

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

DRAFT ENVIRONMENTAL ASSESSMENT

Docket No. AB 33 (Sub-No. 354X)

Union Pacific Railroad Co. – Abandonment Exemption – In Jefferson County, Wis.

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP), a Class I rail carrier, filed a petition with the Surface Transportation Board (Board) under 49 U.S.C. § 10502 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a rail line in Jefferson County, Wisconsin. The rail line proposed for abandonment, known as the Jefferson Junction Lead, extends approximately .88 miles from milepost 49.12 at the Clyman Subdivision to milepost 50, near the city of Jefferson, all in Jefferson County, Wis. (the Line). A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (Draft EA). If the Board grants the exemption, UP would be able to salvage the track, and other railroad appurtenances and to dispose of the right-of-way (ROW).

DESCRIPTION OF THE LINE

The Line travels through a generally rural area, adjacent to commercial land. UP states that the Line was built by the Milwaukee and Madison Railway as part of its rail line between its namesake cities around 1881. The rail segment connecting the Clyman Subdivision to the Fort Atkinson line, including the Line, became part of the UP network in 1995. There is one structure, the depot at Jefferson Junction, located on the Line. UP indicates that the depot is at least 50 years old and that it would be retained for continued railroad operations. According to UP, there is currently no rail traffic on the Line and there is one shipper, Aztalan Bio, LLC (Aztalan). Should abandonment authority be granted, UP states it will sell the track to Aztalan and that Aztalan intends to remove and reconfigure the track to connect to UP's Clyman Subdivision, where UP will provide rail service to Aztalan. Additionally, the Line traverses United States Zip Codes 53549 and 53038. Based on available information, UP states that the Line does not contain any federally granted ROW.

ENVIRONMENTAL REVIEW

UP submitted a combined E&H Report that concludes the quality of the human environment would not be affected significantly as a result of the proposed abandonment of the

Line, including abandonment-related salvage activities. UP provided the E&H Report to a number of appropriate federal, state, and local agencies as required by the Board's environmental rules [49 C.F.R. § 1105.7(b)] implementing the National Environmental Policy Act (NEPA).¹ The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

According to UP, there is currently no rail traffic on the Line. Therefore, the proposed abandonment would not result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network. Nor would the proposed abandonment adversely impact the development, use and transportation of energy resources or recyclable commodities or the transportation of ozone-depleting materials.

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way. As noted above, if abandonment authority is granted, UP states that it would sell the Line to Aztalan and retain the depot at Jefferson Junction. According to UP, Aztalan intends to remove and reconfigure the track on the Line adjacent to its facility.

The proposed abandonment is not located within a Coastal Zone.² Therefore, no further consultation is required.

UP requested comments from the U.S. Fish and Wildlife Service (USFWS) regarding potential impacts on protected wildlife, including federally listed threatened and endangered species under the Endangered Species Act (16 U.S.C. §§ 1531-1544). By telephone on September 8, 2025, USFWS stated that it does not have any concerns about the proposed abandonment. To identify potential protected species in the project area, OEA conducted a search of the USFWS Information for Planning and Consultation (IPaC) system.³ Four protected species were identified that may be affected by the proposed abandonment: eastern prairie fringed orchid (*Platanthera leucophaea*), a threatened flowering plant; a non-essential experimental population of whooping crane (*Grus americana*); and two proposed threatened

¹ The E&H Report is available for viewing on the Board's website at <https://stb.gov> by clicking "Search STB Records;" selecting "Filings" in the "Search for" dropdown menu; entering "AB" "33" "354" "X" sequentially in the four boxes for "Docket Number," then selecting "Search." The E&H Report was filed on September 24, 2025.

² Wisconsin Coastal Management Program website at: <https://doa.wi.gov/Pages/LocalGovtsGrants/CoastalManagement.aspx> (last visited November 17, 2025).

³ U.S. Fish and Wildlife Service, Information for Planning and Consultation (IPaC) system, <https://ecos.fws.gov/ipac> (last visited November 17, 2025).

insects monarch butterfly (*Danaus plexippus*) and western regal fritillary (*Argynnis idalia occidentalis*).

The database indicates that there is no designated critical habitat for these species in the project area. Upon review of available information about the location of suitable habitat for these species and the small area of already disturbed ROW, OEA has determined that the proposed abandonment would have no effect on these federally listed species. Nevertheless, OEA is providing a copy of this Draft EA to USFWS, Minnesota-Wisconsin Ecological Services Field Office for its review.

UP notified the United States Department of Agriculture's Natural Resources Conservation Service (NRCS) of the proposed abandonment. NRCS responded on August 14, 2025 stating that it had reviewed the project and that it is not subject to the Farmland Protection Policy Act. Accordingly, OEA concludes that the proposed abandonment would have no effect on prime agricultural land.

The National Geodetic Survey (NGS) has indicated that no geodetic survey markers are present in the area of the proposed abandonment. Therefore, no further consultation with NGS is recommended.

UP requested comments from the U.S. Army Corps of Engineers (USACE), for help in determining whether permits under Section 404 of the Clean Water Act (CWA) would be required and whether any designated wetlands would be affected by the proposed abandonment. To date, USACE has not replied. Because no instream work is contemplated; no bridge, viaduct, embankment, or tree removal is contemplated; and no salvage debris will be discarded along the right-of-way or placed or left in streams or wetlands or along the banks of such waterways, OEA does not believe a permit under section 404 of the CWA is required, and that no waterways, wetlands, or 100-year flood plains would be affected. OEA is providing a copy of this Draft EA to USACE for their review.

OEA believes that any air emissions associated with abandonment activities would be temporary and would not have a significant impact on air quality. Similarly, any noise related to abandonment activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that the proposed abandonment would cause significant environmental impacts. In addition to the parties on the Board's service list for this proceeding, OEA is providing a copy of this Draft EA to USFWS, Minnesota-Wisconsin Ecological Services Field Office and USACE for review.

HISTORIC REVIEW

UP submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the Wisconsin Historical Society State Historic Preservation Office (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. §

1105.8(c).⁴ On August 11, 2025, the SHPO submitted comments stating that the proposed abandonment would not affect eligible properties (i.e. none are present or there are historic properties present but the project will have no effect upon them). Therefore, pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, OEA has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding as specified at 36 C.F.R. § 800.11(d), consists of UP's historic report, all relevant correspondence, and this Draft EA, which have been provided to the SHPO and made available to the public through posting on the Board's website www.stb.gov.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the U.S. Department of Housing and Urban Development Tribal Directory Assessment Tool to identify federally recognized tribes that may have ancestral connections to the project area.⁵ The database indicates that the following federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way or APE of the proposed abandonment: Forest County Potawatomi Community and Citizen Potawatomi Nation, Oklahoma. OEA is sending a copy of this Draft EA to these tribes for review.

CONDITION

OEA recommends no conditions be imposed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes 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.

⁴ Applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of the NHPA. Applicants are authorized to initiate the Section 106 review process and carry out some of its steps, but the Board retains overall responsibility for the Section 106 review. See 36 C.F.R. 800.2(c)(4); 49 C.F.R. Part 1105; Delegation Letter (Dec. 9, 2009). The Delegation Letter can be found on the Board's website at <https://stb.gov/resources/environmental/historic-preservation-overview/>.

⁵ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat/> (last visited November 19, 2025).

PUBLIC USE

Following abandonment and salvage of the 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 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Board's Federal Register notice of the proposed abandonment. The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁶

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 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 C.F.R. § 1152.29). The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁷

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

OEA encourages interested parties to submit their comments on the Draft EA electronically through the Board's website at <https://stb.gov>. From the Board's home page, select "File an Environmental Comment" below the "Need Assistance?" button. Log-in accounts are not needed to file environmental comments electronically, and brief comments can be typed in the comment field, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

Alternatively, comments submitted by mail should be addressed to: Elizabeth Webster, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, Attention: Environmental Filing, Docket No. AB 33 (Sub-No. 354X). If you have any questions, please contact Elizabeth Webster by email at Elizabeth.webster@stb.gov or by phone at 202-245-0387.

⁶ Board decisions are available for viewing on the Board's website at <https://www.stb.gov> by clicking "Search STB Records;" selecting "Decisions" in the "Search for" dropdown menu; entering "AB" "33" "354" "X" sequentially in the four boxes for "Docket Number," then selecting "Search."

