

UNION PACIFIC RAILROAD COMPANY

LAW DEPARTMENT
101 NORTH WACKER DRIVE, SUITE 1920
CHICAGO, ILLINOIS 60606
FAX NO. 312-777-2065

206418

RONALD J. CUCHNA
GENERAL SOLICITOR
312-777-2040



ENTERED
Office of Proceedings

OCT 15 2002

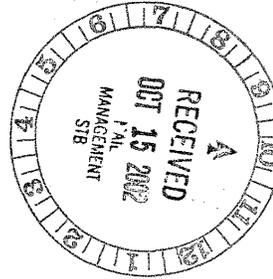
Part of
Public Record

GEORGE H. BRANT
312-777-2051
MACK H. SHUMATE, JR.
312-777-2055
DANIEL R. LA FAVE
312-777-2046
LINDA J. COYLE
312-777-2056
THOMAS W. CUSHING
312-777-2053
FREDERICK P. JOHNSTON, JR.
312-777-2047

October 14, 2002

VIA U.P.S. OVERNIGHT DELIVERY

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



ATTN: Victoria Rutson

**RE: Docket AB-33 (Sub-No. 193X), Union Pacific Railroad Company
Abandonment Exemption - In Utah County, Utah (Provo
Industrial Lead) from M.P. 753.27 near Provo, Utah to
M.P. 756.10 near Gatex, Utah, a Distance of 2.83 Miles**

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. Three (3) computer diskettes of the Combined Environmental and Historic Report are also enclosed.

Union Pacific Railroad Company anticipates filing a Notice of Exemption in this matter on or after November 3, 2002.

Sincerely yours,

Mack H. Shumate, Jr.
Senior General Attorney

Enclosures

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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. 193X), the Provo Industrial Lead in Utah County, Utah was served by first class mail on the 14th day of October, 2002 on the following:

State Clearinghouse (or alternate):

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

State Environmental Protection Agency:

Department of Environmental Quality
168 North 1950 West
Salt Lake City, UT 84116

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

Not applicable.

Head of County (Planning):

Utah County Commissioners
County Administration Building
100 East Center Street
Provo, UT 84606-3106

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

U.S. Environmental Protection Agency
Region VIII
999 18th Street, Suite 500
Denver, CO 80202-2466

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service, Region 6
Denver Federal Center
Denver, CO 80225

U.S. Army Corps of Engineers:

U.S. Army Engineer District, Sacramento
District Commander
1325 J Street
Sacramento, CA 95814-2922

National Park Service:

William D. Shaddox
Chief, Land Resources Division
National Park Service
Department of the Interior
1849 "C" St., N.W., #MS2540
Washington, D.C. 20240

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

Natural Resource Conservation Service
4402 Bennett Federal Building
125 South State Street
Salt Lake City, UT 84147

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

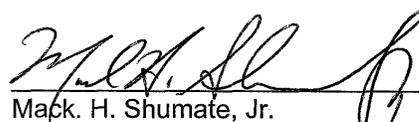
State Historic Preservation Office:

Utah State Historical Society
300 Rio Grande
Salt Lake City, UT 84101

Other Agencies Consulted:

None.

Dated this 14th day of October, 2002.


Mack. H. Shumate, Jr.

00002

UNION PACIFIC RAILROAD COMPANY

LAW DEPARTMENT
101 NORTH WACKER DRIVE, SUITE 1920
CHICAGO, ILLINOIS 60606
FAX NO. 312-777-2065



October 14, 2002

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168 North 1950 West
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**State Coastal Zone Management Agency
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Not applicable.

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U.S. Environmental Protection Agency
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999 18th Street, Suite 500
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U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service, Region 6
Denver Federal Center
Denver, CO 80225

U.S. Army Corps of Engineers:

U.S. Army Engineer District, Sacramento
District Commander
1325 J Street
Sacramento, CA 95814-2922

National Park Service:

William D. Shaddox
Chief, Land Resources Division
National Park Service
Department of the Interior
1849 "C" St., N.W., #MS2540
Washington, D.C. 20240

U.S. Natural Resources Conservation Service:

Natural Resource Conservation Service
4402 Bennett Federal Building
125 South State Street
Salt Lake City, UT 84147

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:

Utah State Historical Society
300 Rio Grande
Salt Lake City, UT 84101

Other Agencies Consulted:

None.

