

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

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

**Union Pacific Railroad Company--Abandonment Exemption--
in Bexar County, TX**

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) and Alamo Gulf Coast Railroad Company (AGCR) (collectively, applicants) jointly filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for UP to abandon a 3.49-mile line of railroad on the Kerrville Subdivision (the Line) near Leon Springs from milepost 256.00 near Russel 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.¹ A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

The right-of-way varies in widths, being generally 100 feet in width, except where the railroad crosses public roadways. The property is generally flat and is located in the Leon Springs area, northwest of San Antonio, TX. The line is constructed with 90-pound track material. Applicants' state based on the information in their possession, the line proposed for abandonment contains approximately 44.384 acres of fee title owned by UP. The segment also contains approximately 0.132 acres of easement rights and rights obtained by ordinance which may be lost or may not be able to be transferred or conveyed for uses other than rail purposes.

ENVIRONMENTAL REVIEW

UP and AGCR submitted an environmental 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 and AGCR served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules at 49 CFR

¹ This case embraces STB Docket No. AB-576 (Sub-No. 1X), Alamo Gulf Coast Railroad Company--Discontinuance of Service Exemption--in Bexar County, TX.

1105.7(b). Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included: Tom Adams, Governor's Office of Budget and Planning; Bexar County Judge; National Geodetic Survey; National Park Service; Texas Natural Resource Conservation Commission; Texas Parks & Wildlife; Texas Historical Commission; U.S. Fish and Wildlife Service; U.S. Corps of Engineers; and the U.S. Environmental Protection Agency-Region 6.

CONDITIONS

We recommend the following environmental conditions be placed on any decision granting abandonment authority:

UP states that there are 5 bridges on the line that are 50 years old or older.

The Texas Historical Commission (SHPO) has not yet completed its determination of historic significance for of the right-of-way and requested additional information from UP. Therefore, we recommend that a condition be 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, and inform SEA when the process is completed.

The Texas Parks and Wildlife (TPW) states vegetation assemblages occurring with the right-of-way generally provide higher quality habitat than surrounding areas due to the exclusion of livestock grazing and should be left in place. TPW states if livestock are grazed in surrounding areas, existing fencing should be retained to enhance the quality of wildlife habitat within the abandoned right-of-way by allowing the growth of woody cover and providing additional vegetation diversity. TPW also states since the current plans are to abandon the current rail line as is, there should be minimal impacts to threatened and endangered species. However, if future development is planned, other than conversion to a hike bike trail, a review for potential impacts to threatened or endangered species will be required. Therefore, we recommend the UP consult with TPW prior to abandonment activities to further assist TPW, if possible, in the preservation of material habitat of the rail right-of-way.

The Texas Infrastructure Services Department, Public Works Division (Public Works Division) has expressed several concerns about salvage operations and final disposition of the right-of-way. Therefore, we recommend that UP consult with the Public Works Division prior to abandonment activities.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, 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 this case, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

If abandonment and salvage of the rail line does not take place, 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 CFR 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. However, 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 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, 1925 K St., N.W., Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 711, 1925 K St., N.W., Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 162X)** in all correspondence addressed to the Board. If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629.

Date made available to the public: December 1, 2000.

Comment due date: December 18, 2000.

By the Surface Transportation Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

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MAP TO BE SCANNED