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SERVICE DATE - DECEMBER 28, 1999

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB-33 (SUB-NO.141X)

**The Union Pacific Railroad Company – ABANDONMENT EXEMPTION -- In
Pima County, Arizona.**

BACKGROUND

In this proceeding, the Union Pacific Railroad Company 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 service of 1.92 miles of railroad line between railroad milepost 982.78, and railroad milepost 984.70, in Pima County, AZ, which traverses through United States Postal Code 85745. 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 line is located in downtown Tucson, AZ. Western Emulsions is the sole active shipper on the line, with rail shipments consisting of petroleum and coal products. In 1997 and 1998, Western Emulsions shipped a total of 45 and 53 carloads respectively. If abandonment authority is granted, approximately 53 rail cars will be diverted to truck, resulting in the addition of less than one truck per day on the areas' transportation network. The impact of this additional truck traffic is not expected to be significant. Western Emulsions has access to alternative transportation. There are three bridges on the line, each built in 1912.

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 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 Arizona State Clearinghouse, Arizona Department of Environmental Quality, Pima County Planning Office, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, U.S. Department of Interior, U.S. Department of Agriculture, National Geodetic Survey and Arizona State Parks.

CONDITIONS

We recommend the following environmental conditions be placed on any decision granting abandonment authority:

1. The U.S. Fish and Wildlife Service (US FWS) has identified twenty-four endangered, threatened, proposed or candidate species that potentially occur in Pima County. Therefore, we recommend, that a condition be placed on any decision granting abandonment authority prohibiting UP from salvaging or disposing of the entire right-of-way until completion of the Section 7 process of the Endangered Species Act, 16 U.S.C. 1531.
2. The U.S. Army Corps of Engineers (the Corps) has not completed its review of the proposed abandonment. Therefore, we recommend, that 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.
3. The Arizona Department of Environmental Quality (ADEQ) has expressed concern regarding soil contamination along the right of way. Therefore, we recommend, that prior to any salvage activity, UP further consult with

ADEQ to determine the necessary corrective actions to remediate or remove all contaminated soils resulting from railroad activity along the right of way.

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. AB-303 (Sub No. 20X) 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: December 28, 1999.
Comment due date: January 27, 2000.

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

Vernon A. Williams
Secretary

Attachment

PLEASE SCAN THE MAP