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July 22, 2016

241150

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

ENTERED
Office of Proceedings
July 25, 2016
Part of
Public Record

**Re: Notice of Exemption – Proposed Abandonment and Discontinuance of Port of Los Angeles’ San Pedro Subdivision, Los Angeles, CA
Surface Transportation Board Docket Nos. AB 1094X and AB 1100X**

Notice of Exemption – Proposed Discontinuance of Union Pacific Railroad Company Freight Operating Easement on the Port of Los Angeles San Pedro Subdivision Surface Transportation Board Docket No. AB-33 (Sub No. 330X)

Dear Ms. Brown:

Pursuant to the Board’s exemption procedures for discontinuance of service of rail lines with no local business for at least two years, (49 C.F.R. § 1152.50), I am hereby e-filing the Verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 330X). Enclosed is a credit authorization voucher in the amount of \$3,900.00 for the filing fee.

Sincerely,

Mack H. Shumate, Jr.
Senior General Attorney

Enclosures

cc: All Concerned Parties

FEE RECEIVED
July 25, 2016
SURFACE
TRANSPORTATION BOARD

FILED
July 25, 2016
SURFACE
TRANSPORTATION BOARD

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 330X)

**UNION PACIFIC RAILROAD COMPANY
--NOTICE OF EXEMPTION FOR DISCONTINUANCE OF SERVICE--
IN PORT OF LOS ANGELES' SAN PEDRO SUBDIVISION, LOS ANGELES, CA
(SAN PEDRO INDUSTRIAL LEAD)**

NOTICE OF EXEMPTION



UNION PACIFIC RAILROAD COMPANY
Mack H. Shumate, Jr.
Senior General Attorney
101 N. Wacker Drive, Room: 1920
Chicago, IL. 60606
Tel: (312) 777-2055
Fax: (877) 213-4433
mackshumate@up.com

DATED: July 22, 2016
FILED: July 22, 2016

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 330X)

**UNION PACIFIC RAILROAD COMPANY
--NOTICE OF EXEMPTION FOR DISCONTINUANCE OF SERVICE—
IN PORT OF LOS ANGELES' SAN PEDRO SUBDIVISION, LOS ANGELES, CA
(SAN PEDRO INDUSTRIAL LEAD)**

NOTICE OF EXEMPTION

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption for Discontinuance of Service covered by UP's Freight Operating Easement ("Notice of Exemption") pursuant to 49 § C.F.R. 1152.50, Subpart F -- Exempt Abandonments and Discontinuances of Service for an exempt discontinuance of the service covered by UP's Freight Operating Easement on that portion of the San Pedro Industrial Lead a/k/a The West Basin Lead on the San Pedro Subdivision extending from milepost 4.00 North of Front Street and East of the Gaffey Street Lead to milepost 6.60 at the end of the Line for a total distance of 2.6 miles in Los Angeles County, California (the "Line").

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

The discontinuance of service covered by UP's Freight Operating Easement is proposed to be consummated on or after September 10, 2016 (at least fifty (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 (2) 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.

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 discontinue service covered by UP's Freight Operating Easement that portion of the San Pedro Industrial Lead a/k/a The West Basin Lead on the San Pedro Subdivision extending from Milepost 4.00 North of Front Street and East of Gaffey Street Lead to Milepost 6.60 at the end of the Line for a total distance of 2.6 miles in Los Angeles County, 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 A** and is hereby made a part hereof.

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

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, IL 60606
Telephone: 312-777-2055
Facsimile: 877-213-4433
mackshumate@up.com

(a)(8) ZIP Code. The Line traverses U. S. Postal Service Zip Codes 90731.

(e)(4) Rural and Community Impact.

Rail operations in the vicinity began in 1869 with the formation of the Los Angeles and San Pedro Railroad. This trackage was connected to the Southern Pacific Railroad system around 1876. In 1994 Southern Pacific Railroad sold the Line to the City of Los Angeles acting through its Los Angeles Board of Harbor Commissioners and the City of Long Beach acting through its Long Beach Board of Harbor Commissioners, as tenants in common, subject to a reserved easement for railroad freight operations. (See Finance Docket No. 32427). Subsequently, in 1997, Common Carrier Freight Operations on the Line were eventually acquired by Pacific Harbor Line, Inc. the current authorized common carrier railroad operator of the Line. (See Finance Docket No. 33411).

There are no shippers on the Line, and no commodities have originated or terminated on the Line for over two years. There is no overhead traffic over the Line, or any passenger service. No complaints regarding cessation of service have been filed at the Board, are pending, or have been decided in favor of a complainant within the past two years. The discontinuance of service covered by UP's Freight Operating Easement on the Line will have no effect on local or regional transportation systems, and no traffic will be diverted to other transportation systems. There will be no effect on area transportation systems and patterns. There will be no effect on the movement of energy resources, recyclable commodities, or ozone depleting chemicals. There

will be no net change in energy consumption. The activity and diversion thresholds for determining noise and air quality impacts will not be surpassed.

After discontinuance, the closest rail services in the vicinity of the Line will continue to be provided by the Pacific Harbor Line, Union Pacific Railroad Company and BNSF Railway at their respective railroad facilities located one to two miles from the Line.

The area is well served by nearby highways including Interstate 110, California State Highway 47 and Harbor Boulevard.

Based upon information in the UP's possession, the real property which makes up the right of way for the Line was sold to the City of Los Angeles and the City of Long Beach in 1994. The Line does not contain federally granted right-of-way. UP will make any documentation in its possession available promptly to those requesting it.

A map of the Line is attached as **Exhibit No. A**.

Labor Protection

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

Certifications

Attached as **Exhibit B** 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

Not applicable in that UP is merely discontinuing the service covered by its reserved freight operating easement on the Line.

UP did not receive any written responses to the initial letter to governmental agencies informing of the proposed discontinuance of service covered by UP's reserved freight operating easement on the Line.

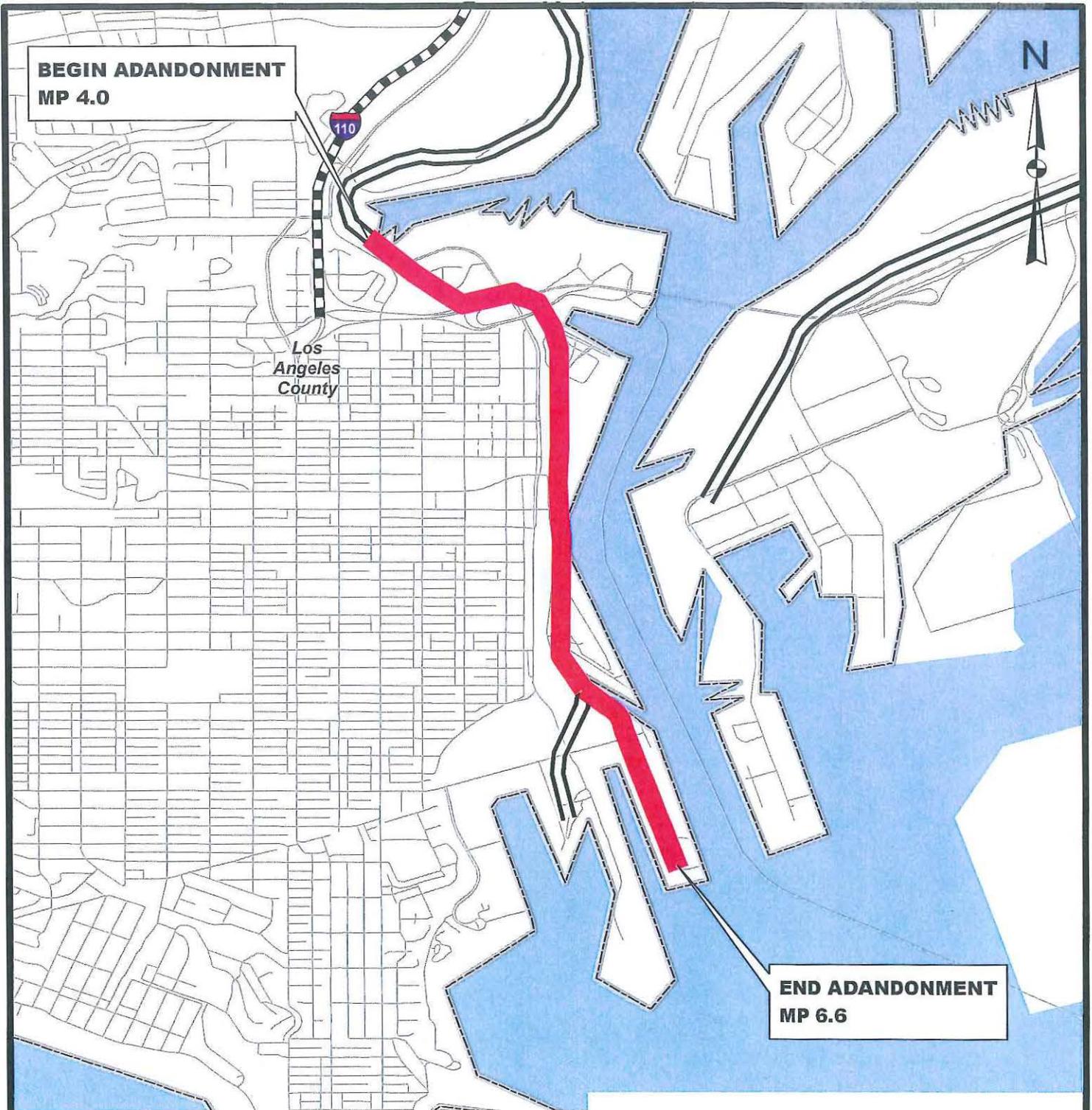
Dated this 22nd day of July, 2016.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

A handwritten signature in black ink, reading "Mack H. Shumate, Jr." in a cursive script.

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, IL 60606
Telephone: 312-777-2055
Facsimile: 877-213-4455
mackshumate@up.com



Legend

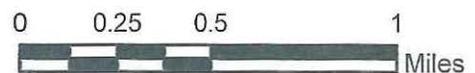
-  ABANDONMENT
-  OTHER TRACKS
-  OTHER ROADS
-  PRINCIPAL HIGHWAYS

SAN PEDRO

UNION PACIFIC RAILROAD CO.
MP 4.0 TO MP 6.6
TOTAL OF 2.6 MILES IN LOS ANGELES COUNTY
IN CALIFORNIA

**UNION PACIFIC RAILROAD CO.
SAN PEDRO
CALIFORNIA**

No Structures 50 Years or Older



Docket No. AB-33 (Sub-No. 330X)

**UNION PACIFIC RAILROAD COMPANY
--NOTICE OF EXEMPTION FOR DISCONTINUANCE OF SERVICE—
IN PORT OF LOS ANGELES' SAN PEDRO SUBDIVISION, LOS ANGELES, CA
(SAN PEDRO INDUSTRIAL LEAD)**

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. §1152.50(d)(1) - Notice

The undersigned certifies that on March 8, 2016 (at least 10 days before a Notice of Exemption is filed), written notice was given by Union Pacific stating Union Pacific's intent to use the Notice of Exemption procedure to Discontinue Service covered by Union Pacific's freight operating easement on rail lines in the Port of Los Angeles', San Pedro Subdivision, Los Angeles, CA extending from milepost 4.00 North of Front Street and East of the Gaffey Street Lead to milepost 6.60 at the end of the Line for a total distance of 2.6 miles in Los Angeles County, California in Docket No. AB-33 (Sub-No. 330X). 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 4 th Street, Suite 500 Los Angeles, CA 90013	National Park Service – Rivers, Trails and Conservation Assistance 570 West Avenue 26, Suite 175 Los Angeles, CA 90065
U.S. DOD - SDDCTEA Railroads for the National Defense Program One Solider Way, Building 1900W Scott AFB, IL. 62225	U.S. Department of Agriculture Chief of the Forest Service 1400 Independence Avenue, S.W. Washington, DC 20250-0003

49 C.F.R. § 1105.11 – Environmental and Historic Report

In that Union Pacific Railroad Company is only discontinuing service covered by Union Pacific's Freight Operating Easement on the Line, no combined Environment and Historic Report is required. However, it's Union Pacific's understanding that a combined Environmental

and Historic Report will be filed on behalf of the current owners and operator of the Line in AB 1094X and AB 1100X.

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

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

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Los Angeles	Daily Breeze	July 16, 2016

Dated this 22nd day of July, 2016



Mack H. Shumate, Jr.

UNION PACIFIC RAILROAD
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606-1718

P 312.777.2055
F 877.213.4433
mackshumate@up.com

Mack H. Shumate, Jr.
Senior General Attorney, Law Department

Attachment 1

March 8, 2016

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

National Park Service - Rivers, Trails, and
Conservation Assistance
570 West Avenue 26, Suite 175
Los Angeles, CA 90065

U.S. DOD - SDDCTEA
Railroads for the National Defense Program
One Soldier Way, Building 1900W
Scott AFB, IL 62225

U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003

**RE: Notices of Exemption – Proposed Abandonment and Discontinuance of Port
of Los Angeles’ San Pedro Subdivision, Los Angeles, CA
Surface Transportation Board Docket Nos. AB 1094X and AB 1100X**

and

**Notice of Exemption – Proposed Discontinuance of Union Pacific Railroad
Company Freight Operating Easement on the Port of Los Angeles San Pedro
Subdivision Surface Transportation Board Docket No. AB-33 (Sub No. 330X)**

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 March 18, 2016, a notice of an exempt discontinuance of UP’s freight operating easement over a portion of the San Pedro Industrial Lead, a/k/a the West Basin Lead and the Port of Los Angeles San Pedro Subdivision between M.P. 4.00 (north of Front Street and east of the Gaffey Street Lead to M.P. 6.60 at the end of the line for a total distance of 2.6 miles in Los Angeles County, California (the “Line”). The Line traverses U.S. Postal Service zip code 90731.

The "no business" exemption procedure will be used to discontinue the Line, pursuant to the STB’s discontinuance regulations at 49 C.F.R. §1152.50. No local traffic has moved over the Line for at least two years and there is no overhead traffic on the Line. A Notice of Exemption to discontinue service on the Line pursuant to 49 C.F.R. § 1152.50 (no local traffic for at least two years) will be filed with the STB on or after March 18, 2016.

Based on information in UP’s possession, the Line does not contain federally granted



March 8, 2016

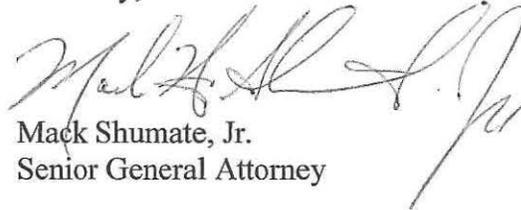
Page 2

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.

The Discontinuance of UP's freight operating easement on the Line is being undertaken in conjunction with the related Notices of Exemption for the proposed abandonment and Discontinuance of the Line to be filed by the City of Los Angeles acting through its Board of Harbor Commissioners and Pacific Harbor Line, Inc., the operator of the Line under STB Docket Nos. AB-1094X and AB-1100X, respectively.

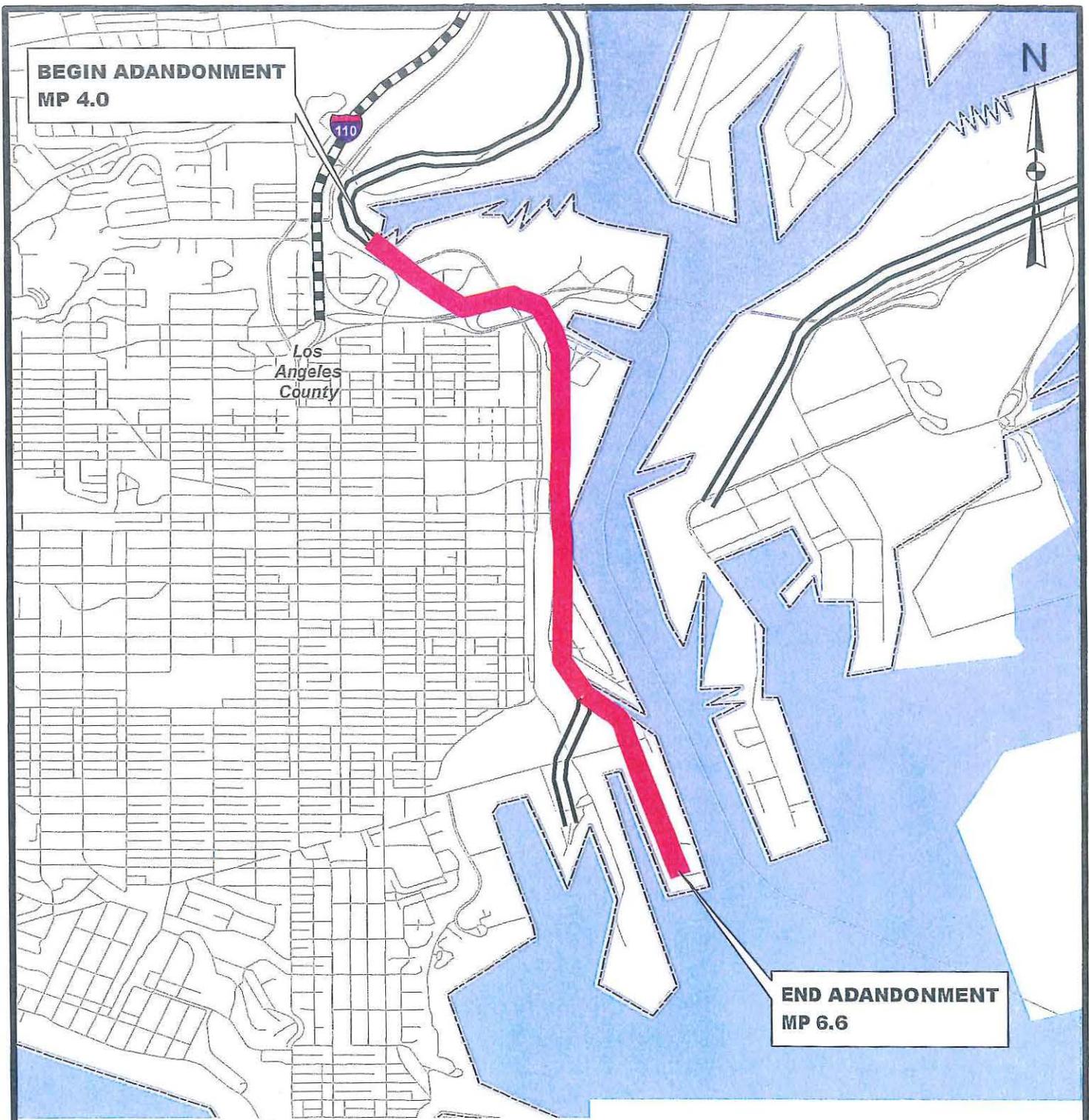
Sincerely,

A handwritten signature in black ink, appearing to read "Mack Shumate, Jr.", is written over the typed name and title.

