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SERVICE DATE – DECEMBER 17, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 254X)

UNION PACIFIC RAILROAD COMPANY–ABANDONMENT EXEMPTION–IN
RIVERSIDE COUNTY, CA

Decided: December 14, 2007

Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 0.31-mile line of railroad known as the Riverside Industrial Lead, extending from milepost 545.83 near Third Street to milepost 546.14 near Sixth Street, in the City of Riverside, Riverside County, CA. Notice of the exemption was served and published in the Federal Register on September 27, 2007 (72 FR 13140). The exemption became effective on October 27, 2007.

By decision served October 24, 2007 (October 2007 decision), the proceeding was reopened at the request of the Board’s Section of Environmental Analysis (SEA) and the exemption was made subject to a historic preservation condition. Specifically, the condition ordered that UP shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, structures, objects or districts within the right-of-way that are eligible for listing or are listed in the National Register of Historic Places (National Register) (generally, 50 years old or older) until the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed, report back to SEA regarding any consultations with the California State Historic Preservation Office (SHPO) and any other section 106 consulting parties, and not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the section 106 process has been completed and the Board has removed this condition.

On December 6, 2007, UP submitted a letter from the SHPO stating that the proposed abandonment would have no effect on historic properties. Therefore, based on the information provided, SEA recommends that the section 106 historic preservation condition imposed in the October 2007 decision be removed.

Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.

This decision 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 October 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