

UNION PACIFIC RAILROAD COMPANY

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

RONALD J. CUCHNA
GENERAL SOLICITOR
312-777-2040

FEE RECEIVED
NOV 8 2002



DIO# 0102067001

206582

November 7, 2002 **SURFACE
TRANSPORTATION BOARD**

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

VIA U.P.S. OVERNIGHT DELIVERY

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



**RE: Proposed Abandonment of the Lakewood Industrial Lead from
M.P. 16.50 near Cover Street to the end of the Line at M.P.
17.35 South of Wardlow Street, a Distance of 0.85 Miles in
Lakewood and Long Beach, Los Angeles County, California;
STB Docket No. AB-33 (Sub-No. 196X)**

Dear Mr. Williams:

Pursuant to the Board's exemption procedures for abandonment of rail lines with no local business for at least two years, (49 C.F.R. 1152.50), enclosed are an original and ten (10) copies of a verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33(Sub-No. 196X). Enclosed is a check for \$2,700.00 for the filing fee. Three (3) computer disks, in WordPerfect format, are included for the Board's use.

Sincerely yours,

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

FILED

NOV 8 - 2002

**SURFACE
TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
NOV 8 2002

Part of
Public Record

Enclosures

cc: All parties of record

O:\ABANDONMENT\33-196X\STBNOE2.wpd

00001

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 196X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LOS ANGELES COUNTY, CALIFORNIA
(LAKEWOOD INDUSTRIAL LEAD)



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NOV 8 2002

**SURFACE
TRANSPORTATION BOARD**

ENTERED
Office of Proceedings

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Public Record

NOTICE OF EXEMPTION

FILED

NOV 8 - 2002

**SURFACE
TRANSPORTATION BOARD**

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: November 7, 2002
Filed: November 8, 2002

00002

Before the

SURFACE TRANSPORTATION BOARD

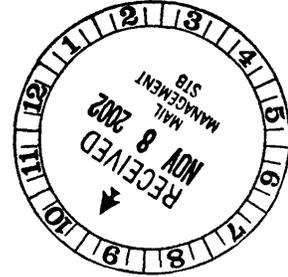
FEE RECEIVED

NOV 8 2002

SURFACE
TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 196X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LOS ANGELES COUNTY, CALIFORNIA
(LAKEWOOD INDUSTRIAL LEAD)



ENTERED
Cases of Proceedings

NOV 8 2002

Part of
Public Record

NOTICE OF EXEMPTION

FILED

NOV 8 - 2002

SURFACE
TRANSPORTATION BOARD

Union Pacific Railroad Company ("UP") submits this verified Notice of

Exemption pursuant to 49 § C.F.R. 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights, for an exempt abandonment of the Lakewood Industrial Lead from milepost 16.50 near Cover Street, in Lakewood, California to milepost 17.35 at the end of the Line, south of Wardlow Street, in Long Beach, California, a distance of 0.85 miles in Los Angeles County, California, (the "Line").

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

The abandonment is proposed to be consummated on or after December 28, 2002 (at least 50 days after filing the Notice of Exemption).

Certification: 49 C.F.R. 1152.50(b)

UP certifies that no local traffic has moved over the Line for at least two years; and that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation

of service over the Line either is pending with this Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period. The Line has not been used as an overhead route for the past two (2) years.

Additional Information Required: 49 C.F.R. 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

(a) General.

(a)(1) The railroads' exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(a)(3) UP intends to abandon the Line from milepost 16.50 near Cover Street, in Lakewood, California, to milepost 17.35 south of Wardlow Street in Long Beach, California, a distance of 0.85 miles. The Line is located in Los Angeles County, California.

(a)(4) A map showing the location of the Line in conjunction with other rail lines, highways and major roads in the area is attached hereto as **Exhibit A** and hereby made a part hereof.

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

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

(a)(8) ZIP Code. The Line traverses U. S. Postal Service Zip Codes 90712 and 90807.

(e)(4) Rural and Community Impact. The Line was constructed by the Los Angeles Terminal Railway in 1891. The Line is laid with 90-pound rail. There appears to be no reasonable alternative to the abandonment. 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 Applicant's possession, the Line proposed for abandonment does not contain federally granted right-of-way. The title to the property in the proposed abandonment is non-reversionary. Portions of the right-of-way may be suitable for public streets or energy transmission. The property is encumbered with easements for several large underground petroleum pipelines.

The Long Beach Municipal Airport is located to the east of the portion of the right-of-way of the Line between Cover Street to Wardlow Street, and commercial and light industrial uses are common west of this segment. Commercial uses are located to the west of the segment of the Line from Wardlow Street to the end of the track at MP 17.35 near Cherry Street, and commercial, industrial and some vacant property is located to the east of this segment of the Line. The right-of-way of the Line is 80 feet wide, located on level topography in an urban area adjacent to and south of the Long Beach Municipal Airport.

Any documentation so related to the Line, including real estate documentation relating to the Line in UP's possession, will be made available to those requesting it.

Labor Protection

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

Certifications

Attached hereto as **Exhibit B** and hereby made a part hereof is a Certificate of Service and Publication pursuant to the notice requirements of 49 C.F.R. §§ 1152.50(d)(1), 1105.11 and 1105.12.

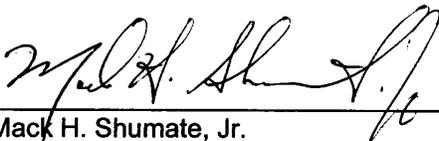
Environmental and Historic Report

A copy of the Transmittal Letter of UP's Combined Environmental and Historic report containing the information required by 49 C.F.R. §§ 1105.7 (e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached hereto as **Exhibit C** and hereby made a part hereof. The original and ten (10) copies were sent to Ms. Victoria Rutson, Section of Environmental Analysis (SEA), on October 2, 2002.

Dated this 7th day of November, 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

00006

VERIFICATION

STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

I, RAYMOND E. ALLAMONG, JR., Manager Rail Line Planning of Union Pacific Railroad Company, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, I know that these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Omaha, Nebraska, this 25th day of October, 2002.

Raymond E. Allamong, Jr.
Raymond E. Allamong, Jr.

SUBSCRIBED AND SWORN TO
before me this 30th day of
October, 2002.

Nilda Hill

Notary Public

My Commission expires:

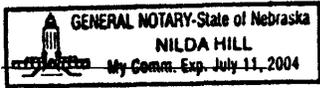
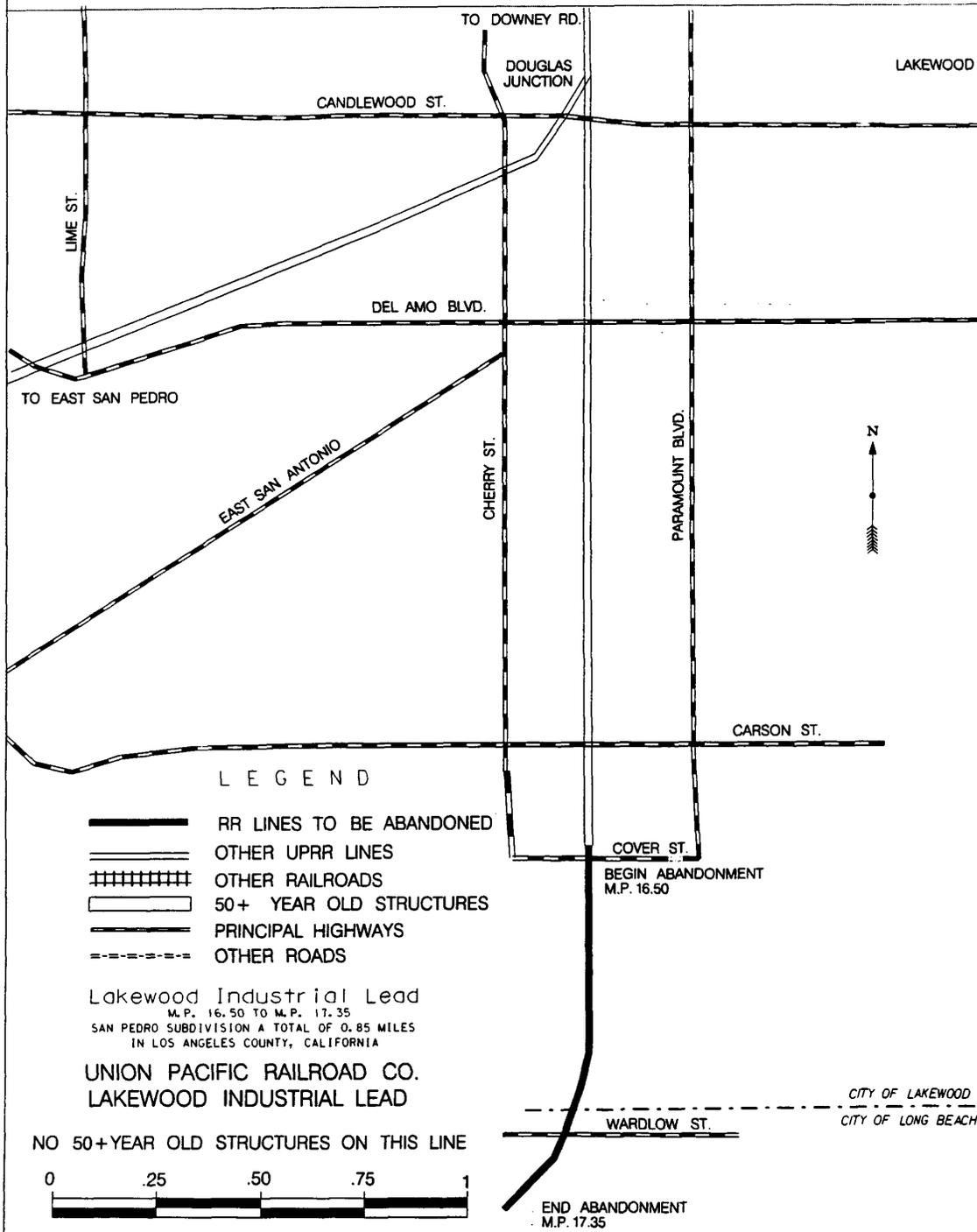


