

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 33 (Sub-No. 324X)

April 20, 2017

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

(X) NO NEW COMMENTS WERE RECEIVED

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OEA served an Environmental Assessment (EA) for this proceeding on April 3, 2017 for public review and comment. In the EA, OEA recommended four environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Conclusions

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

- 1. Union Pacific Railroad Company (UP) shall retain its interest in and take no steps to alter the historic integrity of the vertical lift span bridge over Cedar Bayou (the Cedar Bayou Bridge) until the historic preservation process under Section 106 of the National Historic Preservation Act has been completed. UP shall continue to consult with Texas Historical Commission (the State Historic Preservation Officer or SHPO), the Board's Office of Environmental Analysis (OEA), and other consulting parties regarding resolving adverse effect to the Cedar Bayou Bridge. UP shall inform OEA in writing of all consultation with the SHPO regarding Cedar Bayou Bridge.**
- 2. Prior to undertaking the removal of the vertical lift span bridge over Cedar Bayou (the Cedar Bayou Bridge), Union Pacific Railroad Company (UP) shall consult with the U.S. Fish and Wildlife Service (USFWS) regarding the potential for impacts to federally-listed protected species related to the removal of the Cedar Bayou Bridge. UP shall report the results of any consultation with USFWS in writing to the Board's Office of Environmental Analysis.**
- 3. Prior to undertaking the removal of the vertical lift span bridge over Cedar Bayou (the Cedar Bayou Bridge), Union Pacific Railroad Company (UP) shall consult with the U.S. Army Corps of Engineers (the Corps) to determine whether a Corps permit would be required under Section 404 of the Clean Water Act for the removal of the Bridge. UP shall report the results of any consultation with the Corps in writing to the Board's Office of Environmental Analysis.**

- 4. Prior to beginning any salvage activities, including the removal of track, ties, and related materials, UP shall consult with the Texas Land Commissioner to determine whether state coastal management consistency certification is required. UP shall report the results of these consultations in writing to the Board's Office of Environmental Analysis prior to beginning of salvage operations.**

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

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