

Before the

300245

SURFACE TRANSPORTATION BOARD

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STB Docket No. AB 310 (Sub. No. 2X)

UTAH RAILWAY COMPANY
- ABANDONMENT EXEMPTION - IN CARBON AND EMERY COUNTIES, UT

ENVIRONMENTAL/HISTORIC REPORT

(color copies included)

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Counsel for Utah Railway Corporation

Dated: December 23, 2019

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 310 (Sub. No. 2X)

UTAH RAILWAY COMPANY
- ABANDONMENT EXEMPTION - IN CARBON AND EMERY COUNTIES, UT

ENVIRONMENTAL/HISTORIC REPORT

Utah Railway Company (“UTAH”) will be seeking exemption authority for the abandonment of the line of railroad extending between Milepost 9.56 in Carbon County, Utah and Milepost 25.3 in Emery County, Utah (the “Subject Line”). There are no stations on the Subject Line. The Subject Line traverses through United States Postal Service ZIP Codes 84525, 84526, and 84501. A map of the Subject Line is attached as Exhibit A.

UTAH plans to seek Surface Transportation Board (“STB”) authorization for its abandonment through a notice of exempt abandonment pursuant to the provisions of 49 CFR §1152.50 on or about January 13, 2020. This Report is being filed in connection therewith, and in accordance with the requirements of 49 CFR 1105.7 and 1105.8. To prepare this Report, Applicant consulted with various state and federal agencies as required by the Board’s regulations. See the letters attached as Exhibit B. Based on the written responses received by Applicant to-date attached as Exhibit C, Applicant states as follows:

ENVIRONMENTAL REPORT

(49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

Applicant originally acquired the Subject Line, together with other lines, from Arava Natural Resources Company, Inc., a wholly owned subsidiary of Mueller Industries, Inc. in August 2002. *Genesee & Wyoming Inc., - Control Exemption – Utah Railway Company and Salt Lake City Southern Railroad Company*, STB Finance Docket No. 34235 (served Sept. 16, 2002). The Subject Line has not had any local or overhead service since August 2008 when a fire destroyed the Gordon Creek Bridge. At this time UTAH anticipates salvaging the track, rail ties, and other track materials.

2. EFFECTS ON THE TRANSPORTATION SYSTEM

Because there has been no local or overhead service on the Subject Line for over eleven years, no traffic will be diverted, and Applicant believes that the abandonment would have no effect on the transportation system. Applicant sent a consultation letter regarding the proposed abandonment to the Utah Department of Transportation (“UDOT”). See the letters attached as part of Exhibit B. No response has been received from UDOT.

3. LAND USE

(i) Applicant is unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. Applicant consulted with the following agencies regarding the proposed abandonment that may be concerned with land use issues: Utah Department of Environmental Quality (“UDEP”), Carbon County Commissioners Office (“Carbon County”), Emery County Commissioners Office (“Emery County”), U.S. Fish and Wildlife Service (Region 6) (“FWS”), U.S. Army Corps of Engineers (Bountiful Field Office),

U.S. Department of Agriculture – NRCS (national)(“NRCS national”), U.S. Department of Agriculture – NRCS (Utah)(“NRCS Utah”), U.S. Environmental Protection Agency (Region 8)(“EPA”), NOAA, National Geodetic Survey (“NGS”), U.S. Bureau of Land Management (Utah State Office)(“BLM”) U.S. National Park Service (national)(“NPS national”), U.S. National Park Service (Regional Office - Denver)(“NPS Denver”). Copies of these letters are attached as part of Exhibit B. To date, Applicant has only received written responses from the following consulted agencies, copies of which are included as part of Exhibit C:

- NPS Denver indicated that it has no comment on the proposed abandonment.
- NGS states that a geodetic survey mark could exist near the right of way to be abandoned. NGS asks that if a mark will be disturbed by the abandonment, UTAH should consult with NGS at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic marks identified nearby.
- BLM inquired about an area that is outside of the proposed abandonment, but provided no comment related to the right-of-way that UTAH proposes to abandon.

(ii) Applicant does not believe that the proposed abandonment will have any adverse effect on any prime agricultural land. Consultation notices were sent to the potentially concerned agencies listed in paragraph 3(i) above, and as indicated, no responses have been received except for the responses from NPS, NGS, and BLM, none of which have any issues with the proposed abandonment, or indicated any adverse effects on prime agricultural land.

(iii) Applicant does not believe that the Subject Line is in a coastal zone, and accordingly, consistency with any coastal zone plans is inapplicable. The Subject Line is located in the state of Utah. The Board’s Environmental Contact list cites no agency contact for Utah coastal zone management.

(iv) Applicant believes that the right of way may be suitable for use as a trail or other public purposes; however, to-date, no entity has expressed an interest in acquiring the Subject Line for interim trail use and rail banking, or any other public use.

4. **ENERGY**

Since there has not been any local or overhead service on the Subject Line for more than eleven years,

(i) the proposed abandonment will have no effect on the transportation of energy sources;

(ii) the proposed abandonment will have no effect on recyclable commodities;

(iii) the proposed abandonment will be no effect on overall energy efficiency;

and

(iv) the proposed abandonment will not divert any traffic from rail to motor carriage.

The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. **AIR**

Since there has not been any local or overhead service on the Subject Line for more than eleven years, the proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity. The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(5).

6. **NOISE**

Applicant does not believe that the proposed abandonment will result in any increase in noise levels.

7. SAFETY

Applicant does not believe that the proposed abandonment will have any adverse effect on public health or safety.

8. BIOLOGICAL RESOURCES

(i) Applicant has consulted with the FWS, as well as to the following agencies that are potentially concerned with biological resources: UDEP, NPS national, NPS Denver, U.S. Army Corps of Engineers, NRCS-national, and NRCS-Utah, BLM, FWS. Copies of these consultation letters are attached as part of Exhibit B. The only potentially relevant responses received to-date were from NPS Denver and BLM, copies of which are attached as part of Exhibit C. Written responses received from NPS Denver and BLM are summarized in Section 3(i) above.

(ii) Applicant does not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposed abandonment. Consultation letters were sent to the agencies identified in the paragraph 8(i), and Applicant received only the responses summarized above; neither of which identified any of these areas in the vicinity of the Subject Line.

9. WATER

(i) The proposed abandonment and any salvage will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. Applicant consulted with the agencies identified in paragraph 8(i), and received only the responses set forth in paragraph 8(i).

(ii) Applicant sent a consultation letter regarding the proposed abandonment to the U.S. Army Corps of Engineers. A copy of this letter is attached as part of Exhibit B. No response has been received to-date.