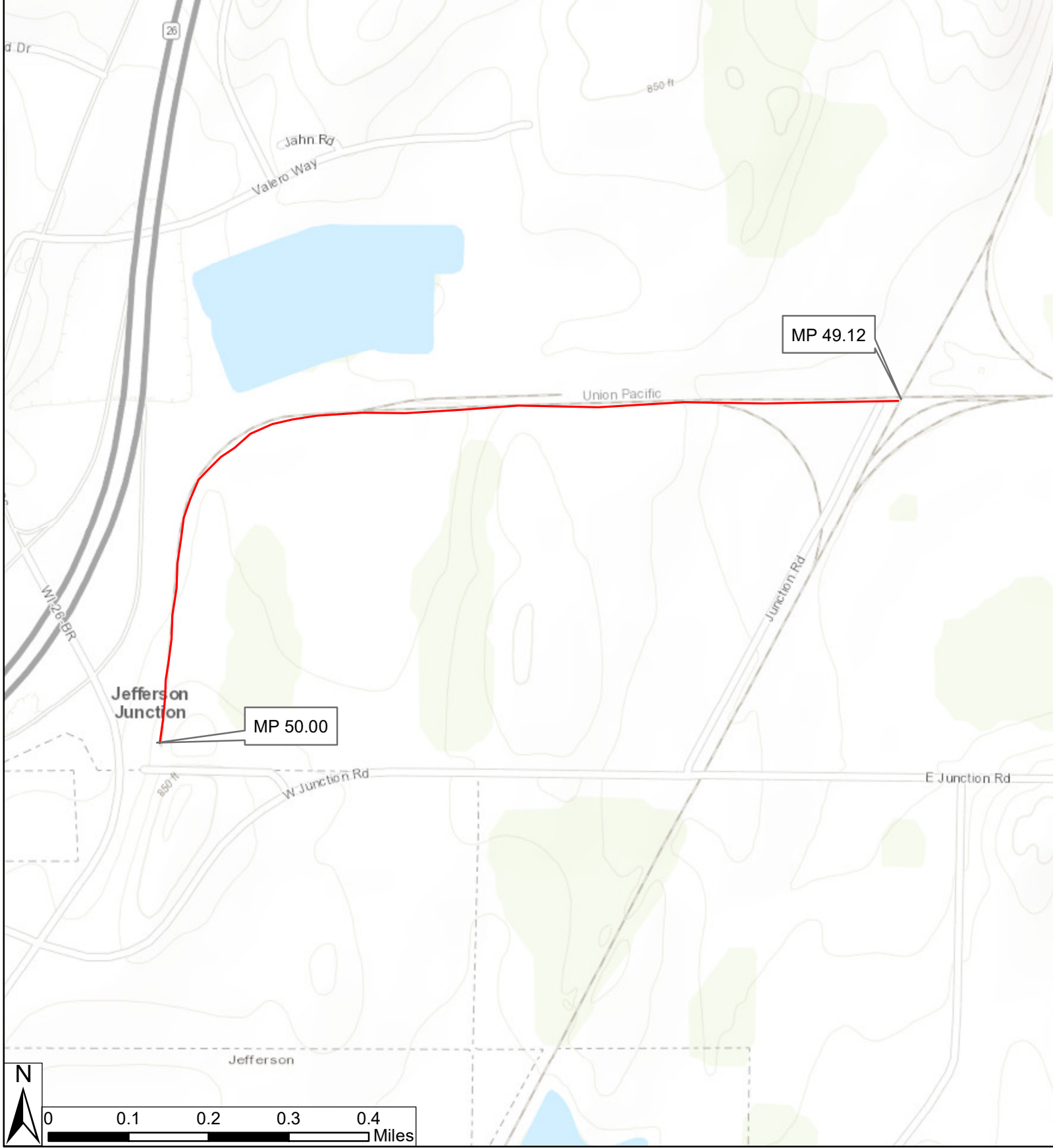
⁷ Id.

Date made available to the public: November 24, 2025.

Comment due date: December 24, 2025.

By the Board, Danielle Gosselin, Director, Office of Environmental Analysis.

Attachment



 STB Docket No. AB 33 (Sub-No. 354X) Union Pacific Railroad Company Abandonment Exemption In Jefferson County, Wis.	Legend  the Line	 Jefferson County Wisconsin
	Note: Maps produced by the STB's Office of Environmental Analysis are based on information provided by the applicant and are for reference purposes only.	