



BUILDING AMERICA®

VIA E-FILE

June 2, 2021

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S.W., Room #100
Washington, DC 20423-0001

302454

ENTERED
Office of Proceedings
June 2, 2021
Part of
Public Record

RE: Union Pacific Railroad Company--Abandonment Exemption--In Riverside and San Bernardino Counties, CA, STB Docket No. AB-33 (Sub-No. 345X)

Dear Ms. Brown:

After filing a Notice of Exemption in the above-captioned proceeding on September 18, 2020, Union Pacific discovered that the notice omitted a zip code and a county. Union Pacific requested that the Board hold this proceeding in abeyance to allow Union Pacific to correct these omissions and provide the appropriate notices. Union Pacific has now provided the required notices and is filing today a revised Verified Notice of Exemption.

Union Pacific requests that the Board remove the abeyance and process the revised Verified Notice of Exemption. Union Pacific requests that the time period for determining the effective date of the revised notice, the earliest date of consummation, and other deadlines begin to run on the date when the abeyance is removed

Thank you for your assistance and please do not hesitate to contact me with any questions.

Sincerely,

/s/ Jeremy Berman

Jeremy Berman

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 345X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN RIVERSIDE AND SAN BERNARDINO COUNTIES, CA**

Revised Verified Notice of Exemption

UNION PACIFIC RAILROAD COMPANY

Jeremy M. Berman
Senior General Attorney
1400 Douglas Street STOP 1580
Omaha, NE 68179
(402) 544-4735
jmberman@up.com

Dated: June 2, 2021

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 345X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN RIVERSIDE AND SAN BERNARDINO COUNTIES, CA**

Revised Notice of Exemption

Union Pacific Railroad Company ("UP") submits this revised verified Notice of Exemption pursuant to 49 § C.F.R. 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights for an exempt abandonment of service on a portion of the Crestmore Industrial Lead in Crestmore, CA from Milepost 7.06 to Milepost 7.6, a distance of 0.54 miles in Riverside and San Bernardino Counties, California (the "Line").¹

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

The abandonment will not be consummated until at least 50 days after filing this Notice of Exemption.

Certification: 49 C.F.R. 1152.50(b)

UP certifies that no local or overhead traffic has moved over the Line for at least two years. Therefore, there is no need to reroute any traffic. UP further certifies that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line is pending either with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two-year period.

¹ UP filed a notice of exemption in this proceeding on September 18, 2020, which inadvertently omitted that the Line extends into zip code 92316 and into San Bernardino County. This revised notice of exemption corrects these omissions. As included herein, UP also provided revised notices correcting these omissions.

Additional Information Required: 49 C.F.R. 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

(a) General.

(a)(1) The railroad's exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(a)(3) UP intends to abandon the portion of the Crestmore Industrial Lead in Crestmore, CA from Milepost 7.06 to Milepost 7.6, a distance of 0.54 miles in Riverside and San Bernardino Counties, California.

(a)(4) A map showing the location of the Line in relation to other rail lines, highways, and major roads in the area is attached as **Exhibit 1**.

(a)(7) The representative to whom correspondence regarding this abandonment and discontinuance should be sent is:

Jeremy M. Berman
Senior General Attorney
1400 Douglas St, #1580
Omaha, NE 68179
402-544-4735 (Tel.)
402-501-0129 (FAX)
jmberman@up.com

(a)(8) ZIP Codes. The Line traverses U.S. Postal Service Zip Codes 92509 and 92316.

(e)(4) Rural and Community Impact.

The salvage process would begin with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) would be removed. Next the wooden ties would be raised from among the ballast with a tool designed for minimum disruption of the ground material. The ties would then be separated into three groups as follows: (1) good quality ties that would be re-used in rail service, (2) landscape-quality ties that would be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into truck

trailers or containers and shipped by UP's contractor to an EPA approved disposal site or to a cogeneration plant.

Culverts and right-of-way grading would remain intact so as not to alter the prevailing water flows along the Line. Ballast would typically be left in place, but might be removed if it is of exceptional quality - thus suitable for resale - or to make the right of way more suitable for a planned future use. Finally, all road crossings would be removed and remediated, then resurfaced with gravel, asphalt or concrete, as required by governing authority. Any railroad signals would also be dismantled and removed.

UP's salvage work for abandonments is always performed by experienced rail material salvagers. Each salvage contract includes detailed information on any environmental or historical conditions imposed by the Board. Completed work is independently inspected by a UP maintenance official to ensure compliance with UP standards of quality and all contractual obligations, including Board imposed conditions, if applicable.

The Line proposed for abandonment consists primarily of fee property. Based upon information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available to those requesting it.

After the proposed abandonment, UP will continue to serve the area. The area is also well served by major highways and by numerous local roads.

No local traffic has moved to or from the Line in the past two years and there is no overhead traffic. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant in at least two years.

A map of the Line is attached hereto as **Exhibit 1**.

Labor Protection

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

Certifications

Attached as **Exhibit 2** is a Certificate of Service and Publication, pursuant to the notice requirements of 49 C.F.R §§ 1152.50(d)(1), 1105.11 and 1105.12.

Environmental and Historic Report

A copy of the Revised Combined Environmental and Historic Report (“CEHR”), containing the information required by 49 C.F.R. §§ 1105.7(e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached as **Exhibit 3**.

Dated this 2nd day of June, 2021.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

/s/ Jeremy Berman

Jeremy M. Berman
Senior General Attorney
1400 Douglas Street STOP 1580
Omaha, NE 68179
(402) 544-4735
jmberman@up.com



DOCKET NO. AB-33 (Sub-No. 345X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN RIVERSIDE AND SAN BERNARDINO COUNTIES, CA

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) – Notice

The undersigned certifies that on April 27, 2021 (at least 10 days before a Notice of Exemption is filed), written notice was given by Union Pacific stating Union Pacific's intent to file this Notice of Exemption. Said written notice (a copy of which is attached hereto as **Attachment 1**) was served on the following:

California Public Utilities Commission
Los Angeles Office
320 West 4th Street, Ste. 500
Los Angeles, CA 90013

National Park Service
1849 C Street NW
Washington, DC 20240

Chief of the Forest Service
U. S. Department of Agriculture
4th Floor, N.W. Auditors Bldg.
1400 Independence Ave. SW
Washington, DC 20250-1111

Headquarters – Military Surface Deployment &
Distribution Command
ATTN: Transportation Engineering Agency
(SDTE-SA)
Railroads for National Defense Program
1 Soldier Way
Scott AFB, IL 62225

49 C.F.R. § 1105.11 – Transmittal Letter for Applicant’s Report

The undersigned certifies that on April 27, 2021 (at least 20 days before a Notice of Exemption is filed), the Revised Combined Environmental and Historic Report, pursuant to 49 C.F.R. § 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 345X) on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) Head of each County
- (4) U.S. Environmental Protection Agency, Regional Office
- (5) U.S. Fish and Wildlife Service
- (6) U.S. Army Corps of Engineers
- (7) National Park Service
- (8) U.S. Natural Resources Conservation Service
- (9) The National Geodetic Survey
- (10) Other Agencies Consulted (As Listed)
- (11) State Historic Preservation Office

(This Certificate of Service attached to Combined Environmental Historic Reports lists the names and addresses of the federal, state and local agencies.)

49 C.F.R. § 1105.12 – Newspaper Notice

The undersigned further certifies that a “Notice of Intent to Abandon and Discontinue Service” was published in the form prescribed by the Board for a Notice of Exemption (Copy Attached as **Attachment 2**). The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Riverside and San Bernardino	The Press-Enterprise	May 8, 2021

Dated this 2nd day of June, 2021

/s/ Jeremy Berman

Jeremy M. Berman



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April 27, 2021

California Public Utilities Commission
Los Angeles Office
320 West 4th Street, Ste. 500
Los Angeles, CA 90013

Chief of the Forest Service
U. S. Department of Agriculture
4th Floor, N.W. Auditors Bldg.
1400 Independence Ave. SW
Washington, DC 20250-1111

National Park Service
1849 C Street NW
Washington, DC 20240

Headquarters – Military Surface Deployment &
Distribution Command
ATTN: Transportation Engineering Agency
(SDTE-SA)
Railroads for National Defense Program
1 Soldier Way
Scott AFB, IL 62225

**RE: Union Pacific Railroad Company--Abandonment Exemption--In Riverside and San Bernardino Counties, CA,
STB Docket No. AB-33 (Sub-No. 345X)**

Dear Sir or Madam:

Please be advised that Union Pacific Railroad Company ("UP") expects to file with the United States Surface Transportation Board ("STB"), on or after May 17, 2021, a Notice of Exemption seeking authority to abandon a portion line of railroad known as the Crestmore Industrial Lead in Crestmore, California, from Milepost 7.06 to Milepost 7.6, a distance of 0.54 miles in Riverside and San Bernardino Counties, California (the "Line"). The Line traverses U.S. Postal Service Zip Codes 92509 and 92316.

A Notice of Exemption to abandon service on the Line pursuant to 49 C.F.R. §1152.50 will be filed with the STB on or after May 17, 2021.

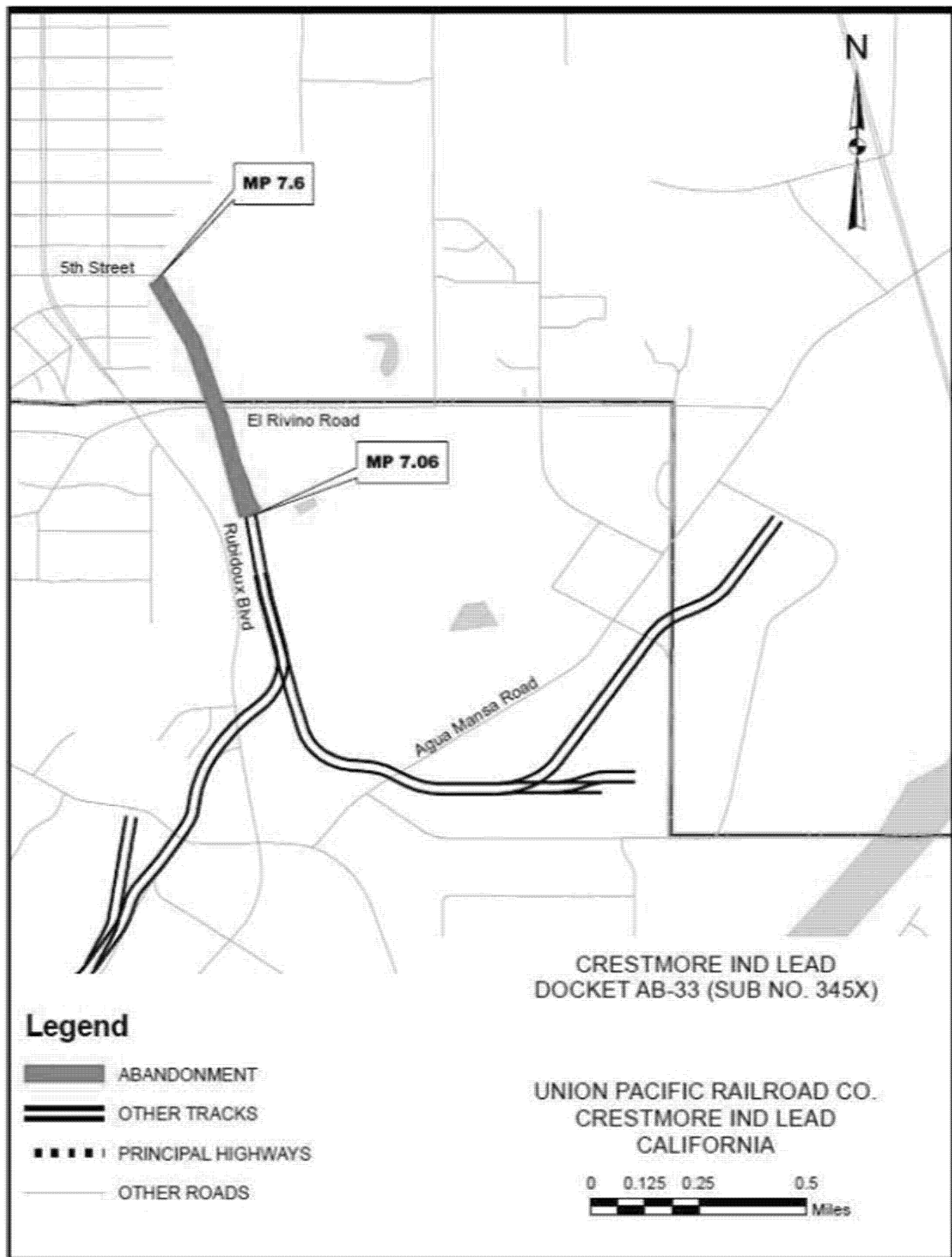
Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

A map showing the segment of Line to be abandoned is attached for your information.

Sincerely,

/s/ Jeremy Berman

Jeremy Berman



THE PRESS-ENTERPRISE

Ad Copy:

Attachment 2

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

05/08/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: May 08, 2021

At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

UNION PACIFIC RAILROAD
1400 DOUGLAS ST., MAIL STOP 1580
OMAHA, NE 68179

Ad Number: 0011460399-01

P.O. Number:

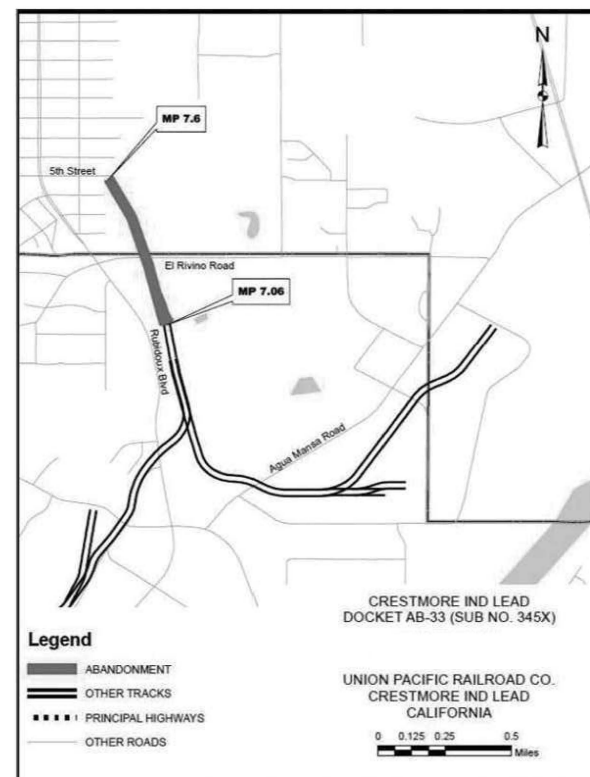
NOTICE OF INTENT TO ABANDON RAIL SERVICE

UNION PACIFIC RAILROAD COMPANY (UP) GIVES NOTICE THAT ON OR AFTER May 17, 2021, it intends to file with the Surface Transportation Board, Washington, D.C., a notice of exemption under 49 C.F.R. Part 1152, Subpart F – Exempt Abandonments permitting the abandonment and discontinuance of service on a line of railroad known as the Crestmore Industrial Lead in Crestmore, California, from Milepost 7.06 to Milepost 7.6, a distance of 0.54 miles in Riverside and San Bernardino Counties, California. The Line traverses U.S. Postal Service Zip Codes 92509 and 92316. The proceeding has been docketed as No. AB-33 (Sub-No. 345X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423 or by calling that office at (202) 245-0291.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails used also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Proceedings, 395 E Street, SW, Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on the applicant's representative. [See 49 CFR 1104.12(a)] Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (866) 254-1792. Copies of any comments or requests for conditions should be served on UP's representative: Jeremy M. Berman, General Attorney, 1400 Douglas St., STOP 1580, Omaha, NE 68179, 402-544-4735.

UNION PACIFIC RAILROAD COMPANY



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April 27, 2021

*VIA US Mail***TO: Attached Service List****RE: Union Pacific Railroad Company--Abandonment Exemption-- In Riverside and San Bernardino Counties, CA, STB Docket No. AB-33 (Sub-No. 345X)**

To whom it may concern:

On or after May 17, 2021, Union Pacific Railroad Company ("UP") expects to be filing with the Surface Transportation Board ("STB" or "Board") a Notice of Exemption seeking authority to abandon a portion of the Crestmore Industrial Lead in Crestmore, CA from Milepost 7.06 to Milepost 7.6, a distance of 0.54 miles in Riverside and San Bernardino Counties, California (the "Line"). Attached is a Revised Combined Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Union Pacific is providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC, Telephone (202) 245-0291 and refer to the above Docket No. AB-33 (Sub-No. 345X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to OEA (with a copy to our representative) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representative in this matter is Jeremy M. Berman who may be contacted by telephone at 402-544-4735 or by mail at 1400 Douglas St., Stop 1580, Omaha, NE 68179.

Sincerely,

s/ Jeremy M. Berman

Jeremy M. Berman

Attachment

Service List:

State Clearinghouse (or Alternate):

State Clearinghouse
Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008

Environmental Protection Agency (Regional Office):

US EPA Pacific Southwest, Region 9
75 Hawthorne St.
San Francisco, CA 94105

State Historic Preservation Office:

Julianne Polanco, State Historic Preservation Officer
California State Parks
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Los Angeles District
915 Wilshire Blvd., Suite 1101
Los Angeles, CA 90017

National Park Service (Regional Office):

National Park Service
Pacific West Region
333 Bush Street, Suite 500
San Francisco, CA 94104-2828

Head of Riverside County, California:

V. Manuel Perez, Chairman
Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street, 5th Floor
Riverside, California 92501

Head of San Bernardino County, California:

Curt Hagman, Chairman
San Bernardino County Board of Supervisors
County Government Center
385 N. Arrowhead Avenue, Fifth Floor
San Bernardino, CA 92415

U.S. Natural Resources Conservation Service:

Carlos Suarez
State Conservationist
Richard E. Lyng USDA Service Center
430 G St., #4164
Davis, CA 95616-4164

National Geodetic Survey:

Geodetic Services Division
SSMCC-3 #9340
NOAA N/NGS12
Room 9452
1315 E-W Highway
Silver Spring, Maryland 20910-3282

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 345X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN RIVERSIDE AND SAN BERNARDINO COUNTIES, CA**

Revised Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

Jeremy M. Berman
Senior General Attorney
1400 Douglas Street STOP 1580
Omaha, NE 68179
(402) 544-4735
jmberman@up.com

Dated: April 27, 2021

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 345X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN RIVERSIDE AND SAN BERNARDINO COUNTIES, CA**

Revised Combined Environmental and Historic Report

Union Pacific Railroad Company (“UP”) submits this Revised Combined Environmental and Historic Report (“EHR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of a portion of the Crestmore Industrial Lead in Crestmore, CA from Milepost 7.06 to Milepost 7.6, a distance of 0.54 miles in Riverside and San Bernardino Counties, California (the “Line”).¹ The Line is contained within U.S. Postal Service Zip Codes 92509 and 92316. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after May 17, 2021.

A map of the Line (Attachment No. 1), and UP’s letter to federal, state and local government agencies (Attachment No. 2), are attached to this EHR. There are no bridge structures on the line. Responses received thus far to UP’s letters are also attached.

¹ The original EHR in this proceeding, dated May 22, 2020, advertently omitted that the Line extends into zip code 92316 and into San Bernardino County. This revised EHR corrects these omissions. The original EHR was correct in all other respects.

ENVIRONMENTAL REPORT
49 C.F.R. § 1105.7(e)

(1) Proposed action and alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: The proposed action involves an exempt abandonment of a portion of the Crestmore Industrial Lead. The Line proposed for abandonment extends from Milepost 7.06 to Milepost 7.6 in Crestmore, Riverside and San Bernardino Counties, California, a total distance of 0.54 miles. A map of the Line is attached as Attachment No. 1.

The Line was constructed around 1911 by the Riverside Rialto and Pacific Railroad Company. The Line was sold to the Los Angeles & Salt Lake City Railroad Company (LA&SL) in 1917. The LA&SL became part of the UP system in 1921. For many decades, the Line was used to serve a cement plant. The cement plant closed many years ago and the property is being redeveloped for non-rail uses. There are no bridges on the Line.

UP's real property interest in the Line is primarily fee in nature. Based upon information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession with regard to ownership of the Line will be made available to those requesting it.

It is UP's intention to salvage the track material still and sell the right of way to a private party. The salvage process would begin with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) would be removed. Next the wooden ties would be raised from among the ballast with a tool designed for minimum disruption of the ground material. The ties would then

be separated into three groups as follows: (1) good quality ties that would be re-used in rail service, (2) landscape-quality ties that would be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into truck trailers or containers and shipped by UP's contractor to an EPA approved disposal site or to a cogeneration plant.

Culverts and right-of-way grading would remain intact so as not to alter the prevailing water flows along the Line. Ballast would typically be left in place, but might be removed if it is of exceptional quality - thus suitable for resale - or to make the right of way more suitable for a planned future use. Finally, all road crossings would be removed and remediated, then resurfaced with gravel, asphalt or concrete, as required by governing authority. Any railroad signals would also be dismantled and removed.

UP's salvage work for abandonments is always performed by experienced rail material salvagers. Each salvage contract includes detailed information on any environmental or historical conditions imposed by the Board. Completed work is independently inspected by a UP maintenance official to ensure compliance with UP standards of quality and all contractual obligations, including Board imposed conditions, if applicable.

After the proposed abandonment, the Houston area would continue to receive rail service from UP via several routes. Houston is also well served by major highways and by numerous local roads.

No local traffic has moved to or from the Line in the past two years and there is no overhead traffic. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant in at least two years.

(2) Transportation System. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: Given that no traffic uses the Line, the proposed abandonment will have no impact on area transportation systems and patterns.

(3) Land Use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

Response:

(i) UP is unaware of any adverse effects on local and existing land use plans. A copy of this EHR is being served on the Riverside and San Bernardino County Chairmen.

(ii) The State Conservationist has been contacted. To date, no response has been received.

(iii) The Line is not located within a designated coastal zone.

(iv) The property proposed for abandonment may be suitable for a public purpose in the form of a corridor for utilities such as sanitary sewer lines, but not for roads or highways, other forms of mass transportation, energy

production or transmission, as this area is adequately served by existing roads and power lines at the present time.

(4) Energy.

(i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

Response: (i) There are no effects on the transportation of energy resources.

(ii) There are no recyclable commodities moved over the Line.

(iii) There will be no change in energy consumption from the proposed action.

(iv)(A)(B) UP does not anticipate that there will be any rail-to-motor diversion.

(5) Air. (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air

emissions. For a proposal under 49 U.S.C. §10901 (or §10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

Response: UP does not anticipate any such effects.

(5) Air. (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. §10901 (or 49 U.S.C. §10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic as a result of the proposed action.

(5) Air. (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) Noise. If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and

quantify the noise increase for these receptors if the thresholds are surpassed.

Response: Not applicable.

(7) Safety.

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response: (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous materials waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) Biological resources.

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

Response: (i) and (ii). The U.S. Fish and Wildlife Service and the National Park Service were contacted. To date, UP has not received a response.

(9) Water.

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

(iii) State whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)

Response: (i) The U. S. Environmental Protection Agency Region 6 office has been contacted. To date there has been no response. The California Environmental Protection Agency has been contacted. To date there has been no response.

(ii) The U. S. Army Corps of Engineers (USACE) has been contacted. To date, no response has been received.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: There are no known adverse environmental impacts.

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See **Attachment No. 1.**

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The right of way extends from the connection with existing UP track, which will remain in service, to approximately 5th Street. The Line primarily traverses the site of a former cement plant. The Right of Way is generally 100 feet wide. The topography is flat.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:

Response to (3) and (4): There are no structures on the Line.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:

Response: See UP's response to question (1) in the Environmental Report for a brief history and description.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Response: UP does not have any relevant documentation.

(7) An opinion (based on readily available information in the UP's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and

the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

Response: There are no sites or structures that appear to meet the criteria for listing on the National Register. The State Historic Preservation Officer has been contacted.

To date, no response has been received.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

Response: UP does not have any such readily available information.

(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified non-railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

Response: Not applicable.

Dated this 27th day of April, 2021.

