

E1-424



October 24, 2003

VIA U.P.S. OVERNIGHT DELIVERY

Mr. Vernon Williams, Secretary
Surface Transportation Board
Section of Environmental Analysis
1925 "K" St., N.W., Room 504
Washington, DC 20423-0001

RE: Completion of Salvage Activities -- Proposed Abandonment of the Salt Lake Subdivision from M.P. 754.31 near Valencia to M.P. 778.00 near Ogden, a distance of 23.69 miles in Davis and Weber Counties, Utah; STB Docket No. AB-33 (Sub-No. 191X)

Dear Mr. Williams:

This is to advise the Surface Transportation Board, ("Board") that the Union Pacific Railroad Company, ("UP") has substantially completed the salvaging of the railroad line on the Salt Lake Subdivision from MP 754.31 near Valencia to MP 778.00 near Ogden, a distance of 23.69 miles in Davis and Weber Counties, Utah. As a condition to the abandonment, UP consulted with the Fish and Wildlife Service of the United States Department of the Interior regarding threatened and endangered species along the Line. Based on the information provided by UP to the Department of the Interior, the Department concurred that the salvaging activities would "not likely to adversely affect" any threatened or endangered species and their critical habitat in and around the Line. A copy of the Department of the Interior's letter dated July 25, 2003 is attached hereto and hereby made a part hereof.

UP makes this filing with the Board as evidence of its having satisfied the condition related to Endangered Species Act, Section 7 consultation. Ten (10) additional copies of this letter and attachment are enclosed for the Board's use and distribution.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr." with a stylized flourish at the end.

Enclosures

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

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UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718
ph. (312) 777-2055 fx. (312) 777-2065

07/28/2003 11:28

402-271-4461

07/25/2003 13:19 FAX 801 975 3331

USFWS-Utah Field Office

002/002



United States Department of the Interior

FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE
2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UTAH 84119

In Reply Refer To
FWS/R6
ES/UT
03-1058

July 25, 2003

Jennifer M. Scheffel
Project Manager, Biologist
TRC
505 East Huntland Drive, Ste. 250
Austin, Texas 78752

RE: Union Pacific Railroad Company Salvage Project, Bountiful to Ogden

Dear Ms. Scheffel:

Based on information provided in your letter of July 14, 2003, we concur with your "not likely to adversely affect" determination for threatened and endangered species and critical habitat. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

Only a Federal agency can enter into formal Endangered Species Act section 7 consultation with the Service. A Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment by giving written notice to the Service of such a designation. The ultimate responsibility for compliance with ESA section 7, however, remains with the Federal agency.

We appreciate your interest in conserving endangered species. If further assistance is needed or you have any questions, please contact Kate Schwager, at (801) 975-3330 extension 132.

Sincerely,


Henry R. Maddux
Utah Field Supervisor