

010 # 012192001

208044



June 11, 2003

VIA UPS NEXT DAY AIR

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

FEE RECEIVED
JUN 12 2003
SURFACE
TRANSPORTATION BOARD

420

Attention: Victoria Rutson

RE: Proposed Abandonment Exemption of the Jamaica Industrial Lead, formerly called Lincoln Subdivision, from the BSNF connection at M.P. 56.43 to the end of the line at M.P. 57.0, a distance of 0.57 miles in Lancaster County, Nebraska; STB Docket No. AB-33 (Sub-No. 207X)

Dear Ms. Rutson:

Pursuant to 49 U.S.C. §10502, Union Pacific Company submits the original and ten (10) copies of a Petition for Exemption, with Verification, to abandon the above-referenced rail line. The Certificate of Service and Publication pursuant to 49 C.F.R. §1152.60(d) and 49 C.F.R. §1105.12 is attached to the petition.

Also enclosed is a draft Federal Register notice pursuant to 49 C.F.R. §1152.60(c). Three computer diskettes containing the draft Federal Register notice, as well as the Petition for Exemption and Certificate of Service and Publication is also enclosed.

Please file the Petition for Exemption in Docket No. AB-33 (Sub-No. 207X). Enclosed is a voucher for \$4,700 for the filing fee.

Sincerely yours,

FILED

JUN 12 2003

Enclosures **SURFACE
TRANSPORTATION BOARD**

**ENTERED
Office of Proceedings**

JUN 12 2003

**Part of
Public Record**

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

O:\ABANDONMENTS\33-207X\STB.WPD

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718
ph. (312) 777-2055 fx. (312) 777-2065

Surface Transportation Board
Section of Environmental Analysis
June 11, 2003
Page 2

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

Nebraska Public Services Commission
PO Box 94927
Lincoln, NE 68509-4927

Lancaster County Commissioners
555 South 10th Street, #110
Lincoln, NE 68508-2803

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

STB No. AB-33 (Sub-No. 207X)
Notice of Petition for Exemption to Abandon or
to Discontinue Service



On June 12, 2003, Union Pacific Railroad Company filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment of a line of railroad known as the Jamaica Industrial Lead, formerly called the Lincoln Subdivision, from the BSNF connection, at M.P. 56.43 to the end of the line at M.P. 57.0, a distance of 0.57 miles in Lancaster County, Nebraska (the "Line"). The Line traverses U. S. Postal Service Zip Codes 68508 and 68528. The proceeding has been docketed as No. AB-33 (Sub-No.207X). 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.

208044

RECEIVED
JUN 12 2003
MAIL
MANAGEMENT
SIB

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 207X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LANCASTER COUNTY, NEBRASKA
(THE JAMAICA INDUSTRIAL LEAD, FORMERLY CALLED LINCOLN SUBDIVISION)

PETITION FOR EXEMPTION

FEE RECEIVED
JUN 12 2003
SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings
JUN 1 2003
Part of
Public Record

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
Tel: 312/777-2055
Fax: 312/777-2065

FILED
JUN 12 2003
SURFACE
TRANSPORTATION BOARD

Dated: June 11, 2003
Filed: June 12, 2003

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 207X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LANCASTER COUNTY, NEBRASKA
(THE JAMAICA INDUSTRIAL LEAD, FORMERLY CALLED LINCOLN SUBDIVISION)

PETITION FOR EXEMPTION

ENTERED
Office of Proceedings

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UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
Tel: 312/777-2055
Fax: 312/777-2065

Dated: June 11, 2003
Filed: June 12, 2003

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 207X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LANCASTER COUNTY, NEBRASKA
(THE JAMAICA INDUSTRIAL LEAD, FORMERLY CALLED LINCOLN SUBDIVISION)

PETITION FOR EXEMPTION

I.

INTRODUCTION

Union Pacific Railroad Company ("UP") hereby petitions the Board, pursuant to 49 U.S.C. §10502, to grant an exemption from 49 U.S.C. §§10903 in order to permit abandonment of operations over the Jamaica Industrial Lead, formerly called the Lincoln Subdivision from the BSNF connection at Milepost 56.43 to the end of the Line at Milepost 57.00 in Lincoln, Nebraska, a distance of 0.57 miles in Lancaster County, Nebraska. There are no shippers on the Line that will be adversely affected by the proposed abandonment. Snyder Industries ("Snyder") was the only customer on the Line. Snyder is aware of the proposed abandonment, and it will not have an adverse effect on Snyder. Snyder has already terminated its rail use on the Line by relocating its operations to another rail carrier near the Line. Longer haul rail service will continue to be provided by UP to Snyder at Snyder's new location. A copy of this petition has been provided to Snyder.

UP seeks exemption of this proposed abandonment from regulation under 49 U.S.C. §10903 in accordance with 49 U.S.C. §10502 and the Rules applicable thereto at 49 C.F.R. §1121 and 49 C.F.R. §1152 and the Special Rules at 49 C.F.R. §1152.60.

II.

PETITIONER'S BACKGROUND AND REPRESENTATIVE

UP has rail operations in the States of Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Tennessee, Texas, Utah, Washington, Wisconsin and Wyoming. UP owns and operates the Line proposed for abandonment which is located in the State of Nebraska in the City of Lincoln.

The name, address and telephone number of UP's representative is listed below:

Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
Tel: 312/777-2055
Fax: 312/777-2065

III.

LINE DESCRIPTIONS, ZIP CODE INFORMATION AND MAP

The proposed action involves the abandonment of the Jamaica Industrial Lead, formerly called Lincoln Subdivision from the BSNF connection at M.P. 56.43 to the end of the Line at M.P. 57.0, a distance of 0.57 miles all in the City of Lincoln, Lancaster County, Nebraska. The Jamaica Industrial Lead was constructed in 1880 and 1884 by the Omaha & Republican Valley Railroad Company. The Line is constructed with 112, 131, and 113-pound jointed rail.

The property is not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation, as this area is adequately served by existing roads and utility lines at the present time. The plan for disposition will be to work with the City of Lincoln, Nebraska on selling the non-reversionary property to the City of Lincoln. The land proposed for abandonment is a mixture of non-reversionary and reversionary. Based on information in UP's possession, the Line does not contain federally granted right-of-way.

The Line traverses U.S. Postal Service Zip Codes 68508 and 68528.

A map of the Line is attached as **Attachment 1**.

IV.

SHIPPER INFORMATION

The sole active customer on the Line in the time period 2000 - 2002 was Snyder Industries, P.O. Box 4583, Lincoln, NE 68504. Snyder Industries utilized a team track on the Line in 2000 and 2001. In January 2002, Snyder Industries shifted its loading activity to a track on the Omaha, Lincoln and Beatrice Railway Company (OLB) in Lincoln, Nebraska and Union Pacific still has access to the customer via a switching agreement with BNSF and the OLB. Snyder Industries shipped 136 cars of plastic tanks, STCC 3071383, totaling 4285 tons in the year 2000; and 130 cars of plastic tanks totaling 3447 tons along with 1 car of rubber articles, STCC 3061990, totaling 72 tons in the year 2001. Due to the relocation of the sole customer to another carrier and its continuing ability to use

rail service via UP, there will be no adverse shipper impact due to the proposed abandonment. Lincoln, Nebraska is served by UP, BNSF, and OLB, and is served by major highways including Interstate 80. The abandonment will not have an adverse effect on Snyder Industries who does not oppose the abandonment.

