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SERVICE DATE - JANUARY 31, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 162X)

UNION PACIFIC RAILROAD COMPANY--ABANDONMENT
EXEMPTION--IN BEXAR COUNTY, TX

Decided: January 26, 2001

Union Pacific Railroad Company (UP) and Alamo Gulf Coast Railroad Company (AGCR) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments and Discontinuances of Service and Trackage Rights for UP to abandon a 3.49-mile line of railroad on the Kerrville Subdivision near Leon Springs from milepost 256.00 near Russell Park to milepost 259.49 near Camp Stanley; and for AGCR to discontinue service over a 1.0-mile portion of the line from milepost 256.0 to milepost 257.0, in Bexar County, TX. Notice of the exemption was served and published in the Federal Register on November 24, 2000 (65 FR 70631-32).

By decision served December 22, 2000, a condition was imposed requiring UP to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the line that are 50 years old or older until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f. On January 16, 2001, the Board's Section of Environmental Analysis (SEA) received a letter from UP requesting that the historic preservation condition be removed. In support of its request, UP attached a letter, which included an indication by the Texas Historical Commission that there are no properties listed in or eligible for inclusion in the National Register of Historic Places located in the proposed project area. Therefore, SEA recommends that the historic preservation condition imposed in the December 22, 2000 decision be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.¹

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ The December 22 decision imposed two other conditions that required UP to: (1) consult with the Texas Parks and Wildlife (TPW) prior to abandonment activities to further assist TPW, if possible, in the preservation of material habitat of the rail right-of-way; and (2) consult with the Texas Infrastructure Services Department of Public Works Division prior to abandonment activities. Those conditions remain.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic condition imposed in the decision served December 22, 2000, is removed.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary