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BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No AB-33 (Sub-No 247X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MALHEUR COUNTY, OREGON
(HOMEDALE INDUSTRIAL LEAD)

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Office of Proceedings

AUG 27 2007

Part of
Public Record

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY
Gabriel S Meyer
Assistant General Attorney
1400 Douglas Street
STOP 1580
Omaha, NE 68179
(402) 544-1658
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Dated August 23, 2007
Filed August 24, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No AB-33 (Sub-No 247X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MALHEUR COUNTY, OREGON
(HOMEDALE 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 Homedale Industrial Lead from milepost 2.0 near Nyssa to milepost 11.4 near Adrian, a distance of 9.4 miles in Malheur County, Oregon (the "Line"). The Line traverses U.S. Postal Service Zip Code 97901.

UP anticipates that a Notice of Exemption to abandon the Line will be filed at the STB on or after September 21, 2007.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made a part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and hereby made a part hereof. As of the date of this filing, UP has not received any responses from these agencies.

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 exempt abandonment and discontinuance of service over the Homedale Industrial Lead from milepost 2.0 near Nyssa to milepost 11.4 near Adrian, a distance of 9.4 miles in Malheur County, Oregon.

The abandonment of the Line will have no adverse effect on shippers. The Line has an outmoded track structure that is in poor condition. A significant bridge on the Line, a 432 foot trestle crossing the Owyhee River, is also in declining condition. Shipping activity has been relocated off the Line. There is no new industry location foreseen that could produce rail traffic sufficient to justify rehabilitation of the Line and cover ongoing operational expense. There is no overhead traffic. After abandonment, the closest rail service would be UP at Nyssa, just north of the abandonment limits. The Line is paralleled by Oregon State Highway 201, a north-south route which connects to Interstate 84 at Ontario, approximately 15 miles north of the Nyssa end of the proposed abandonment limits.

The Line was constructed in the years 1911 through 1913 by the Oregon Short Line Railroad. The Line is comprised of the original 75-pound jointed rail.

The majority of the right-of-way proposed for abandonment was acquired by warranty deed so UP holds fee title to most of the Line. Two segments of the Line were obtained by a decree of condemnation and would be considered reversionary upon abandonment.

UP does not believe the property is suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, in that the area is adequately served by existing roads and utility lines. Two portions of the Line near Nyssa are adjacent to the Snake River. The Line crosses the Owyhee River and there are numerous intermittent streams and sloughs located near the right-of-way. There is already an electric power transmission line in the area. The right-of-way could be used for a recreation trail, although it is located in a sparsely populated area. Based upon 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 affects 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 Malheur County Commissioners Office has been contacted To date UP has received no response

(ii) The United States Natural Resources Conservation Service has 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 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 subsection (5)(i)(A) will apply.

Response: There are no such effects anticipated.

(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.

(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 Oregon Department of Environmental Quality has been contacted To date UP has received no response

(ii) The U S Army Corps of Engineers has been contacted To date UP has received no response.

(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 majority of the right-of-way is 100 feet wide, with the exception of two segments at the retired stations of Dunaway and Kingman that are irregular in shape and vary between 150 and 200 feet. The right-of-way at the Adrian Station is 200 feet wide. The entire length of the Line is in a rural area, most of which is irrigated crop land. The topography of the surrounding land is very 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: The Oregon State Historic Preservation Officer has been provided with photographs of each of the structures on the property that are 50 years old or older. A copy of the letter to the State Historical Society and photographs are attached as **Attachment No. 3**, and are hereby made part hereof. To date UP has received no response.

(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: See Attachment No. 1.

(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 23rd day of August, 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)

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 247X) for the Homedale Industrial Lead in Malheur County, Oregon was served by first class mail on the 23rd day of August, 2007 on the following

State Clearinghouse (or alternate):

Department of Transportation
Rail Division
355 Capitol St NE
Salem, OR 97301-3871

State Environmental Protection Agency:

Department of Environmental Quality
811 6th Avenue, SW
Portland, OR 97204-1390

State Coastal Zone Management Agency
(if applicable):

Not applicable

Head of County (Planning):

Malheur County Commissioners
251 B Street, W
County Courthouse
Vale, OR 97918-1375

Environmental Protection Agency
(regional office):

U S Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, WA 98101

U S. Fish and Wildlife:

U S Fish & Wildlife Service
Pacific Region 1
500 Gold Avenue SW - Room 4000
Albuquerque, NM 87102

U.S. Army Corps of Engineers:

U S Army Engineer District, Portland
P O Box 2946
Portland, OR 97208-2946

National Park Service:

National Park Service
William D Shaddox
Chief, Land Resources Division
800 North Capitol Street, NE , Room 540
Washington, D C 20002

U.S. Natural Resources Conservation Service:

Natural Resource Conservation Service
3867 Wolverine Street NE Suite F-16
Salem, OR 97305

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

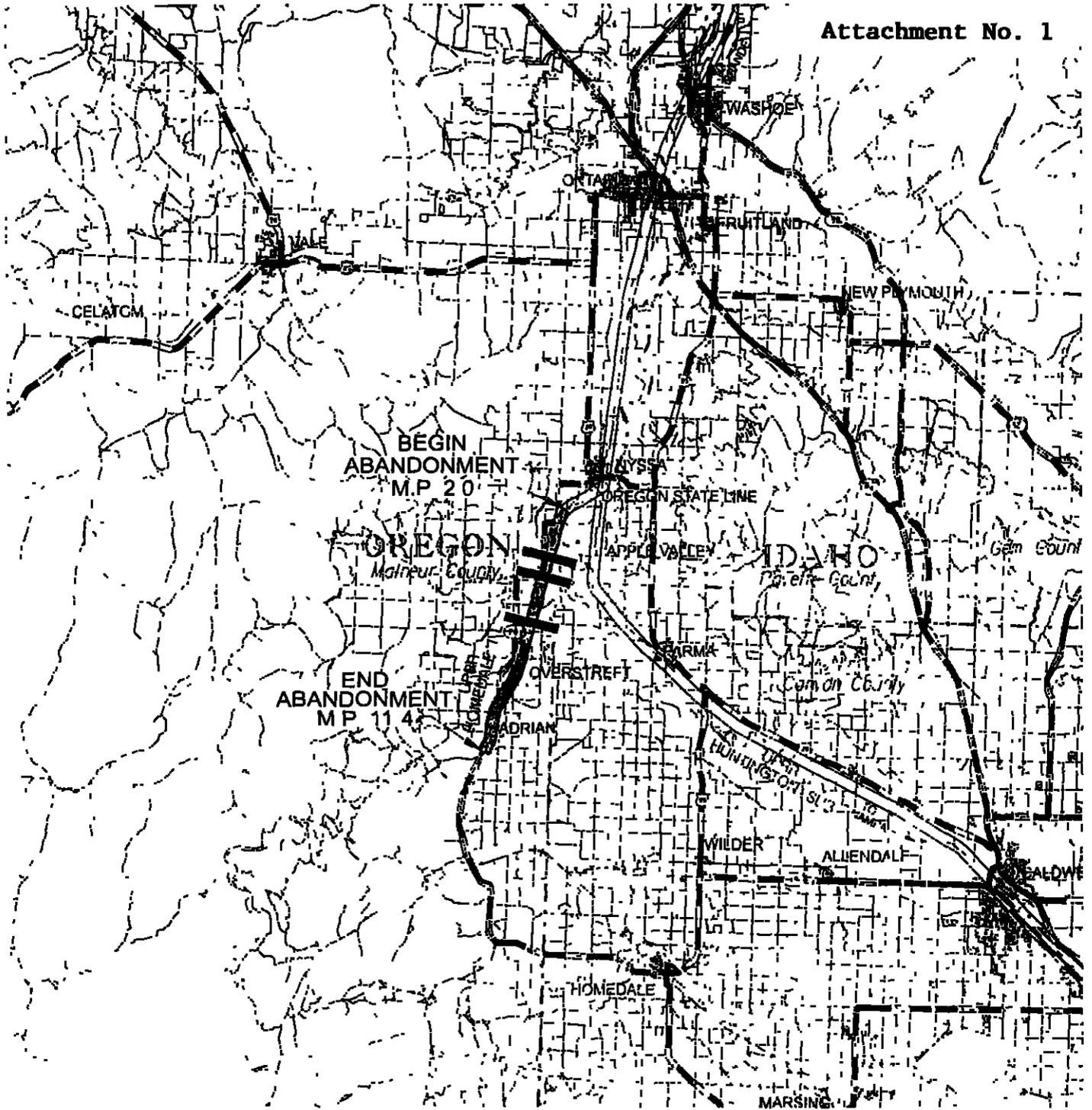
State Historic Preservation Office:

State Historic Preservation Officer
Parks and Recreation Department
725 Summer Street NE, Ste C
Salem, OR 97301

Dated this 23rd day of August, 2007



Gabriel S Meyer



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
381	3 SPAN RAIL TIMBER PILE TRUSSEL OPEN CH. (1920)	45'	1923
455	5 SPAN RAIL TIMBER PILE TRUSSEL OPEN CH. (1920)	50'	1923
425	3 SPAN RAIL TIMBER PILE TRUSSEL OPEN CH. (1920)	40'	1925

LEGEND

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

HOMEDALE INDUSTRIAL LEAD

MP 20 TO MP 11.4
TOTAL OF 9.4 MILES
IN MALHEUR COUNTY

UNION PACIFIC RAILROAD CO
HOMEDALE INDUSTRIAL LEAD
OREGON

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES



(402) 501-0127 (FAX)

September 29, 2006

State Clearinghouse (or alternate):

Department of Transportation
Rail Division
355 Capitol St NE
Salem, OR 97301-3871

State Environmental Protection Agency:

Department of Environmental Quality
811 6th Avenue SW
Portland, OR 97204-1390

State Coastal Zone Management Agency

(if applicable):

Not applicable

Head of County (Planning):

Malheur County Commissioners
251 B Street, W
County Courthouse
Vale, OR 97918-1375

Environmental Protection Agency

(regional office):

U S Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, WA 98101

U.S. Fish and Wildlife:

U S Fish & Wildlife Service
Pacific Region 1
500 Gold Avenue SW - Room 4000
Albuquerque, NM 87102

U.S. Army Corps of Engineers:

U S Army Engineer District, Portland
P O Box 2946
Portland, OR 97208-2946

National Park Service:

National Park Service
William D Shaddox
Chief, Land Resources Division
800 North Capitol Street NE, Room 540
Washington, D C 20002

U.S. Natural Resources Conservation Service:

Natural Resource Conservation Service
3867 Wolverine Street NE Suite F-16
Salem, OR 97305

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:

State Historic Preservation Officer
Parks and Recreation Department
725 Summer Street NE Ste C
Salem, OR 97301

Re Proposed Abandonment of the Homedale Industrial Lead from M P 2 0 to M P 11 4 near Adrian in Malheur County, Oregon, STB Docket No AB-33 (Sub-No 247X)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Homedale Industrial Lead from M P 2 0 near Nyssa to M P 11.4 near Adrian, a distance of 9 4 miles in Malheur County, Oregon. A map of the proposed track abandonment shown in black is attached.

Law Department

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

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.

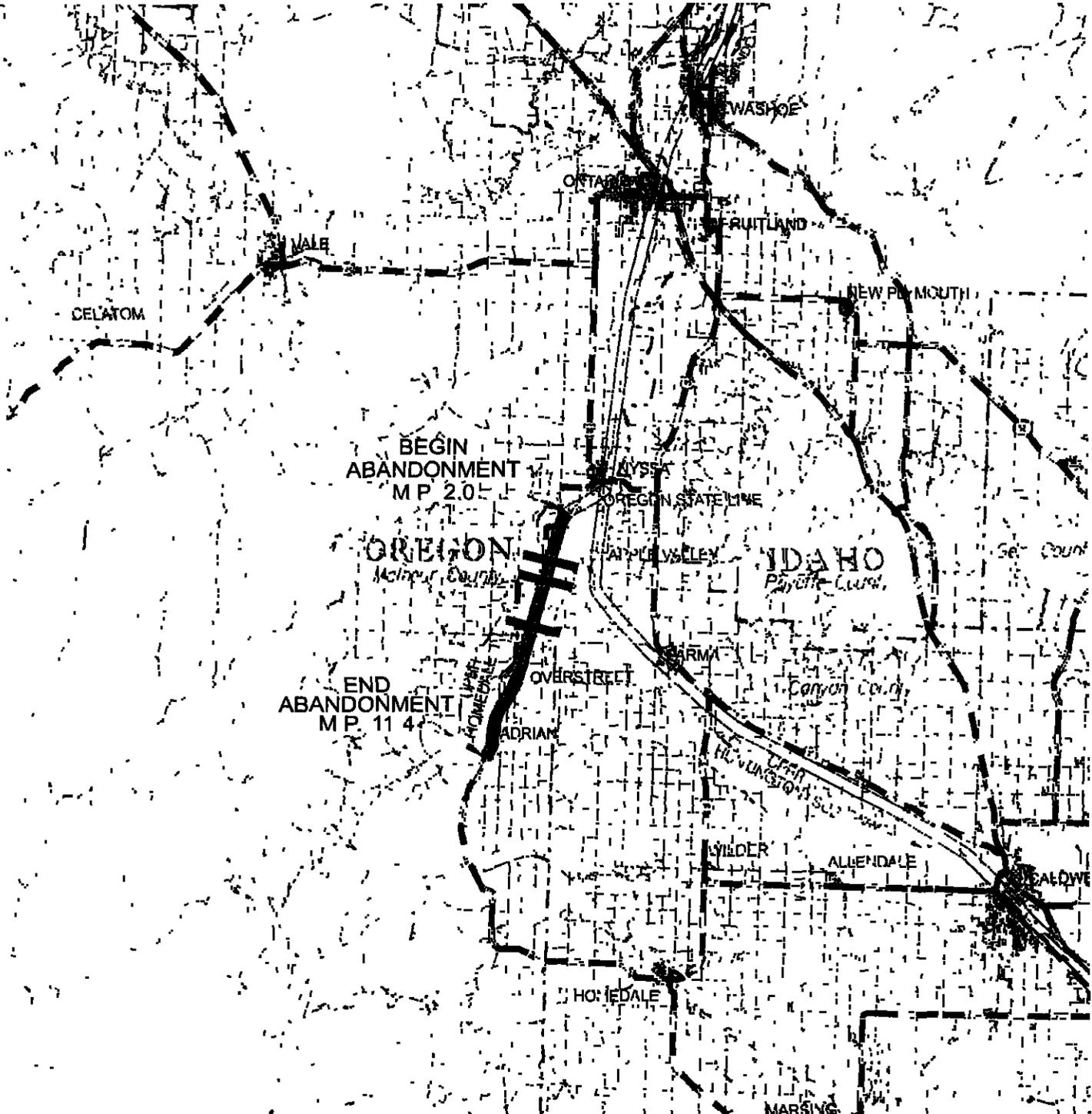
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY) (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials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



SCALE	DATE	TOTAL LENGTH	DATE
1" = 1 MILE	1923	45	1923
1" = 1 MILE	1925	50	1925
1" = 1 MILE	1927	61	1927

LEGEND

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

HOMEDALE INDUSTRIAL LEAD

1 MILE
1/2 MILE
1/4 MILE

UNION PACIFIC RAILROAD CO
HOMEDALE INDUSTRIAL LEAD
OREGON
INCLUDING 50+ YEAR OLD STRUCTURES

SCALE  MILES



September 29, 2006

State Historic Preservation Officer
 Parks and Recreation Department
 725 Summer Street NE, Ste C
 Salem, OR 97301

Re Proposed Abandonment of the Homedale Industrial Lead from M P 2 0 to M P 11 4 near
 Adrian in Malheur County, Oregon. STB Docket No AB-33 (Sub-No 247X)

Dear Sir

Enclosed for your review are twelve photographs of the bridges located on the
 Homedale 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>Description</u>	<u>Length</u>	<u>Year Constructed</u>
3 81	3 Span Rail Timber Pile Trestle Open Deck (TPTOD)	45'	1923
4.55	5 Span Rail Timber Pile Trestle Open Deck (TPTOD)	80'	1923
6 29	31 Span Rail Timber Pile Trestle Open Deck (TPTOD)	461'	1926

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

Sincerely,

Charles W. Saylor
 Charles W Saylor
 (402) 544-4861

Attachments

Law Department

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



MP 3.81



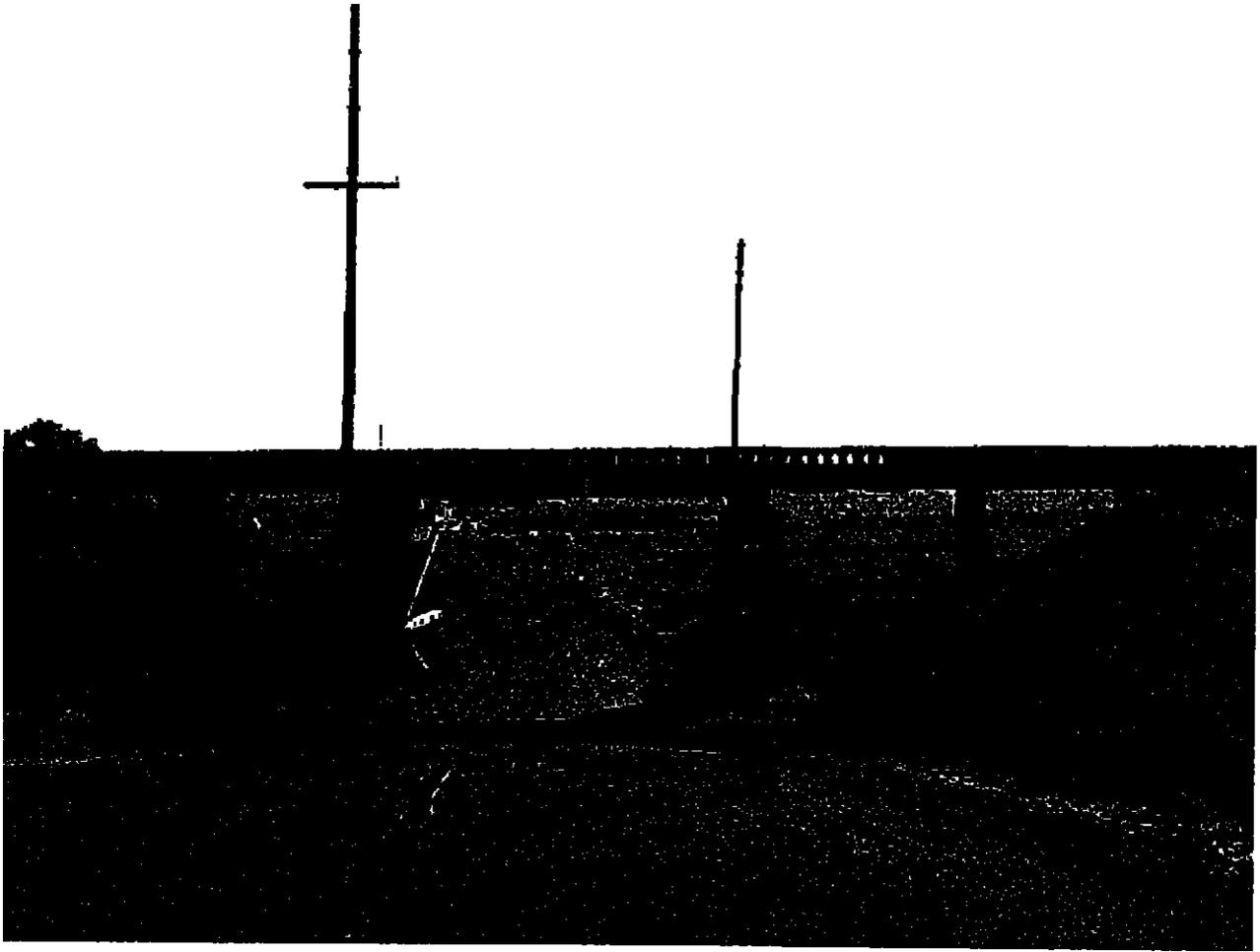
MP 3.81



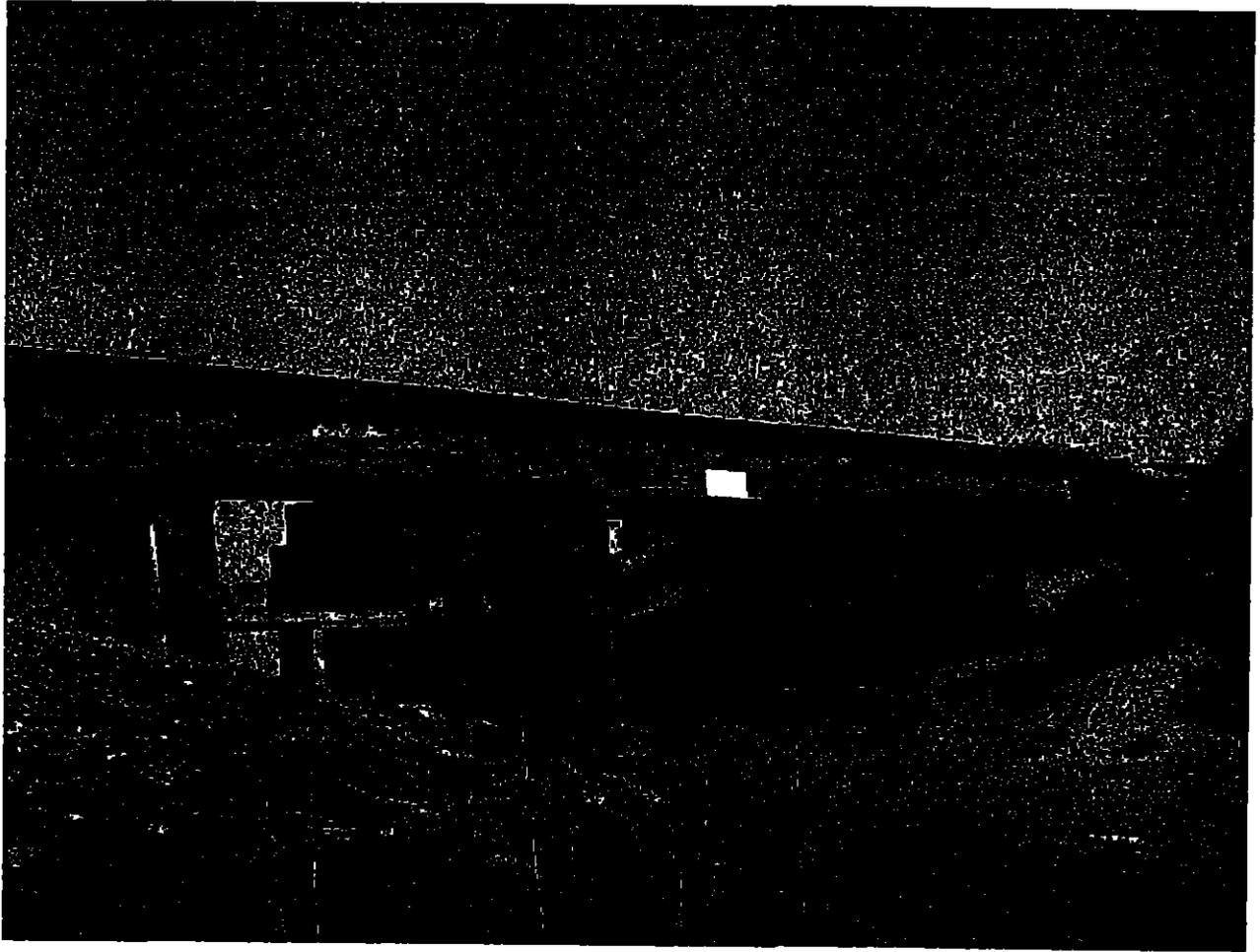
MP 3.81



MP 4.55



MP 4.55



MP 4.55



MP 6.29



MP 6.29



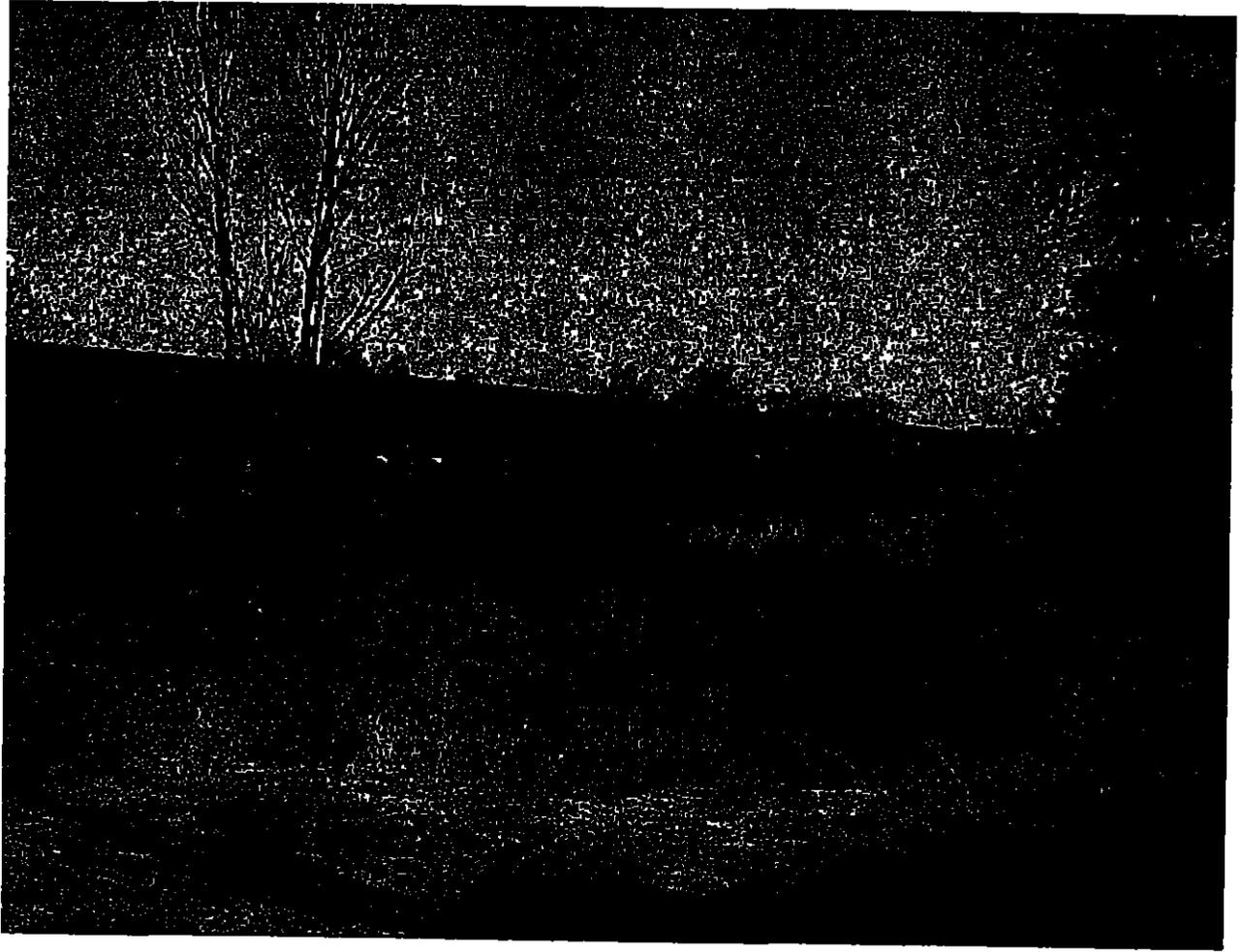
MP 6.29



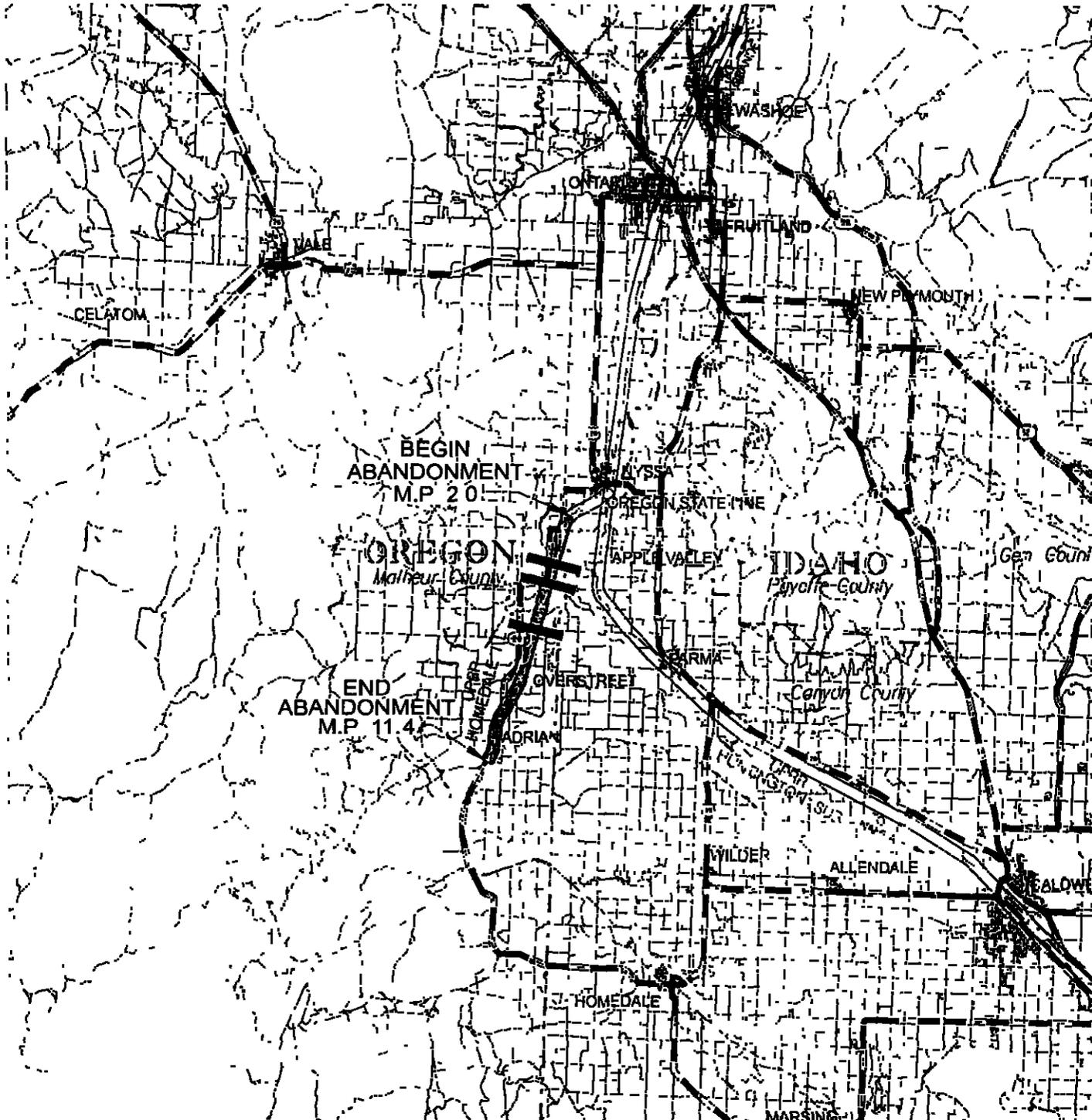
MP 6.29



MP 6.29



MP 6.29



BRIDGE NO	BRIDGE TYPE	TOTAL LENGTH	DATE
381	3 SPAN RAIL TIMBER PILE TRUSS OPEN DECK (1900)	45	1923
495	5 SPAN RAIL TIMBER PILE TRUSS OPEN DECK (1900)	80	1923
625	31 SPAN RAIL TIMBER PILE TRUSS OPEN DECK (1914)	48	1923

LEGEND

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

HOMEDALE INDUSTRIAL LEAD

WE 20 19 W 11.4
 TOTAL OF 5.1 MILES
 IN MALHEUR COUNTY

**UNION PACIFIC RAILROAD CO
 HOMEDALE INDUSTRIAL LEAD
 OREGON**

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE  MILES