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SERVICE DATE – OCTOBER 7, 2010

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 33 (Sub-No. 287X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—IN SAN
MATEO COUNTY, CAL.

Decided: October 6, 2010

Union Pacific Railroad Company (UP) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon a 0.57-mile line of railroad, on the South San Francisco Industrial Lead, from milepost 12.29 to milepost 12.86 in South San Francisco, in San Mateo County, Cal. Notice of the exemption was served and published in the Federal Register on June 23, 2010 (75 Fed. Reg. 35,873-74). The exemption became effective on July 23, 2010.

The Board's Section of Environmental Analysis (SEA),¹ in an Environmental Assessment served on June 28, 2010, considered the potential environmental impacts of the proposed abandonment and found that it would not significantly affect the quality of the human environment. By decision served on July 22, 2010 (July 2010 decision), the proceeding was reopened at the request of SEA, and the exemption was made subject to the condition that UP shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, structures, and objects within the right-of-way (the Area of Potential Effect) that are eligible for listing or are 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, report back to SEA regarding any consultations with the California State Historic Preservation Office (SHPO), any other Section 106 consulting parties that have been identified, and the public, and be prohibited from filing its consummation notice or initiating salvage activities related to the abandonment (including the removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

OEA states that, on August 26, 2010, UP submitted a letter from the SHPO also dated August 26, 2010, stating that the SHPO has no outstanding Section 106 issues with the proposed abandonment. Therefore, based on the information provided, OEA recommends that the Section 106 historic preservation condition imposed in the July 2010 decision be removed. Accordingly, the proceeding will be reopened, and the previously imposed historic preservation condition will be removed.

¹ As of September 1, 2010, SEA is now the Office of Environmental Analysis (OEA).

This action 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 2010 decision is removed.
3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.