



**US Army Corps
of Engineers** ®
Fort Worth District

Public Notice

Applicant: Union Pacific Railroad

Project No.: SWF-2020-00392

Date: April 27, 2021

Purpose

The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States*. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands*. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

Contact

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PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

SUBJECT: Application for a Department of the Army Permit under Section 404 of the Clean Water Act (CWA) to discharge dredged or fill material into waters of the United States and conduct activities in, or affecting, navigable waters of the United States associated with the extension of Big Sandy (railroad) Siding on the Mineola Subdivision located in Wood and Upshur Counties, Texas.

APPLICANT: Union Pacific Railroad
C/O Mr. Kevin Rice
1400 Douglas Street, STOP 0910
Omaha, NE 68179

APPLICATION NUMBER: SWF-2020-00392

DATE ISSUED: April 27, 2021

LOCATION: The proposed railroad siding extension would be located between the cities of Hawkins in Wood County and Big Sandy in Upshur County, Texas. The approximate NAD coordinates are 32.58523°, -95.17445° (western project boundary) and 32.58240°, -95.12587° (eastern project boundary). The 7.5-minute USGS quadrangle map is Hawkins. The USGS Hydrologic Unit Code is 1201000201 (Old Sabine River Channel-Sabine River). Reference Exhibits 1 and 2 for the project location.

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification

PROJECT DESCRIPTION: The applicant proposes to discharge approximately 8,550 cubic yards (cy) of fill material into approximately 1.04 acres (ac) of waters of the United States (WOTUS) during the construction (i.e., expansion) of railroad siding and associated infrastructure. Total proposed impacts to WOTUS would include permanent adverse impacts to 397 linear feet (lf) (0.21 ac) of intermittent stream, 0.09 ac of emergent wetlands, and 0.74 ac of forested wetlands. Temporary or indirect impacts are not proposed.

The applicant proposes to extend Big Sandy Siding that is within the Mineola Subdivision. The proposed project would include widening the existing railroad embankment, the placement of new track on a 16-foot (ft) centerline spacing from the existing mainline, extension of one existing culvert, installation of three new culverts, and construction of one new siding bridge. The project also would include construction of two county roads, one from the east and one from the west. The project would require closure of several road crossings; therefore, these new roads would serve as public and private access to account for the closure of crossings. Roads would be constructed 20-ft wide and be located on the south side of the existing tracks. They would be constructed in accordance with county standards. The roads would, generally, parallel the tracks.

Additionally, the proposed roads would include the installation of three new culverts. The proposed culverts on the new county roads would not impact WOTUS. Reference Exhibits 3 through 5 for impacts to WOTUS and project plans.

To construct the siding extension, the applicant would utilize off-track construction methods. Construction would begin on the east end of the project, at the western limits of the existing siding, and continue west. Structures would be installed as they are reached during construction. The railroad embankment and roads would be constructed with fill brought in from off-site. Fill material would come from a suitable source and not be excavated from WOTUS. Standard construction equipment will be used, including, but not limited to, excavators, dozers, graders, haul trucks, and cranes. The county roads will be constructed at the same time as the new railroad embankment. The staging area would occur within upland and not result in impacts to WOTUS.

PURPOSE AND NEED: The applicant's proposed need is to alleviate train congestion and delays for both the east/west and north/south franchise routes. In the previous 2 years (2018-2020), train length has increased approximately 2100 ft, from 7000 ft to 9100ft, to accommodate for an increase in demand for the transport of interstate goods on the applicant's east/west and north/south franchise routes. The existing Big Sandy Siding has a clear length of 7,000 ft. To accommodate longer trains which would be necessary to meet the projected demand for the transport of interstate goods, the proposed siding would need a clear length of 15,000 ft, which is the applicant's projected maximum train length.

The applicant's proposed purpose is to strategically locate and build a siding long enough (15,000 ft clear distance) to stage trains to allow "meets and passes," which will alleviate network congestion and delays on both the east/west and north/south franchise routes. "Meets and passes" occur at sidings, which within this region (e.g., Minneola Subdivision), are located at approximately 10-mile intervals. Sidings allows a priority train to pass a lesser priority train traveling either direction. Big Sandy Siding approximately is 10 miles from the nearest siding to the east and west on the Minneola Subdivision and is connected (at the eastern limit) to Big Sandy Interlocker. An interlocker is an east/west and north/south route intersection.

