

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

E0-1321
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POST ENVIRONMENTAL ASSESSMENT

**ENVIRONMENTAL RECOMMENDATION IN
STB FINANCE DOCKET NO. AB-398 (Sub-No. 7X)**

October 30, 2009

**San Joaquin Valley Railroad Company – Abandonment Exemption – in
Tulare County, CA**

By decision served on June 6, 2008, the Board imposed a condition requiring San Joaquin Valley Railroad (SJVR) to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are eligible for listing or listed in the National Register of Historic Places (National Register) until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470 f (NHPA).

Pursuant to the Section 106 regulations of the NHPA at 36 CFR 800.5(b), we have determined that the proposed project would not affect historic properties listed in or eligible for inclusion in the National Register located within the right-of-way (the Area of Potential Effect or APE). The documentation for this finding, as specified at 36 CFR 800.11(e), consists of SJVR's historic report, additional details on bridges located along the rail line provided by SJVR on September 10, 2009, all relevant correspondence, and the EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>. SEA notified the SHPO of this determination by letter dated September 16, 2009 (copy attached), and requested that the SHPO provide its comment, if any, regarding this undertaking within 30 days of receipt of the letter. SEA has not heard from the SHPO within the 30-day time frame specified in the regulations at 36 CFR 800.4(d)(1)(i). STB's compliance responsibilities under Section 106 of NHPA have been completed.

Accordingly, we recommend that the Section 106 condition imposed in the Board's June 6, 2008 decision be removed.

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



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

September 16, 2009

Mark Beason
California State Office of Historic Preservation
P.O. Box 942896
Sacramento, CA 94296-0001

Re: STB Docket No. AB-398 (Sub-No. 7X), San Joaquin Valley Railroad Company –
Abandonment Exemption – in Tulare County, CA

Dear Mr. Beason:

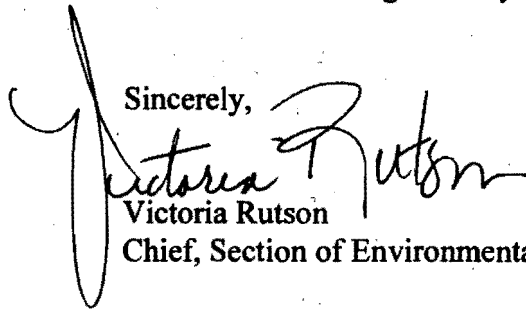
The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) has conducted an environmental review for the above abandonment proceeding pursuant to the National Environmental Policy Act and Section 106 of the National Historic Preservation Act (NHPA). The Board has authorized the abandonment by decision served on June 6, 2008, subject to various conditions, including the completion of the Section 106 process. SEA has designated the Law Offices of Louis E. Gitomer (Gitomer), who represent San Joaquin Valley Railroad Company (SJVR), as our representative for this undertaking to work with your office on moving the Section 106 review process forward. Gitomer has recently provided the Board with additional details (Attachment 1) on bridges located along the rail line to be abandoned by SJVR in this docket. Photos of the structures and a description of the undertaking are set forth in SJVR's Historic Report (Attachment 2).

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 CFR 800.5(b), we have determined that the abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places located within the right-of-way (the Area of Potential Effect or APE). The documentation for this finding, as specified at 36 CFR 800.11(e), consists of the railroad's historic report, all relevant correspondence, and the EA, which have been made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

Please provide your comment, if any, regarding this undertaking within 30 days of receipt of this letter. If we do not hear from you within the 30-day time frame specified in the regulations at 36 CFR 800.4(d)(1)(i), we will determine that the Section 106 process is complete and will remove the Section 106 condition from this proceeding.

If you have any questions, require additional information regarding this proceeding, or have any concerns, please do not hesitate to contact me or Kenneth Blodgett of my staff at (202) 245-0305.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a long, sweeping underline.

Victoria Rutson

Chief, Section of Environmental Analysis

cc: San Joaquin Valley Railroad (Gitomer)



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Signed for by: K.FREEMAN

Shipment Dates

Destination

Ship date ⓘ Sep 16, 2009

Delivery date ⓘ Sep 17, 2009 9:04 AM

Signature Proof of Delivery ⓘ

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Service type
WeightStandard Pak
2.0 lbs/0.9 kg

Delivered to

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Date/Time	Activity	Location	Details
Sep 17, 2009 9:04 AM	Delivered		
Sep 17, 2009 7:52 AM	On FedEx vehicle for delivery	SACRAMENTO, CA	
Sep 17, 2009 7:07 AM	At local FedEx facility	SACRAMENTO, CA	
Sep 17, 2009 5:15 AM	At dest sort facility	SACRAMENTO, CA	
Sep 17, 2009 4:53 AM	Departed FedEx location	MEMPHIS, TN	
Sep 16, 2009 11:15 PM	Arrived at FedEx location	MEMPHIS, TN	
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