

EO-1439
LB

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 33 (Sub-No. 281X)

May 12, 2010

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

☒ (X) Notice of Exemption ☐ () Petition for Exemption ☐ () Regulated Abandonment

☒ (X) **NO NEW COMMENTS WERE RECEIVED**

☐ () **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on April 26, 2010 for public review and comment. In the EA, SEA recommended 3 environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Conclusions

The EA comment period has ended. Accordingly, SEA recommends that the following conditions previously recommended in the EA should be imposed upon any decision granting abandonment authority:

1. Union Pacific Railroad Company shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.
2. Prior to beginning any salvage activities, Union Pacific Railroad Company (UP) shall consult with the California Coastal Commission to determine whether state coastal management consistency certification is required. If consistency certification is required, UP shall be prohibited from performing any salvage activities until it obtains consistency certification and shall then notify the Board's Section of Environmental Analysis, pursuant to the Coastal Zone Management Act, 16 U.S.C. § 1451 et seq. and the Board's environmental regulations at 49 C.F.R. § 1105.9.

3. Union Pacific Railroad Company (UP) shall 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) that are eligible for listing or listed in the National Register of Historic Places 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 (SEA) regarding any consultations with the State Historic Preservation Office, any other Section 106 consulting parties that have been identified and the public. 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.

If the above conditions are imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

SEA CONTACT: Kenneth Blodgett (202-245-0305)

LAB