ALTERNATIVES: The USACE has not yet evaluated the alternatives analysis prepared by the applicant. The applicant's alternatives analysis is provided below.

NO-ACTION ALTERNATIVE: The no action alternative, in which the project does not take place, would result in no impacts to WOTUS, including wetlands. In doing so, a no-action alternative would not meet the project purpose and need of reducing congestion and delays of interstate goods. This section of the Mineola Subdivision crosses three locations of WOTUS. If impacts to these features were to be avoided completely, the track embankment would not be expanded to accommodate a new siding track. It would not be practicably possible to extend the siding track without widening the embankment; therefore, if impacts were to be avoided, the project would not be constructed. Not constructing the project would result in the existing siding being unable to accommodate increasing train lengths. Sidings are critical meet-and-pass locations along railroad subdivisions and interlockers are critical transition points. A siding that

cannot accommodate the increasing train lengths would not reduce delays along its subdivision. In addition, a siding connected to an interlocker that cannot accommodate the increasing train lengths would cause delays along both the east/west and north/south routes. Therefore, a no action alternative does not meet the purpose and need of the project.

OFF-SITE ALTERNATIVES: Constructing new siding west or east of Big Sandy Siding, at an off-site location, for the proposed siding extension would not meet the project purpose and need because of the strategic location of the existing siding relative to the Big Sandy Interlocker. An interlocker allows trains traveling along an east/west route to pass or connect to a north/south route, and vice versa. A siding at an interlocker location is critical so that trains can be staged while opposing moves are made on the conflicting route, allowing for priority trains. Big Sandy Siding is not used exclusively by the east/west route (i.e., Mineola Subdivision). Trains traveling along the east/west and north/south routes can both utilize Big Sandy Siding. A southbound train could easily pull into Big Sandy Siding to allow for a meet and pass along the north/south route without blocking the mainline of either route. If a longer siding were built at a location other than the existing siding location, then the existing siding would not be able to accommodate long trains; therefore, the project would not reduce train congestion and delays at Big Sandy, failing to meet the project purpose and need. Also, if a longer siding is built elsewhere and not at the existing location, only the east/west trains could utilize a new siding, north/south trains could not utilize the siding. Furthermore, if a siding were built at a location other than the existing location, then there would be greater than 10 miles of distance between sidings able to handle long trains.

ON-SITE ALTERNATIVES: On site alternatives were evaluated based on the practicability of each alternative and potential impacts to WOTUS. As stated previously, Big Sandy Siding is connected to the Big Sandy Interlocker. The interlocker allows trains travelling along the east/west route to pass or connect to the north/south route, and vice versa. Additionally, a siding at the interlocker is critical so that trains can be staged while opposing moves are made on conflicting routes, allowing for priority trains to pass.

ALTERNATIVE 1: Extending Big Sandy Siding to the east, on either the north or south side of the existing mainline, is not a practicable alternative because of its connection to Big Sandy Interlocker. Big Sandy Siding is west of the interlocker. If Big Sandy Siding were extended to the east, then the portion of the siding to the west of the interlocker would be unusable, because trains cannot be staged blocking an interlocker. If the existing siding could not be used, then a proposed siding on the east side of the interlocker would need to be significantly lengthened to meet the 15,000 feet of clear length needed. Even if a longer siding could be built to the east of the interlocker, there would still be significant delays when southbound trains transferring to the westbound route, which is the predominant cross-traffic move, utilize the siding, because of the orientation of the existing wye. Therefore, constructing the siding east would not meet the project purpose and need.

ALTERNATIVE 2: Big Sandy Siding could be extended to the west with the new track constructed on the north side of the existing mainline track. Doing so would require a track shift in which the existing mainline track along the project length would become the siding and the new track, constructed on the north side, would become the mainline track. Extending the siding

requires the closure of several road crossings. A county road is to be constructed on the south side of the tracks to account for these closures and reroute local traffic. Regardless of which side of the existing track the new track is constructed, the county road must be constructed on the south side of the tracks to account for the closure of the road crossings. A delineation of the potential project areas found wetlands on both sides of the tracks. Extending the existing siding with a new track on the north side of the existing track would result in comparable, but slightly more, impacts to WOTUS than alternative 3. Table 1 provides a summary of the total impacts to the wetlands for a new track construction on either the north (Alternative 2) or south (Alternative 3) side of the tracks. Table 1 reflects impacts as a result of the proposed new track. Proposed construction of the county roads would have no impacts to WOTUS, regardless of the on-site alternatives. Constructing the new track on the north side of the existing track is practicable and meets the purpose and need of the project; however, it would result in more impacts to wetlands.

