

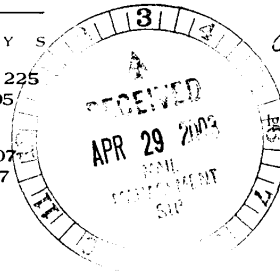
BALL JANIK LLP

A T T O R N E Y S

1455 F STREET, NW, SUITE 225
WASHINGTON, D.C. 20005
www.balljanik.com
TELEPHONE 202-638-3307
FACSIMILE 202-783-6947

April 29, 2003

LOUIS E. GITOMER
OF COUNSEL
(202) 466-6532



gitomer@dc.bjllp.com

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D. C. 20423

DID # 0102173001

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company—
Abandonment Exemption—in Lamar and Fannin Counties, TX (Bonham Subdivision
between Paris and Bonham, TX)*

Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan
Railroad, Inc.— Discontinuance Exemption—in Lamar and Fannin Counties, TX (Bonham
Subdivision between Paris and Bonham, TX)*

DID # 0102173002

Dear Secretary Williams:

Enclosed are the original and 10 copies of a Notice of Exemption for discontinuance in the above-entitled proceeding and check numbers 00134190 and 00134191 for the combined filing fee of \$5,400. Also enclosed are three computer diskettes containing the Notice, Environmental Report and Historic Report.

Please time and date stamp the additional copy of this letter and the notice and return it with our messenger. Thank you for your assistance.

If you have any questions, call or email me.

Sincerely yours,

Louis E. Gitomer
Attorney for The Texas Northeastern
Division, Mid-Michigan Railroad, Inc.

Enclosures

ENTERED
Office of Proceedings

APR 29 2003

Part of
Public Record

1

FILED

APR 29 2003

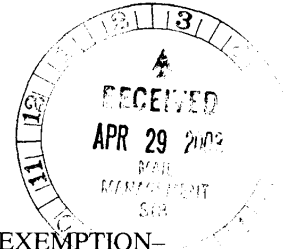
TRAIL BOARD

PORTLAND, OREGON WASHINGTON, D.C. BEND, OREGON

ORIGINAL

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 163X)



UNION PACIFIC RAILROAD COMPANY— ABANDONMENT EXEMPTION—
IN LAMAR AND FANNIN COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS AND BONHAM, TX)

Docket No. AB-364 (Sub-No. 8X)

TEXAS NORTHEASTERN DIVISION, MID-MICHIGAN RAILROAD, INC.—
DISCONTINUANCE EXEMPTION—IN LAMAR AND FANNIN COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS AND BONHAM, TX)

NOTICE OF EXEMPTION

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr., Esq.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055

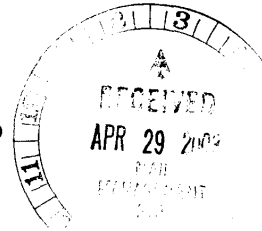
TEXAS NORTHEASTERN DIVISION,
MID-MICHIGAN RAILROAD, INC.

Gary A. Laakso, Esq.
Vice President Regulatory Counsel
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 994-6015

Louis E. Gitomer, Esq.
Of Counsel
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Dated: April 29, 2003

BEFORE THE
SURFACE TRANSPORTATION BOARD



Docket No. AB-33 (Sub-No. 163X)

UNION PACIFIC RAILROAD COMPANY— ABANDONMENT EXEMPTION—
IN LAMAR AND FANNIN COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS AND BONHAM, TX)

Docket No. AB-364 (Sub-No. 8X)

TEXAS NORTHEASTERN DIVISION, MID-MICHIGAN RAILROAD, INC.—
DISCONTINUANCE EXEMPTION—IN LAMAR AND FANNIN COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS AND BONHAM, TX)

NOTICE OF EXEMPTION

The Union Pacific Railroad Company (“UP”) and the Texas Northeastern Division, Mid-Michigan Railroad, Inc. (“TNER”) file this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for UP to abandon and TNER to discontinue service over a 33.5-mile line between milepost 94.0, near Paris, TX, and milepost 127.5, east of Bonham, TX, in Lamar and Fannin Counties, TX (the “Line”).¹ No local rail traffic has moved over the Line since September 2000.

1. Proposed consummation date. The proposed consummation date is June 18, 2003.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.

3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicants. The Union Pacific Railroad Company and the Texas Northeastern Division, Mid-Michigan Railroad, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105. UP and TNER are common carriers by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. UP and TNER seek to use the class exemption at 49 C.F.R. § 1152.50 to abandon and discontinue service over, respectively, a 33.5-mile line between milepost 94.0, near Paris, TX, and milepost 127.5, east of Bonham, TX, in Lamar and Fannin Counties, TX.

(4) Map. *See* Exhibit B.

(7) Names, titles, and addresses of representatives of applicants to whom correspondence should be sent. For UP, Mack H. Shumate, Jr., Esq., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606, (312) 777-2055, and for TNER, Gary A. Laakso, Esq., Vice President Regulatory Counsel, RailAmerica, Inc., 5300 Broken Sound Boulevard N.W., Second Floor, Boca Raton, FL 33487, (561) 994-6015, and Louis E. Gitomer, Ball Janik LLP, 1455 F St., N.W., Suite 225, Washington, DC 20005, (202) 638-3307.

(8) List of all United States Postal Service ZIP Codes that the line proposed for abandonment traverses. The Line traverses ZIP Codes 75418, 75421, 75446, 75460, and 75492.

¹ TNER leased the Line from UP in 1990. *Mid Michigan Railroad Company, Inc.—Lease and Operation Exemption—Missouri Pacific Railroad Company*, ICC Finance Docket No. 31646 (ICC served August 28, 1990).

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

Use of the Line for roads or highways is remote because new U.S. Highway 82 has been constructed 1.5 to 2 miles north and parallel to the Line. Therefore, there is little or no likelihood that the rail corridor is needed for a transit or highway corridor. UP and TNER are unaware of any restrictions on the title to the property.

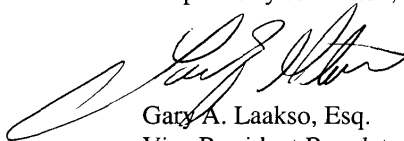
4. The level of labor protection. The interests of railroad employees who may be adversely affected by the proposed abandonment and discontinuance of rail service will be adequately protected by the labor protective conditions in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. *See* Exhibit D. Based on information in the possession of UP and TNER, the Line does not contain federally granted rights-of-way. Any documentation in the railroads' possession will be made available promptly to those requesting it.

7. Historic Report. *See* Exhibit D.

Respectfully submitted,



Mack H. Shumate, Jr., Esq.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055

Gary A. Laakso, Esq.
Vice President Regulatory Counsel
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 994-6015

Louis E. Gitomer, Esq.
Of Counsel
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Attorney for: UNION PACIFIC
RAILROAD COMPANY

Attorneys for: THE TEXAS
NORTHEASTERN DIVISION,
MID-MICHIGAN RAILROAD, INC.

Dated: April 29, 2003

EXHIBIT A

STATE OF FLORIDA)
)
) SS.
COUNTY OF PALM BEACH)

I hereby certify that no local traffic has moved over TNER's leased 33.5-mile line between milepost 94.0, near Paris, TX, and milepost 127.5, east of Bonham, TX, in Lamar and Fannin Counties, TX for at least two years prior to the date hereof, and that any overhead traffic on the line can be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of TNER by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.

Larry W Bush
Larry Bush

My Commission Expires:



Notary Public



EXHIBIT B

MAP

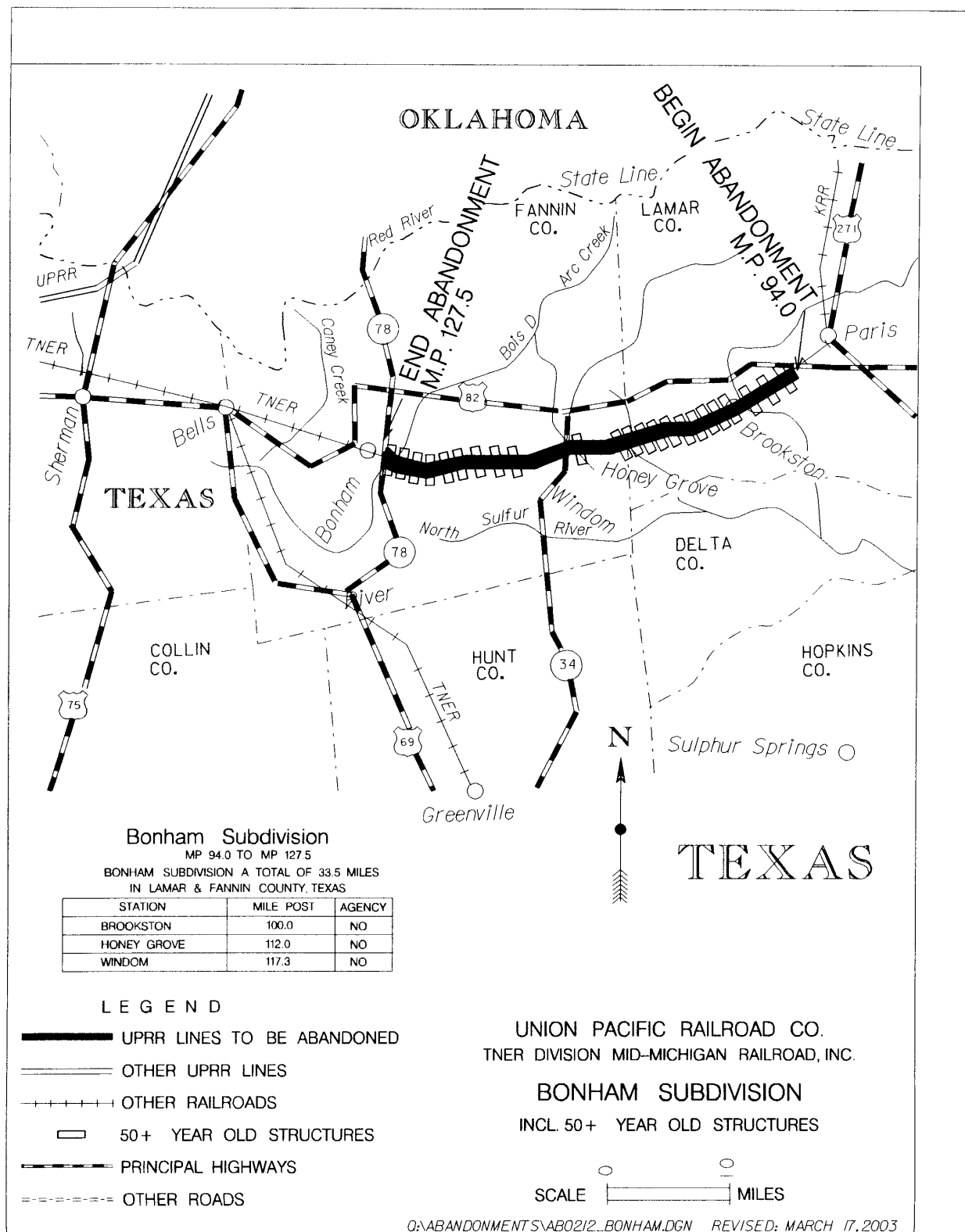


EXHIBIT C

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment and discontinuance of rail service in Docket Nos. AB-33 (Sub-No. 163X) and AB-364 (Sub-No. 8X) was mailed via first class mail on April 18, 2003, to the following parties:

State Public Service Commission

Public Utility Commission
William B. Travis Building
1701 N. Congress
P.O. Box 13326
Austin, TX 78711-3326

Railroad Commission
P.O. Box 12967
Austin, TX 78711-2967

Transportation Commission
125 East 11th Street
Austin, TX 78701-2483

Military Traffic Management Command

MTMCTEA
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, VA 23606-2574

National Park Service

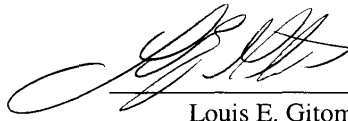
Mr. Tom Ross
Chief of National Recreation and Trails
U.S. Department of Interior - National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
800 North Capitol St., N.E.
Room 540
Washington, DC 20002

U.S. Department of Agriculture

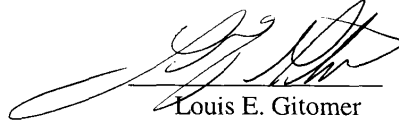
U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Auditors' Building
14th Street and Independence Avenue, S.W.
Washington, DC 20250



Louis E. Gitomer
April 29, 2003

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed discontinuance of rail service in Docket Nos. AB-33 (Sub-No. 163X) and AB-364 (Sub-No. 8X) was advertised on April 14, 2003 in The Paris News and on April 16, 2003 in the Bonham Journal, newspapers of general circulation in Lamar and Fannin, Counties, TX, as required by 49 C.F.R. § 1105.12.

A handwritten signature in black ink, appearing to read "Louis E. Gitomer", is written over a horizontal line.

Louis E. Gitomer
April 29, 2002

Proof of Publication

STATE OF TEXAS
COUNTY OF LAMAR

Before me, the
undersigned
authority, on this

day personally appeared Relan Walker known to me, who being by me duly sworn on her oath deposes and says that she is the Business Manager of the Paris News, a newspaper published in Paris, Lamar County, Texas and that a copy of the within citation was published in said newspaper THE PARIS NEWS, such publication being on the following dates:

April 14, 2003

and a newspaper copy of this is hereto attached.



Relan Walker

STATE OF TEXAS
COUNTY OF LAMAR

Before me, Onvie Hayes, a notary public, on this day personally appeared Relan Walker, know to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office
this 15th day of April, A.D. 2003



Onvie Hayes

The Union Pacific Railroad Company ("UP") and the Texas Northeastern Division, Mid-Michigan Railroad, Inc. ("TNER") give notice that on or about April 29, 2003, they intend to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-Service Abandonments permitting UP to abandon and TNER to discontinue service over a 33.5-mile line between milepost 94.0, near Paris, TX, and milepost 127.5, east of Botham, TX, in Lamar and Fannin Counties, TX, which traverses through United States Postal Service ZIP Codes 75418, 75421, 75446, 75460, and 75492. These proceedings will be docketed as No. AB-33 (Sub-No. 163X) and No. AB-364 (Sub-No. 8X).

The Board's Section of Environmental Analysis 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 Section of Environmental Analysis, Surface Transportation Board, Washington, DC 20423 or by calling that office at 202-565-1545.

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 the Secretary, 1925 K Street, NW., Washington, DC 20423 (See 49 CFR 1104.1(a) and 1104.3 (a)), and one copy must be served on applicant's representative (See 49 CFR 1104.18 (a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representatives: for UP, Mack H. Shumate, Jr., Esq., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606, (312) 777-2055, and for TNER Gary A. Lantao, Esq., Vice President Regulatory Counsel, RailAmerica, Inc., 5300 Broken Sound Boulevard N.W., Second Floor, Boca Raton, FL 33487, (561) 994-6015, and Louis E. Gitter, Ball Janik LLP, 1455 F St., N.W., Suite 225, Washington, DC 20005, (202) 638-3307.

THE PARIS NEWS, Post Office Box 1078
Paris, Texas 75461

EXHIBIT D

**ENVIRONMENTAL REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Environmental Report in Docket Nos. AB-33 (Sub-No. 163X) and AB-364 (Sub-No. 8X) was mailed via first class mail on April 9, 2003 to the following parties:

State Clearinghouse
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

Environmental Protection Division
P.O. Box 13087
Austin, TX 78711-3087

Texas General Land Office
P.O. Box 12873
Austin, TX 78711-2873

Honorable Derrell Hall, County Judge
101 East Sam Rayburn Drive, Suite 101
Bonham, TX 75418

Honorable M. C. Superville
119 North Main Street
County Courthouse
Paris, TX 75460-4280

Honorable Carl McEachern
Mayor
Bonham City Hall
301 E. 5th St.
Bonham, TX 75418

State Conservationist
U.S.D.A. Natural Resources Conservation Service
Sherman Service Center
406B W Lamar
Sherman, TX 75090

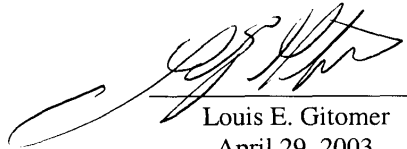
United States Environmental Protection Agency
Region 6
First Interstate Bank Tower at Fountain Plaza
1445 Ross Avenue
12th Floor, Suite 1200
Dallas, TX 75202

U.S. Fish and Wildlife Service
Region 2
P.O. Box 1306
Albuquerque, NM 87103-1306

U.S. Army Engineer District, Fort Worth
P.O. Box 17300
Fort Worth, TX 76102-0300

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

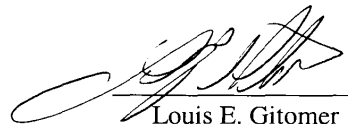
The National Geodetic Survey
Department of Commerce/NOAA
SSMC3
Station 9356
1315 E. West Highway
Silver Spring, MD 20910


Louis E. Gitomer
April 29, 2003

**HISTORIC REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Docket Nos. AB-33 (Sub-No. 163X) and AB-364 (Sub-No. 8X) was mailed via first class mail on April 9, 2003, to the following party:

Texas Historical Commission
P.O. Box 12276, Capitol Station
Austin, TX 78711



Louis E. Gitomer
April 29, 2003

Before the
SURFACE TRANSPORTATION BOARD

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

Docket No. AB-33 (Sub-No. 163X)

UNION PACIFIC RAILROAD COMPANY– ABANDONMENT EXEMPTION–
IN LAMAR AND FANNIN COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS AND BONHAM, TX)

Docket No. AB-364 (Sub-No. 8X)

TEXAS NORTHEASTERN DIVISION, MID-MICHIGAN RAILROAD, INC.–
DISCONTINUANCE EXEMPTION–IN LAMAR AND FANNIN COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS AND BONHAM, TX)

UNION PACIFIC RAILROAD COMPANY

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Senior General Attorney
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Room 1920
Chicago, IL 60606
(312) 777-2055

TEXAS NORTHEASTERN DIVISION,
MID-MICHIGAN RAILROAD, INC.

Gary A. Laakso, Esq.
Vice President Regulatory Counsel
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 994-6015

Louis E. Gitomer, Esq.
Of Counsel
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Dated: April 9, 2003

Before the
SURFACE TRANSPORTATION BOARD

COMBINED ENVIRONMENTAL HISTORIC REPORT

Docket No. AB-33 (Sub-No. 163X)

UNION PACIFIC RAILROAD COMPANY– ABANDONMENT EXEMPTION–
IN LAMAR AND FANNIN COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS AND BONHAM, TX)

Docket No. AB-364 (Sub-No. 6X)

TEXAS NORTHEASTERN DIVISION, MID-MICHIGAN RAILROAD, INC.–
DISCONTINUANCE EXEMPTION–IN LAMAR AND FANNIN COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS AND BONHAM, TX)

BACKGROUND

On November 17, 2000, the Union Pacific Railroad Company (“UP”) and the Texas Northeastern Division, Mid-Michigan Railroad, Inc. (“TNER”) filed with the Surface Transportation Board (the “Board”) and served on the required parties a Combined Environmental and Historic Report (the “November 17 Report”) for the 45.0-mile rail line between milepost 94.0, near Paris, TX, and milepost 139.0, at Bells, TX, in Lamar, Fannin and Grayson Counties, TX (the “Bells Line”). *See* Exhibit 2. UP and TNER intended to file a Petition for Exemption seeking to abandon and discontinue service over the Bells Line. However, the Petition was never filed, and the UP and TNER are now beginning the process to abandon and discontinue service over the 33.5-mile line between milepost 94.0, near Paris, TX,

and milepost 127.5, east of Bonham, TX, in Lamar and Fannin Counties, TX (the "Line").¹ The 11.5-mile portion of the Bells Line between milepost 127.5, east of Bonham, and milepost 139.0, at Bells, is not part of the abandonment and discontinuance of service being sought in this proceeding.

The Line traverses U.S. Postal Zip Codes 75418, 75421, 75446, 75460, and 75492.

UP and TNER anticipate filing a Notice of Exemption to abandon and discontinue service over the Line on April 29, 2003.

ENVIRONMENTAL REPORT (49 C.F.R. 1105.7)

(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.

TNER proposes to discontinue and UP proposes to abandon the 33.5-mile line owned by UP and operated by TNER between milepost 94.0, near Paris, TX, and milepost 127.5, east of Bonham, TX, in Lamar and Fannin Counties, TX. No local traffic has moved over the Line in the last two years, since September 2000. Prior to that time the local traffic consisted mainly of plastics, fertilizer, wheat and other farm products

This portion of the Bonham subdivision was constructed in 1873 by the Texas & Pacific Railway, a UP predecessor. The Line is constructed with primarily 85-pound track material. Upon receipt of abandonment authority, UP intends to salvage the rail, crossties, and other track

¹ TNER leased the Line from UP in 1990. *Mid Michigan Railroad Company, Inc.—Lease and Operation Exemption—Missouri Pacific Railroad Company*, ICC Finance Docket No. 31646 (ICC served August 28, 1990).

material, and TNER intends to discontinue service over the Line pursuant to the lease. There are currently no plans to remove any of the bridge structures along the Line.

The only alternative to abandonment and discontinuance would be not to abandon the Line. The proposed abandonment and discontinuance will have little effect on rail freight operations and maintenance practices. No local service has been provided on the Line for the past two years. Overhead traffic has been rerouted over another line. Making a capital investment in the Line would not be a prudent use of carrier resources.

A map of the proposed abandonment is attached hereto as Exhibit 1.²

(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.

No passenger traffic will be diverted to other modes as a result of the proposed abandonment and discontinuance of service. There has been no local traffic on the Line for over two years. Hence, no existing rail freight traffic will be diverted to motor carrier. Over two years ago, TNER was handling about 127 carloads of local traffic per year over the Line. Diverting this traffic to motor carriage would add about 20 trucks per week to the local highway system (based on an average of four truckloads per rail carload). Accordingly, the proposed abandonment and discontinuance of service will have no adverse effects on regional or local transportation systems and patterns.

(3) Land Use. (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies. (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a

² The copy of the map that accompanied the information-gathering letters has been removed from those letters. That map was the same as the map in Exhibit 1.

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.

(i) UP and TNER are unaware of any adverse effects that the abandonment and discontinuance of service would have on local and existing land use plans. The County Judges for Lamar and Fannin Counties and City Hall for the City of Bonham have been contacted. *See* Exhibit 3. To date we have received no response. A copy of this Report has been mailed to the appropriate local and state agencies for their information and further comment.

(ii) UP and TNER notified the United States Department of Agriculture (“USDA”) Soil Conservation Service of the proposed abandonment and discontinuance of service and requested assistance in identifying any potential effects on prime agricultural land. *See* Exhibit 3. UP and TNER notified the USDA Natural Resources Conservation Service (“NRCS”) of the proposed abandonment and discontinuance of service and requested assistance in identifying any potential effects on prime farmland. *See* Exhibit 3. To date we have received no response. A copy of this report is being supplied to the USDA and NRCS for their information and further comment.

(iii) The Line does not pass through a designated coastal zone.

(iv) The area traversed by the Line is suitable for public use, but use for roads or highways is remote because new U.S. Highway 82 has been constructed 1.5 to 2 miles north and parallel to the Line. Therefore, there is little or no likelihood that the rail corridor is needed for a transit or highway corridor. The right-of-way could be used for a recreational trail, providing a good route between Paris and Bonham.

(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.

(i) The proposed abandonment and discontinuance of service will have no effect on the transportation of energy resources.

(ii) The proposed abandonment and discontinuance of service will have no effect on the transportation of recyclable commodities.

(iii) The proposed abandonment and discontinuance of service will have minimal effect on overall energy efficiency as no rail cars have used the Line in local service over the last two years.

(iv) The proposed abandonment and discontinuance of service will not cause the diversion of more than 1,000 rail carloads a year; or an average of 50 rail carloads per mile per year for any part of the Line of rail traffic to motor carriage.

(5) Air. (i) If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (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 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent 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 sub-section (5)(i)(A) will apply. (ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line; (B) an increase in rail yard activity of at least 20 percent (measured by carload activity); or (C) an average increase in truck traffic of more than 10 percent 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. (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.

(i) The proposed abandonment and discontinuance of service will not result in meeting or exceeding the specified thresholds.

(ii) The proposed abandonment and discontinuance of service will not result in meeting or exceeding the specified thresholds.

(iii) The proposed abandonment and discontinuance of service 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.

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.

(i) The proposed abandonment and discontinuance of service will have no detrimental effects on public health and safety.

(ii) The proposed abandonment and discontinuance of service will not affect the transportation of hazardous materials.

(iii) UP and TNER are not aware of any other known hazardous material waste sites or sites where known hazardous material spills have occurred on the Line. As discussed in the November 17 Report, there is documented contamination alongside the right-of-way in the town of Bonham according to the Texas Natural Resource Conservation Commission. However, the Line does not reach Bonham and the contamination is not an issue for the abandonment and discontinuance of service over the Line.

(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.

(i) UP and TNER do not believe that the proposed abandonment and discontinuance of service is likely to adversely affect endangered or threatened species or areas designated as a critical habitat. A copy of this Report has been supplied to the U.S. Fish and Wildlife Service for its information and comment. *See Exhibit 3.*

(ii) UP and TNER are unaware of any wildlife sanctuaries or refuges, National or State parks or forests that would be adversely affected by the proposed abandonment and discontinuance of service. UP and TNER notified the National Parks Service of the proposed abandonment and discontinuance of service and requested assistance in identifying any potential effects on wildlife sanctuaries or refuges, National or State parks or forests. *See Exhibit 3.* To date, no response to this request has been received.

(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.

(i) UP and TNER are confident that the proposed abandonment and discontinuance of service will be consistent with applicable water quality standards based on input from the Texas Natural Resource Conservation Commission, Office of Permitting, Remediation & Registration and Office of Environmental Policy, Analysis & Assessment. See Exhibit 2, Attachment Nos. 4 and 5. UP and TNER have again contacted the Texas Natural Resource Conservation Commission, Office of Permitting, Remediation & Registration and Office of Environmental Policy, Analysis & Assessment (“TNRCC”) and the United States Environmental Protection Agency (“USEPA”). A copy of this Report has been supplied to the TNRCC and USEPA for their information and further comment. See Exhibit 3.

(ii) UP and TNER believe that no permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands or 100-year flood plains will be affected by the proposed abandonment. The U.S. Army Corps of Engineers previously determined that the abandonment and discontinuance of service will not involve any activities governed by Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899. See Exhibit 2, Attachment No. 6. UP and TNER have again contacted the U.S. Army Corps of Engineers and have received no response to date. See Exhibit 3. A copy of this Report has been supplied to the U.S. Army Corps of Engineers for its information and comment.

(iii) UP and TNER believe that no permit under section 402 of the Clean Water Act would be required for track removal.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

UP and TNER do not expect any adverse environmental impact from the proposed abandonment and discontinuance of service and, therefore, see no need for any mitigating actions. UP and TNER will, of course, adhere to any remedial actions suggested by the recipients of this Report, which are required by the Board.

HISTORIC REPORT
(49 C.F.R. 1105.8)

1. A U.S.G.S. topographic map (or 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;

U.S. Geological Survey Maps have been supplied to the Texas Historical Commission ("TXHC").

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;

The Line is fairly level with some minor hills at different locations. The general width of the right-of-way is 100 feet, but ranges from 200 feet to a minimum of 30 feet at two or three locations. The Line runs through a total of three small communities, Brookston at milepost 100.0, Honey Grove at milepost 112.0, and Windom at milepost 117.3. Based on information in our possession, the Line does not contain federally granted right-of-way.

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;

Original photographs of the 23 bridges 50 years old or older were sent to the Texas Office of Historic Preservation by letter, a copy of which is attached as Exhibit 2, Attachment No. 5.

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;

The bridges and their dates of construction are listed on the map, Exhibit 1, in Exhibit 2, Attachment Nos. 1 and 7, and Exhibit 4.

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;

See the preceding responses.

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;

UP believes that bridge drawings are available.

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);

UP and TNER believe that neither the structures on the Line nor the Line itself are unusual or noteworthy for inclusion on the National Register of Historic Places. It is also the opinion of UP and TNER that there are no archeological resources or other railroad related historic properties in the project area. Donald D. Snoddy, Manager-Museum Services, has reviewed the bridge photographs and indicated that there are no historically significant bridges or buildings on the Line. Typically timber pile trestles whether open deck or bridge deck or deck plate girder in style are common standard railroad construction and as such, the bridges on the Line are of little historical significance. Mr. Snoddy also indicates that any archeological sites within the scope of the right-of-way would have been disturbed during construction of the Line. Abandonment of the Line and reduction of the grade will have no additional impact on such sites.

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 waste), and the surrounding terrain.

UP and TNER believe that there are no existing records as to the nature of any known subsurface ground disturbance or fill, or environmental conditions that might affect the archeological recovery of any potential resources.

9. Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (*i.e.* prehistoric or native American).

UP and TNER do not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment and discontinuance of service other than that information previously submitted. But, if any additional information is requested, UP and TNER will promptly supply the necessary information.

EXHIBIT 1

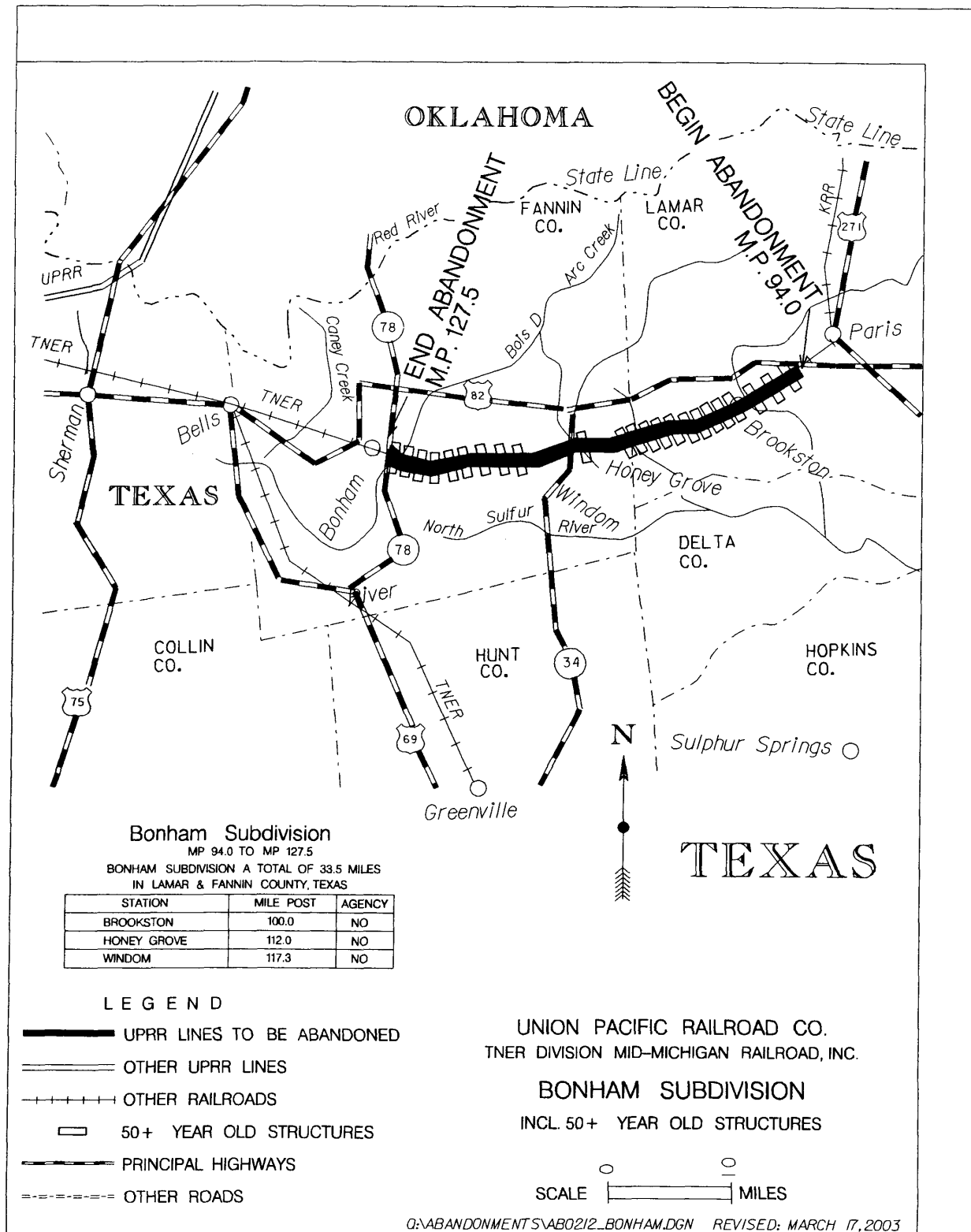


EXHIBIT 2

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 163X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LAMAR, FANNIN AND GRAYSON COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS, TX AND BELLS, TX)

Docket No. AB-364 (Sub-No. 6X)
TEXAS NORTHEASTERN DIVISION, MID-MICHIGAN RAILROAD, INC.
-- DISCONTINUANCE EXEMPTION --
IN LAMAR, FANNIN AND GRAYSON COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS, TX AND BELLS, TX)

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

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TEXAS NORTHEASTERN DIVISION,
MID-MICHIGAN RAILROAD, INC.

Karl Morell, Of Counsel
Ball Janik LLP
1455 F. St. N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Dated: November 17, 2000

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 163X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN LAMAR, FANNIN AND GRAYSON COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS, TX AND BELLS, TX)

Docket No. AB-364 (Sub-No. 6X)
TEXAS NORTHEASTERN DIVISION, MID-MICHIGAN RAILROAD, INC.
-- DISCONTINUANCE EXEMPTION --
IN LAMAR, FANNIN AND GRAYSON COUNTIES, TX
(BONHAM SUBDIVISION BETWEEN PARIS, TX AND BELLS, TX)

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") and the Texas Northeastern Division of Mid-Michigan Railroad, Inc. ("TNER") (collectively the "Applicants") submit 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 (UP) and a discontinuance of service (TNER) from milepost 94.0 near Paris to milepost 139.0 at Bells, a distance of 45.0 miles, over the Bonham Subdivision in Lamar, Fannin and Grayson Counties, Texas (collectively the "Line").

The Line traverses U. S. Postal Service Zip Codes 75414, 75418, 75421, 75438, 75446, 75460, 75470, 75479, and 75492.

UP anticipates that a Petition For Exemption to abandon the line will be filed at the STB on or after December 8, 2000.

A map of the Line is attached as **Attachment No. 1**. UP's letter to federal, state and local government agencies is marked **Attachment Nos. 2 and 3**. Responses received to UP's letter to date are attached and sequentially numbered as indicated below.

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 by UP, and a discontinuance of service by TNER, from milepost 94.0 near Paris to milepost 139.0 near Bells, a distance of 45.0 miles, over the Bonham Subdivision in Lamar and Fannin Counties, Texas. The local traffic moving to and from the Line in recent years consisted mainly of plastics, fertilizer, wheat and other farm products.

The portion of the Bonham Subdivision to be abandoned was constructed in 1873 by the Texas & Pacific Railway. The line is constructed with primarily 85-pound track material. Upon receipt of abandonment authority, UP intends to remove the rail, track materials, and crossties. There are currently no plans to remove any of the bridge structures along the Line.

There appears to be no reasonable alternative to the abandonment and discontinuance. The proposed abandonment will have little effect on rail freight operations and maintenance practices. In the past two years, local traffic on the Line has averaged only about 130 cars per year. Overhead traffic has been rerouted over another line.

Based on information in the Applicants' possession, the Line proposed for abandonment contains approximately 199.73 acres of fee interest and 479.96 acres of reversionary interest property.

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: 127 carloads were handled on the Line in the base year (July 1, 1999 through June 30, 2000). Assuming a four to one rail car to truck ratio and the base year volume, abandonment could result in the addition of a total of 1016 loaded or empty trucks on area highways, or an average of 3.9 trucks per week day. This volume should have a negligible impact on area roads and traffic patterns.

(3) **Land use.** (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action 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) Applicants are unaware of any adverse effects on local and existing land use plans. The County Judges for Lamar, Fannin and Grayson Counties, and City Hall for the City of Bonham have been contacted. To date we have received no response.

(ii) The U.S. Natural Resources Conservation Service has been contacted. To date we have received no response.

(iii) The Line is not in a state coastal zone.

(iv) The subject right-of-way is suitable for public use, but use for roads or highways is remote because a new U.S. Highway 82 is being constructed 1.5 to 2 miles north and parallel to the subject right-of-way. The property may also be suitable for a recreational trail, providing a good route from Paris to Bonham.

(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 appear to be no effects on the transportation of energy resources.

(ii) There are no recyclable commodities moved over the Line.

(iii) There will be no increase in energy consumption from the abandonment.

(iv)(A)(B) There will be no rail-to-motor diversions of this magnitude.

(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: The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(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 the subject right-of-way. However, there is documented contamination alongside the right-of-way in the town of Bonham, according to the Texas Natural Resource Conservation Commission. (See **Attachment No. 5.**)

(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 we have received no response.

(ii) Applicants are not aware of any wildlife sanctuaries or refuges, or 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 Texas Natural Resource Conservation Commission ("TNRCC") Office of Permitting, Remediation & Registration, stated that no impact is expected with respect to state surface water quality standards (see **Attachment No. 4.**) See also **Attachment No. 5**, from the Office of Environmental Policy, Analysis & Assessment, TNRCC. (Attached to the cover letter from Denise Francis, Texas Single Point of Contact.)

(ii) The U.S. Army Corps of Engineers has determined the abandonment will not involve any activities governed by Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899. The Corps' response is attached as **Attachment No. 6.**

(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: According to the TNRCC, the party responsible for the contamination alongside the tracks in Bonham has entered a Voluntary Cleanup Program as of August 29, 2000. (See **Attachment No. 5.**)

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See **Attachment No. 1.**

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The right of way is fairly level with some minor hills at different locations. The general width is 100 feet, but ranges from 200 feet to a minimum of 30 feet at two or three locations. The right of way runs through a total of eight different small communities with Bonham, Texas being the largest. Based on information in our possession, the line does not contain federally granted rights-of-way.

(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: Original photographs of thirty-one (31) bridges 50 years old or older were sent to the Texas Office of Historic Preservation by letter, a copy of which is attached as **Attachment No. 5.**

(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: The bridges and their dates of construction are listed on the map, **Attachment No. 1**, and in the letter, **Attachment No. 7.**

(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, and contemplated changes thereto.

(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: UP believes bridge drawings are available.

(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 in the project area. Donald D. Snoddy, Manager-Museum Services, has reviewed the bridge photographs and indicated there are no historically significant bridges or buildings on this section. Typically timber pile trestles whether open deck or bridge deck, or deck plate girder in style are common standard railroad construction and as such bridges on this section are of little historical significance. Mr. Snoddy also indicates that any archeological sites within the scope of the right-of-way would have been disturbed during the construction of the line. Abandonment of the line and reduction of the grade will have no additional impact on such sites.

(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:

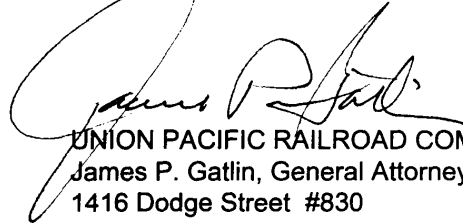
Response: Applicants do not have any such readily available information.

(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 groups of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

Response: Not applicable.

Dated this 17th day of November, 2000.

Respectfully submitted,



UNION PACIFIC RAILROAD COMPANY
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TEXAS NORTHEASTERN DIVISION
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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. 163X)(UP) and Docket No. AB-364(Sub-No. 6X)(TNER), the Bonham Subdivision between Paris and Bells, in Lamar, Fannin and Grayson Counties, Texas was served by first class mail on the 17th day of November, 2000 on the following:

State Clearinghouse (or alternate):

Denise Francis
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

State Environmental Protection Agency:

Ms. Leigh Ing, Deputy Director
Office of Water Resource Management
Texas Natural Resource Conservation
Commission
P.O. Box 13087, m145
Austin, TX 78711-3087

**State Coastal Zone Management Agency
(if applicable):**

Not applicable.

Head of County (Planning):

Hon. Derrell Hall, County Judge
Fannin County
101 East Sam Rayburn Drive, Suite 101
Bonham, TX 75418

Hon. Horice Gross, County Judge
Grayson County
100 West Houston, Suite 15
Sherman, TX 75090

Hon. M. C. Superville Jr., County Judge
Lamar County
119 North Main Street, Suite 201
Paris, TX 75460

**Environmental Protection Agency
(regional office):**

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

U.S. Fish and Wildlife:

U.S. Fish & Wildlife Service
500 Gold Avenue SW - Room 4000
Albuquerque, NM 87102

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Fort Worth District
P. O. Box 17300
Fort Worth, TX 76102-0300

U. S. Army Corps of Engineers
Tulsa District
P. O. Box 61
Tulsa, OK 74121-0061

National Park Service:

National Park Service
William D. Shaddox
Chief, Land Resources Division
800 North Capitol Street, NE., Room 540
Washington, D.C. 20002

U.S. Natural Resources Conservation Service:

State Conservationist
Natural Resources Conservation Service
W R Poage Federal Bldg.
101 South Main Street
Temple, TX 76501-7682

National Geodetic Survey:

National Geodetic Survey
Edward J. McKay, Chief
Spatial Reference System Division
NOAA N/NGS
1315 E-W Highway
Silver Spring, MD 20910-3282

State Historic Preservation Office:

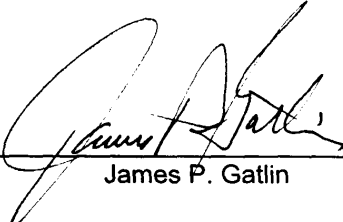
Texas Historical Commission
F. Lawrence Oaks, SHPO
P. O. Box 12276
Austin, TX 78711-2276

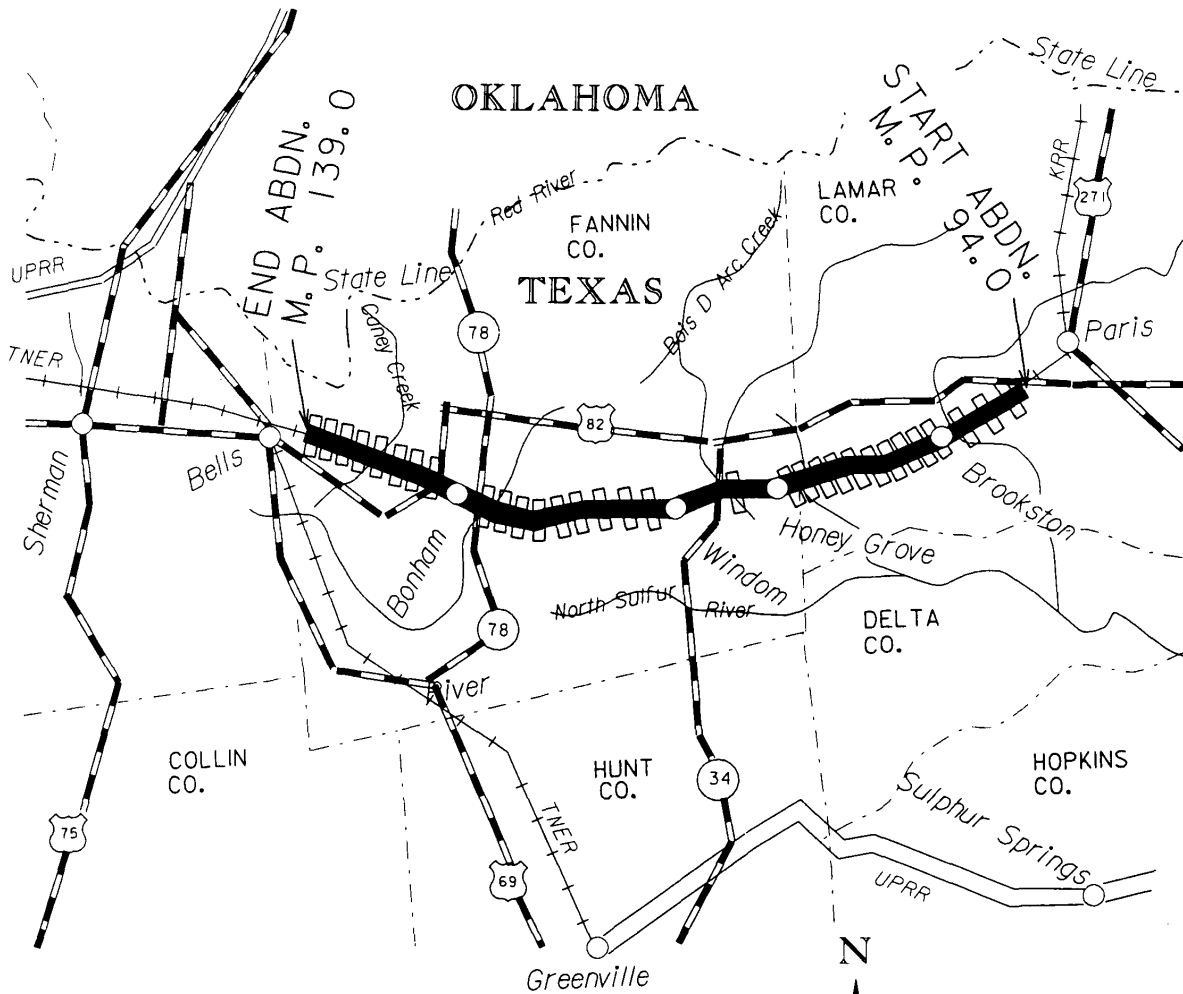
Other Agencies Consulted:

Andrew Swanson
Texas Parks & Wildlife
4200 Smith School Road
Austin, TX 78744-3291

City of Bonham - City Hall
301 East 5th Street
Bonham, TX 75418-4093

Dated this 17th day of November, 2000.


James P. Gatlin



Bonham Subdivision
MP 94.0 TO MP 139.0
BONHAM SUBDIVISION A TOTAL OF 45.0 MILES
IN LAMAR & FANNIN COUNTY, TEXAS

STATION	MILE POST	AGENCY
BROOKSTON	100.0	NO
HONEY GROVE	112.0	NO
WINDOM	117.3	NO
BONHAM	128.1	NO

LEGEND

- UPRR LINES TO BE ABANDONED
- == OTHER UPRR LINES
- ++++ OTHER RAILROADS
- 50+ YEAR OLD STRUCTURES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

TEXAS

BONHAM SUBDIVISION
UNION PACIFIC RAILROAD CO.
TNER DIVISION MID-MICHIGAN RAILROAD, INC.
BONHAM BRANCH
INCL. 50+ YEAR OLD STRUCTURES

49

SCALE 0 10 MILES

ab0212
Revised: August 22, 2000

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
95.6	FRAME TRESTLE - OPEN DECK	35'	1925
99.5	TIMBER PILE TRESTLE - BRIDGE DECK	38'	1928
99.9	TIMBER PILE TRESTLE - BRIDGE DECK	52'	1931
100.6	TIMBER PILE TRESTLE - BRIDGE DECK	52'	1930
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119.0	TIMBER PILE TRESTLE - BRIDGE DECK	226'	1931
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123.8	TIMBER PILE TRESTLE - BRIDGE DECK	102'	1929
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	TPG - OPEN DECK		1905
	TIMBER PILE TRESTLE - BRIDGE DECK		1930
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126.6	TIMBER PILE TRESTLE - BRIDGE DECK	76'	1928
126.7	TIMBER PILE TRESTLE - BRIDGE DECK	642'	1928
	TPG - OPEN DECK		1908
	TIMBER PILE TRESTLE - BRIDGE DECK		1928
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	DPG - OPEN DECK		1901
	TIMBER PILE TRESTLE - BRIDGE DECK		1930
137.0	TIMBER PILE TRESTLE - BRIDGE DECK	102'	1930

UNION PACIFIC RAILROAD COMPANY



August 21, 2000

File: Bonham Subdivision
Abandonment
Environmental

State Clearinghouse:

Denise Francis
Governors Office of Budget and
Planning
P.O. Box 12428
Austin, Texas 78711

State Environmental Protection
Agency:

Ms. Leigh Ing, Deputy Director
Office of Water Resource Management
Texas Natural Resource Conservation
Commission
P O Box 13087, m145
Austin, Texas 78711-3087

State Coastal Zone Management Agency:
Not Applicable

Head Of Each County:

Hon. Derrell Hall, County Judge
Fannin County
101 East Sam Rayburn Drive, Suite 101
Bonham, Texas 75418

Hon. M. C. Superville Jr.,
County Judge
Lamar County
119 North Main Street, Suite 201
Paris, Texas 75460

Environmental Protection Agency
(Regional Office)

U.S. Environmental Protection Agency,
Region 6
1455 Ross Avenue
Dallas, Texas 75202-2733

U.S. Fish and Wildlife

U.S. Fish & Wildlife Service
500 Gold Avenue, SW -Room 4000
Albuquerque, NM 87102

U.S. Army Corps of Engineers

U.S. Army Engineer, Ft. Worth Dist.
P.O. Box 17300
Fort Worth, TX 76102-0300

U.S. Army Engineer, Tulsa District
P.O. Box 61
Tulsa, OK 74121-0061

National Park Service

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
800 North Capitol Street, NE., Rm. 540
Washington, DC 20002

U.S. Natural Resources Conservation
Service

State Conservationist
Natural Resources Conservation
Service
Poage Federal Building
101 South Main Street
Temple, TX 76501-7685

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National Geodetic Survey
NOAA N/NGS
1315 E-W Highway
Silver Springs, MD 20910-3282

Other Agencies Consulted:

Mr. Andrew Swanson
Texas Parks & Wildlife
4200 Smith School Road
Austin, Texas 78744

City of Bonham - City Hall
301 East 5th Street
Bonham, Texas 75418-4093

RE: Proposed Abandonment of the Bonham Subdivision

Dear Sirs:

Union Pacific Railroad and the Texas Northeastern Railroad Division, Mid-Michigan Railroad, Inc. plan to request authority from the Surface Transportation Board (STB) to abandon the Bonham Subdivision from MP 94.0 to MP 139.0 in Lamar and Fannin Counties, Texas, a distance of 45 miles. 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 49 C.F.R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. If any adverse environmental impacts are identified, 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.

NATURAL RESOURCES 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.

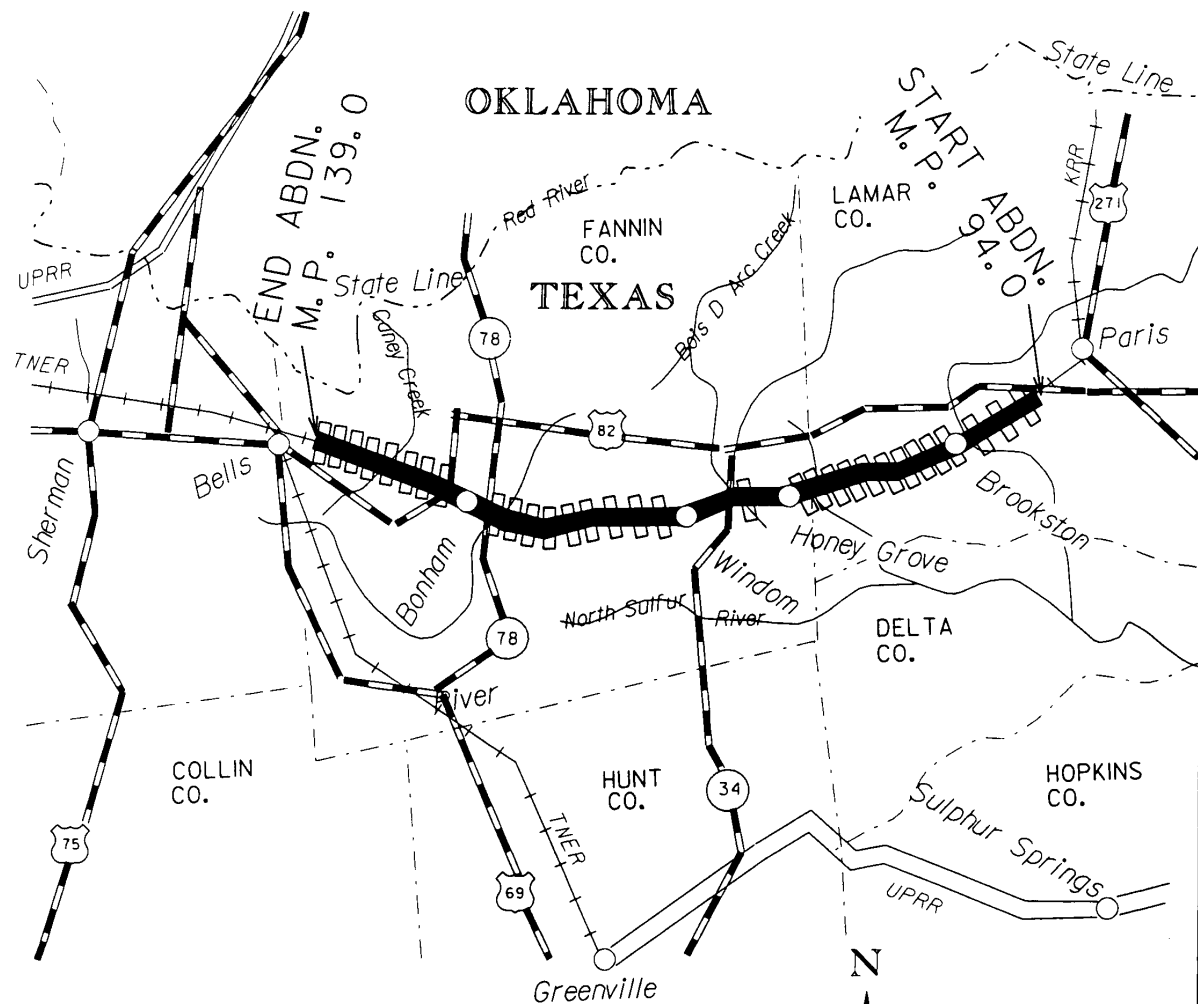
Thank you for your assistance. Please send your reply to Union Pacific Railroad, Mr. Chuck Saylor, 1416 Dodge Street, Room 830, Omaha, Ne, 68179. If you need further information, please contact me at (402) 271-4078.

Yours truly,



Harry P. Patterson, P. E.
Manager Environmental Site Remediation

Attachment



Bonham Subdivision

MP 94.0 TO MP 139.0

BONHAM SUBDIVISION A TOTAL OF 45.0 MILES
IN LAMAR & FANNIN COUNTY, TEXAS

STATION	MILE POST	AGENCY
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HONEY GROVE	112.0	NO
WINDOM	117.3	NO
BONHAM	128.1	NO

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- 50+ YEAR OLD STRUCTURES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

TEXAS

BONHAM SUBDIVISION
UNION PACIFIC RAILROAD CO.
TNER DIVISION MID-MICHIGAN RAILROAD, INC.
BONHAM BRANCH
INCL. 50+ YEAR OLD STRUCTURES

54

SCALE MILES

ab0212

Revised: August 22, 2000

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137.0	TIMBER PILE TRESTLE - BRIDGE DECK	102'	1930

UNION PACIFIC RAILROAD COMPANY
ENVIRONMENTAL MANAGEMENT

AB-33 (SUB-NO. 163X)
ATTACHMENT NO. 3

R. M. (Bob) Grimaila
Assistant Vice President-Environmental
(402) 271-4344

L. A. (Lanny) Schmid
Director Environmental Field Operations
(402) 271-2262

J. R. (Joel) Strafelda
Program Manager-Site Remediation
(402) 271-6572



Mailing Address:
Room 930
1416 Dodge Street
Omaha, NE 68178
Fax: (402) 271-4461

R. L. (Rick) Eades
Director Environmental Field Ops-North
(402) 661-6825

G. (Glenn) Thomas
Director Environmental Field Ops-South
(281) 350-7542

B. A. (Brock) Nelson
Director Environmental Field Ops-West
(916) 789-6370

May 16, 2000

File: Bonham Subdivision
Abandonment
Environmental

State Clearinghouse:

Denise Francis
Governors Office of Budget and
Planning
P.O. Box 12428
Austin, Texas 78711

U.S. Fish and Wildlife

U.S. Fish & Wildlife Service
500 Gold Avenue, SW -Room 4000
Albuquerque, NM 87102

State Environmental Protection Agency:

Ms. Leigh Ing, Deputy Director
Office of Water Resource Management
Texas Natural Resource Conservation
Commission
P O Box 13087, m145
Austin, Texas 78711-3087

U.S. Army Corps of Engineers

U.S. Army Engineer, Ft. Worth Dist.
P.O. Box 17300
Fort Worth, TX 76102-0300

U.S. Army Engineer, Tulsa District
P.O. Box 61
Tulsa, OK 74121-0061

State Coastal Zone Management Agency:
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National Park Service

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
800 North Capitol Street, NE., Rm. 540
Washington, DC 20002

Head Of Each County:

Hon. Derrell Hall, County Judge
Fannin County
101 East Sam Rayburn Drive, Suite 101
Bonham, Texas 75418

U.S. Natural Resources Conservation Service

State Conservationist
Natural Resources Conservation
Service
Poage Federal Building
101 South Main Street
Temple, TX 76501-7685

Hon. M. C. Superville Jr.,
County Judge
Lamar County
119 North Main Street, Suite 201
Paris, Texas 75460

Hon. Horice Gross, County Judge
Grayson County
100 West Houston, Suite 15
Sherman, TX 75090

Environmental Protection Agency
(Regional Office)

U.S. Environmental Protection Agency,
Region 6
1455 Ross Avenue
Dallas, Texas 75202-2733

National Geodetic Survey:

Edward J. McKay, Chief
Spatial Reference System Division
National Geodetic Survey
NOAA N/NGS
1315 E-W Highway
Silver Springs, MD 20910-3282

Other Agencies Consulted:

Mr. Andrew Swanson
Texas Parks & Wildlife
4200 Smith School Road
Austin, Texas 78744

City of Bonham - City Hall
301 East 5th Street
Bonham, Texas 75418-4093

RE: Proposed Abandonment of the Bonham Subdivision

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Union Pacific Railroad and the Texas Northeastern Railroad Division, Mid-Michigan Railroad, Inc. plan to request authority from the Surface Transportation Board (STB) to abandon the Bonham Subdivision from MP 94.0 to MP 139.0 in Lamar and Fannin Counties, Texas, a distance of 45 miles. 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 49 C.F.R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. If any adverse environmental impacts are identified, 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.

