

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

SUPPLEMENTAL 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

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

On August 21, 2020, Union Pacific Railroad Company (UP) filed a notice with the Surface Transportation Board (Board) under 49 C.F.R. § 1152.50 seeking authority to abandon two perpendicular segments of rail line extending approximately 1.24 miles from milepost. 0.98 to milepost 1.31 (within the Commerce Street right-of-way 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), in Harris County, Texas. By decision served on October 9, 2020, the Board imposed a coastal zone management condition for the entire Line, 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.

The coastal zone management condition imposed by the Board in its October 9, 2020 decision requires UP to: (a) consult with the Texas General Land Office and obtain state coastal management consistency certification, if necessary; (b) report back to the Board’s Office of Environmental Analysis (OEA) regarding any consultations with the Texas General Land Office; and (c) not file a consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until it reports the results of these consultations to OEA and the Board has removed this condition.

On December 11, 2020, UP received an email from the Texas General Land Office stating that “we do not request to review projects authorized by the Surface Transportation Board, so no review is needed.” UP submitted a copy of this email to OEA on January 20, 2021. Because the Texas Land Office has determined that coastal management consistency certification is not required, OEA is recommending that the Board remove the coastal zone management condition.

Conclusions

OEA recommends that the Board remove the coastal zone management condition imposed in its October 9, 2020 decision and believes that the proposed action will not significantly affect the quality of the human environment.

By the Board, Danielle Gosselin, Acting Director, Office of Environmental Analysis.