

SERVICE DATE – OCTOBER 5, 2020

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 33 (Sub-No. 343X)

**Union Pacific Railroad Company – Abandonment Exemption –
in Harris County, Tex.**

ABANDONMENT TYPE

The time for comments on the Draft Environmental Assessment (Draft EA) has expired in this:
(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

(X) NO NEW COMMENTS WERE RECEIVED

() NEW COMMENTS WERE RECEIVED

In this proceeding, Union Pacific Railroad Company (UP) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Harris County, Texas. The rail line proposed for abandonment consists of two perpendicular segments and extends approximately 1.24 miles from milepost 0.98 to milepost 1.31 (within the Commerce Street right of way from near Bastrop Street to near Velasco Street) and from milepost 1.71 to milepost 2.62 (from near Sherman Street to near the Buffalo Bayou Hike and Bike Trail) (the Line). OEA served a Draft Environmental Assessment (Draft EA) for this proceeding on September 15, 2020 for public review and comment. In the Draft EA, OEA recommended two (2) environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Conclusions

The Draft EA comment period has ended. Accordingly, OEA recommends that the following conditions previously recommended in the Draft EA should be imposed upon any decision granting abandonment authority:¹

1. Pursuant to the Coastal Zone Management Act (16 U.S.C. § 1451 et seq.) and the Board's environmental regulations at 49 C.F.R. § 1105.9, Union Pacific Railroad Company (UP) shall consult with the Texas General Land Office and obtain state coastal management consistency certification, if necessary. UP may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until it reports the results of these consultations in writing to the Board's Office of Environmental Analysis and the Board has

¹ If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 is reached for the Line (or a portion thereof), compliance with these condition(s) is not required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.

removed this condition.

2. Union Pacific Railroad Company (UP) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 54 U.S.C. § 306108, has been completed. UP shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the Texas Historical Commission and the public. UP may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

If the above conditions are imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

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