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219756  
Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

July 13, 2007

**VIA U.P.S. OVERNIGHT**

Surface Transportation Board  
Section of Environmental Analysis  
395 E Street, S.W., Room 1149  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

JUL 18 2007

Part of  
Public Record

JUL 18 2007

**Attention:** Victoria Rutson

**Re: Proposed Abandonment Exemption from M. P. 0.0 near Terminal Junction to  
M. P. 4.1 near Mockingbird Lane in Dallas County, Texas;  
STB Docket No. AB-33 (Sub-No. 256X), Trinity Industrial Lead**

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket is the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption in this matter on or after August 6, 2007.

Sincerely,

Mack H. Shumate, Jr.  
Senior General Attorney

Enclosures

O:\Abandonments\AB33-256X\STB-EHR

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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219754

Docket No. AB-33 (Sub-No. 256X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN DALLAS COUNTY, TEXAS  
(TRINITY INDUSTRIAL LEAD)

JUL 16 2007  
RECEIVED  
OFFICE OF PROCEEDINGS

Docket No. AB-585 (Sub-No. 2X)

219756

DALLAS, GARLAND & NORTHEASTERN RAILROAD COMPANY  
--DISCONTINUANCE OF SERVICE AND LEASE OPERATIONS--  
IN DALLAS COUNTY, TEXAS  
(TRINITY INDUSTRIAL LEAD)

ENTERED  
Office of Proceedings

Part of  
Public Record

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Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY  
Mack H. Shumate, Jr., Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

DALLAS, GARLAND & NORTHEASTERN  
RAILROAD COMPANY  
Louis E. Gitomer, Attorney  
600 Baltimore Avenue, Suite 301  
Towson, Maryland 21204  
(202) 466-6532  
(410) 332-0885 FAX

Dated: July 13, 2007  
Filed: July 16, 2007

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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Docket No. AB-33 (Sub-No. 256X)

**UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN DALLAS COUNTY, TEXAS  
(TRINITY INDUSTRIAL LEAD)**

Docket No. AB-585 (Sub-No. 2X)

**DALLAS, GARLAND & NORTHEASTERN RAILROAD COMPANY  
--DISCONTINUANCE OF SERVICE AND LEASE OPERATIONS--  
IN DALLAS COUNTY, TEXAS  
(TRINITY INDUSTRIAL LEAD)**

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**Combined Environmental and Historic Report**

Dallas, Garland & Northeastern Railroad Company ("DGNO") and Union Pacific Railroad Company ("UP") submit this Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for a discontinuance of service and lease operations by (DGNO), and an exempt abandonment and discontinuance of service by (UP) over the Trinity Industrial Lead from milepost 0.0 near Terminal Junction to milepost 4.1 near Mockingbird Lane, a distance of 4.1 miles in Dallas County, Texas (the "Line"). The Line traverses U. S. Postal Service Zip Codes 75207 and 75247.

The DGNO and UP anticipate that a Joint Petition for Abandonment and Discontinuance of Service under 49 U.S.C. 10502 Exemption Procedure for the Line will be filed at the STB on or after August 6, 2007.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and hereby made a part hereof. Responses received thus far to UP's letter are attached hereto and sequentially referenced as attachments in the appropriate sections of this Combined Environmental and Historic Report.

**ENVIRONMENTAL REPORT**  
**49 C.F.R. § 1105.7(e)**

(1) **Proposed action and alternatives.** Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

**Response:** The proposed action involves the discontinuance of service and lease operations by (DGNO), and an exempt abandonment and discontinuance of service by (UP) over the Trinity Industrial Lead from milepost 0.0 near Terminal Junction to milepost 4.1 near Mockingbird Lane, a distance of 4.1 miles in Dallas County, Texas. The Line begins in central Dallas and runs 4.1 miles west within the city limits. After abandonment, industries located near the Line will continue to have access to the numerous rail lines serving the city, including DGNO, UP, BNSF, and KCS. The area is also served by numerous major streets and highways. The last active customers on the Line, a Cargill facility and a UP transload facility operated by Kinder Morgan, have closed their operations on the Line; rail shipments ceased by the end of 2006. The transload operation was relocated to UP's Miller Yard, a UP railroad served facility in the Dallas metro area, and all transload customers continue to receive UP rail service at this location. Therefore, the abandonment of the Line will have no adverse effect on rail shippers on the

Line. There appears to be no reasonable alternative to the abandonment. There are no other current rail customers on the Line and there is no anticipation of the location of any new rail served customers along the Line. There is no overhead traffic.

The Line was constructed by the Texas & Pacific Railway Company in two phases. The first 1.3 miles of the Line was constructed in the early 1930's, and the remaining portion of the Line was built in the middle 1950's. The Line is currently laid with 110 pound jointed rail.

The right-of-way proposed for abandonment contains some reversionary property. UP is not aware of any public interest in the Line and is of the opinion that the property is not needed for public purposes, including roads, highways, forms of mass transportation, conservation, energy production or for utility transmission lines. The area is adequately served by existing roads and utility lines and Dallas Area Rapid Transit ("DART") has indicated that it is not interested in utilizing the Line. The right-of-way is parallel and adjacent to the Trinity River, a high power overhead electric transmission line and an underground high pressurized gas line. To date, there has been no interest as a rails-to-trails corridor. Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available to those requesting it.

A map of the Line is attached as **Attachment No. 1**.

**(2) Transportation system.** Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

**Response:** There should be no effect on regional or local transportation systems or patterns, and there will be no diversion to other modes or systems.

**(3) Land use.** (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action effects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

**Response:** (i) The Dallas County Commissioners Office has been contacted. To date neither UP nor DGNO has received a response.

(ii) The United States Natural Resources Conservation Service has been contacted. To date UP has received no response.

(iii) Not Applicable.

(iv) The property is generally not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, in that the area is adequately served by existing roads and utility lines at the present time. DART has indicated that it is not interested in utilizing the Line.

**(4) Energy.** (i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected Line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

**Response:** (i) There will be no effects on the transportation of energy resources.

(ii) There are no recyclable commodities handled over the Line.

(iii) There will be no effect on energy efficiency.

(iv)(A)(B) There will be no rail-to-motor vehicle diversion.

(5) **Air.** (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in §§ (5)(i)(A) will apply.