EXHIBIT A



**DOCKET NO. AB-33 (SUB-NO. 196X)
Lakewood Industrial Lead in Los Angeles County, CA**

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on October 28, 2002 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the Lakewood Industrial Lead in Los Angeles County, California in Docket No. AB-33 (Sub-No. 196X). Written notice (a copy of which is attached hereto as Attachment 1) was served on the following:

Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

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

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor NW, Auditors Bldg.
14th Street & Independence Ave., SW
Washington, D.C. 20250

Military Traffic Management Command
Transportation Engineering Agency
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

49 C.F.R. § 1105.11 - Transmittal Letter For Applicant's Report

The undersigned certifies that on October 3, 2002 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report

pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 196X) for abandonment of the Lakewood Industrial Lead in Los Angeles County, California on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) State Coastal Zone Management Agency
- (4) Head of each County
- (5) U.S. Environmental Protection Agency (regional office)
- (6) U.S. Fish and Wildlife Service
- (7) U.S. Army Corps of Engineers
- (8) National Park Service
- (9) U.S. Natural Resources Conservation Service
- (10) The National Geodetic Survey
- (11) State Historic Preservation Office
- (12) Other Agencies Consulted (as listed)

(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served.)

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

The undersigned further certifies that a "Notice of Intent to Abandon or to Discontinue Rail Service" was published in the form prescribed by the Board for a Notice of Exemption. The notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Los Angeles	Long Beach Press Telegram	October 22, 2002

Dated this 1st day of November, 2002.


Charles W. Saylor

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ATTACHMENT 1
TO EXHIBIT B
AB33(SUB-NO. 196X)

UNION PACIFIC RAILROAD COMPANY

LAW DEPARTMENT
101 NORTH WACKER DRIVE, SUITE 1920
CHICAGO, ILLINOIS 60606
FAX NO. 312-777-2085

RONALD J. CUCHNA
GENERAL SOLICITOR
312-777-2040



October 28, 2002

GEORGE H. BRANT
312-777-2051
MACK H. SHUMATE, JR.
312-777-2055
DANIEL R. LA FAVE
312-777-2048
LINDA J. COYLE
312-777-2058
THOMAS W. CUSHING
312-777-2053
FREDERICK P. JOHNSTON, JR.
312-777-2047

Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

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

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor NW, Auditors Building
14th St. & Independence Ave., SW
Washington, DC 20250

Military Traffic Management Command
Transportation Engineering Agency
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd., Suite #130
Newport News, VA 23606-2574

Re: Proposed Abandonment of the Lakewood Industrial Lead from M. P. 16.50 near Cover Street to the end of the line at M. P. 17.35 south of Wardlow Street, a distance of 0.85 miles in Lakewood and Long Beach, Los Angeles County, California; STB Docket No. AB-33 (Sub-No. 196x)

Dear Sirs:

This is notice that Union Pacific Railroad Company intends to abandon the Lakewood Industrial Lead from Milepost 16.50 near Cover Street to the end of the line at Milepost 17.35 south of Wardlow Street, a distance of 0.85 miles in the cities of Lakewood and Long Beach, Los Angeles County, California, (the "Line"). The Line traverses U.S. Postal Service Zip Codes 90712 and 90807. The proceeding will be docketed as No. AB-33 (Sub-No. 196X).

