

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

DRAFT ENVIRONMENTAL ASSESSMENT

Docket No. AB 1291X
Alcoa Energy Services, Inc. – Abandonment Exemption –
in Milam County, Tex.

BACKGROUND

In this proceeding, Alcoa Energy Services, Inc. (AESI) filed a petition for exemption under 49 U.S.C. § 10502 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Milam County, Texas that extends approximately 6.0 miles from MP 0.0 at the town of Marjorie to MP 6.0 (the Line). A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (EA). If the notice becomes effective, AESI will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

AESI submitted a combined Environmental and Historic Report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. AESI served the Environmental and Historic Report on a number of appropriate federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].¹ The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

According to AESI, common carrier operation on the Line ceased in February of 2018 following the closure of a smelter facility (the Sandow Facility) which had been operated by a corporate predecessor of Alcoa USA Corp. (A-USA). A-USA is the current owner of the Sandow Facility assets and surrounding land. AESI acquired the railroad assets that comprise the Line from the Rockdale, Sandow & Southern Railroad Company at the end of 2018.

AESI states that the power plants and smelter associated with the Sandow Facility have been de-commissioned and the Sandow Facility will never be restored to operation. AESI does

¹ The Environmental and Historic Reports are available for viewing on the Board's website at www.stb.gov by going to "Proceedings & Actions," selecting "Filings," and then conducting a search for AB 1291X.

not know whether there will be any future demand for rail transportation on the Line that would warrant restoring service. There is no current demand for rail service, and there are no apparent traffic prospects. AESI wants to end common carrier service on the Line and remove it from the Board's regulatory oversight. AESI plans to preserve the track assets and leave them in place into the foreseeable future for the possible restoration of service as private track. AESI does not rule out the possibility of salvage in the future.

The Line traverses a rural area. AESI indicates that the Line has only private and utility crossings and does not contain federally granted rights-of-way. There is a railroad maintenance facility on the Line near the interchange point with the Union Pacific Railroad Company rail line at Marjorie. The maintenance facility was erected around 1952. AESI states that there are no other structures on the Line.

Diversion of Traffic

As discussed above, there are no active customers on the Line and no service has been provided over the Line since 2018. The Line is stub-ended and therefore not capable of handling overhead traffic. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way. Although AESI intends to preserve the track assets, it does not rule out the possibility of salvage in the future.

The National Geodetic Survey (NGS) has indicated that there may be geodetic survey markers in the right-of-way that could be disturbed by the proposed abandonment. Accordingly, OEA recommends a condition requiring AESI to notify NGS at least 90 days prior to beginning salvage activities to allow time for any geodetic survey markers that may be present in the right-of-way to be preserved.

The Central Texas Council of Governments has indicated that it would not expect transportation systems or patterns to be significantly impacted by the proposed rail line abandonment.

The Texas Department of Transportation (TDOT) has requested that all public at-grade crossings on the Line be removed within one year of abandonment. AESI plans to preserve the track assets and leave them in place for the possible restoration of service as private track. In

any case, AESI indicates that there are no public at-grade crossings along the Line that would be subject to TDOT's request.

AESI states that no known hazardous waste sites or sites where there have been known hazardous material spills are located in or adjacent to the right-of-way.

The Texas General Land Office has confirmed that the Line is not within a designated Coastal Management Area. Accordingly, the proposed abandonment would not affect any land or water uses in a coastal zone or result in any coastal zone impacts.

AESI is not aware of any 100-year floodplains that would be affected by the proposed abandonment. The Texas Commission on Environmental Quality (TCEQ) has indicated that it does not anticipate any inconsistency with applicable federal, state, and local water quality standards as a result of the proposed abandonment if activities associated with the abandonment are completed in accordance with applicable local, state, and federal environmental permits, statutes, and regulations. AESI has no plans to conduct salvage activities in the foreseeable future. Absent plans to salvage the Line, AESI does not anticipate the discharge of any pollutants into waterways. If salvage activities are conducted in the future, AESI would use best management practices to control runoff and to prevent detrimental impact to surface and ground water.

AESI does not believe that any wildlife sanctuaries or refuges would be adversely affected by the proposed abandonment. Based on information that AESI included in its Environmental and Historic Report, OEA obtained a list of threatened, endangered, and candidate species that may be present in the project area using the U.S. Fish and Wildlife Service (USFWS) online Information for Planning and Consultation (IPaC) tool.² The least tern, whooping crane, and the Houston toad were identified as federally endangered species potentially present in the project area. The piping plover, red knot and the Navasota ladies-tresses were identified as federally threatened species potentially present in the project area. The Texas fawnsfoot clam was identified as a candidate species for listing potentially present in the project area. According to the IPaC report, there are no designated critical habitats within the project area for any of these species. OEA has determined that these species would not be adversely affected by the proposed abandonment based on the information provided and because AESI has no plans to conduct salvage activities. Should AESI conduct salvage activities in the future, salvage would be of limited scope and would not involve clearing, grading, or alteration of the topography. The proposed abandonment would have no adverse effect on areas designated as critical habitat. OEA is providing a copy of this EA to the USFWS Austin Ecological Services Field Office for review and comment.

TCEQ has indicated that Milam County is currently designated as attainment/unclassified for the National Ambient Air Quality Standards for all six criteria air pollutants. Therefore, general conformity requirements do not apply. OEA believes that any air emissions associated

² U.S. Fish and Wildlife Service, Information, Planning, and Conservation System, <http://ecos.fws.gov/ipac> (last visited January 9, 2020).

with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that the proposed abandonment would cause significant environmental impacts.

HISTORIC REVIEW

AESI submitted a combined Environmental and Historic Report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the Texas Historical Commission (Texas State Historic Preservation Office or SHPO) pursuant to 49 C.F.R. § 1105.8(c).³ The SHPO has determined that no historic properties would be affected by the proposed abandonment.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, OEA has determined that the proposed abandonment would not affect historic properties within the right-of-way (the Area of Potential Effect, or APE) listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's historic report, all relevant correspondence, and this Draft EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.gov>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the U.S. Department of Housing and Urban Development's tribal directory assessment tool to identify federally-recognized tribes that may have ancestral connections to the project area.⁴ The database identified five federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance within the APE of the proposed abandonment. Those tribes are the Apache Tribe of Oklahoma, Comanche Nation of Oklahoma, Coushatta Tribe of Louisiana, Tonkawa Tribe of Indians of Oklahoma, and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco and Tawakonie) of Oklahoma. OEA is sending a copy of this Draft EA to these tribes for review and comment.

³ Applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of the National Historic Preservation Act (NHPA). Applicants are authorized to initiate the Section 106 review process and carry out some of its steps, but the Board retains overall responsibility for the Section 106 review. See 36 C.F.R. 800.2(c)(4); 49 C.F.R. Part 1105; Delegation Letter (Dec. 9, 2009). The Delegation Letter can be found on the Board's website at <https://prod.stb.gov/resources/environmental/historic-preservation-overview/>.

⁴ U.S. Department of Housing and Urban Development, <http://egis.hud.gov/tdat> (last visited January 9, 2020).

CONDITIONS

OEA recommends that the following environmental condition be imposed on any decision granting abandonment authority:

1. Alcoa Energy Services, Inc. shall notify the National Geodetic Survey at NGS.Infocenter@noaa.gov at least 90 days prior to beginning salvage activities.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, and if the recommended condition is imposed, abandonment of the Line would 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

Following abandonment and salvage of the Line, the right-of-way may be suitable for other public use. A request containing the requisite 4-part showing for imposition of a public use condition (49 C.F.R. § 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. 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 C.F.R. § 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this Draft Environmental Assessment, send original and 2 copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this Draft Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, www.stb.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 1291X in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Kenneth Blodgett by phone at (202) 245-0305, fax at (202) 245-0454, or e-mail at Kenneth.Blodgett@stb.gov.

Date made available to the public: January 17, 2020.