Respectfully submitted,

s/ Jeremy M. Berman

UNION PACIFIC RAILROAD COMPANY

Jeremy M. Berman

General Attorney

1400 Douglas Street STOP 1580

Omaha, NE 68179

(402) 544-4735

(402) 501-0129 (FAX)

jmberman@up.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 345X), was served by First Class U.S. Mail, postage prepaid, on the 27th day of April, 2021, on the following parties:

State Clearinghouse (or Alternate):

State Clearinghouse
Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008

Environmental Protection Agency (Regional Office):

US EPA Pacific Southwest, Region 9
75 Hawthorne St.
San Francisco, CA 94105

State Historic Preservation Office:

Julianne Polanco, State Historic Preservation Officer
California State Parks
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Los Angeles District
915 Wilshire Blvd., Suite 1101
Los Angeles, CA 90017

National Park Service (Regional Office):

National Park Service
Pacific West Region
333 Bush Street, Suite 500
San Francisco, CA 94104-2828

Head of Riverside County, California:

V. Manuel Perez, Chairman
Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street, 5th Floor
Riverside, California 92501

Head of San Bernardino County, California:

Curt Hagman, Chairman
San Bernardino County Board of Supervisors
County Government Center
385 N. Arrowhead Avenue, Fifth Floor
San Bernardino, CA 92415

U.S. Natural Resources Conservation Service:

Carlos Suarez
State Conservationist
Richard E. Lyng USDA Service Center
430 G St., #4164
Davis, CA 95616-4164

National Geodetic Survey:

Geodetic Services Division
SSMCC-3 #9340
NOAA N/NGS12
Room 9452
1315 E-W Highway
Silver Spring, Maryland 20910-3282

s/ Jeremy M. Berman

Jeremy M. Berman

N



MP 7.6

5th Street

El Rivino Road

MP 7.06

Rubidoux Blvd

Agua Mansa Road

CRESTMORE IND LEAD
DOCKET AB-33 (SUB NO. 345X)

Legend

-  ABANDONMENT
-  OTHER TRACKS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

UNION PACIFIC RAILROAD CO.
CRESTMORE IND LEAD
CALIFORNIA

0 0.125 0.25 0.5
 Miles



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April 17, 2020

State Clearinghouse (or Alternate):

State Clearinghouse
Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

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Carlsbad Fish and Wildlife Office
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430 G St., #4164
Davis, CA 95616-4164

National Geodetic Survey:

Geodetic Services Division
SSMCC-3 #9340
NOAA N/NGS12
Room 9452
1315 E-W Highway
Silver Spring, Maryland 20910-3282

Re: Union Pacific Railroad Company--Abandonment Exemption--In Riverside County, CA, STB
Docket No. AB-33 (Sub-No. 345X)

To Whom It May Concern:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board ("STB") to abandon a portion of the Crestmore Industrial Lead in Crestmore, California, from Milepost 7.06 to Milepost 7.6, a distance of 0.54 miles in Riverside County, California (the "Line"). The Line is contained within U.S. Postal Service Zip Codes 92509. A map of the proposed abandonment is attached. There are no structures on the Line that are 50 years old or older.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F. R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Please describe any inconsistencies.

U.S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.

U.S. FISH AND WILDLIFE SERVICE. State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Please describe any inconsistencies.

U.S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Please describe the effects.

U.S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,

/s/ Jeremy Berman

Jeremy Berman
Union Pacific Railroad
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179
jmberman@up.com

Attachment

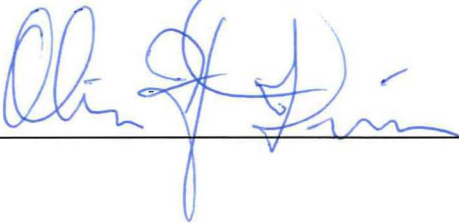


VERIFICATION

State of Nebraska)
) ss:
County of Douglas)

I, Olin H. Dirks, Manager – Commercial and Interline Strategy, for Union Pacific Railroad Company declare under penalty of perjury, under the laws of the United States of America, that I have read the forgoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company.

Dated at Omaha, Nebraska, this 26th day of May, 2021.



SUBSCRIBED AND SWORN TO
before me this 26th day of
May, 2021.



Notary Public

