemption pursuant to the Board's regulations at 49 CFR 1152.50. The notice of exemption is for abandonment of its line of railroad lying between railroad M.P 58.05 and M.P. 58.26 in Ottawa, Franklin County, Kansas, total distance of 0.21 miles. 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.

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 contacted 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: Department of Transportation, National Park Services, National Geodetic Survey, Department of Natural Resources, Kansas State Historical Society, National Park Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and U.S. Department of Agriculture.

Transportation

Traffic has not moved over this line for two years. There will be no diversion of rail traffic to motor carriage.

BIOLOGICAL RESOURCES

The U.S. Army Corps of Engineers (CORPS) advised that it does not appear that a Department of Army permit will be needed since the proposed line does not involve the discharge of dredged or fill materials in the waters of the United States. The Kansas Department of Wildlife and Parks has indicated that the proposed project will have no significant effect on wetlands and will not affect any Federally endangered species.

HISTORIC

The Kansas State Historical Society has advised the Board that BNSF and the State Historic Preservation Officer (SHPO) have negotiated an agreement that requires BNSF to leave some track in place adjacent to the old Santa Fe Railroad Depot, a structure listed on the National Register of Historic Places. Under this agreement, the SHPO is of the opinion that the proposed abandonment will not affect any historic resources.

CONDITIONS

No conditions are recommended.

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

If abandonment and salvage of the rail line does 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 exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. 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.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** of your comments to the Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Phillis Johnson-Ball, who prepared this environmental assessment. **Please refer to Docket No. AB- 6 (Sub-No. 396X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Phillis Johnson-Ball at (202) 565-1530.

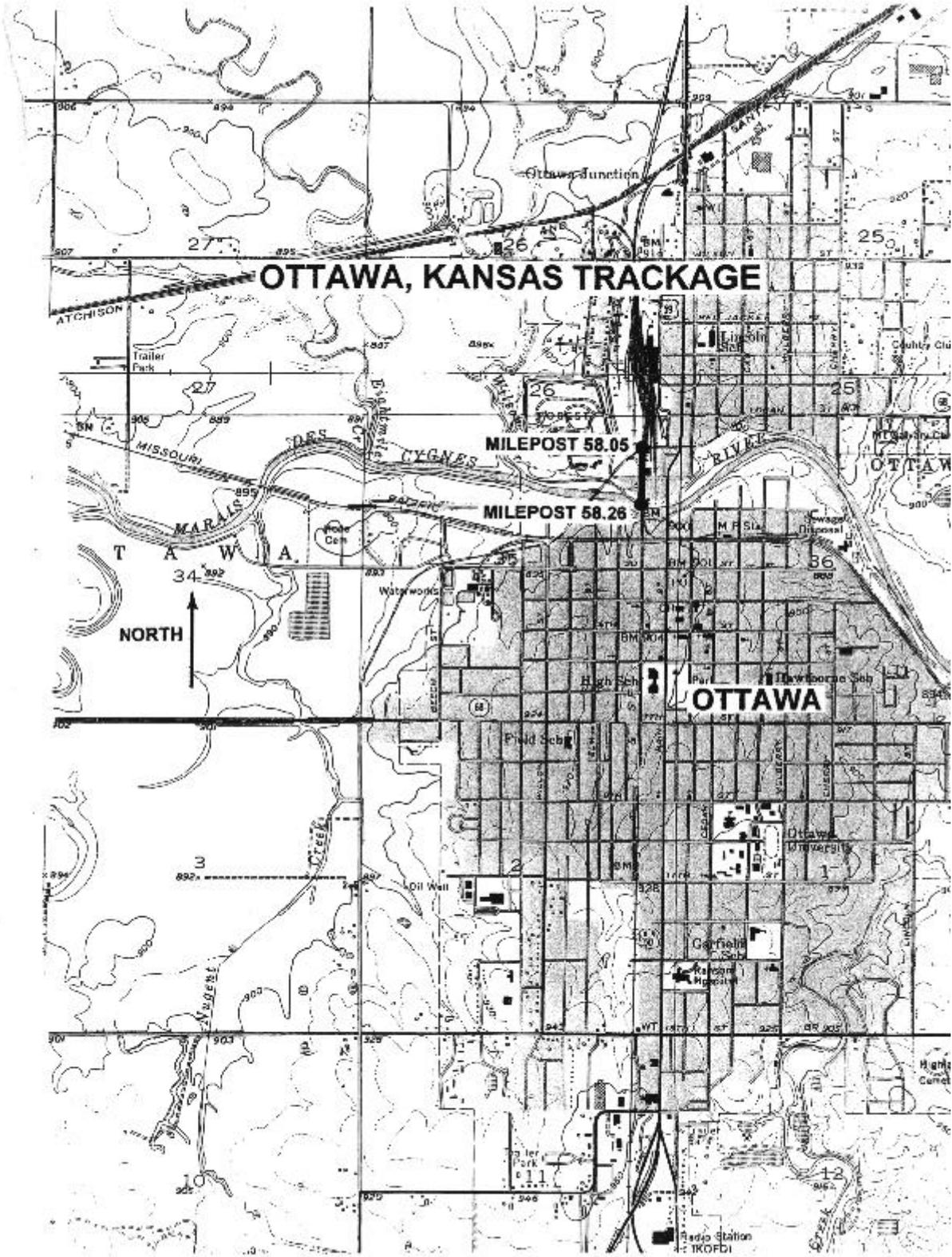
Date made available to the public: November 19, 2002

Comment due date: December 5, 2002

By the Board, Vicki Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment



OTTAWA, KANSAS TRACKAGE

MILEPOST 58.05

MILEPOST 58.26

OTTAWA

NORTH

Radio Station
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