

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**Docket No. AB-33 (Sub-No. 338X)
UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN SALT LAKE COUNTY, UT**

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Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY
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Dated: November 30, 2021

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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 remaining portion of the SLC Passenger Line from MP 743.7 to MP 744.2 in Salt Lake, a distance of 0.5 miles in Salt Lake County, UT. The Line traverses U.S. Postal Service Zip Code 84101. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after December 20, 2021.

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 CEHR. There are no bridge structures on the Line. 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 the remaining portion of the SLC Passenger Line from MP 743.7 to MP 744.2, a distance of 0.5 miles in Salt Lake City, Salt Lake County, UT. A map of the Line is attached as **Attachment No. 1**.

The Line was constructed around 1882 by the Denver and Rio Grande Western as part of its route into downtown Salt Lake City. The Line was severed to the North through an abandonment authorized in 1998, and severed to the South as the result of a sale to the Utah Transit Authority at least seven years ago. Prior to 1998, the Line was used as an industrial lead.

UP's real property interest in the Line is primarily fee in nature. Based upon information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession with regard to ownership of the Line will be made available to those requesting it.

It is UP's intention to sell the right-of-way, track and ballast, and assign any existing leases, licenses or easements, to a private party - an adjacent landowner. Culverts and right-of-way grading will remain intact so as not to alter the prevailing drainage and water flows along the Line. Ballast will typically be left in place, but may be removed by the buyer after the sale if it is of exceptional quality - thus suitable for resale - or to make the right of way more suitable for a planned future use. There are

no public road crossings, railroad signals, bridges or structures on the Line. Interstate 15 carries vehicular traffic over the Line via overhead grade separated structure.

After the proposed abandonment, the Line will be developed for commercial and industrial uses by the buyer.

Since being severed due to abandonment of the portion to the North in 1998 and sale of the portion to the South at least seven years ago, there has been no traffic on the Line. No local traffic has moved to or from the Line in the past two years and there is no overhead railroad traffic. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant in at least two years.

(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 Head of Salt Lake County has been contacted. To date, UP has not received a response.
- (ii) The Natural Resources Conservation Service (“NRCS”) has been contacted. To date, UP has not received a response.
- (iii) Not Applicable.
- (iv) The property proposed for abandonment is not suitable for alternative public purpose, as the area is adequately served by existing roads and has access to utilities in existing public right of ways, nor is it suitable for mass transportation, energy production or transmission.

(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 reinstitution 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.

(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) and (ii). The U.S. Fish and Wildlife Service and the National Park Service were contacted. No response has been received to date. Also, the Line does not appear to enter any national or state parks or forests, wildlife sanctuaries, or refuges.

(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 Region 8 office and the Utah Department of Environmental Quality have been contacted. To date there has been no response.

(ii) The U. S. Army Corps of Engineers (Corps) has been contacted. To date, no responses have been received.

(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 right of way commences Southwest of the intersection of 900 South and 500 Southwest in Salt Lake City, Utah. The right of way runs through commercial and industrial areas. The right of way is approximately 50 feet wide. The topography is flat.

(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:

(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 to (3) and (4): There are no structures 50 years or older on the Line.

(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: There are no structures 50 years or older on the line.

(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: The State of Utah Historic Preservation Office has been contacted. To date, no responses have been received. Also, there are no structures on 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 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 30th day of November, 2021.

Respectfully submitted,

/s/ Jeremy Berman

UNION PACIFIC RAILROAD COMPANY
Jeremy M. Berman
Senior General Attorney
1400 Douglas St, #1580
Omaha, NE 68179
402-544-4735 (Tel.)
jmberman@up.com

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. 338X), the Abandonment Exemption for the SLC Passenger Line in Salt Lake County, UT was served by First Class U.S. Mail, postage prepaid, on the 30th day of November 2021, on the following parties:

State Clearinghouse (or Alternate):

Utah State Clearinghouse
Office of Management and Budget
PO Box 142210
Salt Lake City, UT 84114-32210

U.S. Army Corps of Engineers:

U.S. Army Engineer District, Sacramento
District Commander
1325 J Street. Rm 1513
Sacramento, CA 95814-2922

State Environmental Protection Agency:

Utah Department of Environmental Quality
Division of Water Quality
P.O. Box 144870
Salt Lake City, UT 84114-4870

National Park Service (Regional Office):

National Park Service
Intermountain Region
12795 Alameda Pkwy
PO Box 25287
Denver, CO 80225-0287

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency
Region 8
1595 Wynkoop St.
Denver, CO 80202-1129

U.S. Natural Resources Conservation Service:

Natural Resource Conservation Service
Wallace F. Bennett Federal Building
125 South State Street, Room 4010
Salt Lake City, UT 84138-1100

State of Utah Historic Preservation Office:

Utah State Historical Society
300 South Rio Grande Street
Salt Lake City, UT 84101

National Geodetic Survey:

NGS Information Services, NOAA, N/NGS12
Geodetic Services Division SSMC-3 #9340
1315 E-W Highway
Silver Spring, Maryland 20910-3282

U.S. Fish and Wildlife Service:

U.S. Fish & Wildlife Service
Mountain-Prairie Regional Office
134 Union Blvd.
Lakewood, CO 80228

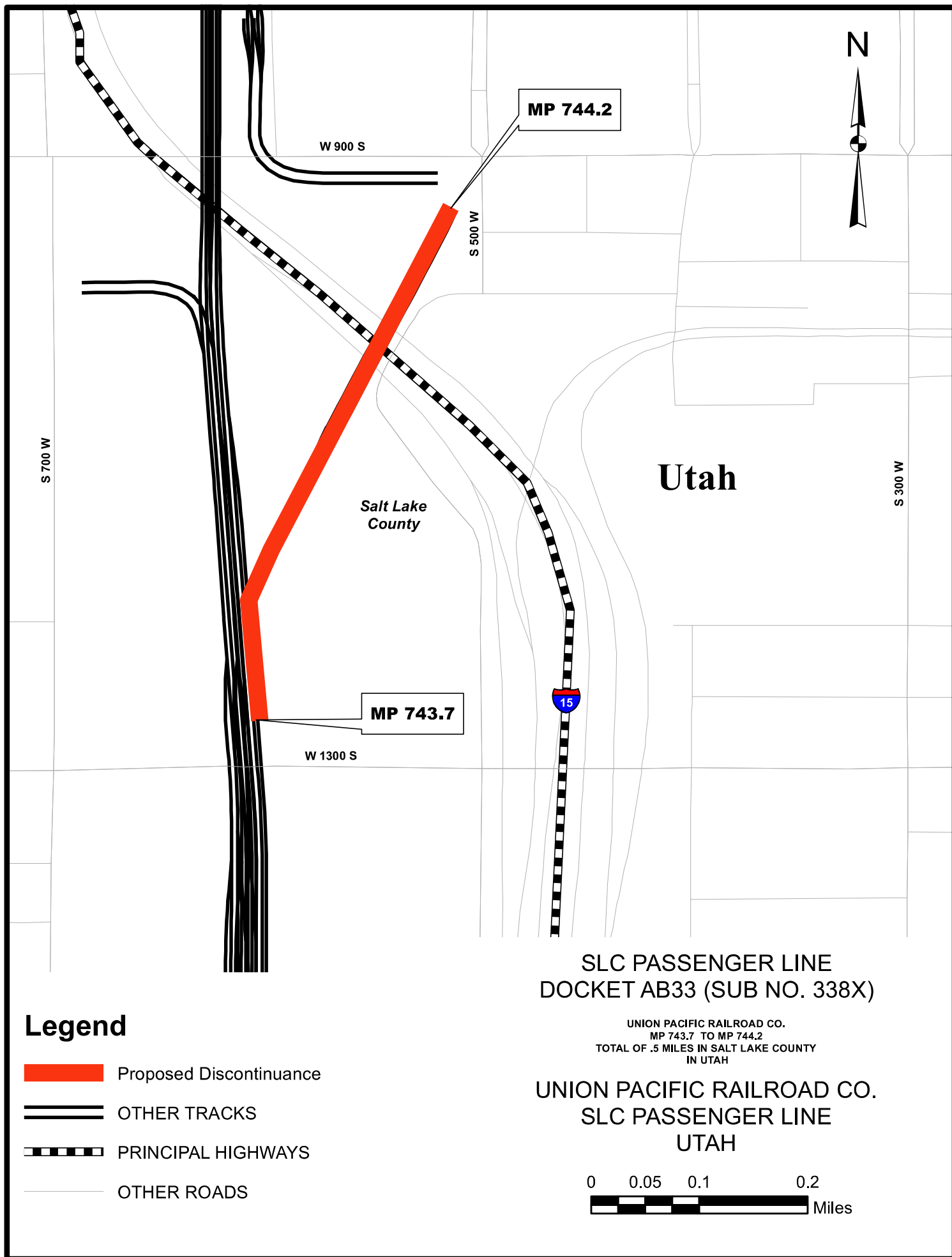
Head of Salt Lake County, Utah:

Salt Lake County Council
2001 South State Street N2-200
Salt Lake City, UT 84114-4575

Dated this 30th day of November, 2021.

/s/ Jeremy Berman

Jeremy M. Berman





BUILDING AMERICA®

July 27, 2021

State Clearinghouse (or Alternate):

Utah State Clearinghouse
Office of Management and Budget
PO Box 142210
Salt Lake City, UT 84114-32210

State Environmental Protection Agency:

Utah Department of Environmental Quality
Division of Water Quality
P.O. Box 144870
Salt Lake City, UT 84114-4870

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency
Region 8
1595 Wynkoop St.
Denver, CO 80202-1129

State of Utah Historic Preservation Office:

Utah State Historical Society
300 South Rio Grande Street
Salt Lake City, UT 84101

U.S. Fish and Wildlife Service:

U.S. Fish & Wildlife Service
Mountain-Prairie Regional Office
134 Union Blvd.
Lakewood, CO 80228

U.S. Army Corps of Engineers:

U.S. Army Engineer District, Sacramento
District Commander
1325 J Street, Rm 1513
Sacramento, CA 95814-2922

National Park Service (Regional Office):

National Park Service
Intermountain Region
12795 Alameda Pkwy
PO Box 25287
Denver, CO 80225-0287

U.S. Natural Resources Conservation Service:

Natural Resource Conservation Service
Wallace F. Bennett Federal Building
125 South State Street, Room 4010
Salt Lake City, UT 84138-1100

National Geodetic Survey:

NGS Information Services, NOAA, N/NGS12
Geodetic Services Division SSMC-3 #9340
1315 E-W Highway
Silver Spring, Maryland 20910-3282

Head of Salt Lake County, Utah:

Salt Lake County Council
2001 South State Street N2-200
Salt Lake City, UT 84114-4575

Re: Proposed Abandonment of the SLC Passenger Line near Salt Lake City, Salt Lake County, UT, STB Docket No. AB-33 (Sub-No. 338X)

To Whom It May Concern:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the SL Passenger Line from Milepost 743.7 to Milepost 744.2, a total distance of 0.5 miles near Salt Lake City, Salt Lake County, Utah. A map of the proposed discontinuance shown in black and red is attached. There are no bridge structures on the line, and the remaining track structure is limited to approximately three tenths of a mile near the north end of the proposed action.

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. Please 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. Please 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. Please 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 the undersigned.

Sincerely,



Madeline E. Roebke
Sr General Attorney

Attachment

Utah

Salt Lake
County

MP 744.2

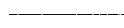
MP 743.7

SLC PASSENGER LINE
DOCKET AB33 (SUB NO. 338X)

UNION PACIFIC RAILROAD CO.
MP 743.7 TO MP 744.2
TOTAL OF .5 MILES IN SALT LAKE COUNTY
IN UTAH

UNION PACIFIC RAILROAD CO.
SLC PASSENGER LINE
UTAH

Legend

-  Proposed Discontinuance
-  OTHER TRACKS
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

0 0.05 0.1 0.2
 Miles