Re: **Proposed Abandonment of the Provo Industrial Lead from M. P. 753.27 near Provo to M. P. 756.10 near Gatex, a distance of 2.83 miles in Utah County, Utah; STB Docket No. AB-33 (Sub-No. 193x)**

Dear Sirs:

On or after November 3, 2002, we expect to be filing with the Surface Transportation Board (STB or Board) a Notice of Exemption to abandon and discontinue

00003

October 14, 2002
Page 2

AB-33 (Sub-No. 193X)

operations over the Provo Industrial Lead from M.P. 753.27 near Provo to M.P. 756.10 near Gatex, a distance of 2.83 miles in Utah County (the "Line"). The Line traverses U. S. Postal Service Zip Code 84116. Attached is a Combined Environmental and Historic Report which describes the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA) at the following address, and refer to the above-referenced Docket Numbers:

Surface Transportation Board
Section of Environmental Analysis (SEA)
1925 K Street, N.W., Room 504
Washington, D.C. 20423-0001
Telephone (202) 565-1545

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly at the address and telephone number indicated below.

Sincerely yours,



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

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 193X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN UTAH COUNTY, UTAH
(PROVO INDUSTRIAL LEAD)

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: October 14, 2002
Filed: October 15, 2002

00005

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 193X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN UTAH COUNTY, UTAH
(PROVO INDUSTRIAL LEAD)

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 from milepost 753.27 near Provo to milepost 756.10 near Gatex, a distance of 2.83 miles in Utah County, Utah (the "Line").

The Line traverses U. S. Postal Service Zip Code 84116. A Notice of Exemption to abandon the Lines pursuant to 49 C.F.R. §1152.50 (no local traffic for at least two years) will be filed on or after November 3, 2002.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and hereby made a part hereof. Responses received to UP's letters 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 operations over the Provo Industrial Lead M.P. 753.27 near Provo to

00006

M.P. 756.10 near Gatex, a distance of 2.83 miles in Utah County, Utah (the "Line"). There are no shippers on the Line, and no commodities have moved over the Line for over two years.

The Line was constructed in 1873 by the Utah Southern Railroad. The Line is laid primarily with 133-pound welded rail. There appears to be no reasonable alternative to the abandonment. The right-of-way and track structure has been sold to Utah Transit Authority for potential future commuter transportation use, with UP retaining an operating easement over the Line until receipt of abandonment authority. No local traffic has moved over the Line in the past two years, and there is no overhead traffic on the Line.

Based on information in the UP's possession, the Line proposed for abandonment does contain federally granted right-of-way. Portions of the right-of-way are subject to reversionary interests. Any documentation in UP's possession regarding UP's real property interests in the Line will be made available upon request.

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: There will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes. The subject Line has not been used for freight traffic for at least two years. The Line is used for overhead traffic, which can be diverted to a parallel UP line. Rail service will continue to be available at Provo and Gatex on either end of the abandonment; Interstate 15 runs in close proximity to the Line. The right-of-way and track structure has been

purchased by the Utah Transit Authority for potential future commuter passenger transportation.

(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 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. Davis and Weber County officials have been contacted. To date UP has received no response.

(ii) The Natural Resources Conservation Service has been contacted. The NCRS states that since the abandonment will take place within existing right-of-way, adjacent farmlands will not be impacted. The NCRS response is attached hereto as **Attachment No. 3**, and hereby made a part hereof.

(iii) The Line is not in a coastal zone.

(iv) The right-of-way is suitable for continued use as a public transportation corridor, including as a highway, trail, and all forms of mass transportation. The right-of-way is also suitable for energy transmission facilities. The surrounding area is highly developed with an extensive network of streets and highways.

(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 in view of the absence of rail shipments on the Line.

(ii) There are no recyclable commodities moved over the Line.

(iii) There will be no change in energy consumption from the abandonment.

(iv)(A)(B) There will be no 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 §§(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 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 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 been contacted. The agency provided a list of endangered, threatened, and candidate species, by county, that may occur in the area of the proposed abandonment and suggested UP provide the U. S. Fish and Wildlife Service a written determination of effects for the listed species. The

U. S. Fish and Wildlife Service response is attached hereto as **Attachment No. 4**, and hereby made a part hereof.

(ii) The National Park Service has been contacted. To date UP has received no response.

(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 Utah Environmental Protection Agency has been contacted. To date UP has received no response.

(ii) The U.S. Army Corps of Engineers has been contacted. The Corps of Engineers responded that an Army permit is not required for the requested abandonment. The Army Corps of Engineers response is attached hereto as **Attachment No. 5**, and hereby made a part hereof.

