



Gabriel S Meyer
Assistant General Attorney

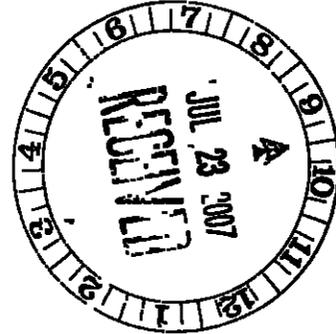
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July 20, 2007

VIA U.P.S. OVERNIGHT

The Honorable Vernon Williams
Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

FILED
JUL 23 2007
SURFACE
TRANSPORTATION BOARD



RE: Docket No. AB. 33 (Sub. No. 249-X)—Discontinuance of service on the Loyalton Industrial Lead from Milepost 0.55 near Hawley to Milepost 11.62 near Loyalton and an exempt abandonment from Milepost 11.62 to Milepost 12.34 near Loyalton, a total distance of 11.79 miles in Plumas and Sierra Counties, California.

Dear Secretary Williams

Pursuant to the Board's exemption procedures for discontinuance and 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 249X)
Enclosed is a credit authorization voucher in the amount of \$3,100 00 for the filing fee
Please contact me if you have any questions

Sincerely,

ENTERED
Office of Proceedings

JUL 23 2007

Part of
Public Record

Enclosures

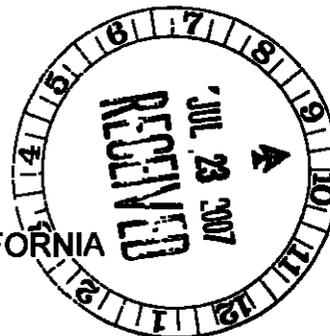
RECEIVED
JUL 23 2007
SURFACE
TRANSPORTATION BOARD

Before the
SURFACE TRANSPORTATION BOARD

219 814

Docket No AB-33 (Sub-No 249X)

UNION PACIFIC RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN PLUMAS AND SIERRA COUNTIES, CALIFORNIA
(LOYALTON INDUSTRIAL LEAD)



NOTICE OF EXEMPTION

FILED
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Office of Proceedings
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Public Record

UNION PACIFIC RAILROAD COMPANY
Gabriel S Meyer
Assistant General Attorney
1400 Douglas Street
STOP 1580
Omaha, NE 68179
(402) 544-1658
(402) 501-3393 (FAX)

Dated July 20, 2007
Filed July 23, 2007

FILE RECEIVED
JUL 23 2007
SURFACE
TRANSPORTATION BOARD

Before the
SURFACE TRANSPORTATION BOARD

Docket No AB-33 (Sub-No 249X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN PLUMAS AND SIERRA COUNTIES, CALIFORNIA
(LOYALTON INDUSTRIAL LEAD)

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 1) a discontinuance of service on the Loyalton Industrial Lead from Milepost 0 55 near Hawley to Milepost 11 62 near Loyalton, and 2) an exempt abandonment from Milepost 11 62 to Milepost 12 34 near Loyalton, a total distance of 11 79 miles in Plumas and Sierra Counties, California (the "Line")

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

The discontinuance and abandonment are proposed to be consummated on or after September 11, 2007 (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 UP further certifies that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line either is pending with this Board or any U S District

Court or has been decided in favor of the complainant within the two-year period The subject Line has not been used for freight traffic for at least two years There is no overhead traffic over the Line Therefore, there is no necessity to reroute any traffic

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

(a) General

(a)(1) The railroad's 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 discontinue the Line from Milepost 0 55 near Hawley to Milepost 11 62 near Loyaltan, and abandon the line from Milepost 11 62 to Milepost 12 34 near Loyaltan, a total distance of 11 79 miles in Plumas and Sierra Counties, California

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

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

Gabriel S Meyer
Assistant General Attorney
1400 Douglas Street
STOP 1580
Omaha, NE 68179
(402) 544-1658
(402) 501-3393 (FAX)

(a)(8) ZIP Code The Line traverses U S Postal Service Zip Codes 96118 and 96122

(e)(4) Rural and Community Impact

The Line was constructed in 1901 by the Boca and Loyalton Railroad. It is currently comprised of 75-pound jointed rail laid in 1924, except for two short stretches (about a quarter mile in length) of 100-pound jointed rail laid in 1968.

After the proposed action, the closest rail service will be provided by the UP main line at Hawley, California, the junction point of the Line. The area is served by various state highways. Route 49, generally a north-south route, passes through Loyalton and connects to Route 70 about ten miles north and to Route 89 about 15 miles south. Interstate 80, the region's major east-west highway, lies approximately 25 miles south of the 49 - 89 connection.

It appears to UP that the right-of-way proposed for discontinuance and abandonment is not suitable for other public purposes including roads or highways, mass transportation, energy production or transmission, or recreation such as trail use. The Line lies in the City of Loyalton, which is already served by numerous local streets (one of which runs parallel and adjacent to the Line) and a state highway. The prospective sale of a significant portion of the right-of-way to the Line's former customer will assist in industrial redevelopment.

There are no shippers on the Line, and no commodities have originated or terminated on the Line for over two years. There is no overhead traffic over the Line. No complaints regarding cessation of service have been filed at the Board, are pending, or have been decided in favor of a complainant in the past two years. Based on information in the UP's possession, the Line contains no federally granted right-of-way.

and none of the adjacent property is reversionary Any documentation in UP's possession will be made available promptly 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 ("CEHR") 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 May 7, 2007 The CEHR indicates that the proposed abandonment does not involve historic properties

Dated this 20th day of July, 2007

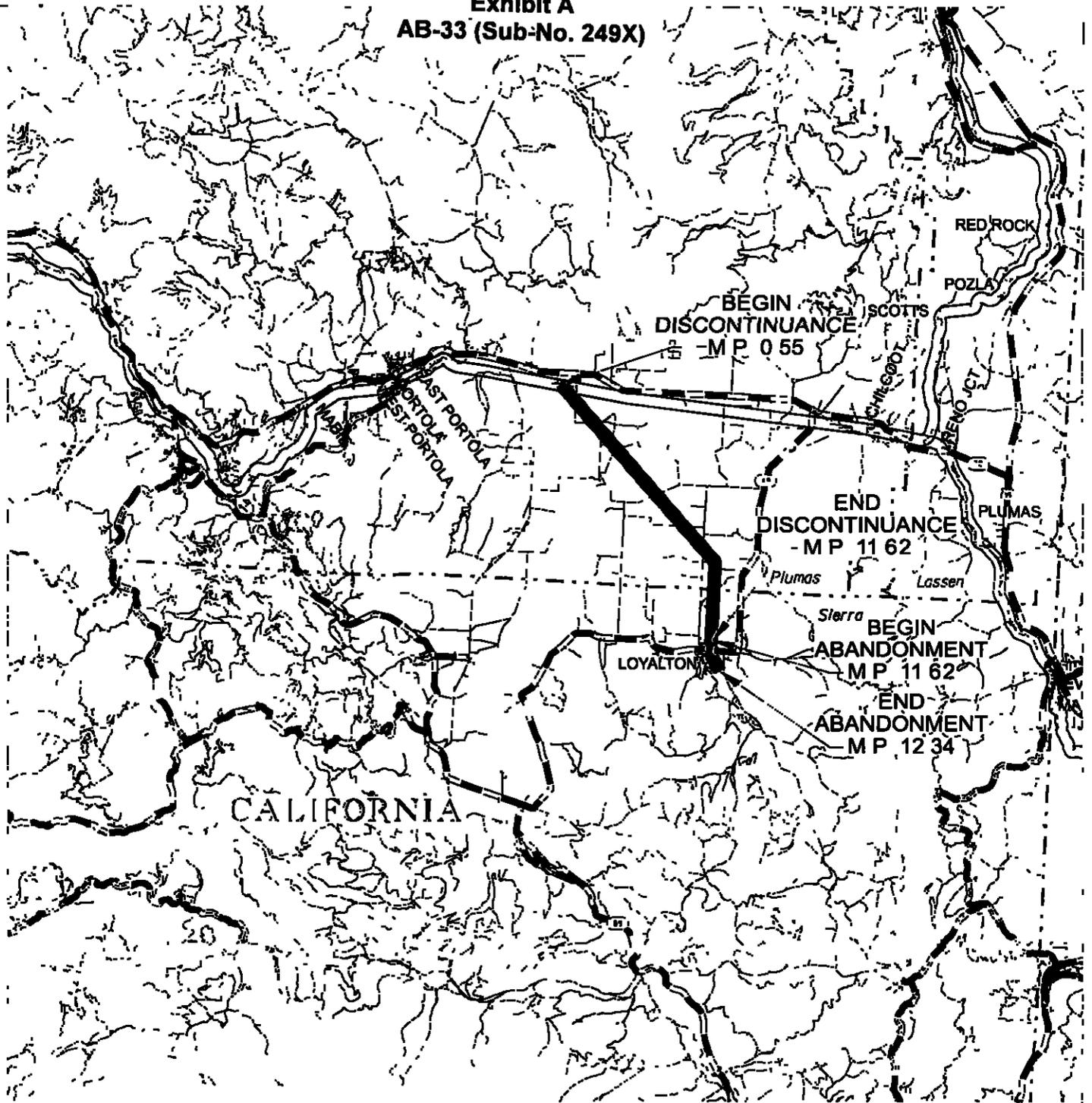
Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Gabriel S Meyer
Assistant General Attorney
1400 Douglas Street
STOP 1580
Omaha, NE 68179
(402) 544-1658
(402) 501-3393 (FAX)

Exhibit A
 AB-33 (Sub-No. 249X)



NOTE THERE ARE NO 50+ YEAR OLD STRUCTURES
 IN THE ABANDONMENT SEGMENT

LEGEND

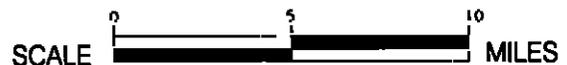
-  UPRR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  RAILROADS (abandoned)
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS
-  50+ YEAR OLD STRUCTURES

LOYALTON INDUSTRIAL LEAD

MP 055 TO MP 1234
 TOTAL OF 175 MILES
 9.43 MILES IN PLUMAS COUNTY
 2.36 MILES IN SIERRA COUNTY

UNION PACIFIC RAILROAD CO
 LOYALTON INDUSTRIAL LEAD
 CALIFORNIA

INCLUDING 50+ YEAR OLD STRUCTURES



**DOCKET NO. AB-33 (SUB-NO. 249X)
Loyalton Industrial Lead in Plumas and Sierra Counties, California**

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on June 28, 2007 (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 discontinue service on the Loyalton Industrial Lead from Milepost 0 55 to Milepost 11 62, and abandon the Loyalton Industrial Lead from Milepost 11 62 to Milepost 12 34 in Plumas and Sierra Counties, California in Docket No AB-33 (Sub-No 249X) Written notice (a copy of which is attached hereto as Attachment 1) was served on the following

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

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

U S Dept of Agriculture
Chief of the Forest Service
4th Floor, N W Auditors Bldg
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 23606-2575

49 C.F.R. § 1105.11 -

The undersigned certifies that on May 8, 2007 (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 249X) for

abandonment and discontinuance of the Loyalton Industrial Lead in Plumas and Sierra Counties, California on the following

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

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

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

The undersigned further certifies that a "Notice of Intent to Abandon" 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>
Plumas	<i>Feather River Bulletin</i>	July 18, 2007
Sierra	<i>Mountain Messenger</i>	July 19, 2007

Dated this 20th day of July, 2007


Charles W Saylor

Exhibit C
AB-33 (Sub-No. 249X)



Gabriel S Meyer
Assistant General Attorney

May 7, 2007

VIA U.P.S. OVERNIGHT

Surface Transportation Board
Section of Environmental Analysis
395 E Street, SW
Washington, DC 20423

Attention: Victoria Rutson

Re: Proposed Discontinuance of the Loyalton Industrial Lead from Milepost 0.55 near East Portola to Milepost 11.62 near Loyalton and abandonment from Milepost 11.62 to Milepost 12.34 near Loyalton, a total distance of 11.79 miles in Plumas and Sierra Counties, California; STB Docket No. AB-33 (Sub-No. 249X)

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 June 7, 2007

Sincerely,

A handwritten signature in black ink that reads "Gabriel S. Meyer".

Gabriel S Meyer

Enclosures

O:\ABANDONMENTS\33-249X\STB-EHR.doc

cc w/Enclosures

State Clearinghouse (or alternate)*

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

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

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

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

Head of each County

Plumas County Supervisors
520 Main Street, Room 309
County Courthouse
Quincy, CA 95971-9115

Sierra County Supervisors
P O Box D
County Courthouse
Downieville, CA 95936-0398

**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 Corps of Engineers,
Sacramento District
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

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