**Response:** There is no such effect anticipated.

(5) **Air.** (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State

Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

**Response:** There will be no increase in rail traffic, rail yard activity, or truck traffic of these magnitudes as a result of the proposed action.

(5) **Air.** (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

**Response:** The proposed action will not affect the transportation of ozone depleting materials.

(6) **Noise.** If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

**Response:** Not applicable.

(7) **Safety.** (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

**Response:** (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

**(8) Biological resources.** (i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

**Response:** (i) The U. S. Fish and Wildlife Service has been contacted. To date we have received no response.

(ii) We are not aware of any wildlife sanctuaries or refuges, or of any National or State parks or forests, that will be affected by the proposed abandonment.

**(9) Water.** (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

**Response:** (i) The Texas Natural Resource Conservation Commission has been contacted. To date neither UP nor DGNO has received a response.

(ii) The U.S. Army Corps of Engineers has been contacted. To date neither UP nor DGNO has received a response.

(iii) It is not anticipated there will be any requirements for Section 402 permits.

(10) **Proposed Mitigation.** Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

**Response:** There are no known adverse environmental impacts.

**HISTORIC REPORT**  
**49 C.F.R. § 1105.8(d)**

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

**Response:** See Attachment No. 1.

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

**Response:** The right-of-way through this area varies in width from 41.5 feet to 100 feet. The right-of-way is in an urban area lying west of downtown Dallas and is bordered on the south by the Trinity River Levee and a light industrial neighborhood to the north.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

**Response:** The Texas Historical Commission has been provided with photographs of each of the structures on the property that are 50 years old or older. A copy of the letter to the State Historical Society and photographs are attached as **Attachment No. 3**, and are hereby made part hereof. To date neither UP nor DGNO has received a response.

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

**Response:** See **Attachment No. 1**.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

**Response:** See the preceding pages for a brief history and description of carrier operations.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

**Response:** Not applicable.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

**Response:** At this time, UP and DGNO knows of no historic sites or structures or archeological resources on the Line or in the project area. UP and DGNO are

of the opinion that there is nothing in the scope of the proposed abandonment or discontinuance of service that merits historical comment and that any archeological sites within the scope of the right-of-way would have previously been disturbed during the construction and maintenance of the Line.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain:

**Response:** UP does not have any such readily available information.

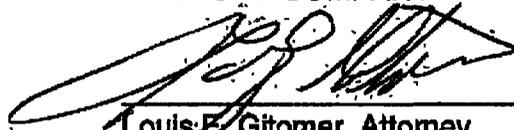
(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or group of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

**Response:** Not applicable.

Dated this 13<sup>th</sup> day of July, 2007.

Respectfully submitted,

DALLAS, GARLAND & NORTHEASTERN  
RAILROAD COMPANY



\_\_\_\_\_  
Louis E. Gitomer, Attorney  
600 Baltimore Avenue, Suite 301  
Towson, Maryland 21204  
(202) 466-6532  
(410) 332-0885 FAX

UNION PACIFIC RAILROAD COMPANY

A handwritten signature in black ink, appearing to read 'Mack H. Shumate, Jr.', written over a horizontal line.

Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

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**CERTIFICATE OF SERVICE**  
**OF THE**  
**COMBINED ENVIRONMENTAL AND HISTORIC REPORT**

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 256X) for the Trinity Industrial Lead in Dallas County, Texas was served by first class mail on the 13<sup>th</sup> day of July, 2007 on the following:

**State Clearinghouse (or alternate):**

Tom Adams  
Governor's Office of Budget and Planning  
P.O. Box 12428  
Austin, TX 78711

James Randall  
Director of Transportation, Planning and  
Programming  
Texas Department of Transportation  
118 East Riverside Plaza  
Austin, TX 78704

**State Environmental Protection Agency:**

Texas Natural Resource Conservation  
Commission  
Ken Patterson, Deputy Director  
P.O. Box 13087, m145  
Austin, TX 78711-3087

**State Coastal Zone Management Agency**  
**(if applicable):**

Not applicable.

**Head of County (Planning):**

Dallas County Commissioners  
411 Elm Street, Floor 2  
County Administration Building  
Dallas, TX 75202-3317

**Environmental Protection Agency**  
**(regional office):**

U.S. Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service  
Southwest Region 2  
U.S. Fish & Wildlife Service  
500 Gold Avenue SW - Room 4000  
Albuquerque, NM 87102

**U.S. Army Corps of Engineers:**

U.S. Army Engineer District Fort Worth  
Benbrook Lake Project Office  
P.O. Box 26619  
Fort Worth, Texas 76126-0619

**National Park Service:**

National Park Service  
12795 Alameda Parkway  
Denver, CO 80228

**U.S. Natural Resources Conservation**  
**Service:**

USDA, Natural Resources Conservation  
Service  
Soil Survey Section  
W R Poage Federal Bldg.  
101 South Main Street  
Temple, TX 76501-7682

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

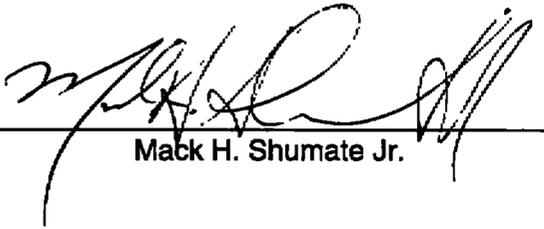
**State Historic Preservation Office:**

Texas Historical Commission  
James W. Steely  
History Program Division  
P. O. Box 12276  
Austin, TX 78711-2276

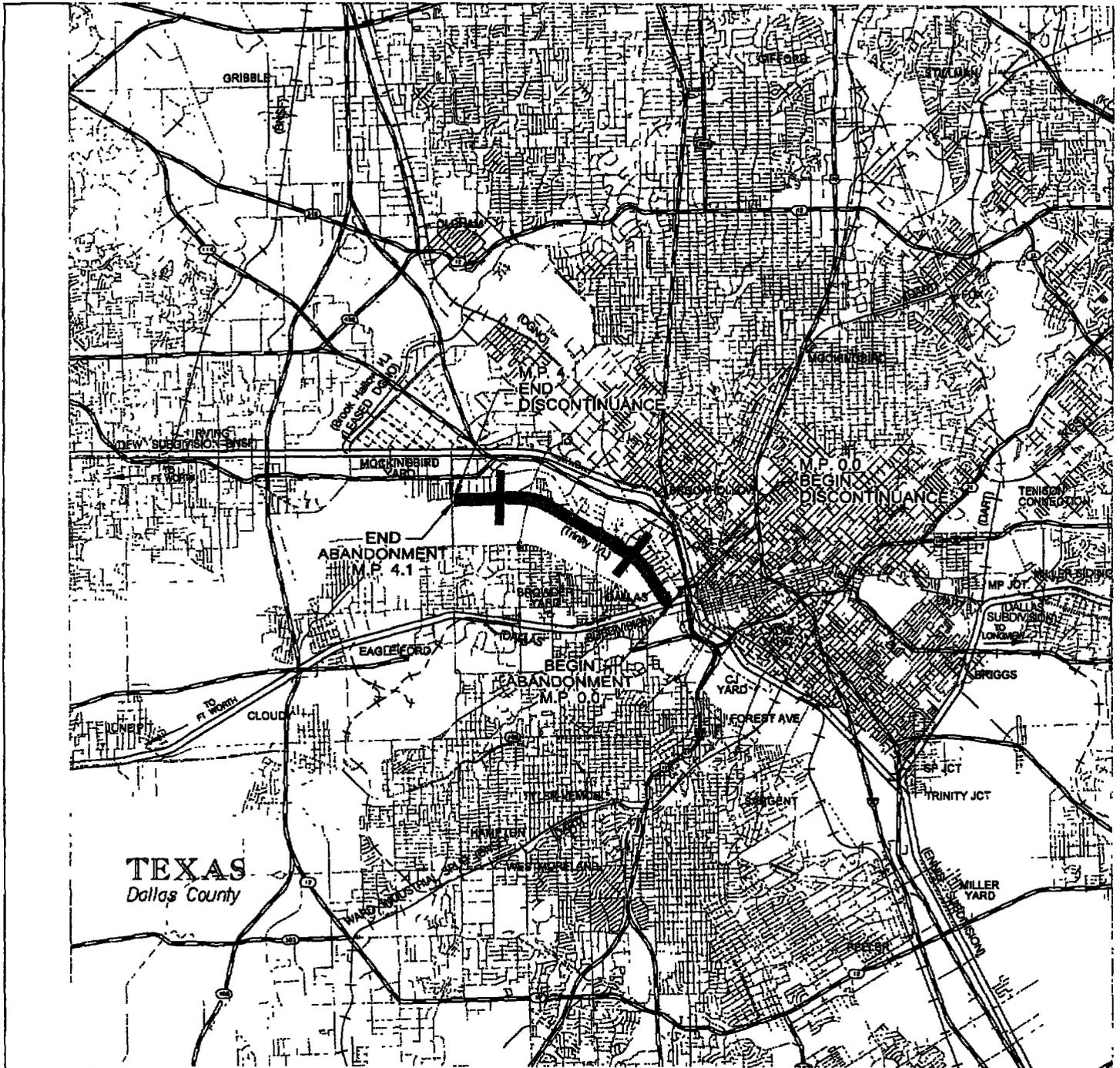
**Other Agencies Consulted:**

Texas Parks & Wildlife  
Andrew Swanson  
4200 Smith School Road  
Austin, TX 78744-3291

Dated this 13<sup>th</sup> day of July, 2007



Mack H. Shumate Jr.



BRIDGE NO	BRIDGE TYPE	TOTAL LENGTH	DATE
185	1 SPAN DECK PLATE GIRDER-BALLAST DECK (DPGD)	33'	1956
	9 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	104'	1956
34	10 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	120'	1900

**LEGEND**

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

**TRINITY INDUSTRIAL LEAD**  
 MP 0.0 TO MP 4.1  
 TOTAL OF 4.1 MILES  
 IN DALLAS COUNTY  
**UNION PACIFIC RAILROAD CO.**  
 DALLAS, GARLAND & NORTHEASTERN RR, LESSEE  
**TRINITY INDUSTRIAL LEAD**  
 TEXAS  
 INCLUDING 50+ YEAR OLD STRUCTURES



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DATE: 30-May-07 14:25



Law Department

June 1, 2007

Texas Historical Commission  
 James W. Steely  
 History Program Division  
 P. O. Box 12276  
 Austin, TX 78711-2276

Re: Proposed Lease Discontinuation and Abandonment of the Trinity Industrial Lead from M. P. 0.0 near Terminal Junction to M. P. 4.1 near Mockingbird Lane, Dallas County, Texas; STB Docket No. AB-585 (Sub-No. 2X) and Docket No. AB-33 (Sub-No. 256X)

Dear Sir:

Enclosed for your review are twelve photographs of the bridges located on the Trinity Industrial Lead which are over 50 years old, along with a map of the proposed abandonment. The bridges are described as follows:

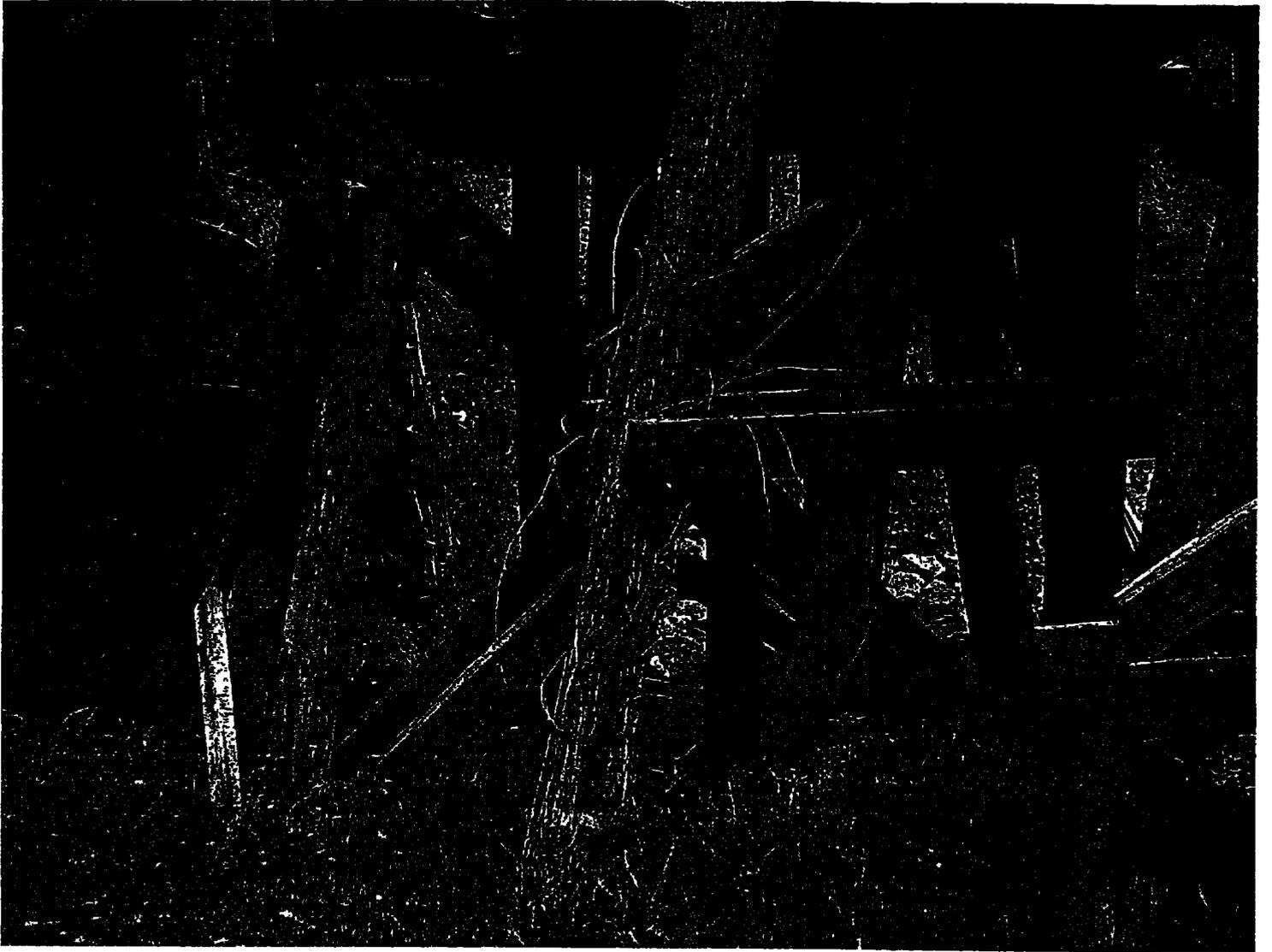
<u>Milepost</u>	<u>Description</u>	<u>Length</u>	<u>Year Constructed</u>
1.85	1 Span Deck Plate Girder-Ballast Deck (DPG)	33'	1956
	9 Span Rail Timber Pile Trestle Open Deck (TPTOD)	104'	1956
3.40	10 Span Rail Timber Pile Trestle Open Deck (TPTOD)	120'	1900

Please advise if you believe there is historical significance to either of the bridges. Thank you for your assistance.

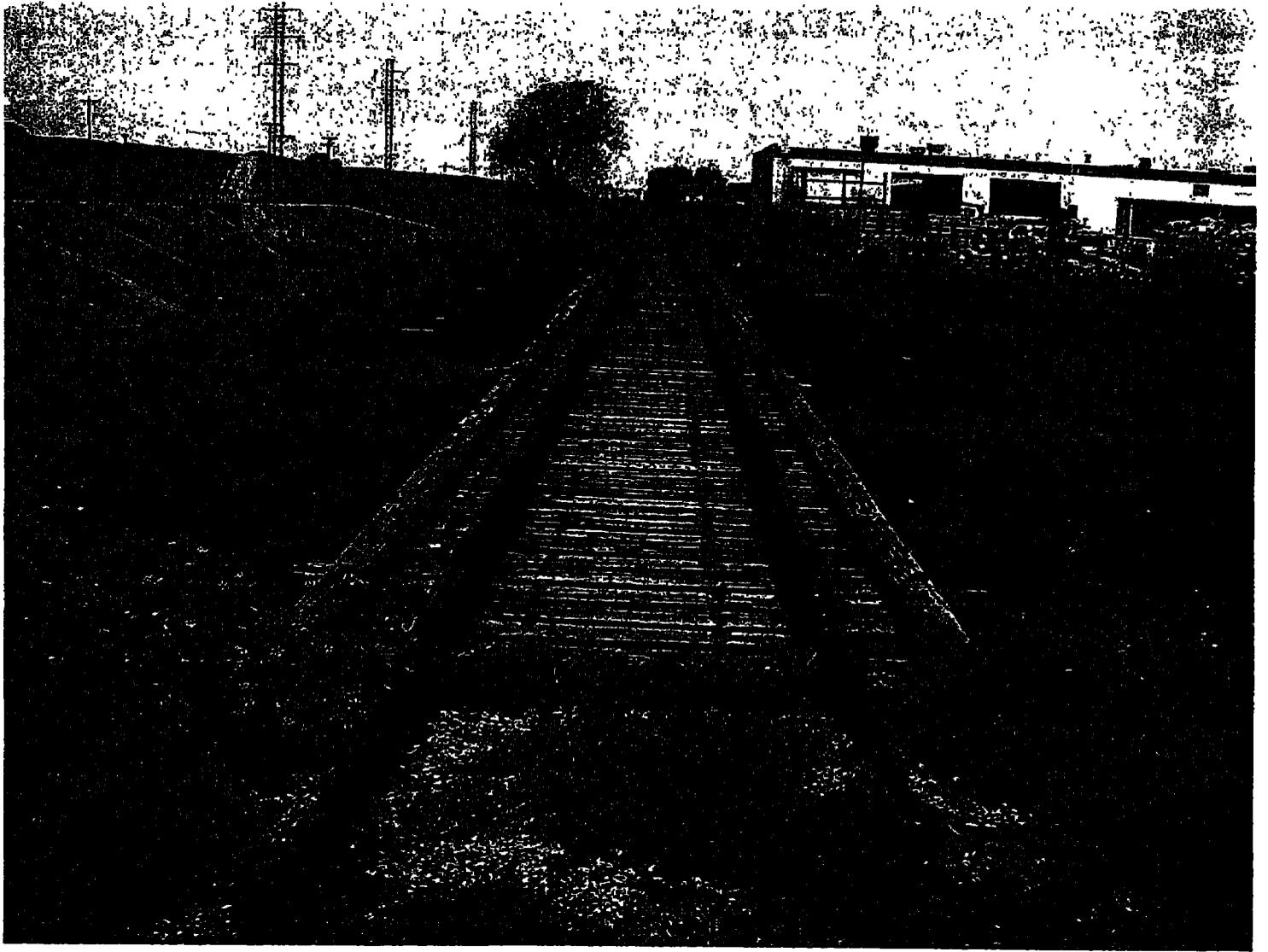
Sincerely,

*Charles W. Saylor*  
 Charles W. Saylor  
 (402) 544-4861

Attachments



