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SERVICE DATE – MARCH 18, 2021

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 33 (Sub-No. 343X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—IN HARRIS
COUNTY, TEX.

Decided: March 17, 2021

On August 21, 2020, Union Pacific Railroad Company (UP) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon rail service over an approximately 1.24-mile portion of the Houston Navigation Lead, from milepost 0.98 to milepost 1.31 and from milepost 1.71 to milepost 2.62, in Harris County, Tex. (the Line). Notice of the exemption was served and published in the Federal Register on September 10, 2020 (85 Fed. Reg. 55,924). The exemption became effective on October 10, 2020.

By decision served on October 9, 2020, the Board imposed a condition recommended by the Board's Office of Environmental Analysis (OEA) requiring UP to consult with the Texas General Land Office (TGLO) regarding state coastal management consistency certification, pursuant to the Coastal Zone Management Act, 16 U.S.C. § 1451 et seq.¹

In a Supplemental Final Environmental Assessment served on February 4, 2021, OEA, based on a comment provided by UP in which TGLO states that no review is needed, recommends that the Board remove the coastal zone management condition. Accordingly, based on OEA's recommendation, this proceeding will be reopened and the coastal zone management condition will be removed.

This action 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. The coastal zone management condition imposed in the October 9, 2020 decision is removed.

¹ That decision also imposed a historic preservation condition under Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108. The Board removed that condition in a decision served on January 19, 2021.

3. This decision is effective on its date of service.

By the Board, Allison C. Davis, Director, Office of Proceedings.