

**UNION PACIFIC RAILROAD COMPANY**

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205/31

April 5, 2002

**VIA UPS OVERNIGHT DELIVERY**

Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" Street, N.W. Room 504  
Washington, DC 20423-0001



Attention: Victoria Rutson

RE: Docket No. AB-33 (Sub-No. 189X), Union Pacific Railroad Company -  
Abandonment Exemption - In Eau Claire County, WI  
(Eau Claire Industrial Lead in Eau Claire, WI)

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket is the original and ten (10) copies of a 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 Petition for Exemption in this matter on or after April 29, 2002.

ENTERED  
Office of the Secretary  
APR 08 2002  
MHS/taf  
Enclosures Part of  
Public Record

Sincerely yours,

Mack H. Shumate, Jr.  
Senior General Attorney

cc: w/enclosures

**State Clearinghouse (or alternate):**

Jeff Smith, Section Chief  
Federal State Relations  
Division of Energy & Intergovernmental  
Relations  
Department of Administration, 6th Floor  
P. O. Box 7868  
101 E. Wilson  
Madison, WI 53707-7868

**State Environmental Protection Agency:**

Department of Natural Resources  
P. O. Box 7921  
Madison, WI 53719-2726

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

Coastal Policy Section  
Division of Energy & Intergovernmental  
Relations  
Department of Administration, 6th Floor  
P. O. Box 7868  
101 E. Wilson  
Madison, WI 53707-7868

**Head of each County:**

Eau Claire County Supervisors  
County Courthouse  
721 Oxford Avenue  
Eau Claire, WI 54703-5481

**Environmental Protection Agency  
(regional office):**

U.S. Environmental Protection Agency  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service, Region 3  
One Federal Drive  
Federal Building  
Fort Snelling, MN 55111

**U.S. Army Corps of Engineers:**

U.S. Army Engineer District  
St. Paul  
190 Fifth Street East  
St. Paul, MN 55101-1638

**National Park Service:**

William D. Shaddox  
Chief, Land Resources Division  
National Park Service  
800 North Capitol Street, NE., Room 500  
Washington, D.C. 20002

**U.S. Natural Resources Conservation  
Service:**

Natural Resource Conservation Service  
Midwest Regional Office  
2820 Walton Commons West, Suite 123  
Madison, WI 53718-6797

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

Wisconsin Historical Society  
816 State Street  
Madison, WI 53706

Before the  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-33 (Sub-No. 189X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN EAU CLAIRE COUNTY, WISCONSIN  
(EAU CLAIRE INDUSTRIAL LEAD)

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Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr., Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
312/ 777-2055  
312/ 777-2065 FAX

Dated: April 5, 2002  
Filed: April 8, 2002

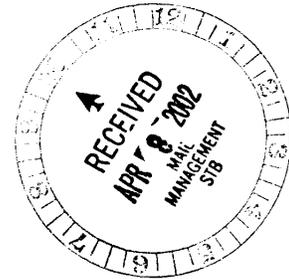
Before the  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-33 (Sub-No. 189X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN EAU CLAIRE COUNTY, WISCONSIN  
(EAU CLAIRE INDUSTRIAL LEAD)

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Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment and discontinuance of service on the Eau Claire Industrial Lead from M. P. 0.00 near N. Barstow Street to M. P. 1.65 south of Truax Blvd., a distance of 1.65 miles in Eau Claire, Eau Claire County, Wisconsin (the "Line").

The Line traverses U. S. Postal Service Zip Code 54703.

The applicant anticipates that a Petition For Exemption to discontinue service on the Line will be filed at the STB on or after April 29, 2002.

A map of the Line is attached as **Attachment No. 1**. UP's original letter to federal, state and local government agencies is marked **Attachment No. 2**. Responses received to the letter to date are attached and sequentially numbered as indicated below.

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 the abandonment and discontinuance of service on the Eau Claire Industrial Lead from M. P. 0.00 near N. Barstow Street to M. P. 1.65 south of Truax Blvd., a distance of 1.65 miles in Eau Claire, Eau Claire County, Wisconsin. The Line was originally constructed in approximately 1870 by the West Wisconsin Railway. It is constructed with 80-pound rail. The sole customer on the Line is Central Storage Warehouse ("CSW"), which ships and receives various frozen, canned, and dried foods and dairy products. CSW handled 70 cars in the year 2000 and 74 cars in the year 2001.

A map of the Line is attached as **Attachment No. 1.**

(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:** Central Storage Warehouse is the sole shipper on the Line. As a result of an agreement between UP and CSW, CSW will relocate its rail activity to the nearby station of Menomonie and handle the storage and consignment of almost all of the railed commodities at that point. As a result there will be little impact on area traffic patterns or fuel consumption due to additional truck trips. Accordingly, no traffic on the Line is anticipated in the future from this shipper. No recyclable commodities or energy resources move over the Line. There is no impact on area roads or changes in energy

usage caused by the proposed action. A letter reflecting the agreement between UP and CSW, and CSW's support for the proposed abandonment is attached as **Attachment No.**

**3.**

(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 effects land or water uses within a designated coastal zone, include the coastal zone information required by § 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 has been in contact with the City of Eau Claire concerning the City's plans for the 3rd Street overpass, and has expressed interest in donating the Chippewa Bridge complex to the City. A copy of UP's letter to the Eau Claire Public Works Department is attached as **Attachment No. 4**. The Eau Claire County Planning Department states that the proposed abandonment is entirely within the City of Eau Claire and outside the jurisdiction of the Eau Claire County's land use plan. The Planning Department's response is attached as **Attachment No. 5**. UP is unaware of any adverse effects on other local and existing land use plans.

(ii) The United States Natural Resources Conservation Service has been contacted. To date the applicant has received no response.

(iii) The Wisconsin Coastal Policy Section of the Energy & Intergovernmental Relations Division has been contacted. To date UP has received no response.

(iv) The land area of the proposed abandonment totals 14.58 acres, all of which are non-reversionary. Since the property is all non-reversionary, there is no title limitations and the right of way is suitable for other public purposes, as the City of Eau Claire has expressed interest in using the corridor for a recreational trail. UP will attempt to donate the bridge over the Chippewa River to the City. In the event that the City is not interested, the property will be sold to adjoining landowners.

(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 will be no effect on the transportation of energy resources.

(ii) No recyclable materials are handled on the Line.

(iii) Because there is little if any change in rail activity that could be attributed to the proposed action, there should be no discernible effect on energy efficiency.

(iv)(A)(B) There will be no rail-to-motor diversion of these magnitudes.

(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 §§ (5)(I)(A) will apply.

**Response:** There is no such effect anticipated.

(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 of such magnitude 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)(l) of this section are surpassed, state whether the proposed action will cause:

- (l) 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 material 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 reviewed our proposed abandonment and concluded that due to the nature and location of the proposed activities, no federally listed threatened and endangered species or critical habitat will be affected. The U. S. Fish and Wildlife Service response is attached as **Attachment No 6**.

(ii) Applicant is not aware of any wildlife sanctuaries or refuges, or of any National or State parks or forests, that will be affected by the proposed discontinuance.

(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. (Applicant 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 Natural Resource Conservation Service has been contacted. To date the Applicant has received no response.

(ii) The U.S. Army Corps of Engineers has been contacted. The Corps stated that no work will be done in or over a navigable water or the United States, and no dredged or fill material will be discharged in any water of the United States, including wetlands. Therefore, a Department of the Army permit is not required. The Corps of Engineers response is attached as **Attachment No. 7**.

(iii) It is not anticipated 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 proposed for abandonment is 150 feet wide as it comes out of the main line to the Chippewa River. After it crosses the river, it is generally 100 feet in width. The topography of the Line is slightly hilly near the Chippewa River and levels out as it travels west and north through a light industrial and residential area.

(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:

**Response:** The Wisconsin Historical Society was provided with photographs of the railroad bridges over Forest Street and over the Chippewa River. A copy of the letter to the Historical Society and pictures is attached as **Attachment No. 8.** Based on the information provided, the Historical Society believes that the Chippewa River Railroad Bridge constructed in 1881 is eligible for inclusion in the National Register of

Historic Places, and asked UP to prepare a determination of eligibility form for the bridge to forward to them for review. UP is currently complying with this request. The Wisconsin Historical Society's response is attached as **Attachment No. 9**.

(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:** The bridges and their dates of construction are listed on the map, **Attachment No. 1**, and in the letter, **Attachment No 8**.

(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 the preceding pages for a brief history and description of carrier operations.

(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 believes bridge drawings are available.

(7) An opinion (based on readily available information in the railroad'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:** At this time, UP knows of no historic sites or structures or archeological resources on the Line or in the project area. Donald D. Snoddy, Manager-Museum Services for the UP, has reviewed the proposed transaction and concluded that there is nothing in the scope of the project that merits historical comment. No bridges or buildings that are of significant architectural design nor any other structures or features that need to be considered. Mr. Snoddy also indicates that any archeological sites within the

scope of the right-of-way would have previously been disturbed during the construction of the Line.

(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:** Applicant 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 nonrailroad owned properties or group 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 5th day of April, 2002.

Respectfully submitted,



UNION PACIFIC RAILROAD COMPANY  
Mack H. Shumate, Senior General Attorney  
Room 1920, 101 North Wacker Drive  
Chicago, IL 60606  
312/ 777-2055  
312/ 777-2065 FAX

CERTIFICATE OF SERVICE  
OF THE  
COMBINED ENVIRONMENTAL AND HISTORIC REPORT

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 189X) for the Eau Claire Industrial Lead in Eau Claire County, Wisconsin was served by first class mail on the 5th day of April, 2002 on the following:

**State Clearinghouse (or alternate):**

Jeff Smith, Section Chief  
Federal State Relations  
Division of Energy & Intergovernmental Relations  
Department of Administration, 6th Floor  
P. O. Box 7868  
101 E. Wilson  
Madison, WI 53707-7868

**State Environmental Protection Agency:**

Department of Natural Resources  
P. O. Box 7921  
Madison, WI 53719-2726

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

Coastal Policy Section  
Division of Energy & Intergovernmental Relations  
Department of Administration, 6th Floor  
P. O. Box 7868  
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**Head of each County:**

Eau Claire County Supervisors  
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721 Oxford Avenue  
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**Environmental Protection Agency**  
**(regional office):**

U.S. Environmental Protection Agency  
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**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service, Region 3  
One Federal Drive  
Federal Building  
Fort Snelling, MN 55111

**U.S. Army Corps of Engineers:**

U.S. Army Engineer District  
St. Paul  
190 Fifth Street East  
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**National Park Service:**

William D. Shaddox  
Chief, Land Resources Division  
National Park Service  
800 North Capitol Street, NE., Room 500  
Washington, D.C. 20002

**U.S. Natural Resources Conservation Service:**

Natural Resource Conservation Service  
Midwest Regional Office  
2820 Walton Commons West, Suite 123  
Madison, WI 53718-6797

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

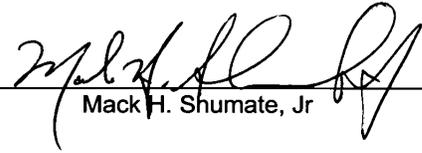
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706

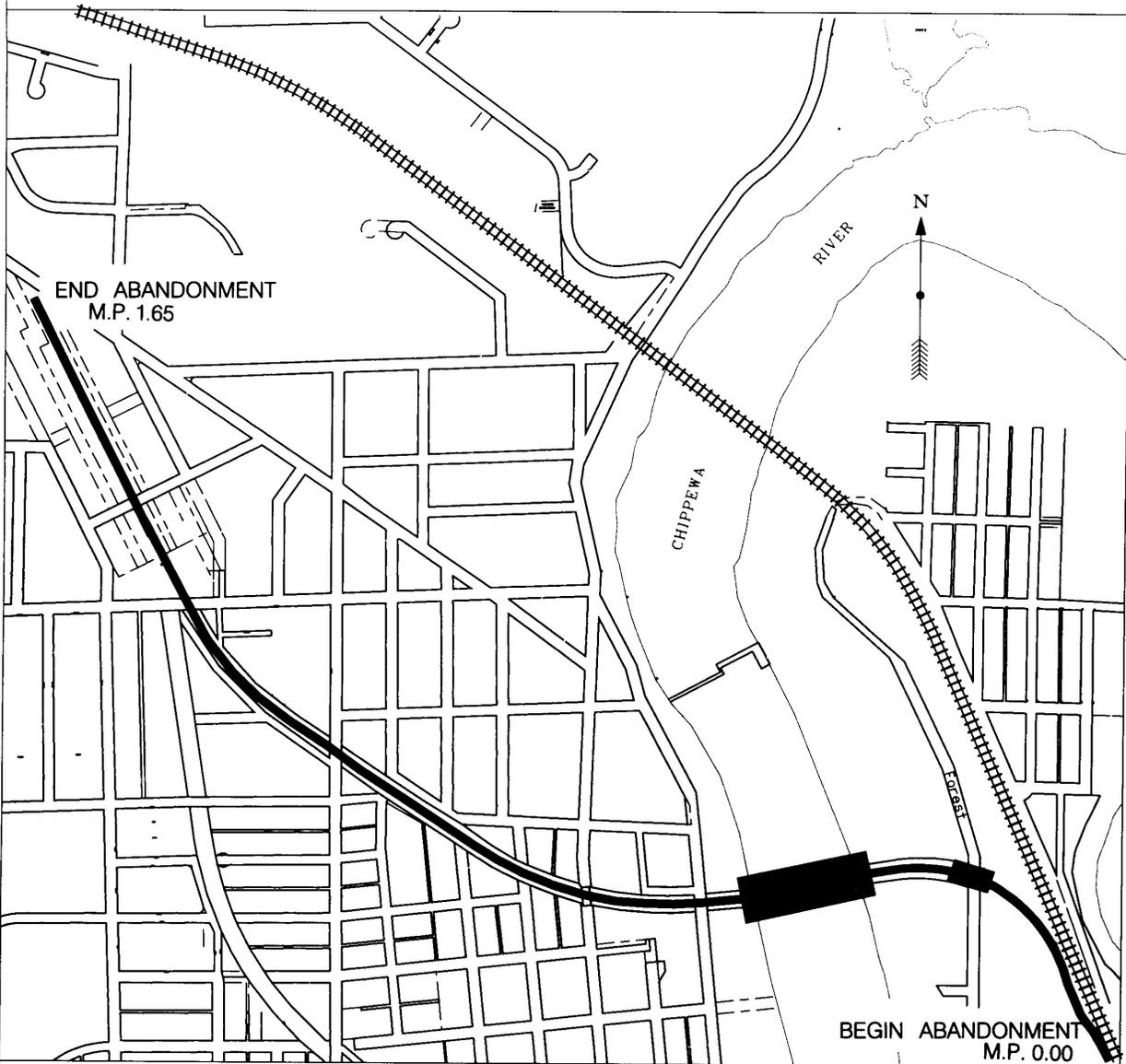
**Other:**

Mr. Brian Amundson  
Director, Public Works Department  
City of Eau Claire  
203 S. Farwell  
Eau Claire, WI 54702-5148

Central Storage & Warehouse Co., Inc.  
3120 Ninth Street  
Eau Claire, WI 54703

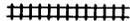
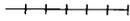
Dated this 5th day of April, 2002.

  
Mack H. Shumate, Jr



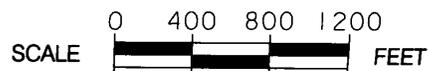
BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
BR. 2.70-12 A	1 - 31' DPG	31'	1941
BR. 2.70-12 A	6 - SPAN PT		1941
BR. 2.70-12 B	4 - 180' DT	720'	1881

LEGEND

-  RR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  50+ YEAR OLD STRUCTURES
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

Eau Claire Industrial Lead  
 M.P. 0.00 TO M.P. 1.65  
 EAU CLAIRE INDUSTRIAL LEAD A TOTAL OF 1.65 MILES  
 IN EAU CLAIRE, EAU CLAIRE COUNTY, WISCONSIN

UNION PACIFIC RAILROAD CO.  
 EAU CLAIRE INDUSTRIAL LEAD  
 INCL. 50+ YEAR OLD STRUCTURES



CHARLES W. SAYLORS  
DIRECTOR-LEGAL SUPPORT SERVICES

UNION PACIFIC RAILROAD COMPANY

1416 DODGE STREET  
OMAHA, NEBRASKA 68179  
(402) 271-4861



February 21, 2002

**State Clearinghouse (or alternate):**

Jeff Smith, Section Chief  
Federal State Relations  
Division of Energy & Intergovernmental Relations  
Department of Administration, 6th Floor  
P. O. Box 7868  
101 E. Wilson  
Madison, WI 53707-7868

**State Environmental Protection Agency:**

Department of Natural Resources  
P. O. Box 7921  
Madison, WI 53719-2726

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

Coastal Policy Section  
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**Head of each County:**

Eau Claire County Supervisors  
County Courthouse  
721 Oxford Avenue  
Eau Claire, WI 54703-5481

**Environmental Protection Agency**

**(regional office):**  
U.S. Environmental Protection Agency  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service, Region 3  
One Federal Drive  
Federal Building  
Fort Snelling, MN 55111

**U.S. Army Corps of Engineers:**

U.S. Army Engineer District  
St. Paul  
190 Fifth Street East  
St. Paul, MN 55101-1638

**National Park Service:**

William D. Shaddox  
Chief, Land Resources Division  
National Park Service  
800 North Capitol Street, NE., Room 500  
Washington, D.C. 20002

**U.S. Natural Resources Conservation Service:**

Natural Resource Conservation Service  
Midwest Regional Office  
2820 Walton Commons West, Suite 123  
Madison, WI 53718-6797

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

Wisconsin Historical Society  
816 State Street  
Madison, WI 53706

Re: Proposed Abandonment of the Eau Claire Industrial Lead from M. P. 0.00 near N. Barstow Street to M. P. 1.65 south of Truax Blvd. in Eau Claire, Eau Claire County, Wisconsin; STB Docket No. AB-33 (Sub-No. 189x)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Eau Claire Industrial Lead from from M. P. 0.00 near N. Barstow Street to M. P. 1.65 south of Truax Blvd. In Eau Claire, Eau Claire County, Wisconsin. 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.

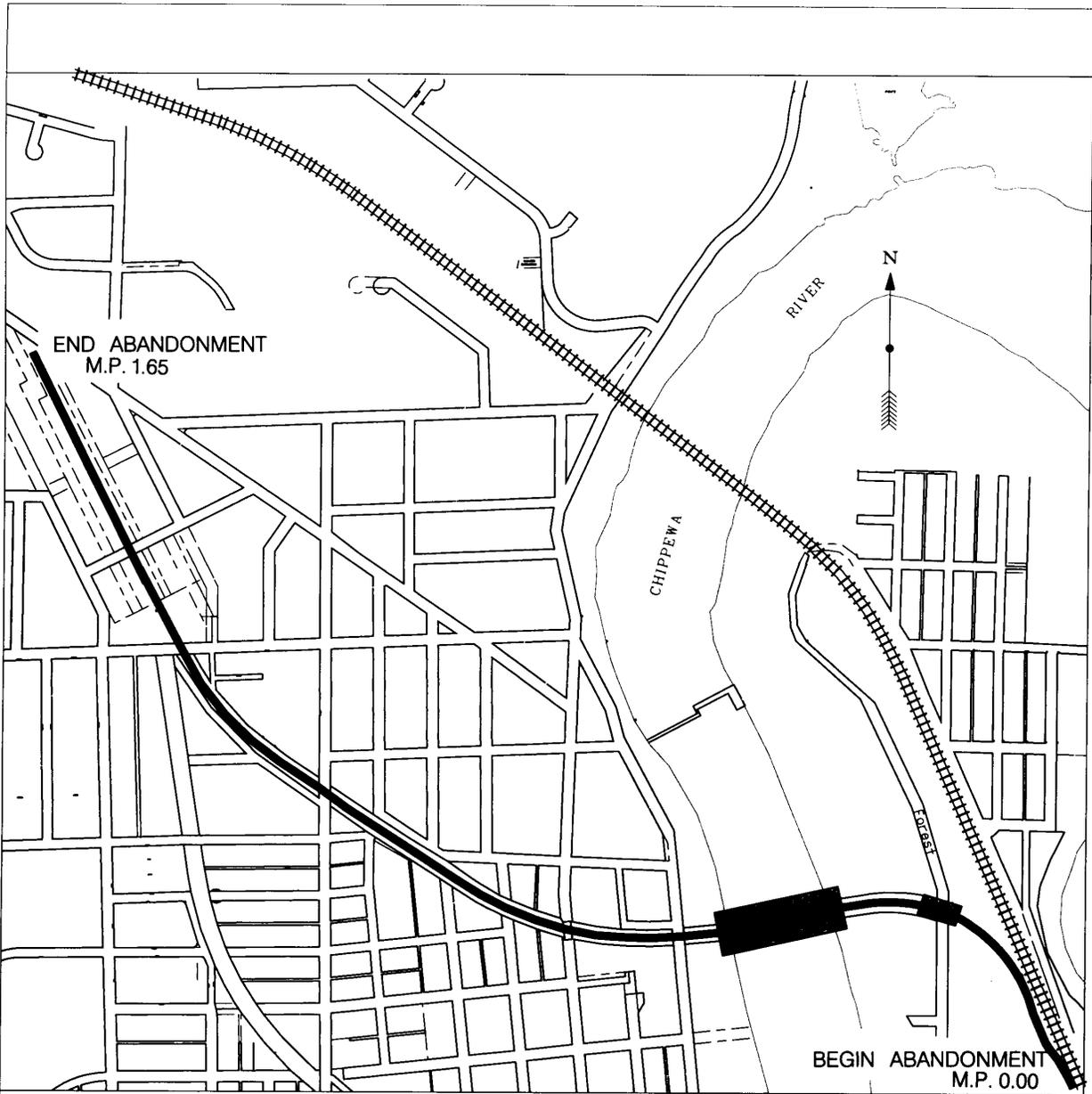
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials 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 Union Pacific Railroad, Mr. Chuck Saylor, 1416 Dodge Street, Room 830, Omaha, NE, 68179. If you need further information, please contact me at (402) 271-4861.

Yours truly,

*Charles W. Saylor*  
Charles W. Saylor

Attachment



END ABANDONMENT  
M.P. 1.65

BEGIN ABANDONMENT  
M.P. 0.00

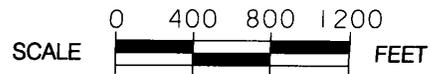
BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
BR. 2.70-12 A	1 - 31' DPG	31'	1941
BR. 2.70-12 A	6 - SPAN PT		1941
BR. 2.70-12 B	4 - 180' DT	720'	1881

LEGEND

- RR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- 50+ YEAR OLD STRUCTURES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

Eau Claire Industrial Lead  
M.P. 0.00 TO M.P. 1.65  
EAU CLAIRE INDUSTRIAL LEAD A TOTAL OF 1.65 MILES  
IN EAU CLAIRE, EAU CLAIRE COUNTY, WISCONSIN

UNION PACIFIC RAILROAD CO.  
EAU CLAIRE INDUSTRIAL LEAD  
INCL. 50+ YEAR OLD STRUCTURES



Revised: February 13, 2002 Q:\ABANDONMENTS\AB0311\_EAUCLAIRE.DGN

ATTACHMENT 3

# CSW

Central Storage & Warehouse Co., Inc.

- 4309 Cottage Grove Road, P.O. Box 7034, Madison, WI 53707  
 3120 Ninth Street, P.O. Box 5, Eau Claire, WI 54602  
 1212 West Street, Wausau, Wisconsin 54401

Phone 608-221-7600  
 Phone 715-834-2951  
 Phone 715-845-6707

Union Pacific Railroad Company  
 Attention: Steven J. McLaws  
 General Director Industrial Development  
 1416 Dodge Street, Room 1130  
 Omaha, Nebraska 68179

**Re: Relocation of CSW Rail Served Facility to 303 North 28th Avenue,  
 Menomonie, Wisconsin from 3120 Ninth Street, Eau Claire, Wisconsin  
 File No.: AB33-(Sub-No. 189)**

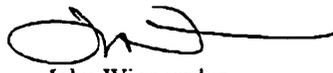
Dear Mr. McLaws:

This is to summarize the understanding reached between Union Pacific Railroad Company ("UP") and Central Storage & Warehouse Company, Inc. ("CSW") concerning UP's efforts to preserve and rationalize its rail service to better meet the long term shipping needs of its customers in an economically justifiable manner. CSW has inspected the facility located at 303 North 28th Avenue in Menomonie, Wisconsin (the "New Facility") for relocation of CSW's present rail operation, which is located at 3120 Ninth Street, Eau Claire, Wisconsin (the "Old Facility"). CSW views the New Facility alternative as a viable location for CSW's future rail operations currently being handled at the Old Facility. CSW reserves the right to right to relocate rail operations to a location other than the New Facility. CSW accepts UP's offer of financial assistance in the amount of \$120,000, to be paid on or before 12/28/01, for the relocation of rail operations.

Based on UP's offer of financial assistance, CSW supports UP's abandonment effort with regard to the trackage serving the Old Facility and looks forward to developing rail operations elsewhere.

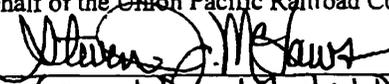
If the UP concurs with the foregoing, please so indicate by signing the duplicate originals of this Letter Agreement and returning one original to me.

Sincerely,



John Winegarten

ACCEPTED and AGREED TO:  
 this 18th day of January, 2002  
 on behalf of the Union Pacific Railroad Company

By:   
 Title: General Dir. - Industrial Development

O:\Abandonments\33-189\002

January 31, 2002

Mr. Brian Amundson  
Director, Public Works Department  
City of Eau Claire  
203 S. Farwell  
Eau Claire, WI 54702-5148

Dear Mr. Amundson:

As I noted in our last phone conversation, Union Pacific and Central Storage Warehouse have reached an agreement whereby Central Storage will relocate its rail activity. Accordingly, UP is preparing to obtain federal authority to abandon the industrial lead that crosses the Chippewa River and terminates near Truax Blvd. Current plans are to make the filing in March; Surface Transportation Board approval would follow in July, and the abandonment authority would be effective in August. I hope that this assists your planning regarding the 3<sup>rd</sup> Street overpass. Please note that federal regulations do permit a party to buy a line after abandonment approval for continued operation, but such is unlikely in this case.

In the course of our conversation, I also reiterated UP's interest in donating the Chippewa bridge complex to the City. You said that you would raise the issue with appropriate officials and return with the City's view on the subject. Please feel free to ask any questions that will help the City in its consideration of this possibility.

Sincerely,

Raymond Allamong  
Manager Rail Line Planning  
(402)271-3889



March 26, 2002

Union Pacific Railroad  
Attn: Chuck Saylor  
1416 Dodge Street  
Room 830  
Omaha, NE 68179

RE: Proposed Abandonment of Eau Claire Industrial Lead, M.P. 00 - M.P. 1.65

Dear Mr. Saylor,

That portion of the Union Pacific Railroad line that is proposed for abandonment lies entirely within the City of Eau Claire and is outside the jurisdiction of Eau Claire County's land use plan. Therefore, Eau Claire County has no comment on this project.

However, I have noted that what appears to be your mailing list does not include any officials within the city government, and I am taking the liberty of providing them with a copy of your information.

Sincerely,



Jon Tulman  
Associate Planner

C: Howard Ludwigson, County Board Chair  
Keith Zehms, Corporation Counsel  
Todd Andrews, Senior Planner  
Don Norrell, City Manager



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Green Bay ES Field Office  
 1015 Challenger Court  
 Green Bay, Wisconsin 54311-8331  
 Telephone 920/465-7440  
 FAX 920/465-7410  
 March 21, 2002

Mr. Charles W. Saylor  
 Director - Legal Support Services  
 Union Pacific Railroad Company  
 1416 Dodge Street, Room 830  
 Omaha, Nebraska 68179

re: STB Docket No. AB-33 (Sub-No. 189x)  
 Proposed Abandonment of Eau Claire Industrial Lead  
 M.P. 0.00 near N. Barstow Street to  
 M.P. 1.65 South of Truax Blvd., City of Eau Claire  
 Eau Claire County, Wisconsin

Dear Mr. Saylor:

The U.S. Fish and Wildlife Service (Service) has received your letter dated February 21, 2002, requesting comments on the subject project. Due to staff time constraints and priority work activities, we are able to only review your project for potential impacts to federally-listed threatened and endangered species or those proposed for listing. Be advised that other environmental concerns may be associated with this project such as wetland and stream impacts, erosion control needs, and effects on state-listed threatened or endangered species. State or federal permits may be needed, as well, if stream or wetland impacts will occur. If resource impacts are expected to occur, we recommend that you forward this project to the appropriate Wisconsin Department of Natural Resources office for their review.