(iii) Applicant does not believe that any Clean Water Act permits will be required. Consultation letters were sent to UDEP and EPA. Copies of these letters are attached as part of Exhibit B. No responses have been received to-date.

10. PROPOSED MITIGATION

Since no adverse environmental impacts are expected, no mitigation is proposed.

11. ADDITIONAL INFORMATION FOR RAIL CONSTRUCTION

Not applicable.

12. CONSULTATION

As shown by the copies of letters attached as Exhibit B, Applicant has consulted with the following agencies: UDEP, Carbon County, Emery County, FWS, U.S. Army Corps of Engineers, NRCS national, NRCS Utah, EPA, NGS, BLM, NPS national, NPS Denver. Written responses received to-date are attached as Exhibit C. Written responses received from NPS, NGS, and BLM are summarized in Section 3(i) above.

13. CERTIFICATIONS

Applicant certifies that:

- (a) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph 12 above.
- (b) On this date, it sent copies of this report to each of the agencies consulted as shown on the attached certificate of service.

- (c) Notice of the proposed abandonment was published in *ETV News* on November 13, 2019. A copy of the form of notice and the proof of publication are attached as Exhibit D.
- (d) Applicant will not file its verified notice of abandonment until at least twenty (20) days after the consulted agencies have been served with a copy of this report.

HISTORIC REPORT (49 CFR 1105.8)

1. U.S.G.S TOPOGRAPHIC MAP

U.S.G.S. topographic maps showing the location of the proposed abandonment are attached as Exhibit E.

2. DESCRIPTION OF RIGHT OF WAY

The Subject Line extends between Milepost 9.56 in Carbon County, Utah and Milepost 25.3 in Emery County, Utah. The Subject Line is located in a primarily rural, mountain and desert terrain. The right of way is generally 25 feet wide. The right of way is crossed by several local roadways.

3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)

There are no photographs because the Subject Line has no visible structures 50 years old or older on the right-of-way. UTAH believes that this portion of the Subject Line was originally built around 1912 to service mining operations. Although it once included the Gordon Creek Bridge, constructed around 1912, a fire destroyed the bridge in 2008.

4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)

The Gordon Creek Bridge was constructed around 1912, but it was destroyed by fire in 2008.

5. HISTORY OF CARRIER OPERATIONS IN THE AREA

The U.S. Smelting, Refining and Mining Company began UTAH's freight operations with the transportation of minerals and ores around 1912 to serve mining operations under the name Utah Coal Railway, later renamed the Utah Railway Company. The Subject Line served mines near Mohrland and Hiawatha, Utah. U.S. Smelting, Refining and Mining Company, under the new name UV Industries, Inc. sold UTAH to Sharon Steel Company in 1979. This company

reorganized as Mueller Industries, Inc. and in 2002, the Genesee & Wyoming Inc., acquired UTAH from Arava Natural Resources Company, Inc., a wholly owned subsidiary of Mueller Industries, Inc. Today, UTAH hauls coal, brick, cement, building materials, chemicals, and petroleum products on the other rail lines it operates.¹ The Subject Line has been out of service since 2008.

6. SUMMARY OF STRUCTURE DOCUMENTATION

The only structure on the right of way was the destroyed Gordon Creek Bridge, and there are no other structures on the Subject Line.

7. OPINION REGARDING CRITERIA FOR LISTING

Based on readily available information in UTAH's possession, UTAH does not believe that the rail line or right of way represent an historical resource or that any protective conditions are warranted.

Applicant has given notice of the proposed abandonment to the State Historic Preservation Officer at the Utah State Historic Preservation Office, Utah Division of State History ("SHPO"), a copy of which is included as part of Exhibit F. In its response, the SHPO stated that it would wait to comment until UTAH issued this report.

¹ See UTAH History, https://www.gwrr.com/railroads/north_america/utah_railway/utah-history; *Genesee & Wyoming Inc. – Control Exemption - Utah Railway Company and Salt Lake City Southern Railroad Company*, STB Finance Docket 34235 (served Sept. 16, 2002).

8. **ENVIRONMENTAL CONDITIONS**

Applicant is unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might affect the archeological recovery of resources or the surrounding terrain. Moreover, any future salvage work that would occur would take place within the right of way, and would be surface work only and would not disturb subsurface resources.



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jmarks@clarkhill.com

Counsel for Utah Railway Company

Dated: December 23, 2019

CERTIFICATE OF SERVICE

I hereby certify that on this 23 day of December, 2019, I served a copy of the foregoing Environmental and Historic Report on the persons listed below by first class mail, postage prepaid:

Utah State Clearinghouse
Governor's Office of Planning and Budget
Utah State Capitol Complex
P.O. Box 142210
Salt Lake City, UT 84114-2210

The Natural Resources Conservation Service
USDA
125 S. State Street, Room 4010
Salt Lake City, UT 84138
(801) 524-4550

Utah Department of Environmental Quality
P.O. Box 144810
Salt Lake City, Utah 84114-4810

Natural Resources Conservation Service
USDA
Office of the Chief
1400 Independence Ave., SW
Room 5105-A
Washington, DC 20250

Utah Department of Transportation
P.O. Box 141245
Salt Lake City, UT 84114-1245

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

Carbon County Commissioners Office
751 E 100 N
Price UT 84501

The National Geodetic Survey
Communications and Outreach Branch,
NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East-West Highway
Silver Spring, MD 20910-3282

Emery County Commissioners Office
P.O. Box 629
Castle Dale, UT 84513

U.S. Bureau of Land Management
Utah State Office
440 West 200 South, Ste. 500
Salt Lake City, UT 84101

U.S. Fish and Wildlife Service
Region 6
Denver Federal Center
P.O. Box 25486
Denver, CO 80225-0486

National Park Service Regional Office
12795 West Alameda Parkway
Lakewood, CO 80228

U.S. Army Corps of Engineers
Bountiful Field Office
533 West 2600 South, Suite 150
Bountiful, UT 84010-7744

Utah Historic Preservation Office
300 South Rio Grande
Salt Lake City, UT 84101

National Park Service
1849 C Street, NW
Washington, DC 20240

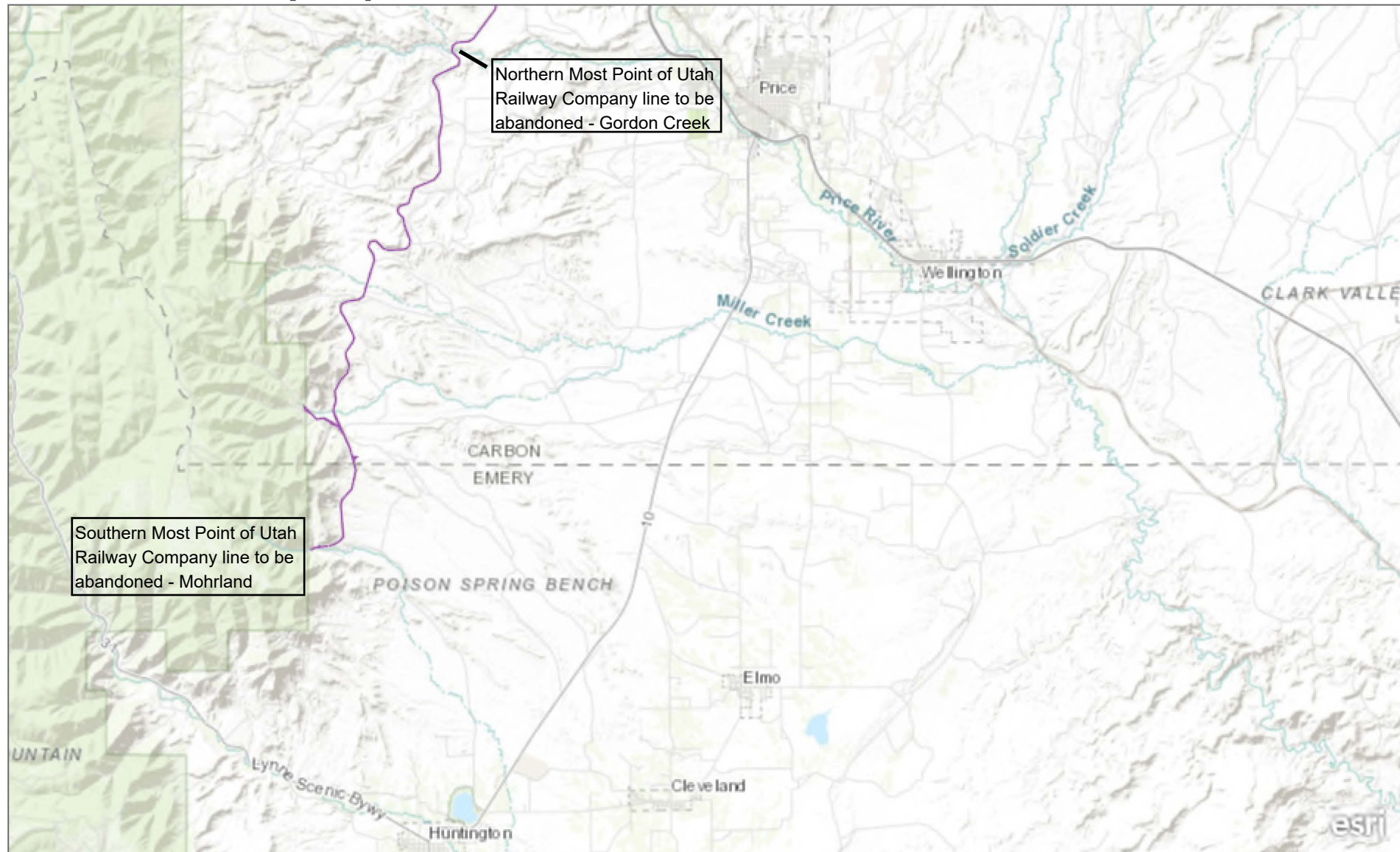


Justin J. Marks
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EXHIBIT A

MAP

Short Line Railroads (2018)



Bureau of Land Management, Utah AGRC, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

Source: The Surface Transportation Board Railroad Map Depot

EXHIBIT B

CONSULTATION LETTERS

(ENCLOSURES NOT INCLUDED)

CLARK HILL

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Washington, DC 20004
T 202.772.0909
F 202.772.0919

clarkhill.com

October 24, 2019

ALL AGENCIES ON THE ATTACHED SERVICE LIST

Re: Utah Railway Company – Abandonment Exemption – in Carbon and Emery
Counties, Utah Surface Transportation Board Docket
No. AB 310 (Sub. No. 2X)

To Whom it May Concern:

This letter is to advise you that Utah Railway Company (“UTAH”) intends to file for the abandonment of a segment of its line between Milepost 9.56 in Carbon County, Utah and Milepost 25.3 in Emery County, Utah (the “Subject Line”). The Subject Line traverses through United States Postal Service ZIP Codes 84525, 84526, and 84501. A map of the Subject Line is attached as Exhibit A.

UTAH plans to seek Surface Transportation Board (“STB”) authorization for its abandonment through a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after December 24, 2019 in Surface Transportation Board Docket No. AB 310 (Sub. No. 2X).

Based upon information in UTAH’s possession, the Subject Line does contain federally granted rights of way. Any documentation in UTAH’s possession will be made available promptly to those requesting it.

No local service has been provided on the Subject Line since August 2008 when a fire destroyed the Gordon Creek Bridge. UTAH does not believe that there are any alternatives to the proposed action. At this time, UTAH intends to remove and sell the rail ties and track. UTAH believes that the abandonment will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

We would appreciate an expression from you by November 24, 2019 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad’s proposal or if you need assistance in this matter, please call me at (202) 772-0916.

October 24, 2019

Page 2

Thank you for your cooperation.

CLARK HILL



Justin J. Marks
Senior Attorney

Enclosure

cc: Utah Railway Company

EXHIBIT C

AGENCY RESPONSES

Marks, Justin J.

From: Rice, Heather <heather_rice@nps.gov>
Sent: Thursday, November 21, 2019 4:46 PM
To: Marks, Justin J.
Cc: Heather; NPS IMRextrev
Subject: No Comment: UT Railway Company Abandonment Exemption in Carbon & Emery Counties, UT Surface Transp Board Docket No AB310 (Sub No 2X)

[External Message]

Dear Mr. Marks,

The National Park Service (NPS) would like to thank you for the opportunity to review of the following project: Utah Railway Company Abandonment Exemption in Carbon and Emery Counties, UT Surface Transportation Board Docket No. AB 310 (Sub. No. 2X).

The NPS has reviewed this project and has no comment at this time.

Regards,

Heather Rice
NEPA Specialist, Environmental Quality Division
National Park Service Regional Office Serving Department of Interior Regions 6, 7, 8
12795 West Alameda Parkway | Denver, CO 80228
303-969-2975 office | 303-969-2717 fax
heather_rice@nps.gov | [IMR-EQ Sharepoint Site](#)

*Have you seen the 2015 NPS NEPA Handbook??
Click [here](#) to check it out!*

Plato on NEPA: "The beginning is the most important part of the work."

Marks, Justin J.

From: deborah.brooks <ngs.infocenter@noaa.gov>
Sent: Friday, November 15, 2019 2:58 PM
To: Marks, Justin J.
Subject: [JIRA] (IMOV-6263) NGS RESPONSES: STB Docket No. AB 310 (Sub. No. 2X)

Thank you for submitting your request. Below is your request summary

[External Message]

(IMOV-6263) NGS RESPONSES: STB Docket No. AB 310 (Sub. No. 2X)

Components: NGS_Responses

Created: 15 Nov 2019 2:57 PM

Thank you for informing the National Geodetic Survey (NGS) of Utah Railroad Company (UTAH) 's decision to abandon a rail line segment between Milepost 9.56 in Carbon County, Utah and Milepost 25.3 in Emery County, Utah.

There could be geodetic survey marks located in the area described, and any marks still present could be disturbed by the abandonment. While it is illegal to disturb or destroy a mark, sometimes disturbing or destroying a mark is unavoidable. In such cases, the mark can often be preserved or reset with advanced planning. NGS provides the public with tools to search for and locate survey marks, see the NGS Data Explorer (<https://geodesy.noaa.gov/NGSDataExplorer/>).

If a mark will be disturbed by the abandonment, UTAH should consult with NGS at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic marks identified nearby. Information is available online to help reset marks or report disturbed/destroyed marks: <https://geodesy.noaa.gov/surveys/mark-recovery/index.shtml>
<<https://www.google.com/url?q=https://geodesy.noaa.gov/surveys/mark-recovery/index.shtml&sa=D&ust=1560385764139000&usg=AFQjCNGDkoXCHtBcDJBsXm2KQLkhcwYDxQ>>.

This notice is also being shared with William Stone (William.Stone@noaa.gov, 240-988-5919) the Regional Geodetic Advisor, so he may work with any interested local agencies or stakeholders.

If you have additional questions, email NGS.Infocenter@noaa.gov.

Sincerely,

Deborah M. Brooks

Communications Specialist

deborah.brooks@noaa.gov

More information on preserving marks, mark resets, and destroyed marks.

Preserving Marks

Significant resources were invested to create an extensive geodetic network

across the United States by establishing precise coordinates at physical survey marks. Disturbing or destroying these marks reduces geodetic control available to local surveyors, so please make every effort to preserve this valuable network.

Mark Resets

If a mark is about to be destroyed (e.g., due to planned construction), it may be possible to reset the mark and retain the geodetic control. Review the Bench Mark Reset Procedures (https://geodesy.noaa.gov/PUBS_LIB/Benchmark_4_1_2011.pdf) or contact your closest geodetic advisor (<https://geodesy.noaa.gov/ADVISORS/index.shtml>).

Please do not attempt to reset a mark that has been separated from the base. Any remnants of destroyed marks must be properly discarded and not reused in any manner, as this is a violation of Federal law.

Destroyed Marks

If it is determined that a mark has been destroyed, please provide enough photo evidence to show how this determination was made. To submit this information to NGS, follow the instructions regarding “destroyed marks” on the Mark Recovery Entry web page (https://geodesy.noaa.gov/cgi-bin/recvy_entry_www.prl)

Marks, Justin J.

From: william.stone <ngs.infocenter@noaa.gov>
Sent: Tuesday, December 17, 2019 6:37 PM
To: Marks, Justin J.
Subject: [JIRA] (IMOV-6263) NGS RESPONSES: STB Docket No. AB 310 (Sub. No. 2X)

A comment is added on your issue:

[External Message]

Re: NGS RESPONSES: STB Docket No. AB 310 (Sub. No. 2X)

I have searched the NGS Integrated Database (IDB) for geodetic control stations that might be impacted by this railroad abandonment. I was able to identify in GoogleEarth imagery the section of rail line that will be abandoned (based on the map that was provided, with the highlighted section of rail), and I plotted the NGS IDB geodetic control stations on the imagery. Based on this "office recon," I believe there is only ONE geodetic control station (if it still exists) that might be impacted by the abandonment. It is:

PID=KN0134, designation=6282, location=old Gordon Creek RR station in RR water tower pier, good condition recovery in 1935

It is a second-order, class-0 vertical control station, with approximate/scaled horizontal position, originally set by USGS.

Here is the NGS datasheet for this station: https://www.ngs.noaa.gov/cgi-bin/ds_mark.prl?PidBox=KN0134

- Bill Stone, NGS Southwest Region Geodetic Advisor william.stone@noaa.gov

Marks, Justin J.

From: Marks, Justin J. <jmarks@ClarkHill.com>
Sent: Wednesday, November 20, 2019 9:24 AM
To: Kratman, Veronica
Cc: Higgins, Mary
Subject: RE: Utah Railway Company-Abandonment in Carbon and Emery Co. UTSL-0-015794

Good morning Veronica.

No, this abandonment does not continue north through the Wildcat Loadout. The abandonment stops at the Gordon Creek Bridge.

Please let me know if you have any further questions.

Justin

Justin J. Marks

CLARK HILL PLC
202.772.0916 (Direct) | 202.772.0930 (Fax) |

From: Kratman, Veronica [<mailto:vktratman@blm.gov>]
Sent: Tuesday, November 19, 2019 1:20 PM
To: Marks, Justin J.
Cc: Higgins, Mary
Subject: Utah Railway Company-Abandonment in Carbon and Emery Co. UTSL-0-015794

[External Message]

Hi Justin,

I am the Realty Specialist out the Price Utah BLM office and was forwarded some info from you about the Utah Railway abandonment (serial number UTSL-0-015794). Does this abandonment continue north through the Wildcat Loadout? If so, what is your termination point?

Thank you

--

Veronica Kratman
Realty Specialist
Bureau of Land Management
125 South 600 West
Price, Utah 84501
Phone: (435) 636-3610

EXHIBIT D

NEWSPAPER NOTICE

PROOF OF PUBLICATION AFFIDAVIT

I, Traci Bishop, being first duly sworn, state that I am the Associate Editor of ETV News, a weekly newspaper of general circulation published at Price, County of Carbon, State of Utah; and that the advertisement or notice, a printed copy of which is attached hereto, was printed and published in said newspaper for one issue and on www.utahlegals.com website as follows:

November 13, 2019

Traci Bishop

Traci Bishop, Associate Editor

Subscribed to and sworn before me this 26th day of November, 2019.

