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SERVICE DATE - AUGUST 10, 2001

SURFACE TRANSPORTATION BOARD

DECISION

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

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

Decided: August 6, 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, the proceeding was reopened and the exemption was made subject to the conditions that UP shall: (1) consult with Texas Parks and Wildlife (TPW) prior to abandonment activities to further assist TPW, if possible, in the preservation of the material habitat of the rail right-of-way; and (2) consult with the Texas Infrastructure Services Department of Public Works Division (Public Works Division) prior to abandonment activities.

On July 20, 2001, the Board's Section of Environmental Analysis (SEA) received a letter from UP requesting that the environmental conditions be removed. In support, UP attached comments from the TPW stating that the information provided indicates that the removal work will be contained within the existing right-of-way, and that containing the work within the right-of-way should alleviate any concerns regarding impacts to the endangered species habitat that is on either side of the existing tracks. UP also attached comments from the Public Works Division indicating that their concerns regarding the public roads that cross that portion of the railroad will not be impaired. Upon review of the submitted correspondence, SEA recommends that the environmental conditions be removed.¹

¹ The December 22 decision had also imposed a historic preservation condition; that condition was removed by decision served January 31, 2001.

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

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the TPW and the Public Works Division consultation conditions imposed in the December 22, 2000 decision are removed.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary