

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 246X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN WALKER COUNTY, TEXAS
(HUNTSVILLE INDUSTRIAL LEAD)**

**Comments of Union Pacific Railroad Company in Response to the
Surface Transportation Board—Section of Environmental Analysis—
Environmental Assessment, Served December 21, 2007**

**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: January 7, 2008
Filed: January 7, 2008**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 246X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN WALKER COUNTY, TEXAS
(HUNTSVILLE INDUSTRIAL LEAD)**

**Comments of Union Pacific Railroad Company in Response to the
Surface Transportation Board—Section of Environmental Analysis—
Environmental Assessment, Served December 21, 2007**

Union Pacific Railroad Company ("UP") provides these comments in response to the Environmental Assessment ("EA") served by the Surface Transportation Board's Section of Environmental Analysis ("SEA") on December 21, 2008. The SEA served its EA in response to UP's Environmental and Historic Report ("EHR") and related feedback received from various governmental agencies. UP filed its EHR on October 1, 2007, in connection with its proposed abandonment of its Huntsville Industrial Lead (the "Line"), located in Walker County, TX.

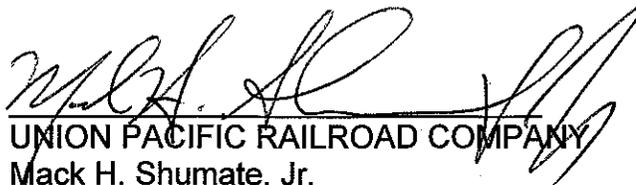
The Texas Parks and Wildlife Department ("TPWD") commented on UP's proposed abandonment of the Line, and requested that the SEA impose a condition upon UP's salvage and removal of the Line to implement certain potential mitigation measures, including a prohibition on all salvage activities

from April 1 through July 15 (recommendation 3), and a ban on activities occurring within 100 meters of any raptor nest during the February 1 to July 15 nesting season (recommendation 5). UP fully intends to comply with all of the mitigation measures which are determined to be necessary by the TPWD after completion of a survey of the Project Area as requested by the TPWD.

Therefore, UP requests that the second condition be modified in part to read as follows, "2. Prior to commencement of any salvage activities, Union Pacific Railroad Company (UP) shall: 1) consult with the Texas Parks and Wildlife Department (TPWD) and comply with those mitigation measures deemed necessary by TPWD after completion of the survey of the Project Area by or on behalf of UP pertaining to salvage activities on this proposed project, and 2)...."

Abandonment-related salvage activities on the Line will be limited to removal of rails, crossties, and possibly the upper layer of ballast in the roadbed. These activities are similar in nature and scope to routine maintenance and track renewal activities that UP performs on lines across its railroad network, including past maintenance activities on the Huntsville Industrial Lead, and UP will confine work activities associated with the Line's salvage to its own right-of-way, which is approximately 150 feet wide. Restrictions of any kind on salvage activities may be unnecessary, should the survey of the Project Area show that no migratory birds are in close proximity to the Line.

UP therefore respectfully requests that the SEA modify its EA as requested above.



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