Scottie Draper
Notary Public



NOTICE OF INTENT TO ABANDON

Utah Railroad Company gives notice that on or about January 1, 2020, it intends to file with the Surface Transportation Board (Board), Washington, DC 20423 a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the (abandonment of or discontinuance of service on) a 15.74 mile line of railroad between railroad milepost 9.56 in Carbon County and railroad milepost 25.3 in Emery County, which traverses through United States Postal Service ZIP Codes 84525, 84526, and 84501 in Carbon and Emery Counties, UT. The proceeding will be docketed as No. AB310 (Sub-No. 2X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC or by calling that office at (202) 245-0291.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Proceedings, Washington, DC [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W. Suite 1300 South, Washington, DC 20004.

Published in the ETV Newspaper November 13, 2019.

EXHIBIT E

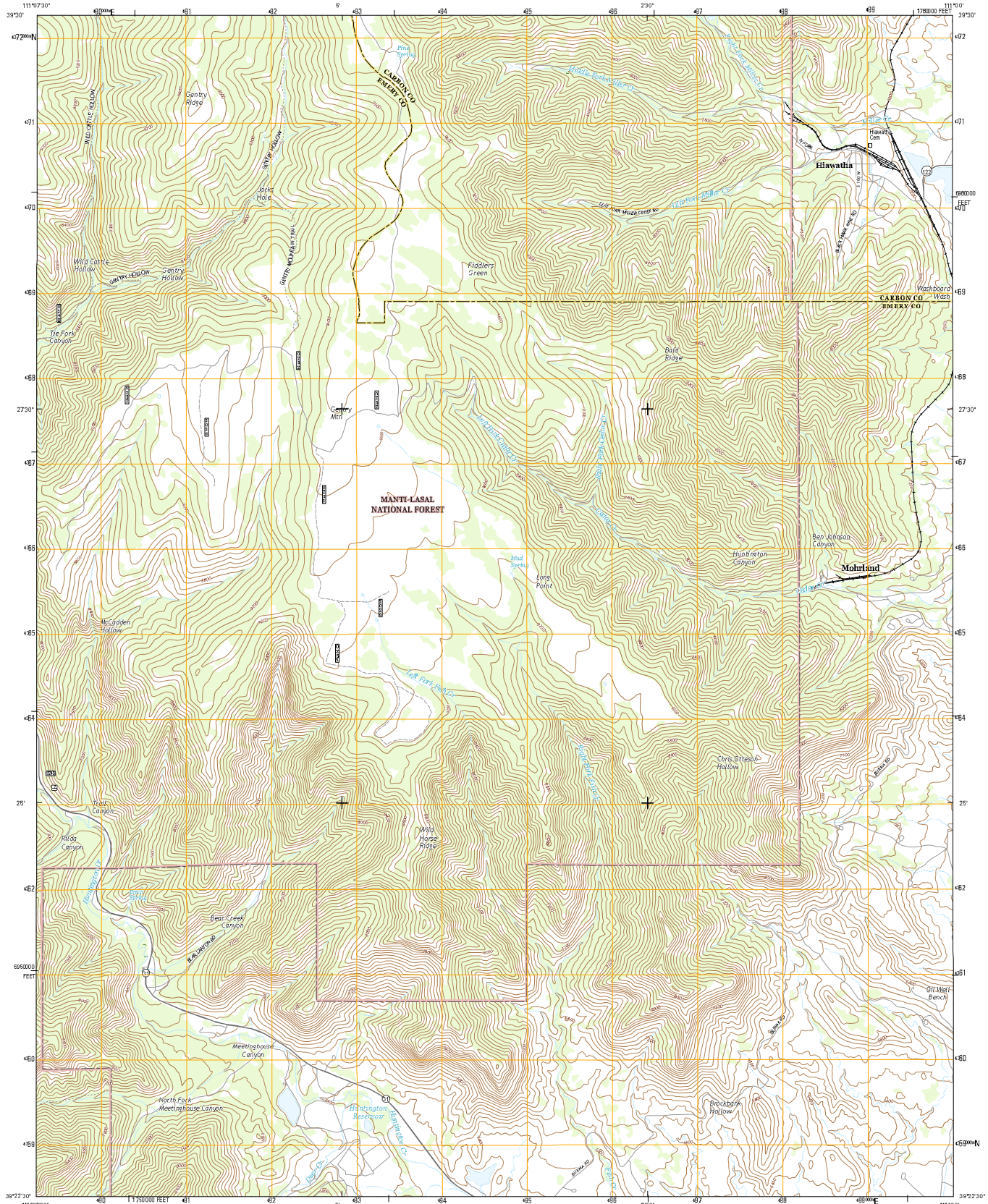
TOPOGRAPHICAL MAPS



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



HIAWATHA QUADRANGLE
UTAH
7.5-MINUTE SERIES

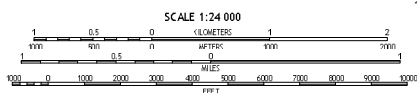
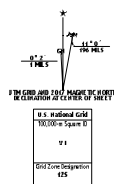


Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1:50,000 scale; Universal Transverse Mercator, Zone 12S
to 100-foot (30.48-meter) scale of 1983 (central zone)

This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands with government
reservations may not be shown. Obtain permission before
entering private lands.

Names.....NAD, October 2014
Roads.....U.S. Census Bureau, 2010 - 2016
Roads with US Forest Service Lands.....US Forest Service
with limited Forest Service updates, 2012 - 2016
Names.....National Hydrography Dataset, 2014
Contours.....National Elevation Dataset, 2010
Boundaries.....Multiple sources; see metadata file 1072 - 2016
Public Land Survey System.....BLM, 2016
Wetlands.....FWS National Wetlands Inventory 1977 - 2014



CONTOUR INTERVAL 80 FEET
NORTH AMERICAN DATUM OF 1983
This map was produced to conform with the
National Geospatial Program US Topo Product Standards, 2011.
A metadata file associated with this product is draft version 0.5.19

1	2	3
4	5	6
7	8	9

ADJOINING QUADRANGLES

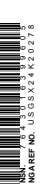
1. Carlsbad Mountain
2. Watts
3. Pinnacles Peak
4. Pinnacles Canyon
5. Pinnacles Spring Bench
6. Mohogany Point
7. Red Point
8. Huntington

ROAD CLASSIFICATION

Expressway
Secondary Highway
Ramp
Interstate Route
US Route
FS Primary Route
Local Connector
Local Road
4WD
State Route
FS Passenger Route
FS High Clearance Route

Check with local Forest Service unit
for current travel conditions and restrictions.

