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SERVICE DATE - OCTOBER 24, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 167X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT AND DISCONTINUANCE
EXEMPTION—IN COOK COUNTY, IL

Decided: October 18, 2002

On May 7, 2002, Union Pacific Railroad Company (UP) filed a petition seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 to abandon a 1.04-mile portion of a line of railroad, known as the Skokie Industrial Lead (the line), extending from milepost 12.60 south of Oakton Street to the north side of Dempster Street at milepost 13.64 (South Segment), and to discontinue service over an 8.06-mile portion of the line from milepost 13.64 to milepost 21.70 near Northfield (North Segment), a total distance of 9.10 miles, in Cook County, IL. Notice of the filing was served and published in the Federal Register on May 24, 2002 (67 FR 36668-69).

By decision and notice of interim trail use or abandonment served on August 23, 2002 (August 23 decision), the petition for exemption was granted, subject to public use, trail use, environmental, and standard employee protective conditions.¹ One of the environmental conditions imposed in the August 23 decision required UP to retain its interest in the South Segment of the line until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

By letter filed on September 19, 2002, the Illinois Historic Preservation Agency informed the Board's Section of Environmental Analysis (SEA) that, based on the information provided, it has concluded that no historic properties will be affected by the abandonment. SEA, therefore, recommends that the section 106 condition imposed in the August 23 decision be removed. Accordingly, the proceeding will be reopened, and the previously imposed historic preservation condition will be removed.²

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ The exemption became effective on September 22, 2002.

² All of the other conditions remain in effect.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the August 23 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