



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

February 3, 2009

**E-Filing**

Honorable Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423

**Re: Proposed Abandonment of the Sinton Industrial Lead from M. P. 122.82 in Sinton to M. P. 121.30 in San Patricio County, Texas; STB Docket No. AB-33 (Sub-No. 244X)**

Dear Ms. Quinlan:

This is to advise the Board pursuant to 49 CFR 1152.29(e)(2) that as of February 3, 2009, the Union Pacific Railroad Company ("UP"), with regard to the subject Notice of Exemption, has consummated the abandonment and discontinued service for and over the Sinton Industrial Lead from Milepost 122.82 in Sinton to Milepost 121.30, a distance of 1.52 miles, near Sinton Junction, San Patricio County, Texas, pursuant to authority granted in the Surface Transportation Board's ("Board") Decision of February 7, 2008 and served February 15, 2008.

UP directly and through its salvage contractor did comply with the conditions established by the Board upon reopening of this matter by decision dated March 14, 2008 and served March 17, 2008. Prior to salvage activities, UP did consult with the National Geodetic Survey to protect all geodetic station markers and did consult with the Texas Parks and Wildlife Department ("TPWD") and confirmed and implemented the method of salvage activity agreed to by UP to minimize impact on migratory birds and vegetation. See attached confirmatory letter marked as Exhibit "A" from UP to the TPWD dated June 19, 2008 and hereby made a part hereof.

Sincerely yours,

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

cc: Public Utility Commission  
of Texas  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, TX 78711-3326

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June 19, 2008

Mr. Russell Hooten  
Wildlife Habitat Assessment Program  
Wildlife Division, Texas Parks & Wildlife  
Natural Resource Center, Suite 2501  
6300 Ocean Drive, Unit 5846  
Corpus Christi, TX 78412

Dear Mr. Hooten:

This recounts the major points of our May 5 phone conversation regarding UP plans to salvage the Sinton Industrial Lead. This contact was made to fulfill the March 14 Surface Transportation Board condition in Docket No. AB-33 (Sub-No. 244X) that UP consult with your department prior to commencing such activity.

1. Impact on migratory birds. UP will not commence salvage activities prior to July 15, the ending date of the nesting period of chief concern under the Migratory Bird Treaty Act. You asked that if by chance salvage would affect a late nest, the nest be avoided the few days it should take for the fledglings to depart. The contractor will be so instructed.
2. Impact on vegetation. You noted that the plant species of concern, Welder *Machaerathera*, is less likely to occur in the immediate rail right of way in Sinton. I noted that in any case, the disruption to vegetation caused by salvage should be minimal. Removal and transportation of track materials will be accomplished by rubber tire vehicles, so the primary impact will be such vehicles driving through vegetation to the work sites and the placement of temporary stockpiles of materials on vegetation. (After our conversation, I spoke to UP's salvage specialist, who said there will be limited grading to smooth the remaining ballast section on the track footprint after rail and tie removal. Again, this should not affect the vegetation areas on either side of the track footprint.)

It is UP practice to preserve drainage structures and keep culverts in place and to take steps to inhibit erosion of soil into waterways when bridge abutments are removed.

If you have any further comments or questions, please feel free to call me at 402-544-3889.

Sincerely,

A handwritten signature in cursive script that reads "Raymond Allamong".

Raymond Allamong  
Senior Manager Rail Line Planning