

228618

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920
Chicago, Illinois 60606-1718

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

P 312 777 2055
F 312 777 2085

January 11, 2011

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Office of Proceedings

JAN 11 2011

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Public Record

VIA E-FILE

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S.W., Room #100
Washington, DC 20423-0001

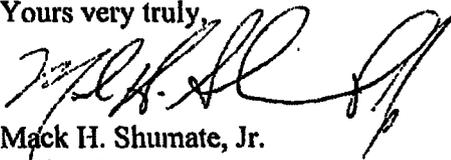
Re: Proposed Abandonment of the Lexington Industrial Lead from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a total distance of 2.31 miles in Lafayette Country, Missouri; STB Docket No. AB-33 (Sub-No. 297X)

Dear Ms. Brown:

Attached for filing in the above-referenced docket is the 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 Petition for Exemption to Abandon the Line in this matter on or after January 31, 2011.

Yours very truly,



Mack H. Shumate, Jr.
Senior General Attorney

2011_01_11 STB-EHR Cover Ltr.doc



UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920
Chicago, Illinois 60606-1718

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

P 312 777 2055
F 312 777 2065

January 11, 2011

VIA E-FILE

TO: SEE ATTACHED SERVICE LIST

Re: Proposed Abandonment of the Lexington Industrial Lead from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a total distance of 2.31 miles in Lafayette County, Missouri; STB Docket No. AB-33 (Sub-No. 297X)

To whom it may concern:

On or after January 31, 2011, Union Pacific Railroad Company ("UP") expects to be filing with the Surface Transportation Board ("STB" or "Board") a Notice of Exemption seeking authority to abandon the Line from Milepost 246.49 near Myrick to Milepost 243.58, near Lexington, a distance of 2.91 miles, located in Lafayette County, Missouri (collectively the "Line"). Attached is a Combined Environmental and Historic Report which describes the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Union Pacific is providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA) at the following address, and refer to the above-referenced Docket Number:

Surface Transportation Board
Section of Environmental Analysis (SEA)
395 East Street, S.W., Room #100
Washington, DC 20423-0001
Telephone No.: (202) 927-6211

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within three (3) weeks.

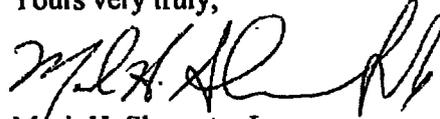
Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. UP's representative in this matter is



January 11, 2011
Page 2

Mack H. Shumate, Jr., who may be contacted by telephone at (312) 777-2055 or by mail at 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Mack H. Shumate, Jr.', written in a cursive style.

Mack H. Shumate, Jr.
Senior General Attorney

SERVICE LIST

State Clearinghouse (or alternate):

Office of Administration
Division of General Services
P.O. Box 809
Truman Building, Room 760
Jefferson City, MO 68102

State Environmental Protection Agency:

Missouri NRCS State Office
Parkade Center, Suite 250
601 Business Loop 70 West
Columbia, MO 65203-2564

Head of each County:

Lafayette County Supervisors
107 South 11th Street
Lexington, MO 64067

Environmental Protection Agency

(Regional Office):

U.S. Environmental Protection Agency
Region 7
901 N. 5th Street
Kansas City, KS 66101

State Historic Preservation Office:

Deputy State Historic Preservation Officer
Historic Preservation Program
P.O. Box 176
Jefferson City, MO 65102

U.S. Fish and Wildlife:

One Federal Drive
BHW Federal Building
Room 630
Fort Snelling, MN 55111

U.S. Army Corps of Engineers:

U. S. Army Corps of Engineers,
St Louis District
1222 Spruce Street
St. Louis, MO 63103-2833

January 11, 2011

Page 4

National Park Service:

National Park Service
Pacific West Region
601 Riverfront Drive
Omaha, NE 68102

U.S. Natural Resources Conservation Service:

State Conservationist
Natural Resource Conservation Service
Central Regional Office
1907 Hillcrest Drive
Columbia, MO 65201

National Geodetic Survey:

National Geodetic Survey
Geodetic System Division
Information Services
NOAA/NGS12
1315 E-W Highway
Silver Spring, MD 20910-3282

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 297X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LAFAYETTE COUNTY, MO
(LEXINGTON INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

**Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, #1920
Chicago, Illinois 60606
312/777-2055 (Tel.)
312/777-2065 (FAX)**

**Dated: January 11, 2011
Filed: January 11, 2011**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 297X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LAFAYETTE COUNTY, MO
(LEXINGTON INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report ("EHR") pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of the Lexington Industrial Lead, from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a total distance of 2.91 miles in Lafayette County, Missouri (the "Line"). The Line traverses U.S. Postal Service Zip Code 64067. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after January 31, 2011 pursuant to 49 C.F.R. § 1152.50 (no local traffic for at least two (2) years).

A map of the Line (**Attachment No. 1**), and UP's letter to federal, state and local government agencies (**Attachment No. 2**) are attached to this EHR. Responses received to UP's letters to date are attached sequentially number as indicated below.

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 an exempt abandonment of UP's Lexington Industrial Lead. The Line proposed for abandonment extends from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, in Lafayette County, Missouri, a total distance of 2.91 miles. A map of the Line is attached as **Attachment No. 1**.

The Line was originally constructed in 1873 by the Wyandotte, Kansas City and Northwestern Railroad. The Line was originally constructed as narrow gauge, but widened to standard gauge in 1883. It is currently constructed with 75 pound jointed rail put down in 1911.

The right-of-way proposed for abandonment is mainly reversionary property. It is not suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission as this area is adequately served by existing roads and utility lines at the present time. The real property which makes up the right-of-way may be well suited for conservation uses.

Based upon information in UP's possession, the Line does not contain any federally-granted right-of-way. Any documentation in UP's possession with regard to the Line will be made available to those requesting it.

After the proposed abandonment, the Lexington area will continue to receive freight rail service from UP's River Subdivision. Barge service is available on the

Missouri River. Lexington is served by U.S. 24 and Missouri Highway 13. Missouri Highway 13 provides access to Interstate 70 approximately 20 miles south of Lexington.

No local traffic has moved over the Line during the past two years, and there is no overhead traffic on the Line. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant during the two year period.

(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: Given that the subject Line has not been used for freight traffic for at least two (2) years, there will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes.

(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 49 C.F.R. § 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) UP is unaware of any adverse effects on local and existing land use plans. The Lafayette County Board of Supervisors' Office has been contacted. To date, UP has received no response. However, the UP did receive a response from the Missouri Federal Assistance Clearinghouse (the "Clearinghouse") which indicated that none of the agencies involved in the review had comments or recommendations to offer at this time and that the Clearinghouse's review was now concluded. The Clearinghouse's response is attached as **Attachment No. 3.**
- (ii) The Natural Resources Conservation Service ("NRCS") has been contacted. Upon review, the NRCS found no negative effect of the proposed action on any prime agricultural land. The NRCS response is attached as **Attachment No. 4.**
- (iii) Not Applicable.
- (iv) The right-of-way proposed for abandonment is not suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission.

(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 are no effects on the transportation of energy resources in view of the absence of rail shipments on the Line.
 - (ii) There are no recyclable commodities moved over the Line.
 - (iii) There will be no change in energy consumption from the proposed action.
 - (iv)(A)(B) UP does not anticipate that there will be any 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: UP does not anticipate any such effects.

(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 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 materials 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 had not received a response.
- (ii) The National Park Service has been contacted. To date, UP has not received a response.

(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) There are no anticipated adverse effects on water quality. The U.S. Environmental Protection Agency Regional Office ("USEPA") and Missouri NRCS State Office have been contacted. To date, UP has not received a response from the USEPA but did receive the

response of no negative effect on prime agricultural land (see **Attachment No. 4**).

- (ii) The U.S. Army Corps of Engineers has been contacted. To date, UP has not received a response.
- (iii) UP does not anticipate that 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 topography is generally level and adjacent to undeveloped property.

Portions of the Line are adjacent to residential and industrial properties. The Line runs and passes along the south side of Lexington, Missouri. The width of the right-of-way varies along this portion of the Line.

(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 Missouri Historic Preservation Agency has been provided with photographs of each of the structures on the Line that are 50 years old or older. A copy of the letter to the Deputy State Historic Preservation Officer and photographs are attached as Attachment No. 5. The Missouri State Historic Preservation Officer responded on December 13, 2010 stating that no historic properties would be affected. Their response is attached as Attachment No. 6.

(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 UP's response to question (1) in the Environmental Report for a brief history and description. There have been no rail operations over the Line for at least two (2) years. No changes in carrier operations are contemplated.

(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: UP does not have any relevant documentation.

(7) An opinion (based on readily available information in the UP'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 is of the opinion that there is nothing in the scope of the proposed abandonment or discontinuance of service 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 and maintenance 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.

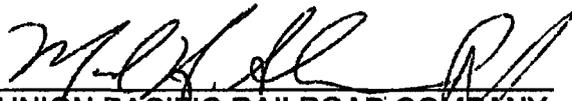
(9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified non-railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties 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 11th day of January, 2011.

Respectfully submitted,


UNION PACIFIC RAILROAD COMPANY
Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, #1920
Chicago, Illinois 60606
312/777-2055 (Tel.)
312/777-2065 (FAX)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 297X), the Lexington Industrial Lead in Lafayette County, Missouri, was served by First Class U.S. Mail, postage prepaid, on the 11th day of January, 2011, on the following parties:

State Clearinghouse (or alternate):

Office of Administration
Division of General Services
P.O. Box 809
Truman Building, Room 760
Jefferson City, MO 68102

State Environmental Protection

Agency:

Missouri NRCS State Office
Parkade Center, Suite 250
601 Business Loop 70 West
Columbia, MO 65203-2564

Head of each County:

Lafayette County Supervisors
107 South 11th Street
Lexington, MO 64067

Environmental Protection Agency

(Regional Office):

U.S. Environmental Protection Agency
Region 7
901 N. 5th Street
Kansas City, KS 66101

State Historic Preservation Office:

Deputy State Historic Preservation Officer
Historic Preservation Program
P.O. Box 176
Jefferson City, MO 65102

U.S. Fish and Wildlife:

One Federal Drive
BHW Federal Building
Room 630
Fort Snelling, MN 55111

U.S. Army Corps of Engineers:

U. S. Army Corps of Engineers,
St Louis District
1222 Spruce Street
St. Louis, MO 63103-2833

National Park Service:

National Park Service
Pacific West Region
601 Riverfront Drive
Omaha, NE 68102

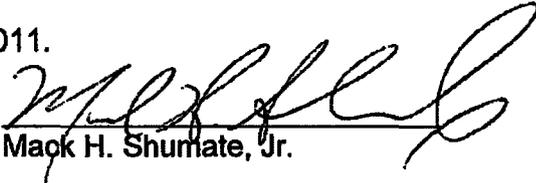
U.S. Natural Resources Conservation Service:

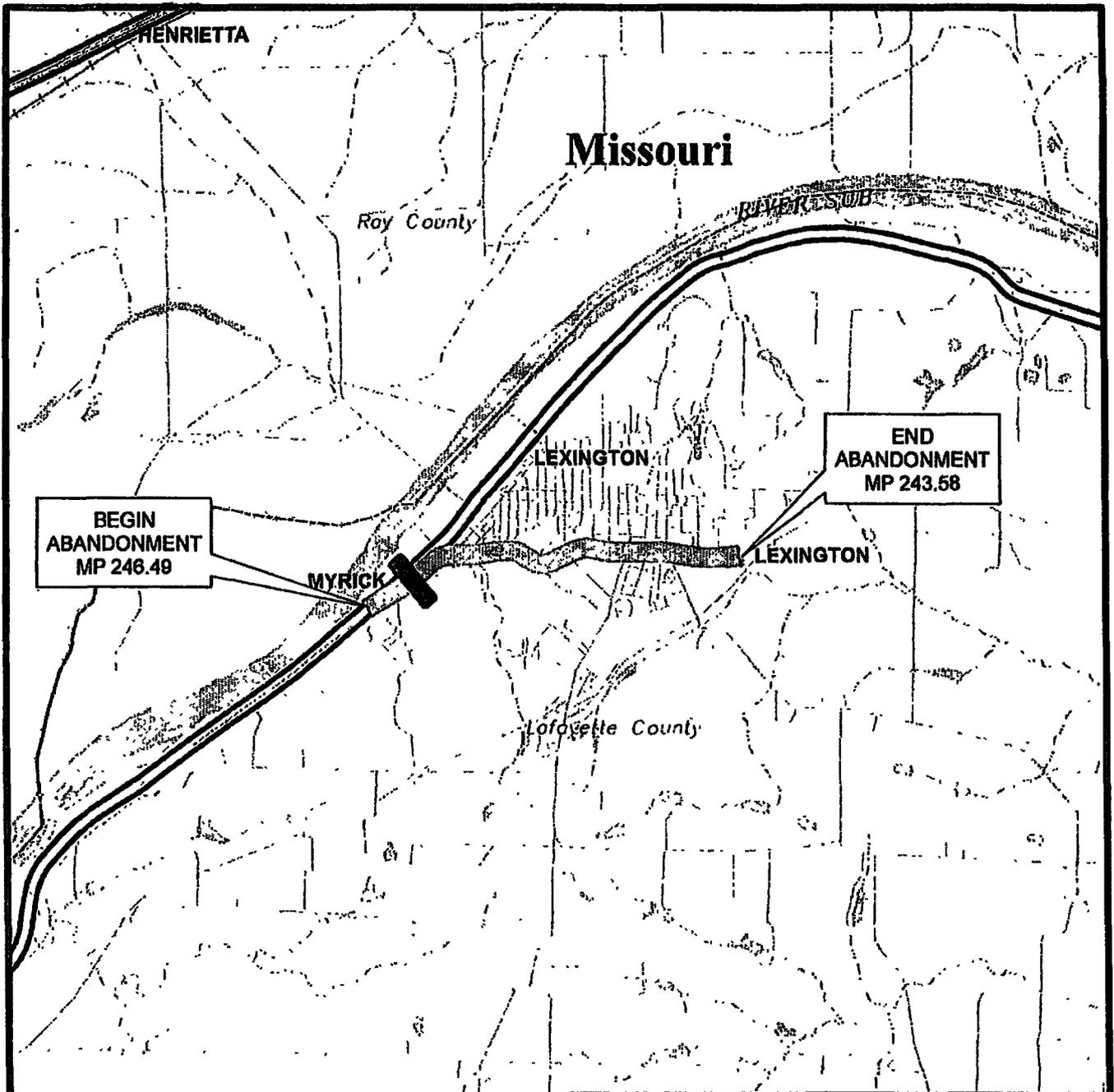
State Conservationist
Natural Resource Conservation Service
Central Regional Office
1907 Hillcrest Drive
Columbia, MO 65201

National Geodetic Survey:

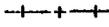
National Geodetic Survey
Geodetic System Division
Information Services
NOAA/NGS12
1315 E-W Highway
Silver Spring, MD 20910-3282

Dated this 11th day of January, 2011.


Mack H. Shumate, Jr.



Legend

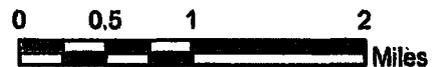
-  UPRR TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS
-  STRUCTURES

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
246.1	L-SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	12	1939

LEXINGTON INDUSTRIAL LEAD

MP 243.58 TO MP 246.49
2.91 MILES IN LAFAYETTE COUNTY
IN MISSOURI

**UNION PACIFIC RAILROAD CO.
LEXINGTON INDUSTRIAL LEAD
MISSOURI**





November 9, 2010

Lafayette City Hall
1001 Main
Lexington, MO 64067

Division of Motor Carrier and Railroad Safety
Director
P.O. Box 1216
Jefferson City, MO 65102

U.S. Environmental Protection Agency
Region 7
726 Minnesota Avenue
Kansas City, KS 66101

Lafayette City Extension Center
14 E. 19th St. Ste. 102
Higginsville, MO 64937

Lafayette County Supervisors
107 South 11th Street
Lexington, MO 64067

Highway and Transportation Department
Chief Engineer
P.O. Box 270
Jefferson City, MO 65102

Planning and Compliance Office
National Park Service
Midwest Region
601 Riverfront Dr.
Omaha, NE 68102-4226

State Clearinghouse
Office of Administration
Division of General Services
P.O. Box 809
Truman Building, Room 760
Jefferson City, MO 68102

Missouri Department of Natural Resources
Division of Environmental Quality
P. O. Box 176
Jefferson City, MO 65102-0176

Missouri Water Pollution Control
Department of Natural Resources
Division Environmental Quality
P.O. Box 176
Jefferson City, MO 65102

Deputy State Historic Preservation Officer
Historic Preservation Program
P.O. Box 176
Jefferson City, MO 65102

State Solicitor
P.O. Box 899
Jefferson City, MO 65102

U. S. Army Corps of Engineers
St. Louis District
1222 Spruce St.
St. Louis, MO 63103-2833

U.S. Fish & Wildlife Service, Region 3
One Federal Drive
Federal Building
Fort Snelling, MN 55111

U.S. Fish and Wildlife Service
Field Supervisor, Columbia Field Office
608 East Cherry Street, Room 200
Columbia, MO 65201

USDA Natural Resources Conservation Service
State Conservationist
Parkdale Center, Suite 250
601 Business Loop 70 W
Columbia, MO 65203-2546

Re: Proposed Abandonment of the Lexington Industrial Lead from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a total distance of 2.31 miles in Lafayette County, Missouri; STB Docket No. AB-33 (Sub-No. 297X)

To Whom It May Concern:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Lexington Industrial Lead from Milepost 246.49

near Myrick to Milepost 243.58 near Lexington, a total distance of 2.31 miles in Lafayette County, Missouri. 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 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 the undersigned.

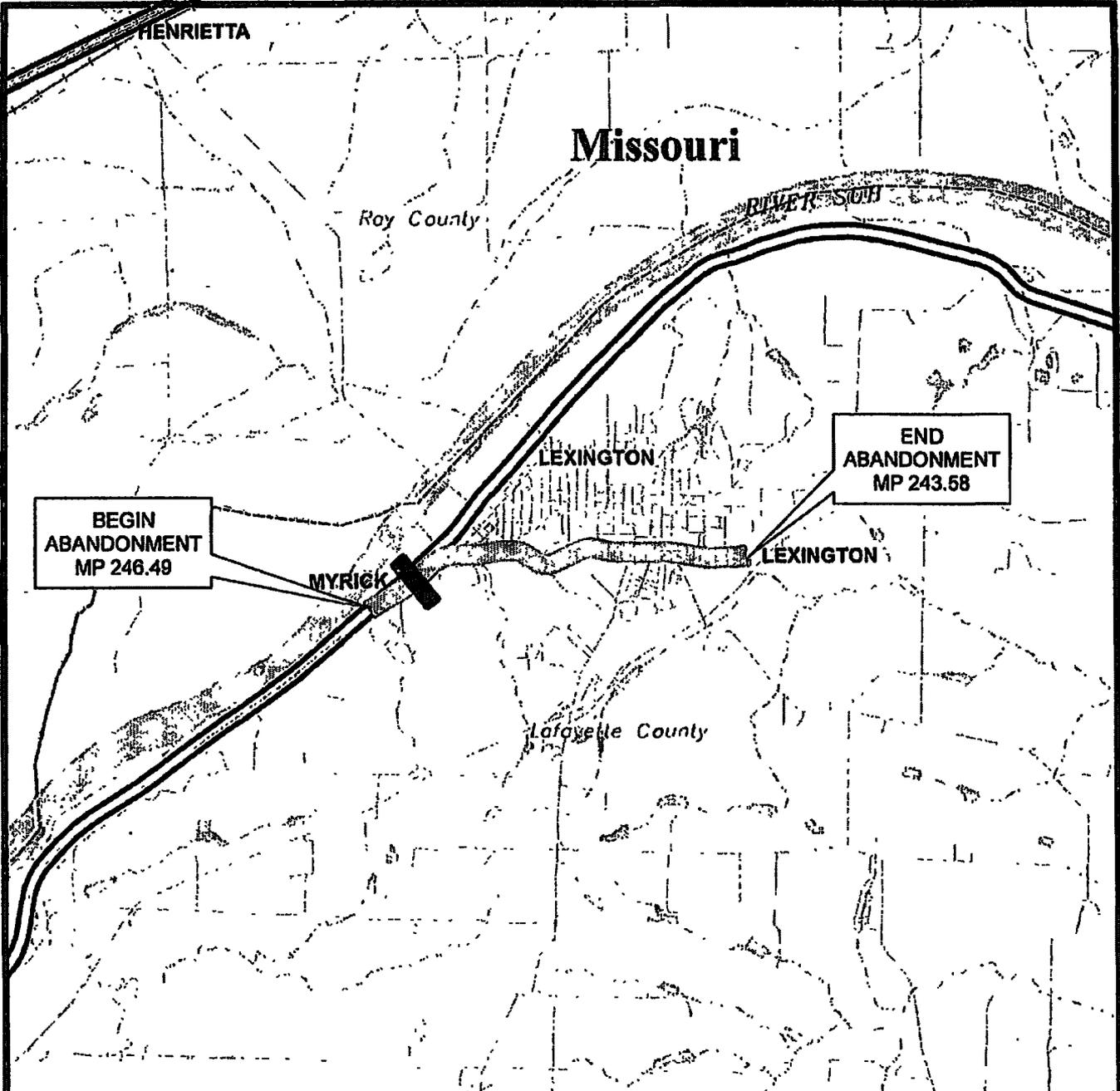
Sincerely,



Colleen K. Graham
Paralegal
Union Pacific Railroad
Law Department
1400 Douglas St., Stop 1580
Omaha, NE 68179
(w) 402-544-1643
cgraham@up.com

CKG/

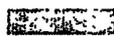
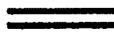
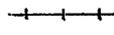
Enclosure(s)



**BEGIN
ABANDONMENT
MP 246.49**

**END
ABANDONMENT
MP 243.58**

Legend

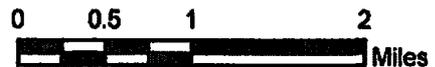
-  UPRR TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS
-  STRUCTURES

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
246.1	1 - SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	12	1939

LEXINGTON INDUSTRIAL LEAD

MP 243.58 TO MP 246.49
2.91 MILES IN LAFAYETTE COUNTY
IN MISSOURI

**UNION PACIFIC RAILROAD CO.
LEXINGTON INDUSTRIAL LEAD.
MISSOURI**





Jeremiah W. (Jay) Nixon
Governor

State of Missouri
OFFICE OF ADMINISTRATION

Kelvin L. Simmons
Commissioner

Post Office Box 809
Jefferson City, Missouri 65102
Phone: (573) 751-1851
Fax: (573) 751-1212

November 30, 2010

Colleen Graham
Union Pacific Railroad
1400 Douglas St
Stop 1580
Omaha, NE 68179
cgraham@up.com

Dear Ms. Graham:

Subject 1105021
 Legal Name: Union Pacific Railroad
 Assistance
 CFDA: 0

Project Description: EA: Proposed abandonment of the Lexington Industrial Lead from milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a total distance of 2.31 miles in Lafayette County, MO STB Docket No. AB-33 (Sub-No. 297X)

The Missouri Federal Assistance Clearinghouse, in cooperation with state and local agencies interested or possibly affected, has completed the review on the above project application.

None of the agencies involved in the review had comments or recommendations to offer at this time. This concludes the Clearinghouse's review.

A copy of this letter is to be attached to the application as evidence of compliance with the State Clearinghouse requirements.

Please be advised that I am the contact for the Federal Funding Clearinghouse. You can send future requests to the following address: Sara VanderFeltz, Federal Funding Clearinghouse, 201 West Capitol, Room 125, and Jefferson City, Missouri 65101.

Sincerely,

A handwritten signature in cursive script that reads "Sara VanderFeltz".

Sara VanderFeltz
Administrative Assistant

cc:

Attachment 4

"Lee, Clayton - Columbia,
MO"
<clayton.lee@mo.usda.gov
>
11/29/2010 03:25 PM

To "cgraham@up.com" <cgraham@up.com>
cc "Kacirek, David - St Joseph, MO"
<David.Kacirek@mo.usda.gov>
Subject Proposed Abandonment of the Lexington Industrial Lead
t from Milepost 246.49 to Milepost 243.58 near Lexington
(Lafayette County)

Colleen K. Graham
Paralegal
Union Pacific Railroad
Omaha, NE 68179

Ms. Graham:

We see no negative effect of the proposed action on any prime agricultural land.
If you have any questions, please let me know.

Thank you.

Clayton E. Lee
Missouri NRCS State Office
State Soil Scientist
601 Business Loop 70 West
Parkade Center, Ste 250
Columbia, MO 65203
Office: (573) 876-9409
Mobile: (573) 355-2106
clayton.lee@mo.usda.gov



Law Department

November 9, 2010

Deputy State Historic Preservation Officer
Historic Preservation Program
P.O. Box 176
Jefferson City, MO 65102

Re: Proposed Abandonment of the Lexington Industrial Lead from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a total distance of 2.31 miles in Lafayette County, Missouri; STB Docket No. AB-33 (Sub-No. 297X)

To Whom It May Concern:

Union Pacific (UP) sent you a letter concerning plans to request from the STB to abandon and discontinue lease operations on the Lexington Industrial Lead from Milepost 246.49 near Myrick to Milepost 243.58 near Lexington, a total distance of 2.31 miles in Lafayette County, Missouri.

Enclosed for your review are photographs of below listed bridges. Also enclosed is a map of the proposed abandonments. The bridge is as follows:

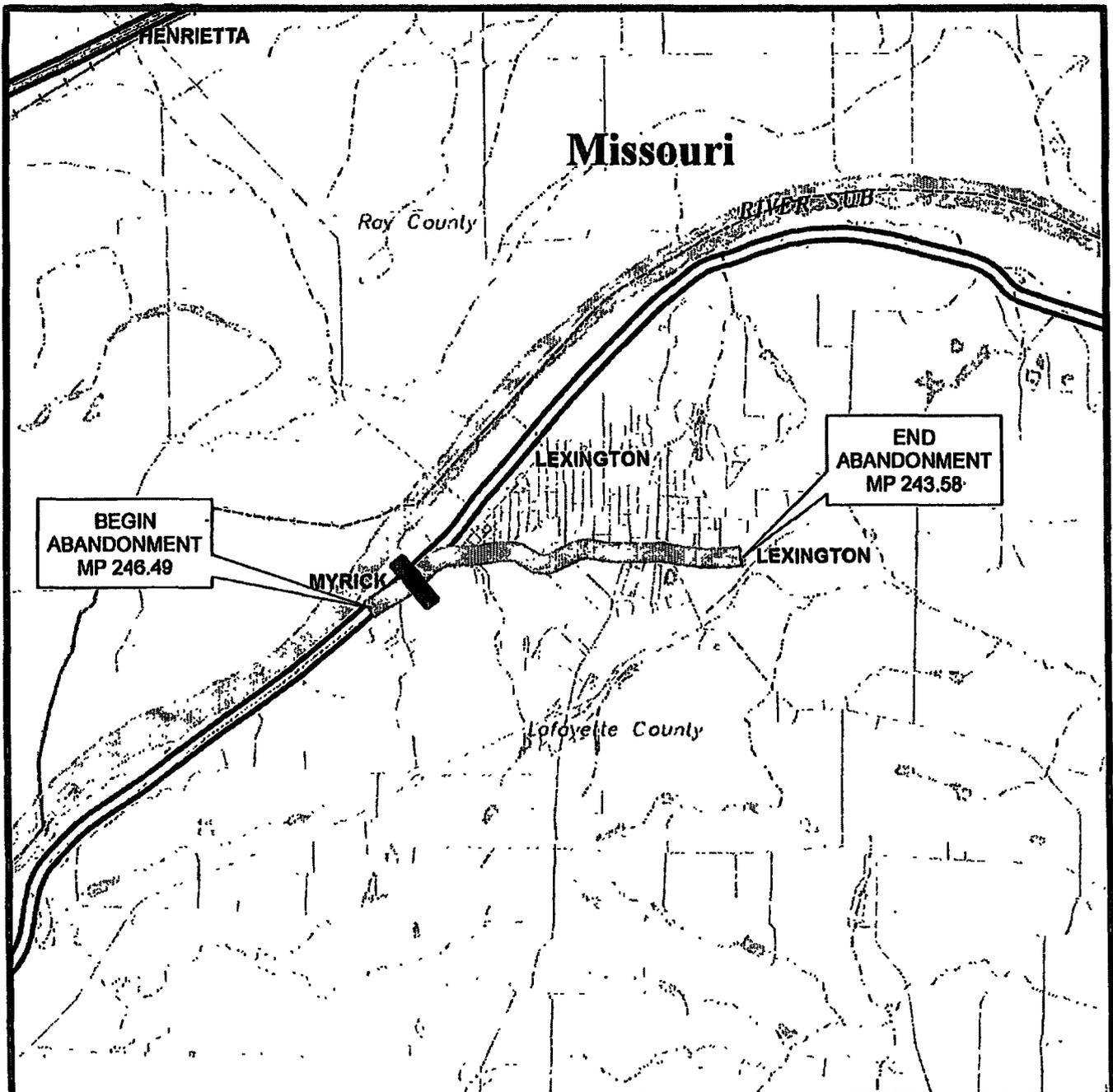
<u>Milepost</u>	<u>Description</u>	<u>Length</u>	<u>Year Constructed</u>
246.1	Indl Bridge	12.25	1939

Please advise if there is any historical significance to this bridge.

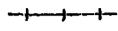
Sincerely,

A handwritten signature in black ink, appearing to read "Colleen K. Graham".

Colleen K. Graham
Paralegal
Union Pacific Railroad
Law Department
1400 Douglas St., Stop 1580
Omaha, NE 68179
(w) 402-544-1643
(f) 402-501-0132
cgraham@up.com
Enclosure(s)



Legend

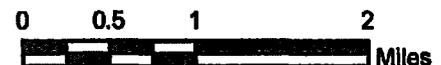
-  UPRR TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS
-  STRUCTURES

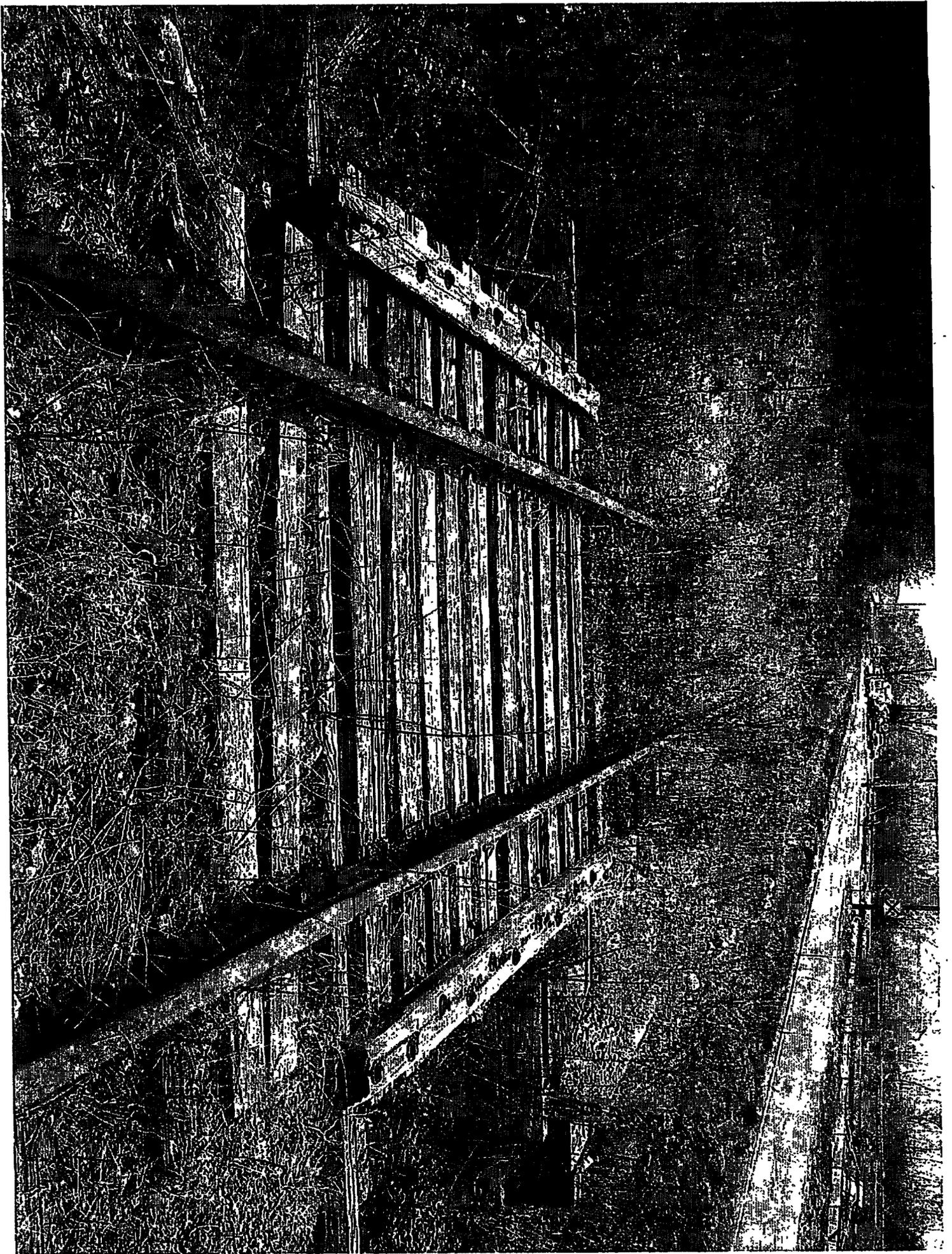
BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
246.1	1- SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	32	1939

LEXINGTON INDUSTRIAL LEAD

MP 243.58 TO MP 246.49
2.91 MILES IN LAFAYETTE COUNTY
IN MISSOURI

**UNION PACIFIC RAILROAD CO.
LEXINGTON INDUSTRIAL LEAD
MISSOURI**







**CULTURAL RESOURCE ASSESSMENT
Section 106 Review**

CONTACT PERSON/ADDRESS

Colleen K. Graham
Union Pacific Railroad
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

C:

Victoria Rutson, STB

PROJECT:

Lexington Industrial Lead, Milepost 246.49 to Milepost 243.58, Lexington, STP Docket No. AB-33 (Sub-No. 297X)

FEDERAL AGENCY

STB

COUNTY:

LAFAYETTE

The State Historic Preservation Office has reviewed the information submitted on the above referenced project. Based on this review, we have made the following determination:

- After review of initial submission, the project area has a low potential for the occurrence of cultural resources. A cultural resource survey, therefore, is not warranted.
- Adequate documentation has been provided (36 CFR Section 800.11). There will be "no historic properties affected" by the current project.
- An adequate cultural resource survey of the project area has been previously conducted. It has been determined that for the proposed undertaking there will be "no historic properties affected".

For the above checked reason, the State Historic Preservation Office has no objection to the initiation of project activities. PLEASE BE ADVISED THAT, IF THE CURRENT PROJECT AREA OR SCOPE OF WORK ARE CHANGED, A BORROW AREA IS INCLUDED IN THE PROJECT, OR CULTURAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, APPROPRIATE INFORMATION MUST BE PROVIDED TO THIS OFFICE FOR FURTHER REVIEW AND COMMENT. Please retain this documentation as evidence of compliance with Section 106 of the National Historic Preservation Act, as amended.

By: Mark A. Miles
Mark A. Miles, Deputy State Historic Preservation Officer

December 13, 2010
Date

MISSOURI DEPARTMENT OF NATURAL RESOURCES
STATE HISTORIC PRESERVATION OFFICE
P.O. Box 176, Jefferson City, Missouri 65102

For additional information, please contact Judith Deel, (573) 751-7862. Please be sure to refer to the project number:
005-LF-11



STATE OF MISSOURI
 DEPARTMENT OF NATURAL RESOURCES
 P.O. BOX 176
 JEFFERSON CITY MO 65102-0176

PRESORTED
 FIRST CLASS



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