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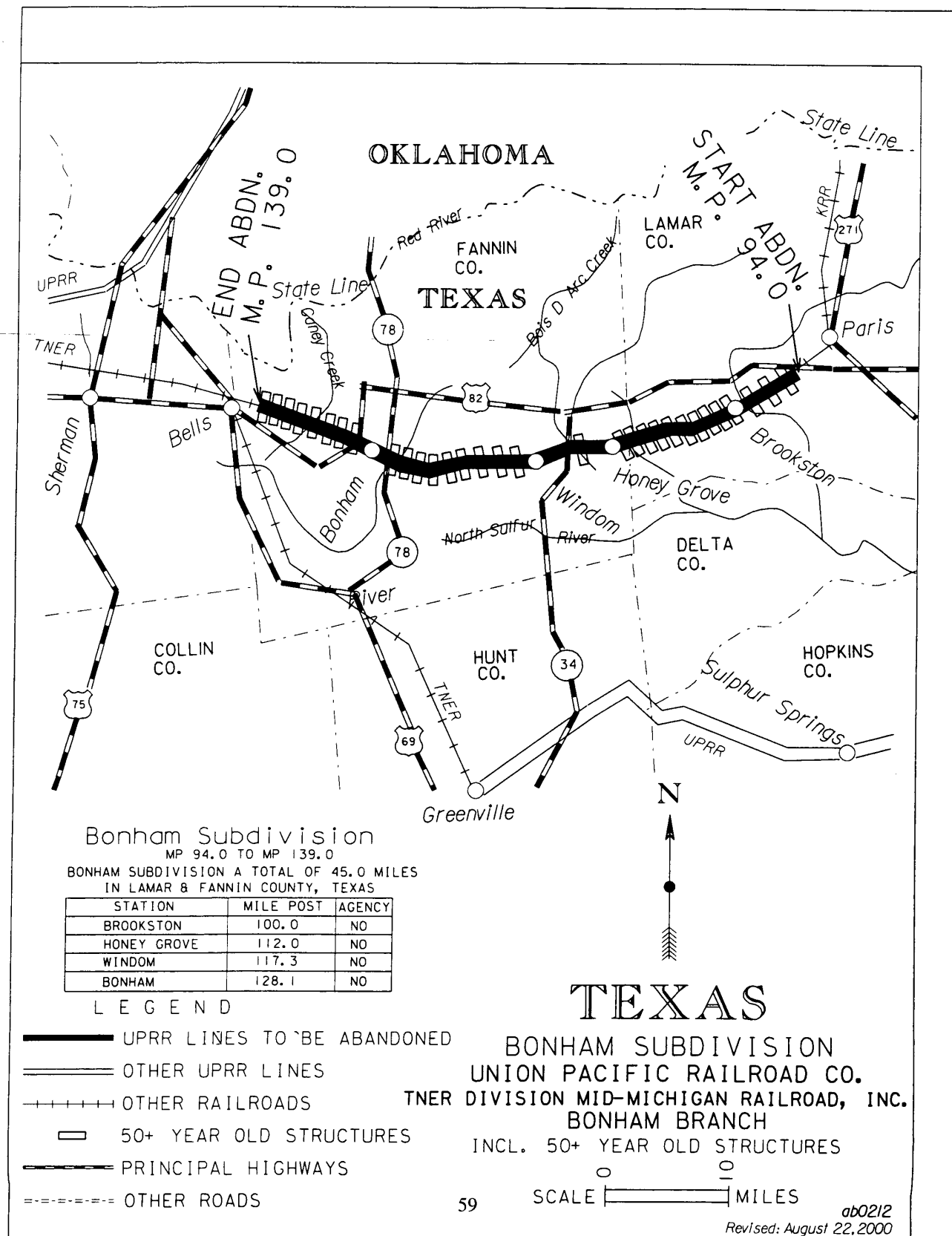
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Thank you for your assistance. Please send your reply to Union Pacific Railroad, Mr. Chuck Saylor, 1416 Dodge Street, Room 830, Omaha, Ne, 68179. If you need further information, please contact me at (402) 271-4078.

Yours truly,

Harry P. Patterson, P. E.
Manager Environmental Site Remediation

Attachment



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	TIMBER PILE TRESTLE - BRIDGE DECK		1930
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Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



AB-33 (SUB-NO. 163X)
ATTACHMENT NO. 4

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

August 31, 2000

Mr. Chuck Saylors
Union Pacific Railroad
1416 Dodge Street, Room 830
Omaha, Nebraska 68179

Re: Proposed Abandonment of the Bonham Subdivision Track

Dear Mr. Saylors:

This letter is in response to your request for comments from the Texas Natural Resource Conservation Commission concerning the proposed abandonment and discontinued service of the Bonham Subdivision track from MP 94.0 to MP 139.0 (a distance of 45 miles) in Lamar and Fannin Counties, Texas, by the Union Pacific Railroad Company and the Texas Northeastern Railroad Division of Mid-Michigan Railroad, Incorporated. In regards to state surface water quality standards, no impact is expected unless activities beyond "abandoning" the section of the railroad track are involved.

If you have any questions, please contact Mr. Jim Davenport of the Water Permits & Resource Management Division (MC-150) at (512) 239-4585.

Sincerely,

A handwritten signature in black ink, appearing to read "Leigh Ing", with a stylized flourish at the end.

Leigh Ing, Deputy Director
Office of Permitting, Remediation & Registration

LI/JD/bly



STATE OF TEXAS
OFFICE OF THE GOVERNOR

GEORGE W. BUSH
GOVERNOR

Wednesday, September 27, 2000

Mr. Chuck Saylor
Union Pacific Railroad Company
1416 Dodge Street, Room 830
Omaha, NE 68179

RE: TX-R-20000828-0001-50
GCRPC SECTION 5310 TRANSPORTATION FOR ELDERLY/DISA
Prop. Abandonment: Bonham Subdivision (Lamar/Fannin Counties)

Dear Mr. Saylor:

Your application for assistance referenced above has been reviewed. The comments received are summarized below and are attached.

The only comments received were from Texas Natural Resource Conservation Commission. The Remediation Division has reviewed the information. TNRCC Superfund Site Discovery & Assessment Program has documented contamination along the railroad tracks in Bonham. See the enclosed information. No other substantive comments were received.

We appreciate the opportunity to review your proposal. Please let me know if we can be of further assistance.

Sincerely,

Denise S. Francis /mhr
Denise S. Francis, State Single Point of Contact
DSF/mhr

cc: Surface Transportation Board

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

September 22, 2000

RECEIVED
SEP 22 2000
COMMISSIONER'S OFFICE

Ms. Denise S. Francis
Governor's Office of Budget & Planning
P.O. Box 12428
Austin, Texas 78711

Re: TX-R-20000828-001-50

Dear Ms. Francis:

The following staff of the Texas Natural Resource Conservation Commission (TNRCC) have reviewed the above-referenced project and offer the following comments:

The staff does not anticipate significant long-term environmental impacts from this project as long as construction and waste disposal activities associated with it are completed in accordance with applicable local, state and federal environmental permits and regulations. However, it is recommended that the applicant take necessary steps to insure that best management practices are utilized to control runoff from construction sites be utilized to prevent detrimental impact to surface and groundwater.

If you have questions regarding water quality comments, please feel free to contact Mr. Clyde Bohmfalk, Policy and Regulations Division, at (512) 239-1315.

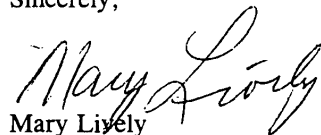
The Remediation Division has reviewed the information submitted. TNRCC Superfund Site Discovery & Assessment Program has documented contamination along the railroad tracks in Bonham. Contaminants are arsenic, chlordane, DDT, Dieldrin, Toxaphene and Beta-BHC. See the enclosed information. This site, which is adjacent to the railroad tracks entered the Voluntary Cleanup Program on August 29, 2000. It is case #1253.

Ms. Denise S. Francis
Page 2
September 22, 2000

If you have any questions, feel free to contact Mr. Randy Arnett, Remediation Division, at (512) 239-2340.

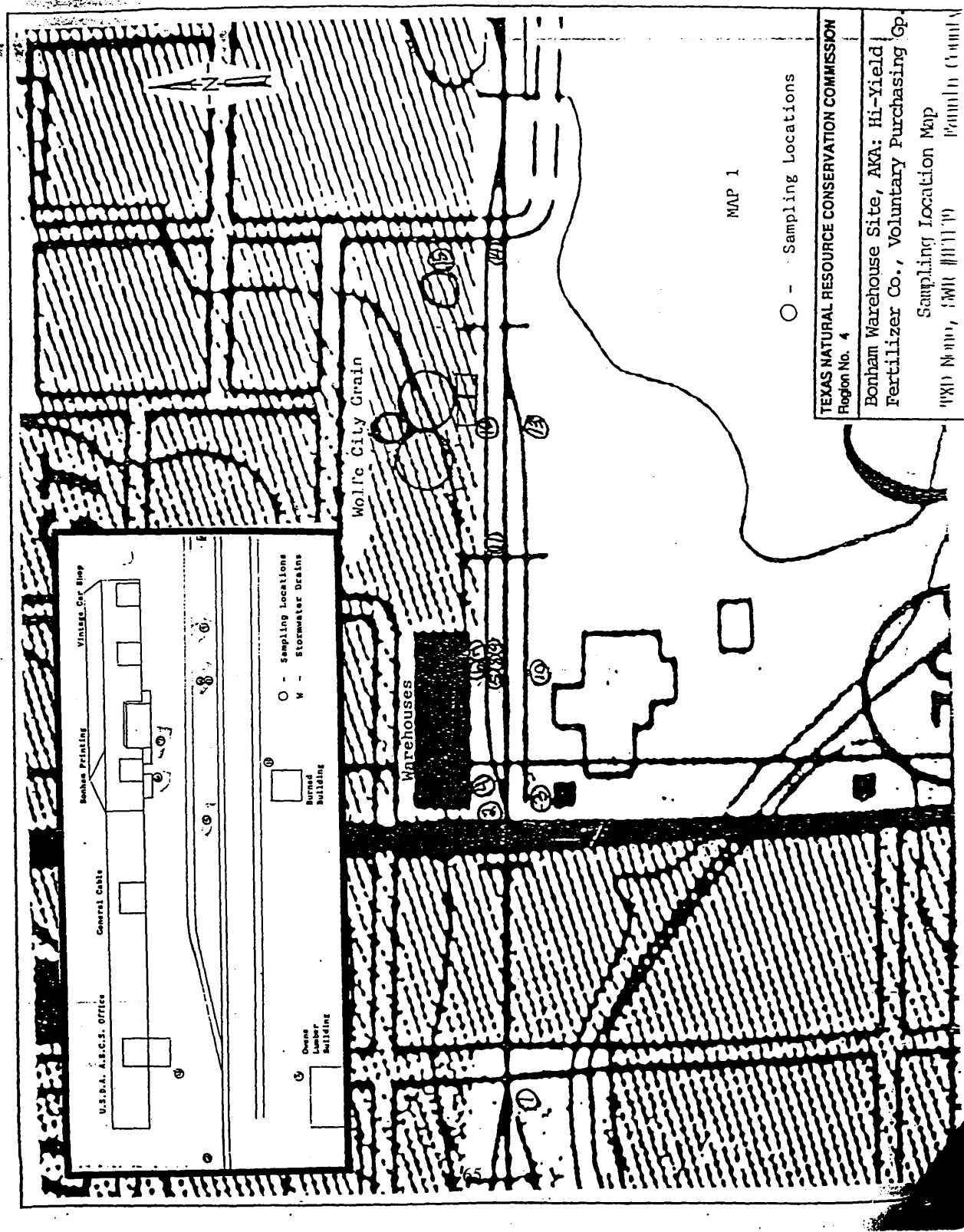
Thank you for the opportunity to review this project. If I may be of further service, please call me at (512) 239-1454.

Sincerely,

A handwritten signature in cursive script that reads "Mary Lively".

Mary Lively
Office of Environmental Policy, Analysis, & Assessment
Texas Natural Resource Conservation Commission

Enclosure



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
 Region No. 4

Bonham Warehouse Site, AKA: Hi-Yield
 Fertilizer Co., Voluntary Purchasing Op.
 Sampling Location Map
 TXN Map, 1981 #11179
 Poudre County

EPA

admission levels
Schedule1.5
AETSediment
Inventory

TABLE 1

Location and COC Tag No.*	Chlordane (ppb)	DDT (ppb)	Dieldrin (ppb)	Toxaphene (ppb)	Beta-BHC (ppb)	Arsenic- Total/ TCLP (ppm)	Ammonia (ppm)
1 - SW180031	22.5	BDL	BDL	BDL	BDL	15.5/0.14	NTF
2 - SW184050 SW184055 SW184056	821	BDL	BDL	833	BDL	17.4/BDL	9.36
3 - SW184057 SW184058 SW184059	168	BDL	BDL	BDL	BDL	353/BDL	39.2
4 - SW180030	415	231	892	613	BDL	43/0.19	NTF
5 - SW184047 SW184048 SW184049	BDL	BDL	BDL	60600	BDL	13.7/BDL	24.1
6 - SW180028	26400	BDL	BDL	BDL	776	981/2.91	NTF
7 - SW180025**	6130	9780	7830	18400	BDL	536/0.32	NTF
8 - SW184044 SW184045 SW184046	12200	BDL	BDL	2820	BDL	28/BDL	196
9 - SW184041 SW184042 SW184043	41300	BDL	BDL	58000	BDL	877/1.16	75.3
10 - SW184060 SW184061 SW184062	2780	BDL	BDL	BDL	BDL	79.5/0.09	57.4
11 - SW184032 SW184033 SW184034 (Soil)	1720	BDL	BDL	42000	BDL	35.8/BDL	80.0
11 - SW184035 SW184036 SW184037 (Water)	BDL	BDL	BDL	BDL	BDL	0.083/BDL	146
12 - SW184038 SW184039 SW184067+ (Waste)	BDL	BDL	BDL	BDL	BDL	BDL/BDL	16.4
13 - SW184063 SW184065 SW184066	122	BDL	BDL	BDL	BDL	106/0.06	62.4
14 - SW184029 SW184030 SW184031	123	BDL	BDL	470	BDL	11.1/BDL	18.6
15 - SW184026 SW184027 SW184028	12000	BDL	BDL	BDL	BDL	9.64/BDL	310

ppb - Parts per billion

ppm - Parts per million

TCLP - Toxicity Characteristic Leaching Procedure

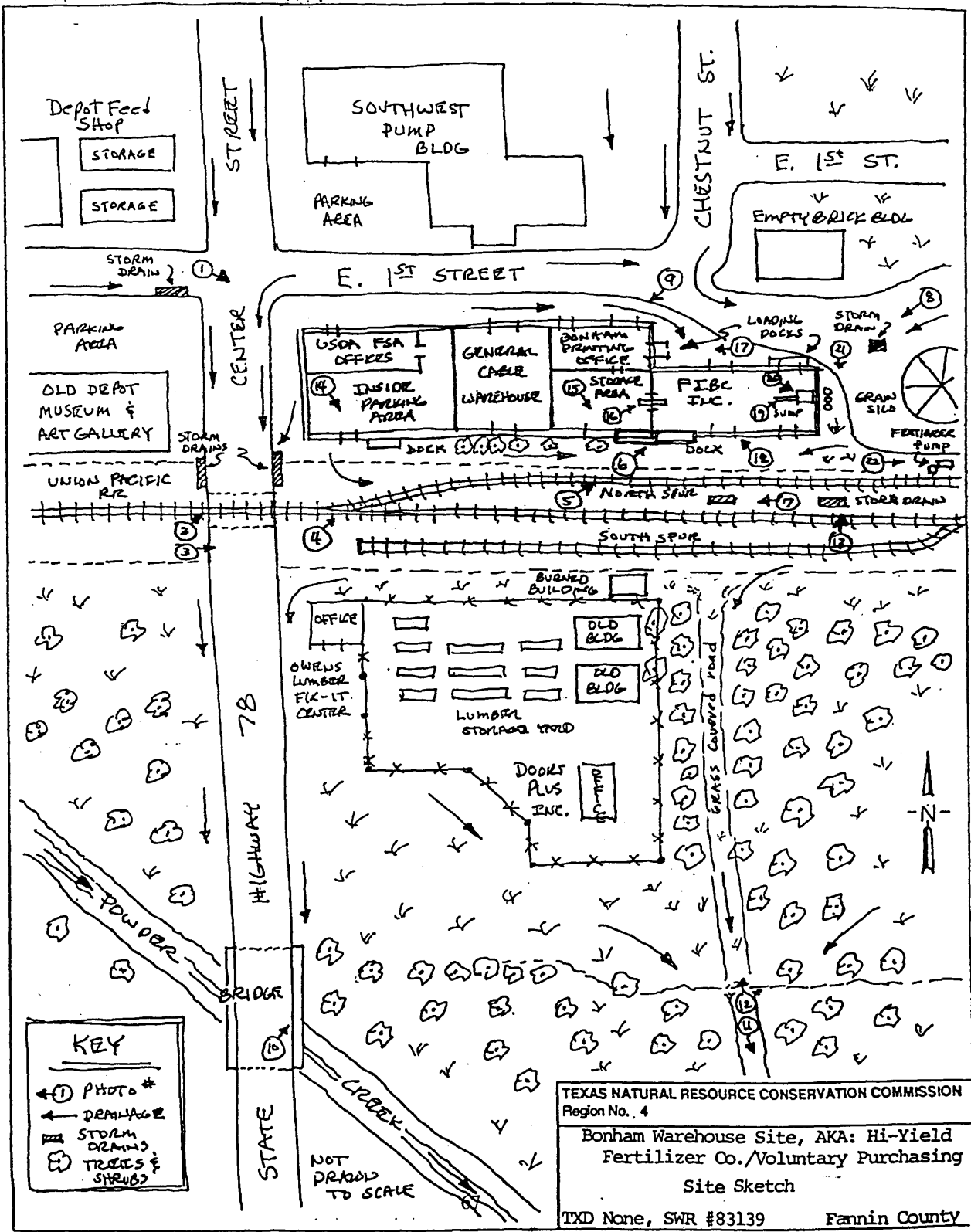
NTF - Not tested for

BDL - Below detection limits

* - Locations of samples collected shown on Maps 1 and 2

** - Sample also contained 0.260 ppm of 2,4,5-TP (Silvex)

* - Sample also contained 257 ppm of barium and 20.5 ppm of chromium





REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

AB-33 (SUB-NO. 163X)
ATTACHMENT NO. 6

October 20, 2000

Environmental Division
Regulatory Branch

SUBJECT: Project Number 200000686

Mr. Chuck Saylor
Union Pacific Railroad Company
1416 Dodge Street, Room 830
Omaha, Nebraska 68179

Dear Mr. Saylor:

Thank you for your letter of August 21, 2000, concerning a proposal to abandon a 45-mile-long segment of your Bonham Subdivision line, between MP 94.0 and MP 139.0, in Lamar and Fannin Counties, Texas. This project has been assigned Project Number 200000686. Please include this number in all future correspondence concerning this project. Failure to reference the project number may result in a delay.

We have reviewed this project in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act of 1899. Under Section 404, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. The USACE responsibility under Section 10 is to regulate any work in, or affecting, navigable waters of the United States. Based on your description of the proposed work, other information available to us, and current regulations and policy, we have determined that this project will not involve any of the above activities. Therefore, it will not require Department of the Army authorization under the above laws. However, it is incumbent upon you to remain informed of any changes in USACE Regulatory Program regulations and policy as they relate to your project.

Please note that future construction activities, such as removing or replacing structures at stream and wetland crossings, that might occur following the proposed abandonment of this segment of railroad could involve activities subject to regulation under Section 404 and therefore require Department of the Army authorization. Please ensure that you conduct any such work in a manner that complies with the requirements of the CWA, which may include contacting the USACE for authorization prior to discharging any dredged or fill material into waters of the United States.

— 2 —

Thank you for your interest in our nation's water resources. If you have any questions concerning our regulatory program, please contact Mr. David Martin at the address above or telephone (817)978-4625.

Sincerely,



 Wayne A. Lea
Chief, Regulatory Branch

Copy Furnished:

Mr. David Manning
U.S. Army Corps of Engineers
Regulatory Branch (CESWT-PE-R)
1645 South 101 East Avenue
Tulsa, OK 74128-4609

CHARLES W. SAYLORS
DIRECTOR-LEGAL SUPPORT SERVICES

UNION PACIFIC RAILROAD COMPANY

AB-33 (SUB-NO. 163X)
ATTACHMENT NO. 7

1416 DODGE STREET
OMAHA, NEBRASKA 68179
(402) 271-4861



November 3, 2000

Texas Historical Commission
F. Lawrence Oaks, SHPO
P. O. Box 12276
Austin, TX 78711-2276

RE: Docket No. AB-33 (Sub-No. 163X), Union Pacific Railroad Company
- Abandonment - and Mid-Michigan Railroad-Texas Northeastern Railroad
Division - Discontinuance of Operation - In Lamar and Fannin Counties,
Texas

(Bonham Subdivision Between Milepost 94.0 near Paris and
Milepost 139.0 at Savoy, Texas)

Dear Mr. Oaks:

Enclosed for your review are photographs of thirty-one bridges fifty years
or older which are located on the referenced rail line proposed for abandonment. The
bridges are described as follows:

<u>Milepost</u>	<u>Description</u>	<u>Year Constructed</u>
95.6	Frame Trestle - Open Deck Total Length: 35 Feet	1925
99.5	Timber Pile Trestle - Bridge Deck Total Length: 38 Feet	1928
99.9	Timber Pile Trestle - Bridge Deck Total Length: 52 Feet	1931
100.6	Timber Pile Trestle - Bridge Deck Total Length: 52 Feet	1930

101.4	Timber Pile Trestle - Bridge Deck Total Length: 52 Feet	1931
101.2	Timber Pile Trestle - Bridge Deck Total Length: 65 Feet	1935
102.4	Timber Pile Trestle - Bridge Deck Total Length: 78 Feet	1930
102.9	Timber Pile Trestle - Bridge Deck Total Length: 53 Feet	1930
105.5	Timber Pile Trestle - Bridge Deck Total Length: 65 Feet	1937
106.4	Timber Pile Trestle - Bridge Deck Total Length: 52 Feet	1929
107.3	Timber Pile Trestle - Bridge Deck Total Length: 13 Feet	1931
108.5	Timber Pile Trestle - Bridge Deck Total Length: 91 Feet	1938
108.7	Timber Pile Trestle - Bridge Deck Total Length: 182 Feet	1935
114.3	Timber Pile Trestle - Bridge Deck Total Length: 39 Feet	1929
119.0	Timber Pile Trestle - Bridge Deck Total Length: 226 Feet	1931
119.7	Timber Pile Trestle - Bridge Deck Total Length: 381 Feet	1929
122.9	Timber Pile Trestle - Bridge Deck Total Length: 50 Feet	1931
123.8	Timber Pile Trestle - Bridge Deck Total Length: 102 Feet	1929

124.3	Timber Pile Trestle - Bridge Deck	1930
	TPG - Open Deck	1905
	Timber Pile Trestle - Bridge Deck	1930
	Total Length: 379 Feet	
125.8	Timber Pile Trestle - Bridge Deck	1942
	Total Length: 78 Feet	
126.5	Timber Pile Trestle - Bridge Deck	1931
	Total Length: 154 Feet	
126.6	Timber Pile Trestle - Bridge Deck	1928
	Total Length: 76 Feet	
126.7	Timber Pile Trestle - Bridge Deck	1928
	TPG - Open Deck	1908
	Timber Pile Trestle - Bridge Deck	1928
	Total Length: 642 Feet	
128.6	Timber Pile Trestle - Bridge Deck	1929
	Total Length: 165 Feet	
129.2	DPG - Ball Deck	1933
	Total Length: 111 Feet	
132.9	Timber Pile Trestle - Bridge Deck	1930
	Total Length: 88 Feet	
134.0	Timber Pile Trestle - Bridge Deck	1928
	Total Length: 129 Feet	
134.3	Timber Pile Trestle - Bridge Deck	1935
	Total Length: 78 Feet	
134.9	Timber Pile Trestle - Bridge Deck	1928
	Total Length: 38 Feet	
135.7	Timber Pile Trestle - Bridge Deck	1930
	DPG - Open Deck	1901
	Timber Pile Trestle - Bridge Deck	1930
	Total Length: 661 Feet	

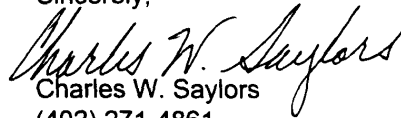
137.0

Timber Pile Trestle - Bridge Deck
Total Length: 102 Feet

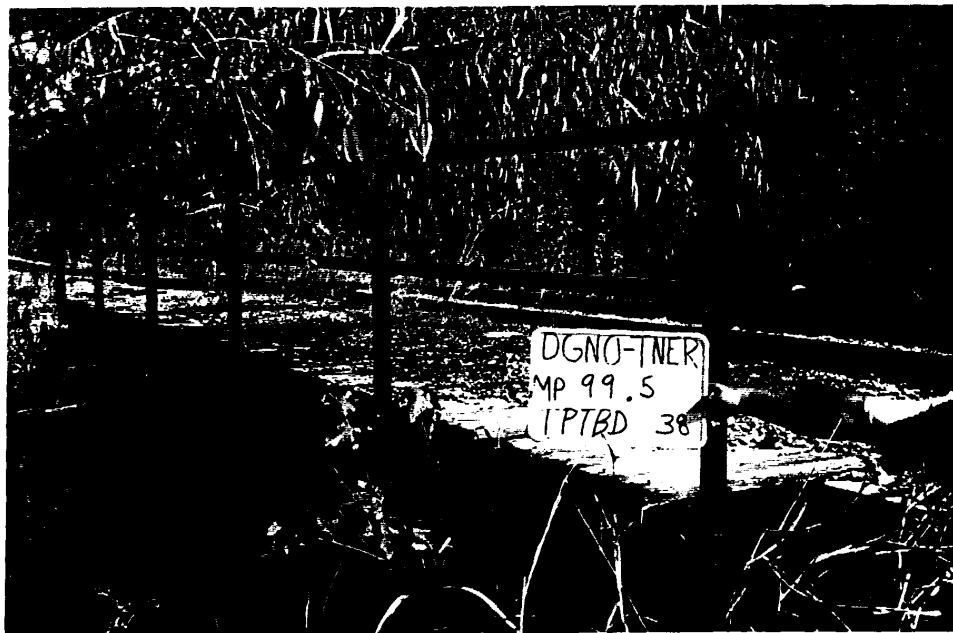
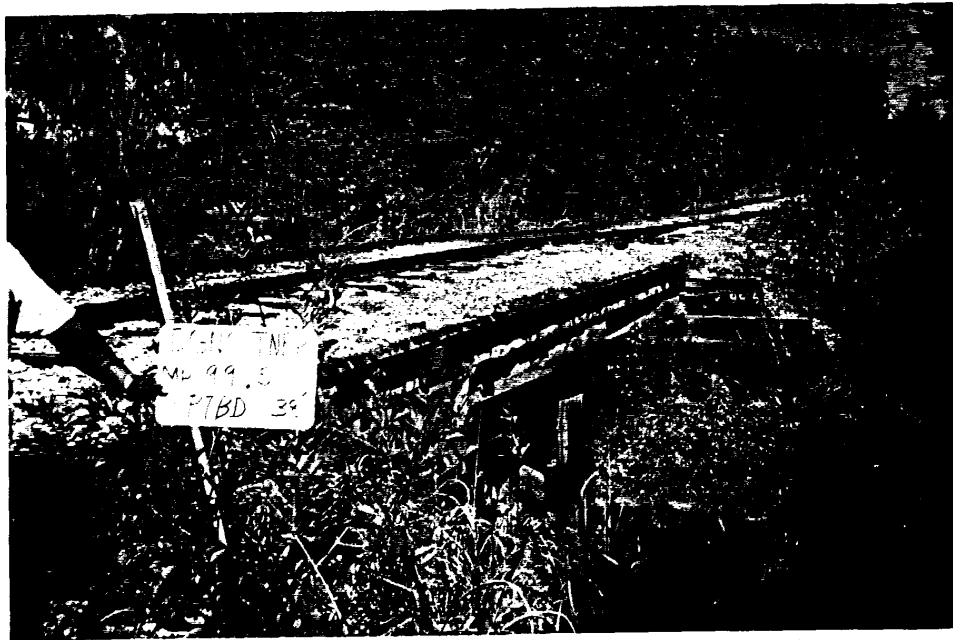
1930

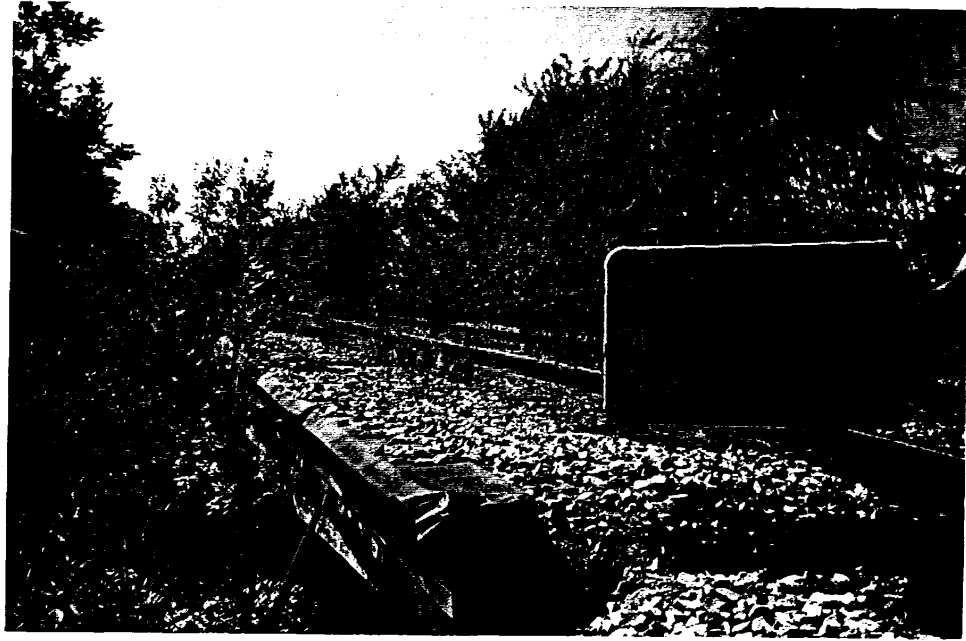
Please advise if you believe there is any historical significance to the bridges. I will provide you a copy of the Combined Environmental and Historic Report for this abandonment application upon its completion. Thank you for your assistance.

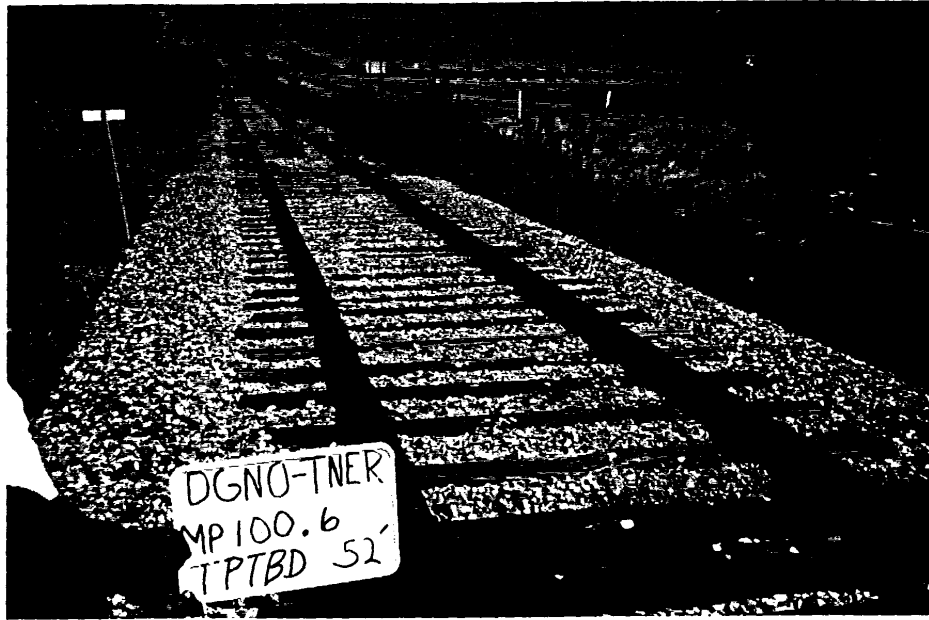
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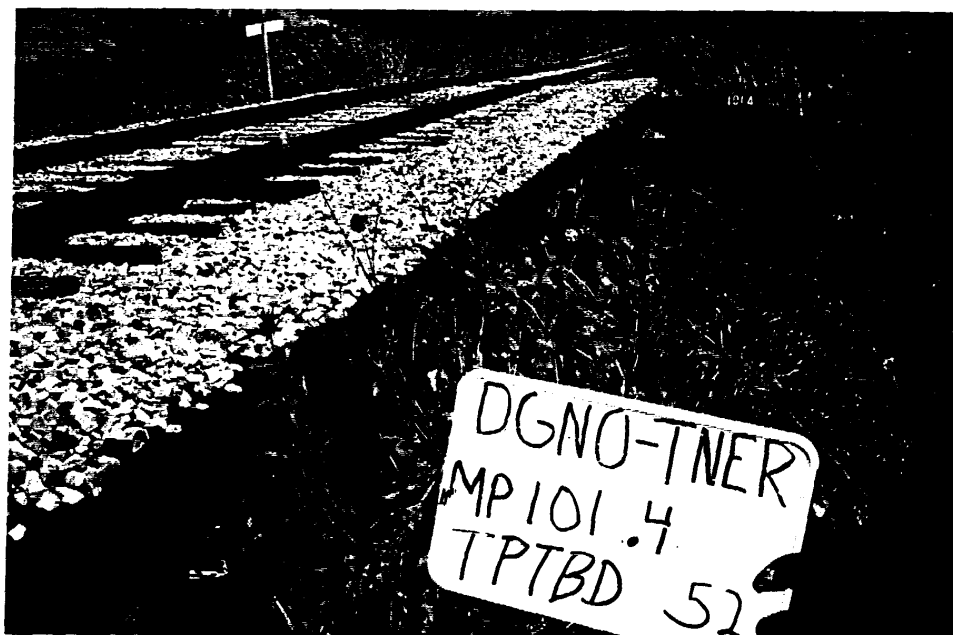
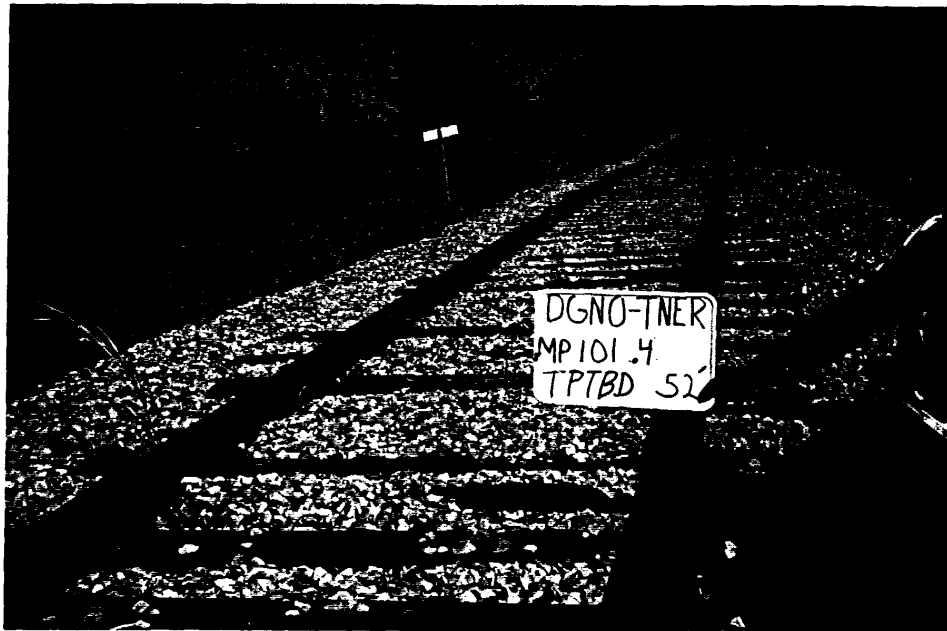