Mack Shumate, Jr.
Senior General Attorney

Attachment

2016_03_08 Ten Day Notice.doc



Legend

- ABANDONMENT
- OTHER TRACKS
- OTHER ROADS
- PRINCIPAL HIGHWAYS

SAN PEDRO

UNION PACIFIC RAILROAD CO.
 MP 4.0 TO MP 6.6
 TOTAL OF 2.6 MILES IN LOS ANGELES COUNTY
 IN CALIFORNIA

**UNION PACIFIC RAILROAD CO.
 SAN PEDRO
 CALIFORNIA**

No Structures 50 Years or Older



Daily Breeze

21250 HAWTHORNE BL.VE, STE 170 • TORRANCE CALIFORNIA 90503-4077
Direct: (310) 543-6635 Fax: (310) 316-6827

PROOF OF PUBLICATION (201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published _____

in the City of Torrance*

County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of _____

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

July 16,

all in the year 2016

the foregoing is true and correct.

Dated at Torrance

California, this 16 July 2016

*The Daily Breeze circulation includes the following cities:

Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Long Beach, Manhattan Beach, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Rancho Palos Verdes Estates, Redondo Beach, San Pedro, Santa Monica, Torrance and Wilmington

Attachment 2

This space is for the County Clerk's Filing Stamp

DB 7-23

NOTICE OF INTENT TO DISCONTINUE SERVICE

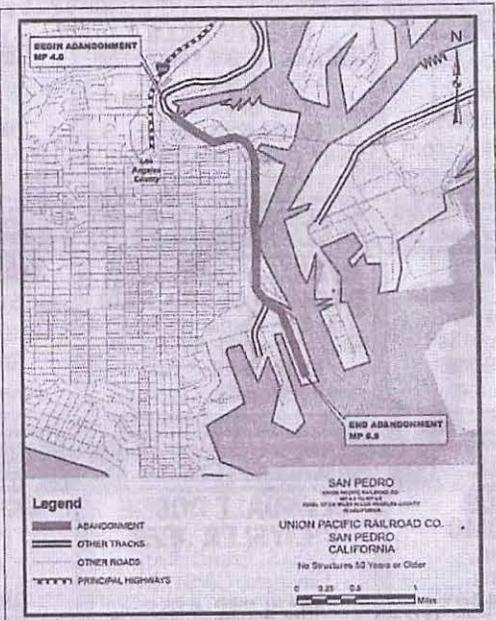
UNION PACIFIC RAILROAD COMPANY (UP) GIVES NOTICE THAT ON OR AFTER July 16, 2016 it intends to file with the Surface Transportation Board, Washington, D.C., a notice of exemption under 49 C.F.R. Part 1152, Subpart F - Exempt Abandonments permitting the discontinuance of rail service of Port of Los Angeles' San Pedro Subdivision from Milepost 4.0 (North of Front Street and East of the Gaffey Street Lead) to Milepost 6.60 (at West 22nd Street and Miner Street), a total distance of 2.6 miles in Los Angeles County, California; and traverses U.S. Postal Service Zip Code 90731. The proceeding has been docketed as No. AB-33 (Sub-No. 330X).

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. The Notice of Exemption will provide that the proceeding is exempt from environmental reporting requirements under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.6(b).

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: Mack Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, #1920, Chicago, Illinois 60606 (312) 777-2055.

UNION PACIFIC RAILROAD COMPANY

Published: July 16, 2016



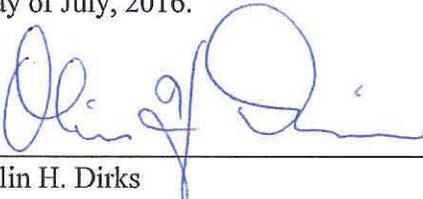
UNION PACIFIC RAILROAD COMPANY

VERIFICATION

STATE OF NEBRASKA)
)SS:
COUNTY OF DOUGLAS)

I, OLIN H. DIRKS, Senior Manager Rail Line Planning of Union Pacific Railroad Company, declare under penalty of perjury, under the law of the United States of America, that I have read the foregoing 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 19th day of July, 2016.



Olin H. Dirks

SUBSCRIBED AND SWORN TO
before me this 19th day of
July, 2016.


Notary Public

My Commission expires: March 5, 2020

