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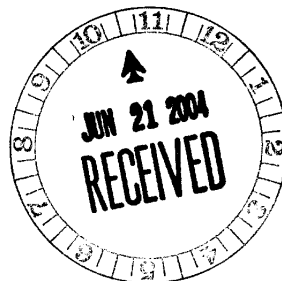
JUN 21 2004

SURFACE
TRANSPORTATION BOARD



211384

June 18, 2004



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

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Office of Proceedings

JUN 21 2004

Part of
Public Record

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JUN 21 2004

SURFACE
TRANSPORTATION BOARD

**RE: Docket No. AB-33(Sub-No.217X), Union Pacific Railroad Company
- Abandonment Exemption - of the Spreckles Industrial Lead, from
Milepost 121.5 near Spreckels Junction to Milepost 123.12 at the end of the
Line at Spreckles, a distance of 1.62 miles in Monterrey County, CA.**

Dear Mr. Williams:

Pursuant to the Board's exemption procedures for abandonment of rail lines with no local business for at least two years, (49 C.F.R. 1152.50), enclosed are an original and ten (10) copies of a verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33(Sub-No. 217X). Enclosed is a check for \$2,800.00 for the filing fee. Three (3) computer disks, in WordPerfect format, are included for the Board's use.

Sincerely yours,

Enclosures

cc: All parties of record

O:\ABANDONMENT\33-2171X\STBNOE2.wpd

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

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

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 217X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MONTEREY COUNTY, CALIFORNIA
(SPRECKLES INDUSTRIAL LEAD)



NOTICE OF EXEMPTION

UNION PACIFIC RAILROAD COMPANY

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

Dated: June 18, 2004
Filed: June 21, 2004

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 217X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MONTEREY COUNTY, CALIFORNIA
(SPRECKLES INDUSTRIAL LEAD)



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 the Spreckles Industrial Lead from milepost 121.5 near Spreckles Junction to milepost 123.12 at the end of the Line at Spreckles, a distance of 1.62 miles in and near Spreckles, Monterey County, California, (the "Line").

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

The abandonment is proposed to be consummated on or after August 10 , 2004 (at least 50 days after filing the Notice of Exemption).

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

UP certifies that no local traffic has moved over the Line for at least two years; and 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 either is pending with this Board or any U.S. District Court or

has been decided in favor of the complainant within the two-year period. The Line has not been used as an overhead route for the past two (2) years.

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

(a) General.

(a)(1) The railroads' 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 Line from milepost 121.5 near Spreckles Junction to milepost 123.12 at the end of the Line at Spreckles, a distance of 1.62 miles. The Line is located in and near Spreckles, Monterey County, California.

(a)(4) A map showing the location of the Line in conjunction with other rail lines, highways and major roads in the area is attached hereto as **Exhibit A** and hereby made a part hereof.

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

Mack H. Shumate, Jr., Senior General Attorney
Union Pacific Railroad Company
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

(a)(8) ZIP Code. The Line traverses U. S. Postal Service Zip Code 93962.

(e)(4) Rural and Community Impact. The Line was constructed by the Pajaro Valley Consolidated Railroad in 1902. The Line was primarily built with 90 pound rail, which has been removed. There are no shippers on the Line, and no commodities

have originated or terminated on the Line for over two years. There is no overhead traffic over the Line. There will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes. There appears to be no reasonable alternative to the abandonment..

After abandonment, the closest rail service would be provided by UP on the adjacent active portion of the Spreckles Industrial Lead. Spreckles lies on a local road that connects within approximately four miles to both U.S. 101, a major north-south route, and state route 68, an east-west route.

Based on information in UP's possession, the Line proposed for abandonment does not contain federally granted right-of-way. Railroad title to the property is considered fee with the exception of easement portions contained within two public grade crossings at Hunters Lane and Harkins Road.

Any documentation so related to the Line, including real estate documentation relating to the Line in UP's possession, will be made available to those requesting it.

Labor Protection

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

Certifications

Attached hereto as **Exhibit B** and hereby made a part hereof 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.

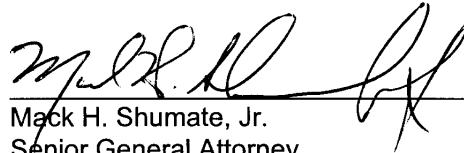
Environmental and Historic Report

A copy of the Transmittal Letter of UP's Combined Environmental and Historic report 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 hereto as **Exhibit C** and hereby made a part hereof. The original and ten (10) copies were sent to Ms. Victoria Rutson, Section of Environmental Analysis (SEA), on May 4, 2004.

Dated this 18th day of June, 2004.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

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

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

VERIFICATION

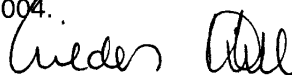
STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

I, RAYMOND E. ALLAMONG, JR., Senior Manager Rail Line Planning of Union Pacific Railroad Company, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, I know that these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Omaha, Nebraska, this 26th day of May, 2004.

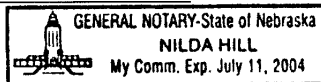

Raymond E. Allamong, Jr.

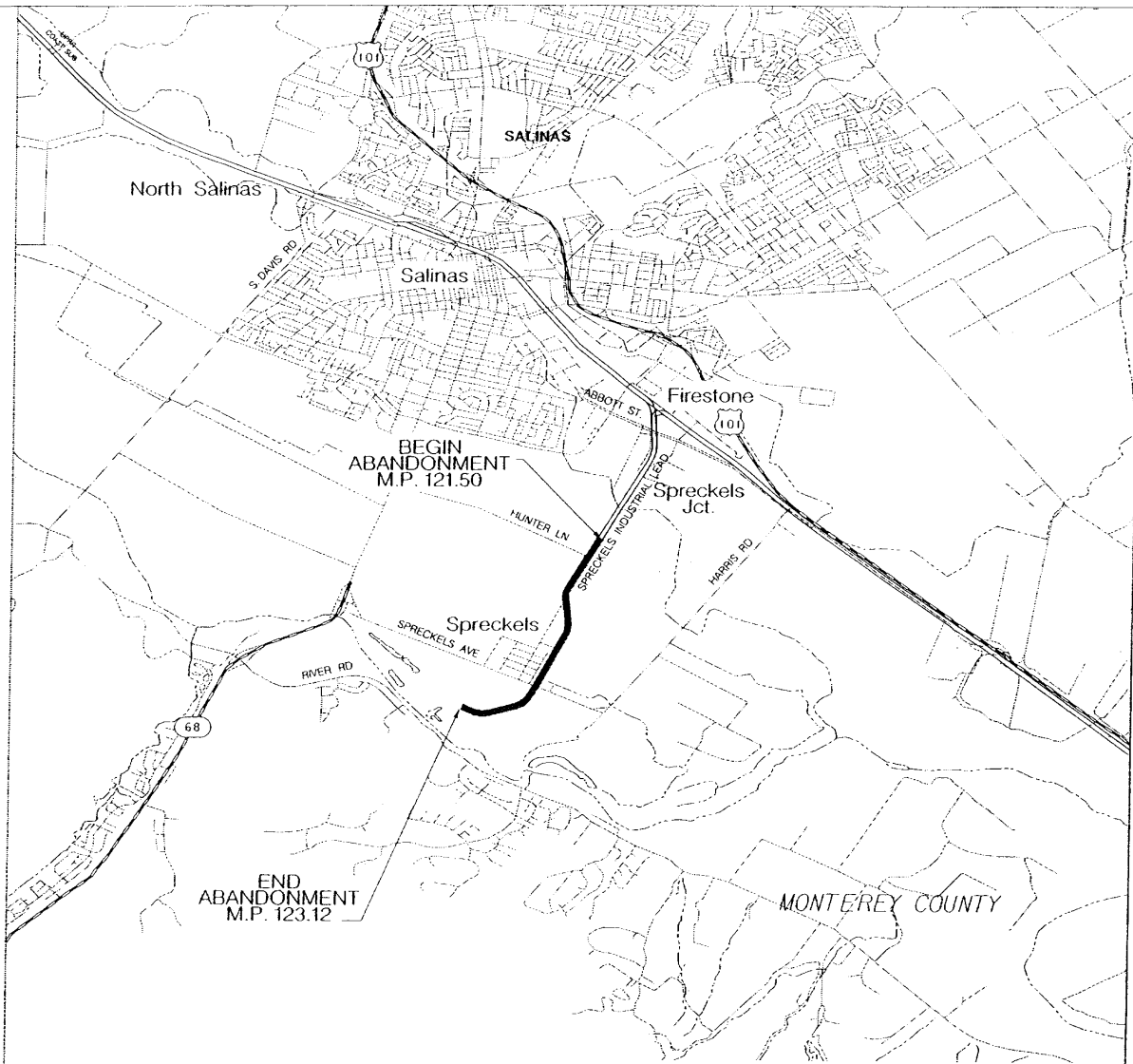
SUBSCRIBED AND SWORN TO
before me this 26th day of
May, 2004.



Notary Public

My Commission expires: _____





NOTE: THERE ARE NO 50+ YEAR OLD STRUCTURES

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

SPRECKELS INDUSTRIAL LEAD

MP 121.50 TO MP 123.12

TOTAL OF 1.62 MILES

IN MONTEREY COUNTY, CALIFORNIA

UNION PACIFIC RAILROAD CO.

SPRECKELS INDUSTRIAL LEAD

SPRECKELS JCT. TO SPRECKELS, CALIFORNIA
INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: q:\abandonments\ab0339_spreckels.dgn

DATE: 16-Jan-04 10:39

AB-33 (Sub-No. 217X)

EXHIBIT "A"

DOCKET NO. AB-33 (SUB-NO. 217X)
Spreckels Industrial Lead in Monterey County, CA

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on May 26, 2004 (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 for discontinuance of service and trackage rights over the Spreckels Industrial Lead in Monterey County, California in Docket No. AB-33 (Sub-No. 217X). Written notice (a copy of which is attached hereto as Attachment 1) was served on the following:

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

National Park Service
William D. Shaddox
Chief, Land Resources Division
1849 "C" St., N.W., #MS3540
Washington, DC 20240

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

Military Traffic Management Command
Transportation Engr. Agency
Railroads for National Defense
720 Thimble Shoals Blvd., Su.130
Newport News, VA 23606-2574

49 C.F.R. § 1105.11 -

The undersigned certifies that on May 5, 2004 (at least 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. 217X) for abandonment of the Spreckels Industrial Lead in Monterey County, California on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) State Coastal Zone Management Agency

- (4) Head of each County
- (5) U.S. Environmental Protection Agency (regional office)
- (6) U.S. Fish and Wildlife Service
- (7) U.S. Army Corps of Engineers
- (8) National Park Service
- (9) U.S. Natural Resources Conservation Service
- (10) The National Geodetic Survey
- (11) State Historic Preservation Office
- (12) Other Agencies Consulted (as listed)

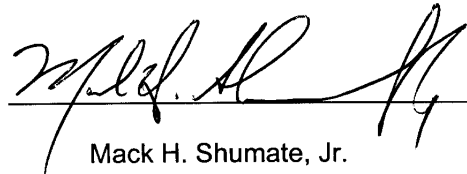
(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served.)

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 of Exemption. 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>
Monterey	<i>Monterey Peninsula Herald</i>	May 20, 2004

Dated this 18th day of June, 2004.


Mack H. Shumate, Jr.



FILE COPY

May 4, 2004

VIA U.P.S. OVERNIGHT

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

Attention: Victoria Rutson

**RE: Docket No. AB-33(Sub-No.217X), Union Pacific Railroad Company
- Abandonment Exemption - - In Monterey County, CA
(Spreckels Industrial Lead)**

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket is the original and ten (10) copies of a 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 in this matter on or after May 25, 2004.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.".

Enclosures

EXHIBIT "C"

O:\ABANDONMENTS\33-217X\STB-EHR.wpd

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

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