

FO-2070

SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 33 296X

January 25, 2013

ABANDONMENT TYPE

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

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

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

In a decision dated May 3, 2011, the Board imposed the following condition:

Union Pacific Railroad Company 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. Union Pacific Railway Company shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the SHPO and the public. Union Pacific Railway Company 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.

According to the Union Pacific Railroad Company (UP), one major factor prompting abandonment of the Line is that Interstate Highway 215 is being substantially expanded by the California Department of Transportation, in conjunction with San Bernardino Associated Governments and the Riverside County Transportation Commission. UP states that, absent abandonment, the Interstate Highway 215 expansion would require replacing an existing railroad bridge on the North Segment of the Line at a cost of \$12.4 million to taxpayers. UP maintains that this taxpayer cost is not justified given the existing level of rail traffic and the alternative to reroute UP's overhead traffic from the North Segment to the proposed connector track. If the Line is abandoned, UP states, a new bridge would not be needed, and the cost to remove the existing bridge would be only \$1.2 million, resulting in a net savings to taxpayers of approximately \$11.2 million. Given the expansion of Interstate Highway 215 and the costs associated with replacing the existing railroad bridge, UP asserts that there is no reasonable alternative to the abandonment.

New Comments

In a letter dated January 4, 2013, UP submitted a letter requesting that the Section 106 condition be modified to allow for salvage of the bridge located at milepost 541.5 and that crosses Interstate Highway 215.

UP has provided the following documentation supporting its request to modify the Section 106 condition allowing it to salvage its bridge located at milepost 541.5 which would allow the Interstate Highway 215 expansion to proceed:

1. In an attached Interstate 215 Bi-County HOV Lane Gap Closure Project, Historical Resources Evaluation Report, Summary of Findings dated June 2010 and prepared by the California Department of Transportation, District 8, the UP bridge crossing Interstate Highway 215 was identified as being removed and replaced. The removal of the UP bridge crossing Interstate Highway 215 was evaluated for inclusion in the National Register of Historic Places as required by 36 CFR Part 800 and the regulation implementing Section 106 of the National Historic Preservation Act of 1966, as amended.
2. In a letter dated September 27, 2010, the CA-SHPO concurred with the finding of California Department of Transportation, District 8 that the UP Bridge is not eligible for listing on the National Register of Historic Places. The bridge identified was part of a larger list of properties determined not eligible for listing on the National Register of Historic Places.

Furthermore, in a letter dated January 12, 2013, the CA-SHPO, references its concurrence with the September 27, 2010, findings noted above. Specifically, that the UP bridge that crosses Interstate Highway 215 is not eligible for listing on the National Register of Historic Places.

Conclusions

Based on the information submitted by UP and concurrence from the CA-SHPO, OEA recommends that the Section 106 condition be modified to allow UP to salvage its bridge located at milepost 541.5 and that crosses Interstate Highway 215 to read as follows:

Union Pacific Railroad Company 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. Union Pacific Railroad Company may, however, proceed with salvage of its bridge located at milepost 541.5 that crosses Interstate Highway 215. Salvage of this bridge would allow the California Department of Transportation, District 8 to proceed with its expansion of Interstate Highway 215. Union Pacific Railroad Company shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the SHPO and the public. Union Pacific Railroad Company 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 environmental conditions are imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

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