



KAPLAN KIRSCH ROCKWELL

June 17, 2008

State Clearinghouse (or alternate):

Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Los Angeles District
915 Wilshire Blvd., Suite 980
Los Angeles, CA 90017

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

National Park Service:

National Park Service
Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607

State Coastal Zone Management Agency (if applicable):

California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco, CA 94105-2219

U.S. Natural Resources Conservation Service:

State Conservationist
Natural Resource Conservation Service
430 G Street, #4164
Davis, CA 95616-4164

Head of Each County:

Los Angeles County Supervisors
500 W. Temple Street, Suite 525
Hall of Administration
Los Angeles, CA 90012-2713

National Geodetic Survey:

National Geodetic Survey
Edward J. McKay, Chief – Spatial Reference
System Division
NOAA N/NGS2
1315 East-West Highway
Silver Spring, MD 20910-3282

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

State Historic Preservation Office:

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

U.S. Fish & Wildlife:

U.S. Fish & Wildlife Service, Region 1
911 NE 11th Ave.
Portland, OR 97232-4181

Attorneys at Law

Denver • New York • Washington, DC

Kaplan Kirsch & Rockwell LLP

1001 Connecticut Ave., N.W., Suite 905
Washington, DC 20036

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Re: *Los Angeles County Metropolitan Transportation Authority – Abandonment Exemption in Los Angeles County, CA (Santa Monica Industrial Lead)*, Docket No. AB-409 (Sub-No. 5X)

Dear Sirs and Mesdames:

The Los Angeles County Metropolitan Transportation Authority (“LACMTA”) has filed the above-captioned abandonment proceeding in order to effect the full abandonment of a 0.31 mile segment of the line of railroad known as the Santa Monica Lead in Los Angeles County, California, from Milepost 485.69 to Milepost 486.00 (the “Segment”). The Segment is also the subject of an exemption proceeding filed on March 19, 2008, by Union Pacific Railroad (“UP”), AB-33 (Sub-No. 265X), for authority to discontinue service.

Pursuant to special abandonment procedures set forth in *Los Angeles Co. Transp. Comm’n – Acquisition Exemption– A. T. and S. F. Ry. Co.*, STB Finance Docket No. 32172, *et al.*, slip op. (Service Date March 12, 1997), LACMTA has adopted and incorporated into its abandonment proceeding the Historic and Environmental Report filed by UP in AB-33 (Sub-No. 265X) (the “UP Historic and Environmental Report”). A copy of that report, which you have previously received from UP, is attached for your ready reference. The Surface Transportation Board’s Section of Environmental Analysis has requested that we provide this letter to all parties to whom UP served copies of the UP Historic and Environmental Report to describe LACMTA’s anticipated post-abandonment actions concerning the Segment.

The Segment comprises part of the extensive network of rail lines acquired by LACTC in the early 1990’s to facilitate the establishment of Los Angeles County’s commuter and light rail transit network and dedicated busway. The Segment is part of LACMTA’s originally planned passenger transit network and is now necessary to support current construction activities and future operations. Once the Segment is fully abandoned, LACMTA intends to undertake the following activities:

- Immediately following abandonment, LACMTA will remove existing rails, perform rough grading and install asphalt within the Segment. The Segment will be used for parking for LACMTA employees and contractors in connection with LACMTA construction activities on its light rail transit network.
- Over the two years or so following abandonment, LACMTA will temporarily use portions of the Segment as a staging area for construction activities, including the placement of construction office trailers and storage of materials.
- Within approximately three years following abandonment, LACMTA will construct a substation to provide overhead power to serve its light rail trains. This installation will be permanent. LACMTA also intends to provide public parking in the remainder of the Segment.

As the foregoing description illustrates, LACMTA will use the Segment to further its activities to benefit the public by providing enhanced and expanded light rail transit options.

State and Federal Agencies

June 17, 2008

Page 3

Please do not hesitate to contact Charles A. Spitulnik or me at the contact information provided with any questions.

Sincerely,

A handwritten signature in black ink that reads "Allison I. Fultz". The signature is written in a cursive style with a large, stylized initial "A".

Allison I. Fultz

Enclosure

cc: Parties of Record

175790_1.doc



Gabriel S Meyer
Assistant General Attorney

221696

February 22, 2008

Via UPS 2nd Day Air

Surface Transportation Board
395 E Street, SW
Washington, DC 20024

ENTERED
Office of Proceedings

FEB 27 2008

Part of
Public Record

Attention: Victoria Rutson

**Re: Proposed Abandonment and Discontinuance of Trackage Rights on the
Santa Monica Industrial Lead, from Milepost 485.61 to Milepost 486.00—
STB Docket No. AB-33 (Sub-No. 265X)**

Dear Ms Rutson

Enclosed for filing in the above-referenced matter is the original and ten (10) copies of Union Pacific Railroad Company's Combined Environmental and Historic Report prepared pursuant to 49 C F R Sections 1105 7 and 1105 8, with a Certificate of Service and a transmittal letter pursuant to 49 C F R Section 1105 11

Union Pacific anticipates filing a Petition for Exemption in this matter on or after March 17, 2008 Please do not hesitate to contact me if you have any questions

Sincerely,

Gabriel S Meyer

Enclosures

BEFORE THE
SURFACE TRANSPORTATION BOARD

221696

Docket No. AB-33 (Sub-No. 265X)

UNION PACIFIC RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN LOS ANGELES COUNTY, CALIFORNIA
(SANTA MONICA INDUSTRIAL LEAD)

Combined Environmental and Historic Report

ENTERED
Office of Proceedings

FEB 27 2008

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Public Record

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)

Dated February 22, 2008
Filed February 26, 2008

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 265X)

**UNION PACIFIC RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN LOS ANGELES COUNTY, CALIFORNIA
(SANTA MONICA 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 of service on the Santa Monica Industrial Lead from Milepost 485 61 to Milepost 485 69, and discontinuance of trackage rights from Milepost 485 69 to Milepost 486 00, a total distance of 0.39 miles in the City of Los Angeles, Los Angeles County, California (the "Line")

The Line traverses U S Postal Service Zip Codes 90011 and 90058 A Notice of Exemption to abandon and discontinue trackage rights over the Line, pursuant to 49 C F R § 1152 50 (no local traffic for at least two years), will be filed on or after March 17, 2008

A map of the Line (Attachment 1) and UP's letter to federal, state and local government agencies (Attachment 2) are attached

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 of the Line from Milepost 485 61 to Milepost 485 69, and discontinuance of trackage rights from Milepost 485 69 to Milepost 486 00, a total distance of 0 39 miles in Los Angeles, California.

The abandonment and discontinuance of trackage rights will have no adverse effect on shippers. There is no new industry foreseen that could produce rail traffic over the Line, nor does any overhead traffic use the Line. After abandonment, UP will continue to serve the area via its Wilmington Subdivision, which connects to the Line. BNSF Railway Company also serves the area.

The Line was originally constructed by the Los Angeles and Independence Railway in 1875. The portion of the Line over which UP proposes to discontinue trackage rights was sold by UP's predecessor, Southern Pacific Transportation Company, to the Los Angeles Metropolitan Transportation Authority ("Metro") in 1990. On the segment of the Line that UP owns, the track contains a combination of 90 and 126-pound jointed rail, installed in 1975.

UP does not believe the portion of the Line proposed for abandonment is suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, or energy production or transmission, in that the area is adequately served by existing roads (including Interstates 5, 10, and 110) and utility lines. The right-of-way is

not suitable for use as a recreational trail due to its limited length and location in an industrialized area. Based on information in UP's possession, the Line does not contain any reversionary property or 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: Because no freight traffic moves over the Line proposed for abandonment and none is expected to move over it in the future, there should be no effect on regional or local transportation systems or patterns, and there will be no diversion of traffic 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 Los Angeles County Supervisors Office has been contacted. To date UP has not received a response.

(ii) The United States Natural Resources Conservation Service has been contacted. To date UP has not received a response.

(III) Not Applicable

(IV) The portion of the Line proposed for abandonment is generally not 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 at the present time

(4) Energy

- (i) Describe the effect of the proposed action on transportation of energy resources**
- (ii) Describe the effect of the proposed action on recyclable commodities**
- (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why**
- (iv) If the proposed action will cause diversions from rail to motor carriage of more than
 - (A) 1,000 rail carloads a year, or**
 - (B) an average of 50 rail carloads per mile per year for any part of the affected Line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given****

Response:

- (i) There will be no effects on the transportation of energy resources**
- (ii) There are no recyclable commodities handled over the Line**
- (iii) There will be no effect on energy efficiency**
- (iv)(A)(B) There will be no rail-to-motor diversion**

(5) Air

- (i) If the proposed action will result in either
 - (A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or**
 - (B) an increase in rail yard activity of at least 100% (measured by carload activity), or**
 - (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions For a proposal under 49 U S C § 10901****

(or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in §§ (5)(i)(A) will apply

Response: There 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 California Environmental Protection Agency has been contacted To date, UP has received no response

(II) The U S Army Corps of Engineers has been contacted 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, indicating that there are no structures 50 years old or older that are part of the proposed action

(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 right-of-way proposed for abandonment is approximately 30 feet wide and runs through an industrial area Topography is level

(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: See Attachment No. 1, indicating that there are no structures 50 years old or older that are part of the proposed action

(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, indicating that there are no structures 50 years old or older that are part of the proposed action

(5) A brief narrative history of carner 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, 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

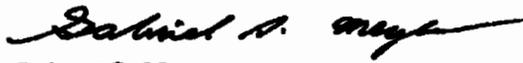
previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American)

Response: Not applicable

Dated this 22nd day of February, 2008

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 265X) for the Riverside Industrial Lead in Riverside County, California was served by first class mail on the 22nd day of February, 2008 on the following

State Clearinghouse (or alternate):
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

State Environmental Protection Agency:
California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

State Coastal Zone Management Agency
(if applicable):
California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco, CA 94105-2219

Head of each County:
Los Angeles County Supervisors
500 W Temple Street Ste 525
Hall of Administration
Los Angeles, CA 90012-2713

Environmental Protection Agency
(Regional Office):
U S Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

U.S. Fish and Wildlife:
U S Fish & Wildlife Service, Region 1
911 NE 11th Avenue
Portland, OR 97232-4181

U.S. Army Corps of Engineers:
U S Army Corps of Engineers,
Los Angeles District
915 Wilshire Blvd Suite 980
Los Angeles, CA 90017

National Park Service:
National Park Service
Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607

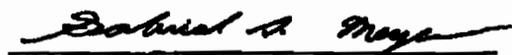
U.S. Natural Resources Conservation Service:
State Conservationist
Natural Resource Conservation Service
430 G Street, #4164
Davis, CA 95618-4164

National Geodetic Survey:
National Geodetic Survey
Edward J McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

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

Other:
Mr John C Miller
Engineering Project Manager
Metropolitan Transit Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

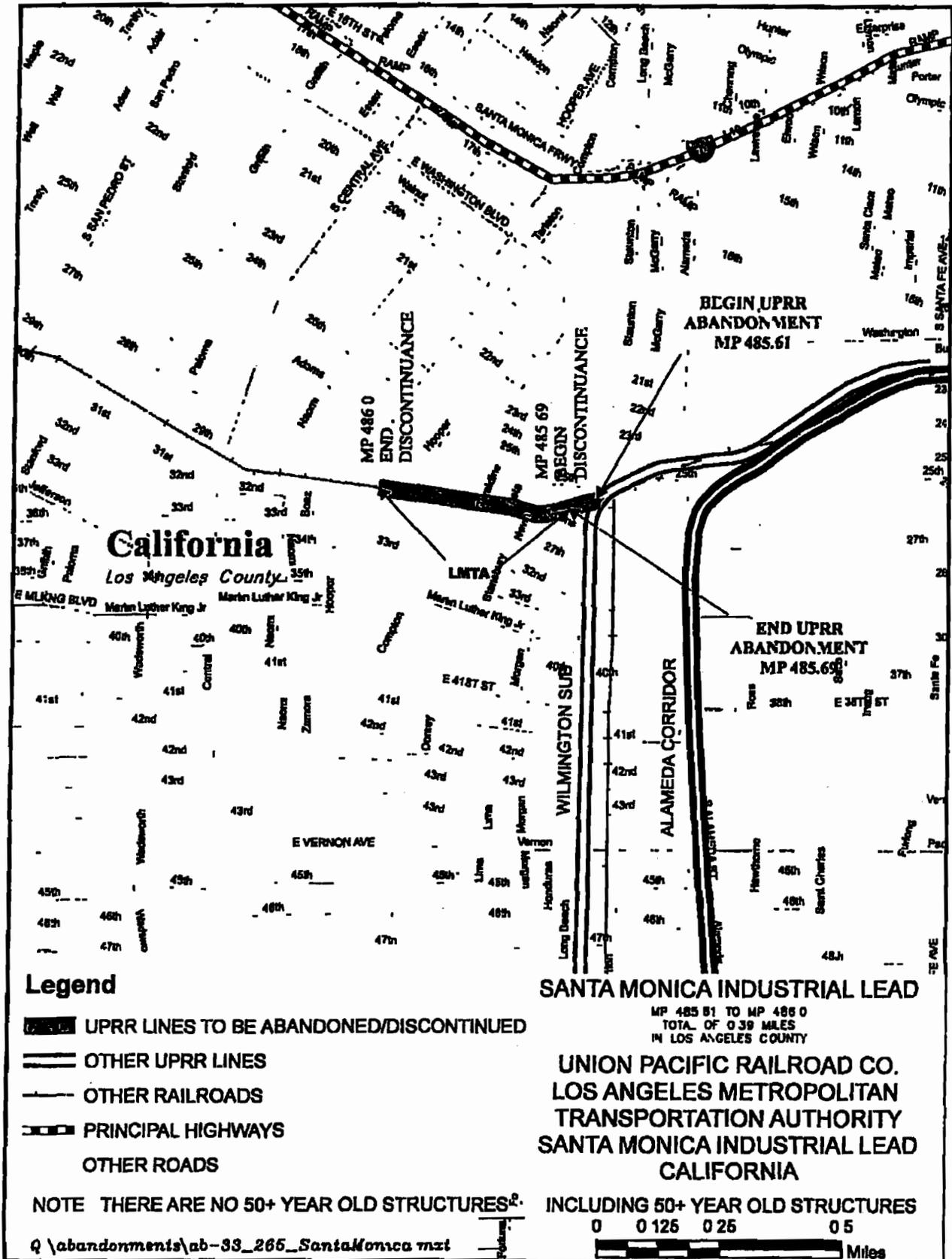
Dated this 22nd day of February, 2008



Gabriel S Meyer

00012

Attachment 1



Attachment 2



(402) 501-0127 (FAX)

January 17, 2008

State Clearinghouse (or alternate):

Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

State Environmental Protection Agency:

California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

**State Coastal Zone Management Agency
(if applicable):**

California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco, CA 94105-2219

Head of each County:

Los Angeles County Supervisors
500 W Temple Street Ste 525
Hall of Administration
Los Angeles, CA 90012-2713

**Environmental Protection Agency
(Regional Office):**

U S Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

U.S. Fish and Wildlife:

U S Fish & Wildlife Service, Region 1
911 NE 11th Avenue
Portland, OR 97232-4181

U.S. Army Corps of Engineers:

U S Army Corps of Engineers,
Los Angeles District
915 Wilshire Blvd Suite 980
Los Angeles, CA 90017

National Park Service:

National Park Service
Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607

U S Natural Resources Conservation Service

State Conservationist
Natural Resource Conservation Service
430 G Street, #4164
Davis, CA 95616-4164

National Geodetic Survey:

National Geodetic Survey
Edward J McKay, Chief
Spatial Reference System Division
NOAA N/NGS2
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

California Department of Parks and Recreation
Office of Historic Preservation
P O Box 942896
Sacramento, CA 94298-0001

Other:

Mr John C Miller
Engineering Project Manager
Metropolitan Transit Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Re Proposed Abandonment of the Santa Monica Industrial Lead from Milepost 485 61 to Milepost 485 69 near 25th and Adams Streets, and Discontinuance from Milepost 485 69 to Milepost 486 0 near 27th and Hooper Streets, a total distance of 0 39 miles in the City of Los Angeles, Los Angeles County, California, STB Docket No AB-33 (Sub-No 265X)

Law Department

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

000!4

Dear Sirs

On December 20, 2007, Union Pacific Railroad Company sent you a letter concerning plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Santa Monica Industrial Lead from Milepost 485 61 near 25th and Adams Streets to Milepost 485 69 near 27th and Hooper Streets. The letter indicated that the 0.39 mile proposed abandonment was in the City of Santa Monica, California, whereas it is actually in the City of Los Angeles, California. Sorry for any inconvenience this may have caused. A map of the proposed track abandonment shown in black is again attached for your reference.

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
Charles W Saylor

Attachment