

SERVICE DATE – JULY 12, 2019

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

Docket No. AB 33 (Sub-No. 339X)

**Union Pacific Railroad Company – Abandonment Exemption –
in Harris and Chambers Counties, Tex.**

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Harris and Chambers Counties, Texas. The rail line proposed for abandonment is a portion of the U.S. Steel Industrial Lead from Milepost 2.4 in Baytown to Milepost 4.63 at the Eastside of Cedar Bayou, a total distance of 2.23 miles. A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

UP previously obtained authority to abandon the Line but did not file a notice of consummation within the time period prescribed by 49 C.F.R. § 1152.29(e)(2). See Union Pac. R.R.—Aban. Exemption—In Harris & Chambers Ctys., Tex., AB 33 (Sub-No. 324X) (STB served Mar. 29, 2017). This EA incorporates much of the same information from UP’s earlier filing because the details of the abandonment have not changed. UP sent updated letters on May 1, 2019, to the appropriate agencies in order to solicit any changed information that should be considered during the preparation of this EA.

UP submitted a combined Environmental and Historic Report (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. UP served the Report on appropriate federal, state, and local agencies as required by the Surface Transportation Board’s (Board) environmental rules [49 C.F.R. § 1105.7(b)].¹ The

¹ The Environmental and Historic Reports are available for viewing on the Board’s website at www.stb.gov by going to “E-Library,” selecting “Filings,” and then conducting a search for AB 33 (Sub-No. 339X).

Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

UP's Report states that no local traffic has moved over the line in at least two years and there is no overhead traffic. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

Salvage Activities

If abandonment authority is granted in this proceeding, UP intends to salvage the steel rails, wooden ties, and associated track material (angle bars, tie plates, spikes, switches, and other metal parts on the Line. Should the abandonment be granted, UP would vacate the rail overpass at State Route 146 (the SR-146 Overpass) so that it would be removed to facilitate a highway project being undertaken by the Texas Department of Transportation (TXDOT).

A vertical lift span rail bridge known as the Cedar Bayou Bridge crossed the Cedar Bayou is also located on the Line. This bridge would be removed by UP if abandonment authority is granted, in accordance with the terms specified in an executed Memorandum of Agreement (MOA)(discussed in detail below). Removal of the bridge is the only feasible option because the bridge is not operable, a buyer willing to purchase, relocate and preserve the bridge has not been identified, and the United States Coast Guard considers the bridge to be a potential hazard to navigation.

UP does not intend to alter any culverts or other drainage structures on the Line or to regrade the rail right-of-way. UP states that ballast would likely be left in place but may be removed if it is of sufficient quality to be reused elsewhere. Additionally, UP intends to remove and remediate the three at-grade road crossings on the Line and to dismantle the warning devices at those crossings.

The salvage process would be undertaken from within the right-of-way, utilizing specialized machinery to remove the rails and related steel (angle bars, tie plates, spikes, switches and any other metal plates), and then the wooden ties would be raised from among the ballast with a tool designed for minimum disruption of the ground material. The ties would be separated into three groups and removed from the line (good quality for rail re-use; landscape quality to be sold to lumber dealers for landscaping; and scrap ties to be disposed of in accordance with EPA regulations).

Land Use

UP provided the Report to the Harris and Chambers County governments and requested comments regarding the consistency of the proposed abandonment with local land use plans. UP

has provided OEA with a copy of a resolution passed by the Chambers County Commissioners Court (Chambers County) in which Chambers County states its support for the removal of the rail line. Because salvage activities would take place within an existing rail right-of-way, OEA does not anticipate that the proposed abandonment would be inconsistent with any existing land use plans. No mitigation is recommended as there will be no impacts on local land use.

UP has requested comments from the U.S. Natural Resource Conservation Service (NRCS) regarding the impact of the proposed abandonment on agricultural land but received no comments. Because salvage activity would take place within an existing rail corridor, OEA concludes that the proposed abandonment would not result in the conversion of prime farmland or other impacts to agricultural resources. No mitigation related to agricultural resources is recommended.

UP has requested comments on the proposed abandonment from the National Geodetic Survey (NGS) regarding the potential impact of the proposed abandonment on any geodetic state markers that may be located in the vicinity of the Line. The NGS responded to UP on June 6, 2019, stating that there could be geodetic survey markers in the area but did not specify any locations. OEA conducted a search of NGS' Survey Data Explorer tool.² The results of the search indicated that no geodetic station markers are present in the vicinity of the Line. No mitigation related to geodetic station markers is recommended.

Coastal Zone Compliance

OEA's review has concluded that the Line is located within the Texas Coastal Management Program (TCMP) boundary. TCMP has not provided comments on the proposed abandonment. Accordingly, OEA is recommending a condition requiring UP to consult with TCMP and if appropriate, receive a consistency determination from TCMP on the proposed abandonment.

Water Resources

The Line crosses Cedar Bayou at its eastern terminus. The Line also crosses a small drainage ditch on the eastern side of Tri City Beach Road and appears to cross several areas adjacent to forested or shrub wetlands.³

The Texas Commission on Environmental Quality (TQES) has not provided comments regarding the potential impacts of the proposed abandonment on water quality or the potential need for a permit under Section 402 of the Clean Water Act (33 U.S.C. § 1342). Because the proposed abandonment would not result in the discharge of wastewater or stormwater, OEA concurs with UP that a Section 402 permit would not be required.

² National Geodetic Survey Data Explorer:
<https://www.ngs.noaa.gov/NGSDDataExplorer/> (last visited June 28, 2019).

³ U.S. Fish and Wildlife Service, National Wetlands Inventory,
<http://www.fws.gov/wetlands/Data/Mapper.html> (last visited July 8, 2019).

The U.S. Army Corps of Engineers (Corps) has not commented on the potential impact of the proposed abandonment to waterways and wetlands or the potential need for a Corps permit under Section 404 of the Clean Water Act (33 U.S.C. § 1344). OEA believes that the removal of track, ties, and related material from the Line would not result in the discharge of any dredge or fill material into waters of the United States, including wetlands, and that these activities would therefore not require a Section 404 permit.

The Corps did cite their rules and regulations which state that “jurisdiction of the Secretary of Transportation and the Coast Guard over bridges and causeways includes authority to approve the removal of such structures when the owners thereof desire to discontinue their use” (Department of Defense, Department of the Army, Engineers, Corps; Regulatory Program, Federal Register Part II (July 19, 1977), pg. 37143). Based upon this direction, UP will continue to engage with the Coast Guard District Bridge Office regarding the Cedar Bayou Bridge. Accordingly, OEA is recommending a condition requiring UP to consult with the Coast Guard prior to undertaking any salvage activity related to the removal of the bridge and to comply with Coast Guard’s requirements.

Hazardous Materials

UP states that there are no hazardous waste sites or sites where hazardous material spills have occurred on or adjacent to the right-of-way. OEA’s review has confirmed that there are no federally- listed remediation sites near the Line.⁴ Accordingly, no mitigation regarding hazardous waste sites or hazardous material spills is recommended.

Biological Resources

UP requested comments from the U.S. Fish and Wildlife Service (USFWS) regarding the potential impact of the proposed abandonment to protected wildlife, including federally listed threatened and endangered species. USFWS submitted comments recommending that UP conduct a search of the USFWS Information, Planning, and Conservation (IPaC) system to identify protected species in the project area. OEA conducted a search of the IPaC system and received an official list of species in the project area from USFWS on September 8, 2017.⁵ The table below shows the protected species known or thought to occur in the immediate vicinity of the Line, as identified in USFWS’s letter and confirmed by OEA’s search (July 8, 2019). OEA notes that, based on a search using the USFWS critical habitat mapping tool, the Line is not located in or near critical habitat for any of the species identified.⁶

⁴ Environmental Protection Agency, NEPAassist, <http://nepassisttool.epa.gov/nepassist/entry.aspx> (last visited July 8, 2019).

⁵ U.S. Fish and Wildlife Service, Information, Planning, and Conservation System, <http://ecos.fws.gov/ipac/> (last visited July 8, 2019).

⁶ U.S. Fish and Wildlife Service, Critical Habitat Portal, <http://ecos/fws.gov/crithab/> (last visited July 8, 2019).

Protected Species in the Project Area

Mammals	Status
West Indian Manatee (<i>Trichechus manatus</i>)	Endangered
Birds	
Least Tern (<i>Sterna antillarum</i>)	Endangered
Piping Plover (<i>Charadrius melodus</i>)	Threatened
Red Knot (<i>Calidris canutus rufa</i>)	Threatened
Reptiles	
Hawksbill Sea Turtle (<i>Eretmochelys imbricate</i>)	Endangered
Kemp's Ridley Sea Turtle (<i>Lepidochelys kempii</i>)	Endangered
Leatherback Sea Turtle (<i>Dermochelys coriacea</i>)	Endangered
Loggerhead Sea Turtle (<i>Caretta caretta</i>)	Threatened
Flowering plants	
Texas Prairie Dawn-flower (<i>Hymenoxys texana</i>)	Endangered

The Texas prairie dawn-flower (*Hymenoxys texana*) is a rare member of the sunflower family (*Asteraceae*) endemic to the general Houston, Texas area. OEA has reviewed available satellite and aerial imagery of the project area and has determined that suitable habitat is unlikely to be present in the rail right-of-way. OEA has therefore concluded that the proposed abandonment would not be likely to affect the Texas prairie dawn-flower. OEA is sending a copy of this EA to USFWS for review and is specifically seeking that agency's concurrence with OEA's determination.

The three bird species listed in the table above are shore birds that may be encountered along the Texas Gulf Coast. For these bird species, the primary threat appears to be disturbance of coastal habitat. Salvage of track, ties, and related material from the rail right-of-way would have no effect on these species because no suitable habitat exists within the rail right-of-way. Because the Cedar Bayou is a tidal waterway that may have suitable habitat for these species, the removal of the Cedar Bayou Bridge could potentially result in minor, temporary disturbance of shoreline habitat, but OEA has concluded that this activity would be unlikely to adversely affect the piping plover, least tern, or red knot. To provide USFWS with an opportunity to comment on OEA's conclusions, OEA is recommending a condition requiring UP to consult with USFWS prior to undertaking any salvage activity related to the removal of the Cedar Bayou Bridge.

Four species of sea turtles (green sea turtle (*Chelonia mydas*), hawksbill sea turtles (*Eretmochelys imbricate*), Loggerhead sea turtles (*Caretta caretta*), and Kemp's ridley sea turtles (*Lepidochelys kempii*)) are known to occur near the proposed abandonment. Threats to sea turtles include the loss and disturbance of nesting areas and habitat due to development. Because there is no critical or suitable nesting habitat for any sea turtle species near the Line, the proposed abandonment would not affect sea turtle habitat. It is possible, however, that individual sea turtles could be present as transient individuals in Cedar Bayou at the location of the Cedar Bayou Bridge. A Biological Assessment prepared for the construction of an ethylene

stream cracking plant at the Cedar Bayou Chemical Plant, which is located adjacent to Cedar Bayou to the north of the Line, concluded that the potential for sea turtles of any species to inhabit or travel far into the Cedar Bayou is low because those species do not tolerate freshwater.⁷ The Line crosses a tidal portion of Cedar Bayou, however, where sea turtles could potentially travel. OEA therefore concludes that it is possible, although unlikely, that sea turtles could be present in the section of Cedar Bayou adjacent to the Line and where the Cedar Bayou Bridge is located.

If individual sea turtles were present near Cedar Bayou Bridge, its removal could disturb those individuals. Accordingly, OEA is recommending a condition that would require UP to consult with USFWS and to report the results of the consultation to OEA prior to undertaking any salvage activity related to the removal of the Cedar Bayou Bridge. OEA is not recommending any mitigation related to the salvage of track, ties, and related track materials on the remainder of the Line because suitable habitat for sea turtles is not present in those areas.

