

UNION PACIFIC RAILROAD
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

P 402 544 4735
jmberman@up.com

Jeremy M. Berman

General Attorney

November 30, 2017

244788

VIA US Mail

ENTERED
Office of Proceedings
November 30, 2017
Part of
Public Record

TO: See Attached Service List

RE: **Proposed Abandonment and Discontinuance of a portion of the Mart Line, extending from Milepost 173.2 to Milepost 173.7 near Waco, and for Discontinuance only from Milepost 173.7 to Milepost 175.0 near Chapel Hill Road, all in McLennan County, Texas**
STB Docket No. AB-33 (Sub-No. 334X)

To whom it may concern:

On or after November 30, 2017, Union Pacific Railroad Company ("UP") expects to be filing with the Surface Transportation Board ("STB" or "Board") a Notice of Exemption seeking authority to abandon the Former Mart Line near Waco TX, from the end of the line at Milepost 173.2 to Milepost 173.7 near the TX 340 Loop crossing, and for discontinuance only from Milepost 173.7 to Milepost 175.0 near Chapel Hill Road, Waco, a distance of 0.5 miles to be abandoned, and 1.3 miles to be discontinued, all in McLennan County, Texas (the "Line"). Attached is a Combined Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Union Pacific is providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC, Telephone (202) 245-0291 and refer to the above Docket No. AB-33 (Sub-No. 334X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to OEA (with a copy to our representative) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representative in this matter is Jeremy M. Berman who may be contacted by telephone at 402-544-4735 or by mail at 1400 Douglas St., Stop 1580, Omaha, NE 68179.

Sincerely,

s/ Jeremy M. Berman

Jeremy M. Berman



Attachment

Docket No. AB-33 (Sub-No. 334X)

Service List

State Clearinghouse (or Alternate):

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, Texas 78711

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Fort Worth District
3801 Zoo Park Drive
Waco, Texas 76708

State Environmental Protection Agency:

Richard A. Hyde, MC 109
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

National Park Service (Regional Office):

Sue Masica, Regional Director
National Park Service – Intermountain Region
12795 W. Alameda Parkway
Lakewood, CO 80228

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency - Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation Service
Waco Service Center
5040 S. Loop 340
Waco, Texas 76706-4638

State of Texas Historic Preservation Office:

Texas Historical Commission Main Office
P.O. Box 12276
Austin, Texas 78711

National Geodetic Survey:

Geodetic Services Division
SSMCC-3 #9340
NOAA N/NGS12
Room 9452
1315 E-W Highway
Silver Spring, Maryland 20910-3282

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Southwest Region (2) Office
P.O. Box 1306
Albuquerque, NM 87103-1306

Head of McLennan County, Texas:

J.A. "Andy" Harwell
McLennan County Clerk
215 N. 5th Street, Room 223-A
P.O. Box 1727
Waco, Texas 76701

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 334X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MCLENNAN COUNTY, TX
(FORMER MART LINE)**

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

Jeremy M. Berman
General Attorney
1400 Douglas Street STOP 1580
Omaha, NE 68179
(402) 544-4735
(402) 501-0129 (FAX)
jmberman@up.com

Dated: November 30, 2017

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 334X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MCLENNAN COUNTY, TX
(FORMER MART LINE)**

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report ("EHR") pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of the Former Mart Line near Waco TX, from the end of the line at Milepost 173.2 to Milepost 173.7 near the TX 340 Loop crossing, and for discontinuance only from Milepost 173.7 to Milepost 175.0 near Chapel Hill Road, Waco, a distance of 0.5 miles to be abandoned, and 1.3 miles to be discontinued, all in McLennan County, Texas (the "Line"). The Line is wholly contained within U.S. Postal Service Zip Code 76705. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after November 30, 2017. A map of the Line (**Attachment No. 1**), and UP's letter to federal, state and local government agencies (**Attachment No. 2**), are attached to this EHR. There are no bridge structures on the line. Responses received thus far to UP's letters are also attached.

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 an exempt abandonment of UP's Former Mart Line. The Line proposed for abandonment extends from Milepost 173.2 to Milepost 173.7 near Waco, in McLennan County, Texas, a total distance of 0.5 miles. A map of the Line is attached as **Attachment No. 1.**

The Line was constructed by the International Great Northern Railroad (I-GN) as part of its mainline from Waco to Valley Junction near Hearne. The I-GN was later merged into the Missouri Pacific System (MP). When the parallel and more direct Houston & Texas Central (HTC) line was put up for abandonment by then-owner Southern Pacific in 1964, the MP purchased the HTC line and diverted through traffic to that shorter route. The Mart line was subsequently trimmed back to Mart in 1965, and then to the existing end of the line at MP 173.2 in 1968. There are no bridge structures on the Line.

The Line proposed for abandonment consists of combination of fee and reversionary property. Based upon 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.

It is UP's intention to salvage the track material still and sell the right of way to an adjacent land owner. The salvage process would begin with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other

metal parts) would be removed. Next the wooden ties would be raised from among the ballast with a tool designed for minimum disruption of the ground material. The ties would then be separated into three groups as follows: (1) good quality ties that would be re-used in rail service, (2) landscape-quality ties that would be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into truck trailers or containers and shipped by UP's contractor to an EPA approved disposal site or to a cogeneration plant.

Culverts and right-of-way grading would remain intact so as not to alter the prevailing water flows along the Line. Ballast would typically be left in place, but might be removed if it is of exceptional quality - thus suitable for resale - or to make the right of way more suitable for a planned future use. Finally, all road crossings would be removed and remediated, then resurfaced with gravel, asphalt or concrete, as required by governing authority. Any railroad signals would also be dismantled and removed.

UP's salvage work for abandonments is always performed by experienced rail material salvagers. Each salvage contract includes detailed information on any environmental or historical conditions imposed by the Board. Completed work is independently inspected by a UP roadmaster or other maintenance official to ensure compliance with UP standards of quality and all contractual obligations, including Board imposed conditions, if applicable.

After the proposed abandonment, the Waco area would continue to receive rail service from UP via a remaining fragment of the Former Texas Central Railroad on the north end of the proposed action as well as from that carrier's Ft. Worth and Waco Subdivisions. Waco is also served by BNSF Railway. Waco is well served by major

highways such as Interstate Route 35 and U.S. Route 84 and by numerous local roads.

No local traffic has moved to or from the Line in the past two years and there is no overhead traffic. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant in at least two years.

(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: Given that no traffic uses the Line, the proposed abandonment will have no impact on area transportation systems and patterns.

(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 affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 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) UP is unaware of any adverse effects on local and existing land use plans. The McLennan County Clerk has been contacted. To date, UP has not received a response.

(ii) The Natural Resources Conservation Service ("NRCS") has been contacted. To date, UP has not received a response.

(iii) Not Applicable.

(iv) The property proposed for abandonment is suitable for a public purpose in the form of a corridor for utilities such as sanitary sewer lines, but not for roads or highways, other forms of mass transportation, energy production or transmission, as this area is adequately served by existing roads and power lines at the present time. The property may also be suitable for conservation as a hike/bike trail.

(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 are no effects on the transportation of energy resources.

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

(iii) There will be no change in energy consumption from the proposed action.

(iv)(A)(B) UP does not anticipate that there will be any rail-to-motor 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 subsection (5)(i)(A) will apply.

Response: UP does not anticipate any such effects.

(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 reinstitution 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 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 materials 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) and (ii). The U.S. Fish and Wildlife Service and the National Park Service were contacted. To date, UP has not received a response.

(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 U. S. Environmental Protection Agency Region 6 office has been contacted. To date there has been no response. The Texas Commission on Environmental Quality, by letter dated Jun 7, 2017 (**Attachment No. 3**), responded that the Office of Water does not anticipate significant long term environmental impacts from this project.

(ii) The U. S. Army Corps of Engineers has been contacted. To date, UP has not received a response.

(iii) UP does not anticipate that 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 commences near Faulkner Lane in the northwestern part of Waco and ends on the north side of Old Fort Graham Road. The southern two thirds of the right of way runs through residential areas and the northern third runs through an industrial area. The right of way is approximately 60 feet in width. The topography is flat.

(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:

(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 to (3) and (4): There are no structures on the Line.

(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 UP's response to question (1) in the Environmental Report for a brief history and description.

