



Frederick P. Johnston, Jr.  
General Attorney, Law Department

227909

September 30, 2010

**FILED**

OCT 01 2010

VIA E-FILING

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

**SURFACE  
TRANSPORTATION BOARD**

**RE: Notice of Exemption to Abandon a portion of the North Little Rock  
Junction Bridge Line from M.P. 343.65 to the end of the Line at M.P. 343.97 in  
North Little Rock, a total distance of 0.32 miles in Pulaski County, Arkansas (the  
"Line"); STB Docket No. AB-33 (Sub-No. 290X)**

Dear Ms. Brown:

Pursuant to the Board's exemption procedures for discontinuance of service of rail lines with no local business for at least two (2) years, (49 C.F.R. § 1152.50), I am hereby e-filing the above-referenced Verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 290X). Enclosed is a credit authorization voucher in the amount of ~~\$3,700.00~~ for the filing fee.

3,600.00  
Sincerely,

ENTERED  
Office of Proceedings

OCT 01 2010

Part of  
Public Record

Attachment

cc: All Concerned Parties

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**FEE RECEIVED**

OCT 01 2010

**SURFACE  
TRANSPORTATION BOARD**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 290X)**

**UNION PACIFIC RAILROAD COMPANY  
--ABANDONMENT EXEMPTION--  
IN PULASKI COUNTY, ARKANSAS  
(JUNCTION BRIDGE LINE)**

---

**Notice of Exemption**

**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 and filed: September 30, 2010**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 290X)**

**UNION PACIFIC RAILROAD COMPANY  
--ABANDONMENT EXEMPTION--  
IN PULASKI COUNTY, ARKANSAS  
(JUNCTION BRIDGE LINE)**

---

**Notice of Exemption**

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 § C.F.R. 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights for an exempt abandonment of service on the North Little Rock Junction Bridge Line from Milepost 343.65 to the end of the Line at Milepost 343.97 in North Little Rock, a total distance of .32 miles in Pulaski County, Arkansas (the "Line").

**Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)**

The abandonment and discontinuance are proposed to be consummated on or after November 19, 2010 (at least 50 days after filing the Notice of Exemption).

**Certification: 49 C.F.R. 1152.50(b)**

UP certifies that no local or overhead traffic has moved over the Line for at least two years. Therefore, there is no need to reroute any traffic. UP further certifies that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line is pending either with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two-year period.

**Additional Information Required: 49 C.F.R. 1152.22(a)(1)-(4), (7)-(8) and (e)(4)**

**(a) General.**

**(a)(1)** The railroad's exact name is Union Pacific Railroad Company.

**(a)(2)** UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

**(a)(3)** UP intends to abandon the North Little Rock Junction Bridge Line from Milepost 343.65 to the end of the Line at Milepost 343.97, a total distance of .32 miles in Pulaski, Arkansas.

**(a)(4)** A map showing the location of the Line in relation to other rail lines, highways, and major roads in the area is attached as **Exhibit 1**.

**(a)(7)** The representative to whom correspondence regarding this abandonment and discontinuance should be sent is:

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

**(a)(8) ZIP Codes.** The Line traverses U.S. Postal Service Zip Code 72118.

**(e)(4) Rural and Community Impact.**

The right-of-way proposed for abandonment has minimal potential for public use. There are already sufficient roads and other forms of transportation in the area and the property most likely could not be used for recreational purposes.

The Line does not contain any reversionary property. 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 right-of-way will be made available to those requesting it.

After the proposed abandonment, the closest rail service would be available on the remaining portion of the Junction Bridge Line or on other segments of UP in North Little Rock, which is a major terminal for the UP rail system. The general Little Rock area is also served by Little Rock & Western, BNSF and Amtrak. Barge service is available on the Arkansas River. The Line is located in North Little Rock, just across the Arkansas River from Central Little Rock. The area is well served by various major streets and highways, such as Interstates 40 and 30.

No local traffic has moved over the Line during the past two years, and there is no overhead traffic or passenger service 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 last two years.

A map of the Line is attached as **Exhibit No. 1**.

### **Labor Protection**

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979).

### **Certifications**

Attached as **Exhibit No. 2** is a Certificate of Service and Publication, pursuant to the notice requirements of 49 C.F.R. §§ 1152.50(d)(1), 1105.11 and 1105.12.

### **Environmental and Historic Report**

A copy of the Transmittal Letter that accompanied UP's combined Environmental and Historic Report ("EHR"), containing the information required by 49 C.F.R. §§ 1105.7(e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached as **Exhibit No. 3**. The original was e-filed with the Honorable Cynthia T.

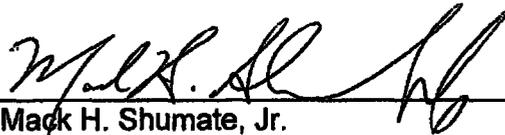
Brown, Chief, Section of Administration, on July 19, 2010. The EHR provides that UP knows of no historic sites or structures on the Line.

UP received confirmation from the Environmental Coordinator for the U.S. Fish and Wildlife Service by stamped notice dated September 21, 2010 that no federally listed endangered, threatened or candidate species are present on the Line. (See Exhibit No. 4).

Dated this 30th day of September, 2010.

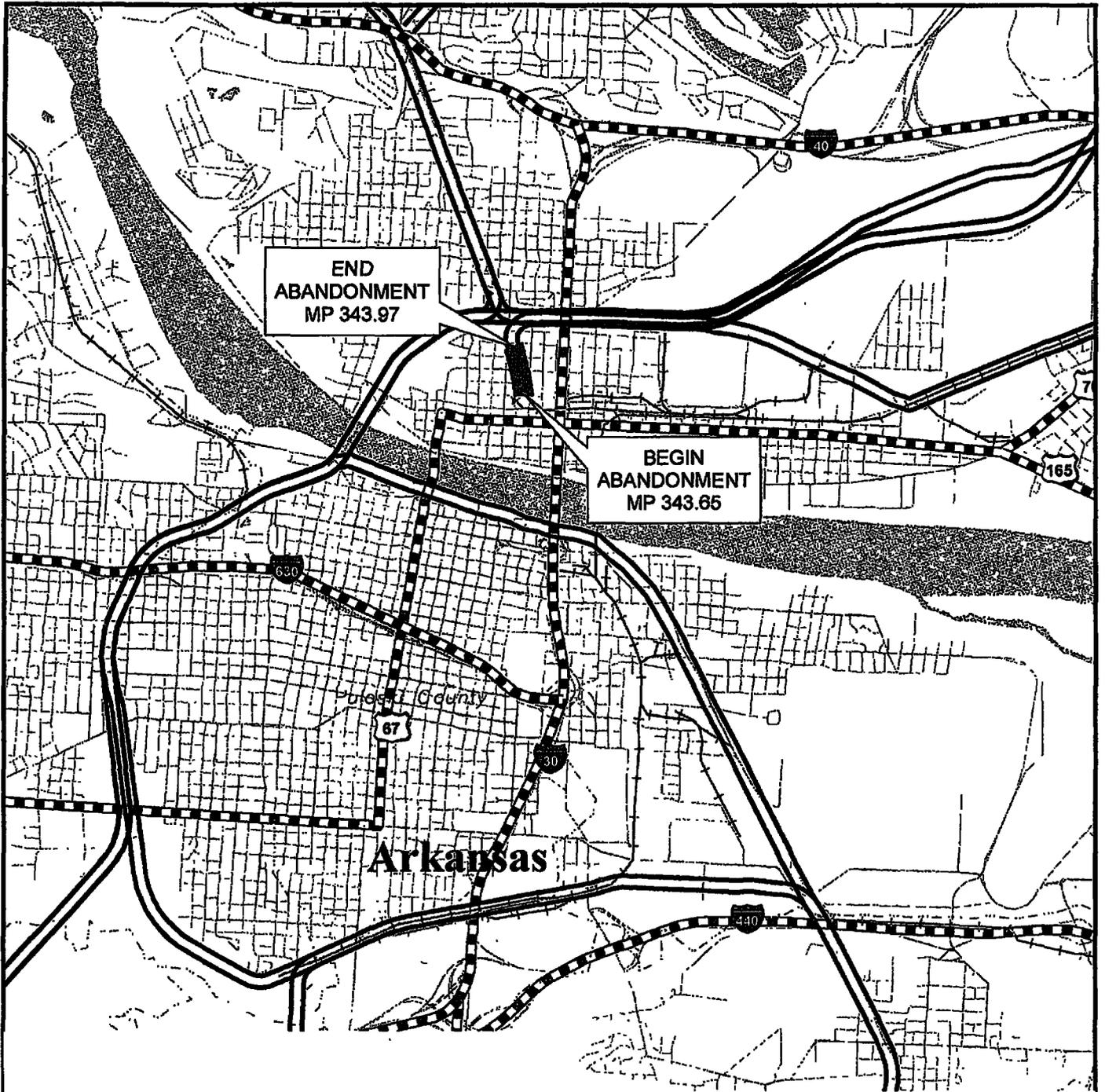
Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

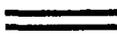
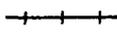
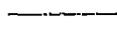
A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over a horizontal line.

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

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**Legend**

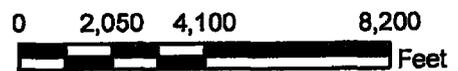
-  UPRR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

**JUNCTION BRIDGE LINE**

MP 343.65 TO MP 343.97  
IN PULASKI COUNTY, ARKANSAS = 0.32 MILES

**UNION PACIFIC RAILROAD CO.  
JUNCTION BRIDGE LINE  
ARKANSAS**

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES



**DOCKET NO. AB-33 (SUB-NO. 290X)  
North Little Rock Junction Bridge Line**

**CERTIFICATE OF SERVICE AND PUBLICATION**

**49 C.F.R. § 1152.50(d)(1) - Notice**

The undersigned certifies that on August 12, 2010 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the North Little Rock Junction Bridge Line in Pulaski County in Arkansas, in Docket No. AB-33 (Sub-No. 290X). Written notice (a copy of which is attached hereto as **Attachment 1**) was served on the following:

Arkansas Public Service Commission  
1000 Center Street  
Little Rock, AR 72201

National Park Service  
Recreation Resources Assistance  
Division  
Midwest Region  
601 Riverfront Drive  
Omaha, NE 68102-4226

U.S. Dept. of Agriculture  
Chief of the Forest Service  
4th Floor, N.W. Auditors Bldg.  
14th St. & Independence Ave., SW  
Washington, DC 20250

Department of Defense  
Surface Deployment Distribution  
Command  
Transportation Engr. Agency  
Railroads for National Defense Program  
709 Ward Drive  
Scott Air Force Base, IL 62225

**49 C.F.R. § 1105.11 - Transmittal Letter For Applicant's Report**

The undersigned certifies that on July 19, 2010 (at least twenty (20) days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 290X) for abandonment of the North Little Rock Junction Bridge Line in Pulaski County in Arkansas, on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) Head of each County
- (4) U.S. Environmental Protection Agency, Regional Office
- (5) U.S. Fish and Wildlife Service
- (6) U.S. Army Corps of Engineers
- (7) National Park Service
- (8) U.S. Natural Resources Conservation Service
- (9) The National Geodetic Survey
- (10) Other Agencies Consulted (As Listed)
- (11) State Historic Preservation Office

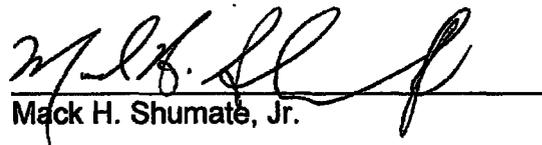
(The Certificate of Service attached to the Combined Environmental and Historic Report listed the names and addresses for the federal, state and local agencies.)

**49 C.F.R. § 1105.12 - Newspaper Notice**

The undersigned further certifies that a "Notice of Intent to Abandon or to Discontinue Rail Service" was published in the form prescribed by the Board for a Notice for Exemption (a copy of which is attached hereto as **Attachment 2**). The Notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Pulaski	North Little Rock Times	August 19, 2010

Dated this 30th day of September, 2010.

  
 Mack H. Shumate, Jr.



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

August 12, 2010

Arkansas Public Service Commission  
1000 Center Street  
Little Rock, AR 72201

National Park Service  
Recreation Resources Assistance Division  
Midwest Region  
1709 Jackson Street  
Omaha, NE 68102

U.S. Dept. of Agriculture  
Chief of the Forest Service  
4th Floor, N.W. Auditors Bldg.  
14th St. & Independence Ave., SW  
Washington, DC 20250

Department of Defense  
Military Traffic Management Command  
Transportation Engr. Agency  
Railroads for National Defense Program  
720 Thimble Shoals Blvd., Suite 130  
Newport News, VA 23606-2575

**RE: Proposed Abandonment of the Junction Bridge Line from M.P. 343.65 to M.P. 343.97 in North Little Rock, a total distance of 0.32 miles in Pulaski County, Arkansas (the "Line"); STB Docket No. AB-33 (Sub-No. 290X)**

To Whom It May Concern:

Please be advised that Union Pacific Railroad Company ("UP") expects to file with the United States Surface Transportation Board ("STB") a notice of an exempt abandonment on a portion of a line of railroad known as the Junction Bridge Line, located in North Little Rock, Pulaski County, Arkansas extending from Milepost 343.65 to Milepost 343.97 a total distance of 0.32 miles (the "Line"). The Line traverses U.S. Postal Service zip code 72118.

The "no business" exemption procedure will be used to abandon the Line, pursuant to the STB's abandonment regulations at 49 C.F.R. §1152.50. No local traffic has moved over the Line for at least two years and there is no overhead traffic on the Line. A Notice of Exemption to abandon service on the Line pursuant to 49 C.F.R. §1152.50 (no local traffic for at least two years) will be filed with the STB on or after August 23, 2010.

Based on information in UP's possession, the Line does not contain federally granted rights-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

August 12, 2010  
Page 2 of 2

A map showing the segment of Line to be abandoned is attached for your information.

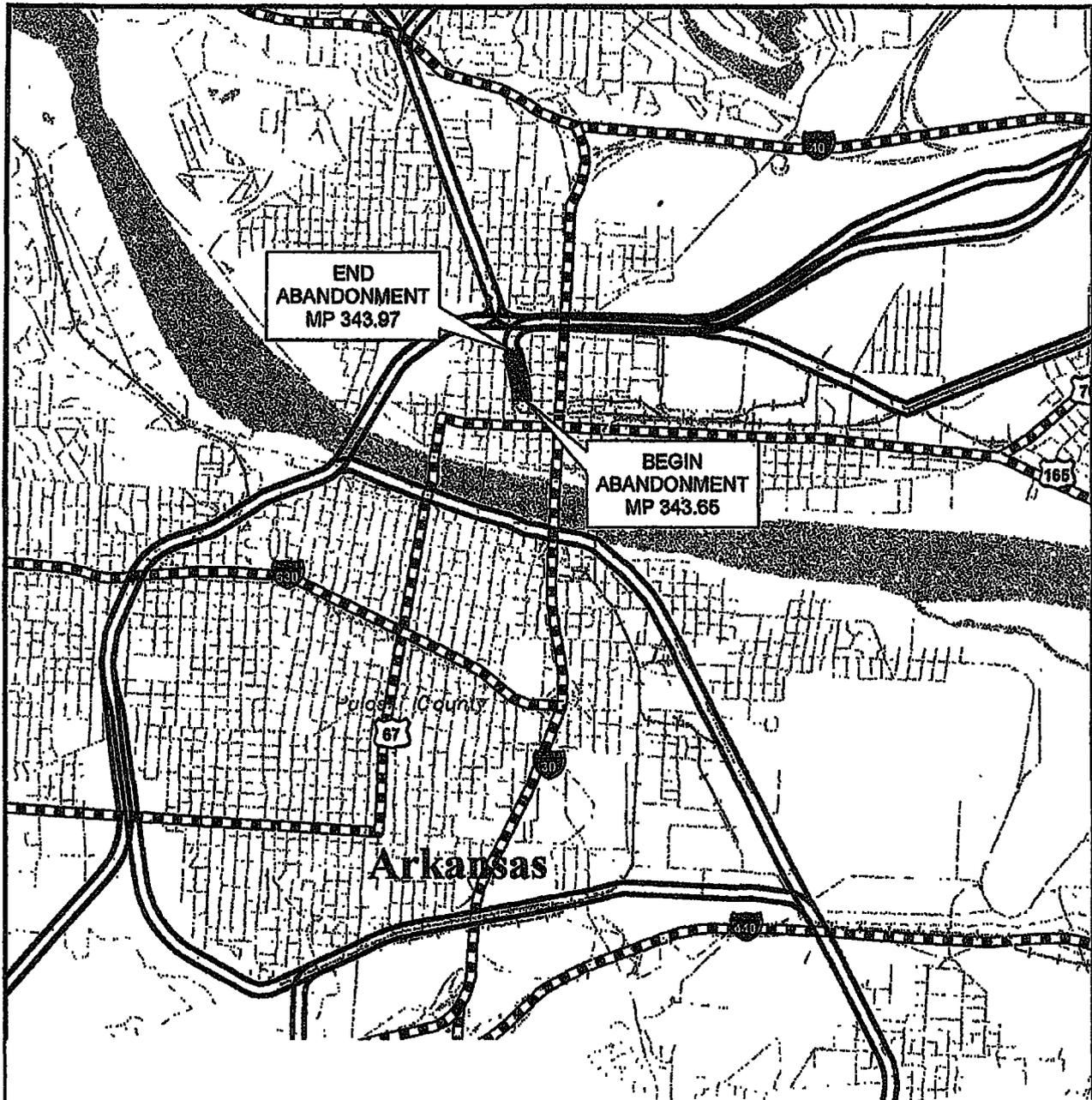
Sincerely,

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

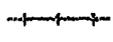
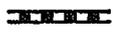
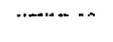
Mack Shumate, Jr.  
Senior General Attorney

Encl.

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**Legend**

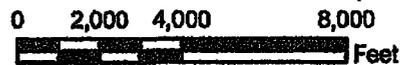
-  UPRR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

**JUNCTION BRIDGE LINE**

MP 343.65 TO MP 343.97  
 0.32 MILES  
 IN PULASKI COUNTY, ARKANSAS

**UNION PACIFIC RAILROAD CO.  
 JUNCTION BRIDGE LINE  
 ARKANSAS**

**NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES**



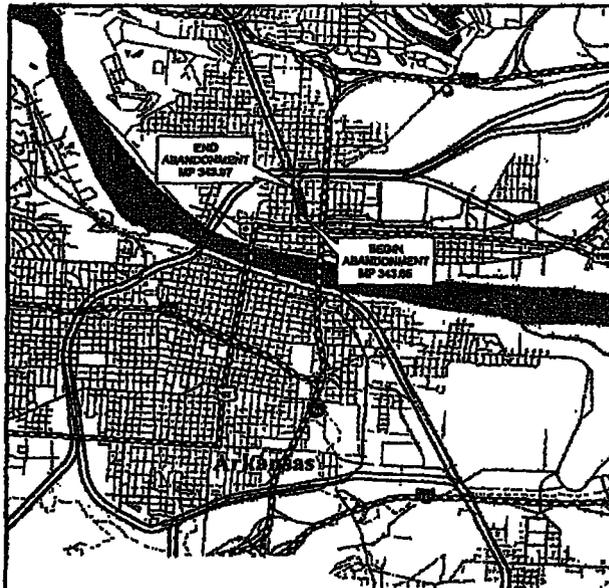
### NOTICE OF INTENT TO ABANDON OR TO DISCONTINUE RAIL SERVICE

UNION PACIFIC RAILROAD COMPANY ("UP") gives notice that on or after August 23, 2010, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption under 49 C.F.R. Part 1152, Subpart F - Exempt Abandonments - permitting the abandonment of a 0.32 mile line of railroad between railroad milepost 343.65, and railroad milepost 343.97, in North Little Rock, which traverses through United States Postal Service zip code 72118 in Pulaski County, Arkansas. The proceeding will be docketed as No. AB-33 (Sub-No. 2900).

The Board's Section of Environmental Analysis ("SEA") will generally prepare an Environmental Assessment ("EA"), which will normally be available twenty-five (25) days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E Street, SW, Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on the applicant's representative. [See 49 CFR 1104.12(a).] Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (886) 254-1792. Copies of any comments or requests for conditions should be served on UP's: Mack Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, #1920, Chicago, Illinois 60606 (312) 777-2055.

#### UNION PACIFIC RAILROAD COMPANY



#### Legend

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- JUNCTION BRIDGE LINE

NOTE: THERE ARE NO 80+ YEAR OLD STRUCTURES

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

July 19, 2010

**VIA E-FILING**

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

**RE: Petition for Exemption to Abandon of a portion of the North Little Rock Junction Bridge Line from M.P. 343.65 to the end of the Line at M.P. 343.97 in North Little Rock, a total distance of 0.32 miles in Pulaski County, Arkansas (the "Line"); STB Docket No. AB-33 (Sub-No. 290X)**

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 August 8, 2010.

Sincerely,

*Mack Shumate, Jr.*

Attachment

cc: All Concerned Parties

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



RECEIVED JUL 27 2010

July 19, 2010

VIA E-FILING

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

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AUG - 2 REC'D  
ARK FIELD OFFICE

**RE: Petition for Exemption to Abandon of a portion of the North Little Rock Junction Bridge Line from M.P. 343.65 to the end of the Line at M.P. 343.97 in North Little Rock, a total distance of 0.32 miles in Pulaski County, Arkansas (the "Line"); STB Docket No. AB-33 (Sub-No. 290X)**

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Union Pacific anticipates filing a Petition for Exemption to Abandon the Line in this matter on or after August 8, 2010.

Sincerely,

*Mack Shumate, Jr.*

Not Federally listed endangered,  
threatened or candidate species present

Attachment

cc: All Concerned Parties

*Margaret Harvey*  
Environmental Coordinator  
U.S. Fish and Wildlife Service  
Log# *43421-2010-TA0965*  
*Sept 24, 2010*  
Date

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