V.

REASONS FOR THE ABANDONMENT

UP is not aware of any other industry planning a location along the Line and there is no overhead traffic. There appears to be no reasonable alternative to the abandonment. There will be no adverse effect on the sole shipper, and present development trends in central Lincoln, Nebraska make it unlikely that a new rail user would locate in the area of the proposed abandonment. With the departure of the sole shipper, no train service is operated on the Line at present.

Therefore, when considering the relocation of Snyder Industries near the Line at Lincoln, Nebraska, potential harm to the affected shipper and communities is non-existent in this matter and arguably enhanced by utilization of the relocated Snyder Industry facility. UP is of the opinion that the proposed abandonment would be beneficial to both the UP, area shippers and interstate commerce.

VI.

REASONABLE ALTERNATIVE: VIABILITY

There appears to be no reasonable alternative to this abandonment. The only shipper on the Line, Snyder Industries does not oppose the abandonment and there are no known expected shippers on the Line.

VII.

THE EXEMPTION STANDARDS HAVE BEEN MET

A. The abandonment requires an exemption from 49 U.S.C. §10903.

Abandonment of rail lines requires authorization and approval of the Board pursuant to 49 U.S.C. §10903. However, 49 U.S.C. §10502 requires the Board to exempt a transaction when it finds: (1) continued regulation is not necessary to carry out the Rail Transportation Policy of 49 U.S.C. §10101; and (2) either the transaction is of limited scope or Board regulation is not necessary to protect shippers from an abuse of market power. UP's proposal for abandonment and discontinuance of operations clearly satisfies the standards for exemption under 49 U.S.C. §10502.

Detailed scrutiny by the Board under 49 U.S.C. §10903 is not necessary to carry out the Rail Transportation Policy of 49 U.S.C. §10101. An exemption will minimize UP's administrative expense and the cost, preparation and review associated with progressing the proposed abandonment in a full application proceeding. An exemption will expedite regulatory action and will reduce regulatory barriers to exit from the Line consistent with Sections 10101(2) and (7). An exemption will permit UP to enhance its

service to Lincoln, Nebraska resulting in cost savings to UP and thereby enhancing UP's ability to compete with other Nebraska rail carriers consistent with Sections 10101(4) and (5). An exemption will foster sound economic conditions in the transportation industry consistent with Section 10101(5), by permitting UP's abandonment of the Line and avoiding the need to retain and operate a rail line that will not be used by any shipper.

The proposed abandonment is clearly a transaction of "limited scope." The Line is only 0.57 miles long and will have no recurring local traffic. In addition, regulation of this abandonment is not needed to protect shippers from an abuse of market power, since the only local shipper does not oppose abandonment of the Line.

VIII.

LAND AREA, FEDERAL GRANT INFORMATION, AND PUBLIC USE

The right-of-way is generally 100 feet in width and level. The property to the northeast of the right-of-way is an open wooded area with some wetlands. The property to the northwest is industrial with some wetland areas. The Line crosses over Salt Creek near the north end of the proposed abandonment. This segment of the Line is most likely not suitable for trail use. The Lancaster County Commissioner's Office has been contacted but no response has been received. The plan for disposition will be to work with the City of Lincoln, Nebraska to purchase the non-reversionary property. Otherwise, sale of the non-reversionary property will be to the adjoining landowners.

Based on information in UP's possession, the Line does not contain federally granted right of way. UP is unaware of any adverse effect on local and existing land use

plans. Any documentation in Petitioner's possession will be made available promptly to those requesting it.

IX.

LABOR

UP is agreeable to the labor protection conditions imposed in abandonment proceedings as prescribed in Oregon Short Line R. Co. - Abandonment - Goshen, 360 ICC 91 (1979).

X.

ENVIRONMENTAL AND HISTORIC REPORT.

The required environmental and historic information is contained in the Combined Environmental and Historic Report which was served on March 5, 2003. A copy of the Report is attached hereto as **Attachment 2**. The original and ten (10) copies were sent to Ms. Victoria Rutson, Section of Environmental Analysis, on March 4, 2003 for filing.

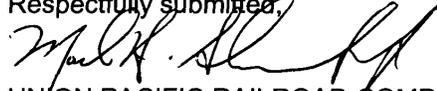
Subsequent to the filing of the combined Environmental and Historic Report three additional comment letters were received. One from the Fish and Wildlife Service of the United States Department of the Interior dated March 19, 2003, indicates that the Fish and Wildlife Service has no objection to the abandonment as proposed. A copy of this letter dated March 19, 2003, is attached hereto as **Attachment 3** and hereby made a part hereof. A second letter marked **Attachment 4** and hereby made a part hereof, from the Department of the Army, Corps of Engineers, Omaha District, dated March 3, 2003 requires that if any of the activities involve any work in waters of the United States, a Section 404 permit may be required. Final project plans are to be sent to Mr. Mike Rabbe,

U.S. Army Corps of Engineers, Wehrspann Office, 8901 South 154th Street, Omaha, NE 68138-3621. The third letter dated March 18, 2003, marked **Attachment 5** and hereby made a part hereof, was received from the Department of Environmental Quality for the State of Nebraska (DEQ). The Nebraska DEQ reviewed the project and had no comments that would fall within the jurisdiction of their programs.

WHEREFORE, Union Pacific Railroad Company respectfully requests that the Board issue a decision exempting the proposed abandonment from the provisions of 49 U.S.C. §10903 and direct that the exemption be effective on the date of the Board's decision.

Dated this 11th day of June, 2003.

Respectfully submitted,



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

VERIFICATION

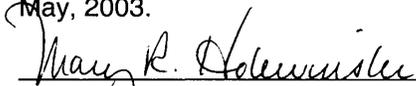
STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

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.

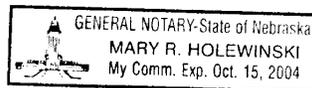
Dated at Omaha, Nebraska, this eighth day of May, 2003.


Raymond E. Allamong, Jr.

SUBSCRIBED AND SWORN TO
before me this eighth day of
May, 2003.



Notary Public



My Commission expires: October 15, 2004

CERTIFICATE OF SERVICE AND PUBLICATION

The undersigned hereby certifies that a copy of the foregoing Petition for Exemption in Docket No. AB-33 (Sub-No. 207X) by Union Pacific Railroad Company was served on the date indicated below by mailing a copy, first class mail postage prepaid to the following:

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

Nebraska Public Services Commission
P. O. Box 94927
Lincoln, NE 68509-4927

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

Lancaster County Commissioners
555 South 10th Street, #110
Lincoln, NE 68508-2803

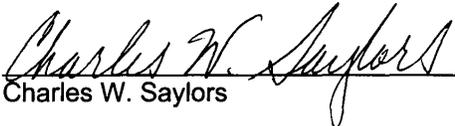
U.S. Department of Agriculture
Chief of the Forest Service
4th Floor NW, Auditors Building
14th Street & Independence Ave., S.W.
Washington, D.C. 20250

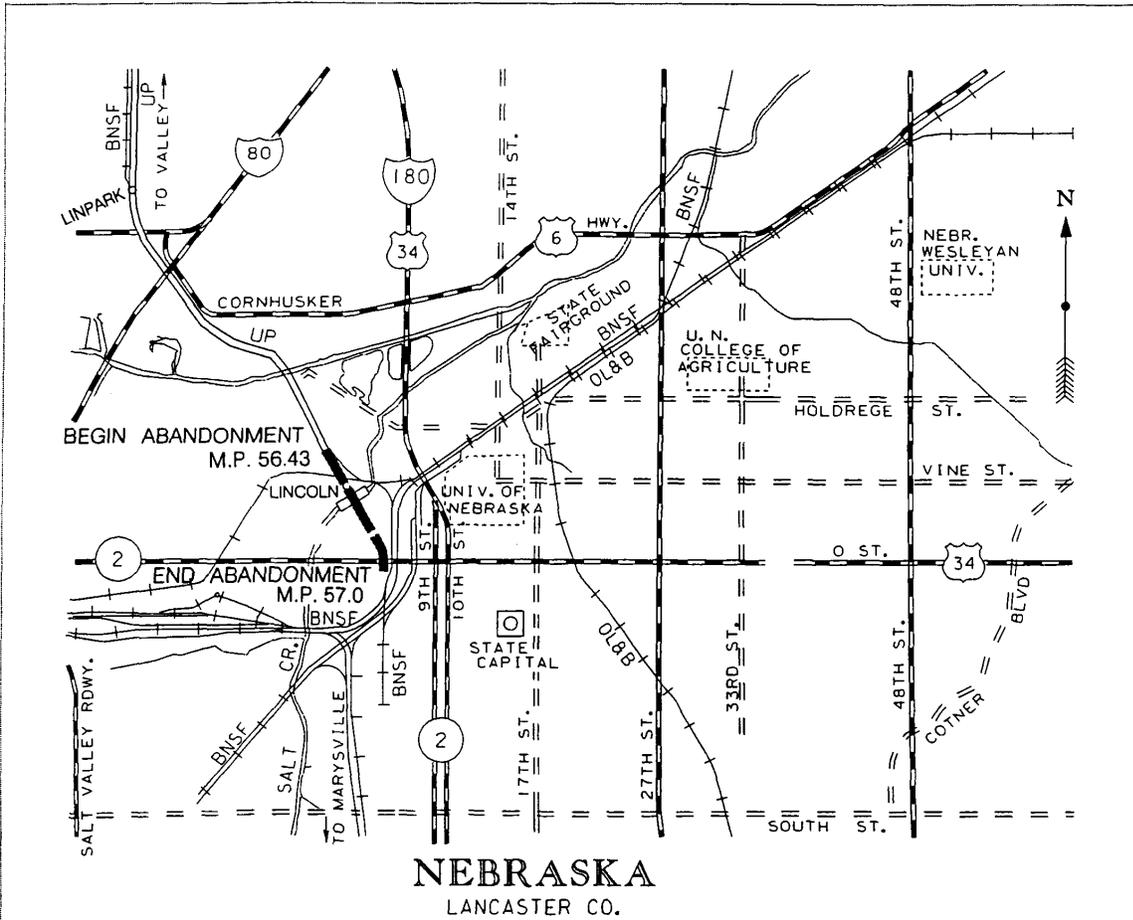
The undersigned further certifies that a notice of the abandonment was published one time in the County where the rail line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Lancaster	<i>The Daily Reporter</i>	March 24, 2003

The above newspaper is generally circulated in the county where the rail line is located. The Notice as published was in the form prescribed by the Board for a Petition for Exemption at 49 CFR 1105.12.

Dated this 4th day of June, 2003.


Charles W. Saylor



NEBRASKA
LANCASTER CO.

LINCOLN SUBDIVISION

MP 56.43 TO MP 57.0
LINCOLN SUBDIVISION - A TOTAL OF 0.57 MILES
IN LANCASTER COUNTY, NEBRASKA

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
56.60	1 - 110' Thru Truss (8 span TPT approach)	110'	1899

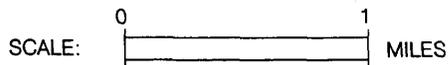
STATION	MILE POST	AGENCY
LINCOLN	56.50	NO

LEGEND

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

UNION PACIFIC RAILROAD CO.
LINCOLN SUBDIVISION

INCL. 50+ YEAR OLD STRUCTURES



ATTACHMENT 2
FILE COPY

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



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

March 4, 2003

VIA U.P.S. OVERNIGHT

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

Attention: Victoria Rutson

RE: Proposed Abandonment Exemption of the Jamaica Industrial Lead, formerly called Lincoln Subdivision, from the BNSF connection at M.P. 56.43 to the end of the line at M.P. 57.0, a distance of 0.57 miles in Lancaster County, Nebraska; STB Docket No. AB-33 (Sub-No. 207X)

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 March 25, 2003.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over a horizontal line.

Mack H. Shumate, Jr.
Senior General Attorney

Enclosures

State Clearinghouse (or alternate):
Nebraska Public Services Commission
P. O. Box 94927
Lincoln, NE 68509-4927

State Environmental Protection Agency:
Nebraska Department of Environmental Control
P. O. Box 98922
Lincoln, NE 68509-8922

State Coastal Zone Management Agency (if applicable):
Not Applicable

Head of each County:
Lancaster County Commissioners
555 South 10th Street, #110
Lincoln, NE 68508-2803

Environmental Protection Agency (regional office):
U.S. Environmental Protection Agency
Region 7
901 North 5th Street
Kansas City, KS 66101

U.S. Fish and Wildlife:
U.S. Fish & Wildlife Service
Region 6
Assistant Regional Director
Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Army Corps of Engineers:
U.S. Army Engineer District - Omaha
106 South 15th Street
Omaha, NE 68102

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
345 Federal Building
100 Centennial Mall North
Lincoln, NE 68508-3866

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

Other Agencies Consulted:
Nebraska State Historical Society
P. O. Box 82554
Lincoln, NE 68501

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



March 4, 2003

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

State Clearinghouse (or alternate):

Nebraska Public Services Commission
P. O. Box 94927
Lincoln, NE 68509-4927

U.S. Army Corps of Engineers:

U.S. Army Engineer District - Omaha
106 South 15th Street
Omaha, NE 68102

State Environmental Protection

Agency:

Nebraska Department of Environmental
Control
P. O. Box 98922
Lincoln, NE 68509-8922

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

State Coastal Zone Management Agency
(if applicable):

Not Applicable

U.S. Natural Resources Conservation
Service:

Natural Resource Conservation
Service
345 Federal Building
100 Centennial Mall North
Lincoln, NE 68508-3866

Head of each County:

Lancaster County Commissioners
555 South 10th Street, #110
Lincoln, NE 68508-2803

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

Environmental Protection Agency
(regional office):

U.S. Environmental Protection Agency
Region 7
901 North 5th Street
Kansas City, KS 66101

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service
Region 6
Assistant Regional Director
Box 25486
Denver Federal Center
Denver, CO 80225

Other Agencies Consulted:

Nebraska State Historical Society
P. O. Box 82554
Lincoln, NE 68501

**Re: Docket No. AB-33 (Sub-No. 207X), Union Pacific Railroad
Company - Abandonment Exemption, In Lancaster County, NE
(Jamaica Industrial Lead, formerly called Lincoln
Subdivision) from the BNSF connection at M.P. 56.43 to the
end of the line at M.P. 57.0, a distance of 0.57 miles**

Dear Sirs:

On or after March 25, 2003, we expect to be filing with the Surface Transportation Board (STB or Board) a Petition for Exemption seeking authority to abandon and discontinue operations over the Jamaica Industrial Lead from the BNSF connection at M.P. 56.43 to the end of the line at M.P. 57.0, a distance of 0.57 miles, in Lancaster County, Nebraska (the "Line"). The Line

traverses U. S. Postal Service Zip Codes 68508 and 68528. 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.

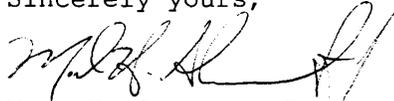
We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about 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. UP's representative in this matter is the undersigned and may be contacted at the address and telephone number indicated on this letterhead.

Sincerely yours,



Mack H. Shumate, Jr.
Senior General Attorney

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 207X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LANCASTER COUNTY, NEBRASKA
(JAMAICA 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: March 4, 2003
Filed: March 5, 2003

55

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 207X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LANCASTER COUNTY, NEBRASKA
(JAMAICA 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 and discontinuance of service from the BNSF connection at M.P. 56.43 to the end of the line at M.P. 57.0, a distance of 0.57 miles, in Lancaster County, Nebraska (the "Line"). The Line traverses U. S. Postal Service Zip Codes 68508 and 68528. Note, this abandonment was originally assigned AB-33 (Sub-No. 199X) but reassigned AB-33 (Sub-No. 207X) to accommodate an adverse abandonment that was filed elsewhere on the UP Railroad system by an unrelated third person.

The applicants anticipate that a Petition For Exemption to abandon the Line will be filed at the STB on or after March 25, 2003.

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.

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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 over the Jamaica Industrial Lead from the BNSF connection at M.P. 56.43 to the end of the line at M.P. 57.0, a distance of 0.57 miles, in Lancaster County, Nebraska. The sole active customer on the Line is in the time period 2000 - 2002 was Snyder Industries, P.O. Box 4583, Lincoln, NE 68504. Snyder Industries utilized a team track on the Line in 2000 and 2001. In January 2002, Snyder shifted its loading activity to a track on the Omaha, Lincoln and Beatrice Railway Company (OLB) in Lincoln, Nebraska and Union Pacific still has access to the customer via a switching agreement with BNSF and the OLB. Snyder Industries shipped 136 cars of plastic tanks, STCC 3071383, totaling 4285 tons in the year 2000; and 130 cars of plastic tanks totaling 3447 tons along with 1 car of rubber articles, STCC 3061990, totaling 72 tons in the year 2001. Due to the relocation of the sole customer to another carrier and its continuing ability to use rail service via UP, there will be no adverse shipper impact due to the proposed abandonment. Lincoln, Nebraska is served by UP, BNSF, and OLB, and is served by major highways including Interstate 80.

There appears to be no reasonable alternative to the abandonment. There will be no adverse effect on the sole shipper, and present development trends in central Lincoln, Nebraska make it unlikely that a new rail user would locate in the area of the

proposed abandonment. There is no overhead traffic on the Line. With the departure of the sole shipper, no train service is operated on the Line at present.

The Jamaica Industrial Lead was constructed in 1880 and 1884 by the Omaha & Republican Valley Railroad Company. The Line is constructed with 112, 131, and 113-pound jointed rail.

The property is not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation, as this area is adequately served by existing roads and utility lines at the present time. The plan for disposition will be to work with the City of Lincoln, Nebraska on selling the non-reversionary property to the City of Lincoln. The land proposed for abandonment is a mixture of non-reversionary and reversionary. Based on information in our possession, the Line does not contain federally granted right-of-way. Any documentation UP's possession will be made available to those requesting it.

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: Given the continuation of rail service to the current customer, there should be no impact on regional or local transportation systems or patterns and there will be no diversion of freight to other modes of 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 § 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) Applicants are unaware of any adverse effects on local and existing land use plans. The Lancaster County Commissioners Office has been contacted. To date no response has been received.

(ii) The United States Natural Resources Conservation Service has been contacted and states the proposed abandonment will have no effect on wetlands or prime agricultural land. The NCRS response is attached hereto as **Attachment No. 3**, and hereby made a part hereof.

(iii) Not Applicable.

(iv) Given the absence of any customer activity on the Line, abandonment will free right-of-way near the heart of Lincoln, Nebraska for desirable alternate development.

(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 effects on the transportation of energy resources.

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

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

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

(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. To date we have received no response.

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

(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 Nebraska Department of Environmental Control has been contacted. To date the applicants have received no response.

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

(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 is typically 100 feet in width and level. The property to the northeast is an open wooded area with some wetlands. Property to the northwest is industrial and some wetland areas. The UP Line crosses over Salt Creek near the north end of the proposed abandonment.

(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 Nebraska State Historical Society Office was provided with photographs of the railroad bridge at Milepost 56.60. A copy of the letter to the Historical

Society and pictures are attached hereto as **Attachment No. 4**, and hereby made a part hereof. The Historical Society's response is attached hereto as **Attachment No. 5**, and hereby made a part hereof.

(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 4**.

(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: Not applicable.

(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. UP believes that there is nothing in the scope of the project that merits historical comment and 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: 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 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 4th day of March, 2003.

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

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. 207X) for the Jamaica Industrial Lead in Lancaster County, Nebraska was served by first class mail on the 4th day of March, 2003 on the following:

State Clearinghouse (or alternate):
Nebraska Public Services Commission
P. O. Box 94927
Lincoln, NE 68509-4927

State Environmental Protection Agency:
Nebraska Department of Environmental Control
P. O. Box 98922
Lincoln, NE 68509-8922

State Coastal Zone Management Agency
(if applicable):
Not Applicable

Head of each County:
Lancaster County Commissioners
555 South 10th Street, #110
Lincoln, NE 68508-2803

Environmental Protection Agency
(regional office):
U.S. Environmental Protection Agency
Region 7
901 North 5th Street
Kansas City, KS 66101

U.S. Fish and Wildlife:
U.S. Fish & Wildlife Service, Region 6
Assistant Regional Director
Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Army Corps of Engineers:
U.S. Army Engineer District - Omaha
106 South 15th Street
Omaha, NE 68102

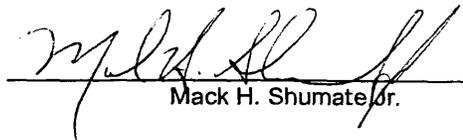
National Park Service:
William D. Shaddox
Chief, Land Resources Division
National Park Service
Department of the Interior
1849 "C" St., N.W., #MS2540
Washington, D.C. 20240

U.S. Natural Resources Conservation Service:
Natural Resource Conservation Service
345 Federal Building
100 Centennial Mall North
Lincoln, NE 68508-3866

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

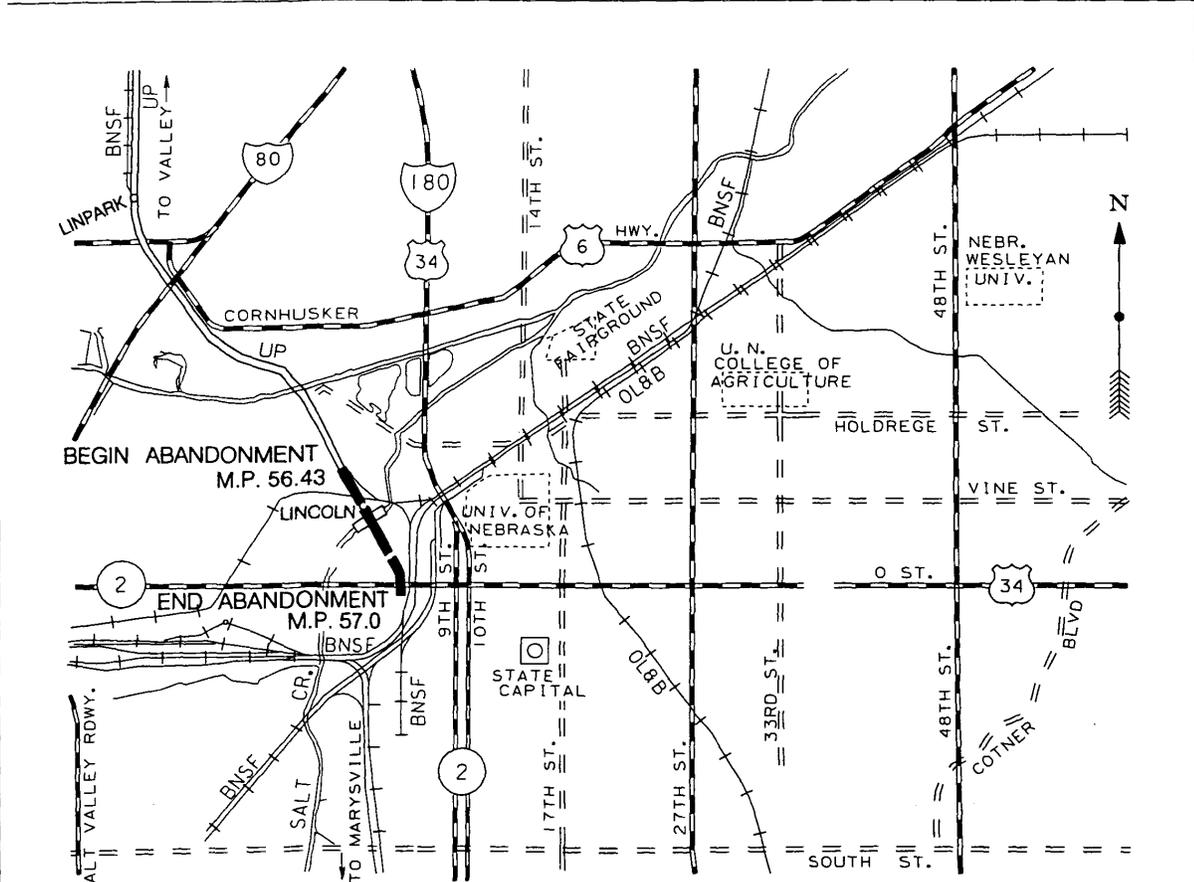
Other Agencies Consulted:
Nebraska State Historical Society
P. O. Box 82554
Lincoln, NE 68501

Dated this 4th day of March, 2003


Mack H. Shumate Jr.

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NEBRASKA
LANCASTER CO.

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
56.60	1 - 110' Thru Truss (8 span TPT approach)	110'	1899

JAMAICA INDUSTRIAL LEAD

MP 56.43 TO MP 57.0
JAMAICA INDUSTRIAL LEAD - A TOTAL OF 0.57 MILES
IN LANCASTER COUNTY, NEBRASKA

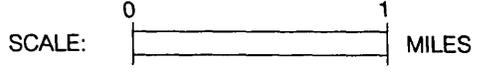
STATION	MILE POST	AGENCY
LINCOLN	56.50	NO

LEGEND

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

UNION PACIFIC RAILROAD CO.
JAMAICA INDUSTRIAL LEAD

INCL. 50+ YEAR OLD STRUCTURES



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CHARLES W. SAYLORS
DIRECTOR-LEGAL SUPPORT SERVICES

UNION PACIFIC RAILROAD COMPANY

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



January 10, 2003

State Clearinghouse (or alternate):
Nebraska Public Services Commission
P. O. Box 94927
Lincoln, NE 68509-4927

State Environmental Protection Agency:
Nebraska Department of Environmental Control
P. O. Box 98922
Lincoln, NE 68509-8922

State Coastal Zone Management Agency
(if applicable):
Not Applicable

Head of each County:
Lancaster County Commissioners
555 South 10th Street, #110
Lincoln, NE 68508-2803

Environmental Protection Agency
(regional office):
U.S. Environmental Protection Agency
Region 7
901 North 5th Street
Kansas City, KS 66101

U.S. Fish and Wildlife:
U.S. Fish & Wildlife Service, Region 6
Assistant Regional Director
Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Army Corps of Engineers:
U.S. Army Engineer District - Omaha
106 South 15th Street
Omaha, NE 68102

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
345 Federal Building
100 Centennial Mall North
Lincoln, NE 68508-3866

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

Other Agencies Consulted:
Nebraska State Historical Society
P. O. Box 82554
Lincoln, NE 68501

Re: Proposed Abandonment of the Lincoln Subdivision from the BNSF connection at M. P. 56.43 to the end of the line at M. P. 57.0, a distance of .057 miles in Lincoln, Lancaster County, Nebraska; STB Docket No. AB-33 (Sub-No. 199x)

Dear Sirs:

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Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Lincoln Subdivision from the BNSF connection at M. P. 56.43 to the end of the line at M. P. 57.0, a distance of .057 miles in Lincoln, Lancaster County, Nebraska. 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.

