



SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Environmental Analysis

May 27, 2014

Chris Hansen
Preservation Planner/Deputy SHPO
Utah State Historical Society
300 S. Rio Grande Street
Salt Lake City, Utah 84101-1182

RE: Docket No. AB-33 (Sub No. 283X), Union Pacific Railroad Company — Abandonment Exemption — in Iron County, Utah (SHPO Reference No. 09-1304)

Dear Mr. Hansen,

The Surface Transportation Board (Board) respectfully requests your review and comment on an undertaking pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800.

On May 17, 2013, the Union Pacific Railroad Company (UP) filed a Notice of Exemption with the Board seeking authority to abandon 1.03-miles of rail line between milepost 30.50 and the end of the line at milepost 31.83 in Cedar City, Iron County, Utah (undertaking). The Board's Office of Environmental Analysis (OEA) served an environmental assessment (EA) in this proceeding on June 11, 2013. The EA was made available for public review and comment for a period of 30 days pursuant to the Board's environmental rules.

In the EA, OEA states that it appears that the line is not eligible for listing in the National Register of Historic Places (National Register). However, at the time that the EA was issued, OEA had not made a formal eligibility determination. Accordingly, OEA recommended and the Board imposed a condition requiring UP to retain its interest in and take no steps to alter the historic integrity of all historic properties within the project right-of-way (the Area of Potential Effect) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. The Board likewise prohibited UP from filing its consummation notice or initiating any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process is complete and the Board has removed this condition.

State Historic Preservation Officer Comments Received

In its Notice, UP stated that they consulted with and submitted information to the Utah State Historical Society (SHPO) on May 15, 2013 regarding the proposed abandonment. After reviewing UP's information, the SHPO responded with a letter dated May 18, 2013 stating that they could not formally concur with UP's finding of effect because any finding of effect should

be made by the Board.¹ However, SHPO did note that, due to abandonments and alterations over time, the historic integrity of the line has been compromised.

Background on the Cedar City Subdivision Line

The proposed abandonment involves a 1.03-mile section of right-of-way known as the Cedar City Subdivision rail line. It is located on the north side of Cedar City and it traverses a mostly commercial and industrial area, with some residential development. Photographs of the line are included in the enclosed letter report by Summit Envirosolutions, recently submitted to the Board on behalf of Union Pacific. A map of the Area of Potential Effect, defined as the 1.03 section of right-of-way, is also enclosed.

The Cedar City line figured prominently in Cedar City's early 20th century development. Built in 1923 as part of a spur from the main line at Lund, Utah, the line provided rail service from the Los Angeles and Salt Lake Railroad to the city as well as to iron mines west of town. The arrival of local rail service helped stimulate the iron industry and generated rapid growth of a recreation industry as Union Pacific promoted trips to nearby natural attractions such as Zion Canyon and Bryce Canyon. Today, the 1923 Cedar City Railroad Depot, a property listed on the National Register, stands as a monument to the important contribution of the railroad to local history at Cedar City. The depot was nominated to the National Register in 1984, at which time it was "the only building that remains in Cedar City to document the important influence that tourism and the railroad had on Cedar City's development."²

While the rail line under consideration in the current undertaking clearly played a role in local history, it alone is not considered to be National Register eligible. Historically, the line contributed to the early economic vitality of Cedar City. To convey this history today, the line would ideally be connected to a larger district that includes other structures representing the composition and original operations of the railroad service that spawned Cedar City growth. The line today is no longer connected to the depot, the most conspicuous component of this Cedar City history. A large, distinctive loop track that served the depot has been removed and the area where it formerly stood has been redeveloped (See enclosed aerial photo). Overall, the line's integrity has been compromised in several ways. Its design and association are clearly impacted by the removal of the loop. As the area surrounding the line became urbanized, the setting and feeling changed significantly. Some of the original materials used in construction survive, including the original 90-pound jointed rail, though other elements, e.g. crossties, have likely been replaced as the track was maintained over time.

¹ Delegation of Authority for the Section 106 Review of Rail Abandonment Projects. To ensure that the Board's requirements are consistent with those of NHPA, the Board has determined pursuant to 36 CFR Section 800.2(c)(4) and our environmental regulations at 49CFR 1105, that **applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of NHPA.** Accordingly, applicants and their authorized representatives, such as attorneys acting on their behalf, may consult with SHPOs to initiate the review process established under 36 CFR Part 800 and to carry out some of its steps. Specifically, applicants are authorized to gather information to identify and to work with consulting parties to assess effects. The Board retains the responsibility to mitigate adverse effects, document its findings, and conclude the Section 106 review.

² Nomination Form, National Register of Historic Places, prepared by Randall, Debbie and Warnick, Jill T., Utah State Historical Society, 1984.

Archaeologically, the undertaking will have no impact on subgrade deposits. The proposed abandonment will include removal of materials from the existing railroad grade only. Tracks and ties will be removed and possibly some of the gravel ballast. Since there will be no subsurface ground disturbance, any potential archaeological deposits that pre-date the railroad will not be affected.

OEA's Finding of No Historic Properties Affected

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), OEA has reviewed the record in this proceeding and the Board finds that the portion of the Cedar City Subdivision line proposed for abandonment is ineligible for the National Register of Historic Places and that, with our approval of the abandonment, *no historic properties will be affected* by this undertaking. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), 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 www.stb.dot.gov.

We request your review and comment pursuant to 36 CFR 800. If additional information is required, please do not hesitate to contact Jeff Irwin at Jeffrey.Irwin@stb.dot.gov or 202-245-0299.

Sincerely,



Victoria Rutson
Director