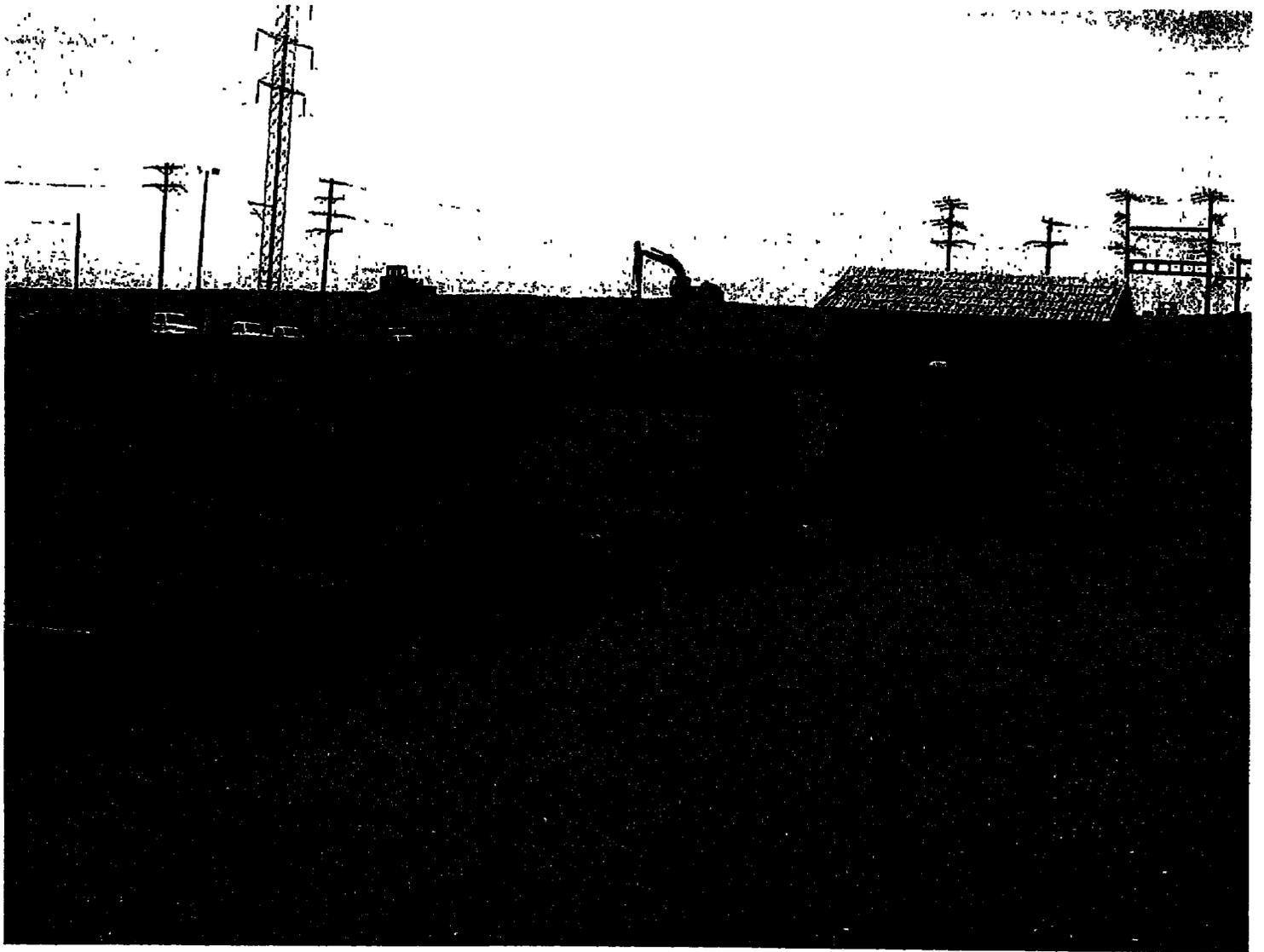
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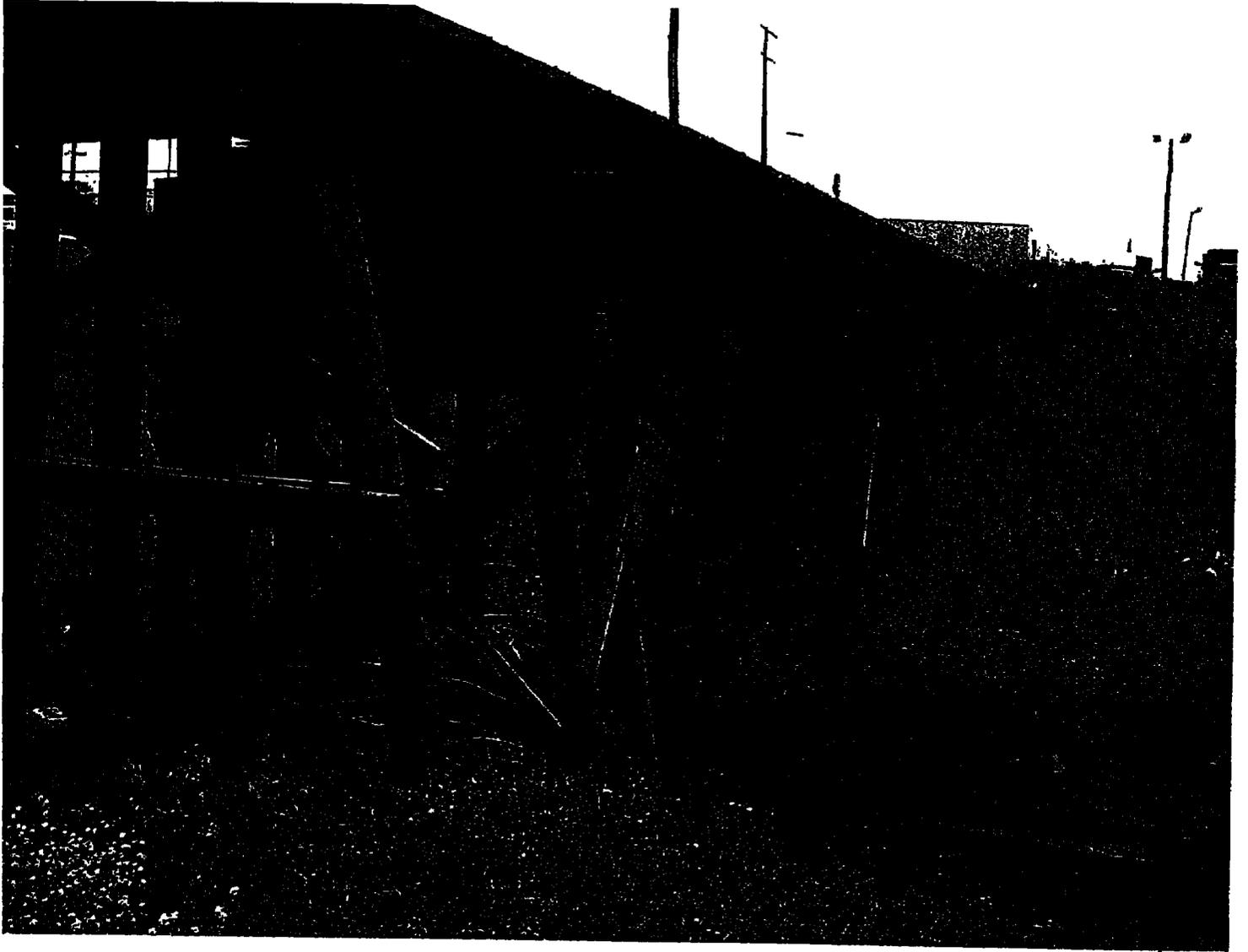
MP 1.85



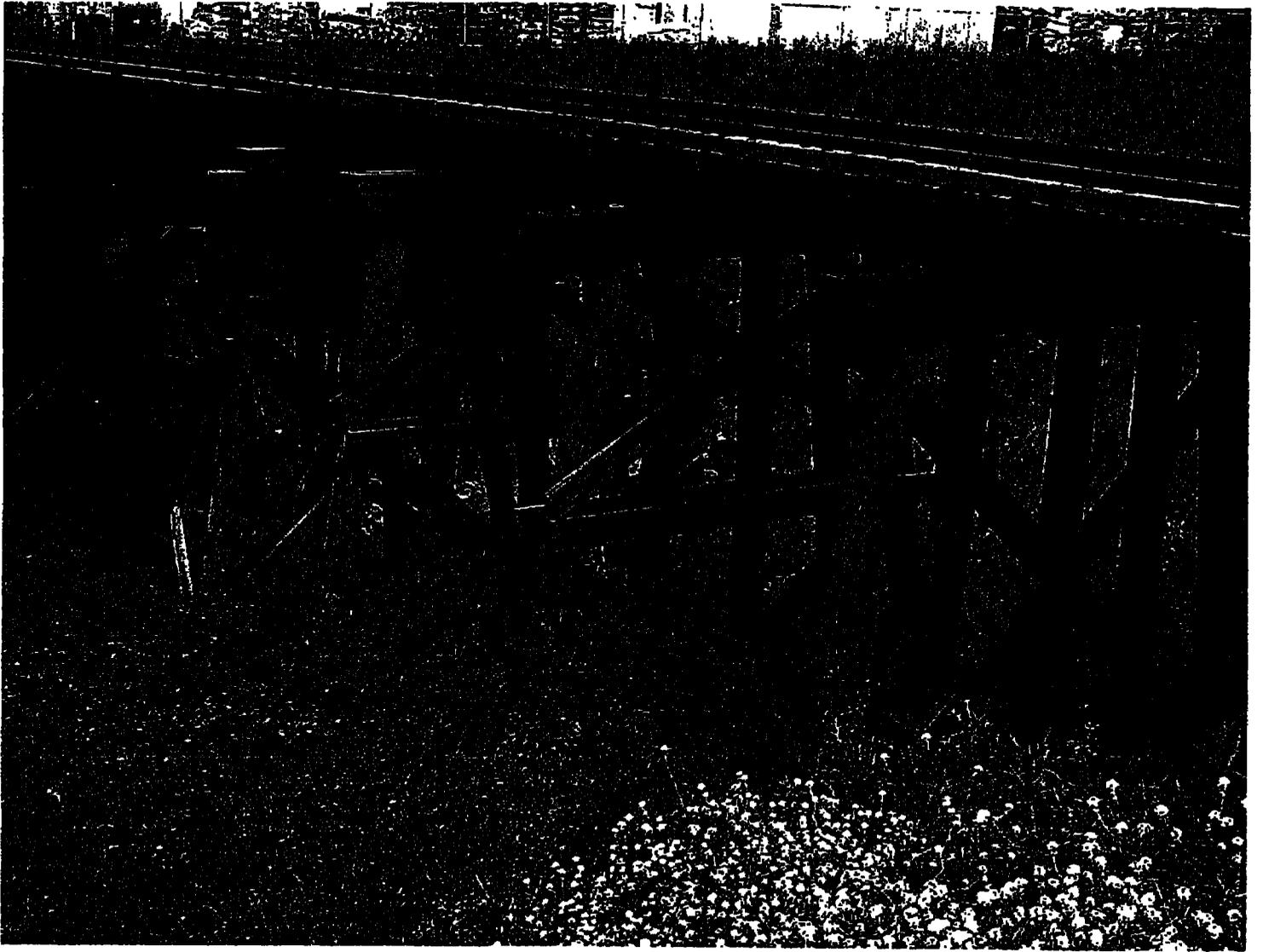
MP 1.85



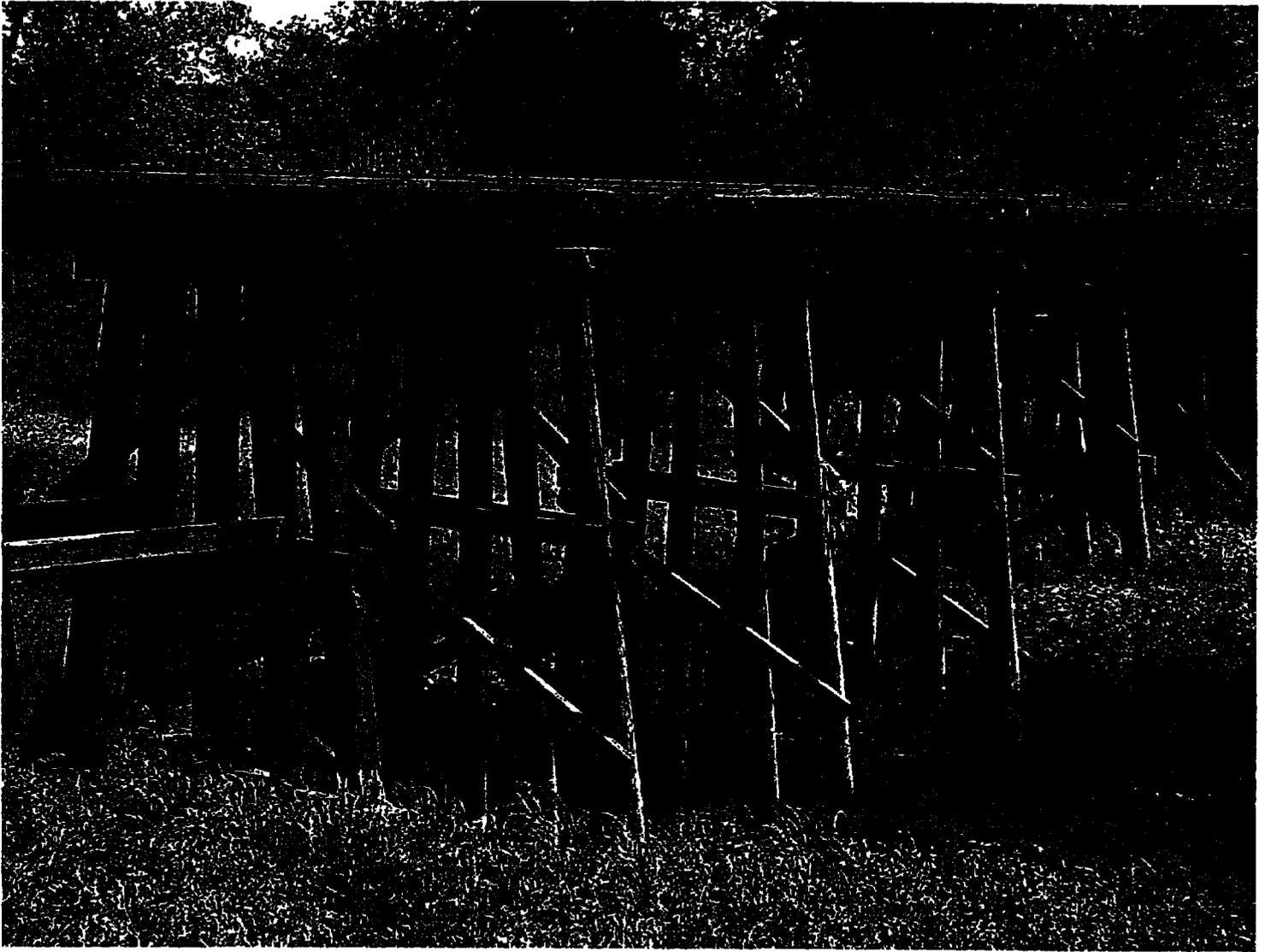
MP 1.85



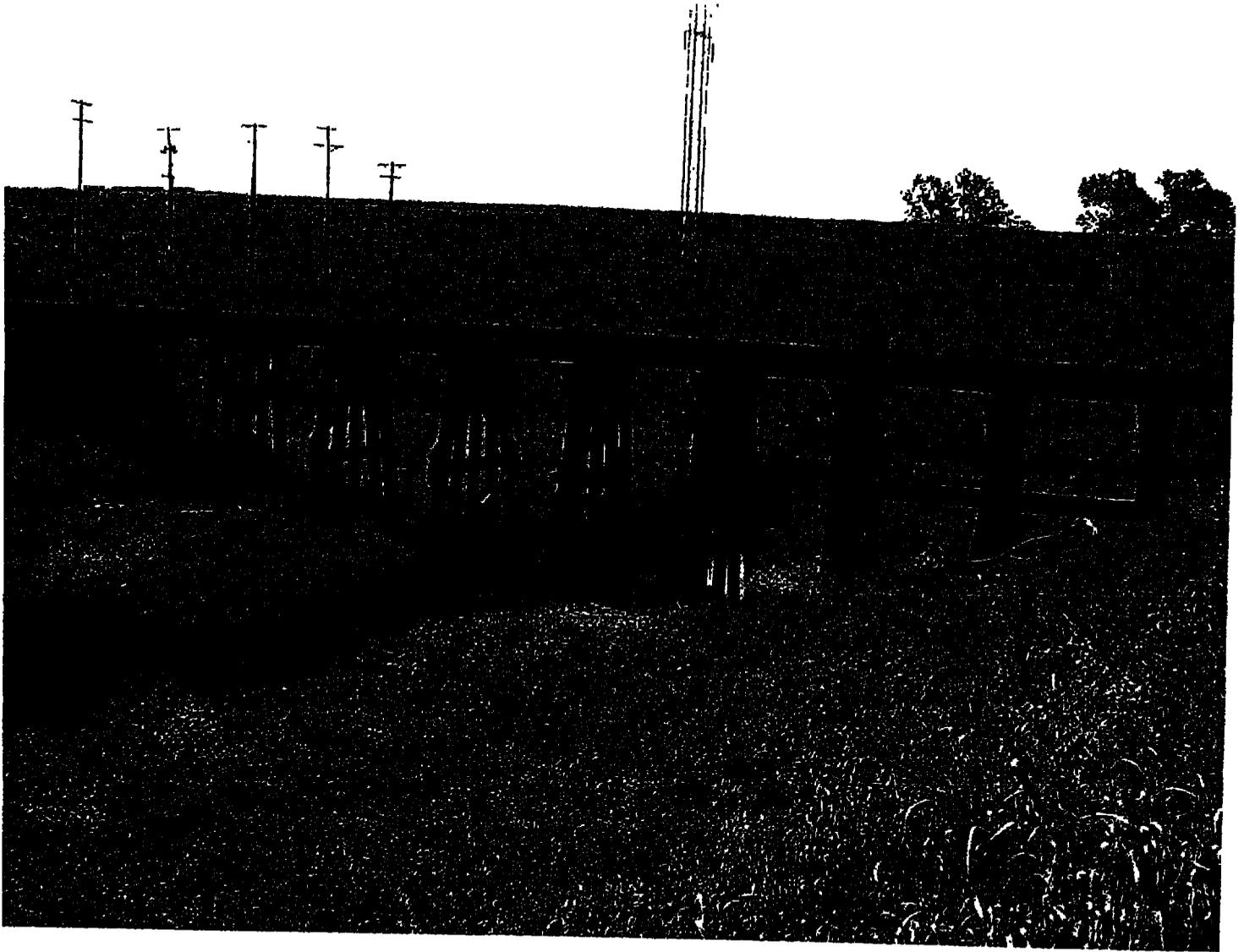
MP 1.85



MP 1.85



HP 3.40



MP 340



MP 3.40



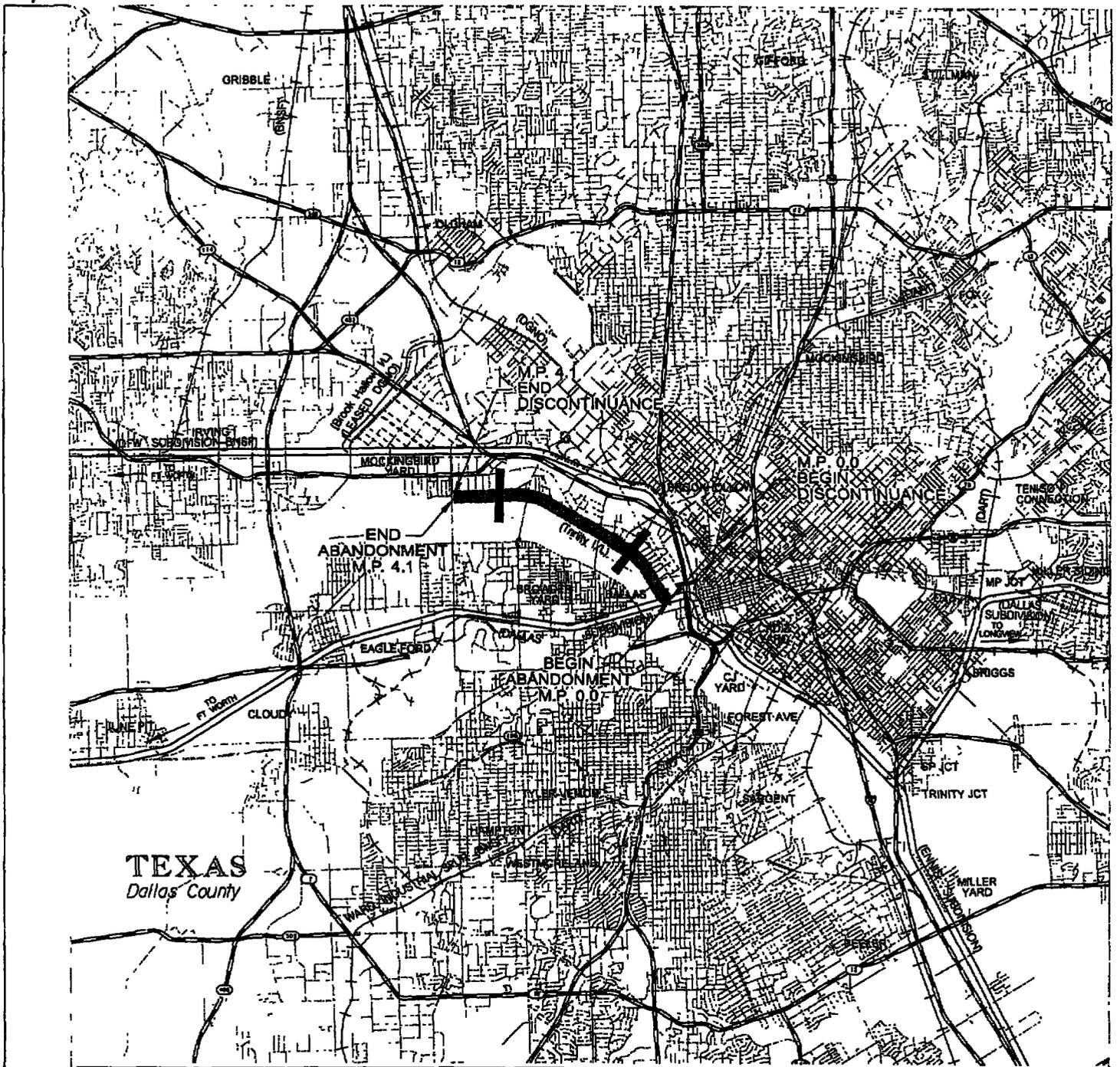
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MP 3.40



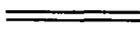
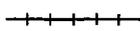
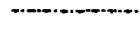
MP 3.40



TEXAS  
Dallas County

BRIDGE NO	BRIDGE TYPE	TOTAL LENGTH	DATE
183	1 SPAN DECK PLATE GIRDER-BALLAST DECK (DPGD)	33'	1998
	9 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	104'	1998
34	10 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	180'	1900

LEGEND

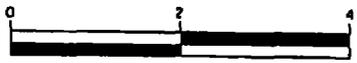
-  UPRR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  RAILROADS (abandoned)
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS
-  50+ YEAR OLD STRUCTURES

TRINITY INDUSTRIAL LEAD

MP 0.0 TO MP 4.1  
TOTAL OF 4.1 MILES  
IN DALLAS COUNTY

UNION PACIFIC RAILROAD CO.  
DALLAS, GARLAND & NORTHEASTERN RR, LESSEE  
TRINITY INDUSTRIAL LEAD  
TEXAS

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE  MILES

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DATE: 30-May-07 14:25