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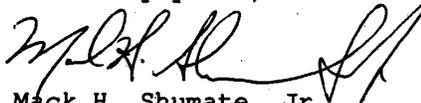
October 28, 2002
Page 2

The "no business" exemption procedure will be used to abandon the Line, pursuant to the abandonment regulations of the Surface Transportation Board at 49 C.F.R. Section 1152.50. No local traffic has moved over the Line in at least two years and any overhead traffic on the rail line segment, (which there is none), can be rerouted. A Notice of Exemption will be filed with the Surface Transportation Board on or after November 8, 2002.

Based on information in our possession, the Line does not contain federally granted rights-of-way. Any documentation in the Railroad's possession will be made available promptly to those requesting it.

A map showing the Line to be abandoned is attached, for your information.

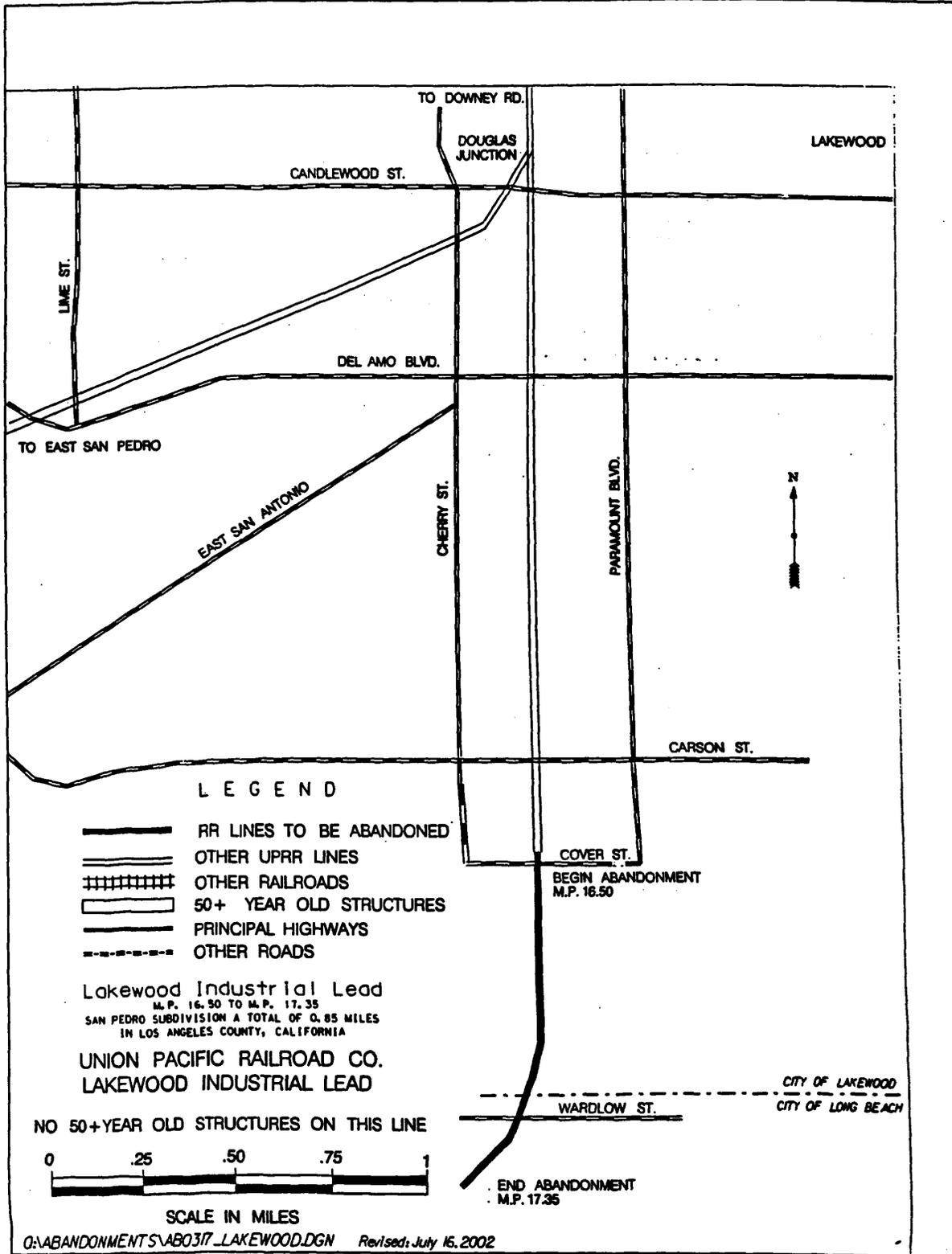
Sincerely yours,



Mack H. Shumate, Jr.
Senior General Attorney

Attachment

bcc: Ray Allamong, R. 1110
Norm Siler, R. 930
Lynda Prucha, R. 830
Garry Malmberg, R. WP001



UNION PACIFIC RAILROAD COMPANY

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

EXHIBIT C

RONALD J. CUCHNA
GENERAL SOLICITOR
312-777-2040



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 2, 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

Attention: Victoria Rutson

**RE: Proposed Abandonment of the Lakewood Industrial Lead from
M.P. 16.50 near Cover Street to the end of the Line at M.P.
17.35 South of Wardlow Street, a Distance of 0.85 Miles in
Lakewood and Long Beach, Los Angeles County, California; STB
Docket No. AB-33 (Sub-No. 196X)**

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 are also enclosed.

Union Pacific anticipates filing a Notice of Exemption in this matter on or after October 23, 2002.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over a printed name and title.

Mack H. Shumate, Jr.
Senior General Attorney

Enclosures

O:\ABANDON\33-196X\STBNOE.wpd

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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. 196X), the Lakewood Industrial Lead in Los Angeles County, California was served by first class mail on the 2nd day of October, 2002 on the following:

State Clearinghouse (or alternate):

Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

State Coastal Zone Management Agency

(if applicable):

California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco, CA 94105-2219

Head of each County:

Los Angeles County Supervisors
Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

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 & Wildlife Service, Region 1
911 NE 11th Avenue
Portland, OR 97232-4181

U.S. Army Corps of Engineers:

U.S. Army Engineer District
Los Angeles
911 Wilschire Blvd.
Los Angeles, CA 90017-3401

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:

State Conservationist
Natural Resource Conservation Service
430 G Street, #4164
Davis, CA 95616-4164

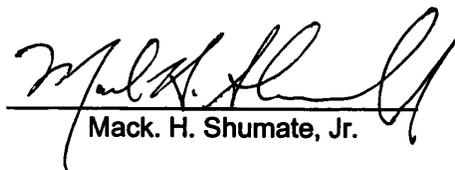
National Geodetic Survey:

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:

California Department of Parks and Recreation
Office of Historic Preservation
P. O. Box 942896
Sacramento, CA 94296-0001

Dated this 2nd day of October, 2002.


Mack. H. Shumate, Jr.

00015

UNION PACIFIC RAILROAD COMPANY

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

RONALD J. CUCHNA
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FREDERICK P. JOHNSTON, JR.
312-777-2047

October 2, 2002

State Clearinghouse (or alternate):

Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

State Environmental Protection

Agency:

California Environmental Protection
Agency
1001 I Street
Sacramento, CA 95814

State Coastal Zone Management Agency

(if applicable):

California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco, CA 94105-2219

Head of each County:

Los Angeles County Supervisors
Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

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 & Wildlife Service, Reg.#1
911 N.E. 11th Avenue
Portland, OR 97232-4181

U.S. Army Corps of Engineers:

U.S. Army Engineer District
Los Angeles
911 Wilschire Blvd.
Los Angeles, CA 90017-3401

National Park Service:

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

U.S. Natural Resources Conservation

Service:

State Conservationist
Natural Resource Conservation
Service
430 G Street, #4164
Davis, CA 95616-4164

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:

California Department of Parks and
Recreation Office of Historic
Preservation
P. O. Box 942896
Sacramento, CA 94296-0001

Re: Proposed Abandonment of the Lakewood Industrial Lead from M. P. 16.50 near Cover Street to the end of the line at M. P. 17.35 south of Wardlow Street, a distance of 0.85 miles in Lakewood and Long Beach, Los Angeles County, California; STB Docket No. AB-33 (Sub-No. 196x)

Dear Sirs:

On or after October 23, 2002, we expect to be filing with the Surface Transportation Board (STB) a Notice of Exemption to abandon and discontinue operations over the Lakewood Industrial Lead from M.P. 16.50 near Cover Street to the end of the line at M.P. 17.35 south of Wardlow Street in Lakewood and Long Beach, California, a distance of 0.85 miles, in Los Angeles County, California (the "Line"). The Line traverses U.S. Postal Service Zip Codes 90712 and 90807. Attached is a Combined Environmental and Historic Report

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October 2, 2002
Page 2

which describes the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

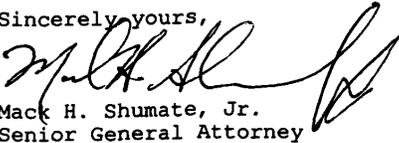
We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about 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 St., N.W., Room #504
Washington, DC 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 on this letterhead.

Sincerely yours,



Mack H. Shumate, Jr.
Senior General Attorney