(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: UP does not have any relevant documentation.

(7) An opinion (based on readily available information in the UP'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: There are no sites or structures that appear to meet the criteria for listing on the National Register. The Texas Historical Commission, by response dated June 5, 2017 (**Attachment No. 4**), provides that no historic properties will be affected.

(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 non-railroad owned properties or groups 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 30th day of November, 2017.

Respectfully submitted,

s/ **Jeremy M. Berman**

UNION PACIFIC RAILROAD COMPANY

Jeremy M. Berman

General Attorney

1400 Douglas Street STOP 1580

Omaha, NE 68179

(402) 544-4735

(402) 501-0129 (FAX)

jmberman@up.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 334X), the Former Mart Line in McLennan County, Texas was served by First Class U.S. Mail, postage prepaid, on the 30 day of November, 2017, on the following parties:

State Clearinghouse (or Alternate):

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, Texas 78711

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Fort Worth District
3801 Zoo Park Drive
Waco, Texas 76708

State Environmental Protection Agency:

Zak Covar, MC 109
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711

National Park Service (Regional Office):

Suzanne Dixon, Regional Director
National Park Service - Texas Region
2904 Swiss Avenue
Dallas, Texas 75204

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency - Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation Service
Waco Service Center
5040 S. Loop 340
Waco, Texas 76706

State of Texas Historic Preservation Office:

Texas Historical Commission Main Office
P.O. Box 12276
Austin, Texas 78711

National Geodetic Survey:

Geodetic Services Division
SMCC-3 #9209
NOAA N/NGS2
1315 E-W Highway
Silver Spring, Maryland 20910

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Austin Ecological Services Field Office
10711 Burnet Road, Suite 200
Austin, Texas 78758

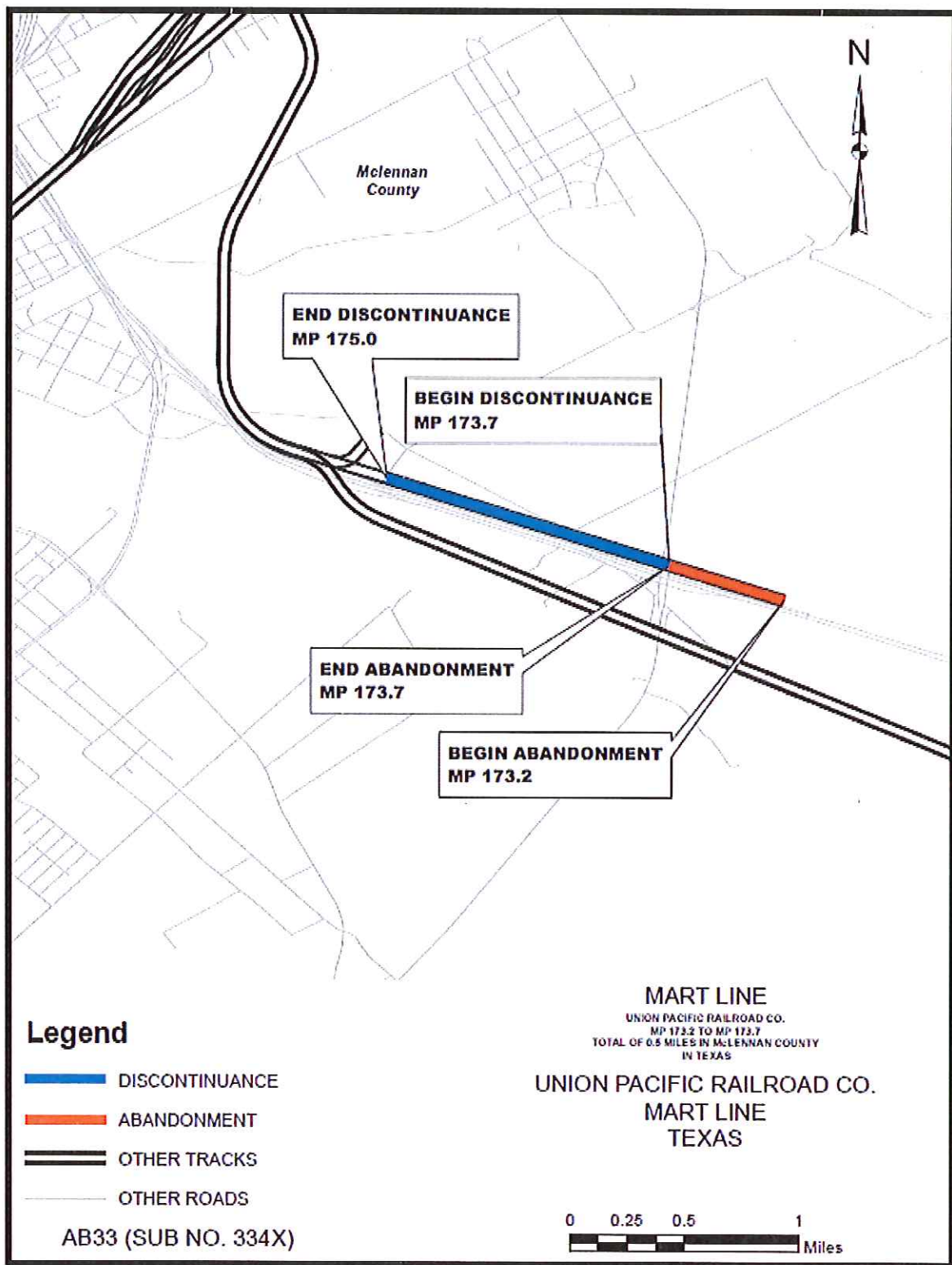
Head of McLennan County, Texas:

J.A. "Andy" Harwell
McLennan County Clerk
215 N. 5th Street, Room 223-A
Waco, Texas 76701

Dated this 30th day of November, 2017.

s/ Jeremy M. Berman

Jeremy M. Berman



May 23, 2017

State Clearinghouse (or Alternate):

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, Texas 78711

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Fort Worth District
3801 Zoo Park Drive
Waco, Texas 76708

State Environmental Protection Agency:

Richard A. Hyde, MC 109
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

National Park Service (Regional Office):

Sue Masica, Regional Director
National Park Service – Intermountain Region
12795 W. Alameda Parkway
Lakewood, CO 80228

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency - Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation Service
Waco Service Center
5040 S. Loop 340
Waco, Texas 76706-4638

State of Texas Historic Preservation Office:

Texas Historical Commission Main Office
P.O. Box 12276
Austin, Texas 78711

National Geodetic Survey:

Geodetic Services Division
SSMCC-3 #9340
NOAA N/NGS12
Room 9452
1315 E-W Highway
Silver Spring, Maryland 20910-3282

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Southwest Region (2) Office
P.O. Box 1306
Albuquerque, NM 87103-1306

Head of McLennan County, Texas:

J.A. "Andy" Harwell
McLennan County Clerk
215 N. 5th Street, Room 223-A
P.O. Box 1727
Waco, Texas 76701

Re: Proposed Abandonment and Discontinuance of a portion of the Mart Line near Waco TX, from the end of the line at Milepost 173.2 to Milepost 173.7 near the TX 340 Loop crossing, a distance of 0.5 miles and for Discontinuance only from Milepost 173.7 to Milepost 175.0 near Chapel Hill Road, a distance of 1.3 miles all being in McLennan County, Texas. STB Docket No. AB-33 (Sub-No. 334X).

To Whom It May Concern:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Mart Line near Waco TX, from the end of the line at Milepost 173.2 to Milepost 173.7 near the TX 340 Loop crossing, a distance of 0.5 miles, and for discontinuance only from Milepost 173.7 to Milepost 175.0 near Chapel Hill Road, a distance of 1.3 miles to be discontinued, all in McLennan County, Texas (the "Line"). The Line is wholly contained within U.S. Postal Service Zip Code 76705. A map of the proposed abandonment shown in red and discontinuance shown in blue is attached. There are no structures on the Line that are 50 years old or older.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F. R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Please describe any inconsistencies.

U.S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U.S. FISH AND WILDLIFE SERVICE (And State Game and Parks Commission, If Addressed). State (1) 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, and (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Please describe any inconsistencies.

U.S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Please describe the effects.