HIAWATHA, UT
2017

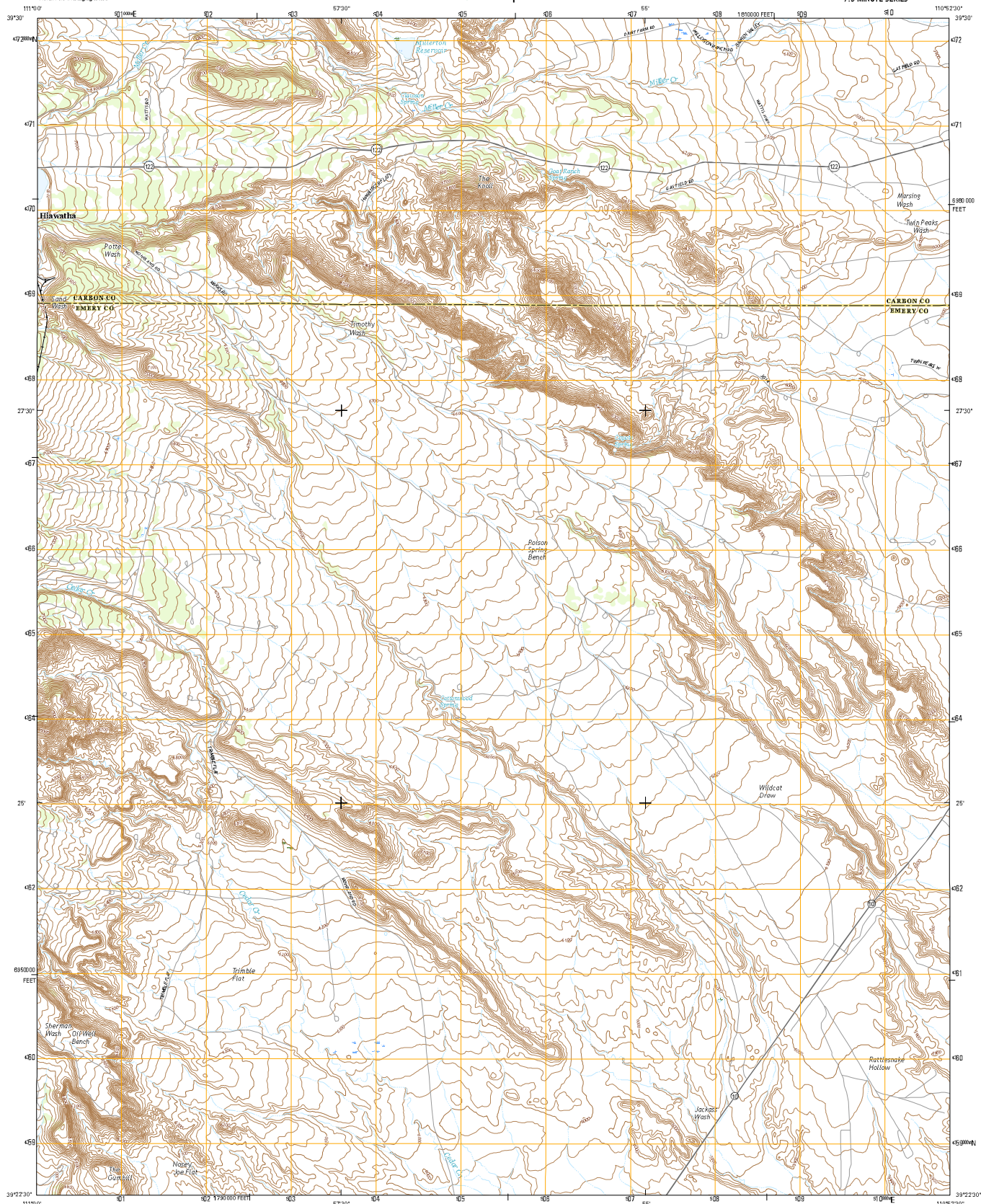




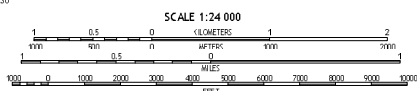
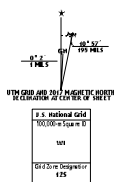
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



POISON SPRING BENCH QUADRANGLE
UTAH
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1:50,000 scale; Universal Transverse Mercator, Zone 12S
to 100-foot grid; Utah Coordinate System of 1983 (central
zone)
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands with government
reservations may not be shown. Obtain permission before
entering private lands.
Names: NAD, October 2014
U.S. Census Bureau, 2015
2016
Hydrography: National Hydrography Dataset, 2014
National Elevation Dataset, 2002
Boundaries: Multiple sources; see metadata file 1072
Public Land Survey System, 2016
Wetlands: FWS National Wetlands Inventory 1977 - 2014



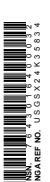
SCALE 1:24 000
CONTOUR INTERVAL 20 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
This map was produced to conform with the
National Geospatial Program US Topo Product Standards, 2015.
A metadata file associated with this product is draft version 0.6.19



ROAD CLASSIFICATION
Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
US Route
State Route

1	2	3	1 Watts
4	5	2 Pyramid Peak	
6	7	3 Hlavatha	
8	8	4 Brim	
		5 Red Point	
		6 Huntington	
		7 Cleveland	

