

UNION PACIFIC RAILROAD
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Chicago, Illinois 60606-1718

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Mack H. Shumate, Jr.
Senior General Attorney, Law Department

April 1, 2016

240397

VIA E-FILE

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S.W., Room #100
Washington, DC 20423-0001

ENTERED
Office of Proceedings
April 1, 2016
Part of
Public Record

RE: Proposed Abandonment of the US Steel Industrial Lead from Milepost 2.4 near Baytown to Milepost 4.63 near Cedar Bayou, a total distance 2.23 miles located in Harris County and Chambers County, Texas, STB Docket No. AB-33 (Sub-No. 324X)

Dear Ms. Brown:

Attached for filing in the above-referenced docket is the Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption to Abandon the Line in this matter on or after April 21, 2016.

Yours very truly,



Mack H. Shumate, Jr.

2016_04_01 STB-EHR Filing Cover Ltr.doc

April 1, 2016

VIA E-FILE

TO: SEE ATTACHED SERVICE LIST

RE: Proposed Abandonment of the US Steel Industrial Lead from Milepost 2.4 near Baytown to Milepost 4.63 near Cedar Bayou, a total distance 2.23 miles located in Harris County and Chambers County, Texas, STB Docket No. AB-33 (Sub-No. 324X)

To whom it may concern:

On or after April 21, 2016, Union Pacific Railroad Company (“UP”) expects to be filing with the Surface Transportation Board (“STB” or “Board”) a Petition of Exemption seeking authority to abandon 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, located in Harris and Chambers Counties, Texas (collectively the “Line”). Attached is a Combined Environmental and Historic Report which describes the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Union Pacific is providing this report so that you may review the information that will form the basis for the STB’s independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board’s environmental review process, please contact the Section of Environmental Analysis (SEA) at the following address, and refer to the above-referenced Docket Number:

Surface Transportation Board
Section of Environmental Analysis (SEA)
395 East Street, S.W., Room #100
Washington, DC 20423-0001
Tel: 202-245-0296

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within three (3) weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. UP's representative in this matter is Mack H. Shumate, Jr., who may be contacted by email at mackshumate@up.com, telephone at 312-777-2055 or by mail at 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

Yours very truly,

A handwritten signature in black ink that reads "Mack H. Shumate, Jr." The signature is written in a cursive style with a large, prominent initial 'M'.

Mack H. Shumate, Jr.
Senior General Attorney

Attachment

SERVICE LIST

STB Docket No. AB-33 (Sub-No. 324X)

State Clearinghouse (or Alternate):

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, Texas 78711

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Fort Worth District
3801 Zoo Park Drive
Waco, Texas 76708

State Environmental Protection Agency:

Zak Covar, MC 109
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711

National Park Service (Regional Office):

Suzanne Dixon, Regional Director
National Park Service - Texas Region
2904 Swiss Avenue
Dallas, Texas 75204

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency - Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation Service
Waco Service Center
5040 S. Loop 340
Waco, Texas 76706

State of Texas Historic Preservation Office:

Texas Historical Commission Main Office
P.O. Box 12276
Austin, Texas 78711

National Geodetic Survey:

Geodetic Services Division
SMCC-3 #9209
NOAA N/NGS2
1315 E-W Highway
Silver Spring, Maryland 20910

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Austin Ecological Services Field Office
10711 Burnet Road, Suite 200
Austin, Texas 78758

Head of McLennan County, Texas:

J.A. "Andy" Harwell
McLennan County Clerk
215 N. 5th Street, Room 223-A
Waco, Texas 76701

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**Docket No. AB-33 (Sub-No. 324X)
UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT OF AND DISCONTINUANCE OF SERVICE OVER THE --
U.S. STEEL INDUSTRIAL LEAD
IN HARRIS AND CHAMBERS COUNTY, TX
(U.S. STEEL INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY
Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, #1920
Chicago, Illinois 60606
312/777-2055 (Tel.)
312/777-2065 (FAX)
mackshumate@up.com