U.S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

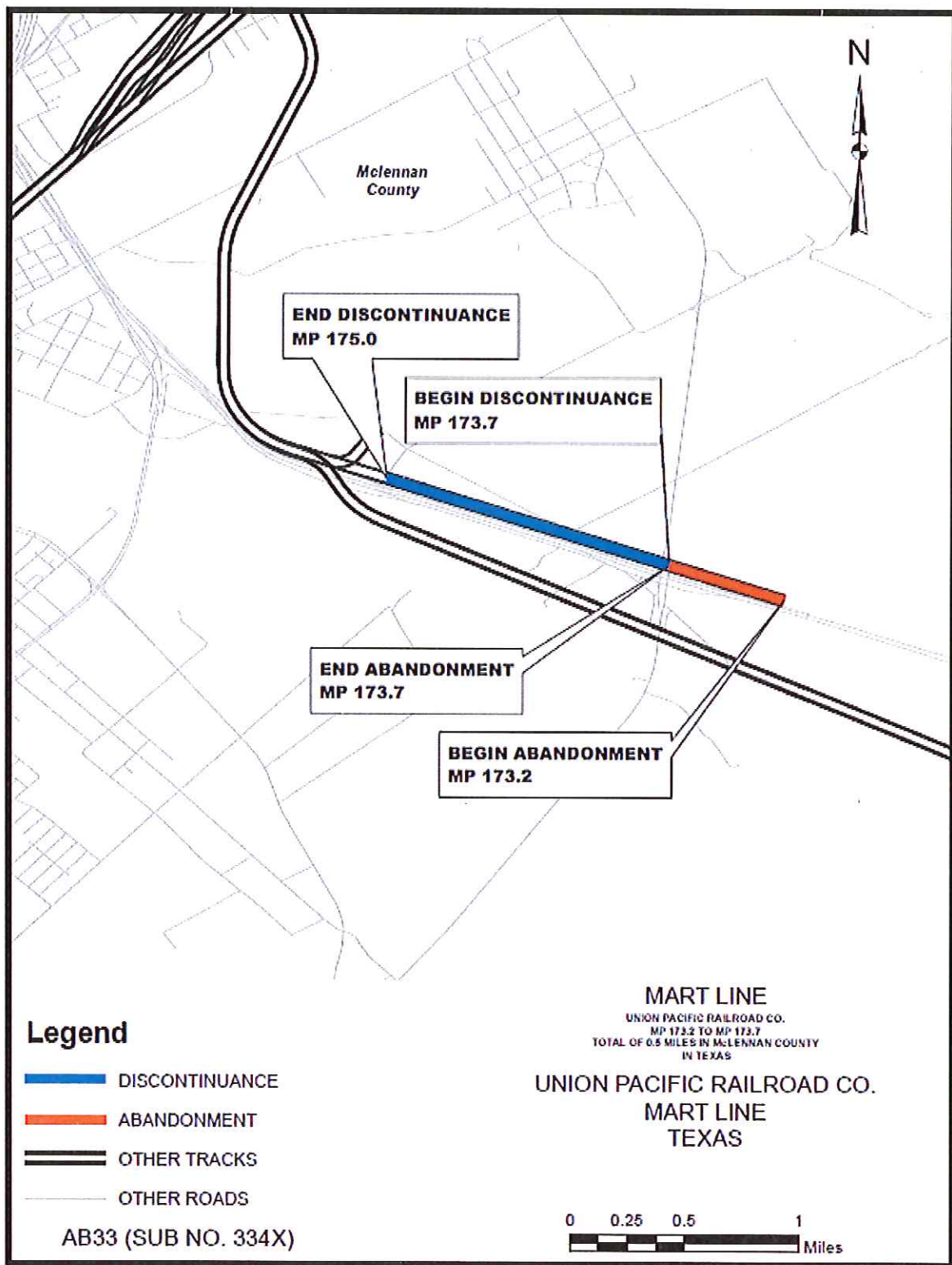
Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,



Sarah J. Rief
Legal Assistant - Law Department
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, Nebraska 68179
Phone: (402) 544-0438
Email: sjrief@up.com

Attachment



Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 7, 2017

Ms. Sarah J. Rief
Legal Assistant - Law Department
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, Nebraska 68179

Via: email

Re: TCEQ NEPA Request #2017-176, Proposed Abandonment and Discontinuance of a Portion of the Mart Line Near Waco, Texas from the end of the line at Milepost 173.7 near the TX 340 Loop Crossing, a distance of 0.5 miles and for Discontinuance only from Milepost 173.7 to Milepost 175.0 near Chapel Hill Road, a Distance of 1.3 miles all being in McLennan County, Texas. STB Docket No. AB-33 (Sub-No. 334X); Waco, Texas, McLennan County

Dear Ms. Rief:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above-referenced project and offers the following comments:

A review of the project for general conformity impact in accordance with 40 CFR Part 93 indicates that the proposed action is located in McLennan County, which is currently unclassified or in attainment of the National Ambient Air Quality Standards for all six criteria air pollutants. Therefore, general conformity rules do not apply.

The Office of Water 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, statutes, and regulations. We recommend that the applicant take necessary steps to ensure that best management practices are used to control runoff from construction sites to prevent detrimental impact to surface and ground water.

Any debris or waste disposal should be at an appropriately authorized disposal facility.

Thank you for the opportunity to review this project. If you have any questions, please contact the agency NEPA Coordinator, at (512) 239-3500 or NEPA@tceq.texas.gov.

Sincerely,

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

How is our customer service? tceq.texas.gov/customersurvey
printed on recycled paper

Attachment No. 3

A handwritten signature in black ink, appearing to read 'R. Vise'.

Ryan Vise
Division Director
Intergovernmental Relations

May 23, 2017



State Clearinghouse (or Alternate):

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, Texas 78711

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Fort Worth District
3801 Zoo Park Drive
Waco, Texas 76708

State Environmental Protection Agency:

Richard A. Hyde, MC 109
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

National Park Service (Regional Office):

Sue Masica, Regional Director
National Park Service – Intermountain Region
12795 W. Alameda Parkway
Lakewood, CO 80228

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency - Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation Service
Waco Service Center
5040 S. Loop 340
Waco, Texas 76706-4638

State of Texas Historic Preservation Office:

Texas Historical Commission Main Office
P.O. Box 12276
Austin, Texas 78711

National Geodetic Survey:

Geodetic Services Division
SSMCC-3 #9340
NOAA N/NGS12
Room 9452
1315 E-W Highway
Silver Spring, Maryland 20910-3282

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Southwest Region (2) Office
P.O. Box 1306
Albuquerque, NM 87103-1306

Head of McLennan County, Texas:

J.A. "Andy" Harwell
McLennan County Clerk
215 N. 5th Street, Room 223-A
P.O. Box 1727
Waco, Texas 76701

Re: Proposed Abandonment and Discontinuance of a portion of the Mart Line near Waco TX, from the end of the line at Milepost 173.2 to Milepost 173.7 near the TX 340 Loop crossing, a distance of 0.5 miles and for Discontinuance only from Milepost 173.7 to Milepost 175.0 near Chapel Hill Road, a distance of 1.3 miles all being in McLennan County, Texas. STB Docket No. AB-33 (Sub-No. 334X).

To Whom It May Concern:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Mart Line near Waco TX, from the end of the line at Milepost 173.2 to Milepost 173.7 near the TX 340 Loop crossing, a distance of 0.5 miles, and for discontinuance only from Milepost 173.7 to Milepost 175.0 near Chapel Hill Road, a distance of 1.3 miles to be discontinued, all in McLennan County, Texas (the "Line"). The Line is wholly contained within U.S. Postal Service Zip Code 76705. A map of the proposed abandonment shown in red and discontinuance shown in blue is attached. There are no structures on the Line that are 50 years old or older.



Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F. R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Please describe any inconsistencies.

U.S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U.S. FISH AND WILDLIFE SERVICE (And State Game and Parks Commission, If Addressed). State (1) 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, and (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Please describe any inconsistencies.

U.S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Please describe the effects.

U.S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,



Sarah J. Rief
Legal Assistant - Law Department
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, Nebraska 68179
Phone: (402) 544-0438
Email: sjrief@up.com

Attachment

NO HISTORIC
PROPERTIES AFFECTED
PROJECT MAY PROCEED
by AJA Justin Kerkitz
for Mark Wolfe
State Historic Preservation Officer
6/5/2017

6



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