Please provide us copies of any future review documents that may be associated with this project or of future projects you may be planning that would require Service review. This will allow us to keep our files current. We will provide comments as time and work priorities allow.

#### **Federally-Listed Threatened and Endangered Species and Critical Habitat**

A review of information in our files indicates that the following federally-listed threatened or endangered species or critical habitat occur in Eau Claire County:

<u>Classification</u>	<u>Common Name</u>	<u>Scientific Name</u>	<u>Habitat</u>
threatened	bald eagle	<u>Haliaeetus</u> <u>leucocephalus</u>	breeding and wintering

endangered	gray wolf	<u>Canis lupus</u>	northern forested areas
endangered	Karner blue butterfly	<u>Lycaeides melissa samuelis</u>	prairie, oak savanna, and jack pine areas with wild lupine

Due to the nature and location of the proposed activities, we conclude that the above listed species will not be affected. This precludes the need for further action on this project as required by the 1973 Endangered Species Act, as amended. Should the project be modified or new information become available that indicates listed species or critical habitat may be affected, consultation should be initiated.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Ronald Spry by calling 920-465-7420.

Sincerely,



Janet M. Smith  
Field Supervisor



**DEPARTMENT OF THE ARMY**

ST. PAUL DISTRICT, CORPS OF ENGINEERS  
 ARMY CORPS OF ENGINEERS CENTRE  
 190 FIFTH STREET EAST  
 ST. PAUL, MN 55101-1638

February 26, 2002

REPLY TO  
 ATTENTION OF  
 Construction-Operations  
 Regulatory (02-03023-JRB)

Mr. Chuck W. Saylor  
 Union Pacific Railroad Company  
 1416 Dodge Street, Room 830  
 Omaha, Nebraska 68179

Dear Mr. Saylor:

We have reviewed information about a project of the Union Pacific Railroad Company to abandon the Eau Claire Industrial Lead from M.P. 0.00 near North Bartow Street to M.P. 1.65 south of Truax Boulevard. The project site is in Sec. 7, 17, and 18, T. 27N., R. 9W., Eau Claire County, Wisconsin.

The work proposed at the location stated is not within the regulatory jurisdiction of the Corps of Engineers. No work will be done in or over a navigable water of the United States, and no dredged or fill material will be discharged in any water of the United States, including wetlands. Therefore, a Department of the Army permit is not required to do this work.

This letter is valid only for the project referenced above. The Eau Claire Industrial Lead includes a bridge crossing over the Chippewa River, a navigable water of the United States. If you plan to do any structural modification work to this bridge, or if you plan to do any work that would result in a discharge of dredged or fill material into the river or any wetlands located along the industrial lead, you should contact this office to avoid doing work that may be in violation of Federal Law. PLEASE NOTE THAT THIS CONFIRMATION LETTER DOES NOT ELIMINATE THE NEED FOR STATE, LOCAL, OR OTHER AUTHORIZATIONS, SUCH AS THOSE OF THE DEPARTMENT OF NATURAL RESOURCES OR COUNTY.

The decision regarding this action is based on information found in the administrative record which documents the District's decision-making process, the basis for the decision, and the final decision.

If you have any questions, contact Jason R. Berkner in our St. Paul office at (651) 290-5015. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

*Jason R. Berkner*  
 Robert J. Whiting  
 Chief, Regulatory Branch

Copy furnished:  
 Dan Kuich, WDNR

U.S ARMY CORPS OF ENGINEERS - ST. PAUL DISTRICT  
REGULATORY BRANCH

BASIS FOR DETERMINATION OF SECTION 404 JURISDICTION

Applicant: Union Pacific Railroad Company

File Number: 200203023

A. Property referenced in the attached correspondence contains an area of water/wetland areas considered to be a water of the United States because the area:

- 1. is currently used, has been used in the past, or may be susceptible to use in interstate or foreign commerce, i.e., navigable waters of the United States. [328.3(a)(1)]
- 2. is interstate waters. [328.3(a)(2)]
- 3. is an area the use, degradation, or destruction of which could affect interstate or foreign commerce. [328.3(a)(3)]
  - a. is or could be used by interstate or foreign travelers for recreation or other purposes.
  - b. has fish or shellfish that are or could be taken and sold in interstate or foreign commerce.
  - c. is or could be used for industrial purposes by industries in interstate commerce.
- 4. is an impoundment of waters/areas otherwise defined as waters of the United States. [328.3(a)(4)]
- 5. is connected to or adjacent to a tributary of any waters/areas identified under paragraphs (1) through (4) of 33 CFR 328.3(a). [328.3(a)(5)]
- 6. contains wetlands or waters adjacent to waters/areas defined as waters of the U.S in paragraphs (1) through (5) in 33 CFR 328.3 (a). [328.3(a)(7)].

B. The property referenced in the attached contains no water/wetland areas that meet any of the criteria described above and therefore is not subject to Corps of Engineers jurisdiction under Section 404 of the Clean Water Act.

Project Manager Jason R. Berkner  
Jason R. Berkner

Date 2-26-02

Section Chief Jason R. Berkner  
Ralph J. Augustin

Date 2-26-02

Wetlands are identified and delineated using the methods and criteria established in the Corps of Engineers Wetland Delineation Manual (87 Manual). Generally, wetlands are determined by the occurrence of hydrophytic vegetation, hydric soils and wetland hydrology.

Edition of March 29, 2001. Previous editions obsolete.

CHARLES W. SAYLORS  
DIRECTOR-LEGAL SUPPORT SERVICES

UNION PACIFIC RAILROAD COMPANY

1416 DODGE STREET  
OMAHA, NEBRASKA 68179  
(402) 271-4861



February 26, 2002

Wisconsin Historical Society  
816 State Street  
Madison, WI 53706

RE: Docket AB-33 (Sub-No.189X), Union Pacific Railroad Company -  
Abandonment Exemption - In Eau Claire County, WI (Eau Claire Industrial  
Lead from MP 0.0 near N. Barstow Street to MP 1.65 south of Truax Blvd.)  
a distance of 1.65 miles

Dear Sirs:

Enclosed for your review are two photographs of the 31-foot railroad bridge over Forest Street, constructed in 1941, and three photographs of the 720-foot railroad bridge over the Chippewa River constructed in 1881, which are located on the referenced rail line proposed for abandonment.

