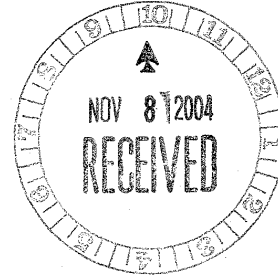


212525



November 5, 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.227X), Union Pacific Railroad Company
- Abandonment Exemption - In Caribou County, Idaho from M.P. 23.90 to
M.P. 24.11 (Dry Valley Subdivision)**

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 November 29, 2004.

Sincerely,

Enclosures

O:\ABANDONMENTS\33-227X\STB-EHR.doc

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NOV 15 2004

Part of
Public Record

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. 227X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN CARIBOU COUNTY, IDAHO
(DRY VALLEY SUBDIVISION)

Combined Environmental and Historic Report

ENTERED
Office of Proceedings

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Part of
Public Record

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: November 5, 2004
Filed: November 8, 2004

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 227X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN CARIBOU COUNTY, IDAHO
(DRY VALLEY SUBDIVISION)

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 and discontinuance of service over the Dry Valley Subdivision from milepost 23.90 to milepost 24.11, a distance of 0.21 miles in Caribou County, Idaho (the "Line"). The Line traverses U. S. Postal Service Zip Code 83230.

The UP anticipates that a Petition for Exemption to abandon the Line will be filed at the STB on or after December 29, 2004.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and hereby made a part hereof. Responses, if any, received to UP's letters to date are typically attached and sequentially numbered.

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 abandonment and discontinuance of service over the Dry Valley Subdivision from milepost 23.90 to milepost 24.11, a distance of 0.21 miles near Dry Valley, in Caribou County, Idaho. The sole reason for the proposed abandonment is to facilitate the reclassification and sale of the Line to the customer, Agrium, so that Agrium can assemble optimally sized phosphate rock trains with its own crews, which will enhance the economic performance of this short segment and the line beyond. In 2002 and 2003, the Dry Valley traffic was moved by a firm named Astaris. Astaris has since sold the Dry Valley mining operations to a firm called Agrium. Agrium is the party that desires to operate the subject Line after the proposed abandonment, reclassification, and sale. It is contemplated that Agrium will commence shipping activities in 2005. The recent shipping profile for the Line is as follows

Agrium (Successor-In-Interest to Astaris)
13131 Lake Fraser Drive S.E.
Calgary, AB T2J 7E8

(Note: Astaris was the sole shipper on the Line in 2002 and 2003 but subsequently sold its operations served by the Line to Agrium).

2002: Phosphate Rock, STCC 1471410, 1722 cars, 170,469 tons.
Covered Hoppers moved on own wheels, 14 cars, 0 tons lading
Total: 1736 cars, 170,469 tons.

2003: Phosphate Rock, STCC 1471410, 1906 cars, 159,103 tons.

January-September 2004, no activity.

The abandonment will have no adverse effect on Agrium. Subsequent reclassification of the Line and sale of the Line by UP to Agrium will permit Agrium to build larger trains with its own personnel and permit it to maximize its rail shipping activity. Agrium will not have to utilize any transportation alternatives.

There appears to be no reasonable alternative to the abandonment. The Line serves the sole function of accessing the industry tracks of Agrium. There is no other industry in the area, and none is anticipated. There is no overhead traffic. The phosphate rock produced by Agrium moves in dedicated unit trains.

The Line was constructed in 1965 by UP for El Paso Gas Products Company. The Line was purchased by former UP subsidiary Oregon Short Line Railroad in 1973. It is laid with 131-pound jointed rail.

UP does not believe the property proposed for abandonment is suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, as the area because of its limited population base is adequately served by existing roads and utility lines. The Line contains approximately 3.992 acres of non-reversionary property. Based on information in our possession, the Line does not contain 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: There should be no effect on regional or local transportation systems or patterns, and there will be no diversion 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 effects 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 Caribou County Commissioners Office has been contacted. To date UP has received no response.

(ii) The United States Natural Resources Conservation Service has been contacted and responded that the proposed abandonment will not have any adverse environmental impact on any prime agricultural land. The Natural Resources Conservation Service's response is attached as **Attachment No. 3**, and is hereby made part hereof.

(iii) Not Applicable.

(iv) The property is generally not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, as the area because of its limited population base 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 is no such effect anticipated.

(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 of these magnitudes 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 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 Idaho Division of Environmental Quality has been contacted. To date UP has received no response.

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

(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.

(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 is 149 feet in width and is in a dale. The topography of the land is hilly, rocky with some gently rolling slopes

(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 no structures on the property that are 50 years old or older.

(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 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 or 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 5th day of November, 2004.

Respectfully submitted,

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

O:\ABANDONMENTS\33-221\X\EHR.wpd

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. 227X) for the Dry Valley Subdivision in Caribou County, Idaho was served by first class mail on the 5th day of November, 2004 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 Division of Environmental Quality
1410 N. Hilton
Boise, ID 83706

State Coastal Zone Management Agency
(if applicable):

None

Head of each County:

Caribou County Commissioners
County Courthouse
159 S. Main Street
Soda Springs, ID 83276-1427

Environmental Protection Agency
(Regional Office):

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

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 Engineer District
Walla Walla
201 North Third Avenue
Walla Walla, WA 99362-1876

National Park Service:

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

U.S. Natural Resources Conservation Service:

State Conservationist
Natural Resource Conservation Service
9173 W. Barnes Drive, Ste. C
Boise, ID 83709-1573

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

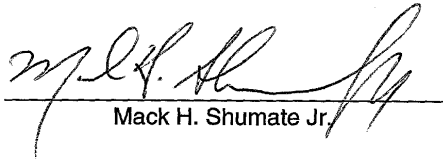
State Historic Preservation Office:

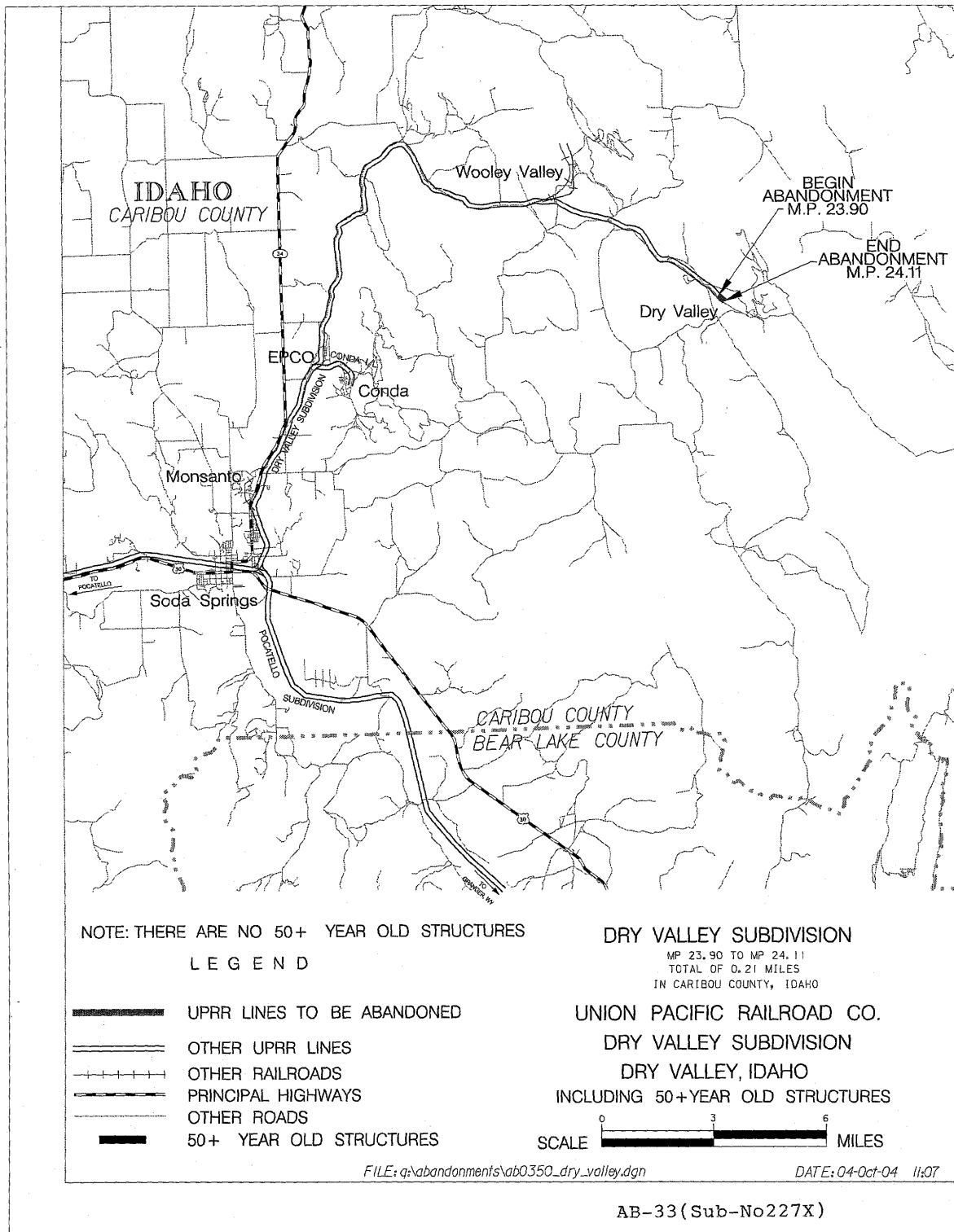
State Historic Preservation Officer
Idaho Historical Society
1109 Main St., Suite 250
Boise, ID 83702

Shipper:

Agrium
13131 Lake Fraser Drive S.E.
Calgary, AB T2J 7E8

Dated this 5th day of November, 2004


Mack H. Shumate Jr.





October 11, 2004

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 Division of Environmental Quality
1410 N. Hilton
Boise, ID 83706

State Coastal Zone Management Agency

(if applicable):

None

Head of each County:

Caribou County Commissioners
County Courthouse
159 S. Main Street
Soda Springs, ID 83276-1427

Environmental Protection Agency

(Regional Office):

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

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 Engineer District
Walla Walla
201 North Third Avenue
Walla Walla, WA 99362-1876

National Park Service:

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

U.S. Natural Resources Conservation Service:

State Conservationist
Natural Resource Conservation Service
9173 W. Barnes Drive, Ste. C
Boise, ID 83709-1573

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:

State Historic Preservation Officer
Idaho Historical Society
1109 Main St., Suite 250
Boise, ID 83702

Re: Proposed Abandonment of the Dry Valley Subdivision from M. P. 23.90 to M. P. 24.11 near Dry Valley in Caribou County, Idaho; STB Docket No. AB-33 (Sub-No. 227X)

Law Department

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

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Dry Valley Subdivision from M. P. 23.90 to M. P. 24.11 near Dry Valley, a distance of 0.21 miles in Caribou County, Idaho. A map of the proposed track abandonment shown in black is attached.

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.

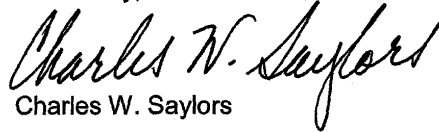
STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

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.

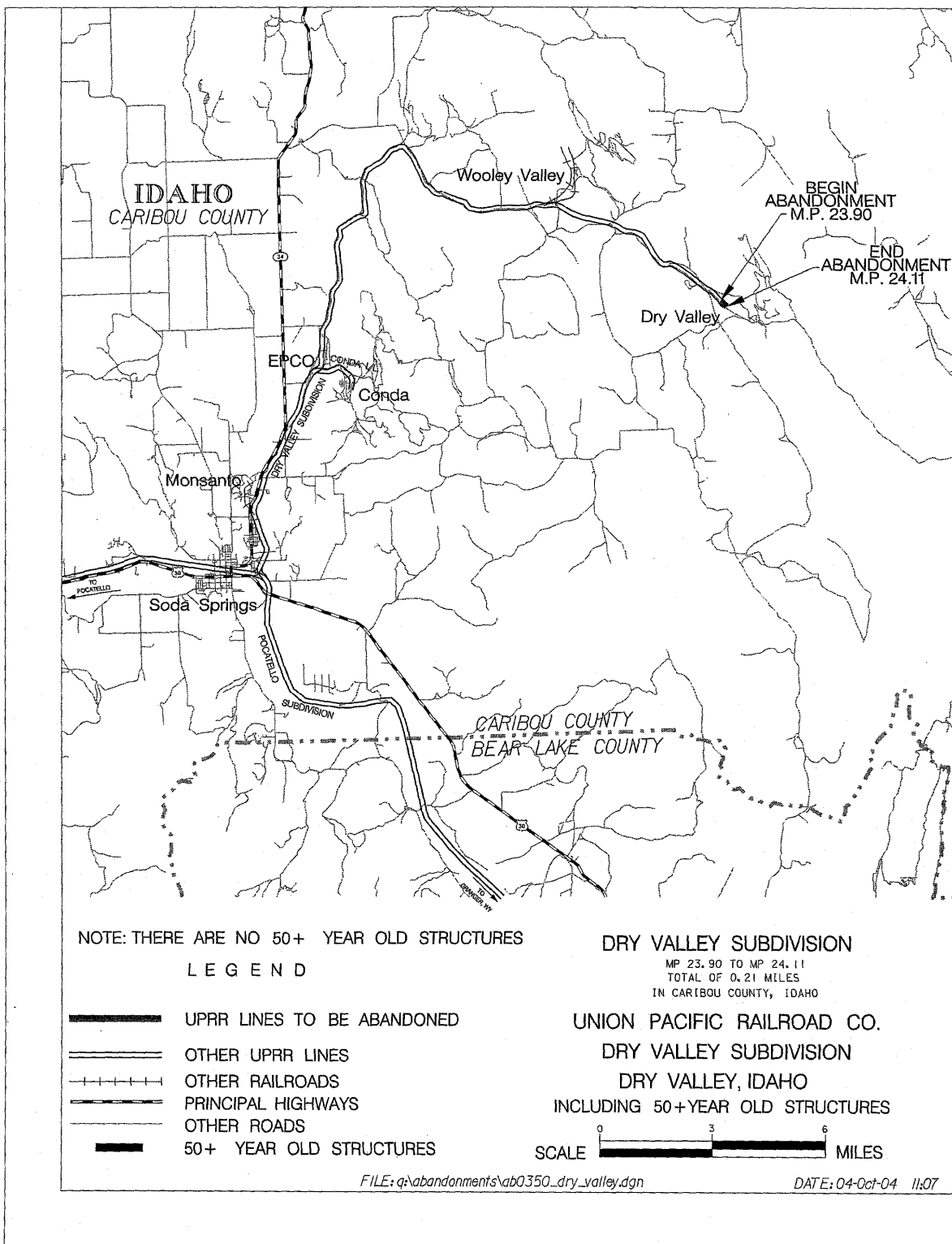
U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials 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

Attachment



United States Department of Agriculture



Natural Resources Conservation Service
9173 W. Barnes Dr., Suite C
Boise, ID 83709-1574

October 20, 2004

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

RE: Proposed Abandonment of the Dry Valley Subdivision from M.P. 23.90 to M.P. 24.11 near Dry Valley in Caribou County, Idaho ; STB Docket No. AB-33 (Sub-No. 227x)

Dear Mr. Saylor:

This is to inform you that the Natural Resources Conservation Service's official position on Union Pacific Railroad Company's plan to abandon and discontinue service on the Dry Valley Subdivision from M.P. 23.90 to M.P. 24.11 near Dry Valley, a distance of 0.21 miles in Caribou County, Idaho will not have any adverse environmental impact on any prime agricultural land.

Sincerely,

A handwritten signature in black ink that reads "Lee E. Brooks".

LEE E. BROOKS
Assistant State Conservationist (TS)
Natural Resources Conservation Service
9173 W. Barnes Drive, Suite C
Boise, ID 83709-1573

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer