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SERVICE DATE – SEPTEMBER 21, 2023

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 33 (Sub-No. 345X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—  
IN RIVERSIDE AND SAN BERNARDINO COUNTIES, CAL.

Decided: September 21, 2023

Union Pacific Railroad Company (UP) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon an approximately 0.54-mile portion of the Crestmore Industrial Lead in Crestmore, Cal., between milepost 7.06 and milepost 7.6, in Riverside and San Bernardino Counties, Cal. (the Line). Notice of the exemption was served and published in the Federal Register on June 30, 2021 (86 Fed. Reg. 34,830). The exemption became effective on July 30, 2021.

By decision dated July 29, 2021, the Board imposed two conditions recommended by the Board’s Office of Environmental Analysis (OEA): a historic preservation condition pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and a salvage-related condition pertaining to unanticipated archeological discoveries.

In a Supplemental Final Environmental Assessment served on June 14, 2023, OEA states that on June 6, 2023, UP submitted a letter from the SHPO concurring with the conclusion that the proposed abandonment would have no adverse effect on historic properties. As a result, OEA concludes that the proposed abandonment would not affect historic properties listed, or eligible for listing, in the National Register of Historic Places and recommends that the Board remove the Section 106 historic preservation condition.

Consistent with OEA’s recommendation, this proceeding will be reopened, and the previously imposed Section 106 historic preservation condition will be removed. The previously imposed unanticipated archeological discovery condition remains unchanged.

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 July 29, 2021 decision is removed.

3. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.