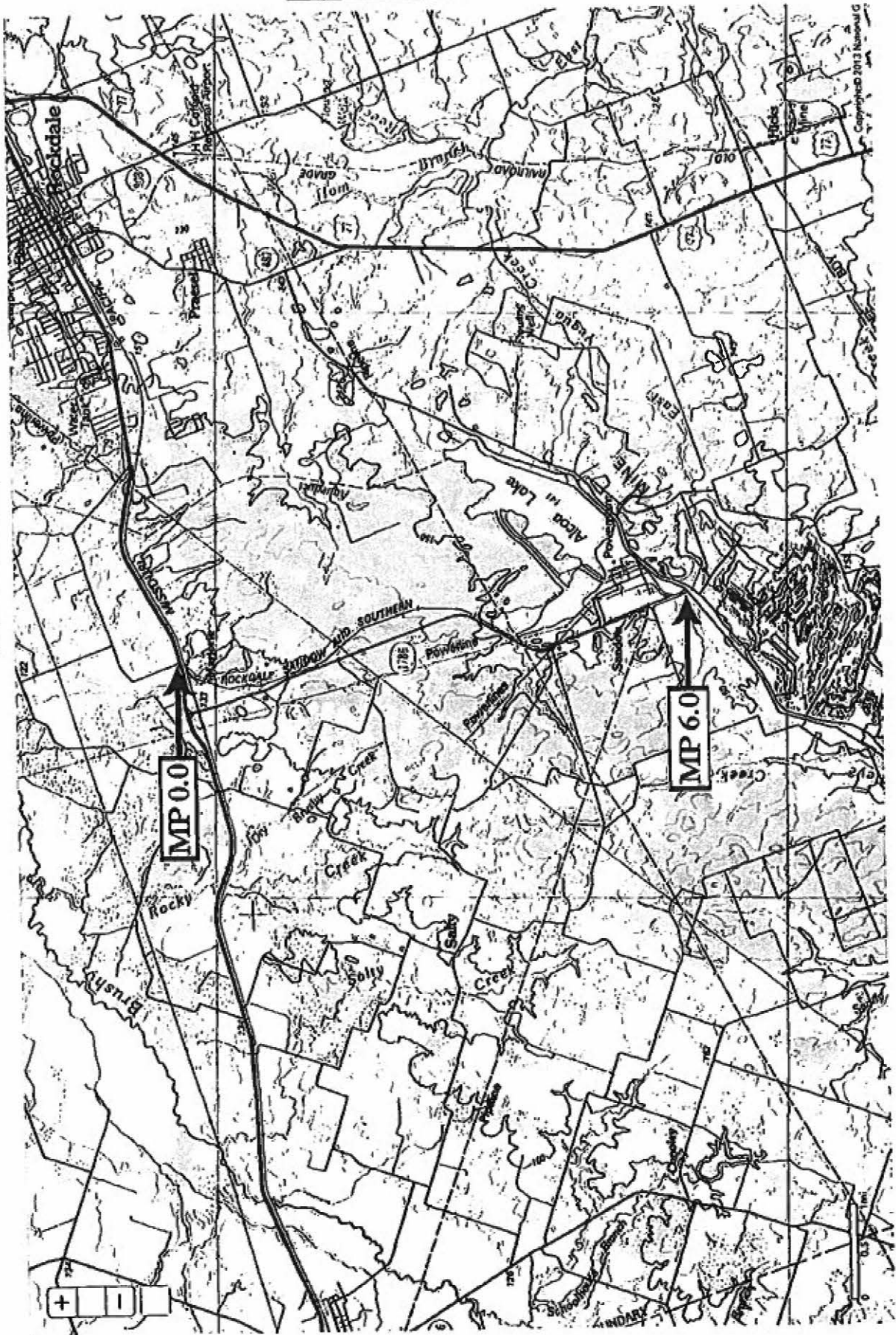
Comment due date: February 14, 2020.

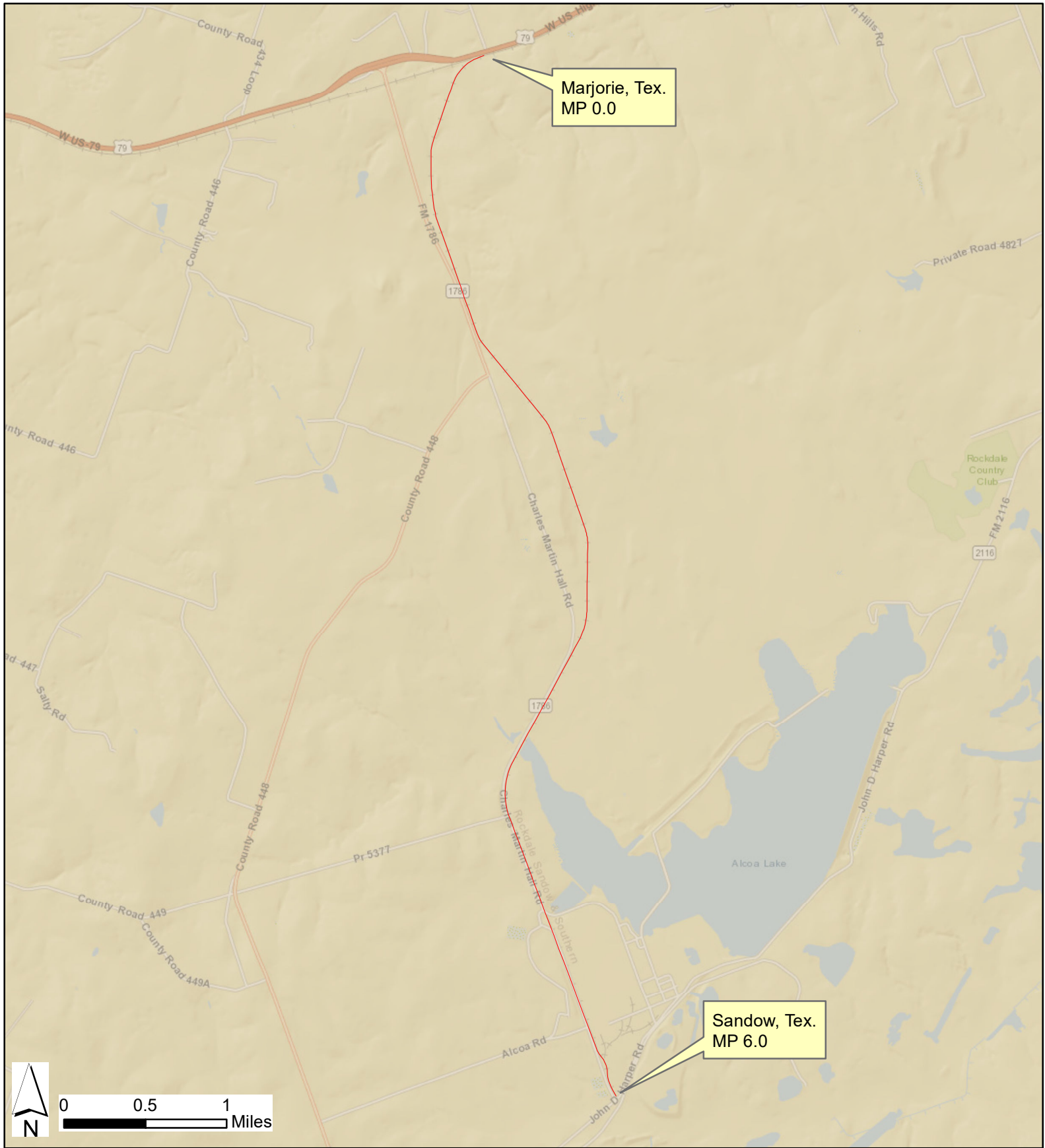
By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment

Docket No. AB 1291 (Sub. - No 1X)
Alcoa Energy Services Inc. -
Abandonment Exemption - Milam County Texas

APPENDIX A





DOCKET NO. AB 1291X

Alcoa Energy Services, Inc.
Abandonment Exemption
Milam County, Tex.

Legend

— the Line

Note: Maps produced by the STB's Office of Environmental Analysis are based on information provided by the applicant and are for reference purposes only.



Location in State