(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 width ranges from 66 feet to 100 feet but is generally 66 feet wide. The right-of-way is generally level and traverses both rural and urban areas, although most of the Line runs through high-density urban areas.

(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: Original photographs of the bridge over 50 years old affected by the proposed abandonment were sent to the Utah State Historical Society by letter, a copy of which is attached hereto as **Attachment No. 6** and hereby made a part hereof. Currently UP is awaiting a response.

(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. 6**.

(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.

There have been no rail operations over the Line for at least two years. No changes in carrier operations are contemplated.

(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 there are no structures over fifty years old which can be found to be historic.

(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 in the project area and believes that any archeological sites within the scope of the right-of-way would have been disturbed during the construction of the Line. Any salvage activities should not affect any previously undisturbed sites. Abandonment of the Line will have no impact on any prehistoric sites. The Utah State Historic Preservation Office has been notified of the proposed abandonment and has been provided photographs of structures in excess of fifty years of age.

(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: Applicants do 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 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):

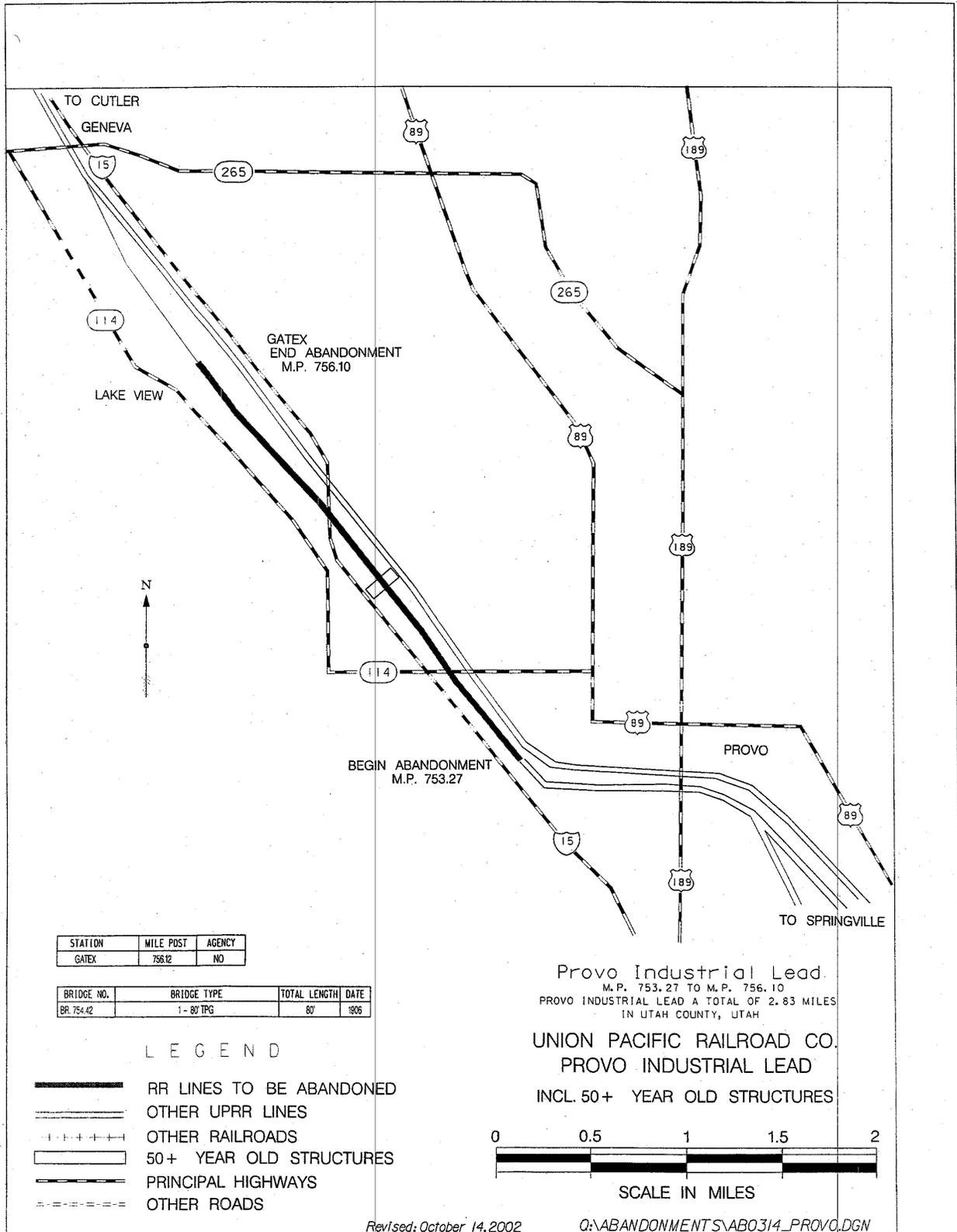
Response: Not applicable.