Charles W. Saylor
(402) 271-4861

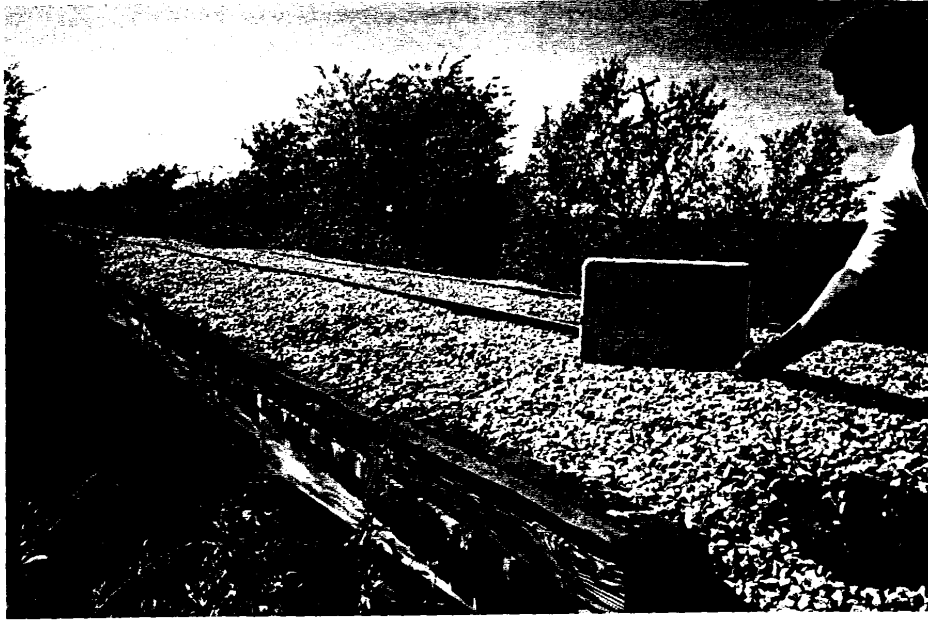


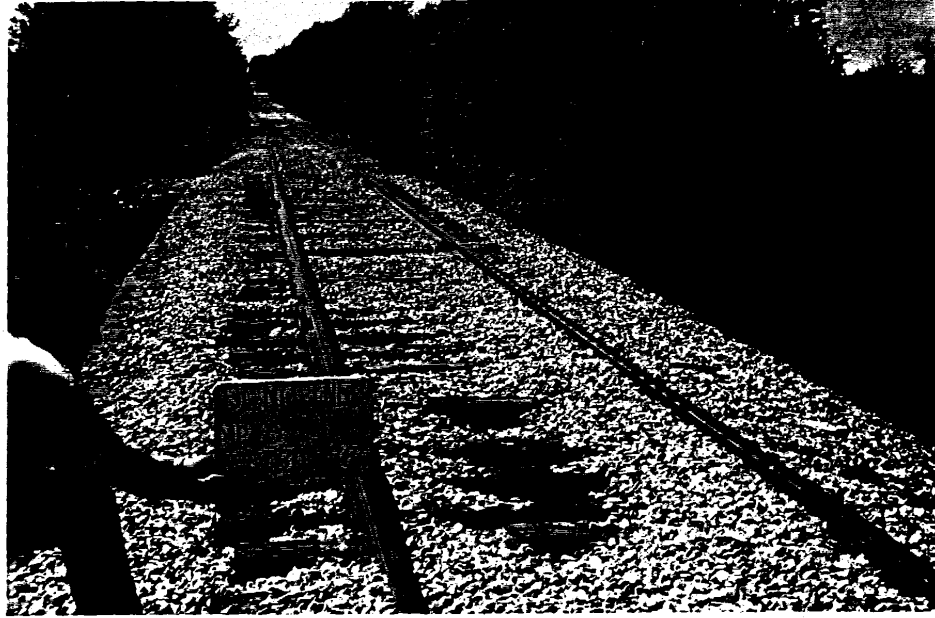


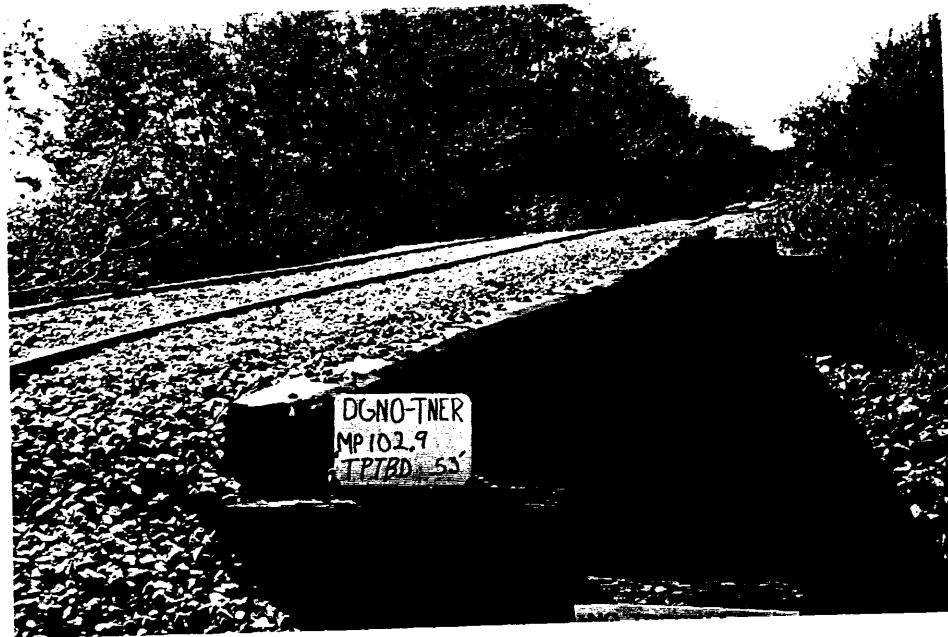
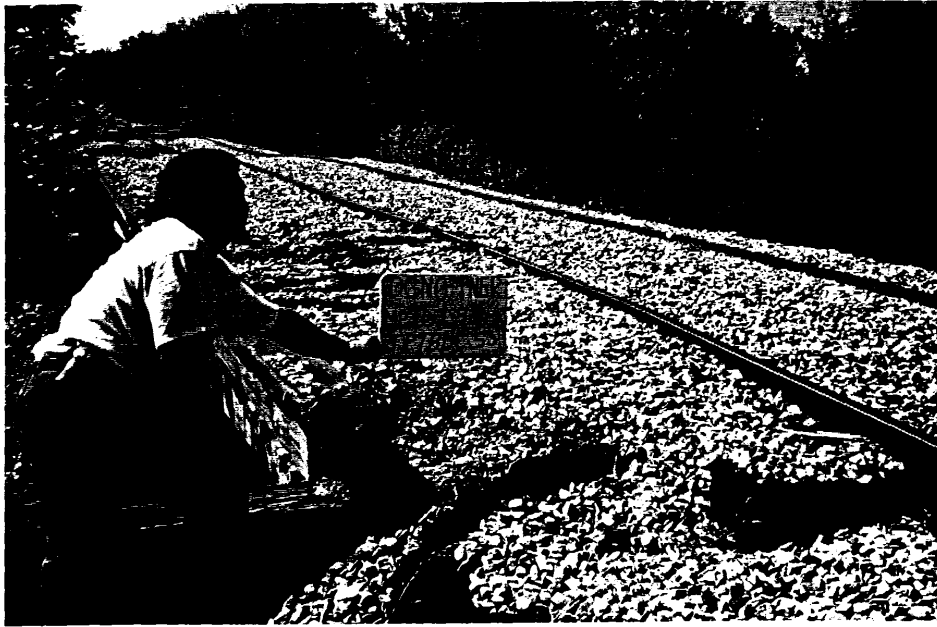


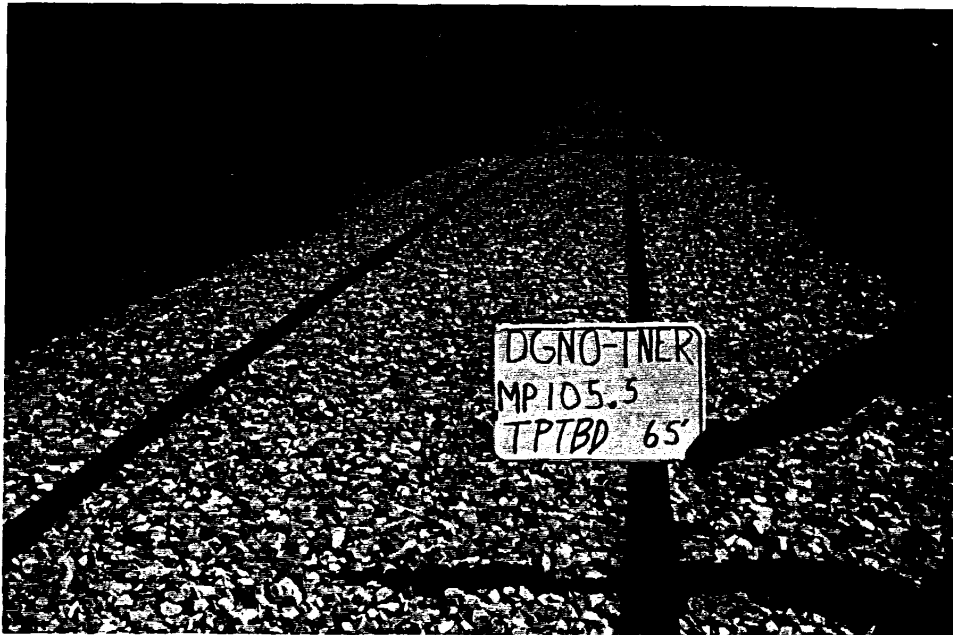


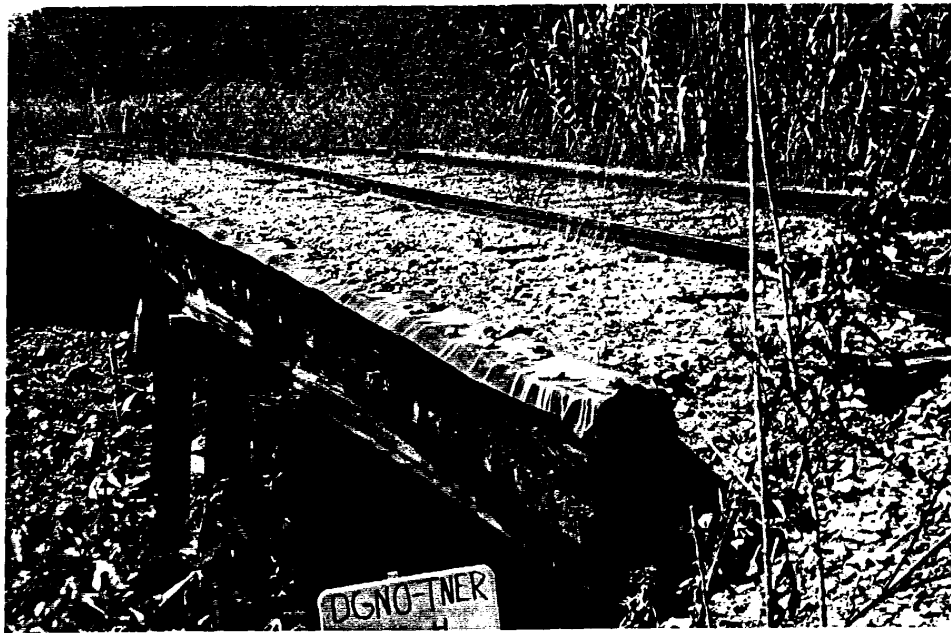
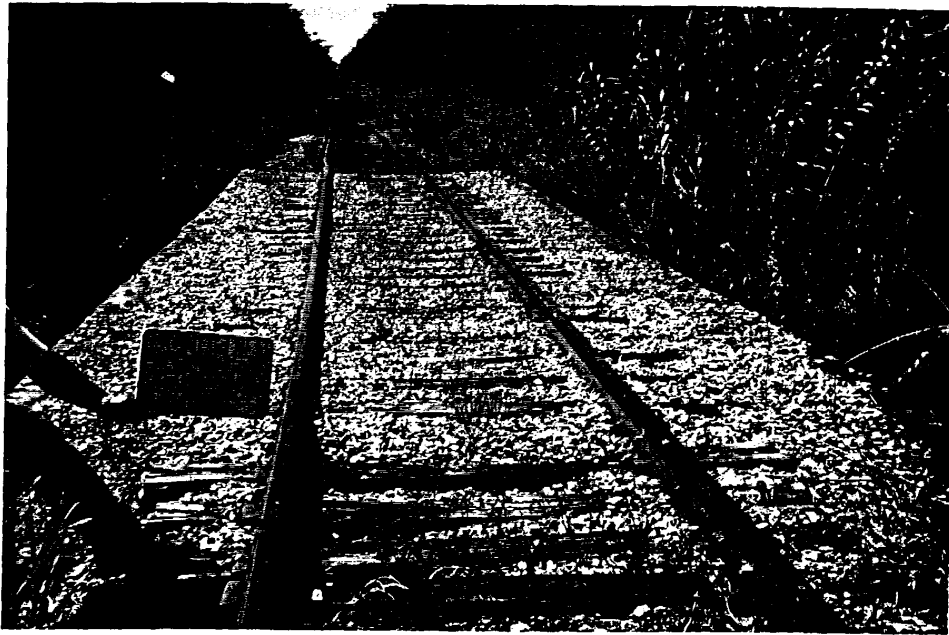








