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SEA

SERVICE DATE – JANUARY 17, 2003
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-33 (SUB-NO. 197X)

Union Pacific Railroad Company – Abandonment Exemption – in Santa Clara County, CA

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of 2.85 miles of rail line in Santa Clara County, California over the San Jose Industrial Lead. The proposed abandonment extends from Milepost 19.60 near Valbrick, California to Milepost 22.45 near Cahill, California. 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

UP states that the line is in an urban area and adjoins a variety of uses including residential, commercial and industrial properties, and the area is becoming less industrial and more residential. According to UP, the right-of-way is 100-feet in width and mostly at grade, but is 10 to 15 feet above grade in some areas.

Floor Service Supply Company (Company) is the only shipper to have utilized the line in the past two years, UP states. However, according to UP, the Company now receives service through a new connection from south of the Company to UP's Vasona Industrial Lead. UP plans to reclassify and sell the portion of the line north of the new connection to the Company after abandonment. There is no overhead traffic on the line.

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 and historical reports 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 and reviewed the record in this proceeding.

The National Geodetic Survey submitted comments stating that the proposed abandonment may affect four geodetic station markers.

Traffic

Although UP indicates that the Company will have access to rail service after abandonment of the line, according to UP data, using year 2001 data as the base year,¹ 27 rail carloads of lumber could possibly be converted to truck traffic. Using a conversion factor of 4 trucks per railcar,² SEA calculated that on a per day basis, if all the rail traffic is diverted to truck traffic, less than one truck per day would be added to the area roadways during a 240 workday year.³

CONDITIONS

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

The National Geodetic Survey (NGS) has identified four geodetic station markers that may be affected by the proposed abandonment 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: **Union Pacific Railway Company shall consult with NGS and provide NGS with 90 days notice prior to disturbing or destroying any geodetic station markers.**

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

¹ UP provided rail traffic data over the line for the years 2000 (24 railcars of lumber), 2001 (27 railcars of lumber), and 2002 (6 railcars of lumber in the first half of the year). Because 2001 is the most recent complete year of data, the Section of Environmental Analysis (SEA) is using 2001 as the base year.

² The conversion factor is an estimate used to calculate the rail to truck conversion of varied commodities.

³ 240 workdays result when weekends and holidays are subtracted from a 365 day year.

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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

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 the petition for exemption in the Federal Register. Nevertheless, 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.

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-33 (Sub-No. 197X) 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.

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Date made available to the public: **January 17, 2003.**

Comment due date: February 14, 2003.

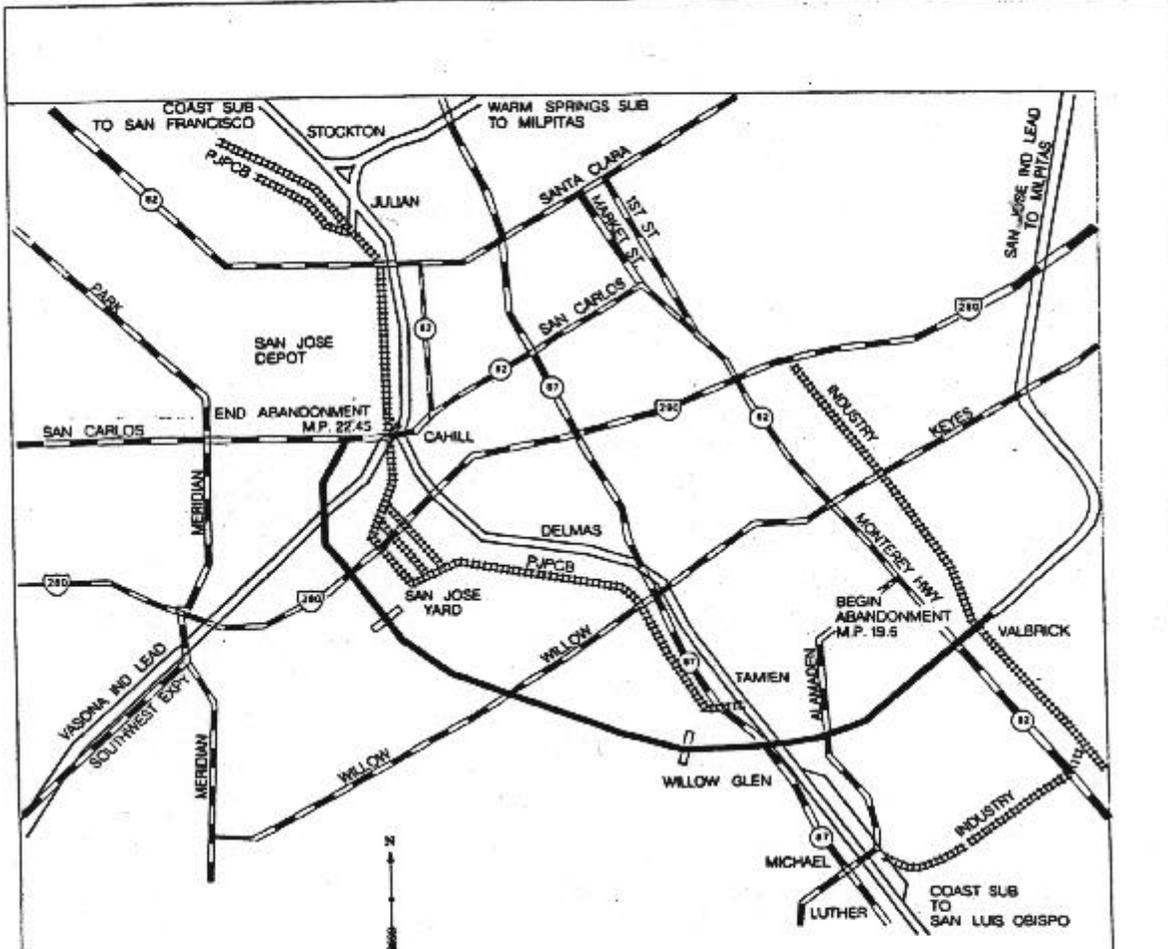
By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

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AB-33 (SUB-NO 197X) ATTACHMENT 1



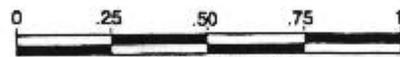
BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
20.59	1 - 80' THRU PLATE GIRDER	80'	1921
21.79	1# - 15' SPAN TPTOD	210'	1950

LEGEND

-  RR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  50+ YEAR OLD STRUCTURES
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

San Jose Industrial Lead
 M.P. 19.5 TO M.P. 22.45
 MILPITAS SUBDIVISION A TOTAL OF 2.85 MILES
 IN SANTA CLARA COUNTY, CALIFORNIA

UNION PACIFIC RAILROAD CO.
 SAN JOSE INDUSTRIAL LEAD
 INCLUDING 50+ YEAR OLD STRUCTURES



SCALE IN MILES