Dated this 14th day of October, 2002.

Respectfully submitted,



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



00016

CHARLES W. SAYLORS
DIRECTOR-LEGAL SUPPORT SERVICES

UNION PACIFIC RAILROAD COMPANY

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



April 5, 2002

State Clearinghouse (or alternate):

Utah State Clearinghouse
Office of Planning and Budget
Room 116, State capitol
Salt Lake City, UT 84114

State Environmental Protection Agency:

Division of Environmental Health
P.O. Box 16700
Salt Lake City, UT 84116-0700

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

Not applicable.

Head of County (Planning):

Utah County Commissioners
County Administration Building
100 East Center Street
Provo, UT 84606-3106

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

U.S. Environmental Protection Agency
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Denver, CO 80202-2466

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service, Region 6
Denver Federal Center
Denver, CO 80225

U.S. Army Corps of Engineers:

U.S. Army Engineer District, Sacramento
District Commander
1325 J Street
Sacramento, CA 95814-2922

National Park Service:

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

U.S. Natural Resources Conservation Service:

Natural Resource Conservation Service
4402 Bennett Federal Building
125 South State Street
Salt Lake City, UT 84147

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:

Utah State Historical Society
300 Rio Grande
Salt Lake City, UT 84101

Other Agencies Consulted:

None.

Re: Proposed Abandonment of the Provo Industrial Lead from M. P. 753.27 near Provo to M. P. 757.25 near Lakota Jct., a distance of 3.98 miles in Utah County, Utah; STB Docket No. AB-33 (Sub-No. 193x)

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Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Provo Industrial Lead from M. P. 753.27 near Provo to M. P. 757.25 near Lakota Jct., a distance of 3.98 miles in Utah County. This is one of four abandonments proposed in the general vicinity. The other abandonments are the Salt Lake Subdivision Joint Line from M. P. 755.10 to M. P. 778.00 [AB-33 (Sub-No.191X)], the Provo Industrial Lead from M. P. 772.00 to M. P. 775.23 [AB-33 (Sub-No. 192X)], and the Bingham Industrial Lead from M. P. 6.60 to M. P. 11.81 [AB-33 (Sub-No. 194X)]. 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.

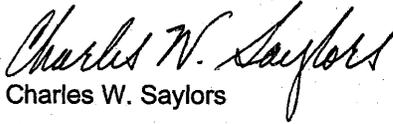
U. S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

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

Attachment

 **NRCS** Natural Resources
Conservation Service



NRCS *Utah*

United States
Department of
Agriculture

Natural
Resources
Conservation
Service

Ray Grow
Murray Field Office
1030 W. 5370 S. #100
Murray, Ut. 84123

Phone:
801 623-3204
Ext. 115

FAX
801 263-3667

Union Pacific Railroad
Chuck Saylor
1416 Dodge Street, Rm. 830
Omaha, NE. 68179
Phone (402) 271-4861

Date: May 1, 2002

Dear Mr. Saylor,

We have received your request for Prime, Unique and Important farmland determinations for proposed abandonment sites of the Union Pacific Railroad Company in the Ogden, Salt Lake and Provo areas. Information from you about abandonment procedures was very helpful. Since the entire operation will take place within existing right of way, adjacent farmlands will not be impacted. Given this fact, there would not be a need for a Prime, Unique and Important farmland determination. Should you discover that any of the activities will be outside the right of way for any of the proposed abandonment sites, please let me know and I will search out any Prime, Unique or Important farmlands to be impacted.

Thank you,

Ray Grow

Ray Grow, Soil Scientist, NRCS, Murray, Utah
Cc: Judy Henline, Technical Assistant, NRCS, Salt Lake City, Utah



United States Department of the Interior
FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE
2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UTAH 84119

In Reply Refer To
FWS/R6
ES/UT

June 21, 2002

Mr. Charles W. Saylor
Union Pacific Railroad Company
1416 Dodge Street
Omaha, Nebraska 68179

- RE: Threatened and Endangered Species Consultation Four Proposed Track Abandonments;
1. Provo Industrial Lead from M.P. 753.27 near Provo to M.P. 757.25 near Lakota Junction, a distance of 3.98 miles in Utah County; STB Docket No. AB-33 (Sub-No. 193x);
 2. Salt Lake Subdivison Joint Line from M.P. 755.10 near Valencia to M.P. 778.00 near Ogden, a distance of 22.9 miles in Davis and Weber County; STB Docket No. AB-33 (Sub-No. 191x);
 3. Bingham Industrial Lead from M.P. 6.60 near Bagley Spur to M.P. 11.81 near Lead Mine, a distance of 5.21 miles in Salt Lake County; STB Docket No. AB-33 (Sub-No. 194x); and
 4. Provo Industrial Lead from M.P. 772.00 near Cutler to M.P. 775.23 near Mount, a distance of 3.98 miles in Salt Lake County; STB Docket No. AB-33 (Sub-No. 192x).

Dear Mr. Saylor:

In response to your correspondence dated April 5, 2002, in reference to the proposed abandonment of the referenced Union Pacific tracks, below is a list of endangered (E), threatened (T), and candidate (C) species, by county, that may occur in the area of influence of your proposed action.

	<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Davis	Bald Eagle ^{1,3}	<i>Haliaeetus leucocephalus</i>	T
	Western Yellow-billed Cuckoo	<i>Coccyzus americanus occidentalis</i>	C

00021

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Salt Lake		
Slender Moonwort	<i>Botrychium lineare</i>	C
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
June Sucker ⁸	<i>Chasmistes liorus</i>	E
Bald Eagle ^{1,3}	<i>Haliaeetus leucocephalus</i>	T
Western Yellow-billed Cuckoo	<i>Coccyzus americanus occidentalis</i>	C
Canada Lynx	<i>Lynx canadensis</i>	T
Utah		
Clay Phacelia	<i>Phacelia argillacea</i>	E
Deseret Milkvetch	<i>Astragalus desereticus</i>	T
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
Utah Valvata Snail ⁶	<i>Valvata utahensis</i>	E
June Sucker ⁴	<i>Chasmistes liorus</i>	E
Bald Eagle ³	<i>Haliaeetus leucocephalus</i>	T
Western Yellow-billed Cuckoo	<i>Coccyzus americanus occidentalis</i>	C
Canada Lynx	<i>Lynx canadensis</i>	T
Weber		
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	T
Ogden Rocky Mountainsnail	<i>Oreohelix peripherica wasatchensis</i>	C
June Sucker ⁸	<i>Chasmistes liorus</i>	E
Bald Eagle ³	<i>Haliaeetus leucocephalus</i>	T
Western Yellow-billed Cuckoo	<i>Coccyzus americanus occidentalis</i>	C
Canada Lynx	<i>Lynx canadensis</i>	T

It is the responsibility of the Federal agency, in consultation with the Service under section 7 of the Endangered Species Act (ESA), to review the proposed action and determine if the action may affect any listed species or their critical habitat. If it is determined by the Federal Agency, with the written concurrence of the Service, that the action is not likely to adversely affect listed species or critical habitat, the consultation process is complete, and no further action is necessary. A Federal agency may designate a non-Federal representative (i.e., Union Pacific) to conduct informal consultation or prepare a biological assessment. The ultimate responsibility for compliance with ESA section 7, however, remains with the Federal agency.

You should provide this office with your written determination of effects for the above listed species. In your determination of potential impacted to listed species, please consider any potential future effects of contamination that may have resulted from these rail lines (e.g., spills from transported materials, petroleum products associated with train traffic).

In addition, we have the following specific comments on threatened and endangered species and critical habitat for the proposed abandonment of the Provo Industrial Lead:

- This line crosses the Provo River within designated critical habitat for the June sucker, an endangered fish that is endemic to the Utah Lake system. In particular, the lower 5 miles of the Provo River has been designated as critical habitat for this fish. Currently, the June

00022

sucker utilizes the lower Provo River for annual spawning in the spring. This is the only known spawning location and it is therefore critical to the survival of June sucker. The remainder of the year, June sucker inhabit Utah Lake with most individuals concentrated in Provo Bay. This project will require evaluation to determine if there are any adverse impacts to the June sucker or its habitat.

- This line crosses within potential habitat for the Ute Ladies'-tresses orchid. A survey for this species will be required along the length of the line.

Please contact Jessica Gourley, at (801) 975-3330 extension 133, this office at your earliest convenience to discuss surveys for the Ute Ladies'-tresses orchid and potential project impacts to the June sucker.