Dated: April 1, 2016
Filed: April 1, 2016

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**Docket No. AB-33 (Sub-No. 324X)
UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT OF AND DISCONTINUANCE OF SERVICE OVER THE --
U.S. STEEL INDUSTRIAL LEAD
IN HARRIS AND CHAMBERS COUNTY, TX
(U.S. STEEL INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

Union Pacific Railroad Company (“UP”) submits this Combined Environmental and Historic Report (“EHR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of a portion of the U.S. Steel Lead from Milepost 2.4 in Baytown to Milepost 4.63 at the Eastside of Cedar Bayou, a distance of 2.23 miles in Harris and Chambers Counties, Texas (the “Line”). The Line traverses U.S. Postal Service Zip Codes 77520 and 77523. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after April 21, 2016. A map of the Line (**Attachment No. 1**), and UP’s letter to federal, state and local government agencies (**Attachment No. 2**), are attached to this EHR. There are no bridge structures on the Line 50 years or older. Responses received thus far to UP’s letters are also attached.

ENVIRONMENTAL REPORT
49 C.F.R. ' 1105.7(e)

(1) Proposed action and alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: The proposed action involves an exempt abandonment of a portion of the U.S. Steel Lead from Milepost 2.4 in Baytown to Milepost 4.63 at the Eastside of Cedar Bayou, a distance of 2.23 miles in Harris and Chambers Counties, Texas. A map of the Line is attached as **Attachment No. 1**.

The Line was constructed around 1968 by Missouri Pacific. The starting point for the Line is a connection at Baytown with a railroad originally built by Houston and North Shore, an electric interurban predecessor to Missouri Pacific. The Line continued to Cedar Bayou in order to serve the U.S. Steel mill. The railroad constructed a 853 foot bridge in 1967 to cross the Cedar Bayou. This 1967 bridge included three spans measuring 313 feet from a lift bridge relocated from the St. Francis River at Cody, Lee County, Arkansas. The steel mill closed permanently in 1988 and the site was redeveloped as the Cedar Point Industrial Park. The Line is laid with 112lb jointed rail. There are three bridges on the Line, none of which have been in place for 50 or more years.

UP's real property interest in the Line is approximately 95% reversionary in nature. Based upon information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession with regard to ownership of the Line will be made available to those requesting it.

It is UP's intention to salvage the track material on the Line and vacate the SR-146 overpass so that it may be removed to facilitate the Grand Parkway project. The salvage process will include the unbolting of the trackage and removal of all rails, ties and other track material from the Line as follows: With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates,

spikes, switches and any other metal parts) will be removed. Next the wooden ties will be raised from among the ballast with a tool designed for minimum disruption of the ground material. The ties will then be separated into three groups as follows: (1) good quality ties that would be re-used in rail service, (2) landscape-quality ties that would be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into truck trailers or containers and shipped by UP's salvage contractor to an EPA approved disposal site or to a cogeneration facility.

Culverts and right-of-way grading will remain intact so as not to alter the prevailing drainage and water flows along the Line. Ballast will typically be left in place, but may be removed if it is of exceptional quality for use elsewhere. Finally, all railroad at grade crossings will be removed, remediated and resurfaced with gravel, asphalt or concrete, to match existing roadway surface conditions in accordance with governing road authority requirements. All grade crossing warning devices will also be dismantled and removed.

UP's salvage work for abandonments is performed by experienced rail material salvagers. Each salvage contract includes detailed information on any environmental or historical conditions imposed by the Board. Completed work is independently inspected by a UP roadmaster or other maintenance official to ensure compliance with UP standards of quality and all contractual obligations, including Board imposed conditions, if applicable.

After the proposed abandonment, the Baytown area will continue to receive rail service from Union Pacific via the UP Baytown subdivision, and the remaining portion of the U.S. Steel Lead. Cedar Bayou will continue to receive rail service via UP's Cedar

Bayou Industrial Lead. BNSF also has operations in Baytown and Nearby Eldon, TX. The area reached by the Line is well served by SR-146 and Hwy 99 highways and several local roads which cross the area.

No local traffic has moved to or from the Line in the past two years and there is no overhead traffic. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant in at least two years.

(2) Transportation System. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: Given that no traffic uses the Line, the proposed abandonment will have no impact on area transportation systems and patterns.