POISON SPRING BENCH, UT
2017

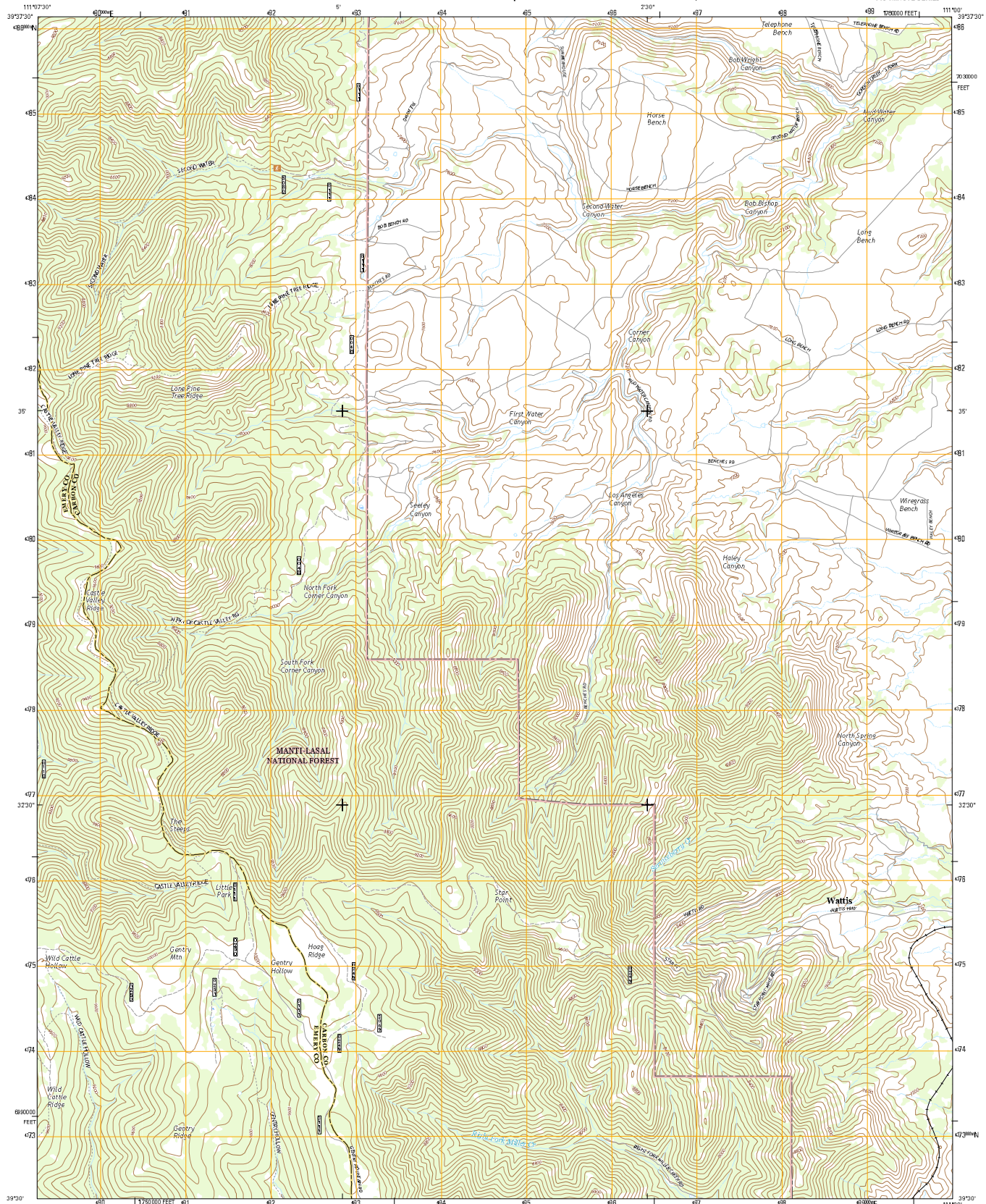




U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



WATTIS QUADRANGLE
UTAH
7.5-MINUTE SERIES

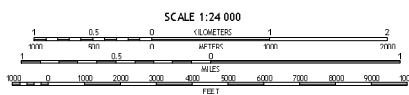
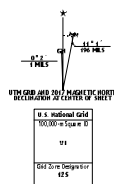


Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1000-meter grid; Universal Transverse Mercator, Zone 12
10 000-foot Grid; Utah Coordinate System of 1983 (central zone)

This map is not a legal document. Boundaries may be
generated for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

Names:.....NAD, October 2014
Roads:.....U.S. Census Bureau, 2015 - 2016
Roads with US Forest Service Lands:.....2016
with limited Forest Service updates, 2012-2016
Names:.....National Hydrography Dataset, 2016
Hydrography:.....National Hydrography Dataset, 2016
Contours:.....National Elevation Dataset, 2016
Boundaries:.....Multiple sources see metadata file 1072 - 2016
Public Land Survey System:.....BLM, 2016
Wetlands:.....FWS National Wetlands Inventory 1977 - 2014



SCALE 1:24 000
NORTH AMERICAN DATUM OF 1983
This map was produced to conform with the
National Geospatial Program US Topo Product Standards, 2011.
A metadata file associated with this product is draft version 0.5.19



ROAD CLASSIFICATION
Expressway
Secondary Highway
Ramp
Interstate Route
US Route
FS Primary Route
FS Passenger Route
FS High Clearance Route
Local Connector
Local Road
State Route
FS High Clearance Route

Check with local Forest Service unit
for current travel conditions and restrictions.

