



216814

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

July 19, 2006

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

ENTERED
Office of Proceedings
JUN 20 2006
Part of
Public Record



Attention: Victoria Rutson

Re: Proposed Abandonment of the Flanigan Industrial Lead from M. P. 338.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California; and of the Susanville Industrial Lead from M. P. 358.68 to M.P. 359.25 near Wendel, California, a total distance of 0.57 miles in Lassen County, California; STB Docket No. AB-33 (Sub-No. 230X)

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 July 10, 2006.

Sincerely,

Mack H. Shumate, Jr.

Enclosures

O:\ABANDONMENTS\33-230C\STB-EHR.doc

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 230X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LASSEN COUNTY, CALIFORNIA AND WASHOE COUNTY, NEVADA
(FLANIGAN INDUSTRIAL LEAD)
(SUSANVILLE 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: June 19, 2006
Filed: June 20, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 230X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LASSEN COUNTY, CALIFORNIA AND WASHOE COUNTY, NEVADA
(FLANIGAN INDUSTRIAL LEAD)
(SUSANVILLE 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 over the Flanigan Industrial Lead from M. P. 338.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California; and over the Susanville Industrial Lead from M. P. 358.68 to M.P. 359.25 near Wendel, California, a total distance of 0.57 miles in Lassen County, California (the "Line"). The Line traverses U. S. Postal Service Zip Codes 89405, 96113, 96130 and 96136

The UP anticipates that a Petition for Exemption to abandon the Line will be filed at the STB on or after July 10, 2006.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP's initial and revised letters to federal, state and local government agencies marked **Attachment No. 2**, and **Attachment No. 3**, respectively, are attached

hereto and hereby made a part hereof. Responses, if any, received to UP's letters to date are typically attached and sequentially numbered.

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 Flanigan Industrial Lead from M. P. 338.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a distance of 21.77 miles in Washoe County, Nevada and Lassen County, California; and over the Susanville Industrial Lead from M. P. 358.68 to M.P. 359.25 near Wendel, California, a distance of 0.57 miles in Lassen County, California. The current plan is to reclassify the Line after abandonment and to sell it, for operation as an industrial line.

Since July, 2004, the only revenue traffic on the Line has consisted of movements of scrap railroad track materials generated by a UP salvage contractor that is liquidating abandoned UP railroad lines in the area. This traffic is expected to cease around the time of anticipated issuance of an STB ruling with regard to the proposed abandonment petition. Given the special nature of the traffic and its time frame, no base or forecast year economic data appears warranted. The recent shipping profile for the Line is as follows:

A&K Railroad Materials
1505 S. Redwood Road
Salt Lake City, UT 84104
(shipped from Wendel)

2004: STCC 3312868, tie plates, 14 cars, 1,0088 tons
STCC 4021148, railway track materials, 1 car, 96 tons
STCC 4021149, track rails, 37 cars, 3,492 tons
Total: 52 cars, 4,596 tons

2005: STCC 3312839, track rails nec, 10 cars, 920 tons
STCC 3312868, tie plates, 4 cars, 358 tons
Total: 14 cars, 1,278 tons

2006: January through April - no activity.

All other traffic was waybilled prior to July, 2004.

Industrial Railways
890 San Pablo Avenue
Pinole, CA 94564
Traffic handled at Herlong, CA

2004: STCC 4021125, scrap, iron or steel, nec, 9 cars, 776 tons.

This customer was another salvage contractor of UP.

Sierra Army Depot
IMWRF Building 143
Herlong, CA 96113

2004: STCC 4111710, military impedimenta, 29 cars, 3,511 tons (one movement)

The Sierra Army Depot remains an active customer of UP via another UP main line serving the same facility. Such service will not be affected by the proposed abandonment.

Sierra Pacific Industries
P. O. Box 496028
Redding, CA 96049-6028
Traffic handled at Wendel, CA

2004: STCC 2421184, lumber or timber, rough or dressed, 112 cars, 10,670 tons

Sierra Pacific had a mill at Susanville, CA, and operated an industrial rail line that brought the lumber to Wendel. This operation had ceased and the rail line is being removed.

After abandonment, the closest rail line would be the UP ease - west main line at Flanigan on the southern end of the proposed abandonment. The line is served by local roads that connect to U. S. 395, a north-south route, near Wendel.

The majority of the Flanigan Industrial Lead from Flanigan to Wendel, as well as the Susanville Industrial Lead, was constructed by the Fernley and Lassen Railway in 1913 and 1914. Approximately the final mile of the Flanigan Industrial Lead on the north side of Wendel was constructed by the Nevada-Cakufirbua-Oregon Railway in the years 1899 and 1900. The Line is currently constructed with a combination of 110, 112, 113, and 119 pound rail put down primarily in the 1940's and 1950's.

UP does not believe the property proposed for abandonment is suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, as the area because of its limited population base is adequately served by existing roads and utility lines. The Line contains approximately 532.588 acres of non-reversionary property and 36.418 acres of reversionary property. Based on information in UP's possession, the Line contains federally granted right-of-way. Any documentation in 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: Since the only traffic moving over the Line consists of temporary movements of salvaged railroad materials that will cease around the anticipated time frame of the proposed abandonment ruling, there should be no effect on regional or local

transportation systems or patterns, and there will be no diversion to other modes or systems.

(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) The offices of the Lassen County Supervisors and the Washoe County Commissioners have been contacted. In February, 2005 the Lassen Board of Supervisors requested UP not take any action before HL Power completed its analysis associated with its potential purchase of the Line. In April, 2005 the Lassen County Transportation Commission also requested HL Power be given time to complete its analysis. In May, 2005 McDonough Holland & Allen PC, representing the Lassen Municipal Utility District stated the District used UP track's and bridges along the proposed abandonment to repair and service electrical lines, and wanted to discuss the scope of the proposed abandonment. Responses provided by the Lassen County Supervisors, Lassen County Transportation Commission, and McDonough Holland & Allen PC are attached as **Attachment No. 4, Attachment No. 5, and Attachment No. 6**, respectively, and are hereby made part hereof. To date UP has received no response from Washoe County officials.

(ii) The State Conservationist for the United States Natural Resources Conservation Service in California and Nevada have been contacted. To date UP has received no response.

(iii) Not Applicable.

(iv) The property is generally not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, as the area because of its limited population base is adequately served by existing roads and utility lines at the present time.

(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) The Line has been used recently for the movement of steel in the forms of rail and tie plates that will likely be rerolled or remelted. This traffic will go away upon the completion of the salvage of abandoned UP lines in the area.

(iii) There will be no effect on energy efficiency.

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

(5) Air. (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in §§ (5)(i)(A) will apply.

Response: There is no such effect anticipated.

(5) **Air.** (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic of these magnitudes 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 UP has received no response.

(ii) UP is 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 California Environmental Protection Agency and the Nevada Department of Conservation and Natural Resources have been contacted. The Nevada Department of Conservation and Natural Resources, Division of Environmental Protection reviewed the proposed abandonment and cited permits which may be needed. Their response is attached as **Attachment No. 7**, and is hereby made part hereof. To date UP has not received a response from the California EPA.

(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 major portion of the Line to be abandoned is 150 feet in width with some intermittent portions of 300 feet right-of-way widths. The property is considered to be in the high desert area of rural Nevada and California adjacent to the Amedee Mountains and the topography of the land is generally flat.

(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: UP sent photos of the twelve bridges in the proposed abandonment which are over 50 years old to the State Historic Preservation Offices in California and Nevada. A copy of the letter to the SHPOs is attached as **Attachment No. 8**, and is hereby made part hereof. To date, UP has received no response from either of the Historical Preservation Offices.

(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: Dates of construction are indicated on **Attachment No. 1** and **Attachment No. 8.**

(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: UP does 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 19th day of June, 2006.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

A handwritten signature in black ink, appearing to read 'Mack H. Shumate, Jr.', written in a cursive style.

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. 230X) for the Flanigan Industrial Lead in Washoe County, Nevada and Lassen County, California; and of the Susanville Industrial Lead in Lassen County, California was served by first class mail on the 19th day of June, 2006 on the following:

State Clearinghouse (or alternate):

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

Nevada Commission on Economic Development
108 E. Proctor
Carson City, NV 89701

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

Nevada Dept. of Conservation and Natural
Resources
Division of Environmental Protection
333 West Nye Lane, Room 138
Carson City, NV 89706-0851

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

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

Head of each County:

Lassen County Supervisors
220 South Roop Street
County Administrative Center
Susanville, CA 96130

Washoe County Commissioners
P. O. Box 11130
County Courthouse
Reno, NV 89520-0027

**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
Sacramento
1325 J Street
Sacramento, CA 95814

National Park Service:

National Park Service
Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607

U.S. Natural Resources Conservation Service:

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

State Conservationist
Natural Resources Conservation Service
5301 Longley Lane, Bldg. F., Suite 201
Reno, NV 89511

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

Nevada State Historic Preservation Office
100 North Stewart Street
Carson City, NV 89701-4825

Shippers:

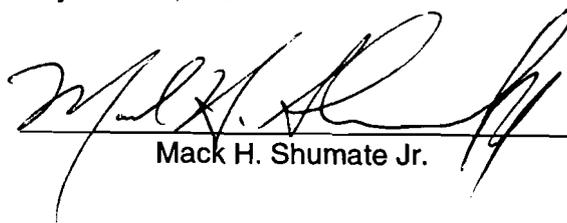
A&K Railroad Materials
1505 S. Redwood Road
Salt Lake City, UT 84104