Table 1. Comparison of wetland impact amounts between Alternative 2 and Alternative 3

On-Site Alternative	Wetland Impacts (ac)		Total Impacts (ac)
	Forested	Emergent	
Alternative 2	0.71	0.16	0.87
Alternative 3	0.74	0.09	0.83

ALTERNATIVE 3: The preferred alternative is to extend the existing siding to the west on the south side of the mainline track. Practicably, Alternative 3 best meets the purpose and need for the project. Big sandy Siding currently runs on the south side of the mainline. Constructing the new siding on the south side would not require a track shift. As mentioned previously, extending the siding requires the closure of several road crossings. A county road is to be constructed on the south side of the tracks to account for these closures and reroute local traffic. Regardless of which side of the existing track the new track is constructed, the county road must be constructed on the south side of the tracks to account for the closure of the road crossings. As stated previously, a delineation of the potential project areas found WOTUS on both the north and south sides of the existing mainline. As discussed in the previous section, Alternative 3 results in fewer impacts to wetlands compared to Alternative 2. Constructing a new track on the south side of the existing track, is practicable and meets the purpose and need of the project while resulting in fewer impacts to wetlands; therefore, it is the applicant’s preferred alternative.

MITIGATION: To offset unavoidable adverse impacts to WOTUS, the applicant proposes to purchase appropriate stream and wetland mitigation bank credits from a USACE-approved mitigation bank in accordance with the methodologies prescribed within the respective banks’ USACE-approved mitigation banking instruments.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320 332, the Regulatory Program of the USACE, and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will

reflect the national concerns for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including its cumulative effects. Among the factors addressed are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE in determining whether to issue, issue with modifications, or conditions, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

STATE WATER QUALITY CERTIFICATION: This proposed project triggered a review under Section 401 of the Clean Water Act (CWA). The Texas Commission on Environmental Quality has reviewed this application under Section 401 of the CWA in accordance with Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. The applicant contacted Texas Commission on Environmental Quality and initiated the Section 401 CWA process by submitting a pre-filing meeting request, on December 1, 2020. The USACE received correspondence from TCEQ on April 08, 2021, stating that the 401 Water Quality Certification for this proposed project is expressly waived. If you have comments or questions on this proposed project's state water quality certification process, please contact 401certs@tceq.texas.gov. You may also find information on the Section 401 process here: <https://www.epa.gov/cwa-401/basic-information-cwa-section-401-certification>.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the U.S. Fish and Wildlife Service's latest published version of endangered and threatened species to determine if any may occur in the project area. The proposed project would be located in counties where the piping plover (*Charadrius melodus*) and red knot (*Calidris canutus rufa*) are known to occur or may occur as migrants. There are no designated critical habitats within the proposed project location. Piping plover is listed as an endangered species and red knot is listed as a threatened species. Our initial review indicates that the proposed work would have no effect on federally-listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: In accordance with 36CFR800 and 33CFR325 (Appendix C), the District Engineer has consulted the latest version of the National Register of Historic Places. The area of the proposed project has never been surveyed for the

presence of historic or prehistoric cultural resources. There are known archeological sites within the proposed project that may be eligible for listing on the National Register of Historic Places. A survey of the permit area will be required to identify and assess known archeological sites and any cultural resources identified. The USACE will be coordinating with the applicant and the Texas Historic Commission to ensure compliance with Section 106 of the National Historic Preservation Act.

