

UNION PACIFIC RAILROAD
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

P 402 544 4735
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Jeremy M. Berman

General Attorney

March 23, 2016

240347

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
March 23, 2016
Part of
Public Record

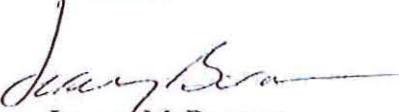
**RE: Proposed Abandonment and Discontinuance of the Tucson South Main from
Milepost 984.7 to Milepost 986.3 in Pima County, Arizona;
STB Docket No. AB-33 (Sub-No. 329X)**

Dear Ms. Brown:

Attached for filing in the above-referenced docket is Union Pacific Railroad Company's ("Union Pacific") 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.

Union Pacific anticipates filing a Notice of Exemption to Abandon the Line on or after April 12, 2016.

Sincerely,


Jeremy M. Berman



BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 329X)
UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN PIMA COUNTY, AZ

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY
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General Attorney
1400 Douglas St, #1580
Omaha, NE 68179
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402-501-3773 (FAX)
jmberman@up.com

Dated: March 23, 2016

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**Docket No. AB-33 (Sub-No. 329X)
UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN PIMA COUNTY, AZ**

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 remaining portion of the Tucson South Main from MP 984.7 near 22nd Street in Tucson, AZ, and MP 986.3, near 4th Ave, a distance of 1.6 miles in South Tucson, Pima County, AZ. The Line traverses U.S. Postal Service Zip Codes 85701 and 85713. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after April 12, 2016.

A map of the Line (**Attachment No. 1**), and UP's letter to federal, state and local government agencies (**Attachment No. 2**), are attached to this EHR. There are no bridge structures on the Line 50 years or older. 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 the remaining portion of the Tucson South Main from MP 984.7 near 22nd Street in Tucson, AZ, and MP 986.3, near 4th Ave, a distance of 1.6 miles in South Tucson, Pima County, AZ. A map of the Line is attached as **Attachment No. 1**.

The Line was constructed around 1912 by the El Paso and Southwestern as part of its route from El Paso to Tucson. Abandonment of the portion to the East, from a point near the crossing with the Union Pacific Nogales Subdivision near MP 986.3, was authorized by the Interstate Commerce Commission in 1941 in Finance Docket No. 13528. Abandonment of the portion of the line from MP 984.7 at the West end of the subject segment, to MP 982.8, the former junction with the Sunset Route, was authorized in STB Docket AB 33 (Sub-No 141X) in 2001. The rail has previously been removed from the line some number of years ago.

UP's real property interest in the Line is primarily fee in nature. Based upon information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession with regard to ownership of the Line will be made available to those requesting it.

Culverts and right-of-way grading will remain intact so as not to alter the prevailing drainage and water flows along the Line. Ballast will typically be left in place, but may be removed if it is of exceptional quality - thus suitable for resale - or to make

the right of way more suitable for a planned future use. Finally, all grade road crossings will be removed and remediated, then resurfaced with gravel, asphalt or concrete, as required by governing road authority. Any railroad signals will also be dismantled and removed.

UP's salvage work for abandonments is performed by experienced rail material salvagers. Each salvage contract includes detailed information on any environmental or historical conditions imposed by the Board. Completed work is independently inspected by a UP roadmaster or other maintenance official to ensure compliance with UP standards of quality and all contractual obligations, including Board imposed conditions, if applicable.

After the proposed abandonment, the South Tucson area will continue to receive rail service from Union Pacific via the UP Nogales Subdivision, and the UP Sunset Route mainline. The area reached by the Line is well served by local roads, and is immediately adjacent to Interstate 10.

No local traffic has moved to or from the Line in 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 Pima County Clerks have 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.

(iii) Not Applicable.

(iv) The property proposed for abandonment may be suitable for a public purpose in the form of a corridor for utilities such as sanitary sewer lines, roads or highways, or other forms of mass transportation, energy production or transmission. The property may also be suitable for conservation as a hike/bike trail.

(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) and (ii). The U.S. Fish and Wildlife Service and the National Park Service were contacted. No response has been received to date. Also, the Line does not appear to enter any national or state parks or forests, wildlife sanctuaries, or refuges.

(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 6 office and the Texas Commission on Environmental Quality have been contacted. To date there has been no response.

(ii) The U. S. Army Corps of Engineers (Corps) has been contacted. To date, no responses have been received.

(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 commences at 22nd St in Tucson and ends near 4th Ave in South Tucson. The right of way runs through urban areas. Various portions of the Right of Way are 80 and 120 feet wide. The topography is 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): There are no structures 50 years or older on the Line.

(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: There are no structures 50 years or older on the line.

(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: In a letter dated March 14, 2016 (**Attachment No. 3**), the Pima County Cultural Resources & Historic Preservation Division indicated that there is one historic property within the proposed abandonment area that is eligible for listing on the National Register. According to the letter, the proposed abandonment will have no adverse effect on the historic property.

(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):

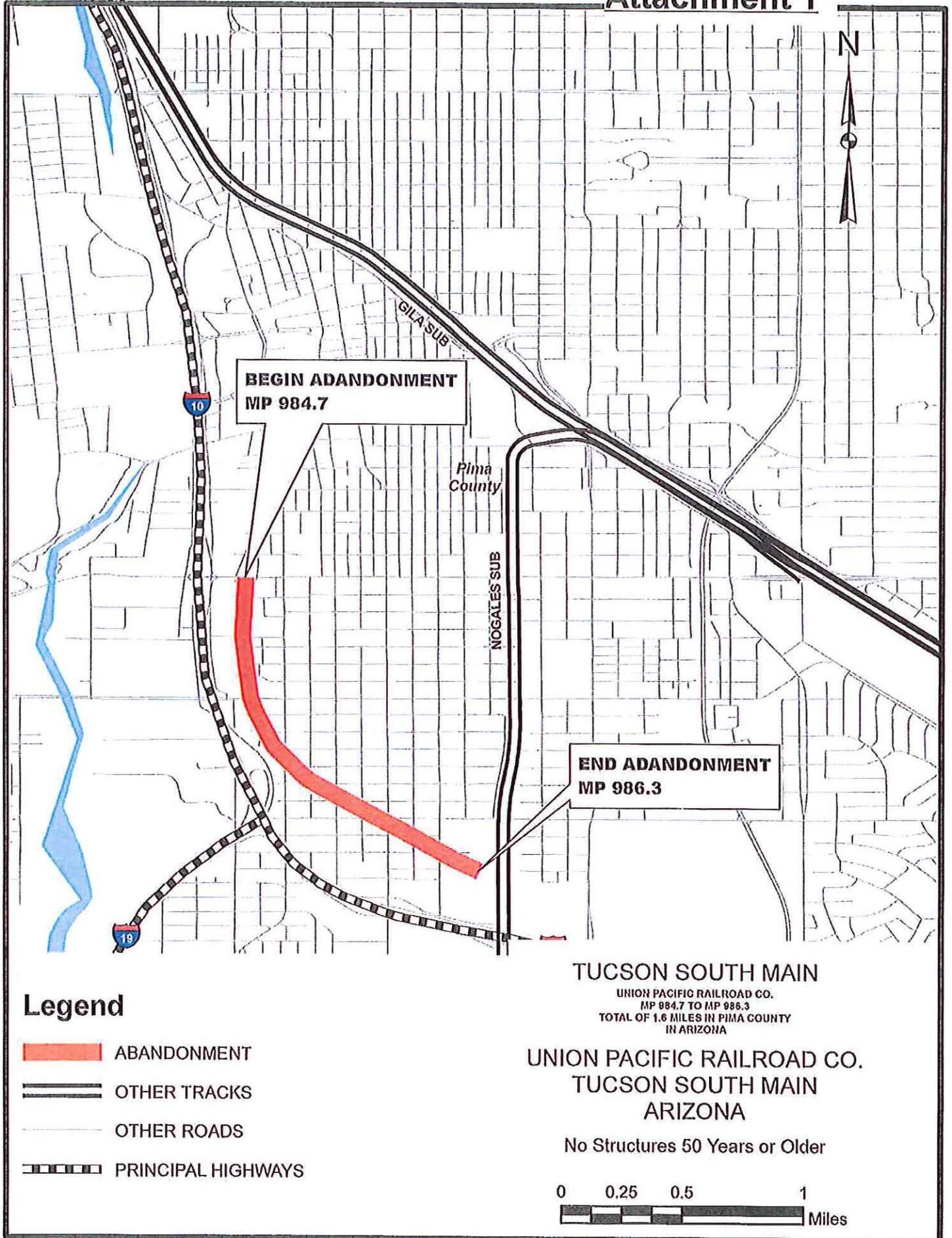
Response: Not applicable.

Dated this 23rd day of March, 2016.

Respectfully submitted,


UNION PACIFIC RAILROAD COMPANY
Jeremy M. Berman
General Attorney
1400 Douglas St, #1580
Omaha, NE 68179
402-544-4735 (Tel.)
402-501-0129 (FAX)
jmberman@up.com

Attachment 1



UNION PACIFIC RAILROAD
1400 Douglas Street Omaha, Nebraska 68179

Attachment 2



February 18, 2016

State Clearinghouse (or alternate):

Arizona Corporation Commission
Attn: Utilities Division
1200 West Washington
Phoenix, AZ 85007-2996

State Environmental Protection Agency:

Arizona Department of Environmental Quality
1110 W. Washington Street
Phoenix, AZ 85007

State Coastal Zone Management Agency:

(If applicable):
Not applicable.

Head of County (Planning):

Pima County Clerk/Recorder's Office
240 N. Stone Ave.
Tucson, AZ 85701

Environmental Protection Agency:

(regional office):
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

U.S. Fish and Wildlife:

U.S. Fish and Wildlife Service
Southwest Region
P.O. Box 1306
Albuquerque, NM 87103-1306

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Los Angeles District
915 Wilshire Blvd.
Los Angeles, CA 90017

National Park Service:

National Park Service
Pacific West Regional Office
333 Bush Street, Suite 500
San Francisco, CA 94104-2828

USDA Natural Resources Conservation Service:

Natural Resources Conservation Service
Douglas Service Center
6940 N Air Terminal Blvd.
Douglas, AZ 85607

National Geodetic Survey:

National Geodetic Survey
Frank Maida, Chief Spatial Reference System
Division
NOAA N/NGS23
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

Arizona State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, AZ 85007

Re: Proposed Abandonment and Discontinuance of the Tucson South Main from Milepost 984.7 near 22nd Street in Tucson, AZ to Milepost 986.3 near 4th Avenue in Tucson, AZ a total distance of 1.6 miles in South Tucson, Pima County, Arizona; STB Docket No. AB-33 (Sub-No. 329X)

To Whom It May Concern:

Union Pacific Railroad Company ("UP") plans to request authority from the Surface Transportation Board (STB) for UP to abandon and discontinue service on a portion of the Tucson South Main from Milepost 984.7 near 22nd Street in Tucson, AZ to Milepost 986.3 near 4th Avenue in Tucson, AZ a total distance of 1.6 miles in South Tucson, Pima County, Arizona. A map of the proposed abandonment and discontinuance shown in red is attached.



UNION PACIFIC RAILROAD
1400 Douglas Street Omaha, Nebraska 68179

Pursuant to the STB's regulations at 49 C.F.R. Part 1162, 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. Please 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. Please 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. Please 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.

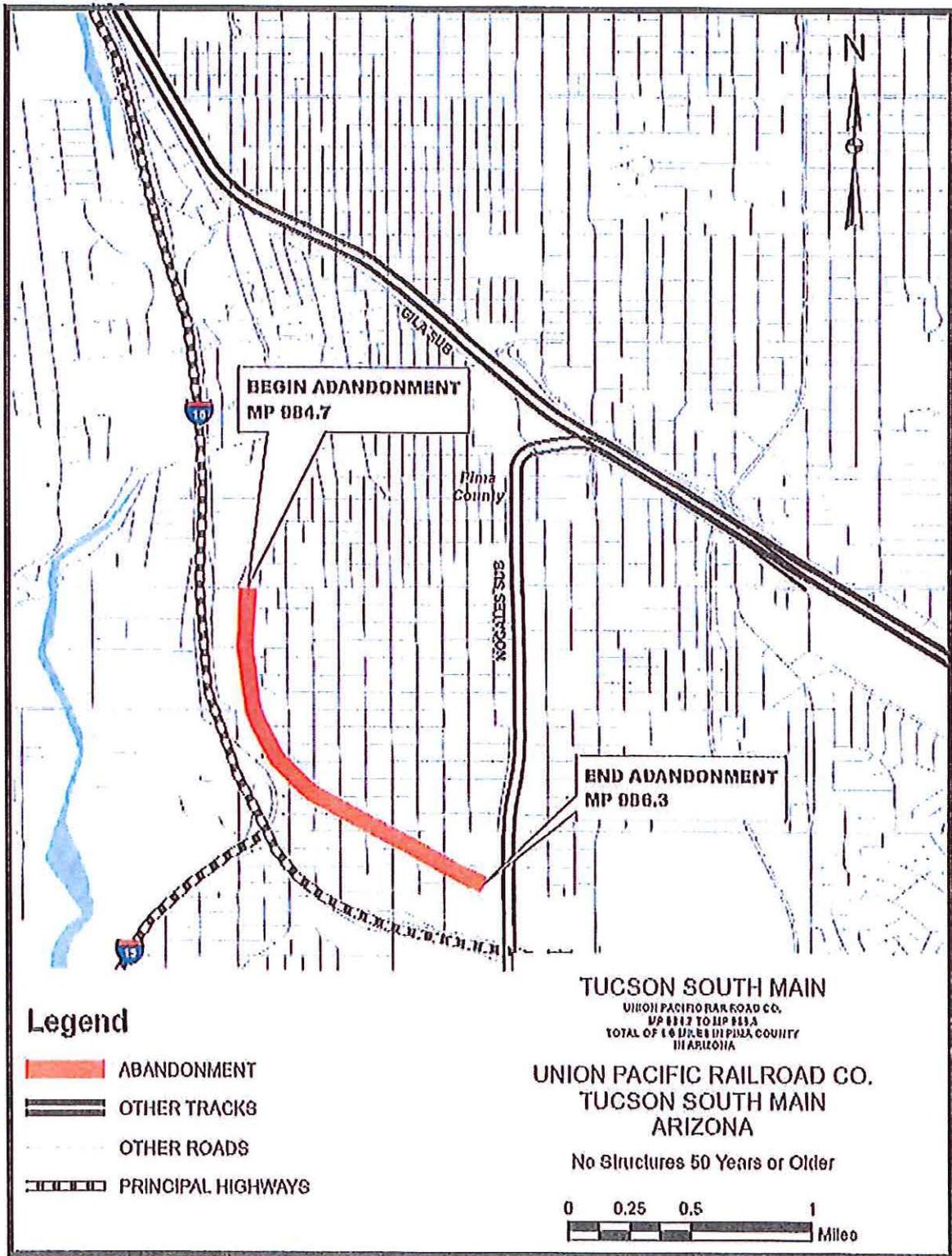
Sincerely,



Sarah J. Rief
Legal Assistant - Law Department
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, Nebraska 68179
Phone: (402) 544-0438
Email: sjrief@up.com