Industrial Railways
890 San Pablo Avenue
Pinole, CA 94564

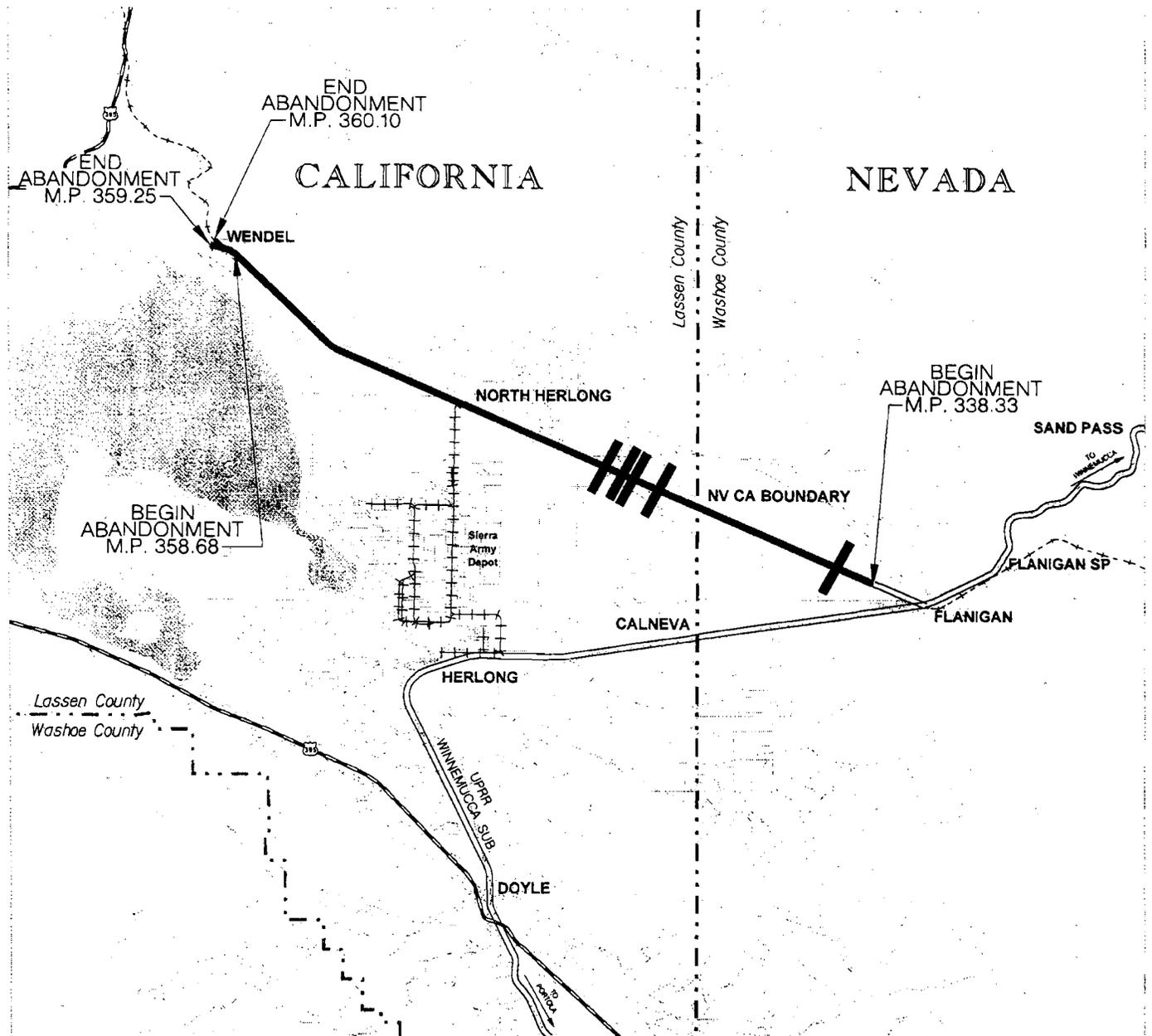
Sierra Army Depot
IMWRF Building 143
Herlong, CA 96113

Sierra Pacific Industries
P. O. Box 496028
Redding, CA 96049-6028

Dated this 19th day of June, 2006



Mack H. Shumate Jr.



BRIDGE NO	BRIDGE TYPE	TOTAL LENGTH	DATE
339.74	2 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	31.17'	1936
344.62	3 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	45.17'	1940
345.68	10 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	150.17'	1939
345.95	3 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	45.17'	1941
346.67	2 SPAN TIMBER PILE TRESTLE (TST)	20.17'	1931

STATION	MILE POST	AGENCY
CA/NV ST LINE	343.12	NO
NORTH HERLONG	349.8	NO
WENDEL	358.7	NO

LEGEND

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

FLANIGAN INDUSTRIAL LEAD

MP 338.33 TO MP 360.10
 TOTAL OF 21.77 MILES
 IN WASHOE COUNTY, NEVADA = 4.79 MILES
 IN LASSEN COUNTY, CALIFORNIA = 16.98 MILES

SUSANVILLE INDUSTRIAL LEAD

MP 358.68 TO MP 359.25
 TOTAL OF 0.57 MILES
 IN LASSEN COUNTY, CALIFORNIA = 0.57 MILES

UNION PACIFIC RAILROAD CO.
 FLANIGAN INDUSTRIAL LEAD
 SUSANVILLE INDUSTRIAL LEAD
 CALIFORNIA - NEVADA

INCLUDING 50+ YEAR OLD STRUCTURES



FILE: q:\abandonments\ab0353_flanigan.dgn

DATE: 12-Dec-05 06:45

AB-33 (Sub-N0. 230X)



(402) 501-0127 (FAX)

January 26, 2005

State Clearinghouse (or alternate):

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

Nevada Commission on Economic Development
108 E. Proctor
Carson City, NV 89701

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

Nevada Dept. of Conservation and Natural
Resources
Division of Environmental Protection
333 West Nye Lane, Room 138
Carson City, NV 89706-0851

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

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

Head of each County:

Lassen County Supervisors
220 South Roop Street
County Administrative Center
Susanville, CA 96130

Washoe County Commissioners
P. O. Box 11130
County Courthouse
Reno, NV 89520-0027

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
Sacramento
1325 J Street
Sacramento, CA 95814

National Park Service:

National Park Service
Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607

U.S. Natural Resources Conservation Service:

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

State Conservationist
Natural Resources Conservation Service
5301 Longley Lane, Bldg. F., Suite 201
Reno, NV 89511

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

Nevada State Historic Preservation Office
100 North Stewart Street
Carson City, NV 89701-4825

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127

Re: Proposed Abandonment of the Flanigan Industrial Lead from M. P. 338.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California; STB Docket No. AB-33 (Sub-No. 230X)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Flanigan Industrial Lead from M. P. 338.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California. 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 again 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.

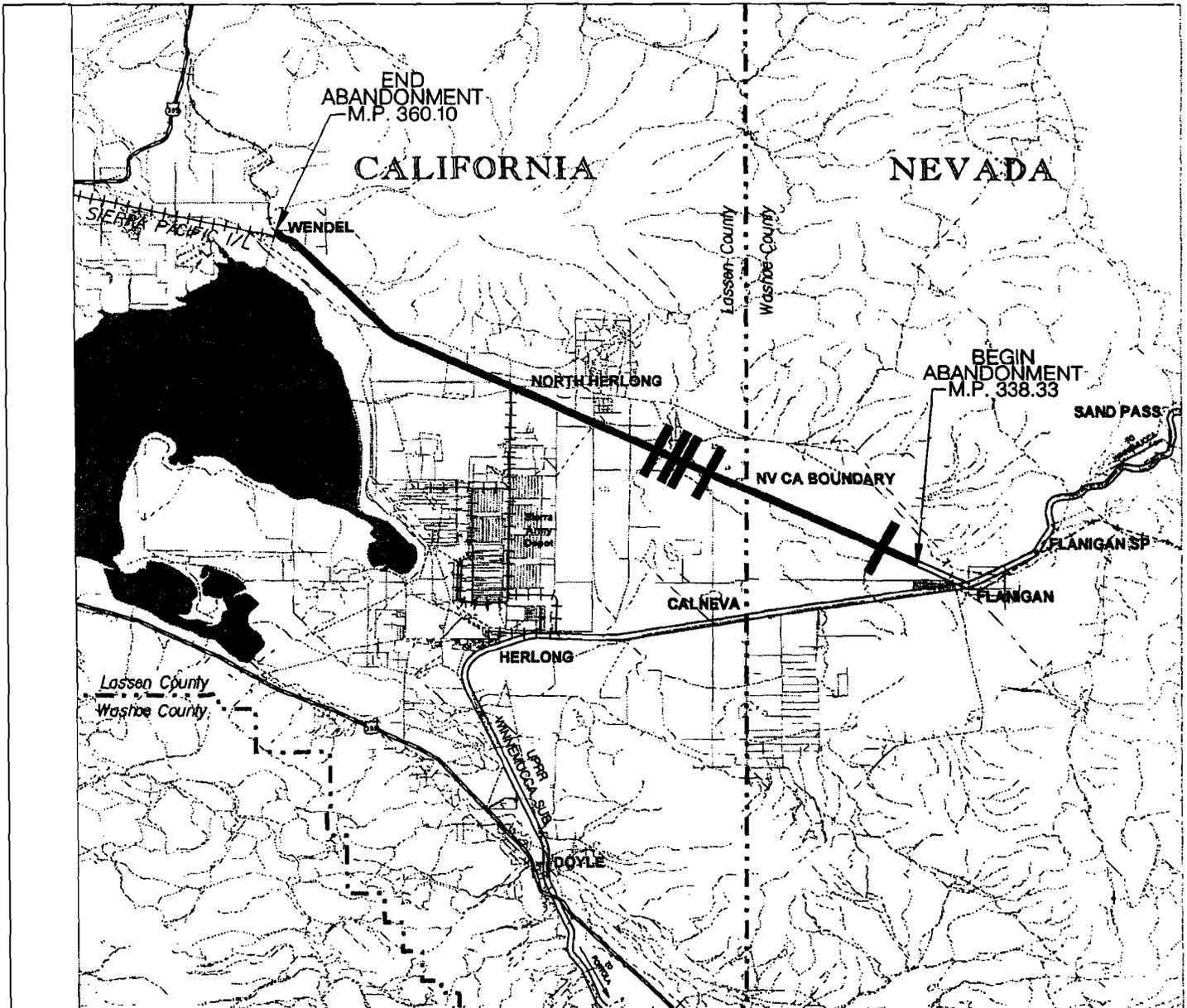
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials 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, 1400 Douglas Street, Mail Stop 1580, Omaha, NE, 68179. If you need further information, please contact me at (402) 544-4861.

