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SERVICE DATE - FEBRUARY 22, 2000

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

AB-439 (SUB-NO.5X)

**Dallas Area Rapid Transit – Abandonment Exemption – in Dallas
County, TX.**

BACKGROUND

In this proceeding, Dallas Area Rapid Transit ("DART) and Union Pacific Railroad Company (UP) jointly filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of U.S.C. 10903 for DART to abandon, and UP to discontinue service over 1.585-mile of railroad line between railroad milepost 213.024 at Malcolm X Boulevard to milepost 211.439 near Fletcher Street, which transverses through United States Postal Code 75223, 75226 and 75246 in Dallas County, TX. 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

The surrounding land is a mixture of residential, light industrial and office/retail land areas. The topography is generally flat. DART and UP state that there have been no traffic on the line for the past two years.

ENVIRONMENTAL REVIEW

DART and UP 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. DART and UP 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 the record in this proceeding. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included Texas Department of Transportation, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, National Park Service, Texas Parks and Wildlife Department, Texas Natural Resources Conservation Commission, National Geodetic Survey, Texas Historic Commission, North Central Texas Council of Governments, and the USDA Natural Resources Conservation Service.

CONDITIONS

We recommend that the following conditions be imposed on any decision granting abandonment authority:

1. The U.S. Army Corps of Engineers (the Corps) has not completed its review of the proposed abandonment. Therefore, we recommend, that DART and UP consult with the Corps prior to salvage of the line to determine if the proposed project is consistent with applicable Federal, State and local water quality standards, and if permits are required under Section 404 of the Clean Water Act.
2. The National Geodetic Survey (NGS) has identified one station marker may be affected by the proposed abandonment. Therefore, we recommend, that DART and UP consult with NGS at least 90 days prior to salvage activities in order to plan for their relocation if appropriate

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended condition(s), 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.

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 (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Room 848, 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, Room 711, Washington, DC 20423, to the attention of Bernard L. Brown, who prepared this environmental assessment. **Please refer to Docket No. 439 (Sub No. 5X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Bernard L. Brown at (202) 565-1554.

Date made available to the public: February 22, 2000.
Comment due date: March 8, 2000.

By the Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

ATTACHMENT

MAP NEEDS TO BE SCANNED.