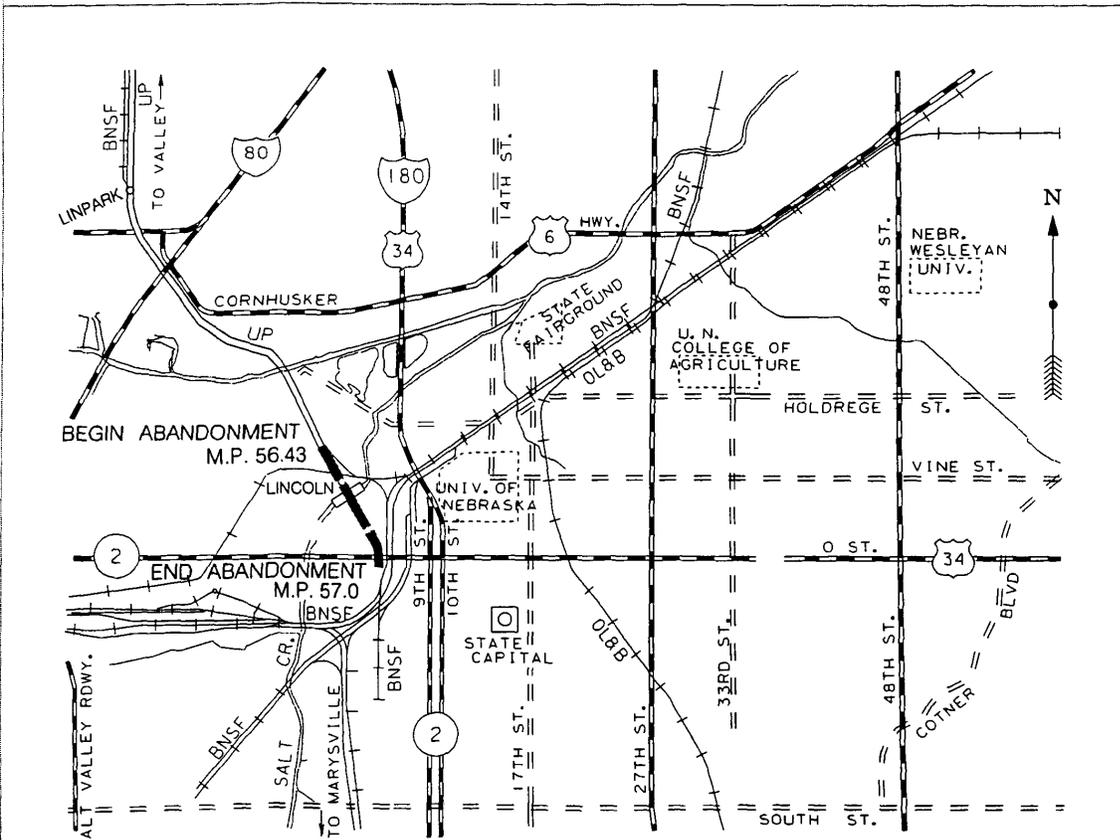
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials 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



NEBRASKA
LANCASTER CO.

LINCOLN SUBDIVISION

MP 56.43 TO MP 57.0
LINCOLN SUBDIVISION - A TOTAL OF 0.57 MILES
IN LANCASTER COUNTY, NEBRASKA

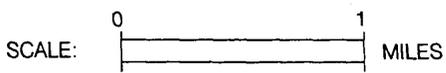
BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
56.60	1 - 110' Thru Truss (8 span TPT approach)	110'	1899

STATION	MILE POST	AGENCY
LINCOLN	56.50	NO

LEGEND

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

UNION PACIFIC RAILROAD CO.
LINCOLN SUBDIVISION
INCL. 50+ YEAR OLD STRUCTURES



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UNION PACIFIC RAILROAD COMPANY

CHARLES W. SAYLORS
DIRECTOR-LEGAL SUPPORT SERVICES

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

USDA
NATURAL RESOURCES
CONSERVATION SERVICE



Project as described will have NO EFFECT on
lands or within certain cultural
PROJECT DESIGNATION AREAS
PLEASE SUBMIT PLANS FOR

January 10, 2003

[Signature]
State Conservationist
JAN 21 2003
Date

State Clearinghouse (or alternate):
Nebraska Public Services Commission
P. O. Box 94927
Lincoln, NE 68509-4927

State Environmental Protection Agency:
Nebraska Department of Environmental Control
P. O. Box 98922
Lincoln, NE 68509-8922

State Coastal Zone Management Agency
(if applicable):
Not Applicable

Head of each County:
Lancaster County Commissioners
555 South 10th Street, #110
Lincoln, NE 68508-2803

Environmental Protection Agency
(regional office):
U.S. Environmental Protection Agency
Region 7
901 North 5th Street
Kansas City, KS 66101

U.S. Fish and Wildlife:
U.S. Fish & Wildlife Service, Region 6
Assistant Regional Director
Box 25486
Denver Federal Center
Denver, CO 80225

U.S. Army Corps of Engineers:
U.S. Army Engineer District - Omaha
106 South 15th Street
Omaha, NE 68102

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
345 Federal Building
100 Centennial Mall North
Lincoln, NE 68508-3866

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

Other Agencies Consulted:
Nebraska State Historical Society
P. O. Box 82554
Lincoln, NE 68501

Re: Proposed Abandonment of the Lincoln Subdivision from the BNSF connection
at M. P. 56.43 to the end of the line at M. P. 57.0, a distance of .057 miles in
Lincoln, Lancaster County, Nebraska; STB Docket No. AB-33 (Sub-No. 199x)

Dear Sirs:

JAN 13 2003

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CHARLES W. SAYLORS
DIRECTOR-LEGAL SUPPORT SERVICES

UNION PACIFIC RAILROAD COMPANY

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



January 10, 2003

Nebraska State Historical Society
P. O. Box 82554
Lincoln, NE 68501

RE: Proposed Abandonment of the Lincoln Subdivision from the BNSF connection at M. P. 56.43 to the end of the line at M. P. 57.0, a distance of .057 miles in Lincoln, Lancaster County, Nebraska; STB Docket No. AB-33 (Sub-No. 199x)

Dear Sir:

Enclosed for your review are two photographs of the bridge located on the Lincoln Subdivision which is 50 years or older. The bridge is described as follows:

<u>Milepost</u>	<u>Description</u>	<u>Year Constructed</u>
56.60	Through Truss (8 span TPT approach) Total Length: 110 Feet	1921

