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ENTERED
Office of Proceedings
March 9, 2022
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Public Record

March 9, 2021

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

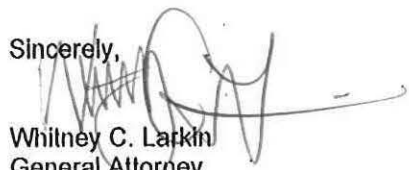
Re: Docket No. AB -33 (Sub-No. 338X) Union Pacific Railroad Company – Abandonment Exemption-
in Salt Lake County, Utah

Dear Ms. Brown:

Enclosed for electronic filing is a Verified Notice of Exemption for Union Pacific Railroad Company, to abandon approximate 0.5 miles of the remaining portion of the SLC Passenger Line from MP 743.7 to MP 744.2 in Salt Lake. The filing fee of \$4,400.00 has been paid via pay.gov.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,


Whitney C. Latkin
General Attorney
Union Pacific Railroad

Enclosure

FILED
March 9, 2022
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
March 9, 2022
SURFACE
TRANSPORTATION BOARD

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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

Verified Notice of Exemption

UNION PACIFIC RAILROAD COMPANY
Whitney C. Larkin
General Attorney
1400 Douglas Street/MS1580
Omaha, NE 68179
402-544-1121 (Tel.)
wclarkin@up.com

Dated: March 9, 2022

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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

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 service 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, Utah (the "Line").

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

The abandonment will not be consummated until at least 50 days after filing this Notice of Exemption.

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

UP certifies that no local or overhead traffic has moved over the Line for at least two years. Therefore, there is no need to reroute any traffic. UP further certifies 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 is pending either with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two-year period.

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

(a) General.

(a)(1) The railroad's 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 portion of the SLC Passenger Line from Milepost 743.7 to Milepost 744.2 in Salt Lake, a total distance of 0.5 miles in Salt Lake County, Utah.

(a)(4) A map showing the location of the Line in relation to other rail lines, highways, and major roads in the area is attached as **Exhibit 1**.

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

Whitney C. Larkin
General Attorney
1400 Douglas Street/MS 1580
Omaha, NE 68179
402-544-1121 (Tel.)
wclarkin@up.com

(a)(8) ZIP Codes. The Line traverses U.S. Postal Service Zip Code 84101.

(e)(4) Rural and Community Impact.

UP has reached an agreement with a private party – an adjacent landowner – to sell the right-of-way, track and ballast, and assign any existing leases, licenses and easements to said private party following consummation of UP's abandonment authority. After the proposed abandonment, the Line will be developed for commercial and industrial uses by said private party.

Based on UP's records, UP owns the real property in fee title interest, and 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.

No local traffic has moved over the Line during the past two years, and there is no overhead traffic or passenger service on the Line. UP has received no request for rail service on the Line in well over two years. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant during the prior two years.

A map of the Line is attached hereto as **Exhibit 1**.

Labor Protection

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

Certifications

Attached as **Exhibit 2** 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 cover letter which accompanied UP's Combined Environmental and Historic Report ("CEHR"), 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 as **Exhibit 3**. The CEHR was electronically filed with the Surface Transportation Board on February 16, 2022. The CEHR indicates that the proposed abandonment does not involve any historic properties. UP has received no comments on the CEHR.

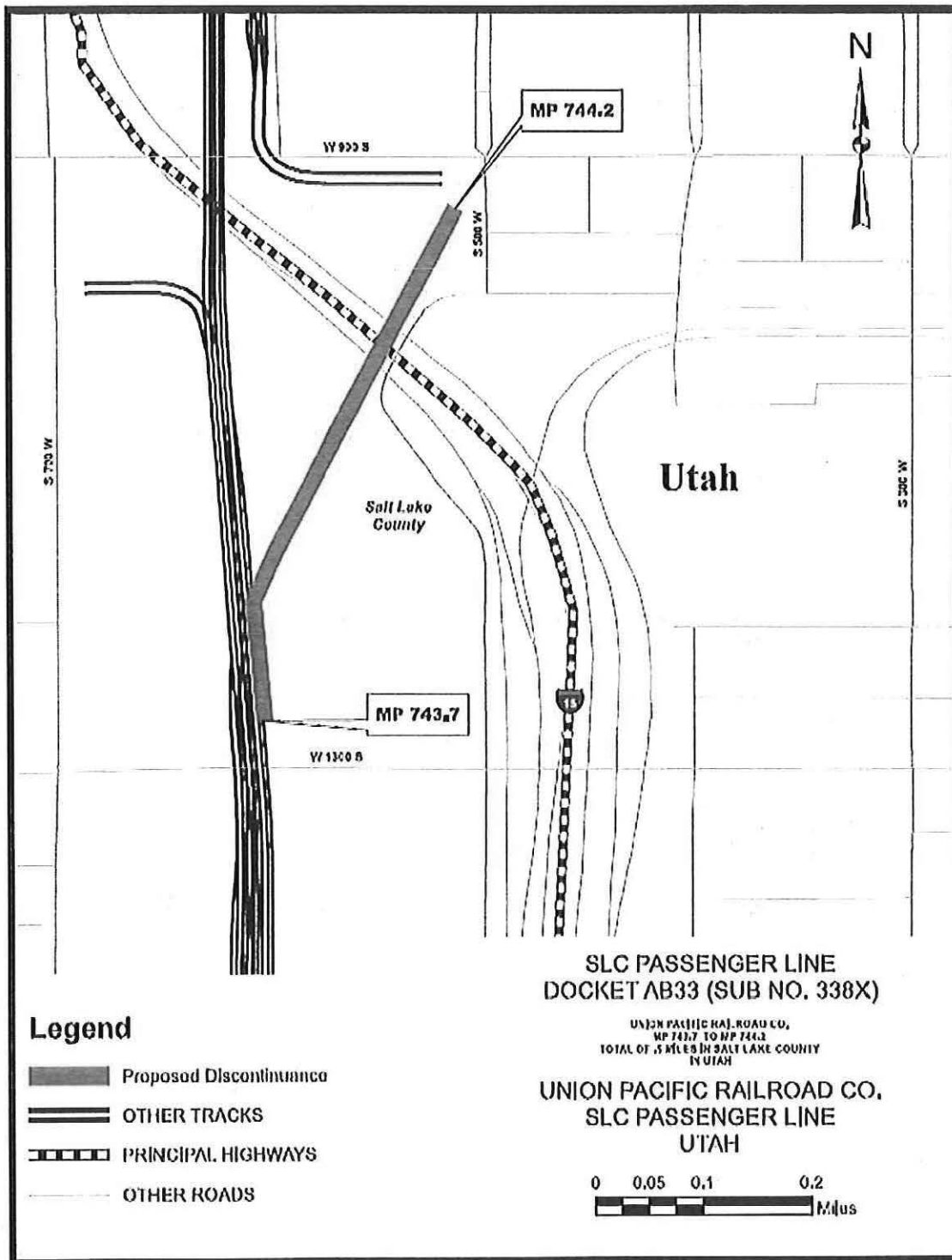
Dated this 9th day of March, 2022.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

A handwritten signature in dark ink, appearing to read "Whitney C. Larkin", is written over a horizontal line.

Whitney C. Larkin
General Attorney
1400 Douglas Street/MS 1580
Omaha, NE 68179
402-544-1121 (Tel.)
wclarkin@up.com



DOCKET NO. AB-33 (Sub-No. 338X)

UNION PACIFIC RAILROAD COMPANY
--ABANDONMENT EXEMPTION--
IN SALT LAKE COUNTY, UTAH

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) – Notice

The undersigned certifies that on November 30, 2021 (at least 10 days before a Notice of Exemption is filed), written notice was given by Union Pacific stating Union Pacific's intent to use the Notice of Exemption procedure to abandon the SLC Passenger Line in Salt Lake County, Utah in Docket No. AB-33 (Sub-No. 338X). Said written notice (a copy of which is attached hereto as **Attachment 1**) was served on the following:

Utah Public Service Commission
Heber M. Wells Building
160 East 300 South, 4th Floor
Salt Lake City, UT 84114-4558

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

U.S. Dept. of Agriculture
Chief of Forest Service
4th Floor, N.W. Auditors Building
14th St., & Independence Ave., SW
Washington, DC 20250

Headquarters
Military Surface Deployment &
Distribution Command
Transportation Engineering Agency
Attn: ADTE – SA
Railroads for National Defense Program
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

49 C.F.R. § 1105.11 – Transmittal Letter for Applicant's Report

The undersigned certifies that on November 30, 2021 (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. 338X) for

abandonment of abandon the SLC Passenger Line in Salt Lake County, Utah, Arizona
on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) Head of each County
- (4) U.S. Environmental Protection Agency, Regional Office
- (5) U.S. Fish and Wildlife Service
- (6) U.S. Army Corps of Engineers
- (7) National Park Service
- (8) U.S. Natural Resources Conservation Service
- (9) The National Geodetic Survey
- (10) Other Agencies Consulted (As Listed)
- (11) State Historic Preservation Office

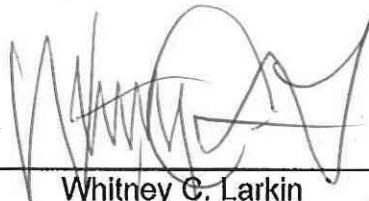
(The Certificate of Service attached to cover letter which accompanied UP's Combined Environmental Historic Reports lists the names and addresses of the federal, state and local agencies.)

49 C.F.R. § 1105.12 – Newspaper Notice

The undersigned further certifies that a "Notice of Intent to Abandon and Discontinue Service" was published in the form prescribed by the Board for a Notice of Exemption (Copy Attached as **Attachment 2**). 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>
Salt Lake	The Salt Lake Tribune	January 12, 2022

Dated this 9th day of March, 2022.



Whitney C. Larkin
General Attorney
1400 Douglas Street/MS 1580
Omaha, NE 68179
402-544-1121 (Tel.)
wclarkin@up.com



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November 30, 2021

Utah Public Service Commission
Heber M. Wells Building
160 East 300 South, 4th Floor
Salt Lake City, UT 84114-4558

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

U.S. Dept. of Agriculture
Chief of Forest Service
4th Floor, N.W. Auditors Building
14th St. & Independence Ave., SW
Washington, DC 20250

Headquarters
Military Surface Deployment & Distribution
Command
Transportation Engineering Agency
Attn: ADTE - SA
Railroads for National Defense Program
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

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

Dear Sir or Madam:

Please be advised that Union Pacific Railroad Company ("UP") expects to file with the United States Surface Transportation Board ("STB"), on or after December 20, 2021, a notice of an exempt abandonment on a line of railroad known as the SLC 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 ("Line"). The Line traverses U.S. Postal Service zip code 84101.

The "no business" exemption procedure will be used to abandon the Line, pursuant to the STB's abandonment regulations at 49 C.F.R. §1152.50. No local traffic has moved over the Line for at least two years and there is no overhead traffic on the Line. A Notice of Exemption to abandon service on the Line pursuant to 49 C.F.R. § 1152.50 (no local traffic for at least two years) will be filed with the STB on or after December 20, 2021.

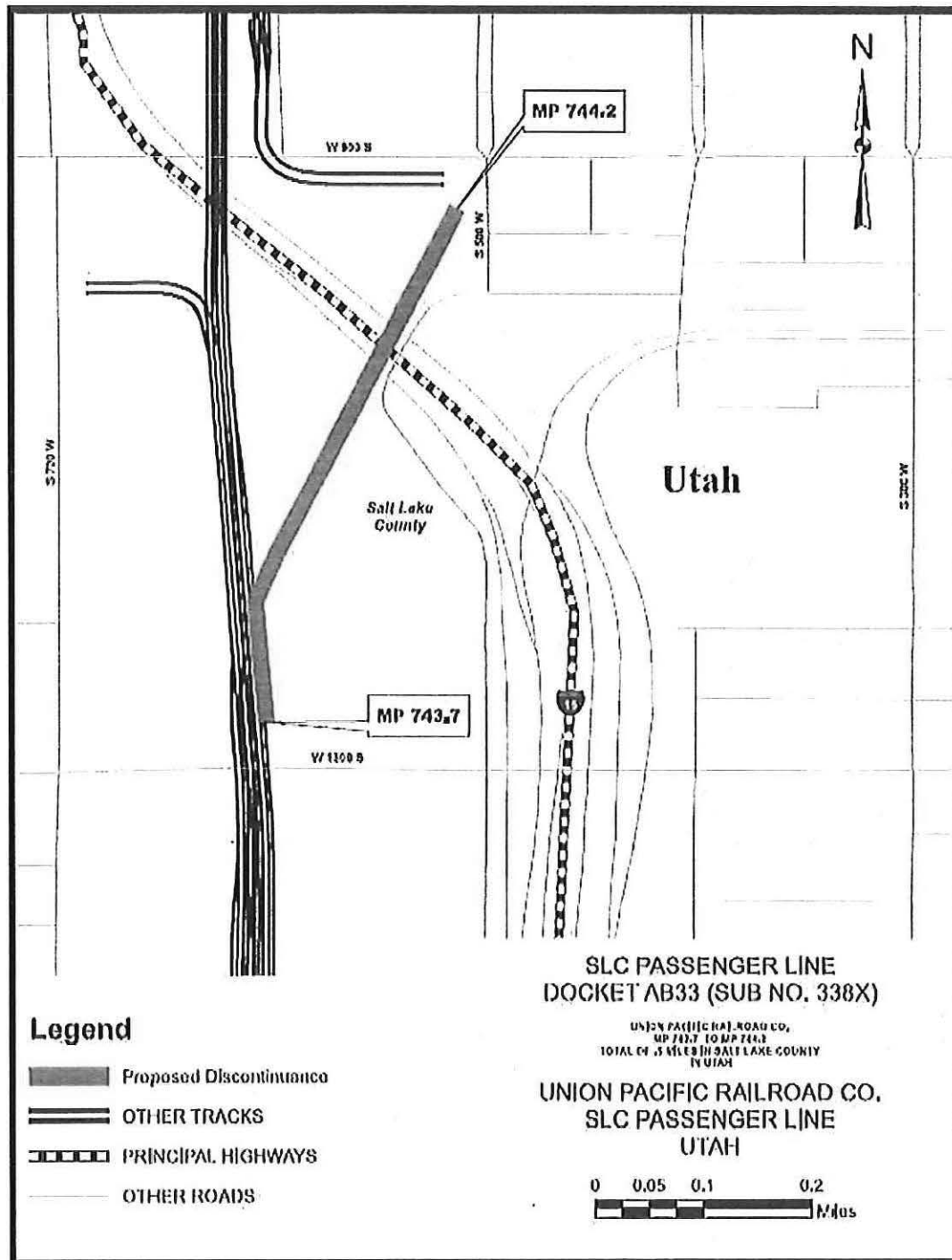
Based on information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

A map showing the segment of Line to be abandoned is attached for your information.

Sincerely,

/s/ Jeremy Berman

Jeremy M. Berman
Sr General Attorney



90 S 400 W STE 700
SALT LAKE CITY, UT 84101-1431

ATTACHMENT 2

The Salt Lake Tribune

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS

UNION PACIFIC RAILROAD
SHAWNA JOHNSON
1400 DOUGLAS ST STOP 1580
OMAHA, NE 68170

ACCOUNT NUMBER

11996

ACCOUNT NAME

UNION PACIFIC RAILROAD

TELEPHONE

402-544-3670

ORDER

19716

CUSTOMER REFERENCE NUMBER

CAPTION

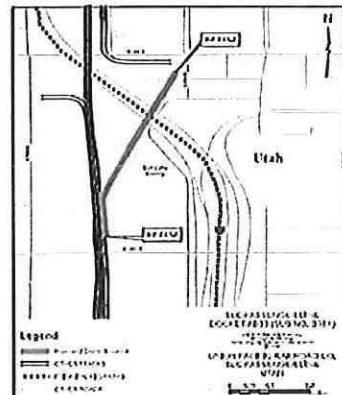
QUARTER PG, FULL COLOR, LEGALS

TOTAL COST

\$900

CUSTOMER'S COPY

NOTICE OF INTENT TO ABANDON RAIL SERVICE



UNION PACIFIC RAILROAD COMPANY (UP) GIVES NOTICE THAT ON OR AFTER December 20, 2021, it intends to file with the Surface Transportation Board, Washington, D.C., a notice of exemption under 49 C.F.R. Part 1152, Subpart F - Exempt Abandonments permitting the abandonment and discontinuance of service on that portion of the SLC Passenger Line extending from Milepost 743.7 to 744.2 commencing Southwest of the intersection of 900 South and 500 Southwest in Salt Lake City, UT a total distance of 0.5 miles in Salt Lake County, Utah (the "Line") and traverses U.S. Postal Service Zip Code 84101. The proceeding has been docketed as No. AB-33 (Sub-No. 338).

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, 395 E Street, SW, Washington, DC 20423 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 used 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, 395 E Street, SW, Washington, DC 20423 (See 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on the applicant's 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 (866) 254-1792. Copies of any comments or requests for conditions should be served on UP's representative: Whitney C. Larkin, 24125 Aldine Westfield Rd., Spring, TX 77373, 281-350-7250.

UNION PACIFIC RAILROAD COMPANY

AFFIDAVIT OF PUBLICATION

AS THE SALT LAKE TRIBUNE, INC. LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF QUARTER PG, FULL COLOR, LEGALS FOR UNION PACIFIC RAILROAD WAS PUBLISHED BY THE SALT LAKE TRIBUNE, INC., WEEKLY NEWSPAPER PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON 01/12/2022

DATE 01/12/2022

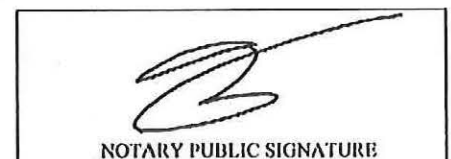
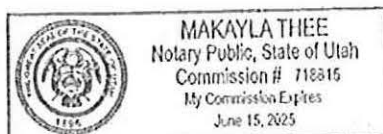
STATE OF UTAH
COUNTY OF SALT LAKE

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 12th DAY OF JANUARY IN THE YEAR 2022

BY Jordyn Gallegos

SIGNATURE

Jordyn Gallegos



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November 30, 2021

VIA US Mail

TO: See Attached Service List

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:

On or after December 20, 2021, Union Pacific Railroad Company ("UP") expects to be filing with the Surface Transportation Board ("STB" or "Board") a Notice of Exemption seeking authority to abandon the SLC Passenger Line from Milepost 743.7 to Milepost 744.2 in Salt Lake City, for a total distance of 0.5 miles in Salt Lake County, Utah (the "Line"). Attached is a Combined Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Union Pacific is providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC, telephone (202) 245-0291 and refer to the above Docket No. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to OEA (with a copy to our representative) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representative in this matter is Jeremy M. Berman who may be contacted by telephone at 402-544-4735 or by mail at 1400 Douglas Street, MS 1580, Omaha, NE 68179.

Sincerely,

/s/ Jeremy Berman

Jeremy M. Berman
Sr General Attorney

**Docket No. AB-33 (Sub-No. 338X)
Service List**

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
1695 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

VERIFICATION

State of Nebraska)
) ss:
County of Douglas)

I, Olin H. Dirks, Manager Commercial & Interline Strategy, for Union Pacific Railroad Company declare under penalty of perjury, under the laws of the United States of America, that I have read the forgoing 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.

Dated at Omaha, Nebraska, this 9th day of March, 2022.



SUBSCRIBED AND SWORN TO
before me this 9th day of
March, 2022.



Notary Public

