

# City of Burnet City Council



## Item Brief

### **Meeting Date**

May 13, 2025

### **Agenda Item**

Discuss and consider action: Resolution No. R2025-33: D. Vaughn

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, IN OPPOSITION TO THE PROPOSED CONSTRUCTION AND OPERATION OF A NEW RAIL LINE BY TEXAS MATERIALS GROUP, INC.

### **Information**

This resolution formally opposes the construction and operation of a proposed 26.9-mile rail line by Texas Materials Group, Inc., which would run through Burnet and Lampasas Counties. The proposed rail line would primarily transport aggregate materials and would involve reconstructing portions of an abandoned line and building new track on newly acquired right-of-way.

The Surface Transportation Board's Office of Environmental Analysis (OEA) notified the City of Burnet of the proposed project on March 4, 2025. The OEA is in the process of preparing an environmental analysis and requested comments from impacted communities. After careful review, several concerns related to the project have been identified, including:

- Negative impacts on the human environment (noise, air quality, property values)
- Public safety risks at crossings and delayed emergency response times
- Harm to agricultural land, water resources, and historical properties
- Potential degradation of riparian ecosystems
- Lack of exploration of alternative routes or a no-build option
- No firm commitments to exclude hazardous materials transport

### **Fiscal Impact**

None.

### **Recommendation**

Staff recommends approval of Resolution No. R2025-33 as presented.

## **RESOLUTION NO. R2025-33**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, IN OPPOSITION TO THE PROPOSED CONSTRUCTION AND OPERATION OF A NEW RAIL LINE BY TEXAS MATERIALS GROUP, INC.**

**WHEREAS**, on March 4, 2025, the City of Burnet was notified by the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) of a proposed 26.9-mile railroad line across Burnet and Lampasas Counties; and

**WHEREAS**, Texas Materials Group, Inc. (Texas Materials) - Docket No. FD 36815 - is seeking authority from the Board to construct and operate a new rail line through Burnet and Lampasas Counties; and

**WHEREAS**, the proposed rail line is intended to transport aggregate material mined in the area, connecting the Austin Western Railroad (AWRR) near the City of Burnet to the BNSF Railway (BNSF) near Lampasas; and

**WHEREAS**, the project would require the reconstruction of track on previously abandoned right-of-way as well as the construction of new track on newly acquired right-of-way; and

**WHEREAS**, the OEA is preparing an environmental document to evaluate the potential impacts of the proposed rail construction and operation and has requested comments from affected jurisdictions, including the City of Burnet; and

**WHEREAS**, the City Council finds and determines the proposed rail project could have an adverse impact on the environment, community well-being, and public safety for numerous reasons including the following:

1. Detrimental effects on the human environment, including noise, air quality, and property value impacts;
2. Detrimental impacts on public safety due to increased risks at crossings and longer emergency response times;
3. Adverse effects on prime agricultural land and the rural character of the community;
4. Improper reliance on common carrier laws without adequate federal oversight to ensure full and fair compensation for affected property owners;
5. Potential degradation of riparian ecosystems, most notably the Russell Fork of the San Gabriel River;

6. Risks to groundwater resources fed by the alluvial systems of the San Gabriel River and its tributaries;
7. Harm to historic ranches, families, and properties pursuing or maintaining historic designation;
8. Failure to adequately study alternative routes or a no-build option to minimize negative community impacts;
9. Lack of firm commitment to prohibit the transportation of hazardous materials through the proposed corridor.

Further, the City of Burnet believes that the construction and operation of this rail line would significantly alter the community's rural quality of life that residents have spent generations cultivating and protecting.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AS FOLLOWS:**

**Section One. Findings.** The recitals stated in this resolution are hereby found to be true and correct and are incorporated herein by reference as the findings of the Burnet City Council.

**Section Two. Opposition.** For reasons expressed in the findings of this Resolution, the City Council of the City of Burnet is opposed to any authorization allowing for the new rail line across Burnet and Lampasas Counties.

**Section Three. Authorization.** The Mayor and City Manager, collectively or individually, are authorized to represent the City before the Surface Transportation Board's Office of Environmental Analysis, for the purpose of advocating the City's opposition to this rail project; and take those actions reasonably necessary to accomplish the denial of the rail project.

**Section Four. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

**Section Five. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** on this the 13th day of May 2025.

**CITY OF BURNET, TEXAS**

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Gary Wideman, Mayor

**ATTEST:**

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Maria Gonzales, City Secretary