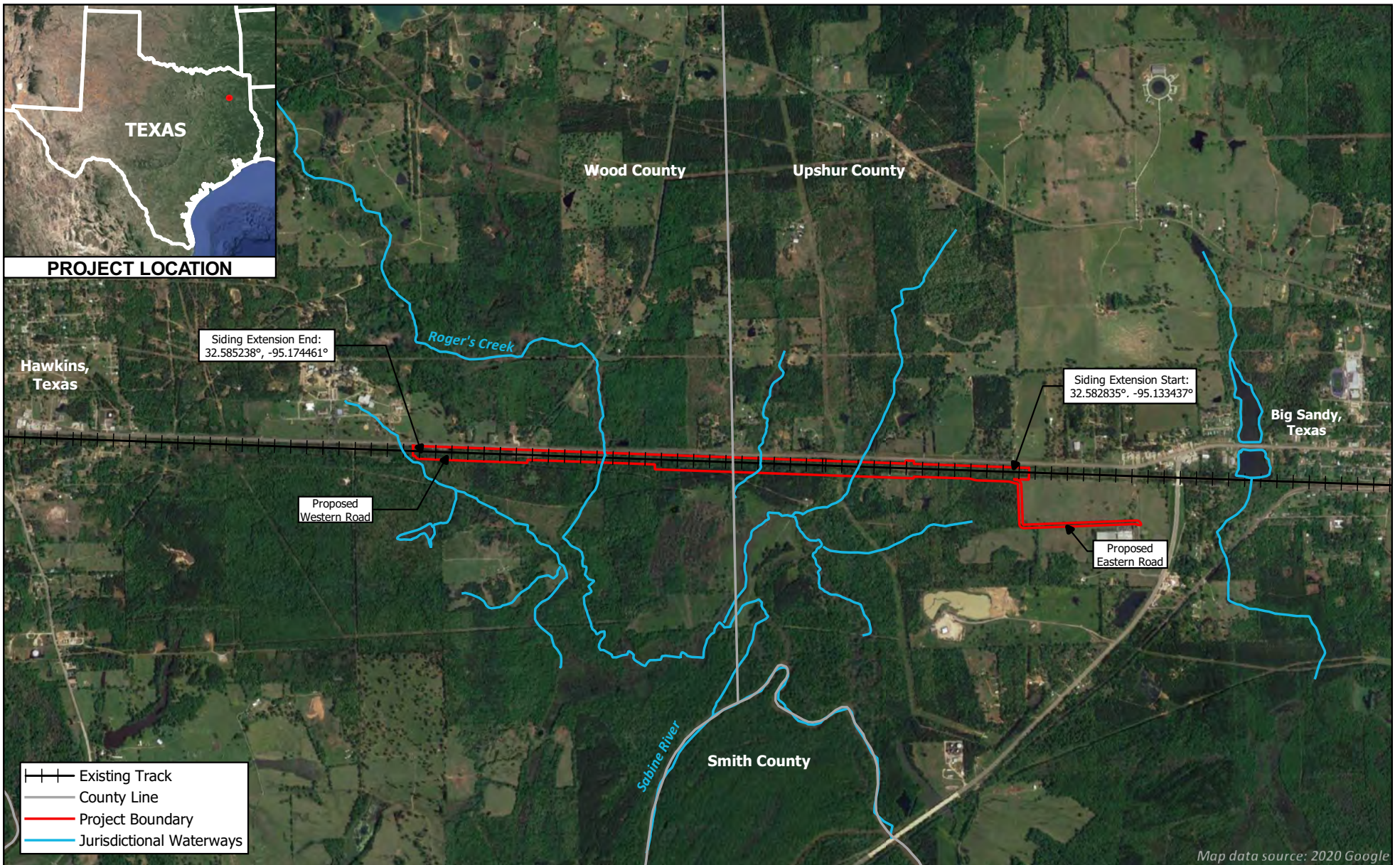
FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.

SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

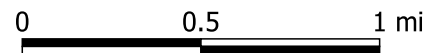
CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before May 27, 2021, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to: Regulatory Division, CESWF-RDE; U. S. Army Corps of Engineers; Post Office Box 17300; Fort Worth, Texas 76102-0300. You may visit the Regulatory Division in Room 3A37 of the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday. Comments may also be submitted electronically to Mr. Brian Bartels by emailing brian.c.bartels@usace.army.mil. Telephone inquiries should be directed to (817) 886-1742. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

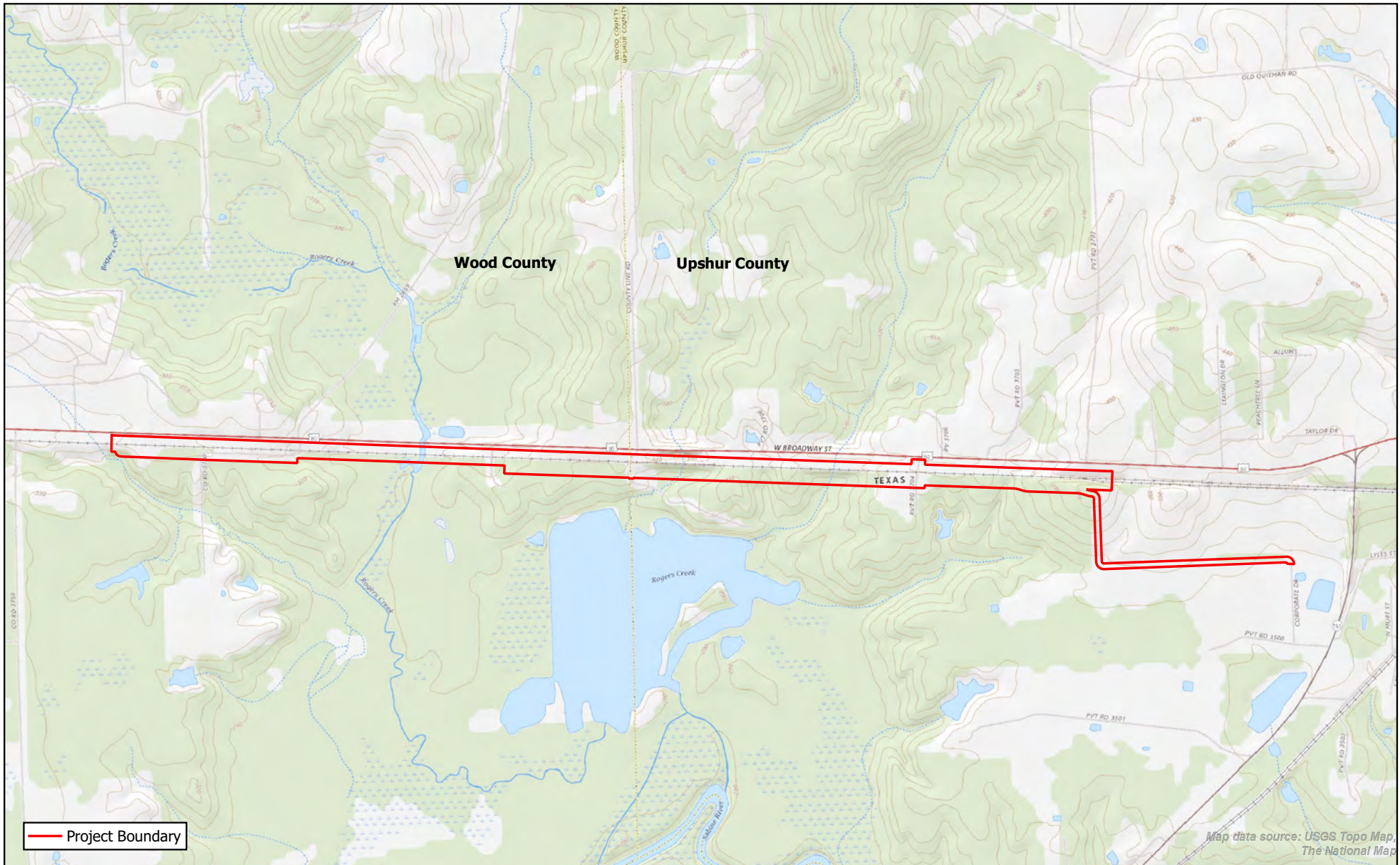
DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS



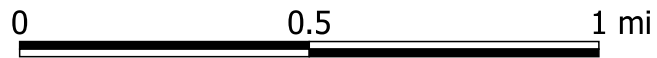
Project Location
 Big Sandy Siding Extension
 Mile Posts 113.76 - 116.74, Mineola Subdivision

