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SEA

SERVICE DATE - JUNE 18, 2004

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-33 (Sub-No. 205X)

Union Pacific Railroad Company – Abandonment Exemption – in Sutter County, CA

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment and discontinuation of service over the Yuba City Industrial Lead in Sutter County, California. The proposed abandonment extends 3.39 miles from milepost 136.38 near Marysville, to milepost 139.77 near Colusa Junction. 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

According to UP, the rail line proposed for abandonment was initially constructed by Northern Electric Railroad (Sacramento Northern Railway) in 1907. It was laid with 60-pound and 85-pound rail, with heavier rail material used in some sections. The line crosses the Feather River through central Yuba City, then follows a northwesterly direction before terminating outside of the city. The terrain is generally flat along the entire length of line. The right-of-way varies in width from 100 feet or less east of the river to nearly 300 feet in the industrial and yard sections in Yuba City proper.

UP indicates that there are two contiguous bridge segments located along the line at milepost 136.53. The bridge segments were constructed in 1906 and 1955 and cross the Feather River as one bridge. No other structures have been identified along the line.

ENVIRONMENTAL REVIEW

The railroad has 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. The railroad has served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules at 49 CFR 1105.7(b). We have investigated and reviewed the record in this proceeding.

The National Geodetic Survey has submitted comments stating that one geodetic station marker may be affected by the proposed abandonment and requests 90 days notification in advance of any activities that may disturb or destroy this marker.

UP states that the rail line property is not suitable for public purposes including roads, highways, conservation, energy production or transmission, recreation, or alternative transportation. They suggest, however, that the bridge over Feather River may be suitable for highway use. The land along the right-of-way is a combination of reversionary and non-reversionary. Based on the information available to UP, the line does not include Federally granted right-of-way.

After abandonment, UP intends to salvage the line. UP indicates that portions of the line will then likely be sold to landowners, or local governments.

Traffic

Big W Sales, California Tomato Products, Colusa Tractor, Liberty Packing Company (Hater Tomato in Yuba City), Mansfield Associates, and Valley Truck and Tractor were customers on the line during 2002, shipping 672 carloads over the line that year. During 2003, Colusa Tractor was the only customer on the line, during which time it shipped only one car. Using the traffic data from 2003, the proposed abandonment could result in the conversion of one railcar to truck traffic. Using a conversion factor of four trucks per railcar,¹ SEA calculated that, if all the rail traffic is diverted to truck traffic, about four loaded trucks per year or 8 total trucks (assuming an empty backhaul) could be added to area roadways per year.

UP states that all of the customers active on the line in 2002 and 2003 now utilize locations off the line for rail activity. Hater Tomato has closed its Yuba City plant and no longer needs service to the area. According to UP, for those customers that would need service, other rail lines and major highways are within close proximity to the rail line proposed for abandonment. The closest rail line is the UP main line at Marysville, just on the other side of Feather River. UP suggests that it is unlikely any new rail customers will be drawn to the area since new development is occurring at other locations. The line cannot be used for overhead traffic.

HISTORIC REVIEW

UP submitted an historic report as required by the the Board's environmental rules [49 CFR 1105.8(a)]. UP served the report on the California Office of Historic Preservation (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO submitted comments to UP stating that the two bridge segments (constructed in 1906 and 1955) located along the line are not eligible for inclusion in the National Register of Historic Places (National Register). The SHPO indicates that the structures do not exhibit associations with significant historical events or people; and

¹ The conversion factor is an estimate used to calculate the rail to truck conversion of varied commodities.

neither structure is outstanding in engineering design or function. We have reviewed the report and the information provided by the SHPO and concur with the SHPO's comments.

In verbal discussion with SEA, the SHPO has indicated the possibility that unanticipated buried archaeological sites could be located within the area of the proposed abandonment. The location of buried archaeological resources under the line is possible since the line passes through the historic center of Yuba City proper, and crosses the Feather River upon which former Indian villages are known to have been located. Moreover, the Cultural Resources section of the Sutter County General Plan indicates that Yuba City was actually founded on the site of a Nisenan Indian village (see Page 4 of Chapter 8 in the Sutter County General Plan accessed 6/8/2004 at <http://ceres.ca.gov/planning/genplan/sutter/cultural.html>). In light of this finding, the Board's Section of Environmental Analysis (SEA) has contacted the United Auburn Indian Community per 36 CFR 800.3(f)(2) in order to ensure that there are no National Register eligible properties of traditional religious and cultural significance that may be affected by the proposed abandonment. The United Auburn Indian Community includes descendants from the Nisenan Indians and others with a shared Maidu cultural heritage.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of the National Historic Preservation Act at 36 CFR 800.4(d)(1) and 36 CFR 800.8, we have determined that the proposed abandonment will not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public. However, we will recommend a condition that in the event that UP does discover unanticipated archaeological sites, human remains, funerary items or associated artifacts during their salvage operations, that they shall immediately cease work and notify SEA, the SHPO, and any Federally recognized tribe that may have an interest, and consult with them to determine whether any mitigation measures are necessary.

CONDITIONS

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

1. The National Geodetic Survey (NGS) has identified one geodetic marker along the rail line and requests 90 days notice to plan relocation of any markers which may be disturbed or destroyed. Therefore, the Union Pacific Railroad Company shall consult with the National Geodetic Survey and provide NGS with 90 days notice prior to disturbing or destroying any geodetic markers.
2. In the event that any archaeological sites, human remains, funerary items or associated artifacts are discovered during the Union Pacific Railroad Company's salvage activities, the Union Pacific Railroad Company shall immediately cease all work and notify the Section of Environmental Analysis, interested Federally recognized tribes, and the California State Historic Preservation Officer. The Section of Environmental Analysis, California State Historic Preservation Officer, interested Federally recognized tribes and

Union Pacific Railroad Company shall then consult to determine whether any mitigation measures are necessary.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended condition is imposed, 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 any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, 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 the time specified in the Federal Register notice. Nevertheless, 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, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Catherine Glidden, who prepared this environmental assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov by clicking on the "E-FILING" link. **Please refer to Docket No. AB-33 (Sub No. 205X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this environmental assessment, please contact Catherine Glidden, the environmental

contact for this case, by phone at (202) 565-1542, fax at (202) 565-9000, or e-mail at gliddenc@stb.dot.gov

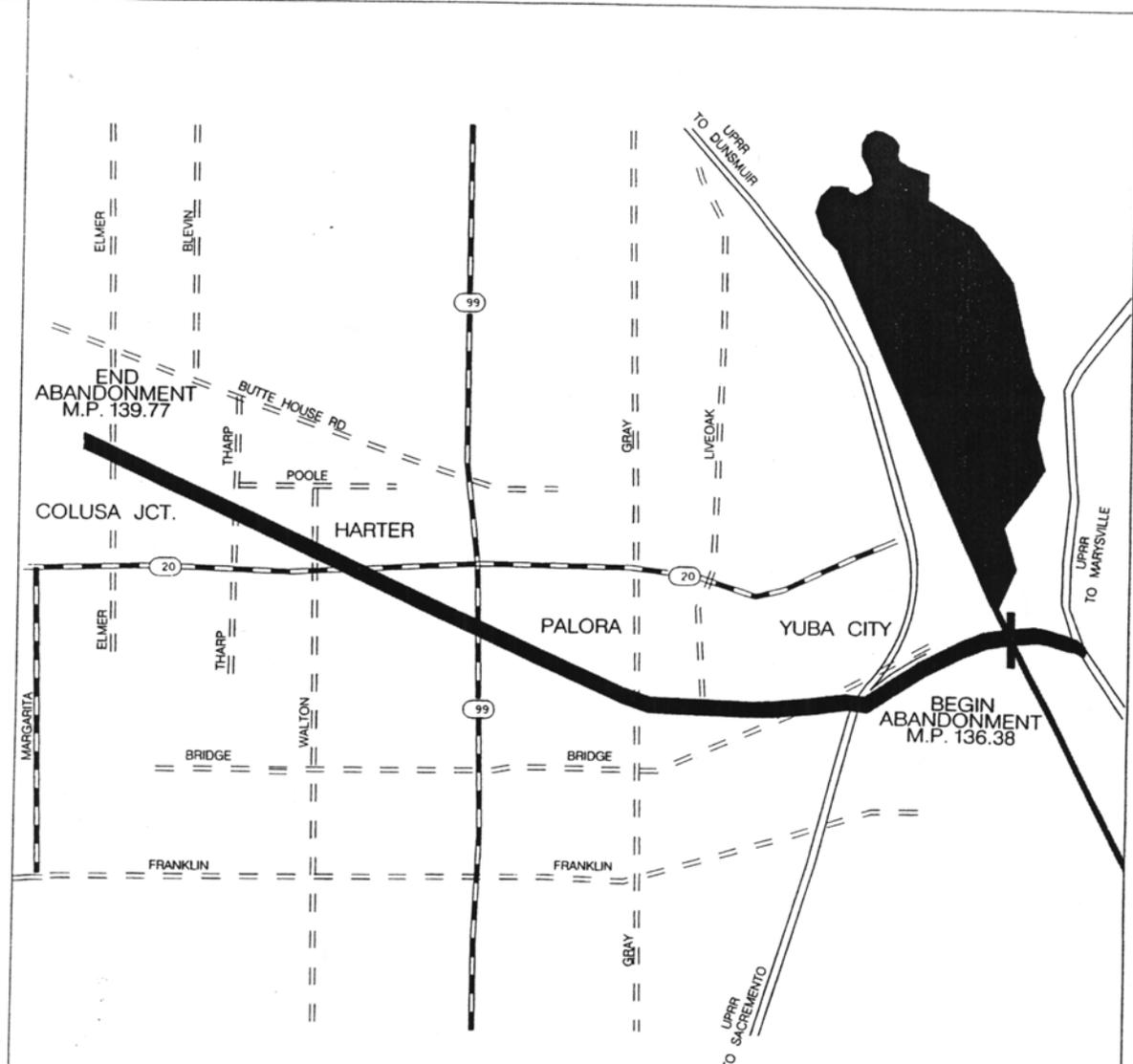
Date made available to the public: **June 18, 2004.**

Comment due date: July 19, 2004 (30 days).

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment



BRIDGE NO	BRIDGE TYPE	TOTAL LENGTH	DATE
136.53	2 - 150' TT SPANS	300'	1906
136.53	38 - 40' RC SPANS	1,520'	1955

A TOTAL OF 3.39 MILES
IN SUTTER COUNTY, CALIFORNIA

STATION	MILE POST	AGENCY
YUBA CITY	137.30	NO
PALORA	138.60	NO
HARTER	139.40	NO
COLUSA JCT.	139.77	NO

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- 50+ YEAR OLD STRUCTURES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

UNION PACIFIC RAILROAD CO.
YUBA CITY INDUSTRIAL LEAD
INCLUDING 50+ YEAR OLD STRUCTURES



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