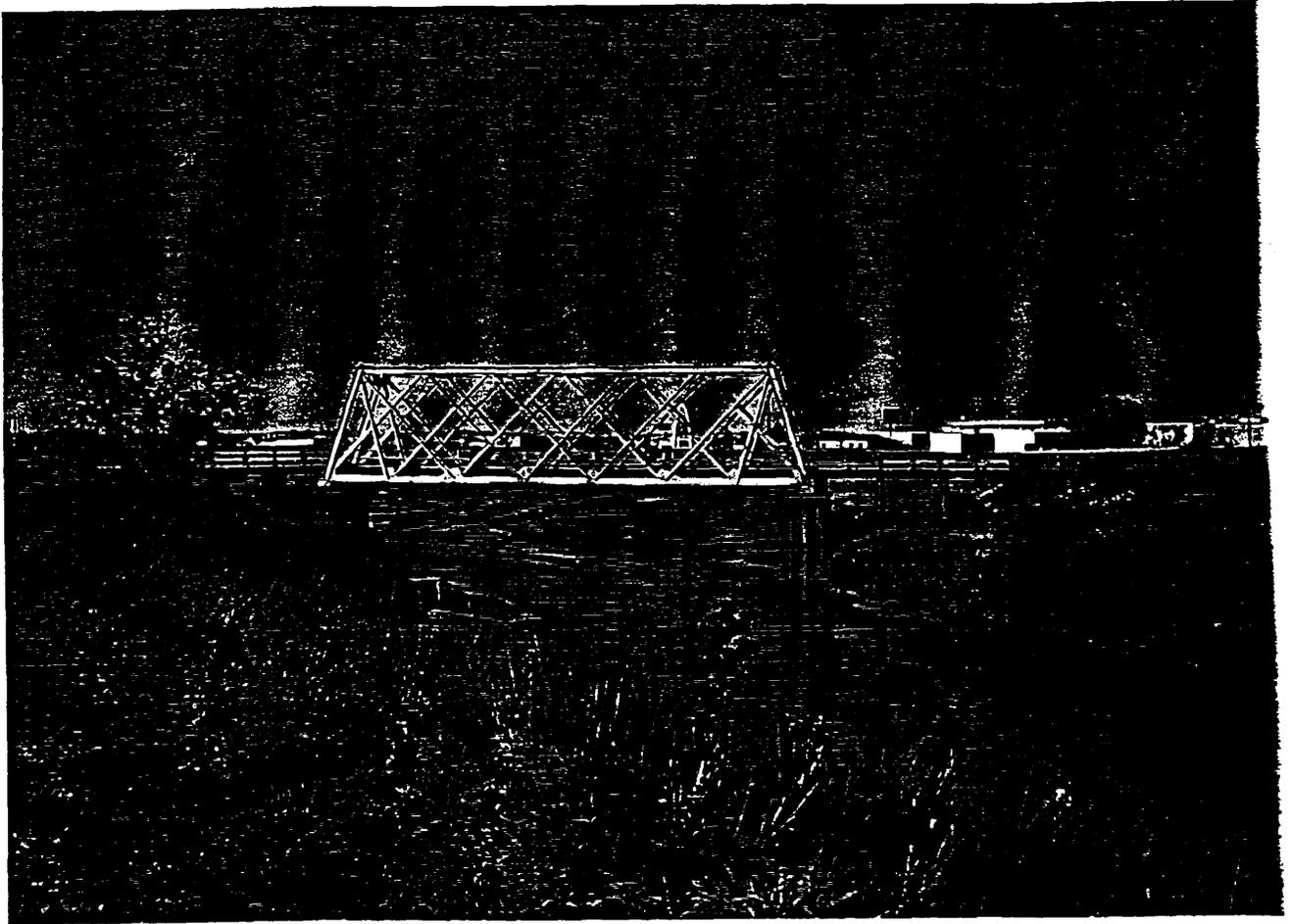
Please advise if you believe there is any historical significance to the bridge.
Thank you for your assistance.

Sincerely,

Charles W. Saylor
Charles W. Saylor
(402) 271-4861

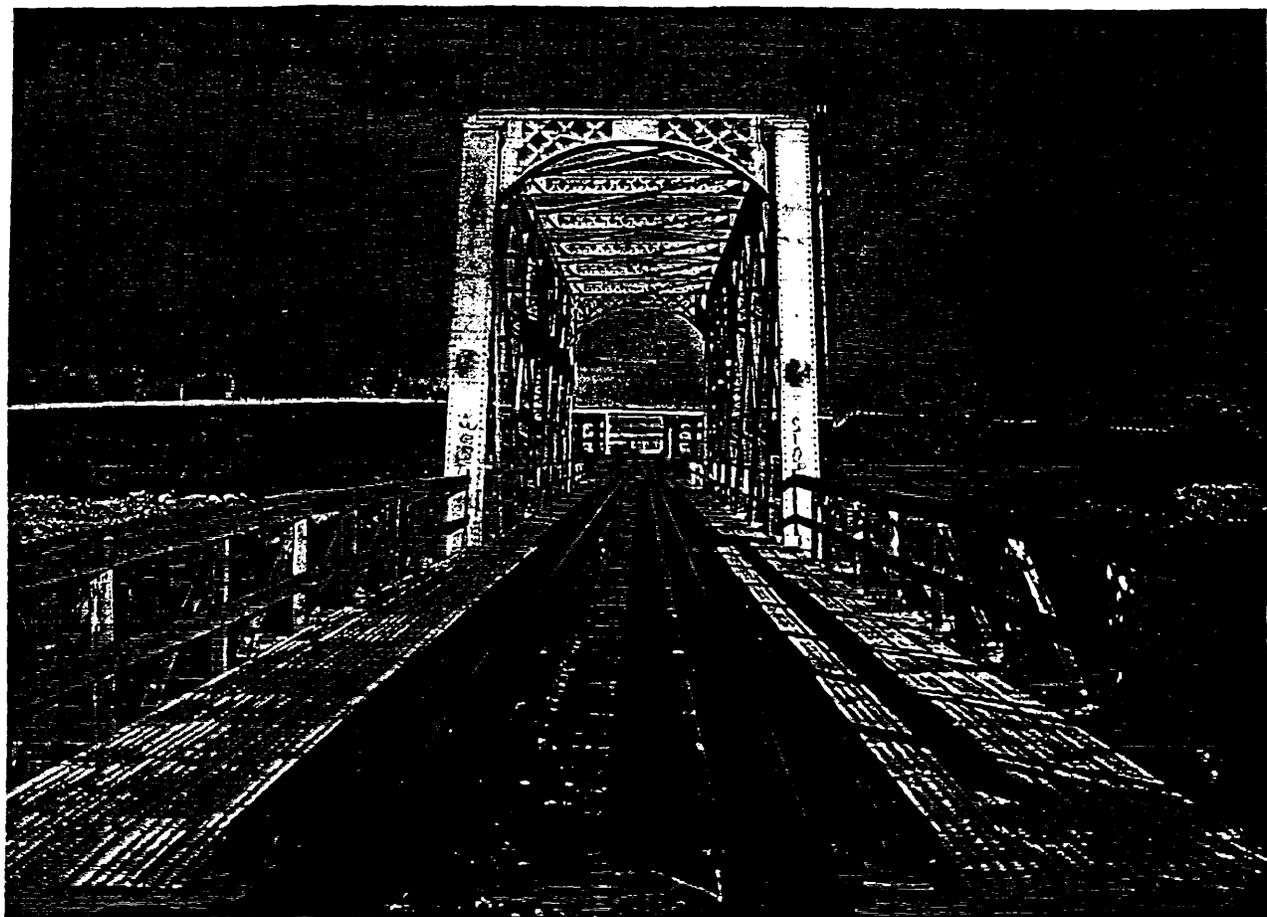
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NEBRASKA STATE HISTORICAL SOCIETY
1500 R STREET, P.O. BOX 82554, LINCOLN, NE 68501-2554
(402) 471-3270 Fax: (402) 471-3100 1-800-833-6747 www.nebraskahistory.org