Union Pacific Railroad
 Wood and Upshur Counties, Texas

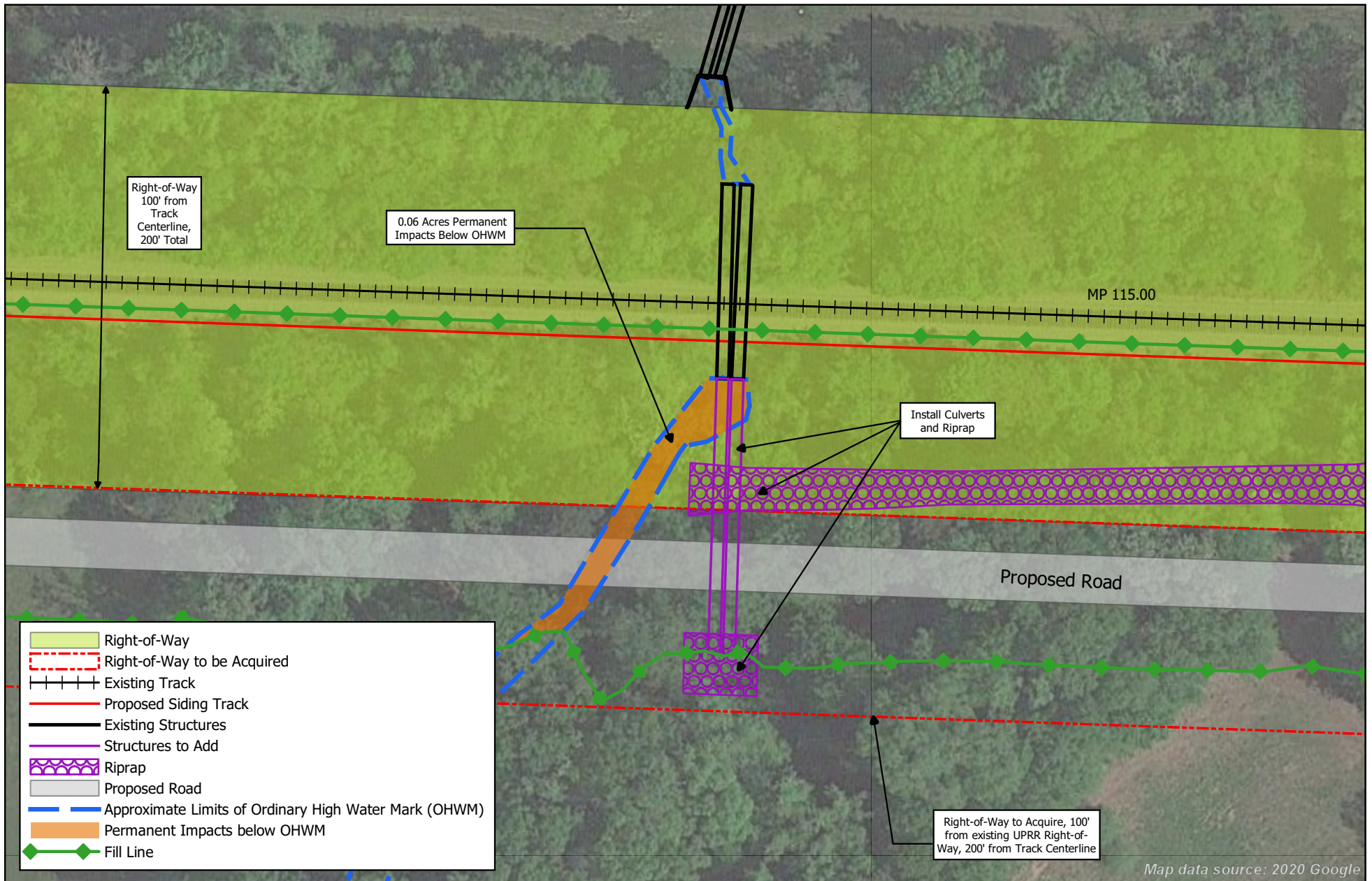




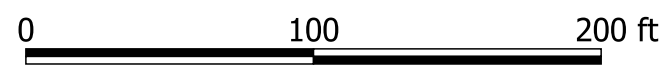
Topographic Map
 Big Sandy Siding Project
 Mile Posts 113.76 - 116.74, Mineola Subdivision



