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SEA

SERVICE DATE - FEBRUARY 3, 2003

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**STB Docket No. AB-364 (Sub-No. 7X)**

**The Texas Northeastern Division, Mid-Michigan Railroad, Inc. – Discontinuance of Service  
Exemption – in Grayson County, TX**

**BACKGROUND**

In this proceeding, the Texas Northeastern Division, Mid-Michigan Railroad, Inc. (TNER) 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 discontinuance of service over a 10.51-mile rail line in Grayson County, Texas. The proposed discontinuance extends from milepost 662.54 in Denison, Texas to milepost 673.05 in Sherman, Texas. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad would be able to discontinue service on the line.

The line had previously received abandonment authority from the Interstate Commerce Commission (ICC) in 1988 (see Union Pacific Corp. et al.–Cont.–MO-KS-TX Co. et al., 4 I.C.C.2d 409, 488-89 (1988)) as part of the Missouri-Kansas-Texas Railroad Company merger into the Missouri Pacific Railroad Company (MP). The ICC had imposed a historic preservation condition upon MP prohibiting the railroad from salvaging the rail line until completion of the section 106 process under the National Historic Preservation Act.

In 1990, TNER obtained ICC authorization to lease and operate over the line (see Mid Michigan Railroad Company, Inc. – Lease and Operation Exemption – Missouri Pacific Railroad Company, Finance Docket No. 31646 (ICC served August 28, 1990)). The ICC imposed a condition in its decision similar to the section 106 condition imposed on MP earlier.

The Union Pacific Railroad Company (UP) is the current owner of the line. If the Surface Transportation Board grants TNER's discontinuance exemption, UP would be able to abandon the rail line pursuant to the ICC's 1988 authorization, meaning that it would be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way. However, because the section 106 historic preservation condition previously imposed in the abandonment and in the lease proceedings has not yet been satisfied, and the section 106 process for this proceeding has not been completed, any abandonment would continue to be subject to the condition previously imposed.

## DESCRIPTION OF THE LINE

TNER states that the line passes through the urban areas of Sherman and Denison and otherwise traverses rural areas. The line crosses one major highway and several local roads and runs nearly parallel to U.S. Highway 75. According to TNER, no local or overhead traffic has moved over the line since 1986.

## ENVIRONMENTAL REVIEW

The railroad submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the proposed discontinuance of service. The applicant 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)]. We have reviewed and investigated the record in this proceeding.

## CONDITIONS

We recommend no environmental conditions be placed on any decision granting discontinuance authority.

## CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, discontinuance of service on the line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed discontinuance would include denial (and therefore no change in operations), or continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

## COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Rini Ghosh, who prepared this environmental assessment. **Please refer to Docket No. AB-364 (Sub-No. 7X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Rini Ghosh, the environmental contact for this case by phone at (202) 565-1539, fax at (202) 565-9000, or e-mail at ghoshr@stb.dot.gov.

Date made available to the public: **February 3, 2003**

**Comment due date: February 18, 2003**

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

Vernon A. Williams  
Secretary

Attachment

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