January 21, 2003

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

RE: STB Docket No. AB-33 (Sub-No. 199x), Lancaster County, Nebraska
HP #0301-049-01

Dear Mr. Saylor:

Thank you for submitting the referenced project proposal for our review and comment. Our comment on this project and its potential to affect historic properties is required by Section 106 of the National Historic Preservation Act of 1966, as amended, and implementing regulations 36 CFR Part 800.

Given the information provided, in our opinion there will be no historic properties affected by the project as proposed. Therefore, in accordance with 36 CFR 800.4(d)(1), you may proceed with the project as planned. Should any changes in the project be made or in the type of funding or assistance provided through federal or state agencies, please notify this office of the changes before further project planning continues.

Please retain this correspondence and your documented finding in order to show compliance with Section 106 of the National Historic Preservation act, as amended. If you have any questions, please do not hesitate to call Greg Miller at 402/471-4775.

Sincerely,

L. Robert Puschendorf
Deputy State Historic Preservation Officer
Nebraska State Historic Preservation Office

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United States Department of the Interior

ATTACHMENT 3

FISH AND WILDLIFE SERVICE

Ecological Services
Nebraska Field Office
203 West Second Street
Grand Island, Nebraska 68801

March 19, 2003

Mr. Mack H. Shumate, Jr.
Senior General Attorney
Union Pacific Railroad Company
Law Department
101 North Wacker Drive
Suite 1920
Chicago, IL 60606

Dear Mr. Shumate:

This responds to your March 4, 2003, letter requesting comments from the U.S. Fish and Wildlife Service on a proposal by the Union Pacific Railroad Company to abandon the Jamaica Industrial Lead, from the BNSF connection at M.P. 56.43 to the end of the line at M.P. 57.0 (STB Docket No. AB-33 (Sub-No. 207X)), in Lincoln, Lancaster County, Nebraska. These comments are provided as technical assistance and predevelopment consultation and do not constitute a Service report under authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) on any required Federal environmental review or permit.

The Service has responsibility, under a number of authorities, for conservation and management of fish and wildlife resources. Chief among the federal statutes with which our office deals are the Coordination Act, Endangered Species Act of 1973, and the National Environmental Policy Act. The Coordination Act requires that fish and wildlife resources be given equal consideration in the planning, implementation, and operation of Federal and federally funded, permitted, or licensed water resource developments. Section 7 of the Endangered Species Act of 1973 outlines procedures for interagency consultations on the effects of Federal actions on federally listed threatened and endangered species. The Service participates in scoping and review of actions significantly affecting the quality of the environment under authority of the National Environmental Policy Act. In addition to these statutes, the Service has authority under several other legislative, regulatory, and executive mandates to promote conservation of fish and wildlife resources for the benefit of the public.

In Nebraska, the Service has special concerns for migratory birds, endangered and threatened species, and other important fish and wildlife resources. We also are concerned about any impacts on Federal and State wildlife refuges and management areas and other public lands, as well as to other areas that support sensitive habitats. Habitats frequently used by important fish and wildlife resources are wetlands, streams, and riparian (streamside) woodlands. Special attention is given to proposed developments that include modification of wetlands, or stream alteration, or contamination of important habitats. The Service recommends ways to avoid, minimize, or mitigate

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reduce, or compensate for damaging impacts to important fish and wildlife resources and their habitats that may be attributed to land and water resource development proposals.

We have reviewed the plans for the proposed project and offer the following comments:

- a. The proposed project does not appear to impact federal fish and wildlife management facilities.
- b. No federally listed or proposed threatened or endangered species are expected to occur within the project area.

Based upon the submitted information, we have no objection to the proposal as currently planned. However, should the plans be modified, we recommend that you reinitiate coordination with this office.

Should you have any further questions, please contact Mr. Wally Jobman within our office at (308)382-6468, extension 16. Thank you for the opportunity to offer comments.

Sincerely,



Steve Anschutz
Nebraska Field Supervisor

cc: NGPC; Lincoln, NE (Attn: Julie Godberson)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
106 SOUTH 15TH STREET
OMAHA, NEBRASKA 68102-1618

ATTACHMENT 4

REPLY TO:

March 3, 2003

Planning, Programs and Project Management Division

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

Dear Mr. Saylor:

We have reviewed your letter dated January 10, 2003 regarding the proposed abandonment of the Lincoln subdivision in Lincoln, Nebraska, STB Docket No. AB-33, and we offer the following comments.

It appears that you have already consulted with the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, Nebraska Game and Parks Commission, and the Nebraska State Historic Preservation Office. If you have not already done so, we recommend that you consult with these agencies.

If construction activities involve any work in waters of the United States, a Section 404 permit may be required. For a detailed review of permit requirements, final project plans should be sent to:

Mr. Mike Rabbe
U.S. Army Corps of Engineers
Wehrspann Office
8901 South 154th Street
Omaha, Nebraska 68138-3621

If you have any questions, please contact Lauren Deane of our staff at (402) 221-4598. Thank you for the opportunity to review this proposal.

Sincerely,

Candace Gorton
Chief, Environmental, Economics and Cultural
Resources Section
Planning Branch

STATE OF NEBRASKA

ATTACHMENT 5



Mike Johanns
Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY
Michael J. Linder

Director
Suite 400, The Atrium
1200 'N' Street
P.O. Box 98922
Lincoln, Nebraska 68509-8922
Phone (402) 471-2186
FAX (402) 471-2909
web site : www.deq.state.ne.us

March 18, 2003

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

RE: Proposed Abandonment of Lincoln Subdivision From BNSF connection at M.P. 56.43 to the end of the line at M.P. 57.0, a distance of .057 miles in Lincoln, Lancaster County, Nebraska; STB Docket No. AB-33 (Sub-No. 199X)

Dear Mr. Saylor:

The Nebraska Department of Environmental Quality has reviewed the above referenced project. We have no comments regarding this project that would fall under the jurisdiction of our programs.

If you have questions, feel free to contact me at (402) 471-4231.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay D. Ringenberg".

Jay D. Ringenberg
Deputy Director

JDR:nh
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