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SERVICE DATE – OCTOBER 26, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 249X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT AND DISCONTINUANCE
EXEMPTION—IN PLUMAS AND SIERRA COUNTIES, CA

Decided: October 25, 2007

Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments and Discontinuances to abandon a .72-mile line of railroad between milepost 11.62 and milepost 12.34 near Loyalton, CA, in conjunction with its discontinuance of service over an 11.07-mile rail line in Plumas and Sierra Counties, CA. The entire line is 11.79 miles and referred to as the Loyalton Industrial Lead. The notice of exemption was served and published in the Federal Register on August 10, 2007 (72 FR 45089-90). The exemption was scheduled to become effective on September 11, 2007.

By decision served on September 11, 2007 (September 2007 decision), the Board granted the exemption, subject to the condition that UP shall retain its interest in and take no steps to alter the historic integrity of the sites, buildings, and structures within the project right-of-way that are eligible for listing or are listed in the National Register of Historic Places until the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470(f), has been completed, and report back to the Board's Section of Environmental Analysis (SEA) regarding its consultations with the California State Historic Preservation Officer (SHPO) and any other section 106 consulting party. The Board required that UP not file its consummation notice or initiate any salvage activities related to the abandonment (including removal of tracks and ties) until the section 106 process has been completed, and the Board has removed this condition.

On September 27, 2007, UP submitted a letter from the SHPO dated September 24, 2007. The letter stated that the proposed abandonment would have no effect on historic properties. Therefore, SEA recommends that the section 106 historic preservation condition be removed.

Accordingly, the proceeding will be reopened and the previously imposed historic preservation 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. Upon reconsideration, the section 106 historic preservation condition imposed in the September 2007 decision is removed.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary