

216559



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

May 15, 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: Proposed Discontinuance of the Pearson Industrial Lead from M. P. 133.29 near Alicia to M. P. 129.91 and M. P. 0.00 to M. P. 1.39 near Pearson (Equation M. P. 129.91 = M. P. 0.00), a total distance of 4.77 miles in Yuba County, California; STB Docket No. AB-33 (Sub-No. 238X)

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 5, 2006.

Sincerely,

Mack H. Shumate, Jr.

ENTERED
Office of Proceedings

MAY 16 2006

Part of
Public Record

Enclosures

O:\ABANDONMENTS\33-238\STB-EHR.doc

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 238X)

UNION PACIFIC RAILROAD COMPANY
--PETITION FOR EXEMPTION OF DISCONTINUANCE OF SERVICE --
IN YUBA COUNTY, CALIFORNIA
(PEARSON INDUSTRIAL LEAD)

Combined Environmental and Historic Report

ENTERED
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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 15, 2006
Filed: May 16, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 238X)

UNION PACIFIC RAILROAD COMPANY
-- PETITION FOR EXEMPTION FOR DISCONTINUANCE OF SERVICE--
IN YUBA COUNTY, CALIFORNIA
(PEARSON 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 a discontinuance of service over the Pearson Industrial Lead from milepost 133.29 near Alicia to milepost 129.91 near Pearson and milepost 0.00 to milepost 1.39 also near Pearson (Equation milepost 129.91 = milepost 0.00), for a combined total distance of 4.77 miles in Yuba County, California (the "Line"). The Line traverses U. S. Postal Service Zip Code 95901.

The UP anticipates that a Petition for Exemption for Discontinuance of Service over the Line will be filed at the STB on or after June 5, 2006.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** and a revised letter to the Yuba County Supervisors, marked **Attachment No. 3**, are attached hereto and hereby made a part hereof. Regional responses to UP's letters have been received from the Department of the Army Corp of engineers by letter dated February 15, 2006 and from the Office of Historic preservation for

the state of California by letter dated February 28, 2006. Both written responses are attached hereto as **Attachments 4** and **5**, respectively and are hereby made a part hereof.

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 Line is in poor condition and severely underutilized. These factors have forced UP to take the Line out of service. In addition, there appears to be no prospect of new traffic that would justify rehabilitation of the Line at this time or in the foreseeable future. Discontinuance of operations on the Line would also permit the avoidance of the cost and expenses for a proposed new grade crossing planned for the area as the vicinity continues to change from low density agriculture and light industry to higher density residential use.

In the last two years, there has been only one customer on the Line, KBI Norcal, a lumber receiver. KBI Norcal used the siding of an adjacent industry that was itself inactive, and used the Line in late 2003 and through 2004. In early 2005 KBI Norcal agreed to consolidate its rail activity at its growing facility on another UP line near Marysville, California. Therefore, the only shipper on the Line, KBI Norcal, effective in early 2005, no longer uses the Line. The most recent shipping profile for the Line is as follows

KBI Norcal
4083 Rancho Road
Marysville, CA 95901

2004 activity (rail station Pearson):

STCC 2421170, Green Lumber, 12 cars, 1181 tons.
STCC 2421184, Lumber, 34 cars, 3185 tons.
Total: 46 cars, 4366 tons.

After the discontinuance, the closest rail service will be provided by UP on the remaining portion of the Pearson Industrial Lead at the Alicia rail station, which is near Marysville. The stations subject to discontinuance, Pearson and Reed, lie on local roads within several miles of the intersection of several state highways at Marysville/Yuba City. These include north-south routes 99 and 70, and east-west route 20 (collectively the "Local Roads"). The Marysville-Yuba City area in turn lies about 30 miles via these Local Roads from Interstates 5 and 80.

There appears to be no reasonable alternative to the discontinuance of service. The Line serves the sole function of accessing the industry tracks of KBI Norcal. There is no other industry in the area, and none is anticipated. There is no overhead traffic,

The Line was constructed in 1907 by the Northern Electric Railroad. One mile of the Line consists of 85-pound rail that was apparently laid in 1955; the balance consists of 60-pound rail.

UP does not believe the Line proposed for discontinuance of service 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 3.992 acres of non-reversionary property. Based on information in UP's possession, the Line does not contain 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: 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 Caribou County Commissioners Office has been contacted. To date UP has received no response.

(ii) The United States Natural Resources Conservation Service has been contacted and responded that the proposed discontinuance of service will not have any adverse environmental impact on any prime agricultural land. The Natural Resources Conservation Service's response is attached as **Attachment No. 3**, and is hereby made part hereof.

(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) There are no recyclable commodities handled over the Line.

(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 has been contacted. To date UP has received no response.

(ii) The U.S. Army Corps of Engineers has been contacted. Their response dated February 15, 2006 is attached hereto as Attachment No. 4 and is hereby made a part hereof. In that this exemption is for discontinuance of service only and that the Line will not be abandoned nor salvaged, there is no action which will involve Section 404 of the Clean Water Act which will potentially require a wetland delineation.

(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. This is merely a discontinuance of service over the Line.

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 Line is 149 feet in width and is in a dale. The topography of the land is hilly, rocky with some gently rolling slopes.

(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: There no structures on the property that are 50 years old or older.

(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: Not applicable.

(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. By letter dated February 28, 2006, the Office

of Historic Preservation for the state of California, a copy of which is attached hereto as **Attachment No. 5** and hereby made a part hereof, finds that there are, "No Historic Properties Affected by the proposed discontinuance of service.

(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.

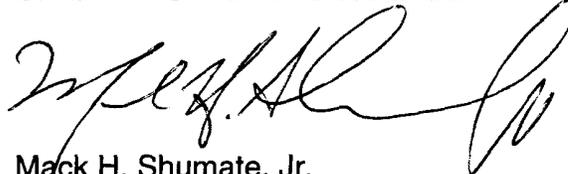
(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or group of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties 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 15th day of May, 2006.

Respectfully submitted,

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

O:\ABANDONMENTS\33-238xEHR.wpd

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. 238X) for the Pearson Industrial Lead in Yuba County, California was served by first class mail on the 15th day of May, 2006 on the following:

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:

Sutter County Supervisors
1160 Civic Center Blvd, Ste. A
County Courthouse
Yuba City, CA 95993-3007

**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

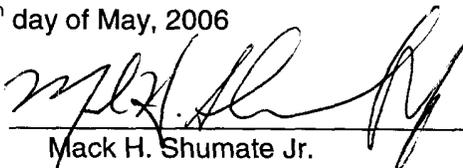
State Historic Preservation Office:

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

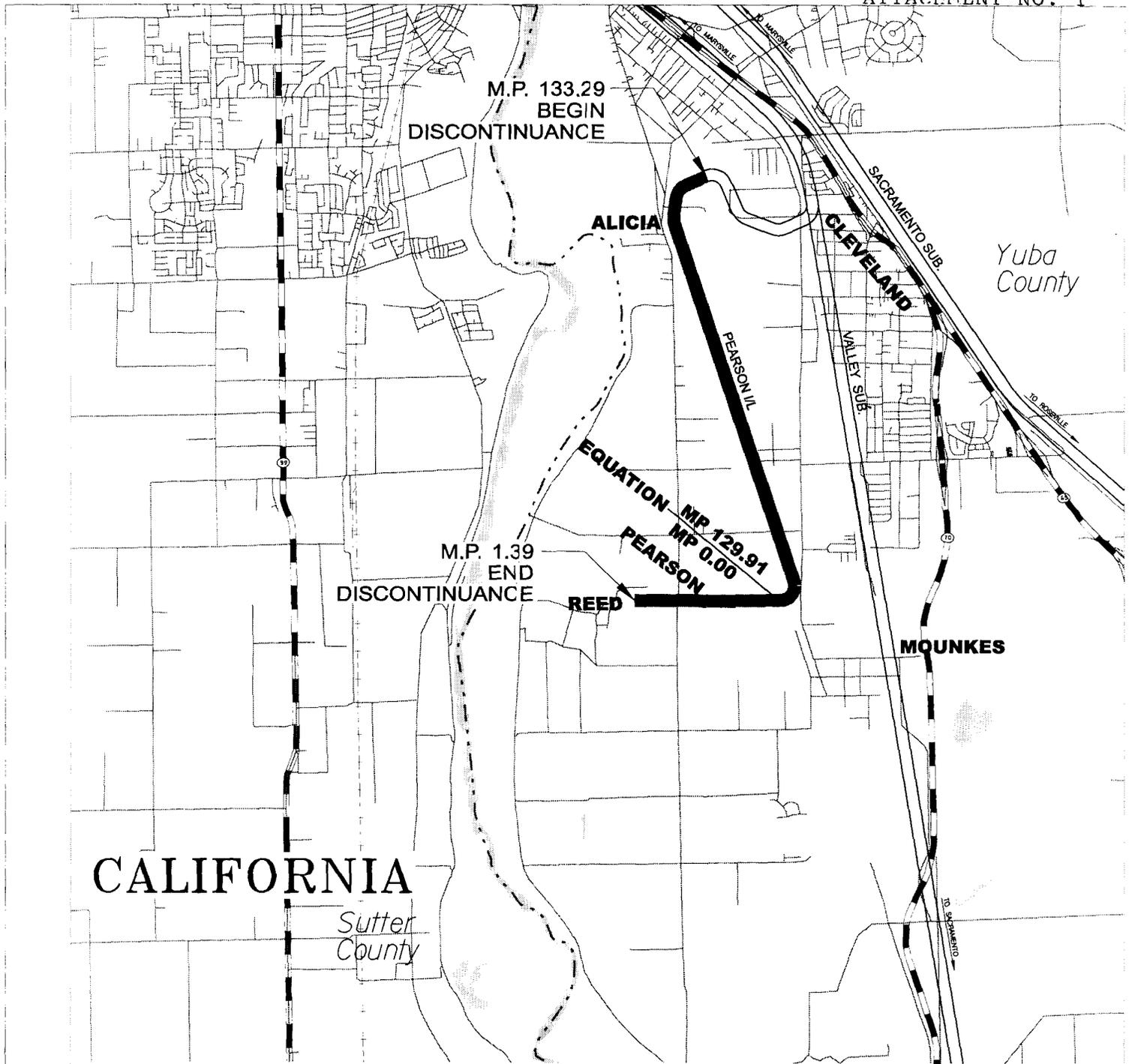
Shipper:

KBI Norcal
4083 Rancho Road
Marysville, CA 95901

Dated this 15th day of May, 2006



Mack H. Shumate Jr.



CALIFORNIA

Sutter County

Yuba County

NOTE: THERE ARE NO 50+ YEAR OLD STRUCTURES

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

PEARSON INDUSTRIAL LEAD

MP 129.91 TO MP 133.29
MP 0.00 TO MP 1.39
4.77 MILES IN YUBA COUNTY

UNION PACIFIC RAILROAD CO.

PEARSON INDUSTRIAL LEAD CALIFORNIA

INCLUDING 50+ YEAR OLD STRUCTURES





(402) 501-0127 (FAX)

February 1, 2006

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:

Sutter County Supervisors
1160 Civic Center Blvd, SteA
County Courthouse
Yuba City, CA 95993-3007

**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

Re: Proposed Discontinuance of the Pearson Industrial Lead from M. P. 133.29 near Alicia to M. P. 129.91 and M. P. 0.00 to M. P. 1.39 near Pearson (Equation M. P. 129.91 = M. P. 0.00), a total distance of 4.77 miles in Sutter County, California; STB Docket No. AB-33 (Sub-No. 238X)

Law Department

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

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to discontinue service on the Pearson Industrial Lead from M. P. 133.29 near Alicia to M. P. 129.91 and M. P. 0.00 to M. P. 1.39 near Pearson (Equation M. P. 129.91 = M. P. 0.00), a total distance of 4.77 miles in Sutter 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.

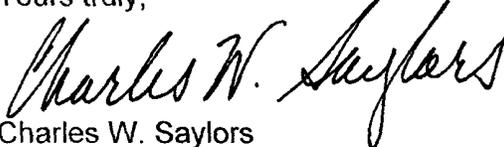
STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

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.

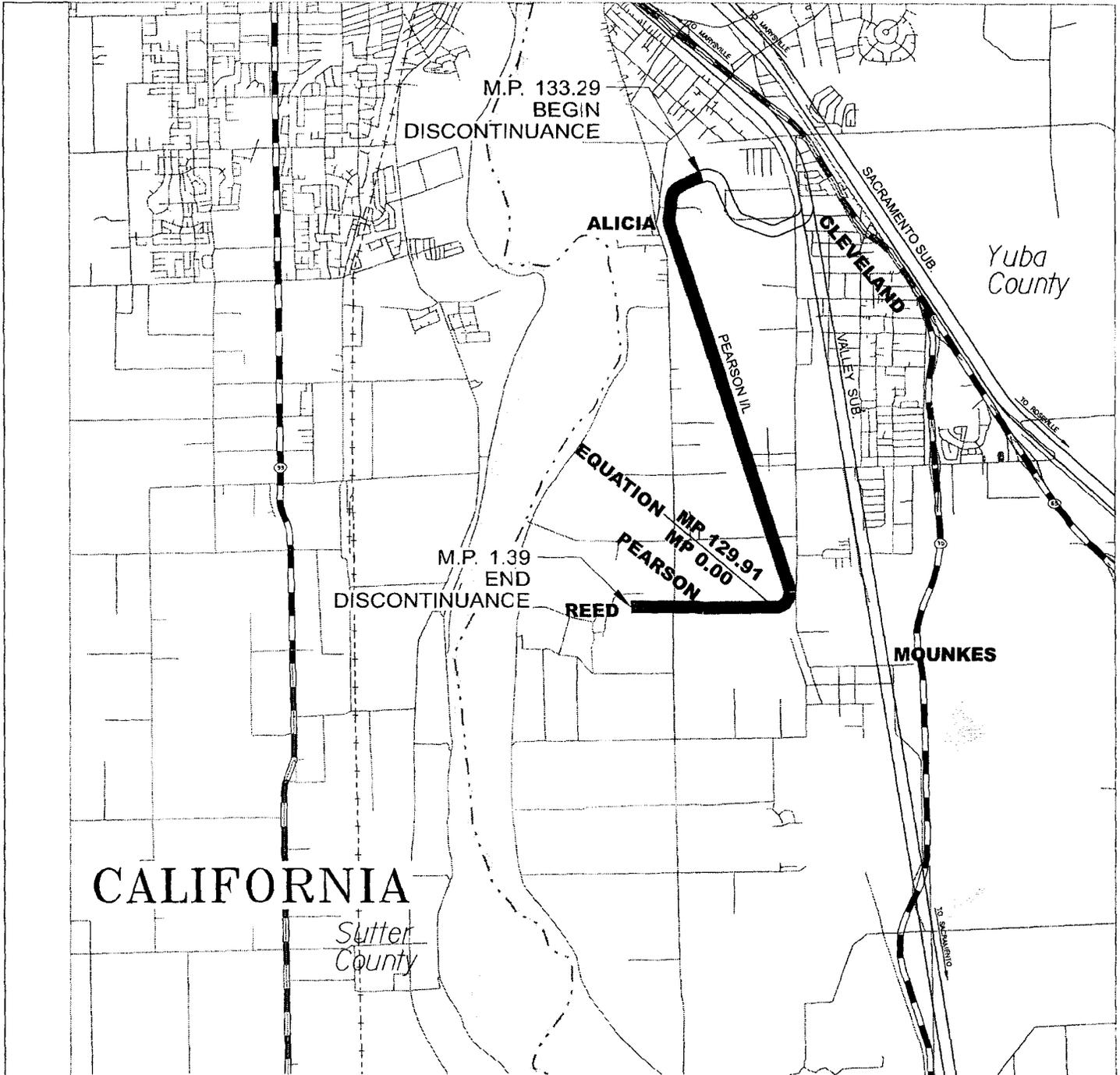
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials 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,

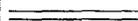
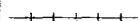

Charles W. Saylor

Attachment



CALIFORNIA
Sutter County

NOTE: THERE ARE NO 50+ YEAR OLD STRUCTURES

- LEGEND**
-  UPRR LINES TO BE DISCONTINUED
 -  OTHER UPRR LINES
 -  OTHER RAILROADS
 -  RAILROADS (abandoned)
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PEARSON INDUSTRIAL LEAD

MP 129.91 TO MP 133.29

MP 0.00 TO MP 1.39

4.77 MILES IN SUTTER COUNTY

UNION PACIFIC RAILROAD CO.

**PEARSON INDUSTRIAL LEAD
CALIFORNIA**

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE  MILES



(402) 501-0127 (FAX)

March 27, 2006

Yuba County Supervisors
915 8th Street, Suite 109
County Courthouse
Marysville, CA 95901-5273

Re: Proposed Discontinuance of the Pearson Industrial Lead from M. P. 133.29 near Alicia to M. P. 129.91 and M. P. 0.00 to M. P. 1.39 near Pearson (Equation M. P. 129.91 = M. P. 0.00), a total distance of 4.77 miles in Yuba County, California; STB Docket No. AB-33 (Sub-No. 238X)

Dear Sirs:

On February 1, 2006, Union Pacific Railroad Company sent the attached letter to prescribed governmental agencies indicating its plans to request authority from the Surface Transportation Board (STB) to discontinue service on the Pearson Industrial Lead from M. P. 133.29 near Alicia to M. P. 129.91 and M. P. 0.00 to M. P. 1.39 near Pearson (Equation M. P. 129.91 = M. P. 0.00), a total distance of 4.77 miles in Yuba County, California. The original letter indicated the proposed abandonment was in Sutter County and the Sutter County officials were notified. We have been notified that the abandonment is in Yuba County. A revised 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.

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Law Department

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

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.

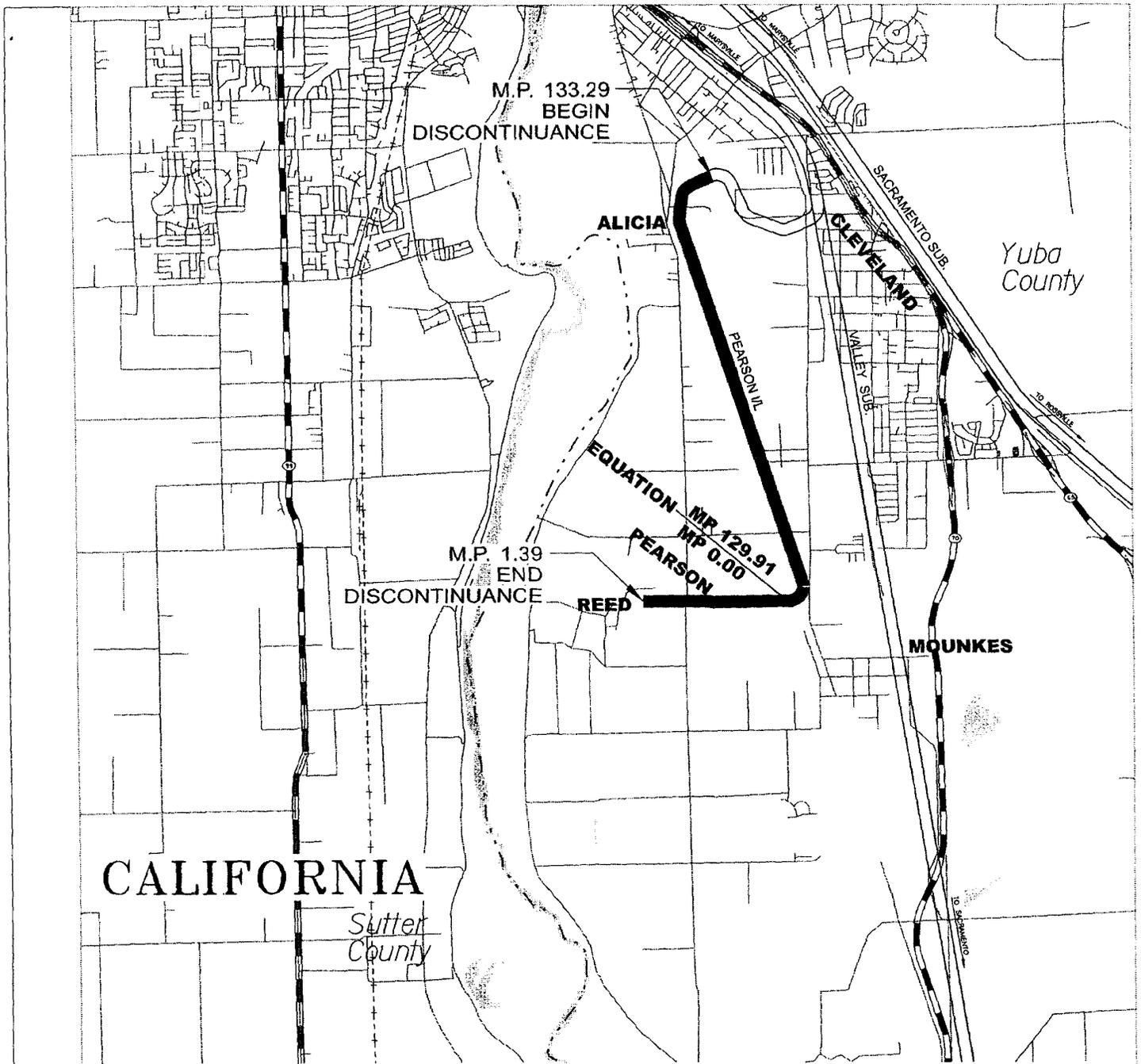
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials 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

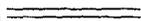
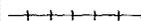
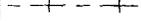
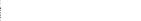


CALIFORNIA

Sutter County

Yuba County

NOTE: THERE ARE NO 50+ YEAR OLD STRUCTURES

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

PEARSON INDUSTRIAL LEAD
 MP 129.91 TO MP 133.29
 MP 0.00 TO MP 1.39
 4.77 MILES IN YUBA COUNTY

UNION PACIFIC RAILROAD CO.
PEARSON INDUSTRIAL LEAD
CALIFORNIA
 INCLUDING 50+ YEAR OLD STRUCTURES



FILE: Q:\abandonments\ab0238_pearson_v8.dgn

DATE: 26-Jan-06 07:28



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

February 15, 2006

Regulatory Branch (200600121)

Chuck Saylor
Union Pacific Railroad
1400 Douglas Street
Mail Stop 1580
Omaha, Nebraska 68179

Dear Mr. Saylor:

We are responding to your February 1, 2006 request for comments on the Pearson Industrial Lead Discontinuance project. This project is located in Sutter County, California.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

To ascertain the extent of waters on the project site, the applicant should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetland Delineations", under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

Please refer to identification number 200600121 in any correspondence concerning this project. If you have any questions, please contact Miss Cori Nagasawa at our Sacramento Valley Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, email *Cori.M.Nagasawa@usace.army.mil*, or telephone 916-557-6605. You may also use our website: *www.spk.usace.army.mil/regulatory.html*.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Cavanaugh', written in a cursive style.

Thomas J. Cavanaugh
Chief, Sacramento Valley Office

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

28 February 2006

Reply To: STB051227A

Chuck Saylor
Union Pacific Railroad Company
1400 Douglas St., Stop 1580
Omaha, NE 68179-1580

Re: Union Pacific Railroad Company Proposed Discontinuance of the Pearson Industrial Lead from M.P. 133.29 near Alicia to M.P. 129.91 and M.P. 0.00 to M.P. 1.39 near Pearson (Equation M.P. 129.91=M.P. 0.00), a total distance of 4.77 miles, Sutter County, CA

Dear Mr. Saylor:

Thank you for initiating consultation regarding the above referenced undertaking. You are requesting, on behalf of the Surface Transportation Board (STB), my assistance in assessing any potential effects of the abandonment action in accordance with 36 CFR 800, regulations and implementing Section 106 of the National Historic Preservation Act. More specifically you are requesting a finding of "No Historic Properties Affected" for the undertaking.

As I presently understand it, the undertaking consists of abandonment of common carrier obligations for a portion of Pearson Industrial line (Industrial line) in Sutter County, California. There are no historic properties within the Area of Potential Effect.

Because there are no historic properties present in the APE, I am able to concur with the "No Historic Properties Affected" for the undertaking.

Thank your for considering historic properties in your planning process. If you have any questions, please contact Amanda Blosser of my staff at (916) 653-6624 or e-mail at ablosser@parks.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Milford Wayne Donaldson" followed by a small flourish.

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

MWD:ab