1	2	3
4	5	6
7	8	9

1 Scottfield
2 Jump Creek
3 Grandview
4 Grand Mountain
5 Pinnacle Peak
6 Rilla Canyon
7 Pleasant
8 Potosi Spring Bench

WATTIS, UT
2017

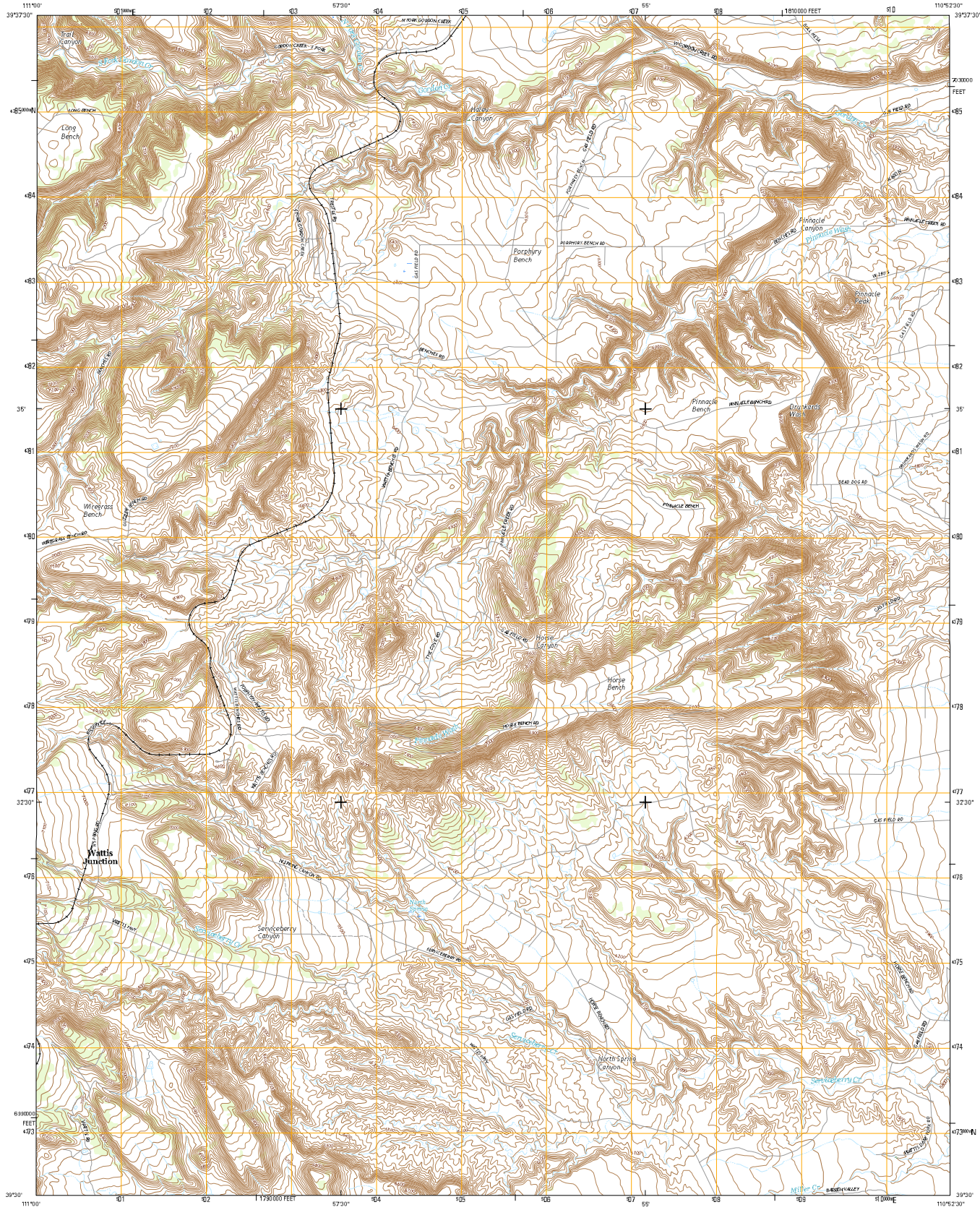




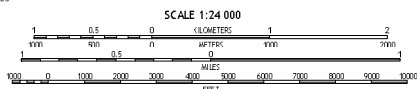
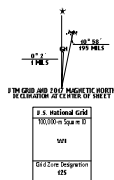
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



PINNACLE PEAK QUADRANGLE
UTAH-CARBON CO.
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1 000-meter grid; Universal Transverse Mercator, Zone 12
10 000-foot Grid; Utah Coordinate System of 1983 (central
zone)
This map is not a legal document. Boundaries may be
generated for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.
Index:.....NAP, October 2014
Notes:.....U.S. Census Bureau, 2015 - 2016
Hydrography:.....National Hydrography Dataset, 2014
Contours:.....National Elevation Dataset, 2002
Boundaries:.....Multiple sources; see metadata file 1072 - 2016
Public Land Survey System:.....BLM, 2016
Wetlands:.....FWS National Wetlands Inventory 1977 - 2014



SCALE 1:24 000
NORTH AMERICAN VERTICAL DATUM OF 1983
This map was produced to conform with the
National Geospatial Program US Topo Product Standards, 2011.
A metadata file associated with this product is draft version 0.6.19



ROAD CLASSIFICATION
Expressway
Secondary Highway
Local Road
Local Connector
Interstate Route
US Route
State Route

1	2	3
4	5	6
7	8	9

1 Jump Creek
2 Standardville
3 Helper
4 Watts
5 Poca
6 Hiawatha
7 Prison Spring Bench
8 Hildon

PINNACLE PEAK, UT
2017

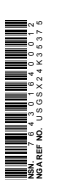


EXHIBIT F

SHPO CORRESPONDENCE

CLARK HILL

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October 24, 2019

Utah Historic Preservation Office
300 South Rio Grande
Salt Lake City, UT 84101

Re: Utah Railway Company – Abandonment Exemption – in Carbon and Emery
Counties, Utah Surface Transportation Board Docket No.
AB 310 (Sub. No. 2X)

Dear Madam or Sir:

This letter is to advise you that Utah Railway Company (“UTAH”) intends to file for the abandonment of a segment of its line between Milepost 9.56 in Carbon County, Utah and Milepost 25.3 in Emery County, Utah (the “Subject Line”). The Subject Line traverses through United States Postal Service ZIP Codes 84525, 84526, and 84501. A map of the Subject Line is attached as Exhibit A.

UTAH plans to seek Surface Transportation Board (“STB”) authorization for its abandonment through a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after December 24, 2019 in Surface Transportation Board Docket No. AB 310 (Sub. No. 2X).

Based upon information in UTAH’s possession, the Subject Line does contain federally granted rights of way. Any documentation in UTAH’s possession will be made available promptly to those requesting it.

No local service has been provided on the Subject Line since August 2008 when a fire destroyed the Gordon Creek Bridge. The Subject Line has no visible structures 50 years old or older on the right-of-way. UTAH does not believe that there are any alternatives to the proposed action. At this time, UTAH intends to remove and sell the rail ties and track. UTAH believes that the abandonment will not have a significant effect upon the environment or any historic resources.

UTAH believes that this portion of the Subject Line was originally built around 1912 to service coal mining operations. Although it once included the Gordon Creek Bridge, also constructed around 1912, as mentioned above, a fire destroyed the bridge in 2008.

October 24, 2019

Page 2

In advance of preparing an historic report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental or historic effects of the proposed abandonment.

We would appreciate an expression from you by November 24, 2019 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon any historic preservation (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

CLARK HILL



Justin J. Marks
Senior Attorney

cc: Utah Railway Company

CLARK HILL

Marks, Justin J.

From: Christopher Hansen <clhansen@utah.gov>
Sent: Friday, November 1, 2019 4:16 PM
To: Marks, Justin J.
Subject: Re: Scanned image from State of Utah History Division of Heritage

[External Message]

Hi Justin,
The Utah State Historic Preservation Office received the attached letter from you on October 28th. We don't have any comment at this time on whether or not the abandonment will have a significant effect on historic properties, we'll await the historic report as referenced in your letter (as required by the STB) before providing our comments and concurrence.

Regards,

Chris H.

--

Christopher L. Hansen, Preservation Planner
Utah State Historic Preservation Office
Utah Division of State History
300 S. Rio Grande Street
Salt Lake City, Utah 84101
Phone: (801) 245-7239
Email: clhansen@utah.gov

On Fri, Nov 1, 2019 at 2:03 PM NoReply <NoReply@utah.gov> wrote:

Reply to: NoReply <NoReply@utah.gov>
Device Name: State of Utah History Division of Heritage
Device Model: MX-6070V
Location: Not Set

File Format: PDF (Medium)
Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.
Adobe(R)Reader(R) can be downloaded from the following URL:

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