The West Indian manatee is occasionally found along the Texas Gulf Coast and rare, transient visits to the Galveston Bay area have been documented. Threats to manatees include collisions with watercraft, ingestion of litter, becoming trapped in flood control structures, and, especially, the loss of habitat. OEA believes it is unlikely, but possible, that individual manatees could be present in the Cedar Bayou near the Line and the Cedar Bayou Bridge. Accordingly, OEA is recommending a condition that would require UP to consult with USFWS prior to undertaking any salvage activity related to the removal of the Cedar Bayou Bridge and to report the results of the consultation to OEA before the Cedar Bayou Bridge is removed. OEA is not recommending any mitigation related to the salvage of track, ties, and related track materials from the remainder of the Line would not affect manatees or manatee habitat because there is no suitable habitat in those areas.

Air Quality

OEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality.

Noise

Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

⁷ SWCA Environmental Consultants, 2012, Draft Final Biological Assessment in support of the U.S. Environmental Protection Agency's decision to issue a greenhouse gas permit in connection with the proposed expansion of the Chevron Phillips Cedar Bayou Plant near the City of Baytown, Harris County, Texas, <https://archive.epa.gov/region6/6pd/air/pd-r/ghg/web/pdf/chevron-draft-bio-assess.pdf>.

Summary

Based on all information available to date, OEA does not believe that the proposed abandonment would cause significant environmental impacts. OEA is providing a copy of this EA to the following agencies for review and comment: TCMP, TQES, USFWS and the Corps.

HISTORIC REVIEW

In addition to assessing the potential environmental impacts of a proposed rail line abandonment, the Board (through OEA) is also responsible for considering the impacts of its decisions on historic sites and structures, pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108. As noted, an EA was prepared for this abandonment in 2017 under the docket AB 33 (Sub-No. 324X). In that prior docket, OEA in consultation with the Texas Historical Commission (SHPO) completed the four-step Section 106 process, including defining the Area of Potential Effect (APE), identifying historic sites and structures in the APE, and, in concert with consulting parties, preparing and executing a Memorandum of Agreement. A summary of the information developed and the determinations reached as part of the Section 106 process associated with AB 33 (Sub-No. 324X) but still applicable to this current project (AB 33 (Sub-No. 339X)) is presented below.

Historical Background

The Cedar Bayou Bridge was originally constructed in 1912 over the St. Francis River in Cody, Lee County, Arkansas as part of the St. Louis, Iron Mountain and Southern Railway. The substantial 1,069-foot-long single-track vertical lift bridge remained in use until 1967, when the Missouri Pacific (MP) abandoned the rail line. At the same time as that rail line in Arkansas was being abandoned, the MP was constructing a new line in Baytown, Texas to serve the U.S. Steel Texas Works steel mill, which was also under construction. Instead of building a new bridge, MP decided to reuse the Cedar Bayou Bridge, transporting it by barge down the Mississippi River and erecting it as part of an 853-foot long bridge across Cedar Bayou to reach the steel mill.

In addition to the Cedar Bayou Bridge, there are two other smaller bridges on the Line, both of which were constructed around 1967. The larger of these is the SR-146 Overpass, which is a steel girder bridge approximately 107 feet in length. The other is an approximately 40-foot wooden trestle bridge over a drainage ditch on the west side of Tri City Beach Road. These structures are of common design and construction.

UP acquired the Line in 1982 and U.S. Steel continued to operate the mill served by the Line until 1986. The facility was closed permanently in 1988 and the site of the mill was developed as the Cedar Point Industrial Park.

Initiation of Section 106 Process

After deciding to move forward with the abandonment process, UP requested preliminary comments on the project from the Texas Historical Commission (SHPO) in April 2016. In August 2016, OEA formally initiated the Section 106 process and began consultation with UP and the SHPO. OEA invited several historic organizations to participate in the Section 106 process. The Historic Bridge Foundation agreed to participate as a consulting party. In October 2016, OEA invited the Advisory Council on Historic Preservation (ACHP) to participate in the Section 106 process, but they declined.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Tribal Directory Assessment Tool (TDAT), developed by the Office of Environment and Energy (OEE) to identify federally-recognized tribes that may have ancestral connections to the project area.⁸ The search identified six Tribes with interests in the project area. These included the Alabama-Coushatta Tribe of Texas; the Apache Tribe of Oklahoma; the Comanche Nation, Oklahoma; the Coushatta Tribe of Louisiana; the Tonkawa Tribe of Indians of Oklahoma; and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma. OEA will send these Tribes the EA for their review and comment, including indicating the potential presence of properties of traditional religious and cultural significance within the right-of-way of the proposed abandonment.

Identification of Historic Properties

In response to UP's initial request for comments, the SHPO requested that the Cedar Bayou Bridge be evaluated as a potential historic property. UP prepared a Historic Resources Evaluation of the Cedar Bayou Bridge which recommended that the bridge may be eligible for listing in the National Register of Historic Places (NRHP) under Criterion C, as a rare example of a vertical lift truss span from the early twentieth century. It also concluded that the bridge met Criteria Consideration B: Moved Properties because it retained excellent integrity of materials, design and workmanship, and retained integrity of feeling, association and setting in its current location.⁹

After reviewing the available information provided by UP, and in consultation with the SHPO, OEA formally determined that the Cedar Bayou Bridge was a historic property, eligible for the NRHP under Criterion C as an example of an uncommon and distinctive bridge type. OEA determined that although moved to the current location in 1967, the relocation did not diminish the property's integrity or ability to convey historical significance and that the structure therefore meets Criteria Consideration B for moved properties.

⁸ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat/> (last visited July 8, 2019).

⁹ The Historic Resources Evaluation can be viewed at [https://www.stb.gov/ect1/ecorrespondence.nsf/PublicIncomingByDocketNumber/B73F460AD9EDDD9F852580AC005CD83E/\\$File/EI-25736.pdf?OpenElement](https://www.stb.gov/ect1/ecorrespondence.nsf/PublicIncomingByDocketNumber/B73F460AD9EDDD9F852580AC005CD83E/$File/EI-25736.pdf?OpenElement).

Assessment of Effects to Historic Properties

On July 27, 2016, the SHPO informed UP that, in their opinion, the demolition of the Cedar Bayou Bridge would be an adverse effect on the historic property. After reviewing the available information prepared by UP, OEA formally determined that the removal of the Cedar Bayou Bridge would be an adverse effect to that historic property. On October 3, 2016, OEA notified the ACHP of the undertaking's potential adverse effect to historic properties and invited them to participate in the Section 106 process. ACHP notified OEA on November 18, 2016 that they were not going to participate.

Resolution of Adverse Effects to Historic Properties

Section 106 requires that federal agencies consider alternatives or modifications to an undertaking to avoid, minimize, or mitigate adverse effects to historic properties. In this case, it is the removal and demolition of the bridge that is the adverse effect. Avoiding the adverse effect by denying the abandonment request is not a feasible option. The Board cannot deny authority for a railroad to abandon a rail line solely on the grounds that it would adversely affect historic resources (Implementation of Environmental Laws, 7 I.C.C. 2d. 807, 829 (1991)). In addition, there are no shippers on the Line requiring rail service and there is no potential for future requests because the project area has been rezoned to exclude industrial use. The option of retaining the abandoned line and the historic bridge as an interim trail (railbanking) is also not an option on this project. There is likely no viable opportunity for trail use that would preserve the Cedar Bayou Bridge because the Bridge is located at the terminus of the Line and does not abut properties that could be converted into trails use. Finally, the Coast Guard has informed UP that the Cedar Bayou Bridge must either be removed or returned to an active transportation function in order to avoid creating a hazard to navigation in the Cedar Bayou. Because there is no potential transportation use for the Cedar Bayou Bridge, either for rail transportation or as a trail, removal of the structure from its current location appears to be the only feasible option.

