

DID# 010605100400



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

215532



May 10, 2006

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

ENTERED
Office of Proceedings

MAY 11 2006

Part of
Public Record

RE: Proposed Abandonment of the El Dorado Subdivision from Milepost 457.0 near Gilcrest to Milepost 460.6 near El Dorado Junction, a distance of 3.6 miles in Ouachita County, Arkansas; STB Docket No. AB-33 (Sub-No. 222X)

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. 222X). Enclosed is a credit authorization voucher in the amount of \$3,100.00 for the filing fee. Three (3) computer disks, in Word format, are included for the Board's use.

Sincerely yours,

FEE RECEIVED

MAY 11 2006

**SURFACE
TRANSPORTATION BOARD**

Enclosures

FILED

MAY 11 2006

**SURFACE
TRANSPORTATION BOARD**

O:\Abandonmetns\33-223X\STB-Not-Ltr.doc



Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 222X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN OUACHITA COUNTY, ARKANSAS
(EL DORADO SUBDIVISION)

NOTICE OF EXEMPTION

ENTERED
Office of Proceedings

MAY 1 2006

Part of
Public Record

FILED
MAY 11 2006
**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: May 10, 2006
Filed: May 11, 2006

FEE RECEIVED

MAY 11 2006

**SURFACE
TRANSPORTATION BOARD**

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 222X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN OUACHITA COUNTY, ARKANSAS
(EL DORADO SUBDIVISION)

NOTICE OF EXEMPTION

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 El Dorado Subdivision from milepost 457.0 near Gilcrest to milepost 460.6 near El Dorado Junction, a distance of 3.6 miles in Ouachita County, Arkansas (the "Line").

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

The abandonment is proposed to be consummated on or after June 30, 2006 (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. There is no

overhead traffic over the Line. Based on the information in the UP's possession, the Line proposed for abandonment does not contain any federally granted right-of-way.

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 457.0 near Gilcrest to milepost 460.6 near El Dorado Junction, a distance of 3.6 miles. The Line is located in Ouachita County, Arkansas.

(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 71701 and 71711.

(e)(4) Rural and Community Impact. The Line was constructed by the St. Louis, Iron Mountain & Southern Railway in 1881 from milepost 457.0 to milepost 459.8. The remainder of the Line, from milepost 459.8 to milepost 460.6 was

constructed by the Camden & Alexandria Railway in 1891. The Line is currently constructed primarily with 112-pound jointed rail laid in 1952, supplemented by a small amount of 115-pound welded rail laid in 1990. After abandonment, Camden will continue to receive rail service from UP and BNSF via another UP line running through the city. Camden is a crossroads for a couple of primary highways, U.S. 79 and Arkansas Route 7, both generally north-south routes.

The property proposed for abandonment is not suitable for mass transportation purposes (roads or highways). The corridor may be used for public utilities purposes (wireline or pipeline); however, the area is urban in nature and already well-served for these purposes. The City of Camden has indicated that it is interested in the corridor for some recreational use such as a trail or a tourist trolley line. The title to the property is reversionary in nature.

The Natural Resource Conservation Service has been contacted, they determined that the proposed project would have very little impact on Prime Farmland because the project is concentrated urban/residential that will probably never be farmed.

Based on information in the UP's possession, the Line proposed for abandonment does not contain federally granted right-of-way. There will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes.

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

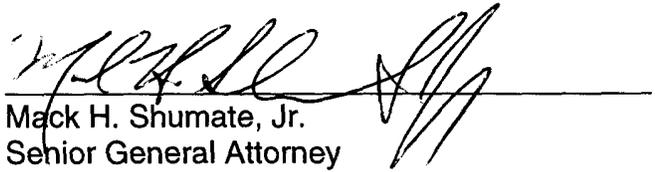
A copy of the Transmittal Letter of UP's Combined Environmental and Historic Report containing the information required by 49 C.F.R. §§ 1105.7 (e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached hereto as **Exhibit C** and hereby made a part hereof. The original and ten (10) copies were sent to Ms. Victoria Rutson, Section of Environmental Analysis (SEA), on February 22, 2006. The Combined Environmental and Historic Report indicates that there is one bridge structure over fifty (50) years in age affected by the proposed abandonment. The State Historic Preservation Officer was supplied with photos of the bridge structure at that time.

As of the date of this Notice of Exemption UP knows of no historic sites or structures or archeological resources in the project area. The Arkansas Historic Preservation Program has been contacted. To date, UP has received no response.

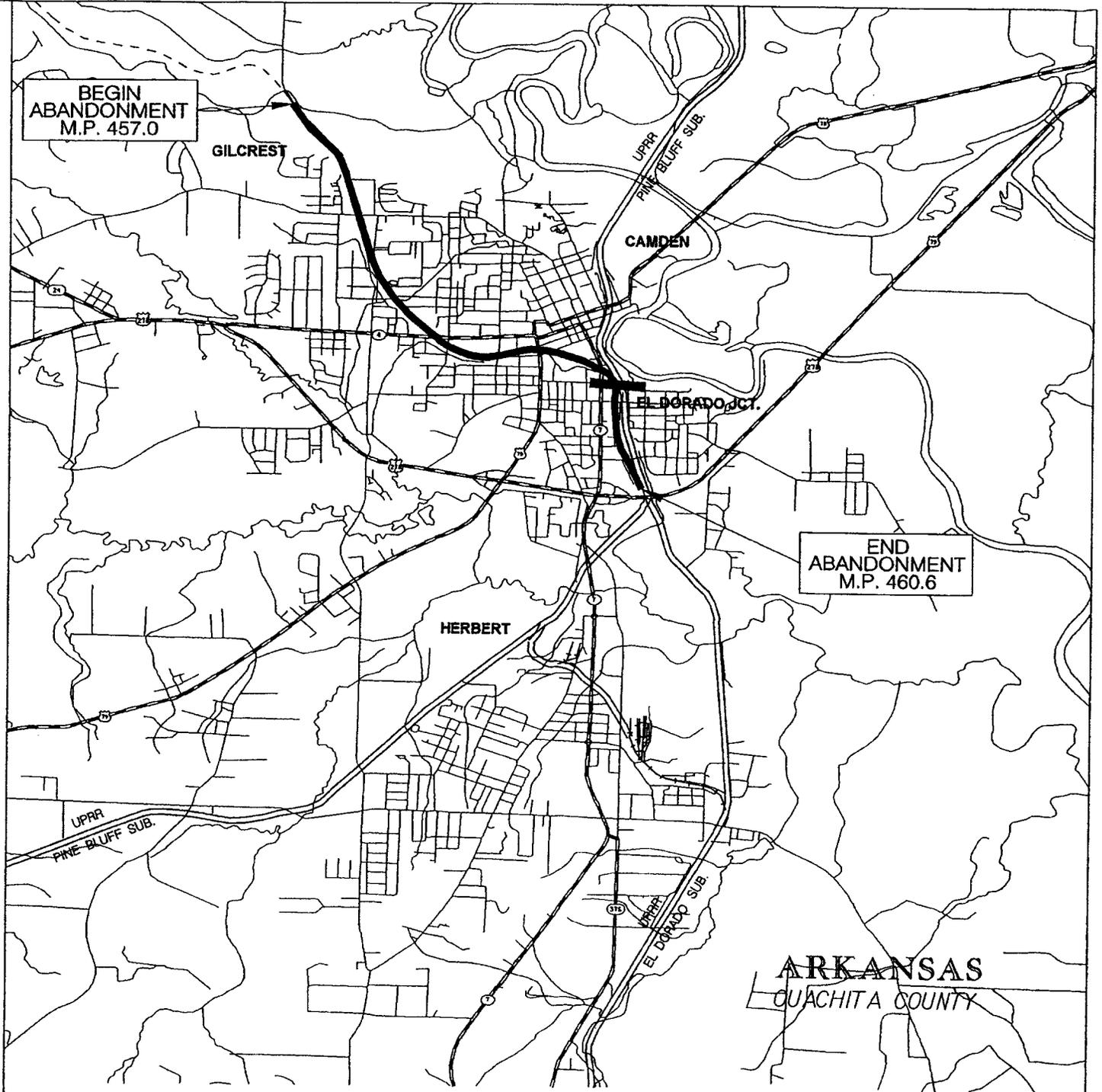
Dated this 10th day of May, 2006.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

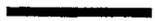
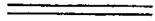
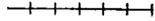
A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", is written over a horizontal line. The signature is stylized and cursive.

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



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
460.2	1-28' BEAM SPAN	28'	1916
460.2	4 SPAN 53' TPTOD	212'	1935

LEGEND

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

EL DORADO SUBDIVISION

MP 457.0 TO MP 460.6
 TOTAL OF 3.6 MILES
 IN QUACHITA COUNTY, ARKANSAS

UNION PACIFIC RAILROAD CO.

EL DORADO SUBDIVISION

CAMDEN, ARKANSAS

INCLUDING 50+ YEAR OLD STRUCTURES



FILE: q:\abandonments\ab0345_eldorado.dgn

DATE: 03-Feb-06 09:45



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

Exhibit B
AB-33 (Sub-No. 222X)

DOCKET NO. AB-33 (SUB-NO. 222X)
EI Dorado Subdivision in Ouachita County, AR
CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on March 20, 2006 (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 EI Dorado Subdivision in Ouachita County, Arkansas in Docket No. AB-33 (Sub-No. 222X). Written notice (a copy of which is attached hereto as Attachment 1) was served on the following:

Arkansas Public Service Commission
1000 Center Street
Little Rock, AR 72201

Midwest Region
National Park Service
1709 Jackson Street
Omaha, NE 68102

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

Department of Defense
Military Traffic Management Command
Transportation Engr. Agency
Railroads for National Defense Program
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

49 C.F.R. § 1105.11 -

The undersigned certifies that on February 23, 2006 (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. 222X) for abandonment of the EI Dorado Subdivision in Ouachita County, Arkansas 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)

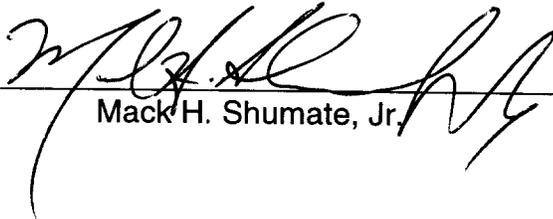
(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served.

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

The undersigned further certifies that a "Notice of Intent to Abandon 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>
Ouachita	<i>Camden News</i>	April 18, 2006

Dated this 10th day of May, 2006.


 Mack H. Shumate, Jr.



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

February 22, 2006

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: Docket No. AB-33(Sub-No.222X), Union Pacific Railroad Company
- Abandonment Exemption - - In Ouachita County, Arkansas
(El Dorado Subdivision)**

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 Notice of Exemption in this matter on or after March 15, 2006.

Sincerely,

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

Enclosures

O:\ABANDONMENTS\33-222X\STB-EHR.doc

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

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