Sincerely,



Henry R. Maddux
Utah Field Supervisor

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Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Provo Industrial Lead from M. P. 753.27 near Provo to M. P. 757.25 near Lakota Jct., a distance of 3.98 miles in Utah County. This is one of four abandonments proposed in the general vicinity. The other abandonments are the Salt Lake Subdivision Joint Line from M. P. 755.10 to M. P. 778.00 [AB-33 (Sub-No.191X)], the Provo Industrial Lead from M. P. 772.00 to M. P. 775.23 [AB-33 (Sub-No. 192X)], and the Bingham Industrial Lead from M. P. 6.60 to M. P. 11.81 [AB-33 (Sub-No. 194X)]. 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.

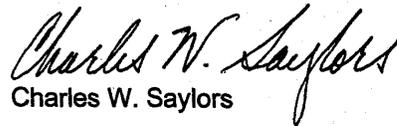
U. S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

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

Attachment

CHARLES W. SAYLORS
DIRECTOR-LEGAL SUPPORT SERVICES

UNION PACIFIC RAILROAD COMPANY

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



September 13, 2002

Utah State Historical Society
300 Rio Grande
Salt Lake City, UT 84101

RE: Docket AB-33 (Sub-No.193X), Union Pacific Railroad Company -
Abandonment Exemption - In Utah County, Utah (Provo Industrial Lead
from MP 753.27 near Provo to MP 757.25 near Lakota Jct.),
a distance of 3.98 miles

Dear Sirs:

Dear Sir:

Enclosed for your review are four photographs of a bridge located on the
Provo Industrial Lead which is 50 years or older. The bridge is described as follows:

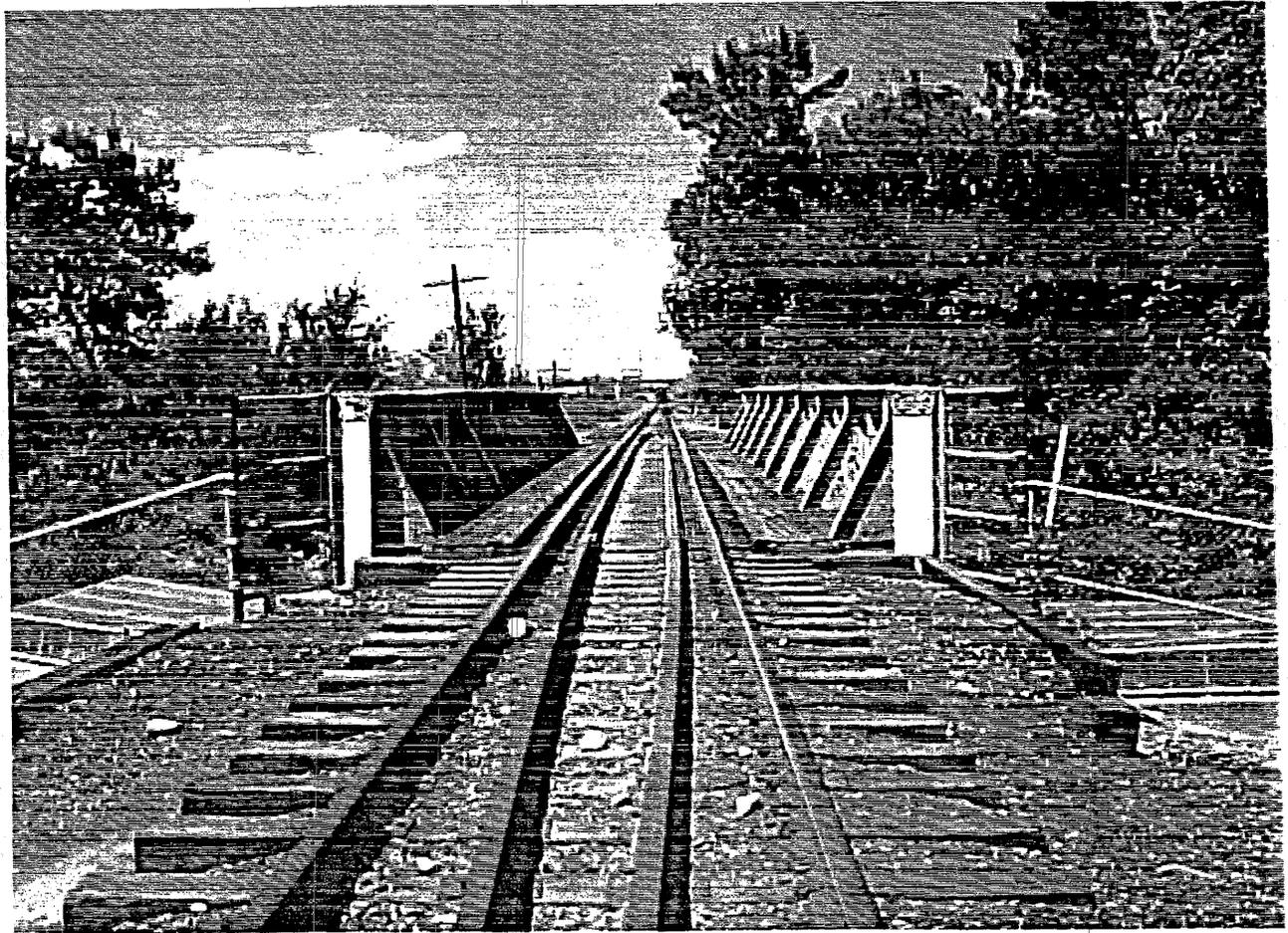
<u>Milepost</u>	<u>Description</u>	<u>Year Constructed</u>
754.42	Through Plate Girder Total Length: 80 Feet	1906

