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SERVICE DATE - NOVEMBER 9, 1999

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-439 (Sub-No. 4X)

Dallas Area Rapid Transit--Abandonment Exemption--  
in Dallas County, TX

### BACKGROUND

In this proceeding, Dart Area Rapid Transit (DART) and Union Pacific Railroad Company (UP) jointly filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for DART to abandon, and UP to discontinue service over a 3.04-mile line of railroad known as the Athens Branch East between milepost 308.80 at Pleasant Drive to the end of track at milepost 305.76 at Rylie Road, in Dallas County, TX.<sup>1</sup> 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 surrounding land is a mixture of residential, light industrial and off/retail land areas. The topography is generally flat. DART and UP state that there have been no traffic on the line during the past two years.

### ENVIRONMENTAL REVIEW

DART and 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. DART and 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 at 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

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<sup>1</sup> DART acquired this line from the Southern Pacific Transportation Company in 1988. See Dallas Area Rapid Transit--Acquisition and Operation Exemption--Rail Lines of Southern Pacific Transportation Company, Finance Docket No. 32167 (ICC served May 20, 1988). SPT concurrently acquired trackage rights over the line. See Southern Pacific Transportation Company--Trackage Rights Exemption--Dallas Area Rapid Transit, Finance Docket No. 32170 (ICC served May 20, 1988).

environmental effects of the proposed abandonment. Contacts have included: Mr. Thomas C. Adams, State of Texas Single Point of Contact, Governor's Office of Budget and Planning, P.O. Box 12428, Austin, TX 78711; Mr. Bud Beene, Director of Public Works, Dallas County, 411 Elm Street, Dallas, TX 75202; William G. Burnett, Executive Director, Texas Department of Transportation, 125 East 11th Street, Austin, TX 78701-2483; Ms. Julie K. P. Dunbar, Principal Transportation Engineer, North Central Texas Council of Governments, 616 Six Flags Drive, Centerpoint Two, P. O. Box 5888, Arlington, TX 76005-5888; Mr. Douglas Fraser, Natural Resources Division, Office of the Attorney General, P.O. Box 12548, Austin, TX 78711-2548; Mr. Tony Garza, Chairman, Railroad Commission of Texas, P.O. Drawer 12967, Austin, TX 78711-2967; Mr. James Herrington, Chief, Regulatory Branch, CESWF-EV-R, U.S. Army Corps of Engineers, P.O. Box 17300, Fort Worth, TX 76102-0300; Hon. Lee Jackson, Dallas County Judge, 411 Elm Street, Dallas, TX 75202; Mr. Michael P. Jansky, Regional Environmental Review Coordinator, U.S. Environmental Protection Agency, Region 6, First Interstate Bank Tower, 1445 Ross Avenue, Suite 1200, Dallas, TX; 75202-2733; Mr. Edward J. McKay, Chief, Spatial Reference System Division, National Geodetic Survey, National Oceanic and Atmosphere Administration, 1315 East West Highway, Room 8813, Silver Spring, MD 20910-3282; Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program, 720 Thimble Shoals Boulevard, Suite 130, Newport News, VA 23606-2574; Mr. Harry W. Oneth, State Conservationist, USDA Natural Resources Conservation Service; 101 South Main Street, Temple, TX 76501-7682; Ms. Melissa Parker, Habitat Assessment Branch, Resource Protection Division, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, TX 78744; Mr. Thomas Ross, Division Chief, National Recreation and Conservation Assistance Division, National Park Service, 800 North Capitol Street, N.E., Room 490, Washington, DC 20002; Mr. William D. Shaddox, Chief, Land Resources Division, National Park Service, 800 North Capitol Street, N.E., Room 540, Washington, DC 20002; Mr. Robert M. Short, Field Supervisor, U.S. Fish and Wildlife Service, 711 Stadium Drive East, Suite 252, Arlington, TX 76011; Texas Environmental Protection Division, P.O. Box 12548, Austin, TX 78711-2548; Mr. Jack Ward Thomas, Chief of the Forest Service, Department of Agriculture, Auditors Building, Fourth Floor, N.W., 201 14th Street, S.W., Washington, DC 20250; Mr. Curtis Tunnell, Executive Director, Texas Historical Commission, P.O. Box 12276, Capitol Station, Austin, TX 78711; and Ms. Sidney Wheeler, Program Administrator, Intergovernmental Relations Division, Texas Natural Resource Conservation Commission, P.O. Bx 13087, Austin, TX 78711-3087;

The Texas Natural Resource Conservation Commission (TNRCC) states that it does not anticipate significant long term environmental impacts from this project as long as construction and waste disposal activities associated with it are completed in accordance with applicable local, state and federal environmental permits and regulations. TNRCC requests that DART take necessary steps to insure that best management practices to control runoff from construction sites be utilized to prevent detrimental impact to surface and ground water. Contact Mr. Clyde Bohmfalk, Water Policy Division, (512) 239-1315. TNRCC further states that although any demolition, construction, rehabilitation or repair project will produce dust and particulate emissions, these actions pose no significant impact upon air quality standards. The minimal dust and particulate emissions can easily be controlled with standard dust and mitigation techniques by the construction

contractors. Contact Mr. Wayne Young, Air Quality Planning and Assessment Division (512) 239-0774.

### **CONDITIONS**

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

**Prior to salvage operations, we recommend that DART consult with the Texas Natural Resource Conservation Commission, Mr. Clyde Bohmfalk, Water Policy Division (512)239-1315, concerning surface and groundwater and Mr. Wayne Young, Air Quality Planning and Assessment Division (512) 239-0774, concerning air quality.**

### **CONCLUSIONS**

Based on the information provided from all sources to date, we conclude 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 this case, the existing quality of the human environment and energy consumption should not be affected.

### **PUBLIC USE**

If abandonment and salvage of the rail line does not take place, 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

STB Docket No. AB-439 (Sub-No. 4X)

(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 711, Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-439 (Sub-No. 4X)** 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: November 9, 1999.

**Comment due date: November 24, 1999.**

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

Vernon A. Williams  
Secretary

Attachment

STB Docket No. AB-439 (Sub-No. 4X)

MAP NEEDS TO BE SCANNED.