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SERVICE DATE - DECEMBER 31, 1997

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423
ENVIRONMENTAL ASSESSMENT

NO. AB-439 (SUB-NO.3X)

DALLAS AREA RAPID TRANSIT
-ABANDONMENT EXEMPTION-
IN DALLAS COUNTY, TEXAS

BACKGROUND

In this proceeding, the **Dallas Area Rapid Transit (DART)** 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 its railroad line located between Milepost D-762.26 in the vicinity of Mockingbird Lane to milepost D-755.27 in the vicinity of The Kansas City Southern Railway bridge overpass, a distance of approximately 6.99 miles, in Dallas County, Texas. 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.

ENVIRONMENTAL REVIEW

The railroad has 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. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated the record in this proceeding. Also, we have contacted 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 North Central Texas Council Of Governments, the Texas Natural Resource Conservation Commission, the United States Environmental Protection Agency, Region 6, U.S. Fish and Wildlife Service, Ecological Services, Arlington, Texas and the National Oceanic and Atmospheric Administration.

CONDITIONS

The National Geodetic Survey (NGS) has identified 8 geodetic station marker along the rail line and requests 90 days notice to plan relocation of any markers which may be disturbed or destroyed. Therefore, we recommend that the following condition be imposed on any decision granting abandonment authority: **The Dallas Area Rapid Transit shall consult with the National Geodetic Survey and provide NGS with 90 days notice prior to disturbing or destroying any geodetic marker.**

The DART states that the bridges at mileposts 7.95.94, D-758.7 and D-758.5 may be potentially eligible for inclusion in the National Register of Historic Places. DART intends to replace both the ballast deck pile trestle bridge at milepost D-758.7 and the I-beam girder bridge at milepost D-759.94 prior to DART's future transit use of the corridor. DART intends to relocate the steel bridge at milepost D-758.5 to match an identical historic bridge in Garland and preserve its historic integrity.

However an evaluation of the potential impact of this project on historic resources has not been completed. Accordingly, a condition is recommended requiring that **DART shall retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older 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 and subject to the recommended condition, 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. However the right-of-way of the subject line will be utilized for the extension of DART's Light Rail Transit system and will not be compatible with any alternative public use under 49 U.S.C. 10905. 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. 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 Congressional and Public Services (OCPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OCPS directly at (202) 565-1594, or mail inquiries to Surface Transportation Board, Office of Congressional and Public Services, Room 843, 1925 K St. 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, 1925 K St. Washington, DC 20423, to the attention of Scott Decker, who prepared this environmental assessment. **Please refer to Docket No. AB-439 (Sub-No.3X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Scott Decker at (202) 565-1531.

Date made available to the public: December 24, 1997.

Comment due date: January 7, 1997.

By the Board, Elaine K. Kaiser, Chief, Section of Environment Analysis.

Vernon A. Williams

Secretary