

SERVICE DATE – MAY 14, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36841

SIERRA NORTHERN RAILWAY—
ACQUISITION AND OPERATION EXEMPTION—IN YOLO COUNTY, CAL.

Decided: May 14, 2025

On April 15, 2025, Sierra Northern Railway (SNR), a Class III rail carrier, filed a verified notice of exemption under 49 C.F.R. § 1150.41 to acquire and operate approximately 0.58 miles of double track rail line between milepost 4.01 and milepost 4.31 within the Sacramento-Yolo Port District (District) in Yolo County, Cal. (the Line). In its verified notice, SNR represented that it originally built the Line as industrial track under 49 U.S.C. § 10906. Notice of the exemption was published in the Federal Register on May 1, 2025 (90 Fed. Reg. 18,722). In the published notice, SNR was directed to serve a copy of the notice on the District and Union Pacific Railroad Company (UP) and notify the Board that it had done so by May 5, 2025. SNR certified to the Board that it served the District and UP as required by the order. The exemption is scheduled to become effective on May 15, 2025.

On May 8, 2025, the District filed a request for a housekeeping stay—effectively, a request to postpone the effective date of the exemption—stating that the notice “raises questions” about whether SNR should have sought construction authority for the Line given how recently it was constructed. (Dist. Mot. 2.) The District states that a housekeeping stay would allow the Board additional time to “seek information” from SNR regarding the construction of the track and whether the exemption sought by SNR is appropriate, as well as for possible discussions between the District and SNR. (Id. at 3.) SNR replied the same day, opposing the request.

The District’s request will be denied. Although the District raises questions about the need for construction authority based on the age of the Line, its filing does not include information sufficient to justify imposing a housekeeping stay. Additionally, the District does not explain why additional time is needed to allow for discussions between it and SNR, particularly given that the District does not indicate that it objects to SNR serving as a rail carrier on the Line. Accordingly, the District’s request for a housekeeping stay will be denied, and the exemption will become effective on May 15, 2025, as provided in the notice of exemption. See Sierra N. Ry.—Acquis. & Operation Exemption—in Yolo Cnty., Cal., FD 36841 (STB served May 1, 2025). The District remains free to file a petition to revoke the exemption under 49 U.S.C. § 10502(d). Sierra N. Ry., FD 36841, slip op. at 2 (“Petitions to revoke the exemption under 49 U.S.C. [§] 10502(d) may be filed at any time.”); see also Iowa, Chi. & E. R.R.—

Acquis. & Operation Exemption—Lines of I&M Rail Link, LLC, FD 34177, slip op. at 9 n.16 (STB served July 22, 2002).¹

It is ordered:

1. The District's request for a housekeeping stay is denied.
2. This decision is effective on its service date.

By the Board, Valerie O. Quinn, Acting Director, Office of Proceedings.

¹ The District also has not attempted to satisfy the requirements for a traditional stay. See Joint Pet. for Rulemaking to Est. a Voluntary Arb. Program for Small Rate Disputes, EP 765, slip op. at 2-3 (STB served Jan. 24, 2023) (listing the four stay factors); 49 U.S.C. § 1321(b)(4).