Yours truly,


Charles W. Saylor

Attachment



STATION	MILE POST	AGENCY
CA/NV ST LINE	343.12	NO
NORTH HERLONG	349.8	NO
WENDEL	358.7	NO

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
338.74	2 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	31.17	1938
344.82	3 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	45.17	1940
346.68	10 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	150.17	1938
345.95	3 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	45.17	1941
346.67	2 SPAN TIMBER PILE TRESTLE (TST)	20.17	1931

LEGEND

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

FLANIGAN INDUSTRIAL LEAD

MP 338.33 TO MP 360.10
TOTAL OF 21.77 MILES

IN WASHOE COUNTY, NEVADA = 4.79 MILES
IN LASSEN COUNTY, CALIFORNIA = 16.98 MILES

UNION PACIFIC RAILROAD CO.
FLANIGAN INDUSTRIAL LEAD
CALIFORNIA - NEVADA

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: q:\abandonments\ab0353_flanigan.dgn

DATE: 25-Jan-05 11:47



(402) 501-0127 (FAX)

December 12, 2005

State Clearinghouse (or alternate):

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

Nevada Commission on Economic Development
108 E. Proctor
Carson City, NV 89701

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

Nevada Dept. of Conservation and Natural
Resources
Division of Environmental Protection
333 West Nye Lane, Room 138
Carson City, NV 89706-0851

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

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

Head of each County:

Lassen County Supervisors
220 South Roop Street
County Administrative Center
Susanville, CA 96130

Washoe County Commissioners
P. O. Box 11130
County Courthouse
Reno, NV 89520-0027

**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
Sacramento
1325 J Street
Sacramento, CA 95814

National Park Service:

National Park Service
Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607

U.S. Natural Resources Conservation Service:

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

State Conservationist
Natural Resources Conservation Service
5301 Longley Lane, Bldg. F., Suite 201
Reno, NV 89511

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

Nevada State Historic Preservation Office
100 North Stewart Street
Carson City, NV 89701-4825

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127

Re: Proposed Abandonment of the Flanigan Industrial Lead from M. P. 338.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California; and of the Susanville Industrial Lead from M. P. 358.68 to M.P. 359.25 near Wendel, California, a total distance of 0.57 miles in Lassen County, California; STB Docket No. AB-33 (Sub-No. 230X)

Dear Sirs:

On January 26, 2005, Union Pacific Railroad Company notified you of its plan to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Flanigan Industrial Lead from M. P. 338.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California. Additionally, Union Pacific plans to request authority from the STB to abandon and discontinue service on the Susanville Industrial Lead from M.P. 358.68 to M.P. 359.25 near Wendel, California, a total distance of 0.57 miles in Lassen County, California. 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 again 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. Many agencies responded to our January, 2005 letter. If your response is unchanged, we will include a copy of your initial response in our Environmental Report; however, if you would like to amend your position concerning the proposed abandonment, please provide us with a written response that can be included in the 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.

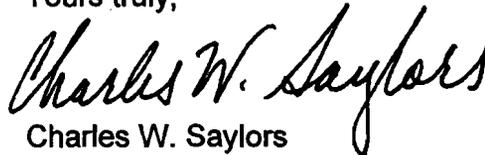
STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

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.

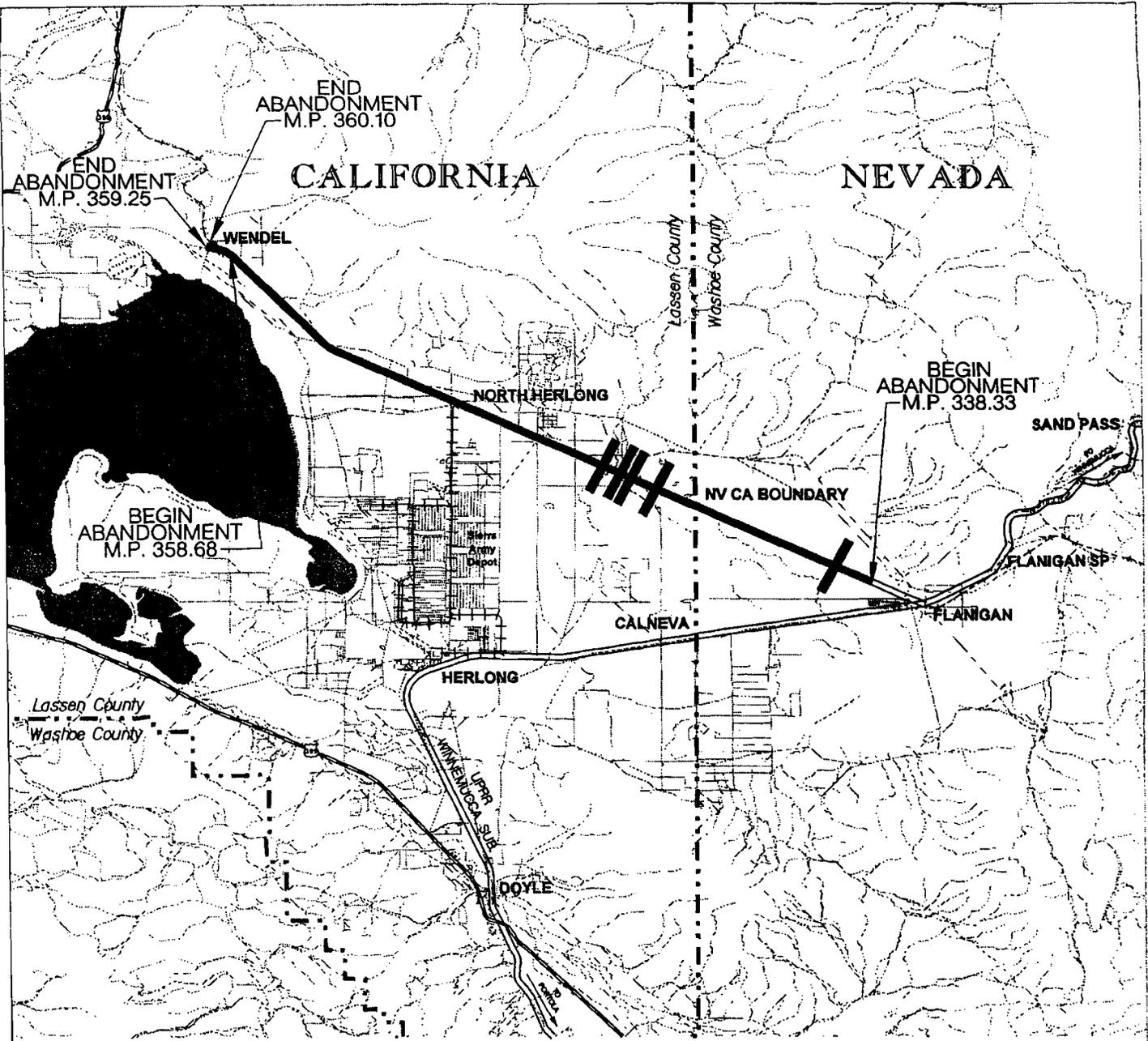
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials 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, 1400 Douglas Street, Mail Stop 1580, Omaha, NE, 68179. If you need further information, please contact me at (402) 544-4861.

Yours truly,


Charles W. Saylor

Attachment



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
339.74	2 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	31.17'	1936
344.62	3 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	45.17'	1940
345.89	10 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	150.17'	1939
345.95	3 SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	45.17'	1941
346.67	2 SPAN TIMBER PILE TRESTLE (TST)	20.17'	1931

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LEGEND

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

FLANIGAN INDUSTRIAL LEAD

MP 338.33 TO MP 360.10
 TOTAL OF 21.77 MILES
 IN WASHOE COUNTY, NEVADA = 4.79 MILES
 IN LASSEN COUNTY, CALIFORNIA = 16.98 MILES

SUSANVILLE INDUSTRIAL LEAD

MP 358.68 TO MP 359.25
 TOTAL OF 0.57 MILES
 IN LASSEN COUNTY, CALIFORNIA = 0.57 MILES

UNION PACIFIC RAILROAD CO.
 FLANIGAN INDUSTRIAL LEAD
 SUSANVILLE INDUSTRIAL LEAD
 CALIFORNIA - NEVADA

INCLUDING 50+ YEAR OLD STRUCTURES



County of Lassen
Board of Supervisors



ROBERT F. PYLE

District 1

JIM CHAPMAN

District 2

LLOYD I. KEEFER

District 3

BRIAN D. DAHLE

District 4

JOHN E. HANSON

District 5

WILLIAM D. BIXBY

Administrative Officer

County Administration Center

221 South Roop Street, Suite 4

Susanville, CA 96130-4339

(530) 251-8333

FAX: (530) 257-4898

e-mail: coadmin@co.lassen.ca.us

February 22, 2005

Charles W. Saylor
 Union Pacific Railroad
 1400 Douglas Street, Mail Stop 1580
 Omaha NE 68179

Dear Mr. Saylor:

The Lassen County Board of Supervisors received notice dated January 26, 2005, that Union Pacific Railroad Company plans to request authority of the Surface Transportation Board to abandon and discontinue service on the Flanigan Industrial Lead between Flanigan, Nevada, and Wendel, California.

It is not the intent of Lassen County to address environmental issues associated with Union Pacific's proposed abandonment at this time; however, Lassen County is, with this letter, urging that Union Pacific not take any action that would compromise the efforts by HL Power to acquire this rail line. We are aware that HL Power is currently in the process of completing cost analysis and associated reports to enable them to continue in their efforts to purchase this rail line.

Lassen County fully appreciates the important value of this rail line to the economical operation of HL Power Plant. HL Power is a critical component of Lassen County's economy, as it is not only a significant employer but provides a critical waste disposal process and all important electrical generation which is not only a matter of local reliance but of national interest as well.

Again, on behalf of Lassen County, I would implore that Union Pacific Railroad not take any further action with regard to the proposed abandonment of the Flanigan Industrial Lead Rail line until HL Power has been given full opportunity to successfully pursue their efforts for acquisition of this very important rail facility.

The Lassen County Board of Supervisors appreciates your attention to this important matter.

Sincerely,

LLOYD I. KEEFER, Chairman
 Lassen County Board of Supervisors

cc: United States Congressman John T. Doolittle
 United States Congressman Wally Herger
 United States Senator Feinstein
 Ralph Sanders, Honey Lake Power

800.01

**LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANNING AGENCY**



707 Nevada Street, Suite 4
Susanville, CA 96130

☎ 530) 251-8260
FAX: (530) 251-2675

LARRY MILLAR, *Executive Secretary*
DAN NEWTON, *Transportation Project Manager*

T-10
2005/93

April 5, 2005

Charles W. Saylor
Union Pacific Railroad
1400 Douglas Street, Mail Stop 1580
Omaha, NE 68179

Mr. Saylor:

The Lassen County Transportation Commission (LCTC) received notice dated January 26, 2005, that the Union Pacific Railroad Company plans to request authority from the Surface Transportation Board to abandon and discontinue service on the Flanigan Industrial Lead between Flanigan, Nevada and Wendel, California.