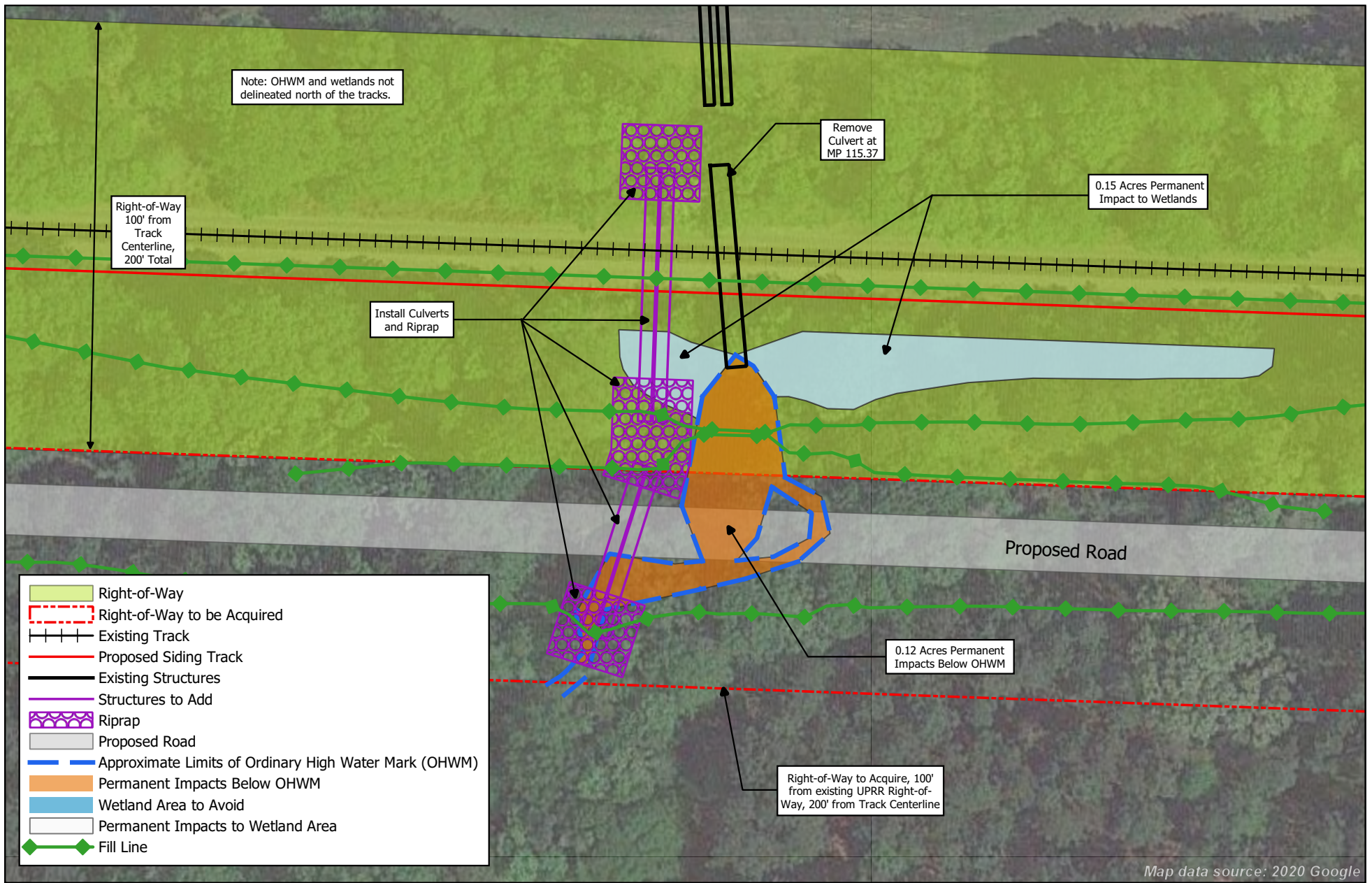
Union Pacific Railroad
 Wood and Upshur Counties, Texas



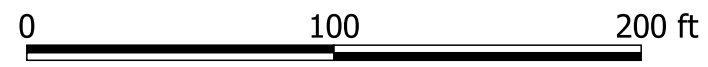
Impact Figure
Big Sandy Siding Extension
 Near Mile Post (MP) 115.04, Mineola Subdivision