(3) Land Use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

Response: (i) UP is unaware of any adverse effects on local and existing land use plans. The Harris and Chambers County Clerks have been contacted. To date, UP has not received a response.

(ii) The Natural Resources Conservation Service (“NRCS”) has been

contacted. To date, UP has not received a response.

(iii) Not Applicable.

(iv) The property proposed for abandonment is suitable for a public purpose in the form of a corridor for utilities such as sanitary sewer lines, roads or highways, or other forms of mass transportation, energy production or transmission. The property may also be suitable for conservation as a hike/bike trail.

(4) Energy.

(i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

Response: (i) There are no effects on the transportation of energy resources.

(ii) There are no recyclable commodities moved over the Line.

(iii) There will be no change in energy consumption from the proposed action.

(iv)(A)(B) UP does not anticipate that there will be any rail-to-motor diversion.

(5) Air. (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. §10901 (or §10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

Response: UP does not anticipate any such effects.

(5) Air. (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. §10901 (or 49 U.S.C. §10505), or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic as a result of the proposed action.

(5) Air. (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record

(to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) Noise. If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

- (i) an incremental increase in noise levels of three decibels Ldn or more or
- (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Response: Not applicable.

(7) Safety.

- (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).
- (ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.
- (iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response: (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous materials waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) Biological resources.

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

Response: (i) and (ii). The U.S. Fish and Wildlife Service and the National Park Service were contacted. A response dated February 1, 2016 was received from the United States Department of the Interior, Fish and Wildlife Service. A copy of said response is attached hereto as Attachment 4 and is hereby made a part hereof. UP and its salvage contractors will comply with the goals of the Fish and Wildlife Service and will comply with the IPaC System. No response was received from the National Park Service.

(9) Water.

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state

environmental protection or equivalent agency if they are unsure whether such permits are required.)

Response: (i) The U. S. Environmental Protection Agency Region 6 office and the Texas Commission on Environmental Quality have been contacted. To date there has been no response.

(ii) The U. S. Army Corps of Engineers (Corps) has been contacted. To date, no responses have been received.

(iii) UP does not anticipate that there will be any requirements for Section 402 permits.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: There are no known adverse environmental impacts.

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See **Attachment No. 1.**

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The right of way commences at S Main St in Baytown and ends on the East side of Cedar Bayou in Harris and Chambers Counties, Texas. The Westernmost portion of the right of way runs through residential areas with the balance running through open land zoned for open space, general commercial, and livable center development. Various portions of the Right of Way are 50, 100, and 160 feet wide. The topography is flat.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

Response to (3) and (4): There are no structures 50 years or older on the Line.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

Response: See UP's response to question (1) in the Environmental Report for a brief history and description.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Response: There are no structures 50 years or older on the line.

(7) An opinion (based on readily available information in the UP's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

Response: There are no sites or structures that appear to meet the criteria for listing on the National Register. Attached as **Attachment No. 3** is a notification from the Texas Historical Commission that it has reviewed the area to be abandoned and notes that the Cedar Bayou Bridge that was installed in 1967 was originally constructed and installed in 1912 over the St. Francis River at Cody, Lee County, Arkansas. UP concurs with the Texas Historical Commission's statement, however, UP is of the opinion that the 853 foot Cedar Bayou Bridge that was installed in 1967 is not a structure that is fifty (50) years old or older. It is true that a 313 foot portion of the superstructure of the Cedar Bayou Bridge was fifty (50) years old or older when installed, but the entire 853 foot Cedar Bayou Bridge, installed as a structure, did not occur until 1967.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

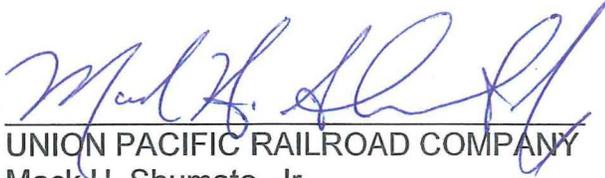
Response: UP does not have any such readily available information.

(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified non-railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

Response: Not applicable.

Dated this 1st day of April, 2016.

Respectfully submitted,



UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr.

Senior General Attorney

101 North Wacker Drive, #1920

Chicago, Illinois 60606

312/777-2055 (Tel.)

312/777-2065 (Fax)

mackshumate@up.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 324X), the Abandonment and Discontinuance of Service on the U.S. Steel Industrial Lead in Harris and Chambers Counties, Texas was served by First Class U.S. Mail, postage prepaid, on the 1st day of April, 2016, on the following parties:

State Clearinghouse (or Alternate):

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, Texas 78711

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Fort Worth District
3801 Zoo Park Drive
Waco, Texas 76708

State Environmental Protection Agency:

Zak Covar, MC 109
Texas Commission on Environmental
Quality
P.O. Box 13087
Austin, Texas 78711

National Park Service (Regional Office):

Suzanne Dixon, Regional Director
National Park Service - Texas Region
2904 Swiss Avenue
Dallas, Texas 75204

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency -
Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation
Service
Waco Service Center
5040 S. Loop 340
Waco, Texas 76706

State of Texas Historic Preservation Office:

Texas Historical Commission Main Office
P.O. Box 12276
Austin, Texas 78711

National Geodetic Survey:

Geodetic Services Division
SMCC-3 #9209
NOAA N/NGS2
1315 E-W Highway
Silver Spring, Maryland 20910

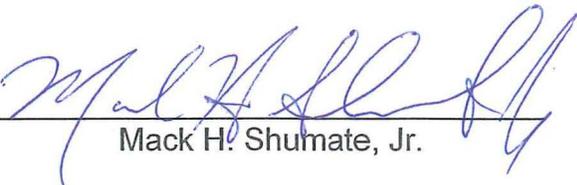
U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Austin Ecological Services Field Office
10711 Burnet Road, Suite 200
Austin, Texas 78758

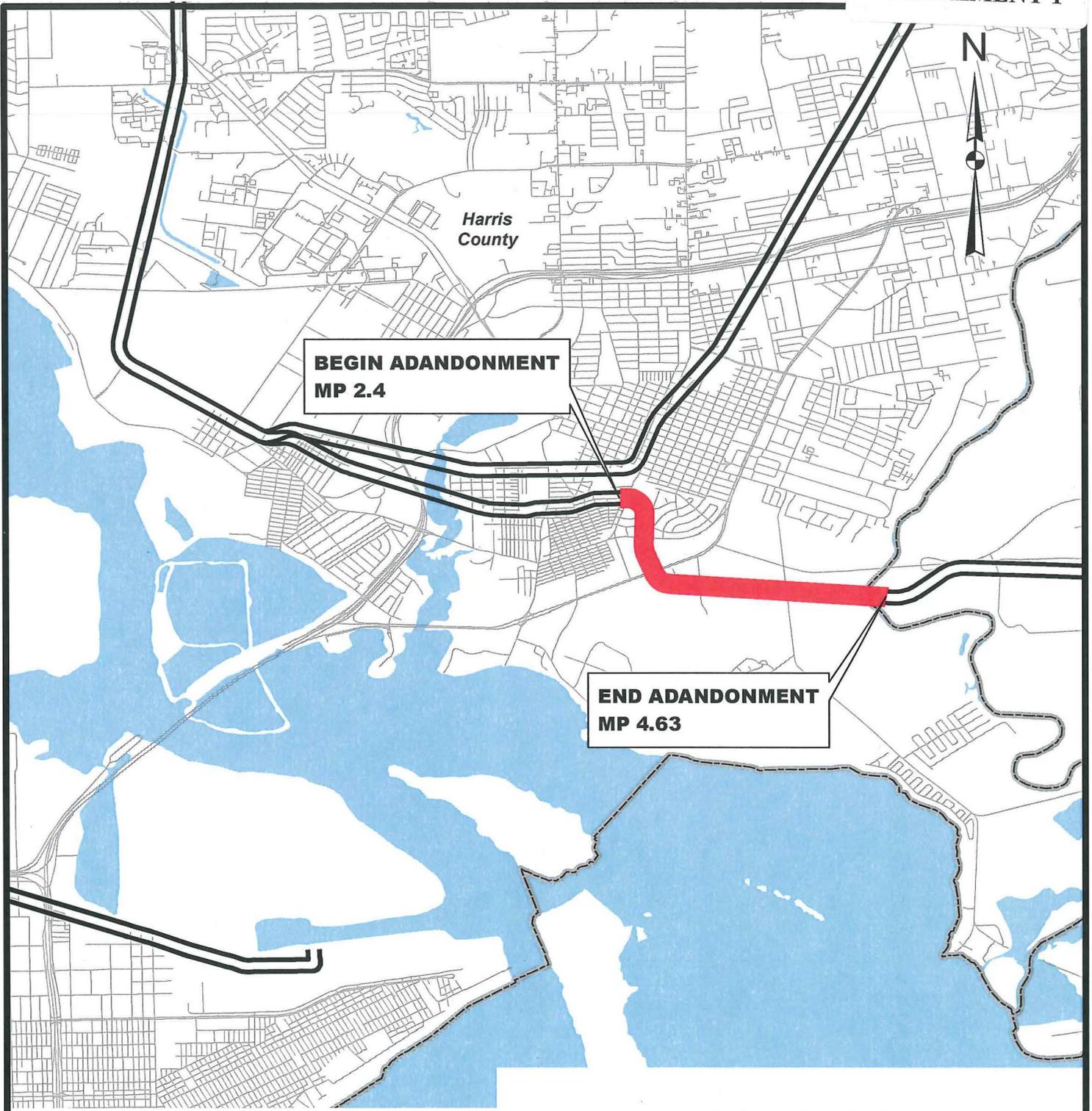
Head of McLennan County, Texas:

J.A. "Andy" Harwell
McLennan County Clerk
215 N. 5th Street, Room 223-A
Waco, Texas 76701

Dated this 1st day of April, 2016.



Mack H. Shumate, Jr.



US STEEL IND LD

UNION PACIFIC RAILROAD CO.
MP 2.4 TO MP 4.63
TOTAL OF 2.23 MILES IN HARRIS COUNTY
IN TEXAS

**UNION PACIFIC RAILROAD CO.
US STEEL IND LD
TEXAS**

No Structures 50 Years or Older

Legend

-  ABANDONMENT
-  OTHER TRACKS
-  OTHER ROADS



To Clear Lake

UNION PACIFIC RAILROAD
1400 Douglas Street Omaha, Nebraska 68179

**State Clearinghouse (or Alternate):**

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, Texas 78711

State Environmental Protection Agency:

Texas Commission on Environmental Quality
5425 Polk St., Suite H
Houston, Texas 77023

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency - Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

State of Texas Historic Preservation Office:

Texas Historical Commission Main Office
P.O. Box 12276
Austin, Texas 78711

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Southwest Region (2) Office
500 East McCarty Lane
San Marcos, Texas 78666

Head of Chambers County, Texas:

Heather Hawthorne
Chambers County Clerk
P.O. Box 728
Anahuac, Texas 77514

January 6, 2016

**U.S. Army Corps of Engineers:**

U.S. Army Corps of Engineers
Galveston District
2000 Fort Point Rd.
Galveston, Texas 77550

National Park Service (Regional Office):

National Park Service - Intermountain Region
12795 Alameda Parkway
Denver, Colorado 80225

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation Service
Bryan Service Center
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802

National Geodetic Survey:

Geodetic Services Division
SMCC-3 #9209
NOAA N/NGS2
1315 E-W Highway
Silver Spring, Maryland 20910

Head of Harris County, Texas:

Stan Stanart
Harris County Clerk
201 Caroline
Houston, Texas 77002

Re: Proposed Abandonment of the US Steel Industrial Lead from Milepost 2.4 near Baytown to Milepost 4.63 near Cedar Bayou, a total distance of 2.23 miles located in Harris County and Chambers County, Texas, STB Docket No. AB-33 (Sub-No. 324X)

To Whom It May Concern:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the US Steel Industrial Lead from Milepost 2.4 near Baytown, Texas to Milepost 4.63 near Cedar Bayou, Texas, a total distance of 2.23 miles located in Harris County and Chambers County, Texas. A map of the proposed abandonment and discontinuance shown in red is attached.



