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SERVICE DATE – DECEMBER 13, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 219X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—
IN DOUGLAS AND CHAMPAIGN COUNTIES, IL

Decided: December 12, 2006

Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 9.87-mile line of railroad known as the Westville Industrial Lead, extending from milepost 164.87 at Villa Grove to the end of the track at milepost 155.0 near Broadlands, in Douglas and Champaign Counties, IL. Notice of the exemption was served and published in the Federal Register on May 4, 2005 (70 FR 23294-95). The exemption became effective on June 3, 2005.

By decision served on May 31, 2005 (May 2005 decision), the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to four environmental conditions. One of the conditions required UP to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until the completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.¹ The historic condition was imposed because the Illinois Historic Preservation Agency (the State Historic Preservation Office or SHPO) had not completed its review of the proposed abandonment at the time SEA prepared its environmental assessment.

On November 21, 2006, UP submitted comments from the SHPO stating that no historic properties are affected by the proposed abandonment and the SHPO has no objection to the planned undertaking. Therefore, based on the comments received, SEA recommends that the section 106 historic preservation condition imposed in the May 2005 decision be removed.

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

¹ The other three environmental conditions remain in effect.

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 May 2005 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