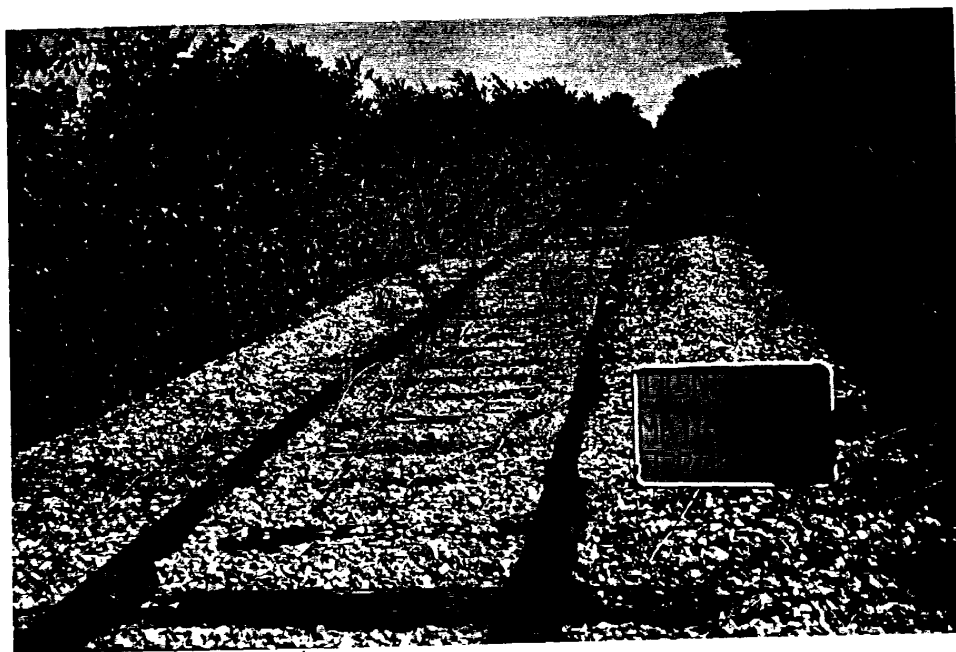


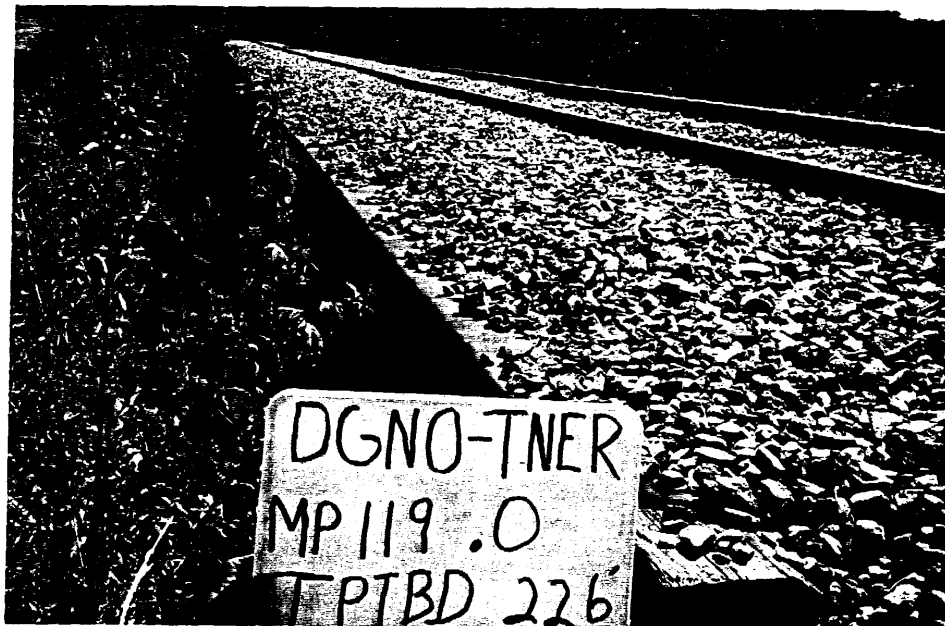


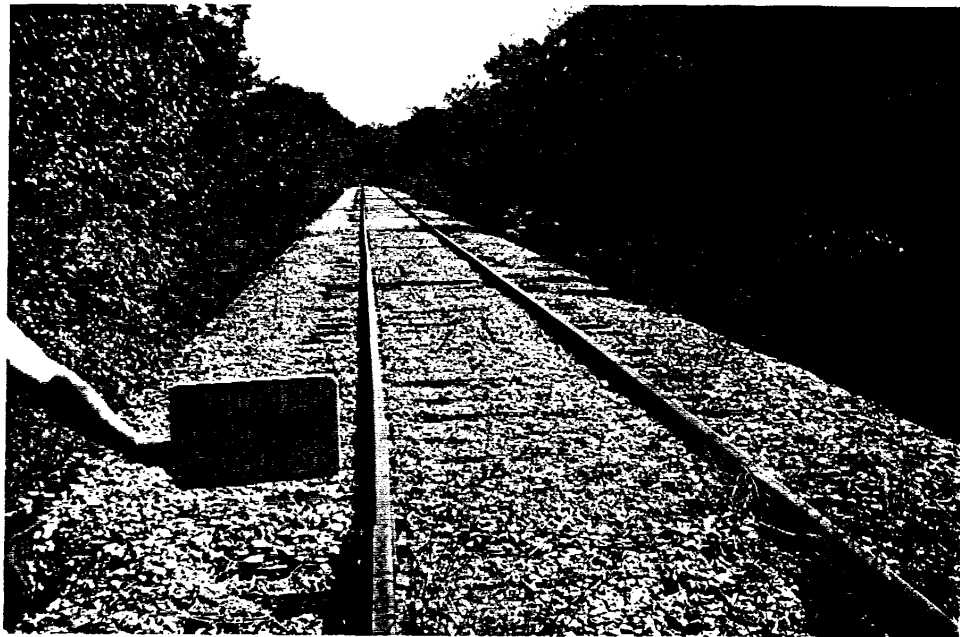


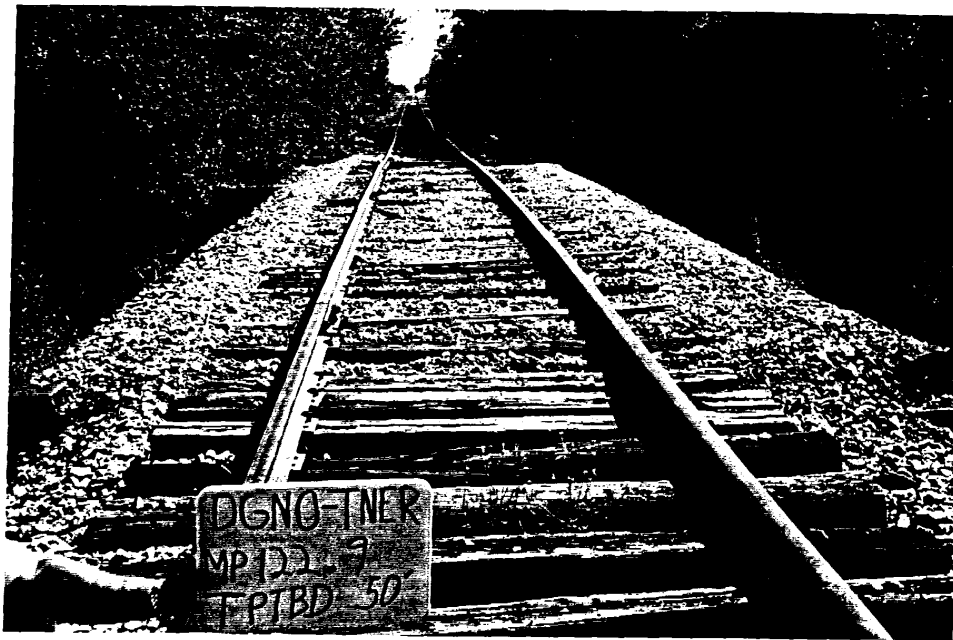


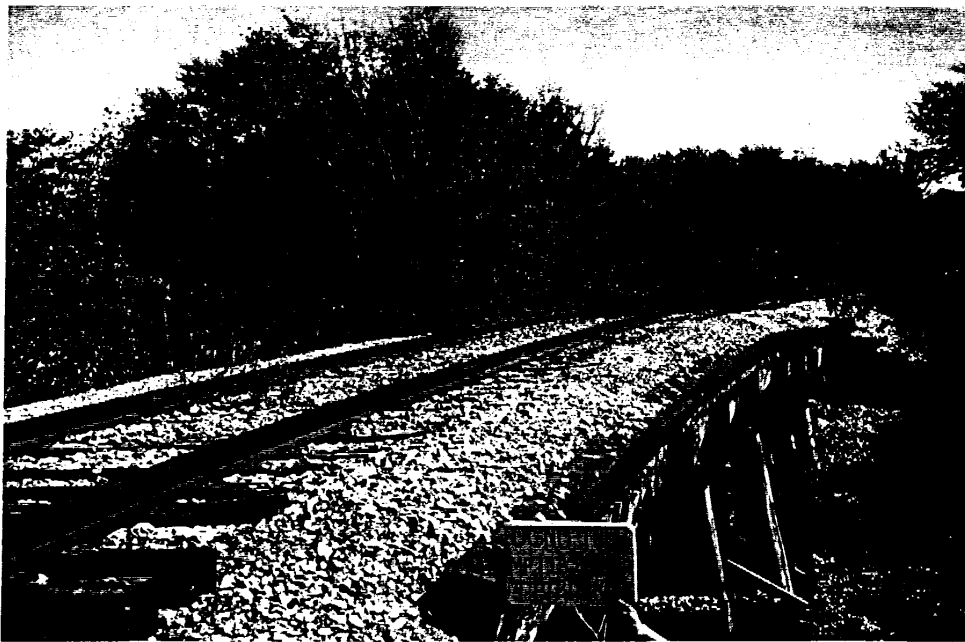


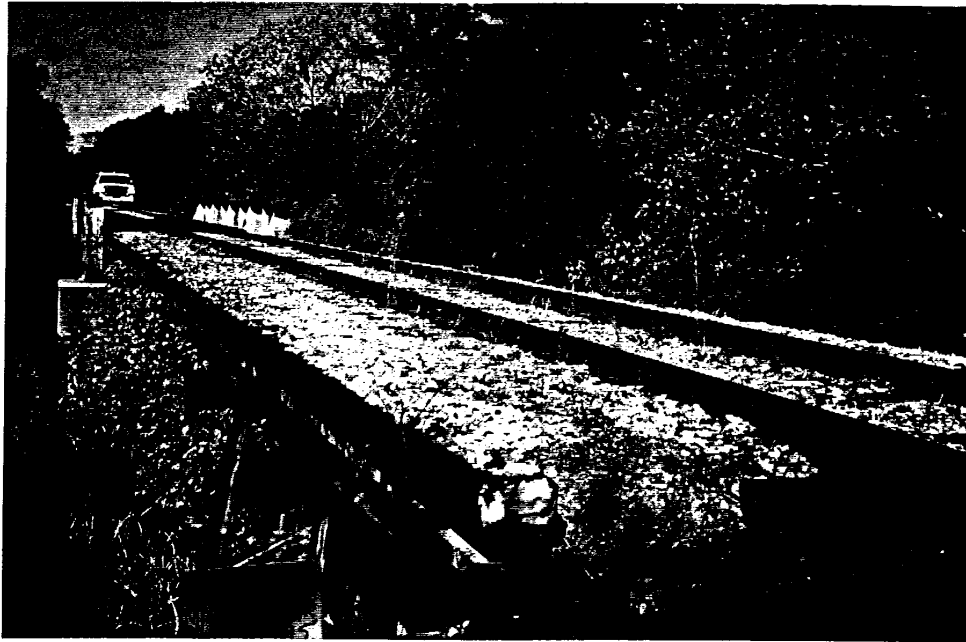


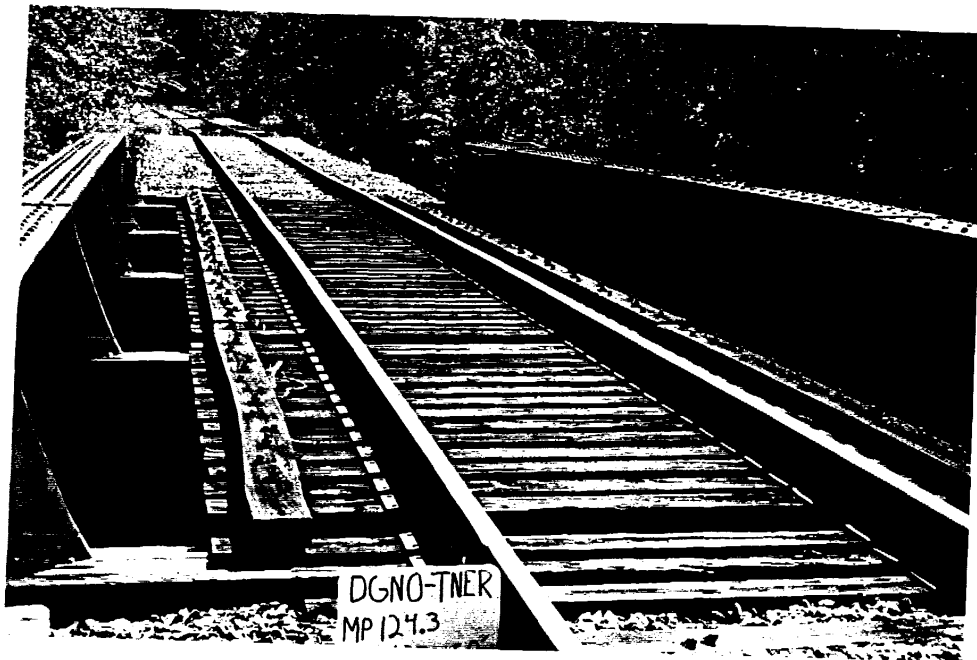
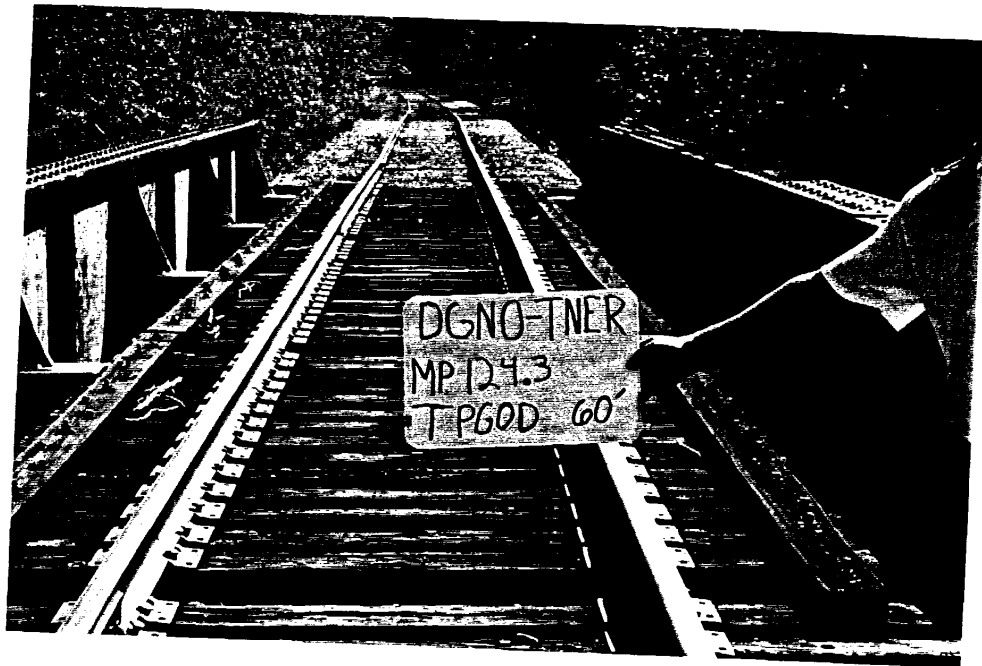




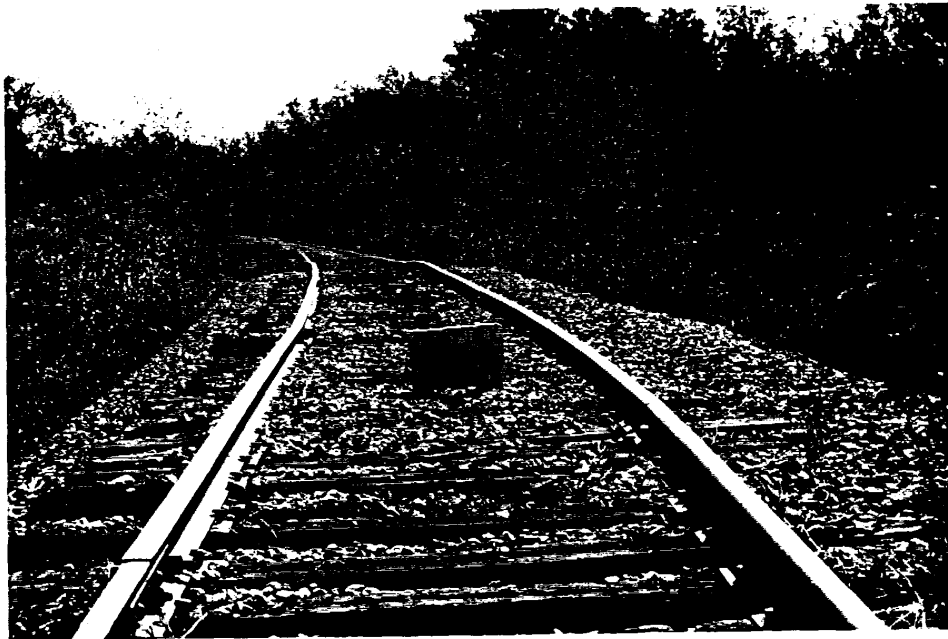


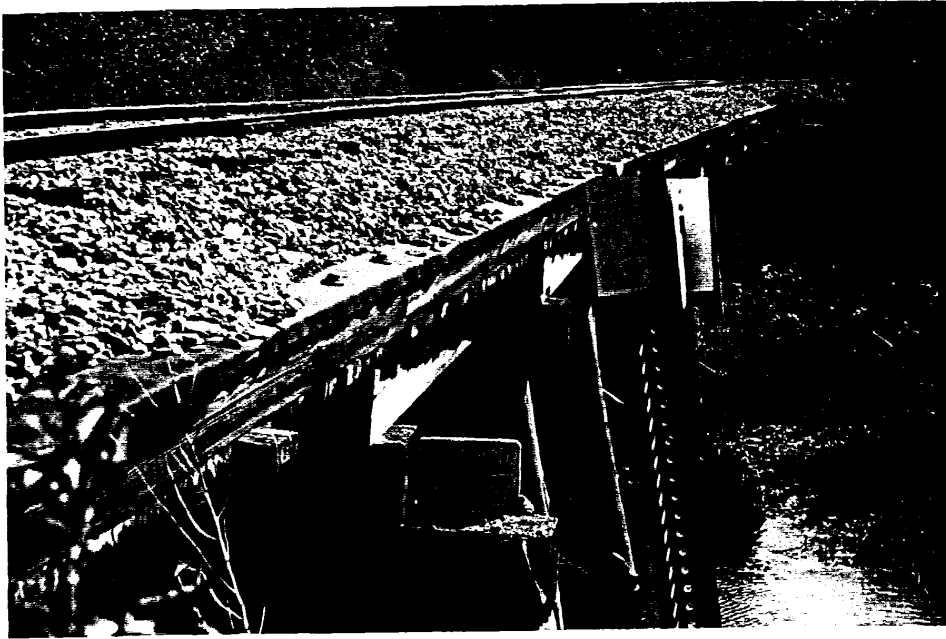


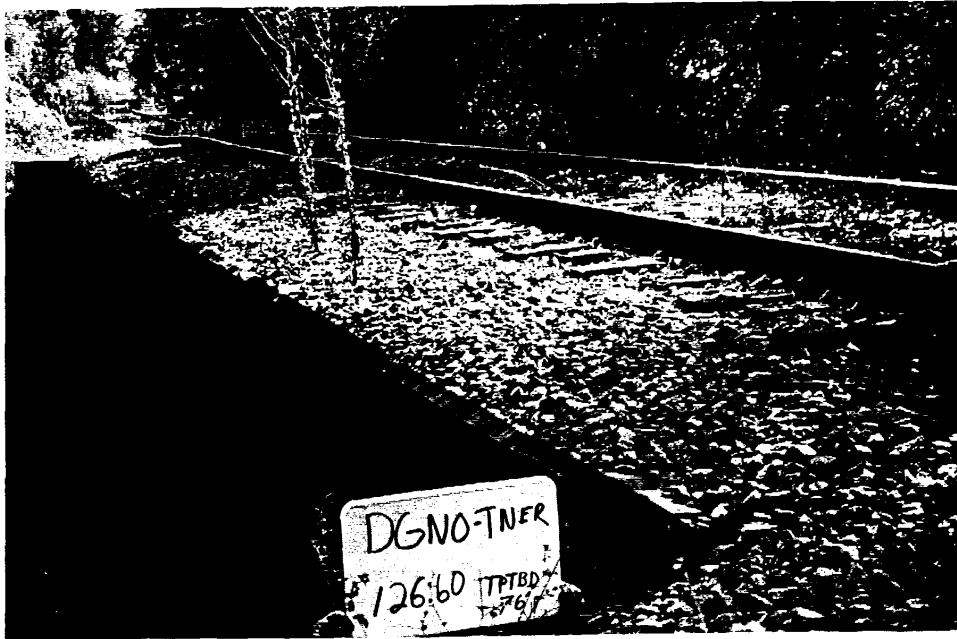
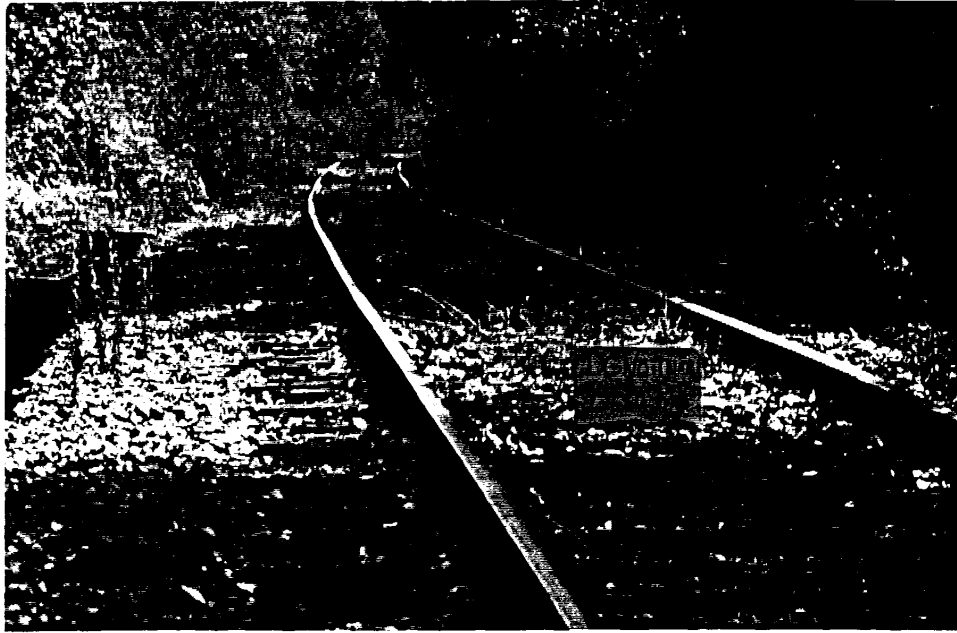


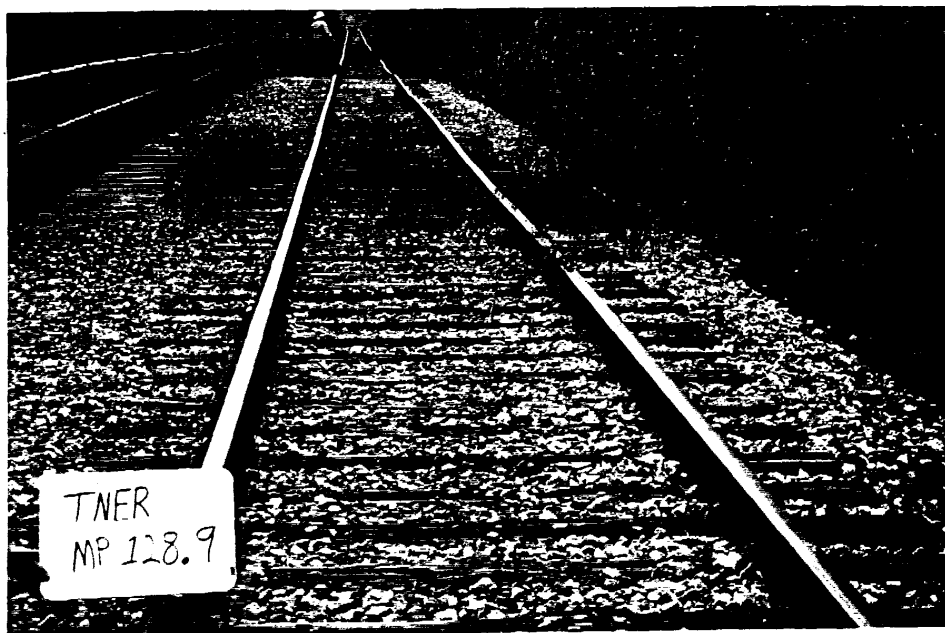
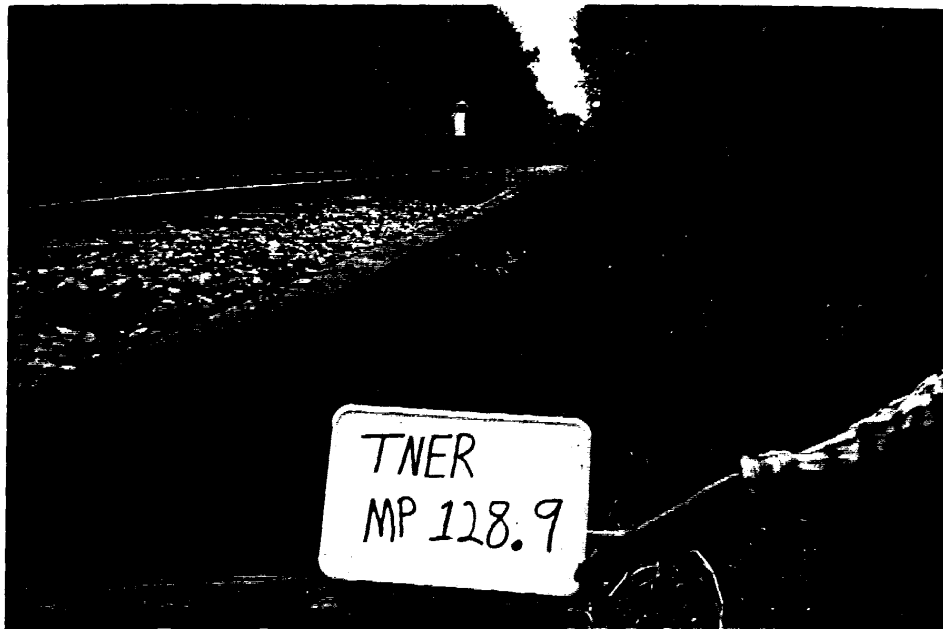