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

Sincerely,

Charles W. Saylor
(402) 271-4861

00027



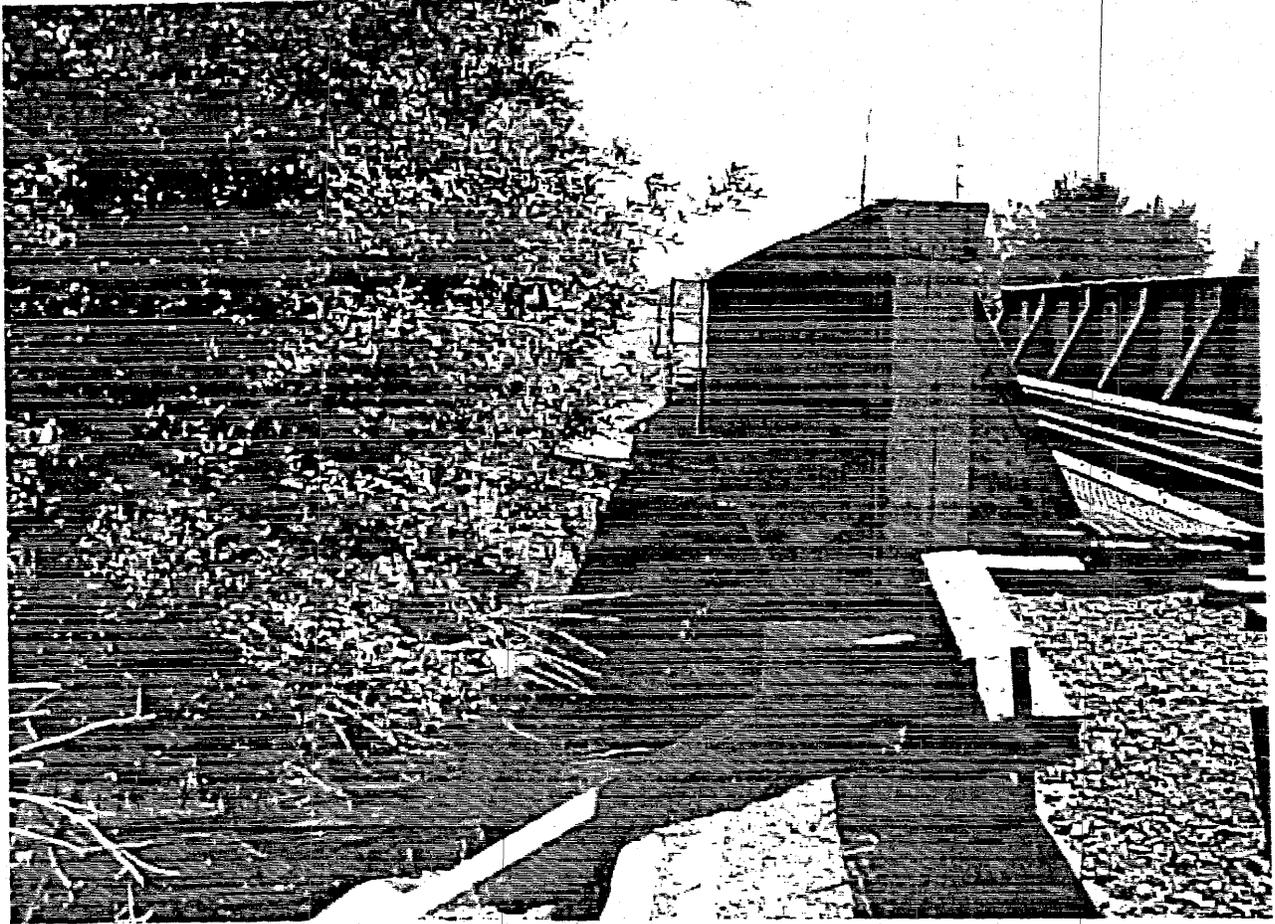
MP 754.42

00028



