



RE: [EXTERNAL] UPRR Alameda Abandonment Consultation - AB33 Sub
No. 326X

Dillabough, Michael A SPN to: OHDIRKS@up.com

10/04/2016 11:09 AM

Cc: "Dunlap, Derrick T SPN", "Goodenough, Merry SPN", "Paniccia,
Alfred (Al) SPN" , "Youn, Elizabeth A SPK"

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Good Morning Olin

Per our phone conversation this morning this e-mail is the response for the below inquiry into the any USACE needs / concerns on the rail lines leading to the Fruitvale Avenue Railroad Bridge, spanning the water between the cities of Oakland and Alameda. The U.S. Army Corps of Engineers has no requirements / need for the rail lines in question.

In regards to the interesting question you raise as to who owns the actual rail lines on the bridge I will start an investigation to see if we can determine ownership. Up until you posing the question I had always assumed we owned the rails. But as you stated normally the rail road owns the rails to ensure proper inspections / O&M is accomplished. Please give us a few weeks to solve this puzzle as the records for this I am sure is buried somewhere in a very old file.

If you have any questions or need a formal letter in this regard please contact me. Once we have some information on the ownership of the rails I will certainly get back in touch with you.

Respectfully

Mike

Mike Dillabough
Chief Operations and Readiness Division
San Francisco District
U.S. Army Corps of Engineers
415-503-6770

-----Original Message-----

From: Paniccia, Alfred (Al) SPN
Sent: Tuesday, September 27, 2016 7:48 AM
To: Dillabough, Michael A SPN <Michael.A.Dillabough@usace.army.mil>
Cc: Dunlap, Derrick T SPN <Derrick.T.Dunlap@usace.army.mil>; Goodenough, Merry SPN <Merry.Goodenough@usace.army.mil>
Subject: FW: [EXTERNAL] UPRR Alameda Abandonment Consultation - AB33 Sub No. 326X

Hi Mike,

Since you are the actual "owner" of the illustrious Fruitvale Avenue Railroad Bridge, I should have forwarded this to you last month. It is a request from Union Pacific RR to consult with us on their proposed abandonment of the approach to the bridge. I suppose a letter reply is in order here.

E1-25754
Condition 3
USACE

Thanks,

Al

From: Olin H. Dirks [mailto:OHDIRKS@up.com]
Sent: Wednesday, August 24, 2016 9:27 AM
To: Paniccia, Alfred (Al) SPN <Al.Paniccia@usace.army.mil>
Subject: [EXTERNAL] UPRR Alameda Abandonment Consultation - AB33 Sub No. 326X

Al,

Per my VMX, Please see the attached materials regarding the Union Pacific Alameda Island Abandonment (AB33-Sub No. 326X).

The STB in it's 7/19/16 decision, has asked UPRR to consult with the Corps regarding it's requirements prior to commencement of salvage activities (attachment, page 4, order 2, item 3).

In previous informal discussions, it was not anticipated that there would be any issues, because at that time the best future use of the bridge was considered to be a transfer to the County for a walking trail.

In light of the board's request, UPRR would like to officially consult with the Corps as to what it's requirements, if any, would be.

Please don't hesitate to call if you have any questions.

Thank you.

(See attached file: Alameda Map of Segments 326X.pdf) (See attached file: 326X Decision with conditions 45272.pdf)

Olin H. Dirks
Sr Manager Rail Line Planning
Union Pacific Railroad
(402) 544-3889

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Wood, Diana

From: Jeremy M. Berman <jmberman@up.com>
Sent: Monday, January 23, 2017 1:58 PM
To: Wood, Diana
Subject: Re: AB 33 (Sub-No. 326X Abandonment Exemption in Alameda County, CA
Attachments: CZMA-SFBC Email.pdf; NGS Response, STB Docket AB-33 SUB NO. 326X.pdf; USACE Alameda Abandonment Consultation - AB33 Sub.pdf; ACPWA Consultation.pdf

Thank you for the response. I'm attaching the following documents:

Condition 1 (NGS): Attaching email from Simon Monroe identifying geodetic markers in the area. UP has no plans to salvage near these markers but will consult with NGS at least 90 days prior to any salvage.

Condition 2 (CZMA/San Francisco Bay Conservation): Attaching email from SFBC indicating that the abandonment and salvage will not require a permit.

Condition 3 (Army Corps): Attaching email from USACE indication there are no USACE requirements.

Condition 4 (Alameda County Public Works Agency): Attaching an memorializing discussions with ACPWA indicating no permit is required.

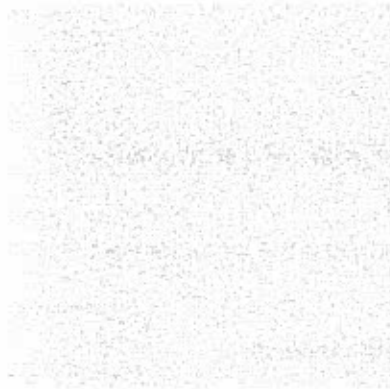
Condition 5 (Section 106): No attachments. We are still consulting with the California Office of Historic Preservation on the NHPA process. We will report back to OEA and will not file a consummation notice or initiate salvage until this condition is removed.

Please let me know if this documentation is adequate to remove Conditions 1-4. If not, please let me know what additional information is required.

Jeremy M. Berman
General Attorney
Union Pacific Railroad
402-544-4735
jmberman@up.com

From: "Wood, Diana" <Diana.Wood@stb.gov>
To: "jmberman@up.com" <jmberman@up.com>
Cc: "Wood, Diana" <Diana.Wood@stb.gov>
Date: 01/23/2017 07:42 AM
Subject: AB 33 (Sub-No. 326X Abandonment Exemption in Alameda County, CA

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Dear Mr. Berman:

I received your voice message regarding your question on how best to communicate the information on the required environmental and historic consultation conditions in the above referenced abandonment. The best way is email with attachments on all correspondence, including any of the conditions that didn't require reporting back, if available. However, the most important conditions are the ones that pose a barrier to consummation (2 and 5), the CZMA and Section 106.

Let me know if you have any questions.

Regards,

Diana Wood

Diana F. Wood
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW Room 1110
Washington DC 20423
202-245-0302
Diana.Wood@stb.gov

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