UNION PACIFIC RAILROAD
1400 Douglas Street Omaha, Nebraska 68179

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F. R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Please describe any inconsistencies.

U.S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U.S. FISH AND WILDLIFE SERVICE (And State Game and Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

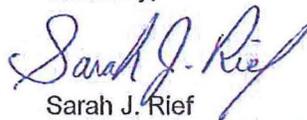
STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Please describe any inconsistencies.

U.S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Please describe the effects.

U.S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,



Sarah J. Rief
Legal Assistant - Law Department
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, Nebraska 68179
Phone: (402) 544-0438
Email: sjrief@up.com

Attachment



TEXAS HISTORICAL COMMISSION
real places telling real stories

January 20, 2016

Sarah J. Rief
 Union Pacific Railroad Company
 1400 Douglas Street, MS 1580
 Omaha, Nebraska 68179

Re: *Project Review under Section 106 of the National Historic Preservation Act, Proposed Abandonment of the US Steel Industrial Lead near Cedar Bayou, Harris and Chambers Counties, Texas, STB Docket No. AB-33 (Sub-No. 324X), THC # 201603588*

Thank you for your correspondence of January 6, 2016, regarding the above-referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The History Programs Division staff, led by Justin Kockritz, has completed its review of the project, which proposes the abandonment of a 2.23-mile segment of the US Steel Industrial Lead of the Union Pacific Railroad. As described in your letter, and as shown on the submitted map, the proposed segment appears to include the vertical lift railroad bridge over Cedar Bayou. As you may know, the lift span was placed over Cedar Bayou in 1967, but was originally constructed in 1912 over the St. Francis River at Cody, Lee County, Arkansas.¹

As railroad abandonments authorized by the Surface Transportation Board (STB) constitute federal undertakings subject to Section 106 of the National Historic Preservation Act, we look forward to receiving and reviewing STB's evaluation of the eligibility of the bridge, and any other potential historic resources within the project's Area of Potential Effect, for listing in the National Register of Historic Places.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our review, or if we can be of further assistance, please contact Justin Kockritz at justin.kockritz@thc.state.tx.us or 512-936-7403.

Sincerely,

Justin Kockritz, Historian, Federal Programs
 For: Mark Wolfe, State Historic Preservation Officer

cc: Kitty Henderson, Executive Director, Historic Bridge Foundation *via e-mail*
 Sheryl Shaw, Chair, Chambers County Historical Commission *via e-mail*
 Janet Wagner, Chair, Harris County Historical Commission *via e-mail*



¹ "One Million Pound Bridge on Move." *The Baytown Sun* 18 June 1967: 1-2.



In Reply Refer To:
FWS/R2/TCESFO

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Texas Coastal Ecological Services Field Office
17629 El Camino Real, Suite 211
Houston, Texas 77058
281/286-8282 / (FAX) 281/488-5882



February 1, 2016

Thank you for your request for threatened and endangered species, fish and wildlife, environmental, and/or aquatic resources information, comments, and/or recommendations within the United States Fish and Wildlife Service (Service) Texas Coastal Ecological Service's area (Houston Office) of responsibility.

In order to obtain information regarding fish and wildlife resources concerning a specific project or project area, we recommend that you first utilize the Service developed Information, Planning, and Conservation (IPaC) System. The IPaC system is designed for easy, public access to information about the natural resources for which the Service has trust or regulatory responsibility. Examples include threatened and endangered species, migratory birds, National Refuge lands, and National Wetlands Inventory wetlands. One of the primary goals of the IPaC system is to provide this information in a manner that assists people in planning their activities within the context of natural resource conservation. The IPaC system also assists people through the various regulatory consultation, permitting and approval processes administered by the Fish and Wildlife Service, helping achieve more effective and efficient results for both the project proponents and natural resources.

The IPaC system can be found at the following website address: <http://ecos.fws.gov/ipac/> . Please note, by requesting an Official Species List you will receive an official consultation response letter and tracking number. If you still have questions concerning your project as it relates to fish and wildlife resources after visiting the IPaC system, please feel free to contact our office at the letterhead address above. We will be happy to assist you.

Sincerely,

Charles Ardizzone
Field Supervisor