

UNION PACIFIC RAILROAD
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Mack H. Shumate, Jr.
Senior General Attorney, Law Department

March 6, 2013

VIA E-FILE

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

233914
ENTERED
Office of Proceedings
March 6, 2013
Part of
Public Record

Corrected Combined Environmental and Historic Report

RE: Proposed Abandonment of the Cedar City Subdivision from Milepost 30.8 in Cedar City to Milepost 31.83 also in Cedar City, a total distance of 1.03 miles in Iron County, Utah; STB Docket No. AB-33 (Sub-No. 283X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") filed its Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11 for the above referenced proposed Abandonment on March 5, 2013. The last sentence on page 8 is incorrect. Therefore, Union Pacific respectfully requests that the last sentence on page 8 be deleted in its entirety and replaced with, "Based on an examination of the area utilizing the National Wetlands Inventory Mapper, the Line neither crosses nor is immediately adjacent to any waterway or wetland."

Attached hereto is a corrected Combined Environmental and Historic Report with the revised sentence.

Union Pacific now anticipates filing a Notice of Exemption to Abandon the Line on or after March 26, 2013.

Sincerely,



Attachment

2013_03_06 STB Ltr re EHR Filing CORRECTED.doc



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 283X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN IRON COUNTY, UTAH
(CEDAR CITY SUBDIVISION)**

CORRECTED

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, #1920
Chicago, Illinois 60606
Tel: 312-777-2055
Fax: 877-213-4433
mackshumate@up.com

Dated: March 6, 2013
Filed: March 6, 2013

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 283X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN IRON COUNTY, UTAH
(CEDAR CITY SUBDIVISION)**

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this 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 the Cedar City Subdivision, from milepost 30.8 to the end of the line at milepost 31.83, a total distance of 1.03 miles in Cedar City, Iron County, Utah (the "Line"). The Line traverses U.S. Postal Service Zip Code 84721. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after March 26, 2013.

A map of the Line (**Attachment No. 1**), UP's initial letter to federal, state and local government agencies (**Attachment No. 2**) and UP's supplemental letter to those agencies (**Attachment No. 3**) are attached to this EHR. Responses received thus far to UP's letters are also attached.

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 UP's Cedar City Subdivision. The Line proposed for abandonment extends from milepost 30.8 to the end of the line at milepost 31.83, a total distance of 1.03 miles in Cedar City, Iron County, Utah. A map of the Line is attached as **Attachment No. 1**.

The Line was originally constructed in 1923 by the Los Angeles & Salt Lake Railroad. It is still constructed with the original 90 pound jointed rail. There are no structures on the line.

The Line proposed for abandonment contains no reversionary property. Based on Railroad's records, the Line does not contain federally granted right-of-way. Any documentation in the UP's possession related to the Line will be made available promptly to those requesting it.

After the proposed abandonment, UP will continue to provide rail service from the remaining portion of the Cedar City Subdivision. Cedar City is served by Interstate 15, which crosses over the Line, plus Utah Routes 130, 14, and 56.

No local traffic has moved over the Line during 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. The Iron County Supervisor has been contacted. To date, UP has not received a response.

(ii) The Natural Resources Conservation Service (“NRCS”) has been contacted. To date, UP has not received a response. The Line is not adjacent to cultivated land.

(iii) Not Applicable.

(iv) It is UP’s opinion that the right of way proposed for abandonment is not suitable for public purposes including roads or highways, other forms of mass transportation, or energy production or transmission, as the area is adequately served by existing roads and utility lines at the present time. The city of Cedar City has expressed interest in use of the right of way as

a public hike and bike trail, and UP is willing to explore this possibility with the city.

(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 reinstatement 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) The U.S. Fish and Wildlife Service has been contacted. To date there has been no response. The Line runs through a developed commercial and industrial area.

(ii) The National Park Service has been contacted. Attached as **Attachment 4** is the Service's stamped comment on UP's original notice letter that the proposed action will have no affect on any National Parks.

(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 8 Office and the Utah Department of Environmental Quality have been contacted. To date no response has been received.

(ii) The U.S, Army Corps of Engineers Sacramento District Office has been contacted. The Corps' response that no permitting will be required in that the proposed work does not involve work in navigable waters of the United States is attached as **Attachment 5**. Based on an examination of the area utilizing the National Wetlands Inventory Mapper, the Line neither crosses nor is immediately adjacent to any waterway or wetland.

(iii) UP does not anticipate that there will be any requirements for Section 402 permits.

(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 considered in this abandonment traverses a mix of commercial and industrial areas in the northern portion of Cedar City. The Line is 100 feet in width. The topography is generally 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): Not applicable.

(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: UP consulted with and submitted historical information to the Utah State Historic Preservation Office. After reviewing this information, the Office responded with a letter concurring informally with UP's view that the proposed abandonment would have no effect on historical or cultural resources in that a prior abandonment in the area and alterations to the area over time have compromised the historic integrity of the area. See **Attachment No. 6**. The Office's comment about "abandonments and alterations over time" alludes to the fact that the UP Cedar City Subdivision once ended in a distinctive loop track serving a passenger depot in the area where tourists transferred from trains to buses destined to UP National Park Hotels. The entire loop was abandoned and portions reclassified or salvaged as per ICC authority granted in 1978, and the historic integrity of the area of the Line was compromised as a result. However, the depot was preserved and remains.

(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.

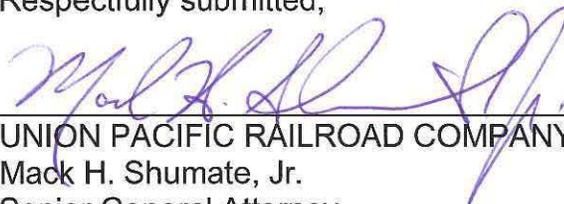
Response: UP does not have any such readily available information.

(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 6th day of March, 2013.

Respectfully submitted,



UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr.

Senior General Attorney

101 North Wacker Drive, #1920

Chicago, Illinois 60606

Tel: 312-777-2055

Fax: 877-213-4433

mackshumate@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. 283X), the Cedar City Subdivision in Iron County, Utah was served by First Class U.S. Mail, postage prepaid, on the 6th day of March, 2013, on the following parties:

State Clearinghouse (or alternate):

Carolyn Wright
Utah State Clearinghouse
Governor's Office of Planning and Budget
State Capitol, Room 116
Salt Lake City, UT 84114

State Environmental Protection Agency:

Utah Department of Environmental Quality
168 North 1950 West
P.O. Box 144810
Salt Lake City, UT 84114-4810

**State Coastal Zone Management Agency
(if applicable):**

Not applicable.

Head of each County:

Iron County Supervisor
68 S. 100 E
Parowan, UT 84761

**Environmental Protection Agency
(Regional Office):**

U.S. Environmental Protection Agency
Region 8
1595 Wynkoop St.
Denver, CO 80202-1129

National Geodetic Survey:

National Geodetic Survey
SSMC-3 #9209
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service, Region 6
134 Union Blvd.
Lakewood, Colorado 80228

U.S. Army Corps of Engineers:

U. S. Army Corps of Engineers,
Sacramento District
1325 J Street
Sacramento, CA 95814

Head of City:

Gerald R. Sherratt, Mayor
10 N. Main St.
Cedar City, Utah 84720

National Park Service:

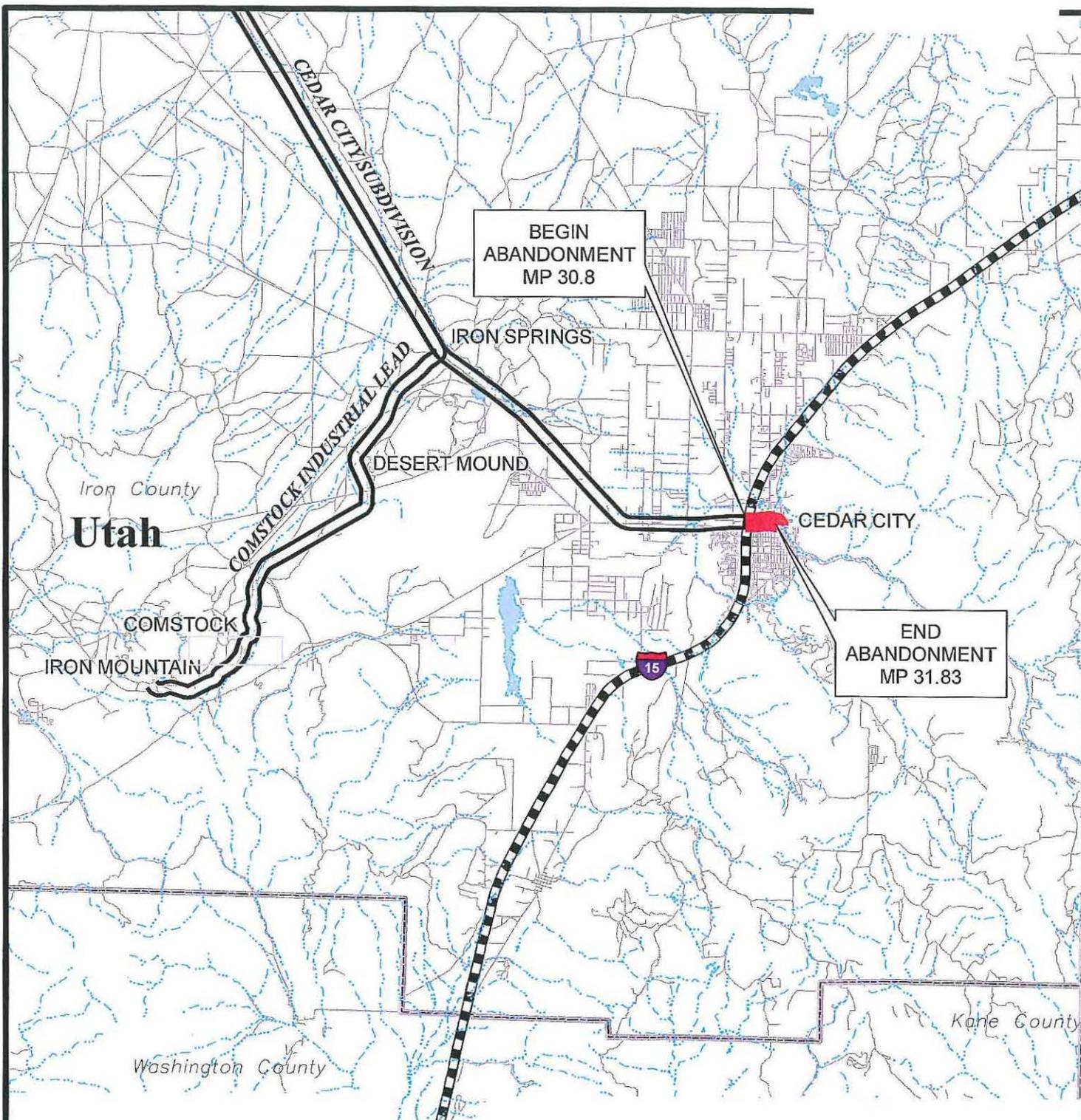
National Park Service
Intermountain Regional Office
12795 Alameda Parkway
Denver, CO 80225-0287

U.S. Natural Resources Conservation Service:

Wallace F. Bennett Federal Building
Attn: Sylvia Gillen
125 South State Street, Room 4402
Salt Lake City, UT 84138-1100

State Historic Preservation Office:

Utah Department of Historic Preservation
300 S. Rio Grande Street
Salt Lake City, UT 84101



Legend

-  UPRR TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

CEDAR CITY SUBDIVISION

MP 30.8 TO MP 31.83
TOTAL OF 1.03 MILES IN IRON COUNTY
IN UTAH

UNION PACIFIC RAILROAD CO. CEDAR CITY SUBDIVISION UTAH

INCLUDING 50+ YEAR OLD STRUCTURES

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES





Law Department

September 14, 2009

State Clearinghouse (or alternate):

Carolyn Wright
 Utah State Clearinghouse
 Governor's Office of Planning and Budget
 State Capitol, Room 116
 Salt Lake City, UT 84114

State Environmental Protection Agency:

Utah Department of Environmental Quality
 168 North 1950 West
 P.O. Box 144810
 Salt Lake City, UT 84114-4810

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 (if applicable):**

Not applicable.

Head of each County:

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**Environmental Protection Agency
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 1595 Wynkoop St.
 Denver, CO 80202-1129

National Geodetic Survey:

National Geodetic Survey
 SSMC-3 #9209
 NOAA N/NGS2
 1315 E-W Highway
 Silver Spring, MD 20910-3282

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service, Region 6
 134 Union Blvd.
 Lakewood, Colorado 80228

U.S. Army Corps of Engineers:

U. S. Army Corps of Engineers,
 Sacramento District
 1325 J Street
 Sacramento, CA 95814

Head of City:

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 10 N. Main St.
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State Historic Preservation Office:

Utah Department of Historic Preservation
 300 S. Rio Grande Street
 Salt Lake City, UT 84101

Re: Proposed Abandonment of the Cedar City Subdivision from Milepost 30.8 in Cedar City to Milepost 31.83 also in Cedar City, a total distance of 1.03 miles in Iron County, Utah; STB Docket No. AB-33 (Sub-No. 283X)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Cedar City Subdivision from Milepost 30.8 in Cedar City to Milepost 31.83 also in Cedar City, a total distance of 1.03 miles in Iron County, Utah. A map of the proposed track abandonment shown in black is attached.

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. 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 (And State Game And Parks Commission, If Addressed). 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. 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. 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.

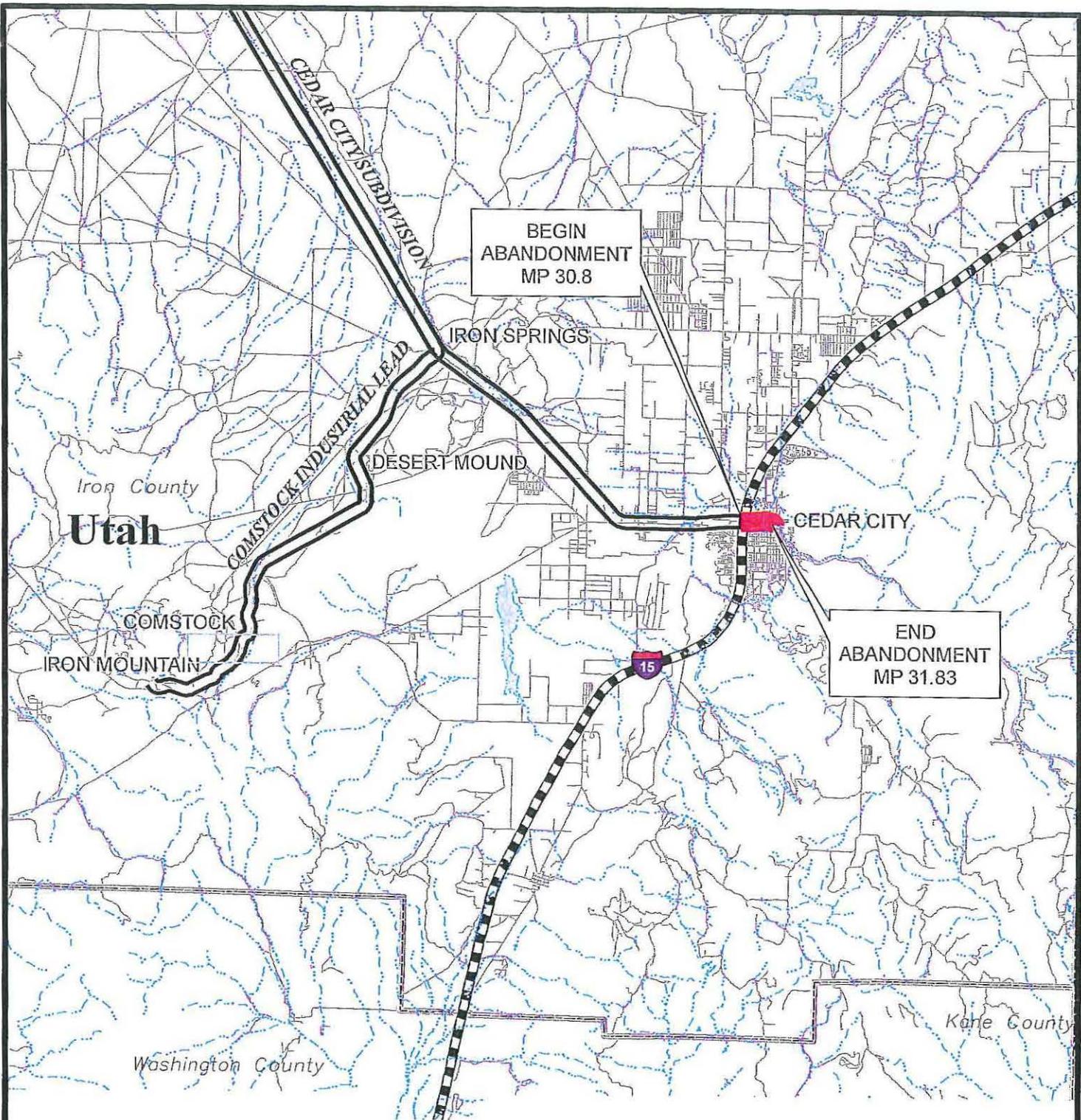
Sincerely,



Colleen K. Graham
Paralegal
Union Pacific Railroad
Law Department
1400 Douglas St., Stop 1580
Omaha, NE 68179
(w) 402-544-1643
cgraham@up.com

CKG/

Enclosure



Legend

- UPRR TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS

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**UNION PACIFIC RAILROAD CO.
CEDAR CITY SUBDIVISION
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INCLUDING 50+ YEAR OLD STRUCTURES

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES

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Miles

August 10, 2012

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Utah State Clearinghouse
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State Capitol, Room 116
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(if applicable):**

Not applicable.

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125 South State Street, Room 4402
Salt Lake City, UT 84138-1100

State Historic Preservation Office:

Utah Department of Historic Preservation
300 S. Rio Grande Street
Salt Lake City, UT 84101

Supplemental Notice

Re: Proposed Abandonment of the Cedar City Subdivision from Milepost 30.8 in Cedar City to Milepost 31.83 also in Cedar City, a total distance of 1.03 miles in Iron County, Utah; STB Docket No. AB-33 (Sub-No. 283X)

Dear Gentlepersons:

This notice was sent originally on September 14, 2009. For various reasons, Union Pacific delayed the proposed abandonment. Union Pacific is now prepared to proceed; therefore, it is renewing its request by this supplemental notice for any new or additional input.

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Cedar City Subdivision from Milepost 30.8 in Cedar City to Milepost 31.83 also in Cedar City, a total distance of 1.03 miles in Iron County, Utah. A map of the proposed track abandonment shown in black is attached.

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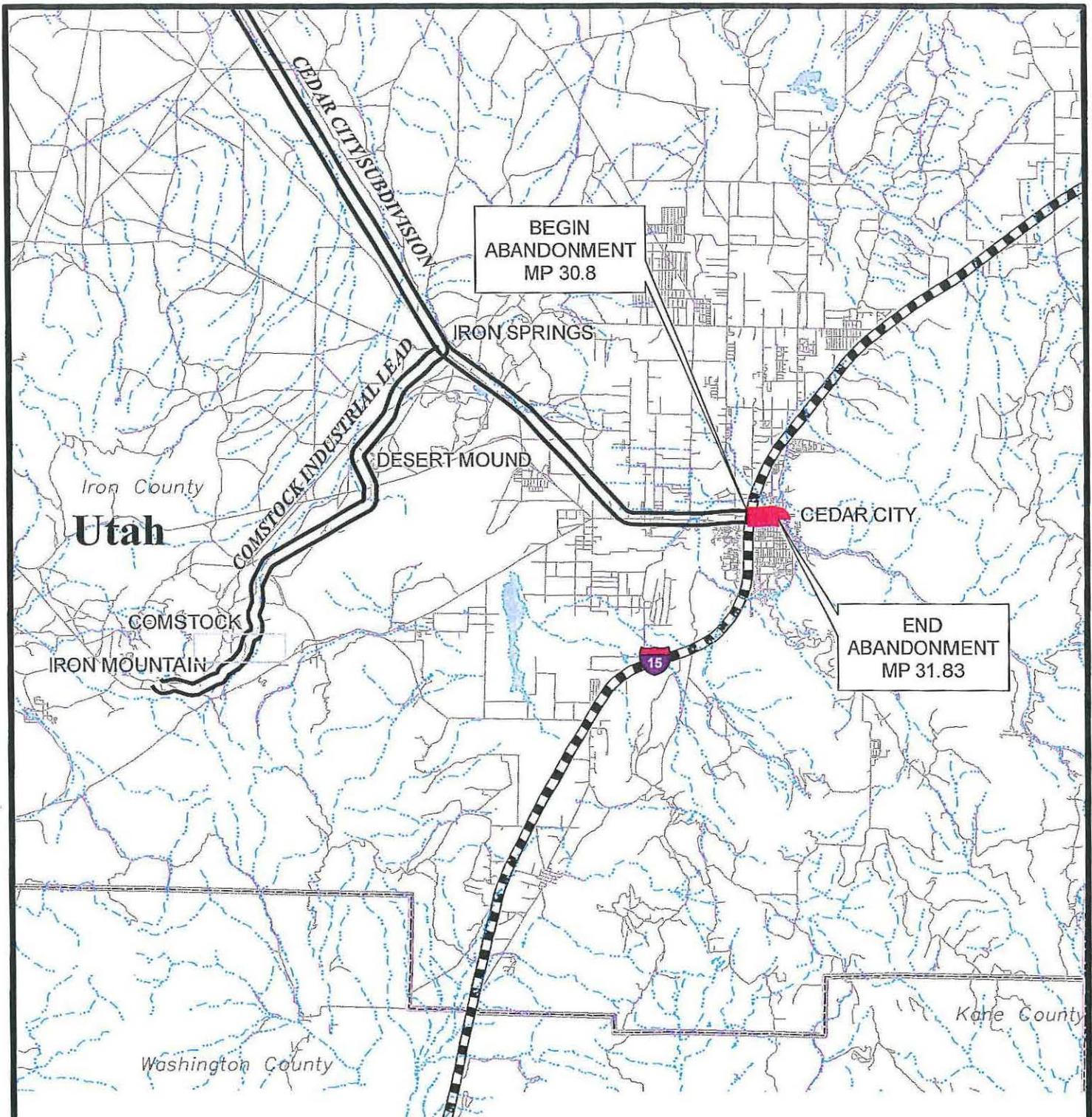
Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,



Colleen K. Graham
Paralegal
Union Pacific Railroad
Law Department
1400 Douglas St., Stop 1580
Omaha, NE 68179
(w) 402-544-1643
cgraham@up.com

Enclosure: Map



Legend

-  UPRR TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

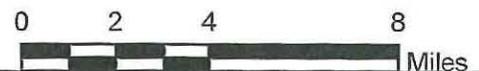
CEDAR CITY SUBDIVISION

MP 30.8 TO MP 31.83
TOTAL OF 1.03 MILES IN IRON COUNTY
IN UTAH

**UNION PACIFIC RAILROAD CO.
CEDAR CITY SUBDIVISION
UTAH**

INCLUDING 50+ YEAR OLD STRUCTURES

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES





Law Department



The National Park Service reviewed this project, and determined that no parks will be affected; therefore, we have no comments.

Signed: Julie Sharp Date: 9/24/09

September 14, 2009

State Clearinghouse (or alternate):

Carolyn Wright

Utah State Clearinghouse
Governor's Office of Planning and Budget
State Capitol, Room 116
Salt Lake City, UT 84114

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service, Region 6
134 Union Blvd.
Lakewood, Colorado 80228

State Environmental Protection Agency:

Utah Department of Environmental Quality
168 North 1950 West
P.O. Box 144810
Salt Lake City, UT 84114-4810

U.S. Army Corps of Engineers:

U. S. Army Corps of Engineers,
Sacramento District
1325 J Street
Sacramento, CA 95814

**State Coastal Zone Management Agency
(if applicable):**

Not applicable.

Head of City:

Gerald R. Sherratt, Mayor
10 N. Main St.
Cedar City, Utah 84720

Head of each County:

Iron County Supervisor
68 S. 100 E
Parowan, UT 84761

National Park Service:

National Park Service
Intermountain Regional Office
12795 Alameda Parkway
Denver, CO 80225-0287

**Environmental Protection Agency
(Regional Office):**

U.S. Environmental Protection Agency
Region 8
1595 Wynkoop St.
Denver, CO 80202-1129

U.S. Natural Resources Conservation Service:

Wallace F. Bennett Federal Building
Attn: Sylvia Gillen
125 South State Street, Room 4402
Salt Lake City, UT 84138-1100

National Geodetic Survey:

National Geodetic Survey
SSMC-3 #9209
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

Utah Department of Historic Preservation
300 S. Rio Grande Street
Salt Lake City, UT 84101

Re: Proposed Abandonment of the Cedar City Subdivision from Milepost 30.8 in Cedar City to Milepost 31.83 also in Cedar City, a total distance of 1.03 miles in Iron County, Utah; STB Docket No. AB-33 (Sub-No. 283X)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Cedar City Subdivision from Milepost 30.8 in Cedar City to Milepost 31.83 also in Cedar City, a total distance of 1.03 miles in Iron County, Utah. A map of the proposed track abandonment shown in black is attached.

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. 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 (And State Game And Parks Commission, If Addressed). 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. 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. 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.

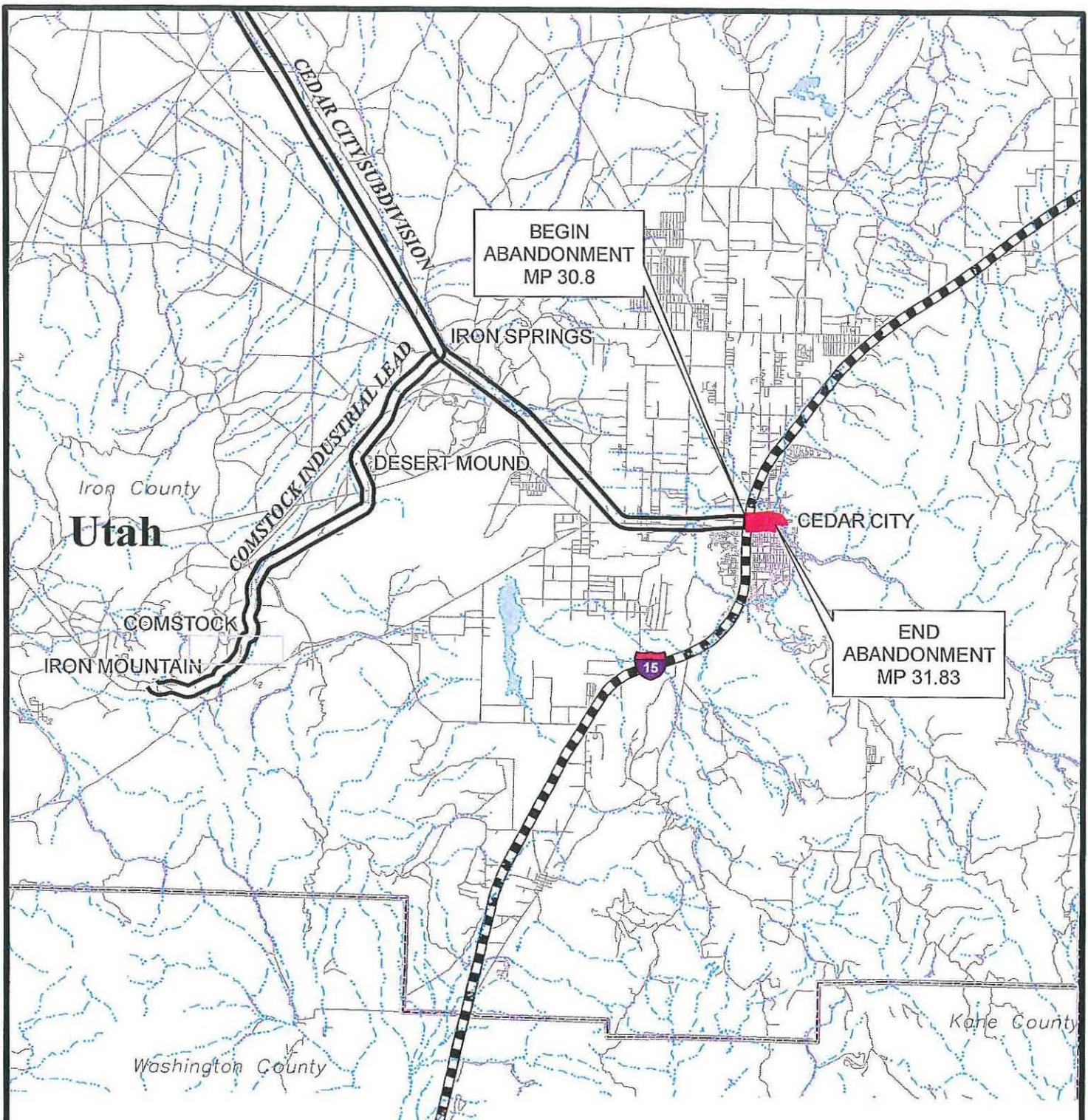
Sincerely,



Colleen K. Graham
Paralegal
Union Pacific Railroad
Law Department
1400 Douglas St., Stop 1580
Omaha, NE 68179
(w) 402-544-1643
cgraham@up.com

GKG/

Enclosure



Legend

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TOTAL OF 1.03 MILES IN IRON COUNTY
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**UNION PACIFIC RAILROAD CO.
CEDAR CITY SUBDIVISION
UTAH**

INCLUDING 50+ YEAR OLD STRUCTURES





REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

October 31, 2012

Regulatory Division SPK-2012-01150-SG

Ms. Colleen Graham
Union Pacific Railroad
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

Dear Ms. Graham:

This concerns your proposed UPRR Track abandonment project in Cedar City. The project is located in Section 10, Township 36 S, Range 11 W, Salt Lake Meridian, Latitude 37.685060°, Longitude -113.069369°, Cedar City, Iron County, Utah.

Based on the information you have provided, we have determined that the proposed work does not involve work in navigable waters of the United States. Therefore, a Department of the Army Permit is not required for this work. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented onsite to achieve this end.

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Federal Clean Water Act and does not refer to, nor affect jurisdiction over any waters present on site. Other Federal, State, and local laws may apply to your activities. Therefore, in addition to contacting other Federal and local agencies, you should also contact state regulatory authorities to determine whether your activities may require other authorizations or permits.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2012-01150-SG in any correspondence concerning this project. If you have any questions, please contact me at 196 E Tabernacle Street Room 30, St. George, Utah 84770, email Patricia.L.McQueary@usace.army.mil, or telephone 435-986-3979. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

A handwritten signature in cursive script that reads "Patricia L. McQueary".

Patricia L. McQueary

-2-

Senior Regulatory Project Manager
St. George Regulatory Office
Sacramento District

Enclosures
Enclosure 1: Map of project area

CC:
Mr. Ray Allamong (Electronically)



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Department of Community and Culture

JULIE FISHER
Executive Director

State History

WILSON G. MARTIN
Acting Director

May 18, 2012

Colleen K. Graham
Paralegal
Union Pacific Railroad
Law Department
1400 Douglas Street, Stop 1580
Omaha NE 68179

RE: Proposed Abandonment of the 1.03 end Miles of Cedar City Subdivision, Cedar City, Utah

In reply please refer to Case No. 09-1304

Dear Ms. Graham:

Thank you for the submission of information regarding the above-referenced project. The Utah State Historic Preservation Office received your submission and request for our comment on 5/15/2012. Based on the information provided to our office and via our May 8 telephone conversation, and although we cannot formally concur with your finding of effect (that should come from the Federal Agency – Surface Transportation Board), it does appear that due to abandonments and alterations over time the historic integrity of the line has indeed been compromised (no determination of significance is being made at this time).

This information is provided to assist with Section 106 responsibilities as per §36CFR800. If you have questions, please contact me at clhansen@utah.gov or 801-533-3561.

Regards,

Chris Hansen
Preservation Planner/Deputy SHPO

c: Raymond Allamong, Senior Management Rail Line Planning, Union Pacific Railroad,
1400 Douglas Street, STOP 1350, Omaha NE 68179-1350

UTAH STATE
HISTORY

UTAH STATE HISTORICAL SOCIETY
ANTIQUITIES
HISTORIC PRESERVATION
RESEARCH CENTER & COLLECTIONS