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SERVICE DATE - JANUARY 28, 2000
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket NO. AB-33 (SUB-NO. 146X)

**Union Pacific Railroad Company--Abandonment Exemption and
Discontinuance of Trackage Rights Exemption--in Dallas County, TX**

BACKGROUND

In the above entitled proceeding, the 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 in connection with the Abandonment and Discontinuance of Service and Trackage Rights over 2,367 feet of railroad over the Oakland Avenue Spur from station 186+62 at Malcolm X Boulevard to the end of the tract at Station 210+29.2 in the city of Dallas, Dallas County, TX, which traverses through United States Postal Zip 75215. 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.

DESCRIPTION OF THE LINE

The track is located in metropolitan Dallas, TX and is constructed with 85-pound track material which will be removed and sold as salvage. Rail shipments have not occurred over the right-of-way for some time and it is doubtful that there will be future traffic sufficient to justify the cost necessary to sustain rail operations. The right-of-way is 50 feet in width and the topography is mostly flat and is located in an urban area. UP also states that the right-of-way consists of approximately 3.72 acres, 2.98 acres of which are non-reversionary.

ENVIRONMENTAL REVIEW

UP 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. UP served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. 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 the State Clearinghouse; the State Environmental Protection

Agency, Region 6; Dallas County Commissioners; U.S. Fish and Wildlife; U.S. Army Corps of Engineers; National Park Service; USDA Natural Resources Conservation Service; National Geodetic Survey; Texas Historical Commission; Director, Multi-Modal Transportation, Trans. Planning and Programming, Texas Department of Transportation; Barry Williamson, Chairman, Railroad Commission of Texas; Military Traffic Command, Transportation Engineering Agency; U.S. Department of Agriculture; Tom Adams, Governor's Office of Budget and Planning; Texas Natural Resource Conservation, Kathy Beyer - Office of Policy and Regulatory Development; and Texas Parks & Wildlife. We have reviewed and investigated the record in this proceeding.

The Texas Natural Resource Conservation (TNRCC) states that although any demolition, construction, rehabilitation or repair project will produce dust and particulate emissions, these actions post no significant impact upon air quality standards. The minimal dust and particulate emissions can easily be controlled with standard dust mitigation techniques by the construction contractors. Contact Mr. Ken Gathright, State Implementation Plan Development Section (512) 239-0774 concerning air quality. TNRCC also states that it has been determined that an Application for Approval of Floodplain Development Project need not be filed, but the records show that the community is a participant in the National Flood Insurance Program and has a Flood Hazard Prevention Ordinance/Court Order. TNRCC states that care should be taken to ensure that the proposed construction takes into account the possible Flood Hazard Areas within the community's floodplains. Contact Mr. Mike Howard, Floodplain Management Section (512) 239-6155. TNRCC further states that Policy and Regulations Division and the Remediation Division have reviewed the information submitted and have no comments on this project at this time. Therefore, it is recommended that you contact Mr. Randy Arnett, Remediation Division (512) 239-1315 or Mr. Clyde Bohmfalk, Policy and Regulations Division (512) 239-1315 if there are any questions. We will recommend consultation with TNRCC.

CONDITIONS

We recommend the following environmental conditions be placed on any decision granting abandonment authority.

Prior to salvage operations, we recommend that UP consult with the Texas Natural Resource Conservation Commission, Mr. Ken Gathright, State Implementation Plan Development Section (512) 239-0774 concerning air quality; Mr. Mike Howard, Floodplain Management Section (512) 239-6155 to ensure that all construction is in compliance with the community's Flood Hazard Prevention Ordinance Court Order; Mr. Randy Arnett, Remediation Division (512) 239-1315 or Mr. Clyde Bohmfalk, Policy and Regulations Division (512) 239-1315.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, and subject to the recommended conditions, we conclude that, as significantly 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 this case, 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 exemption in the Federal Register. However, 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 responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 2215, Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 146X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629.

Date made available to the public: **January 28, 2000.**

STB Docket No. AB-33 (Sub-No. 146X)

Comment due date: February 11, 2000.

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

Vernon A. Williams
Secretary

Attachment

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PLEASE SCAN THE MAP