

37022
SEA

SERVICE DATE – JUNE 5, 2006

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-33 (Sub-No. 222X)

Union Pacific Railroad Company – Abandonment Exemption – in Ouachita County, AR

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for UP to abandon approximately 3.6 miles of rail line located between milepost 457.0 near Gilcrest to milepost 460.6 near El Dorado Junction, in Ouachita County, Arkansas. A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, UP will be able to salvage track, ties, and other railroad appurtenances and dispose of the right-of-way.

DESCRIPTION OF THE LINE

According to UP, the line proposed for abandonment was constructed by the St. Louis, Iron Mountain & Southern Railway in 1881 from milepost 457.0 to milepost 459.8. The remainder of the line from milepost 459.8 to milepost 460.6 was constructed by the Camden & Alexandria Railway in 1891. The line is constructed primarily with 112-pound jointed rail laid in 1952, supplemented by a small amount of 115-pound welded rail laid in 1990.

Based on information in UP's possession, the line proposed for abandonment does not contain Federally granted right-of-way. The right-of-way is generally 100 feet in width, mostly within the urban setting of the City of Camden. The topography of the area is gently rolling hills. UP indicates that the City of Camden has indicated an interest in the corridor for some recreational use such as a trail or tourist trolley line. UP indicates that there is one bridge at milepost 460.2 which is over 50 years old.

UP states that no local traffic has moved over the line for at least two years and there is no overhead traffic on the line to be rerouted. Thus, no rail traffic will be diverted to truck traffic as a result of the proposed abandonment. Therefore, the Board's thresholds for conducting more detailed air quality and noise analysis (an increase of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment) will not be exceeded.

ENVIRONMENTAL REVIEW

UP submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. UP served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board's) environmental rules [49 CFR 1105.7(b)]. The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

The United States Department of Agriculture, Natural Resources Conservation Service in Arkadelphia, Arkansas, has indicated that, based on its location, the proposed project would have very little impact on Prime Farmland. The proposed project is located in a concentrated urban/residential area that will probably never be farmed.

The Arkansas Department of Environmental Quality has indicated that it has no comments on the proposed rail line abandonment.

The National Geodetic Survey (NGS) has advised SEA that 18 geodetic station markers have been identified that may be affected by the proposed abandonment. Accordingly, we will recommend a condition requiring that UP contact NGS at least 90 days prior to beginning salvage activities so that that NGS may plan for the possible relocation of the geodetic station markers.

The United States Department of the Army, Corps of Engineers, Vicksburg District (Corps) has indicated that the abandonment and subsequent removal of rails, crossties, etc. does not normally require a Department of the Army Section 404 permit unless the removal requires the placement of dredged or fill material into waters of the United States. One intermittent stream was identified on the project alignment that is a water of the United States. Based on the information provided, the project does not involve the placement of dredged or fill material into that waterway. Therefore, Corps authorization is not required for the project under Section 404 of the Clean Water Act.

HISTORIC REVIEW

UP submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the Department of Arkansas Heritage, Arkansas Historic Preservation Program (State Historic Preservation Office or SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has not completed its review of the proposed abandonment. Accordingly, we will recommend a condition requiring UP to retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process has been completed.

SEA conducted a search of the Native American Consultation Database at www.cast.uark.edu/other/nps/nacd/ to identify Federally recognized tribes that may have

ancestral connections to the project area. The database did not indicate any tribes that may have an interest in the proposed abandonment.

CONDITIONS

SEA recommends that the following environmental conditions be placed on any decision granting abandonment authority:

1. UP shall notify the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities in order to plan for the possible relocation of geodetic station markers by NGS.
2. UP shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years old or older) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. UP shall report back to the Section of Environmental Analysis regarding any consultations with the Department of Arkansas Heritage, Arkansas Historic Preservation Program (State Historic Preservation Office or SHPO) and any other Section 106 consulting parties. UP may not file its consummation notice or initiate any salvage activities related to abandonment until the Section 106 process has been completed and the Board has removed this condition.

CONCLUSIONS

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, and if the recommended conditions are imposed, 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 class 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, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, the environmental contact for this case. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-33 (Sub-No. 222X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this environmental assessment, please contact Kenneth Blodgett by phone at (202) 565-1554, fax at (202) 565-9000, or e-mail at blodgettk@stb.dot.gov.

Date made available to the public: June 5, 2006.

Comment due date: June 20, 2006.

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

Vernon A. Williams
Secretary

Attachment