To minimize the adverse effect of removing and demolishing the Cedar Bayou Bridge, in consultation with the SHPO and other consulting parties, UP offered the bridge for sale so that potentially interested parties could have the opportunity to purchase the structure and relocate it to another site. On March 3, 2017, UP made the offer of sale in a public notice that was published in newspapers in Harris and Chambers counties and on the website of the Historic Bridge Foundation. UP did not receive any bids to purchase the Cedar Bayou Bridge, and thus the sale and relocation of the historic property is not a feasible alternative to removing the structure.

To mitigate the adverse effect of the undertaking (removal of the Cedar Bayou Bridge), the Board developed a MOA. Working closely with the SHPO, UP, the Historic Bridge Foundation, the Harris County Historical Commission, the Chambers County Historical

Commission, and the Texas Department of Transportation (TxDOT),¹⁰ OEA executed the MOA in October 2018.¹¹ This document stipulates the following mitigation measures:

1. Recordation and documentation of the Cedar Bayou Bridge prior to removal of any portion of the bridge, including digital photographs, an architectural and historical narrative, and the reproduction of measured drawings;
2. Public dissemination of the historic documentation prepared on the bridge, including an article for public audiences.

Execution of the MOA by the Board, UP, the SHPO and the consulting parties, and implementation of the stipulations, evidences that the Board has afforded the ACHP an opportunity to comment on the proposed action, and that the Board has taken into account the effects of the abandonment on historic properties and is satisfying the requirements of Section 106.

CONDITIONS

We recommend that the following conditions be imposed on any decision granting abandonment authority:

- 1. Union Pacific Railroad Company (UP) shall comply with the terms of the Memorandum of Agreement executed on October 25, 2018.**
- 2. Prior to removing the Cedar Bayou Bridge, 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 removing the Cedar Bayou Bridge, 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 removing the Cedar Bayou Bridge, UP shall consult with the Coast Guard to ensure their requirements are being followed for the removal of the bridge. UP shall**

¹⁰ TxDOT is responsible for the removal of the bridge on behalf of UP and to comply with the Coast Guard's conditions related to the bridge removal work.

¹¹ This MOA was developed and executed under Docket No. AB 33 (SUB-NO. 324X) but is applicable to this current Docket No. AB 33 (SUB-NO. 339X) as all aspects of the earlier proceedings remain the same, other than the time lag and subsequent expiration of the window for the consummation of the action.

report the results of all consultation with the Coast Guard in writing to the Board's Office of Environmental Analysis.

5. 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.

CONCLUSIONS

Based on the information provided, OEA concludes that, as currently proposed, and if the recommended conditions are imposed, 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 C.F.R. § 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 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 C.F.R. § 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

