

38256  
SEA

SERVICE DATE – AUGUST 17, 2007

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

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

**Union Pacific Railroad Company – Abandonment and Discontinuance Exemption –  
in Plumas and Sierra Counties, CA**

**BACKGROUND**

In this proceeding, the Union Pacific Railroad Company (UP) filed a notice under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a line of railroad between milepost 11.62 and milepost 12.34 and the discontinuance of service over a line of railroad between milepost 0.55 and milepost 11.62, a total distance of 11.79 miles near Loyalton in Plumas and Sierra Counties, CA.<sup>1</sup> A map depicting the Line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice 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 Line was constructed in 1901 by the Boca and Loyalton Railroad. It currently comprises 75-pound jointed rail laid in 1924, except for two short stretches, approximately one quarter mile in length, of 100-pound jointed rail laid in 1968. The right-of-way varies in width from 80 to 100 feet and runs through the City of Loyalton to a former lumber mill. UP indicates that the prospective sale of a significant portion of the right-of-way to the Line's former customer would assist in industrial redevelopment.

After the proposed abandonment, the closest rail service would be provided by the UP main line at Hawley, CA, the junction point of the Line. The area is served by various state highways. Route 49, generally a north-south route, goes through Loyalton and connects to Route 70 about ten miles north and Route 89 about 15 miles south. Interstate 80, the region's major east-west highway, lies approximately 25 miles south of the Route 49 - Route 89 connection.

---

<sup>1</sup> The line proposed for abandonment and the line proposed for discontinuance will be referred to in this Environmental Assessment as "the Line."

## **ENVIRONMENTAL REVIEW**

UP 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. UP served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)].<sup>2</sup> The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

### ***Diversion of Traffic***

According to UP, no local traffic has moved over the Line for at least two years, and there is no overhead traffic to be rerouted. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

### ***Salvage Activities***

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

UP states that the Line contains no federally granted right-of-way and that none of the adjacent property is reversionary. UP indicates that the proposed action will have no detrimental effects on public health and safety. UP also states that there are no known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

UP indicates that it is unaware of any adverse affects on local and existing land use. Furthermore, UP states that the property proposed for abandonment is not suitable for public purposes such as roads, highways, or other forms of mass transportation, conservation, energy production or transmission, or recreation such as trail use because there is a fully developed grid of public streets surrounding the right-of-way, and no additional streets are needed. According to UP, the area is also adequately served by public utilities.

---

<sup>2</sup> The railroad's environmental and historic reports are available for viewing on the Board's website at [www.stb.dot.gov](http://www.stb.dot.gov) by going to "E-Library," selecting "Filings," and then conducting a search for AB-33 (Sub-No. 249X).

The National Geodetic Survey (NGS) indicates that no geodetic station markers have been identified that may be affected by the proposed abandonment. Accordingly, no mitigation measures were recommended by NGS.

The U.S. Environmental Protection Agency's Region 9 Office (USEPA) has not submitted comments regarding this proposed abandonment. Accordingly, SEA will provide a copy of this EA to USEPA for its review and comment.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts. In addition to the parties on the Board's service list for this proceeding, SEA is providing a copy of this EA to USEPA for its review and comment.

## **HISTORIC REVIEW**

UP served the historic report on the California State Historic Preservation Officer (SHPO), pursuant to 49 CFR 1105.8(c). SEA has not heard from the California SHPO and therefore has not been able to consider the California SHPO's opinion before determining if the rail line may be potentially eligible for listing on the National Register of Historic Places (National Register). Accordingly, we are recommending a condition requiring the railroad to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register until completion of the Section 106 process.

SEA conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify Federally recognized tribes that may have ancestral connections to the project area. The database indicated that the following tribes may have an interest in the proposed abandonment: Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon; Greenville Rancheria of Maidu Indians of California; Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada; Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada; Reno-Sparks Indian Colony, Nevada; Walker River Paiute Tribe of the Walker River Reservation, Nevada; Washoe Tribe of Nevada & California; and Yerington Paiute Tribe of the Yerington Colony & Campbell Ranch, Nevada. Accordingly, SEA is sending a copy of this EA to these tribes for their review and comment.

## **CONDITIONS**

We recommend that the following condition be imposed on any decision granting abandonment authority:

The Union Pacific Railroad Company (UP) shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places

(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. UP shall report back to the Section of Environmental Analysis regarding any consultations with the SHPO and any other Section 106 consulting parties. UP may 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.

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA concludes 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 10 days of publication of the notice of exemption in the Federal Register. 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).

SEA has received calls from concerned citizens regarding the possibility of a trail along the right-of-way after the proposed abandonment. While we do not believe that the Line would be used for recreational purposes, SEA invites citizens to file comments on this issue.

## **PUBLIC ASSISTANCE**

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 245-0230, 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 Danielle Gosselin, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's web site, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB-33 (Sub-No. 249X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Danielle Gosselin, the environmental contact for this case, by phone at (202) 245-0300, fax at (202) 245-0454, or e-mail at [danielle.gosselin@stb.dot.gov](mailto:danielle.gosselin@stb.dot.gov).

Date made available to the public: August 17, 2007.

**Comment due date: August 31, 2007.**

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

Vernon A. Williams  
Secretary

Attachment