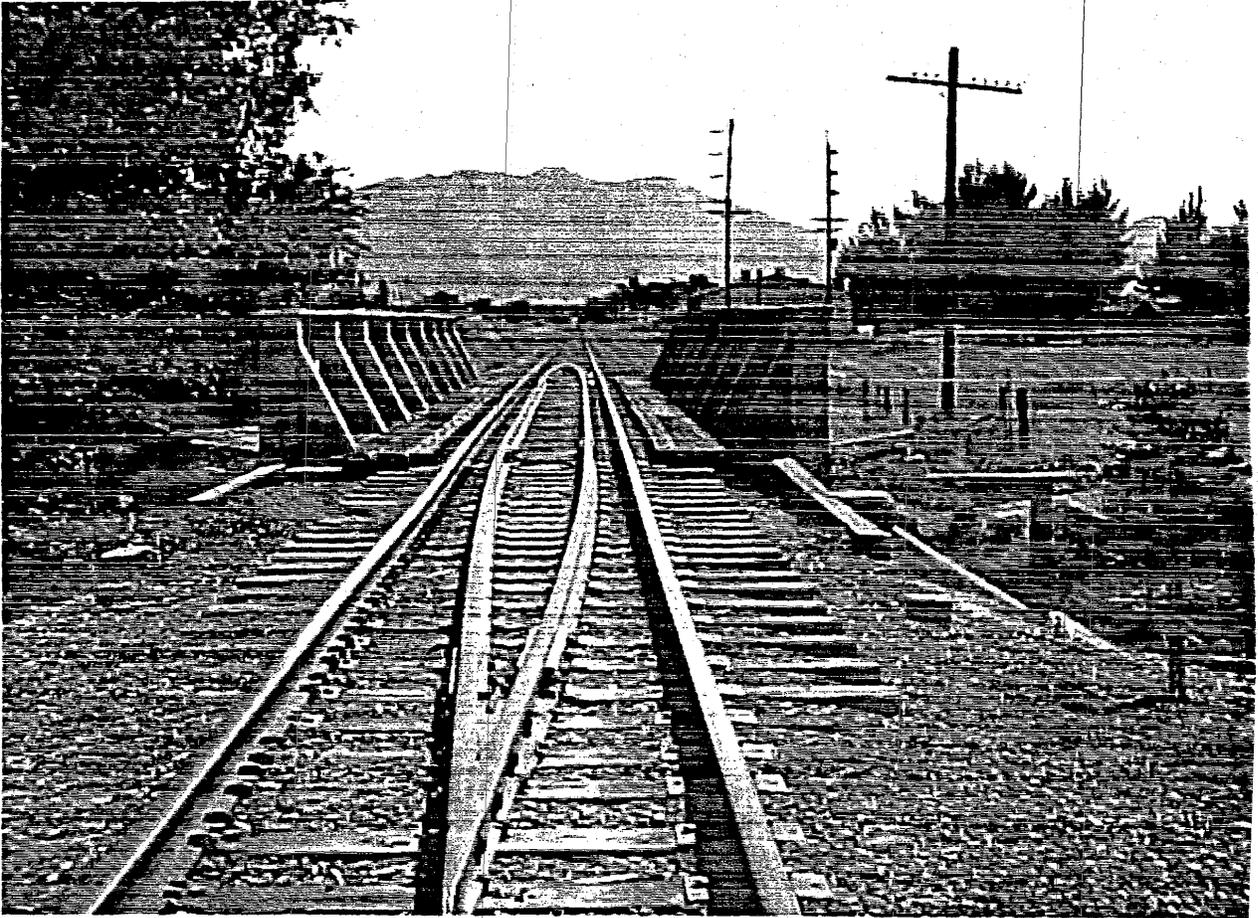
MP 754.42

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MP 754.42

00030



MP 754.42

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