

206749

UNION PACIFIC RAILROAD COMPANY

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

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GENERAL SOLICITOR
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November 26, 2002

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312-777-2047

VIA UPS NEXT DAY AIR

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



Attention: Victoria Rutson

**RE: Docket AB-33 (Sub-No. 198X), Union Pacific Railroad Company
Abandonment Exemption - In Alameda County, CA (Ninth Street Electric
Industrial Lead from M.P. 0.00 South of Powell Street to M.P. 1.40 near
Heinz Avenue, a Distance of 1.40 Miles**

Dear Ms. Rutson:

Enclosed is an original and ten (10) copies of the corrected draft Federal Register notice and three computer diskettes containing the corrected draft Federal Register notice regarding the captioned matter.

Please substitute the draft Federal Register notice filed on November 22, 2002 with the enclosed corrected draft Federal Register. Thank you for your assistance in this regard.

Sincerely yours,

Mack H. Shumate, Jr.
Senior General Attorney

Enclosures

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cc (w/ enclosures):

MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

U. S. Department of the Interior
National Park Service
Recreation Resources Assistance Div.
P.O. Box 37127
Washington, D.C. 20013-7127

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

Executive Director
Public Utilities Commission of The State of California
Attn: Tack Joe - Rail Safety
505 Van Ness
San Francisco, CA 94102

Rail Program Manager
Planning Division
California Transportation Department
1120 N Street
Sacramento, CA 95814

Transportation Planner
Department of Transportation
1120 N Street
Sacramento, CA 95814

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Alameda County Supervisors
County Courthouse
1221 Oak Street, Suite 536
Oakland, CA 94612

Shirley Dean, Mayor
2180 Milvia Street
Berkeley, CA 94704

John Flores, City Manager
1333 Park Avenue
Emeryville, CA 94608

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CORRECTED DRAFT FEDERAL REGISTER NOTICE
[49 C.F.R. § 1152.60(c)]

STB No. AB-33 (Sub-No. 198X)
Notice of Petition for Exemption to Abandon or
to Discontinue Service



On November 22, 2002, Union Pacific Railroad Company filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment and discontinuance of service on the Ninth Street Electric Industrial Lead from M.P. 0.00 south of Powell Street in the City of Emeryville to M.P. 1.40 at the end of the Line north of Heinz Avenue in the City of Berkeley, Alameda County, California (the "Line"). The Line traverses U. S. Postal Service Zip Codes 94608 and 94710. The proceeding has been docketed as No. AB-33 (Sub-No.198X). There are no agency stations on the Line.

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.

The interest of railroad employees will be protected as required by 49 U.S.C. 10903(b)(2).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment of rail service and salvage of the Line, the Line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR Part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis, telephone (202) 565-1545.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary), prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.