The Lassen County Transportation Commission is urging Union Pacific to not take any further actions toward abandonment at this time. HL Power is in the process of researching the feasibility of utilizing the rail line to enhance the vitality of their operation. HL Power has been aggressive in completing their analysis, however, their efforts were slowed due to extensive snowfall this past winter which prohibited them from assessing the tracks. The LCTC feels that allowing HL Power time to complete their analysis would be the most prudent course of action.

The LCTC fully appreciates the importance of this rail line to the economical operation of HL Power Plant. HL Power is a critical component of Lassen County's economy, as it is not only a significant employer but also provides a critical waste disposal process and is an important electrical generation facility which is not only a matter of local reliance but of national interest as well.

The Lassen County Transportation Commission appreciates your attention on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Rocky Joy".

Rocky Joy, Chairman
Lassen County Transportation Commission

cc: United States Congressman John T. Doolittle
United States Congressman Wally Herger
United States Senator Feinstein
Ralph Sanders, Honey Lake Power



McDonough Holland & Allen PC
Attorneys at Law

Stacey N. Sheston
Attorney at Law

Sacramento Office
916.444.3900 tel
916.444.8334 fax
sshaston@mhalaw.com

May 31, 2005

VIA FEDERAL EXPRESS

Charles W. Saylor
Union Pacific Railroad
1400 Douglas Street, Mail Stop 1560
Omaha, Nebraska 68179

Re: *Potential Abandonment of UP Lines*

Dear Mr. Saylor:

Our firm serves as special counsel to the Lassen Municipal Utility District ("the District"), a public utility which provides electrical services in the City of Susanville and adjacent areas in Lassen, Plumas, and Tehama counties. District staff has brought it to our attention that Union Pacific plans to abandon and discontinue service on along certain lines passing through the District's service area. As you know, the District has electrical lines along several such rail lines and has for many years, by agreement, gained access to these lines for repair and service using routes along Union Pacific's tracks and bridges.

Because of the District's need to maintain its service lines, we have several questions about the scope of the rail line abandonment. Specifically, does Union Pacific plan to simply discontinue the service, or to actually remove tracks and equipment, or to abandon the rights of way completely? I would like to discuss these and related issues at your earliest convenience. I have left several messages at Union Pacific numbers given to me, but I am not at all sure they were the right numbers to reach you. Hence this letter.

Please contact me at the number above at your earliest convenience. If you do not reach me, please leave the proper contact information so that I may promptly return your call.

Sacramento
555 Capitol Mall
9th Floor
Sacramento CA
95814-4692
tel 916.444.3900
toll free 800.403.3900
fax 916.444.8334

Oakland
1901 Harrison Street
9th Floor
Oakland CA
94612-3501
tel 510.273.8780
toll free 800.339.3030
fax 510.839.9104

Yuba City
422 Century Park Drive
Suite A
Yuba City CA
95991-5729
tel 530.674.9761
fax 530.671.0990

www.mhalaw.com



McDonough Holland & Allen PC
Attorneys at Law

Charles W. Saylor
May 31, 2005
Page 2

Thank you in advance for your assistance, and I look forward to speaking with you.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Stacey N. Sheston', written over a horizontal line.

Stacey N. Sheston

SNS:tl

c: Frank Cady, LMUD General Counsel (via First Class Mail)
G. Richard Brown (via e-mail)

LEO M. DROZDOFF, *Administrator*STATE OF NEVADA
KENNY C. GUINN
*Governor*ALLEN BIACCI, *Director*

(775) 687-4670

Administration
Facsimile 687-5856Water Quality Planning
Water Pollution Control
Facsimile 687-4684Mining Regulation and
Reclamation
Facsimile 684-5259Air Pollution Control
Air Quality Planning
Facsimile 687-6396Waste Management
Federal FacilitiesCorrective Actions
Facsimile 687-8335

NDEP.nv.gov

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION333 W. Nye Lane, Room 138
Carson City, Nevada 89706

February 14, 2005

Chuck Saylor
1400 Douglas Street
Mail Stop 1580
Omaha, NE 68179

Re: Proposed abandonment of the Flanigan Industrial Lead form M.P. 33.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California; STB Docket No. AB-33 (Sub-No. 230X)

Dear Mr. Saylor:

After reviewing the above-mentioned project, the Bureau of Water Pollution Control of the Nevada Division of Environmental Protection identifies the following permits that may be needed:

- Rolling Stock Permit
- Stormwater Permit
- 401 permit

If you need any further information, please contact me at 775-687-9414.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Alan Tinney".

E. Alan Tinney, P.E.
Supervisor, Permitting Branch
Bureau of Water Pollution Control

cc: Icyl Mulligan, Bureau of Water Pollution Control



May 25, 2006

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

Nevada State Historic Preservation Office
 100 North Stewart Street
 Carson City, NV 89701-4825

Re: Proposed Abandonment of the Flanigan Industrial Lead from M. P. 338.33 near Flanigan, Nevada to M. P. 360.10 near Wendel, California, a total distance of 21.77 miles in Washoe County, Nevada and Lassen County, California; and of the Susanville Industrial Lead from M. P. 358.68 to M. P. 359.25 near Wendel, California, a total distance of 0.57 miles in Lassen County, California; STB Docket No. AB-33 (Sub-No. 230X)

Dear Sirs:

Enclosed for your review are twelve photographs of the bridges located on the Flanigan Industrial Lead and the Susanville Industrial Lead, which are over 50 years old along with a map of the proposed abandonment. The bridges are described as follows:

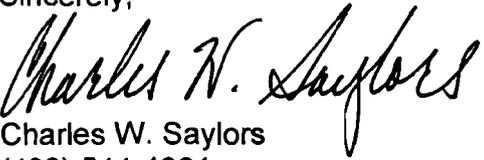
<u>Milepost</u>	<u>State</u>	<u>Description</u>	<u>Length</u>	<u>Year Constructed</u>
339.74	NV	2 Span Timber Pile Trestle - Open Deck	31.17 Ft.	1936
344.62	CA	3 Span Timber Pile Trestle - Open Deck	45.17 Ft.	1940
345.68	CA	10 Span Timber Pile Trestle - Open Deck	150.17 Ft.	1939
345.95	CA	3 Span Timber Pile Trestle - Open Deck	45.17 Ft.	1941
346.67	CA	2 Span Timber Pile Trestle	20.17 Ft.	1931

Law Department

UNION PACIFIC RAILROAD
 1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
 fx. (402) 501-0127

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

Sincerely,

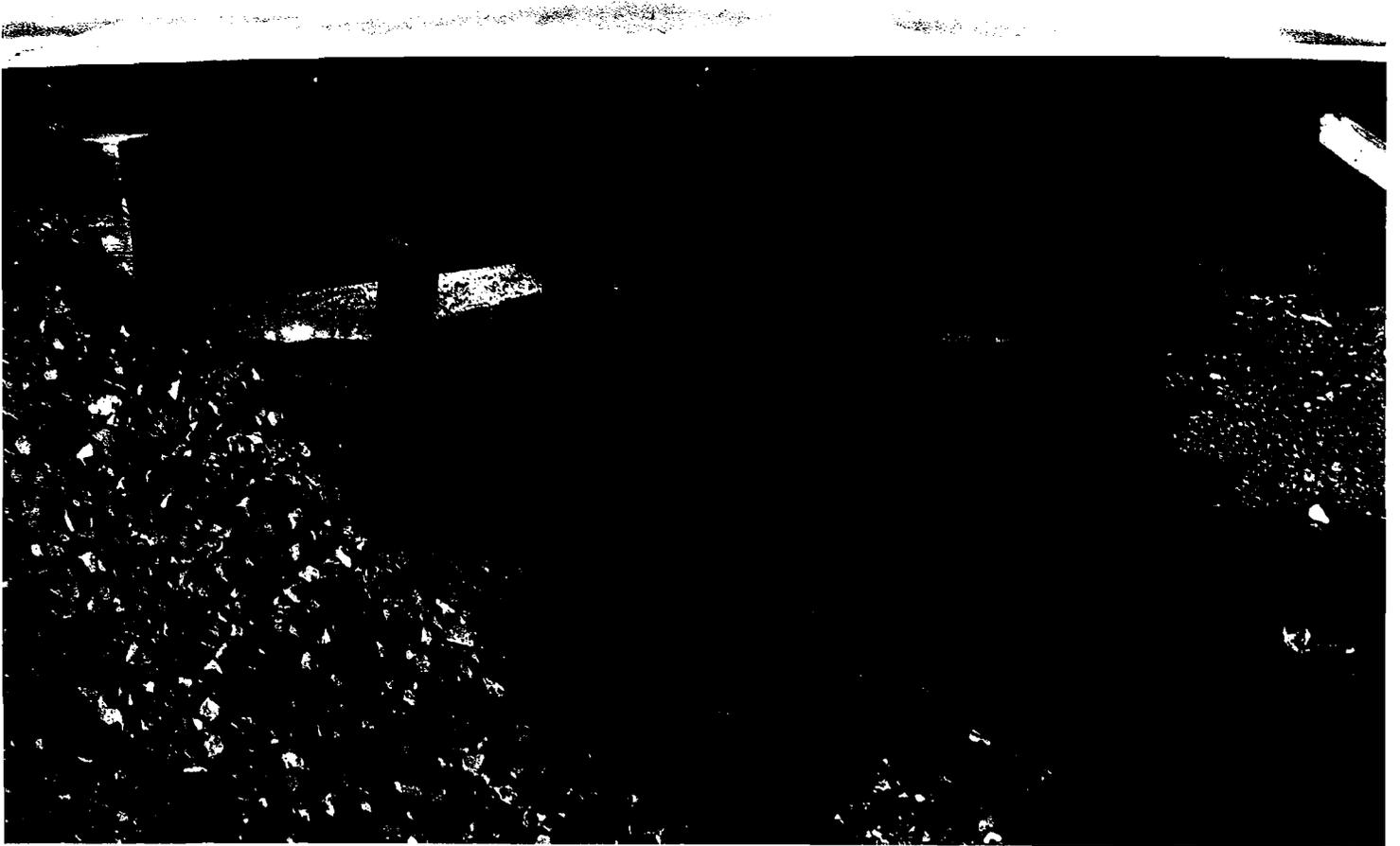
A handwritten signature in black ink that reads "Charles W. Saylor". The signature is written in a cursive style with a large, prominent "S" at the end.

Charles W. Saylor
(402) 544-4861

Attachments



HP 339.74



MP 339.74



MP 339.74



MP 346.67



MP 346.67



MP 344.6Z



MP 344-62



MP 345-68



MP 345.68



MP 345.95



MP 345.95



MP 345.95