

44668
OEA

SERVICE DATE – AUGUST 28, 2015

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

Docket No. AB 603 (Sub-No. 4X)

**V and S Railway, LLC – Abandonment Exemption – In Pueblo,
Crowley, and Kiowa Counties, Colo.**

RECEIVED
#E1-21076 SEP 1 2015

2015 TA 0983 En D Wood

U.S. FISH AND WILDLIFE SERVICE	
☐ NO CONCERNS	SEP - 3 2015
☐ CONCUR NOT LIKELY TO ADVERSELY AFFECT	
☒ NO COMMENT	
DRUE L. DEBERRY ACTING DATE COLORADO FIELD SUPERVISOR	

BACKGROUND

In this proceeding, the V and S Railway, LLC (V&S) filed a notice under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 to abandon an approximately 121.9-mile segment of rail line along the Towner Line in Pueblo, Crowley, and Kiowa Counties, Colorado. The rail line extends westward from milepost 747.5, near Towner 81071, to milepost 869.4, near NA Junction and North Avondale 81022. The proposed abandonment traverses U.S. postal zip codes 81022, 81025, 81062, 81033, 81063, 81076, 81021, 81045, 81036, and 81071.

The rail line passes through rural, nearly level land, and parallels Colorado State Highway 96. Agriculture is the predominant land use, although the line passes through or near the small towns of North Avondale; Boone; Olney Springs; Crowley; Ordway; Sugar City; Arlington; Haswell; Eads; Chivington; Brandon; Sheridan Lake; and Towner. The right-of-way is generally 100-feet in width. There are a number of small streams and drainage ditches that traverse the area, and V&S indicates that the abandonment right-of-way contains 58 structures relative to these conveyances, including bridges, trestles, culverts, and casings.

According to V&S, the rail line was constructed in the latter part of the 19th century and was formerly owned by the Missouri Pacific Railroad (MoPac). V&S states that the Union Pacific Railroad Company (UP) acquired the Towner Line in 1982 from MoPac but that the line lost its significance under this ownership and was abandoned in a merger with the Southern Pacific Transportation Company that was authorized by the Surface Transportation Board (Board) in 1996. V&S notes that the Colorado Department of Transportation purchased the rail line in 1998 and V&S acquired the line in 2005, and formally in 2012 in an acquisition proceeding that was authorized by the Board.

V&S states that portions of the rail line proposed for abandonment were constructed on easements through public lands obtained under the General Railroad Right-of-Way Act of 1875 and use of the right-of-way for other than railroad purposes is limited. Accordingly, continued use of the right-of-way may occur through the offer of financial assistance (OFA) process, pursuant to 49 U.S.C. § 10904, or through the interim trail use/rail banking process, pursuant to