

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 33 (Sub-No. 307X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—IN
ADAMS, WELD AND BOULDER COUNTIES, COLO.

Decided: July 26, 2012

On June 27, 2012, Union Pacific Railroad Company (UP) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon a 23.90-mile freight rail operating easement for the remaining portion of the Boulder Industrial Lead extending from milepost 9.27 near Eastlake to the end of the line at milepost 33.17 near Valmont, in Adams, Weld and Boulder Counties, Colo.¹

On that same date, UP filed a supplement to the notice of exemption seeking exemption from 49 U.S.C. § 10904 (offer of financial assistance procedures) and 49 U.S.C. § 10905 (public use conditions) for the proposed abandonment.

In a petition filed on July 20, 2012, as amended on July 25, 2012, UP: (1) withdraws the supplement to the notice of exemption; (2) seeks an exemption from 49 U.S.C. § 10904 (offer of financial assistance procedures) and 49 U.S.C. § 10905 (public use conditions) for the proposed abandonment of the 23.90-mile freight rail operating easement;² and (3) requests that the notice of exemption filed on June 27, 2012, be held in abeyance pending Board action on its petition.

The abeyance request is reasonable and will be granted. Accordingly, publication of the notice and effectiveness of the abandonment exemption will be held in abeyance pending further Board action on UP's petition.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ According to UP, the entire Boulder Industrial Lead, including the right-of-way, trackage, structures, and bridges, was sold to the Denver Regional Transportation District (RTD) in June 2009, and the line has been incorporated into the master plan for RTD's integrated mass transit system known as FasTracks, which is a regional public passenger rail and bus network for the greater Denver, Colorado area. UP retained a freight operating easement over the Lead.

² UP's request for exemption from §§ 10904 and 10905 will be addressed in a subsequent decision.

It is ordered:

1. UP's request to hold the proceeding in abeyance is granted.
2. Publication of the notice and effectiveness of the abandonment exemption are held in abeyance pending further Board action.
3. This decision is effective on its service date.

By the Board, Richard Armstrong, Acting Director, Office of Proceedings.