

223887



Gabriel S. Meyer
Assistant General Attorney

October 28, 2008

Via UPS 2nd Day Air

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

ENTERED
Office of Proceedings

OCT 31 2008

Part of
Public Record

Attention: Victoria Rutson

Re: Proposed Abandonment of the Coeur d'Alene Industrial Lead from Milepost 7.5 near Gibbs to Milepost 8.79; STB Docket No. AB-33 (Sub-No. 272X)

Dear Ms. Rutson

Enclosed for filing in the above-referenced matter are 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 November 17, 2008. Please do not hesitate to contact me if you have any questions

Sincerely,

A handwritten signature in black ink that reads "Gabriel S. Meyer".

Gabriel S. Meyer

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 272X)

**UNION PACIFIC RAILROAD COMPANY
--PETITION FOR ABANDONMENT EXEMPTION--
IN KOOTENAI COUNTY, ID
(COEUR D'ALENE INDUSTRIAL LEAD)**

**ENTERED
Office of Proceedings**

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**Part of
Public Record**

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

**Gabriel S. Meyer
Assistant General Attorney
1400 Douglas Street, Mail Stop 1580
Omaha, Nebraska 68179
(402) 544-1658
(402) 501-3393 FAX**

**Dated: October 28, 2008
Filed: October 30, 2008**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 272X)

**UNION PACIFIC RAILROAD COMPANY
--PETITION FOR ABANDONMENT EXEMPTION--
IN KOOTENAI COUNTY, ID
(COEUR D'ALENE 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 Coeur d'Alene Industrial Lead, from Milepost 7.5 near Gibbs to the end of the line at Milepost 8.79 near Coeur d'Alene, a distance of 1.29 miles in Kootenai County, Idaho (the "Line"). The Line traverses U.S. Postal Service Zip Code 83814. UP anticipates that it will file a Petition for Exemption to abandon the Line on or after November 17, 2008.

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 thus far to UP's letters are also 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 an exempt abandonment of UP's Coeur d'Alene Industrial Lead. The Line proposed for abandonment extends from Milepost 7.5 near Gibbs to the end of the line at Milepost 8.79 near Coeur d'Alene, a total distance of 1.29 miles. A map of the Line is attached as **Attachment No. 1**.

The Line was originally constructed in 1911 by the Coeur d'Alene and Pend Oreille Railway Company. The majority of the Line is constructed with 112, 131, and 133-pound jointed rail laid secondhand in 1985 and 1998. Approximately one sixth of a mile of the Line contains 72-pound rail.

The right-of-way proposed for abandonment may be suitable for other public purposes, including use as a recreational trail. UP has entered discussions with the Coeur d'Alene City Attorney's office and a developer regarding the possible relocation of an existing trail onto the Line's right of way. At present, the trail proposed for relocation runs along the Spokane River, approximately 250 feet from the Line.

The Line includes reversionary property interests which could affect the transfer of title or use of the property for other than railroad purposes. Based upon information in UP's possession, the Line does not contain any federally granted right-of-way. Any documentation in UP's possession will be made available to those requesting it.

In recent years, and continuing until May, 2008, the sole purpose of the Line has been to serve Stimson Lumber Company's DeArmond Stud Mill. Historically, the mill

was jointly served by UP and BNSF Railway Company (previous Burlington Northern), with each carrier maintaining its own access. In October, 2003, UP ceased operation of its own service over the Line in favor of BNSF, which began providing service for UP pursuant to a haulage agreement between the carriers.

In May, 2008, all production at the DeArmond Mill ended and train service over the Line ceased. The mill is currently being dismantled and the property is being converted for other, non-industrial uses. UP believes that it is not necessary to reveal the DeArmond Mill's shipping activities during its final years of operation, because the mill is being dismantled, and because Stimson continues to maintain operations at other locations and such information could be used by its competitors. A copy of UP's exemption petition will be sent to Stimson Lumber Company's headquarters, which is located at 520 S.W. Yamhill Street, Suite 700, Portland, OR, 97204. There are no other opportunities for traffic on the line.

After abandonment, the closest UP rail service will be provided at the Feeley Spur station located several miles northwest of central Coeur d'Alene. Coeur d'Alene will also continue to receive rail service from BNSF, whose line is located approximately one mile away from the Coeur d'Alene Industrial Lead. Coeur d'Alene is also served by Interstate 90, an east-west route, and U.S. Highway 95, a north-south route.

(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 no traffic uses the Line, the proposed abandonment will have no impact on area transportation systems and patterns.

✓

(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 Kootenai County Commissioners' Office has been contacted. To date, UP has received no response.

(ii) The Natural Resources Conservation Service ("NRCS") has been contacted. Upon review, the NRCS found that soil suitability and effects to prime and unique farmland will not be changed or otherwise affected by the proposed abandonment, and it is unlikely that there would be additional effects to plant communities, terrestrial and aquatic ecosystems, biodiversity, or fuel loads. The NRCS' response is attached as **Attachment No. 3.**

(iii) Not Applicable.

(iv) The right-of-way has the potential to be used as a public recreational trail Pursuant to discussions with the City Attorney and developer, the

existing biking/hiking trail along the Spokane River, may be moved 250 feet northeast onto the Line's right of way. The City and the developer are assembling Union Pacific's land with BNSF's land and will construct condos/townhomes along the river. In order to accommodate the development, the trail will be moved away from the river.

(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
 - (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. The State of Idaho Department of Environmental Quality ("DEQ") reviewed the proposed abandonment and stated that it is not aware of any large releases of hazardous materials along the Line. However, based on the potential for petroleum contamination, the long history of the Line's operation and DEQ's experience with other rail line abandonments, DEQ requests that UP conduct a reconnaissance assessment of the rail bed and adjacent right-of-way proposed for abandonment, and complete a scientifically supportable random sampling of the grade and right-of-way to establish the surface and near surface concentrations of petroleum constituents and herbicides. The data would be subjected to a risk based assessment protocol that would guide grade closure alternatives protective of human health and the environment. The DEQ response is attached as **Attachment No. 4**.

(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, reviewed the proposed abandonment, and concluded that no federally listed, proposed, or candidate species are likely to occur in the vicinity of the project. The U. S. Fish and Wildlife Service's response is attached as **Attachment No. 5.**

(ii) The National Park Service has been contacted. To date, UP has received no 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) The U. S. Environmental Protection Agency Regional Office 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) 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 Line's right-of-way is approximately 100 feet wide, and its topography is generally 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: There are no structures over 50 years old affected by the proposed abandonment

(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: Not applicable.

(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.

(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 in the project area. No structures over 50 years old are affected by the proposed abandonment.

(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 28th day of October, 2008.

Respectfully submitted,



UNION PACIFIC RAILROAD COMPANY
Gabriel S. Meyer, Assistant General Attorney
1400 Douglas Street, Mail Stop 1580
Omaha, Nebraska 68179
(402) 544-1658
(402) 501-3393 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. 272X), the Coeur d'Alene Industrial Lead in Kootenai County, Idaho was served by first class mail, postage prepaid, on the 28th day of October, 2008 on the following:

State Clearinghouse (or alternate):

Commission Secretary
Idaho Public Utilities Commission
P O Box 83720
472 West Washington St.
Boise, ID 83702

State Environmental Protection Agency:

Idaho Department of Environmental Quality
1410 N Hilton
Boise, ID 83706

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

None

Head of each County:

Kootenai County Commissioners
County Courthouse
451 Government Way
Coeur d'Alene, ID 83814-2988

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

U S Environmental Protection Agency
Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

U.S. Fish and Wildlife:

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

U.S. Army Corps of Engineers:

U.S Army Engineers
Seattle District
4735 East Marginal Way South
Seattle WA 98134-2385

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
9173 W Barnes Drive, Ste C
Boise, ID 83709-1574

National Geodetic Survey:

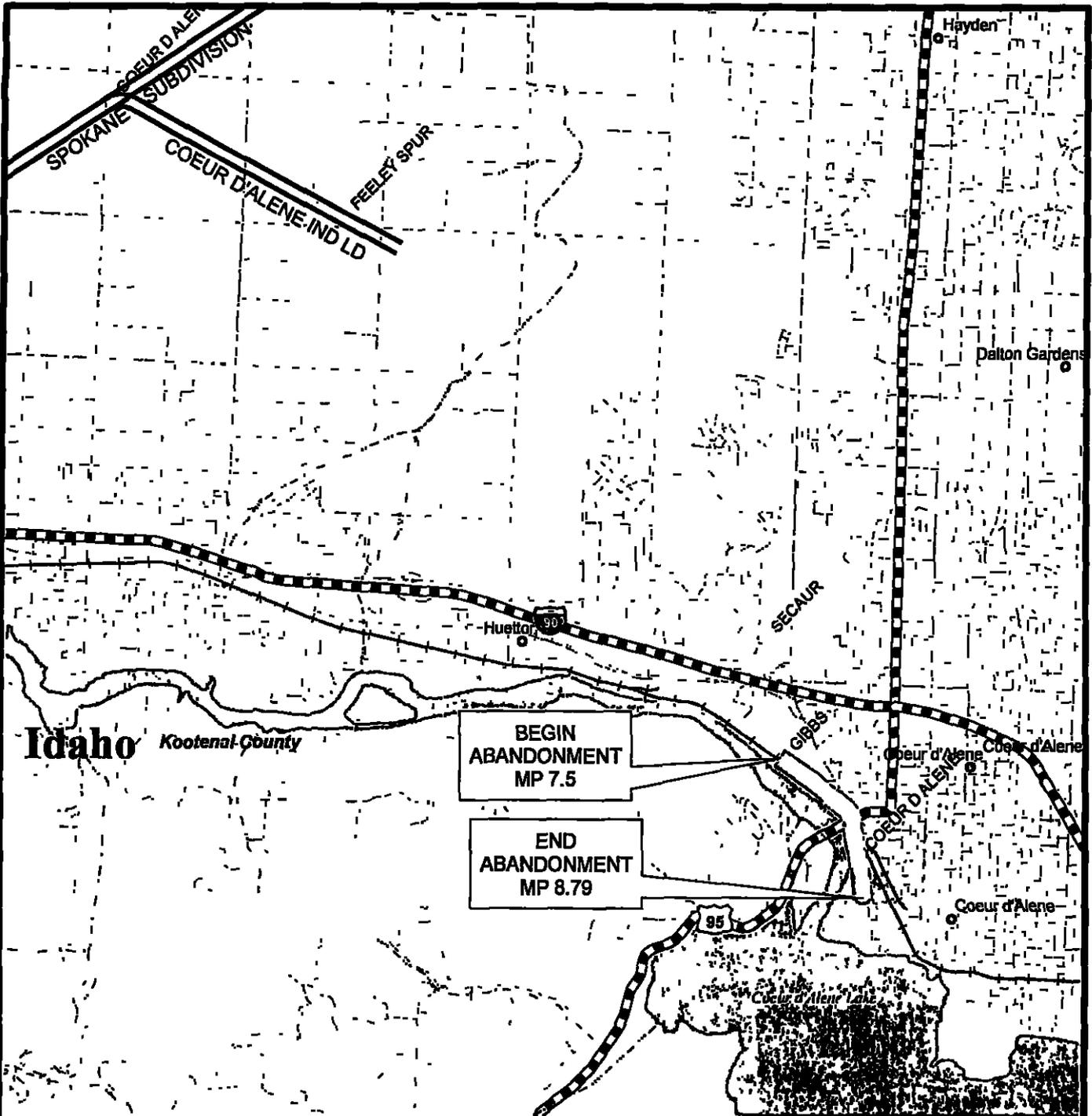
National Geodetic Survey
Frank Maida, Chief
Spatial Reference System Division
NOAA N/NGS23
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

State Historic Preservation Officer
Idaho Historical Society
2205 Old Penitentiary Road
Boise, Idaho 83712

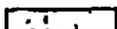
Dated this 28th day of October, 2008.


Gabriel S. Meyer



NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES

Legend

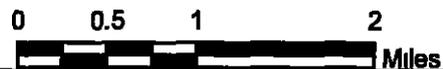
-  UPRR LINES TO BE ABANDONED
-  OTHER UPRR LINES
-  OTHER RAILROADS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

COEUR D'ALENE INDUSTRIAL LEAD

MP 7.50 TO MP 8.79
TOTAL OF 1.28 MILES IN KOOTENAI COUNTY
IN IDAHO

**UNION PACIFIC RAILROAD CO.
COEUR D'ALENE INDUSTRIAL LEAD
IDAHO**

INCLUDING 50+ YEAR OLD STRUCTURES





July 1, 2008

State Clearinghouse (or alternate):

Commission Secretary
Idaho Public Utilities Commission
P O Box 83720
472 West Washington St
Boise, ID 83702

State Environmental Protection Agency:

Idaho Department of Environmental Quality
1410 N Hilton
Boise, ID 83706

State Coastal Zone Management Agency

(If applicable):

None

Head of each County:

Kootenai County Commissioners
County Courthouse
451 Government Way
Coeur D Alene, ID 83814-2988

Environmental Protection Agency

(Regional Office):

U.S Environmental Protection Agency
Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

U.S. Fish and Wildlife:

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

U.S. Army Corps of Engineers:

U S Army Engineers
Seattle District
4735 East Marginal Way South
Seattle WA 98134-2385

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
9173 W Barnes Drive, Ste C
Boise, ID 83709-1574

National Geodetic Survey:

National Geodetic Survey
Frank Maida, Chief
Spatial Reference System Division
NOAA N/NGS23
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

State Historic Preservation Officer
Idaho Historical Society
2205 Old Penitentiary Road
Boise, Idaho 83712

Re: Proposed Abandonment of the Coeur d'Alene Industrial Lead from M.P. 7.5 near Gibbs to the end of the line at M P. 8.79 near Coeur d'Alene, a distance of 1.29 miles in Kootenai County, Idaho; STB Docket No. AB-33 (Sub-No 272X)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Coeur d'Alene Industrial Lead from M.P. 7.5 near Gibbs to the end of the line at M.P. 8.79 near Coeur d'Alene, a distance of 1.29 miles in Kootenai County, Idaho. A map of the proposed track abandonment shown in black is attached.

Law Department

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

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F.R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts; however, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES State whether the proposed action is consistent with existing land use plans Describe any inconsistencies

U. S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land

U. S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed) State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

U. S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects

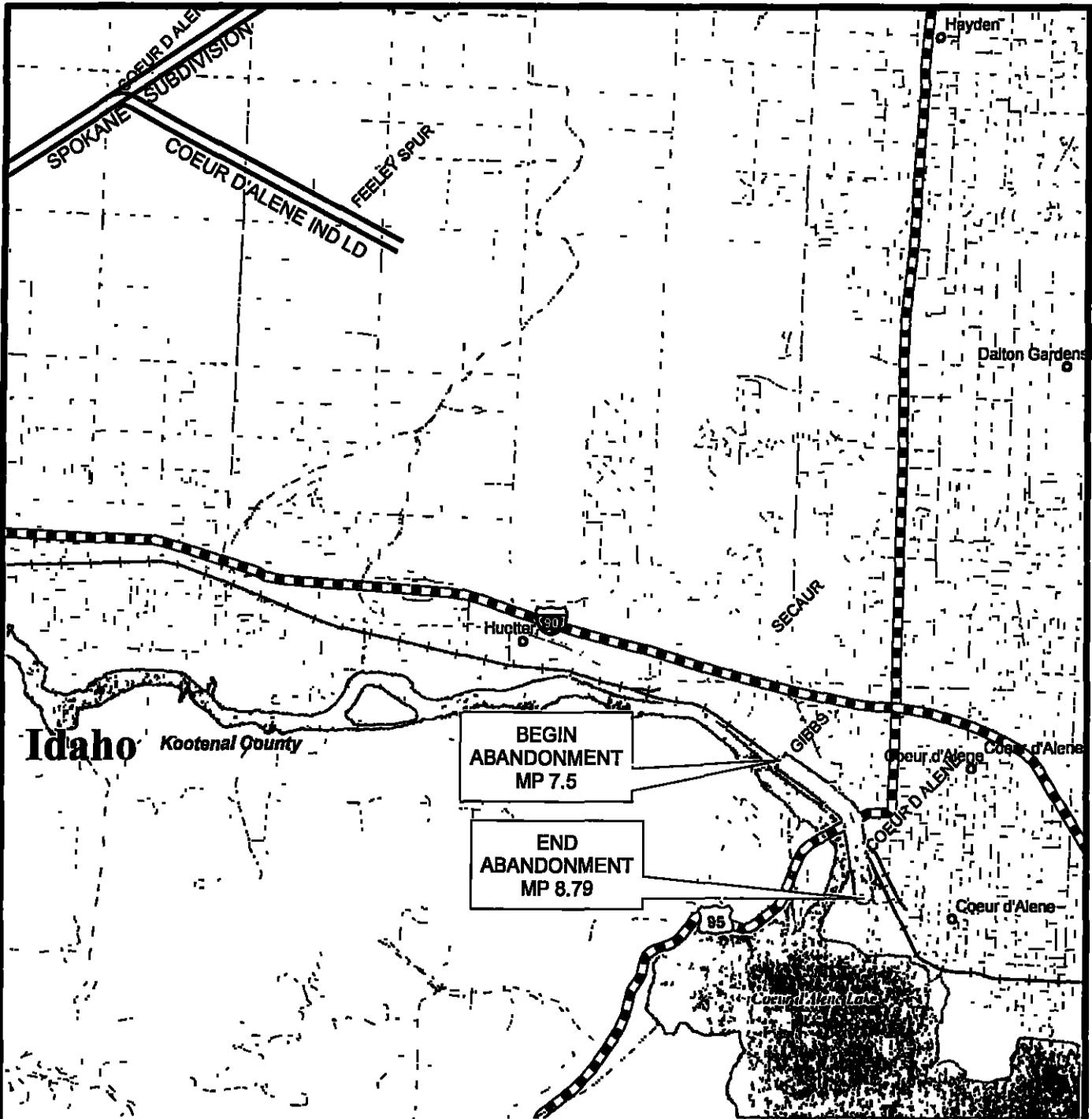
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

Thank you for your assistance Please send your reply to Union Pacific Railroad, Mr. Chuck Saylor, 1400 Douglas Street, Mail Stop 1580, Omaha, NE, 68179. If you need further information, please contact me at (402) 544-4861.

Yours truly,


Charles W. Saylor

Attachment



NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES

Legend

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

COEUR D'ALENE INDUSTRIAL LEAD

MP 7.60 TO MP 8.79
TOTAL OF 1.29 MILES IN KOOTENAI COUNTY
IN IDAHO

**UNION PACIFIC RAILROAD CO.
COEUR D'ALENE INDUSTRIAL LEAD
IDAHO**

INCLUDING 50+ YEAR OLD STRUCTURES





Natural Resources Conservation Service
9173 W. Barnes Drive, Suite C
Boise, Idaho 83709
(208) 378-5700

July 22, 2008

Union Pacific Railroad
Attn: Mr. Chuck Saylor
1400 Douglas Street
Mail Stop 1580
Omaha, NE 68179

RE: STB Docket No. AB-33 (Sub-NO. 272X); Coeur d'Alcne, Idaho

Mr. Saylor,

We received your request for information and comments on the above referenced project

The resource impacts that the NRCS typically reviews and provides comments for, if necessary, include the following:

- Soil Suitability and limitations
- Erosion, sediment and dust control
- Water discharge from project area to off-site locations – Impact to water quality and irrigation systems
- Effects of disruption to natural drainage patterns
- Consideration for soil and water conservation management systems and measures on project and adjacent lands; and, Impacts on previously installed soil and water conservation management systems.
- Prime and Unique Farmland
- Impacts on Ecosystems
- Impacts on other NRCS-related projects.

The NRCS has no comments or concerns with the listed resources for the abandonment of these 1.29 miles of Industrial Lead near Coeur d'Alcne, Idaho. The proposed abandonment will occur within an existing transportation right-of-way. Soil suitability and effects to prime and unique farmland will not be changed nor otherwise affected. Erosion, sediment, dust and water control should be included within normal operating plans as required by federal and state regulatory agencies. It is unlikely that there would be additional effects to plant communities, terrestrial

and aquatic ecosystems, biodiversity, or fuel loads. There are no current or planned NRCS-related projects in that area.

If you have any questions, please contact Mark Weatherstone, Assistant State Conservationist for Idaho (Technical Resources) at 208-378-5720 or email at Mark.Weatherstone@id.usda.gov.

Sincerely,


JEFF BURWELL
State Conservationist

cc: Mark Weatherstone, Assistant State Conservationist – Technical Services, Idaho NRCS, SO
David Hoover, State Soil Scientist, Idaho NRCS, SO
Hal K. Swenson, Assistant State Soil Scientist, Idaho NRCS, SO
Bruce Knapp, Resource Soil Scientist, Idaho NRCS, Moscow, Idaho
Mark Addy, District Conservationist, Idaho NRCS, Coeur d'Alene, Idaho



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814 • (208) 769-1422

C.L. "Butch" Otter, Governor
Terri Hardisty, Director

July 18, 2008

Chuck Saylor
Union Pacific Railroad
1400 Douglas Street
Mail Stop 1580
Omaha, NE, 68179

Subject: Proposed Union Pacific Railroad Abandonment – Coeur d'Alene Industrial Lead

Dear Mr. Saylor:

This letter is in response to your July 1, 2008 letter requesting assistance in identifying any potential environmental affects from the abandonment of the Coeur d'Alene Industrial Lead rail line from M.P. 7.5 to M.P. 8.79 in Coeur d'Alene, Idaho. It appears that this section is a continuation of the same rail line that was formally abandoned from mile post 7.5 to 2.25 in 2004/2005. The Department of Environmental Quality (DEQ) submitted comments to Union Pacific on that abandonment in a June 15, 2004 letter. Many of DEQ's concerns are the same for this section and are reiterated below.

The rail line passes by residential neighborhoods and industrial areas in Coeur d'Alene. It is readily accessible to the public. After discussions with long time residents of the Coeur d'Alene area, our understanding is that the line primarily carried forest products to and from lumber mills. Petroleum products were also transported to heating oil distributors and an asphalt plant along the line. Herbicides, used in vegetation control, and spilled petroleum product are potential contaminants in the rail corridor

The Department of Environmental Quality (DEQ) is not aware of any large releases of hazardous materials along the rail line. Based on the potential for petroleum contamination, the long history of this line's operation and our experience with other rail line abandonment projects, DEQ requests that Union Pacific conduct a reconnaissance assessment of the rail bed and adjacent right of way over this segment proposed for abandonment. The assessment should inventory any areas with discolored soils or devoid of vegetation for no apparent reason. The extent of these areas should be mapped. Any areas inventoried should undergo soil testing using a defensible sampling design to establish the nature of any contamination, its extent and maximum concentration values. The type of contamination suspected at any particular site should dictate the constituents sampled and assessed.

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Union Pacific should also complete a scientifically supportable random sampling of the grade and right of way to establish the surface and near surface (12 inches) concentrations of petroleum constituents and herbicides. These data should be subjected to a risk based assessment protocol that would guide grade closure alternatives protective of human health and the environment. The Idaho Risk Evaluation Manual is available through the DEQ website at <http://www.deq.idaho.gov/Applications/Brownfields/index.cfm?site=risk.htm>

Since this section of the rail line is situated along the Spokane River, any abandonment activities such as rail and tie removal should apply best management practices (BMPs) designed to protect the river from nonpoint source pollution. Once installed, these BMPs should be inspected on a regular basis and enhanced if not achieving the desired control of runoff and nonpoint source pollution.

Any area used to temporarily store and/or treat salvaged rails and ties should be situated well away from the river. It should be adequately fenced to restrict public access. Any temporary storage and/or treatment facility situated any place along the rail line will be over the Rathdrum Prairie-Spokane Valley Aquifer, a sole drinking water source for over 450,000 residents in the region. Local critical materials regulations (IDAPA 41.01.01.400) designed for aquifer protection will apply to any associated chemical storage at a storage and/or treatment site. Groundwater protection is required by the Idaho Groundwater Rule (IDAPA 58.01.1 1). Primary and secondary impermeable layers for containment of drainage generated from precipitation on stored rails and ties would be warranted. Adequate measures to collect, isolate and treat any accumulating liquids should be in place. Should tie washing be contemplated on such a site, liquid waste minimization measures would be required in addition to a liquids removal or treatment plan. RCRA regulations may also apply, dependent on any wastes generated.

If you have any questions concerning this response, please direct these to Kreg Beck at 208-769-1422 or kreg.beck@deq.idaho.gov.

Sincerely,



Daniel Redline
Regional Administrator

c: Toni Hardesty, Director, DEQ
Rosie Alonzo, DEQ – Assignment 39135
Kreg Beck, CDA DEQ
Junc Bergquist, CDA DEQ



United States Department of the Interior

FISH AND WILDLIFE SERVICE



*Upper Columbia Fish and Wildlife Office
11103 East Montgomery Drive
Spokane, WA 99206*

July 17, 2008

Chuck Saylor
Union Pacific Railroad
1400 Douglas St., M/S 1580
Omaha, NE 68179

**Subject: Species List for the Proposed Abandonment of Coeur d'Alene Industrial Lead Project
in Kootenai County, ID**

Dear Mr. Saylor:

We have reviewed your request for information on endangered and threatened species and their habitats that may be present in the vicinity of the proposed Abandonment of Coeur d'Alene Industrial Lead Project in Kootenai County, ID. Because of the scope and location of the project, no federally listed, proposed, or candidate species are likely to occur in the vicinity of this project.

This response fulfills the requirements of U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act of 1973, as amended (Act). Should the project plans change, or if it is delayed more than 90 days, you should verify the current accuracy of this response with the Service.

If you have any questions about this letter or your responsibilities under the Act, please contact Carrie Cordova at (509) 893-8022. Thank you for your efforts to protect our nation's species and their habitats.

Sincerely,

Suzanne Audet
for Supervisor