Attachment





Attachment 3



PIMA COUNTY

SUSTAINABILITY & CONSERVATION
Cultural Resources & Historic Preservation Division
201 NORTH STONE AVENUE, 6TH FLOOR
TUCSON, ARIZONA 85701-1207
(520) 724-6940 FAX (520) 724-6451

March 14, 2016

Ms. Sarah J. Reif
Legal Assistant – Law Department
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, Nebraska 68179

Re: Proposed Abandonment and Discontinuance of the Tucson South Main from Milepost 984.7 near 22nd Street in Tucson, AZ to Milepost 986.3 near 4th Avenue in Tucson, AZ a total distance of 1.6 miles in South Tucson, Pima County, Arizona STB Docket No. AB-33 (Sub-No. 329X)

Dear Ms. Reif,

Thank you for allowing Pima County the opportunity to comment with regard to historic properties and the proposed abandonment and discontinuance of the Tucson South Main from Milepost 984.7 near 22nd Street in Tucson, AZ to Milepost 986.3 near 4th Avenue in Tucson, AZ a total distance of 1.6 miles in South Tucson, Pima County, Arizona.

The planned area of abandonment was recently surveyed for cultural resources in advance of a Pima County Regional Wastewater and Reclamation Department's Southeast Interceptor Sewer Augmentation Project. The resulting report, A Cultural Resources Inventory of 22.4 Acres for the Southeast Interceptor Sewer Augmentation Project in the Cities of Tucson and South Tucson, Pima County, Arizona, prepared by Anna M. King, Westland Resources Cultural Resources Report 2015-10, identified one historic property within the proposed abandonment area. AZ EE:4:74(ASM) represents a portion of the historic El Paso and Southwestern Railroad, which was determined eligible by the Arizona State Historic Preservation Office for listing on the National Register of Historic Places in 2003.

Based on the scope of this federal undertaking that is limited to the abandonment of private property that is subject to the Surface Transportation Board oversight and thus federal regulations, we recommend that the proposed abandonment will have no adverse effect on AZ EE:4:74(ASM).

Please feel free to contact me at 520-724-6684, should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian M. Milliken', is written over a horizontal line.

Ian M. Milliken
Program Coordinator
Cc: David Jacobs, AZ State Historic Preservation Office

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. 329X), the Abandonment and Discontinuance of Service on the Tucson South Main in Pima County, AZ was served by First Class U.S. Mail, postage prepaid, on the 23rd day of March, 2016, on the following parties:

State Clearinghouse (or alternate):

Arizona Corporation Commission
Attn: Utilities Division
1200 West Washington
Phoenix, AZ 85007-2996

State Environmental Protection Agency:

Arizona Department of Environmental Quality
1110 W. Washington Street
Phoenix, AZ 85007

State Coastal Zone Management Agency

(If applicable):
Not applicable.

Head of County (Planning):

Pima County Clerk/Recorder's Office
240 N. Stone Ave.
Tucson, AZ 85701

Environmental Protection Agency
(regional office):

U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

U.S. Fish and Wildlife:

U.S. Fish and Wildlife Service
Southwest Region
P.O. Box 1306
Albuquerque, NM 87103-1306

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Los Angeles District
915 Wilshire Blvd.
Los Angeles, CA 90017

National Park Service:

National Park Service
Pacific West Regional Office
333 Bush Street, Suite 500
San Francisco, CA 94104-2828

USDA Natural Resources Conservation
Service:

Natural Resources Conservation Service
Douglas Service Center
6940 N Air Terminal Blvd.
Douglas, AZ 85607

National Geodetic Survey:

National Geodetic Survey
Frank Maida, Chief Spatial Reference System
Division
NOAA N/NGS23
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

Arizona State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, AZ 85007

Dated this 23rd day of March, 2016.



Jeremy M. Berman