This document is scheduled to be published in the
Federal Register on 04/02/2024 and available online at
https://federalregister.gov/d/2024-06866, and on https://govinfo.gov

R-4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 398 (Sub No. 11X)]

San Joaquin Valley Railroad Co.—Discontinuance of Service Exemption—in Kern County, Cal.

San Joaquin Valley Railroad Co. (SJVR), has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over an approximately 4.3-mile rail line between milepost 304.2 and milepost 308.5 in Kern County, Cal. (the Line). The Line traverses U.S. Postal Service Zip Code 93250 and includes two stations.

SJVR has certified that: (1) no local traffic has moved over the Line since 2011; (2) no overhead traffic has moved over the Line since 2011; (3) no formal complaint filed by a user of rail service on the Line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA)[1] to subsidize continued rail service has been received, this exemption will be effective on May 2, 2024, unless stayed pending reconsideration.[2] Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2)[3] must be filed by April 12, 2024.[4] Petitions for reconsideration must be filed by April 22, 2024.

All pleadings, referring to Docket No. AB 398 (Sub-No. 11X), must be filed with the Surface Transportation Board via e-filing on the Board's website or in writing addressed to 395 E Street, S.W., Washington, DC 20423-0001. Additionally, a copy of each pleading filed with Board must be sent to SJVR's representative, Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave., N.W., Suite 1300 South, Washington, DC 20004.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Board decisions and notices are available at www.stb.gov.

Decided: March 26, 2024.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Regena Smith-Bernard,

---

[1] Persons interested in submitting an OFA to subsidize continued rail service must first file a formal expression of intent to file an offer, indicating the intent to file an OFA for subsidy and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

[2] SJVR states that it intends to consummate the discontinuance of the Line on or after May 3, 2024.

[3] The filing fee for OFAs can be found at 49 CFR 1002.2(f)(25).

[4] Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking and public use conditions are not appropriate. Because there will be an environmental review during abandonment, this discontinuance does not require environmental review.

Clearance Clerk.

[FR Doc. 2024-06866 Filed: 4/1/2024 8:45 am; Publication Date: 4/2/2024]