

**33150**

**SERVICE DATE - NOVEMBER 29, 2002**

**SURFACE TRANSPORTATION BOARD**

**WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-33 (Sub-No. 178X)**

**Union Pacific Railroad Company - Abandonment Exemption - in Yuma and Maricopa  
Counties, AZ**

### **BACKGROUND**

In this 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 of the Phoenix Subdivision from Milepost 782.25 near Roll to Milepost 858.86 near Arlington, in Yuma and Maricopa Counties, Arizona, a distance of approximately 76.61 miles. A map depicting the rail line in relationship to the area served is appended to the report. If the notice 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**

According to UP, the line was constructed by the Arizona Eastern Railroad in 1926. No local traffic has moved over the line in the past two years, and there is no overhead traffic on the line. The line has a history of limited erratic use for the nonrevenue temporary storage of empty railcars by UP. The title to the property in the proposed abandonment is a mix of reversionary and non-reversionary interests.

UP is currently negotiating the sale of the right-of-way for the proposed abandonment to the State of Arizona for trail use. The Department of Transportation for Maricopa County suggests "abandoning" the right-of-way to the County Highway Department as a more direct route for County roadway maintenance.

The Yuma County Department of Development Services protests the abandonment of the line, stating that the action is not compatible with the Yuma County General Plan and that the line proposed to be abandoned has the potential to ship products from Yuma to the Phoenix market. UP contends that the UP main line is within one mile of the line to be abandoned and available to shippers between Yuma and Phoenix, and satisfies the shipping concern raised by the Yuma County Department of Development Services more efficiently than retaining the line. Service between Yuma and Phoenix, Arizona will continue over UP's main line of railroad running from Yuma to Picacho to Phoenix, which is virtually parallel to the line.

The right-of-way ranges in width from 150 feet to 200 feet, but there are portions that are 300 feet to as much as 450 feet in width at former station grounds. The line is located entirely in rural-desert areas. The topography is generally hilly to flat with few roads and a very low population density throughout the entire geographical area. Because of the many washes in this desert area, there are more than an average number of railroad bridges along the line. Based on information in UP's possession, the line does not contain federally granted right-of-way.

## **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 (Board's) environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The National Geodetic Survey has advised us that thirty-eight geodetic station markers have been identified that may be affected by the proposed abandonment.

The United States Department of the Interior, Fish and Wildlife Service in Phoenix has indicated that several endangered, threatened, proposed, and candidate species potentially occur in Yuma and Maricopa counties. The Fish and Wildlife Service is concerned that the proposed action may adversely affect listed species or critical habitat, and recommends site-specific surveys to verify the presence or absence of a species or its habitat as required for evaluation of proposed project-related impacts. The Service also recommends the protection of any riparian habitats if any proposed action occurs in or near areas with trees and shrubs growing along watercourses. Accordingly, we will recommend a consultation condition requiring that UP contact the United States Department of the Interior, Fish and Wildlife Service, Phoenix Office prior to commencement of any salvage activities on this project.

The Arizona State Parks, State Historic Preservation Office (AZ SHPO), has indicated that, in their opinion, the route of the Phoenix Subdivision has significance as defined by the National Register of Historic Places' Criterion A for its association with the transcontinental railroading in Arizona. For approximately seventy-five years, the Phoenix Subdivision provided an important link for passengers and freight, helping Phoenix develop from a minor city to a major metropolis. The AZ SHPO recommends that the route of the Phoenix Subdivision be surveyed and evaluated for the National Register of Historic Places. If the line, or segments of the line, is determined eligible, the AZ SHPO recommends that it be documented according to the standards of the Historic American Engineering Record.

## **CONDITIONS**

We recommend that the following three environmental conditions, addressing the environmental concerns discussed above, be placed on any decision granting abandonment authority.

1. The National Geodetic Survey (NGS) has identified thirty-eight geodetic station markers that may be affected by the proposed abandonment. Therefore, UP shall notify NGS 90 days prior to salvage activities in order to plan their relocation.
2. To address the concerns raised by the United States Department of the Interior, Fish and Wildlife Service, Phoenix Office, UP shall, prior to commencement of any salvage activities on this project, contact the United States Department of the Interior, Fish and Wildlife Service, Phoenix Office concerning possible impacts to threatened or endangered plant or wildlife species or habitats.
3. The Arizona State Parks, State Historic Preservation Office has indicated that the line to be abandoned may have significance as defined by the National Register of Historic Places. Pending resolution of this issue, UP shall retain its interest in and take no steps to alter the historic integrity of all sites or structures on the right-of-way until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

## **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 any of these cases, 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 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 Surface Transportation 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 Surface Transportation 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. 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 the 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 Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub No. 178X) in all correspondence addressed to the Board.** If you have any questions regarding this environmental assessment, you should contact Kenneth Blodgett, the environmental contact for this case by phone at (202) 565-1554, fax at (202) 565-9000, or e-mail at [blodgettk@stb.dot.gov](mailto:blodgettk@stb.dot.gov).

Date made available to the public: November 29, 2002.

Comment due date: **December 16, 2002 (15 days).**

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

Vernon A. Williams  
Secretary

Attachment