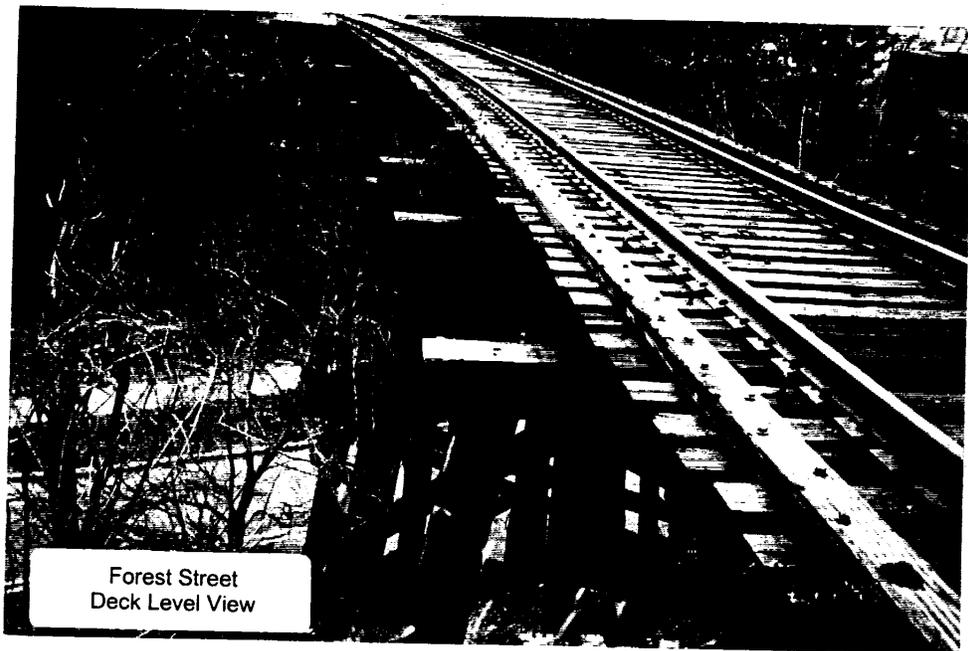
Please advise if you believe there is any historical significance to the bridges. Thank you for your assistance.

Sincerely,

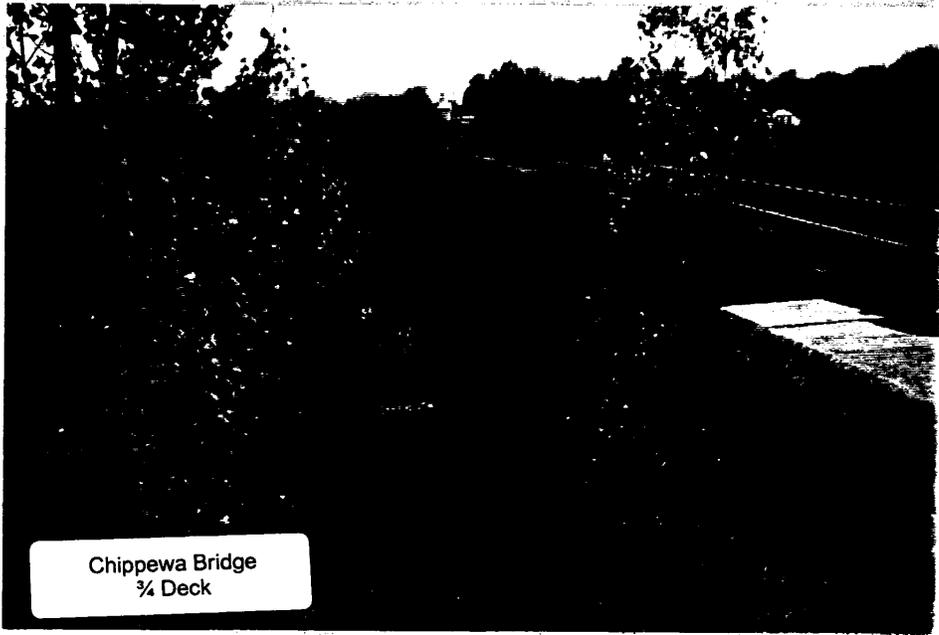
  
Charles W. Saylor  
(402) 271-4861



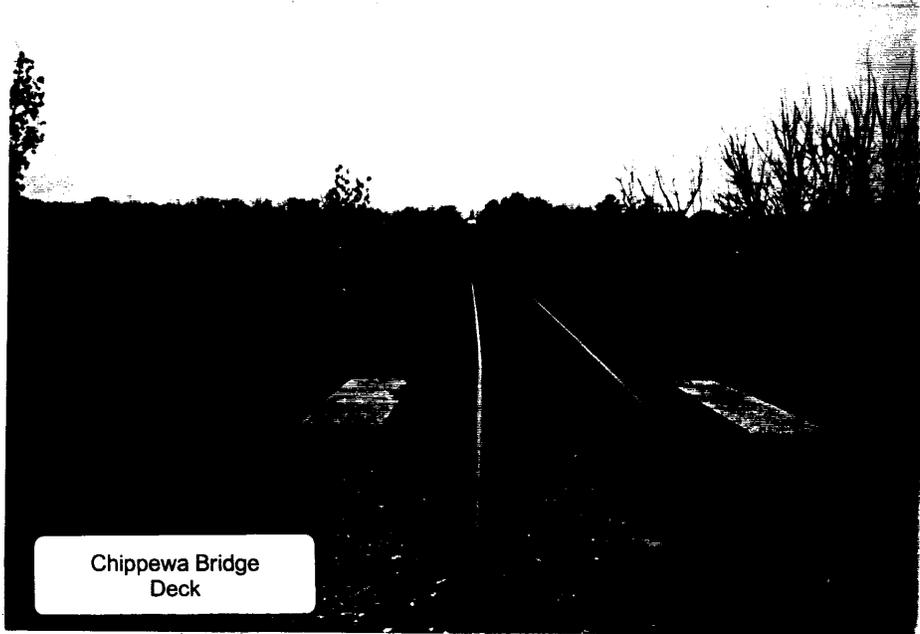
Forest Street  
Front View



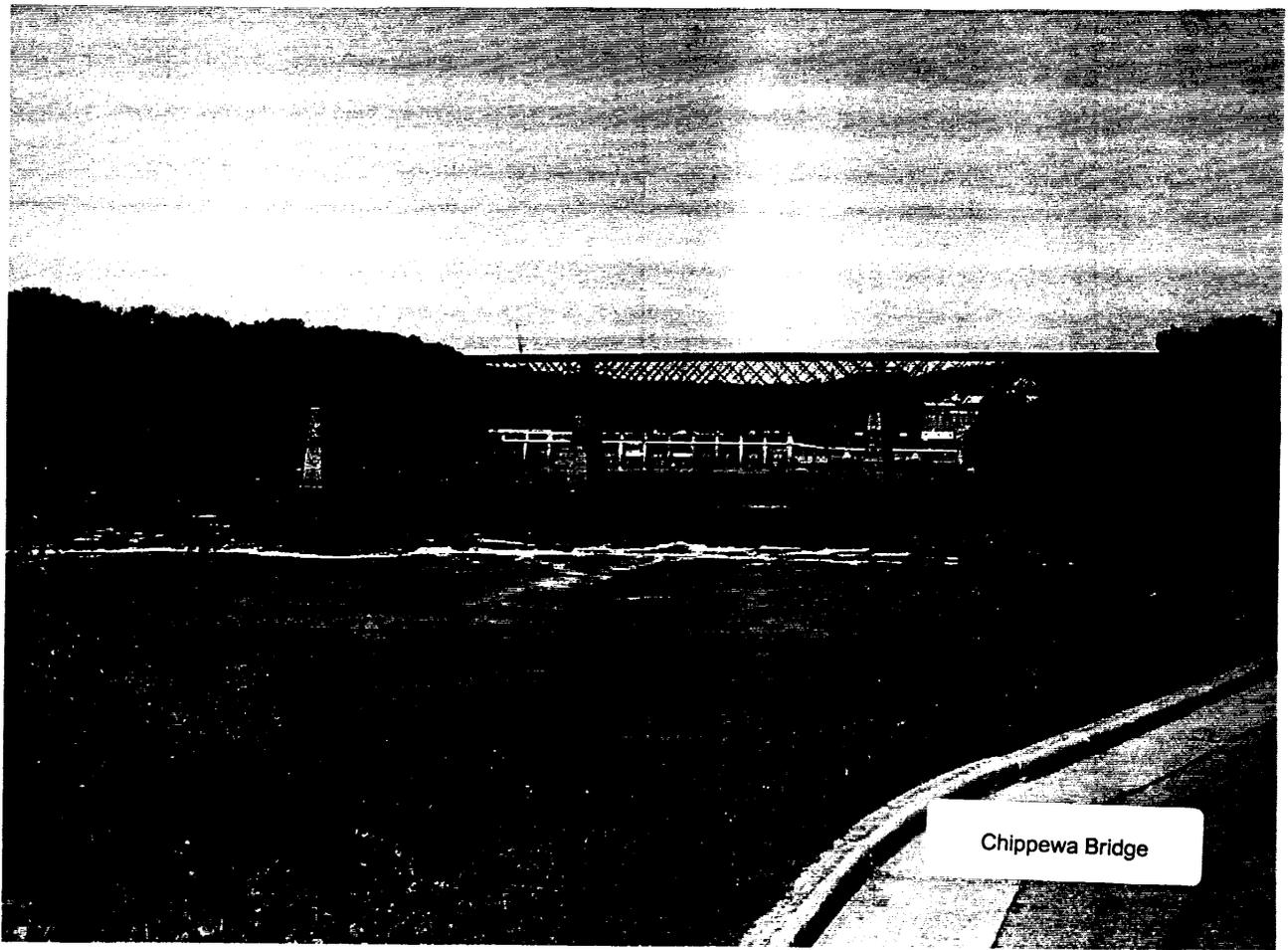
Forest Street  
Deck Level View



Chippewa Bridge  
¾ Deck



Chippewa Bridge  
Deck



Chippewa Bridge



WISCONSIN  
HISTORICAL  
SOCIETY

Headquarters Building  
816 State Street  
Madison, WI 53706-1482  
608-264-6400

March 21, 2002

Mr. Chuck Saylor  
Union Pacific Railroad Company  
1416 Dodge Street, Room 830  
Omaha NE 68179

SHSW#: 02-0204/EC  
RE: Abandon Eau Claire Industrial Lead: MP 0.00 to MP 1.65

Dear Mr. Saylor:

We have reviewed the above referenced project as required for compliance with Section 106 of the National Historic Preservation Act and 36 CFR Part 800: Protection of Historic Properties, the regulations of the Advisory Council on Historic Preservation governing the Section 106 review process.

Based on the information provided, we believe that the Chippewa River Railroad Bridge constructed in 1881 is eligible for inclusion in the National Register of Historic Places. Please prepare a determination of eligibility form for the bridge and forward it to our office for review. Once we concur that the bridge is eligible for inclusion in the National Register we will need to consult to assess the effects that the proposed undertaking may have on historic properties pursuant to 36 CFR 800.5.

If you have any questions concerning these matters, please call me at (608) 264-6507.

Sincerely,

A handwritten signature in cursive script that reads "Sherman Banker".

Sherman Banker  
Compliance Archeologist