Union Pacific Railroad
 Upshur County, Texas

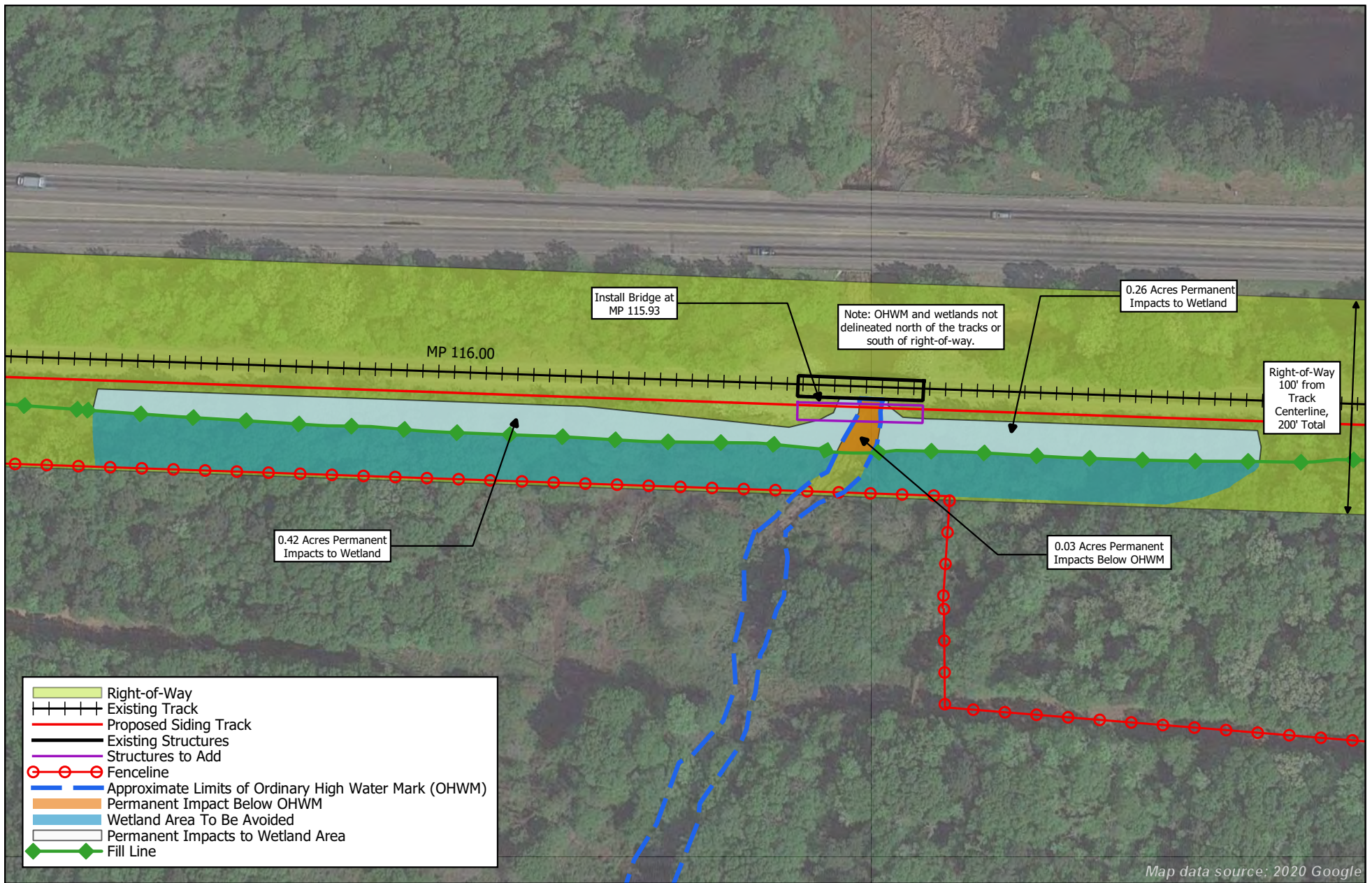


Impact Figure
Big Sandy Siding Extension
 Near Mile Post (MP) 115.37, Mineola Subdivision



Union Pacific Railroad
 Upshur County, Texas

Document path: https://drive.google.com/open?id=12mV4l7WXnv_VZDs9k2XwB0PLFIRuSAi&authuser=mpodolinsky%40coldwaterengineering.com&usp=drive_fs Date: 9/3/2020 Author: Podolinsky Coldwater Engineering



Impact Figure
Big Sandy Siding Extension
 Near Mile Post (MP) 115.93, Mineola Subdivision

Union Pacific Railroad
 Wood County, Texas

