

March 27, 2025

Subject: Strong Opposition to Texas Materials' Proposed Railway Line

Surface Transportation Board,

On behalf of the Hurst Place Maintenance Board and the 93 home and property owners we represent, we write to express our strong and unified opposition to the proposed Texas Materials railway project planned near our community. We respectfully urge you to take decisive action to halt this project, which poses serious and unacceptable risks to public safety, environmental health, property values, and overall quality of life in our neighborhood.

The proposed rail line's proximity to residential areas presents a significant public safety hazard. Increased rail traffic raises the likelihood of derailments, hazardous material spills, and fire risks—events that could devastate our community and overwhelm local emergency response capabilities. The introduction of heavy freight trains would bring relentless noise pollution, particularly during nighttime operations, disturbing the peace and negatively affecting residents' mental and physical health, including sleep disruption and increased stress levels.

Moreover, diesel-powered locomotives would release harmful pollutants into the air, further degrading air quality and endangering the health of vulnerable populations—especially children, seniors, and individuals with respiratory conditions. These emissions run counter to broader efforts to improve public health and reduce environmental harm.

The environmental impact cannot be overlooked. Construction and long-term rail operations threaten to fragment natural habitats, disrupt local wildlife corridors, and introduce lasting pollution into nearby water sources and ecosystems. Such degradation not only diminishes the beauty of our Hill Country environment but also undermines the ecological balance we depend on.

Additionally, the presence of a freight railway will cause a sharp decline in property values. Numerous studies and market trends consistently show that proximity to industrial rail lines deters potential buyers and investors due to the associated noise, pollution, and safety concerns. For many of our residents, their home is their most significant investment—one that this rail project would put at serious risk.

We understand the need for infrastructure that supports regional growth, but this project does so at an unreasonable cost to those who call this area home. We urge you to oppose the proposed railway line and instead support alternative transportation or industrial plans that do not jeopardize the health, safety, and economic stability of our community.

Thank you for your time, leadership, and commitment to protecting the residents of Burnet County.

Sincerely,

The officers and members of HPMB
Hurstplacerranchtx@gmail.com

Appendix:

In opposing the proposed Texas Materials railway project near our community, it is pertinent to reference specific Texas statutes and federal regulations that govern railway construction and operations, as well as the legal obligations of private railway companies.

Texas Transportation Code, Title 5, Subtitle B, Chapter 91: Rail Facilities

This chapter outlines the responsibilities and powers of the Texas Transportation Commission and the Texas Department of Transportation concerning rail facilities. It defines key terms and sets forth the framework for rail facility management within the state. [Texas Statutes](#)

Texas Administrative Code, Title 43, Part 1, Chapter 5: Rail Facilities

This section details the procedures and requirements for public and private entities seeking to undertake rail projects. It includes mandates for design approval, utility adjustments, and compliance with both federal and state laws and regulations. Notably, it specifies that any deviations from standard procedures require written approval, ensuring that alternative methods meet safety and operational standards. [Texas Register](#)

Federal Regulations: 23 CFR Part 646 – Railroads

At the federal level, 23 CFR Part 646 addresses the financial responsibilities and procedural requirements for railway projects, particularly those intersecting with public highways. It stipulates that costs related to preliminary engineering, right-of-way acquisition, and construction are eligible for federal participation only after inclusion in an approved statewide transportation improvement program and authorization by the Federal Highway Administration. [eCFR](#)

Legal Precedents and Environmental Considerations

Recent legal challenges have underscored the necessity for comprehensive environmental reviews in railway construction. For instance, the U.S. Supreme Court examined the extent of environmental impact studies required under the National Environmental Policy Act (NEPA) in a case involving a proposed railway in Utah. The Court's deliberations highlighted the importance of assessing potential environmental harms, including increased train traffic and associated risks. [Association of American Railroads+4Reuters+4AP News+4](#)

These legal frameworks and precedents emphasize the rigorous standards and thorough evaluations required for railway projects, particularly concerning environmental impact, public safety, and community well-being. They support the argument that the proposed railway near our community must undergo meticulous scrutiny to ensure compliance with all legal obligations and to safeguard the interests of our residents.