Wood, Diana

From: Wood, Diana
Sent: Monday, July 19, 2021 3:15 PM
To: Jeremy Berman
Cc: Tabachnick, Alan
Subject: RE: Docket AB 33 (Sub-No. 345X)

Jeremy,

Do you have SHPO's concurrence letter for the EIR findings and recommendations? Or is there a decision or permit with this information?

Thanks,
Diana

From: Jeremy Berman <jmberman@up.com>
Sent: Friday, July 16, 2021 2:48 PM
To: Wood, Diana <Diana.Wood@stb.gov>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>
Subject: RE: Docket AB 33 (Sub-No. 345X)

Understood and thank you.

From: Wood, Diana <Diana.Wood@stb.gov>
Sent: Friday, July 16, 2021 1:44 PM
To: Jeremy Berman <jmberman@up.com>
Cc: Tabachnick, Alan <alan.tabachnick@stb.gov>
Subject: RE: Docket AB 33 (Sub-No. 345X)

* PROCEED WITH CAUTION - This email was sent from outside the Company *

Jeremy,

We'll need some time to assess and work with the SHPO to resolve the condition, which in all likelihood, will not occur before the scheduled July 22nd service date for the Final EA, but I'll be sure to keep you apprised of our progress.

From: Jeremy Berman <jmberman@up.com>
Sent: Friday, July 16, 2021 2:14 PM

To: Wood, Diana <Diana.Wood@stb.gov>
Subject: Docket AB 33 (Sub-No. 345X)

Diana,

I'm writing in response to the draft EA issued on July 2 in this proceeding, which recommended further consultation with the California State Parks' Office of Historic Preservation. Assuming the abandonment is consummated, Union Pacific intends to sell the majority of the right of way to a third party developer who plans to develop the property in coordination with a local government entity. Because of this government involved, the development is the subject of an environmental impact report (EIR) under California law.

The EIR is available at: https://www.jurupavalley.org/DocumentCenter/View/1104/Agua-Mansa-Commerce-Park-Specific-Pan-Draft-EIR-MA16170

Maps of the area studied are included on pages 101 – 105 of the link above. The area studied in the EIR includes the UP right of way that is the subject of this proceeding located south of El Rivino Road. As we discussed last fall, the track North of El Rivino has been removed. We could not find a date for that removal but we believe it was many years ago.

The EIR included a cultural resources assessment, which involved consultation with California State Parks' Office of Historic Preservation. The assessment report can be viewed at the following link:

[redacted]

If you search for "spur" in the link above you will see all of the mentions of the UP track. On page 37, the assessment concluded that the track is not eligible for listing in the National Register of Historic Places. An evaluation of other nearby structures is also found on pages 37-38.

I apologize for not bringing this to your attention sooner. We only learned about the EIR when we inquired whether the developer would be able to conduct the further consultation with California State Parks' Office of Historic Preservation.

Can you please let me know if this new information satisfies the OEA's request that UP consult with California State Parks' Office of Historic Preservation?

Jeremy Berman
Union Pacific | Senior General Attorney | Law Department
P: 402-544-4735
jmberman@up.com

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