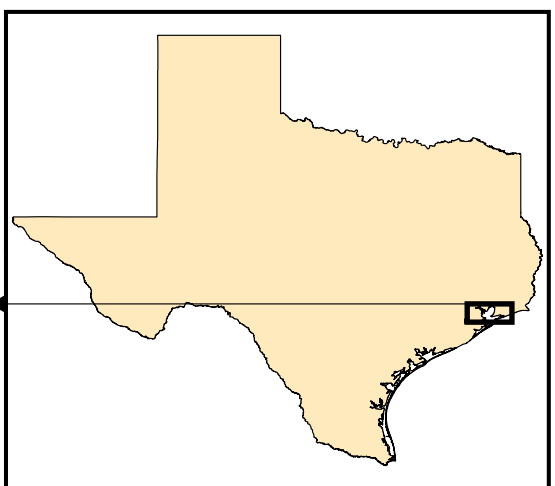
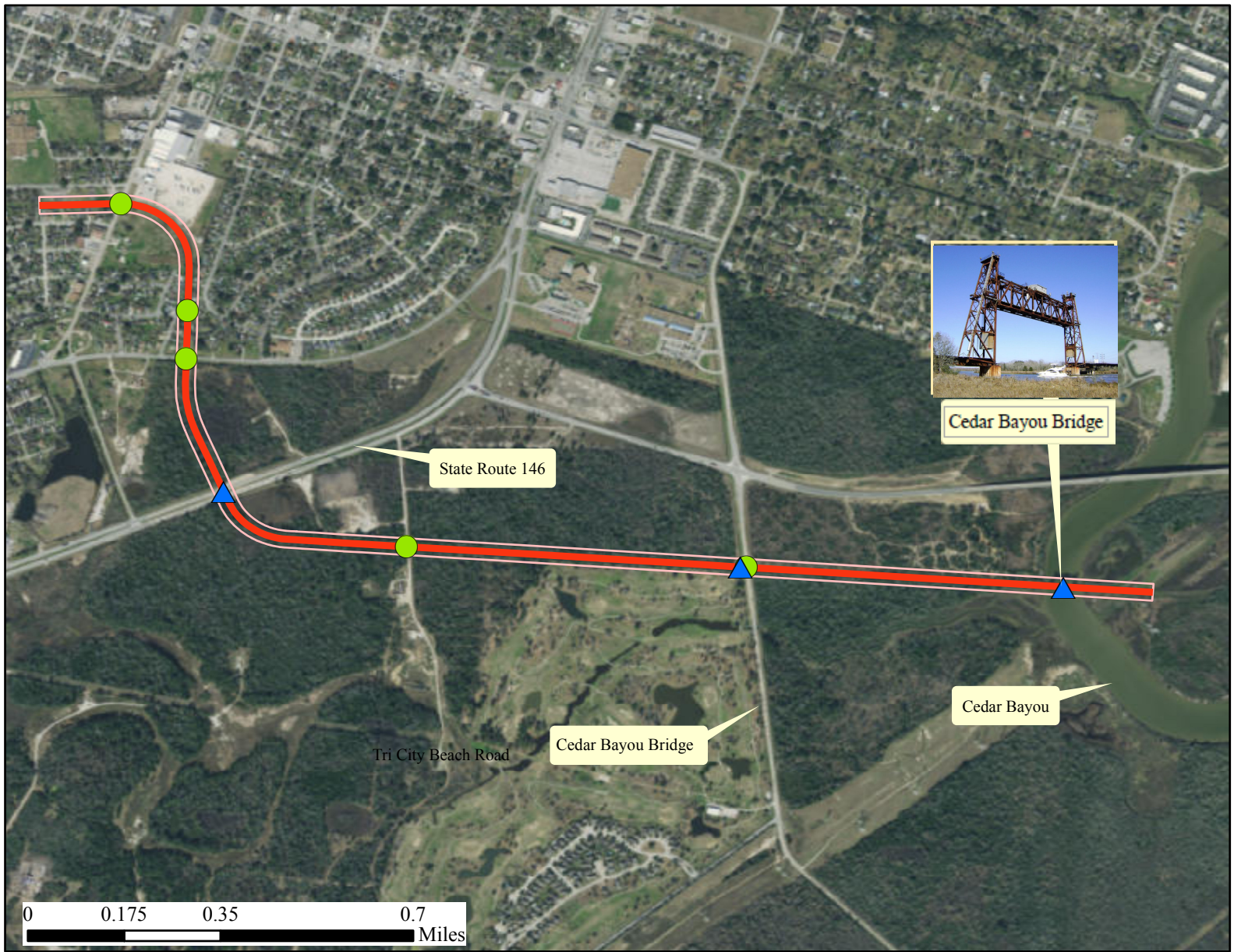
If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Alan Tabachnick, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, www.stb.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 33 (Sub-No. 339X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Alan Tabachnick, the environmental contact for this case, by phone at (202) 245-0367, fax at (202) 245-0454, or e-mail at alan.tabachnick@stb.gov.

Date made available to the public: July 12, 2019.

Comment due date: July 29, 2019.

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

Attachment



Docket No. AB 33 (Sub-No. 339X)

Union Pacific Railroad Company
Abandonment Exemption
Harris and Chambers Counties, Texas

Note: Maps produced by the Surface Transportation Board, Office of Environmental Analysis are based on information provided by the railroad applicant and are for reference purposes only.

Legend

- The Line
- ▲ Bridges
- Road Crossings
- Right-of-way (approximate)

