

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

NO. AB-33 (SUB-NO. 173X)

**Union Pacific Railroad Company – Abandonment Exemption – in McLennan County,
Texas (Gatesville Industrial Lead at Atco (Waco), Texas)**

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 0.7 miles of rail line over the Gatesville Industrial Lead in McLennan County, Texas. The proposed abandonment extends from milepost 685.90 to the end of the line at milepost 686.60 at Atco (Waco), Texas. 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 there is one shipper on the line, Lehigh Portland Cement (Lehigh), who supports the proposed abandonment. UP indicates that there will be no salvage of the line and no loss of rail service in connection with the proposed abandonment since UP plans to sell the majority of the line with track in place to Lehigh for use as an industrial side track. According to UP, Lehigh shipped 782 carloads of cement, coke, asphalt clay and paper bags over the line in 1999 and 848 carloads of cement, coke and asphalt clay over the line in 2000. UP states that the line supports no overhead traffic.

The line is located on the west side of Waco. UP indicates that the area surrounding the line is primarily rural, though some residences are being constructed nearby.

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 and reviewed the record in this proceeding.

The Texas Historical Commission has submitted comments indicating that the proposed abandonment does not include properties eligible for listing in the National Register of Historic Places.

The U.S. Fish and Wildlife Service has submitted comments indicating that the proposed abandonment will have no effect on federally listed species or other important fish and wildlife resources.

Traffic

UP has indicated that the proposed abandonment will not result in a loss of rail service and impact area traffic patterns, because it plans to sell the majority of the track to Lehigh for use as an industrial side track. However, we have estimated the possible increase in truck traffic to area roads, which may result if there is loss of rail service to Lehigh as a result of the proposed abandonment. US-84 is the nearest principal highway to the line, located approximately 1 mile from the end of the line.

UP's application states that 848 railcars were moved over the line in 2000. Using this data as the base year and a conversion factor of 3.5 trucks per railcar,¹ we calculated that on a per day basis, if all the rail traffic is diverted to truck traffic, an estimated 12 to 13 trucks (24 to 26 truck trips) per day would be added to area roadways during a 240 workday year.² We are assuming an empty backhaul, meaning that approximately 24 to 26 trucks per day may be added to area roads. It should also be noted that railcar traffic on the line increased from 782 carloads in 1999 to 848 carloads in 2000.

CONDITIONS

We recommend that no environmental conditions be placed on any decision granting abandonment authority.

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.

¹ The conversion factor is an estimate based on the varied nature of the commodities transported on the line.

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

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 Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Rini Ghosh, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 173X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Rini Ghosh at (202) 565-1539.

Date made available to the public: **May 29, 2001.**

Comment due date: June 28, 2001 (30 Days)

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

Vernon A. Williams
Secretary

Attachment

MAP TO BE SCANNED