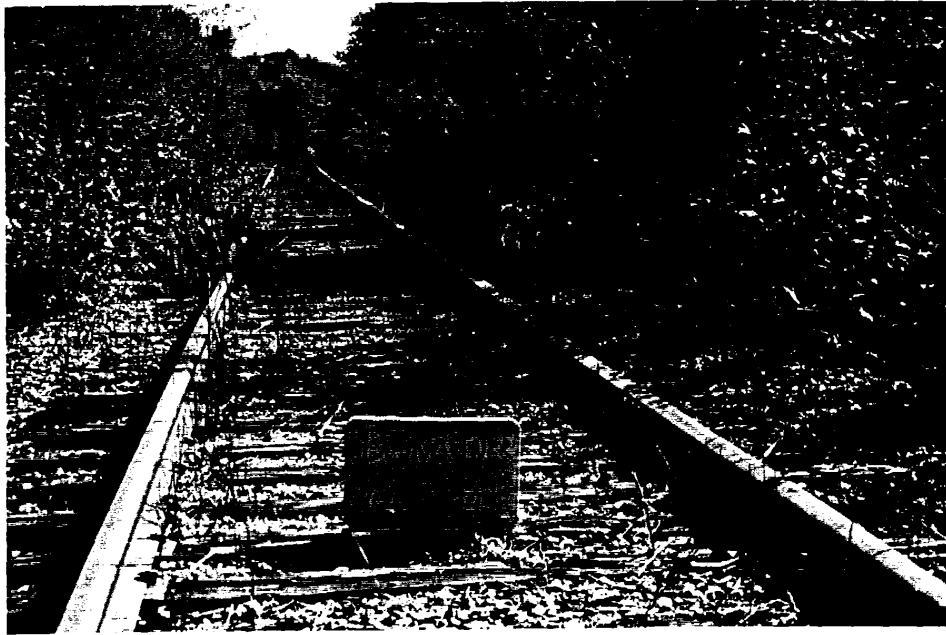


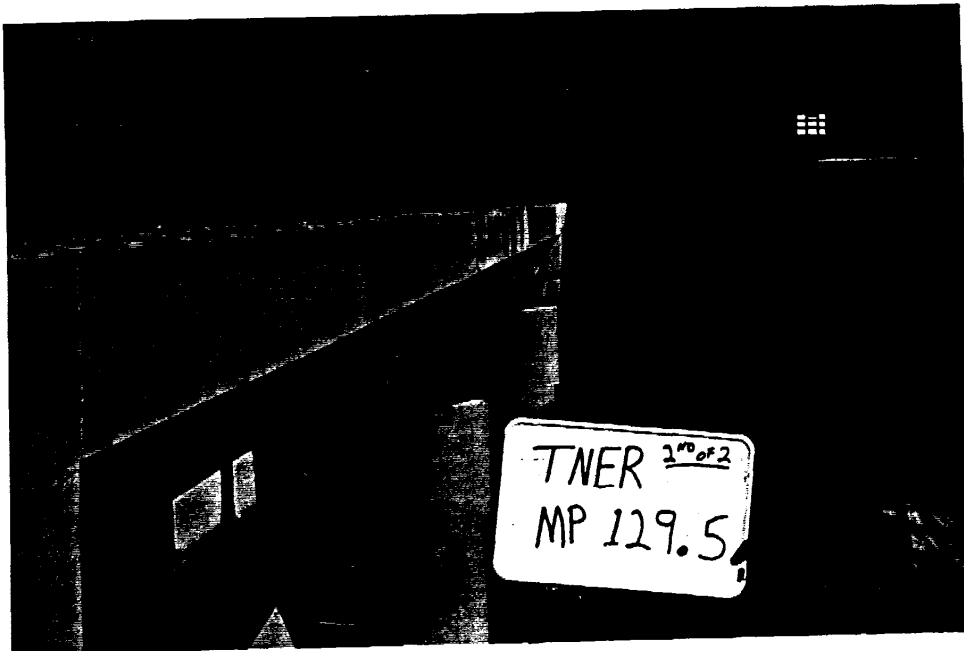


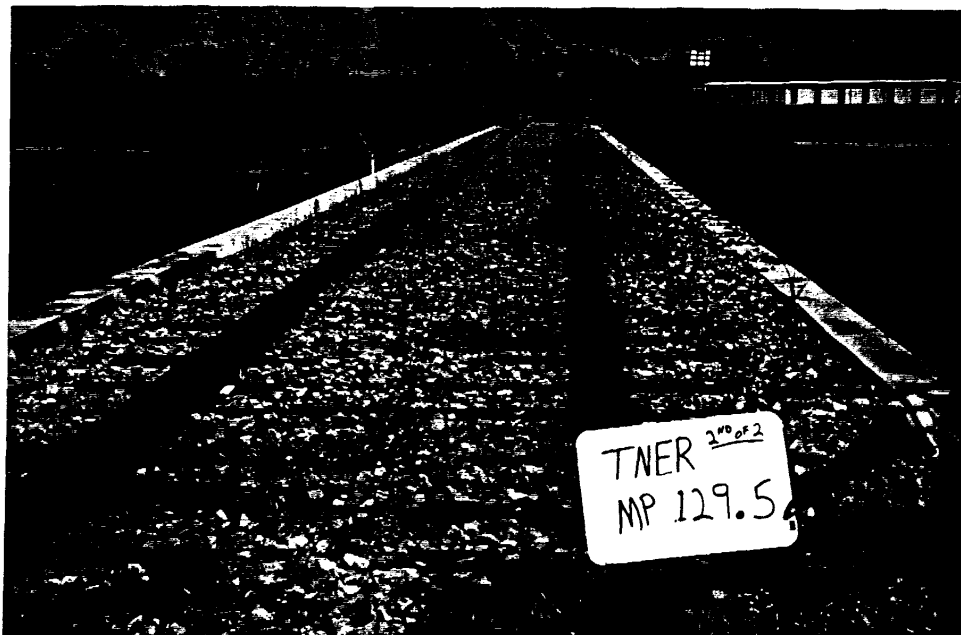
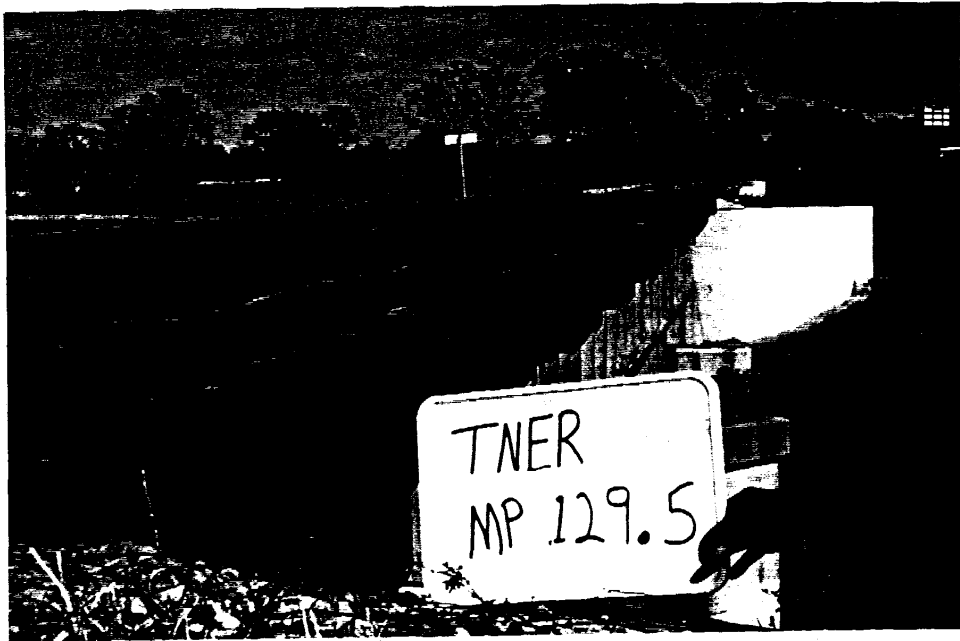




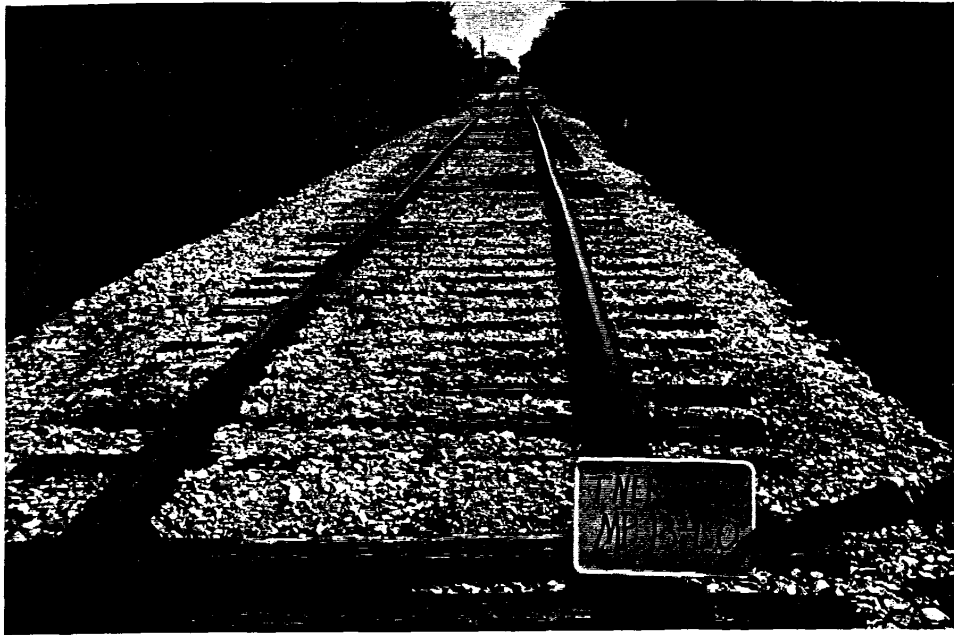


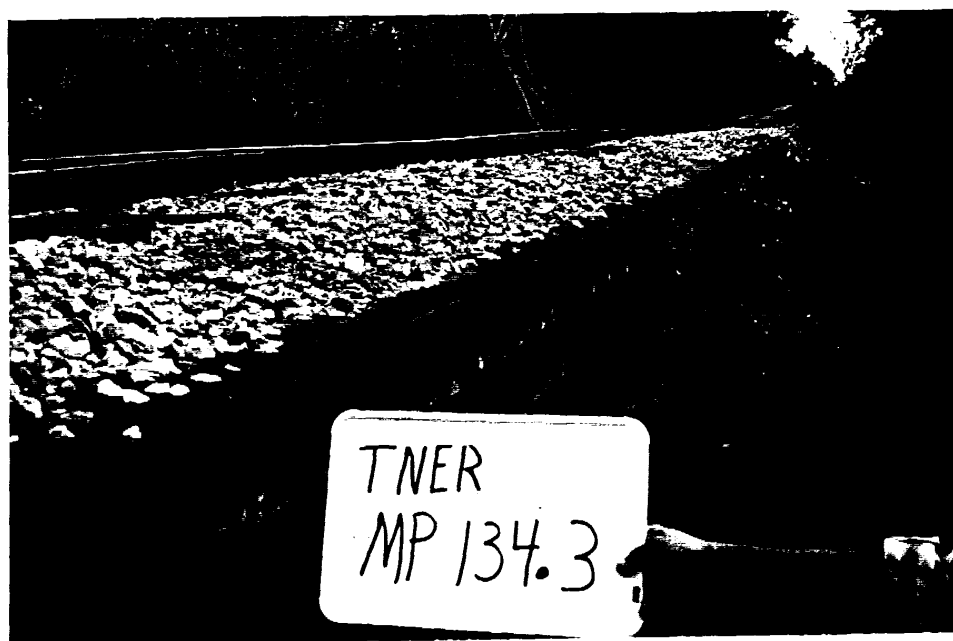


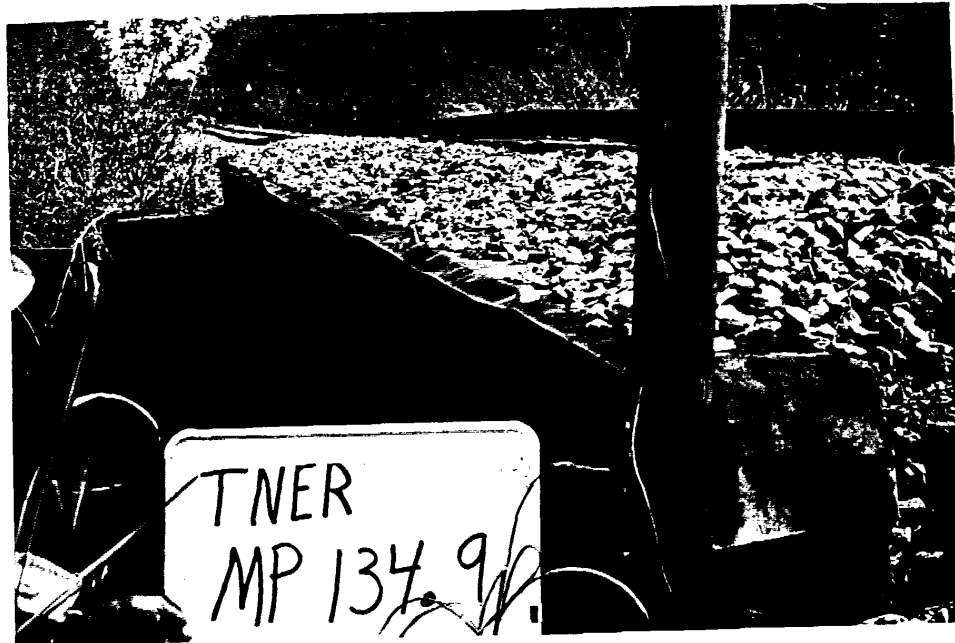
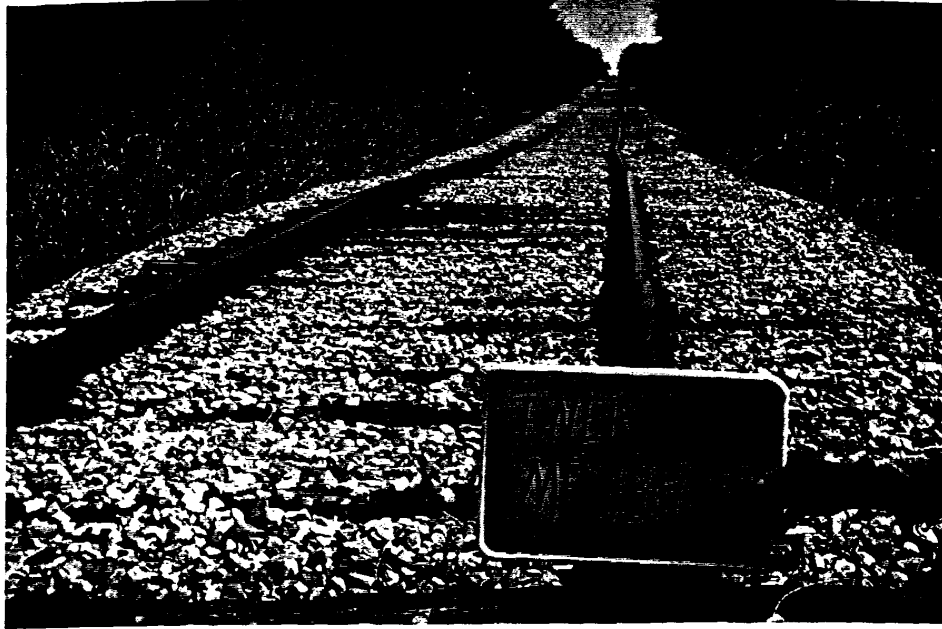


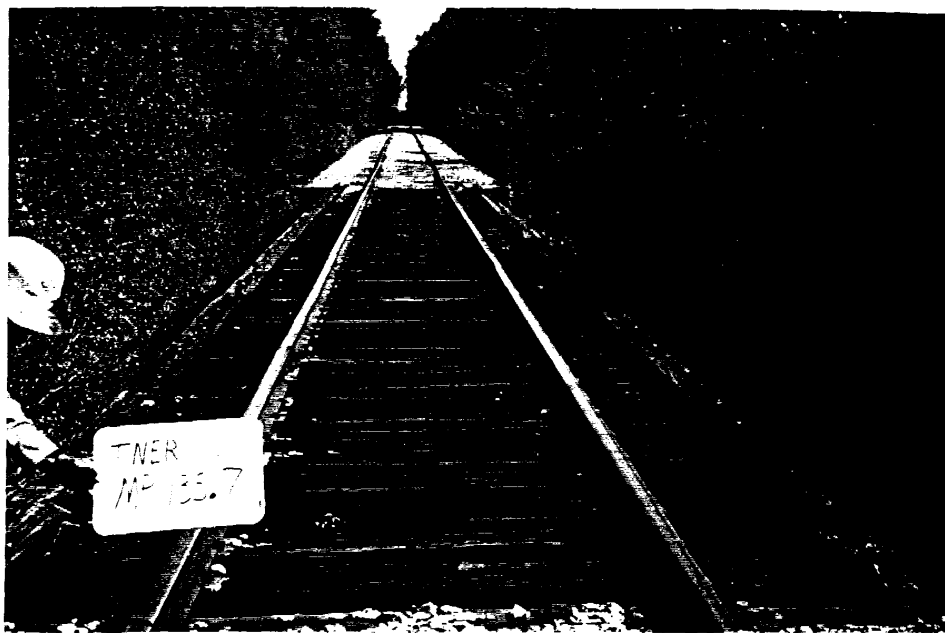


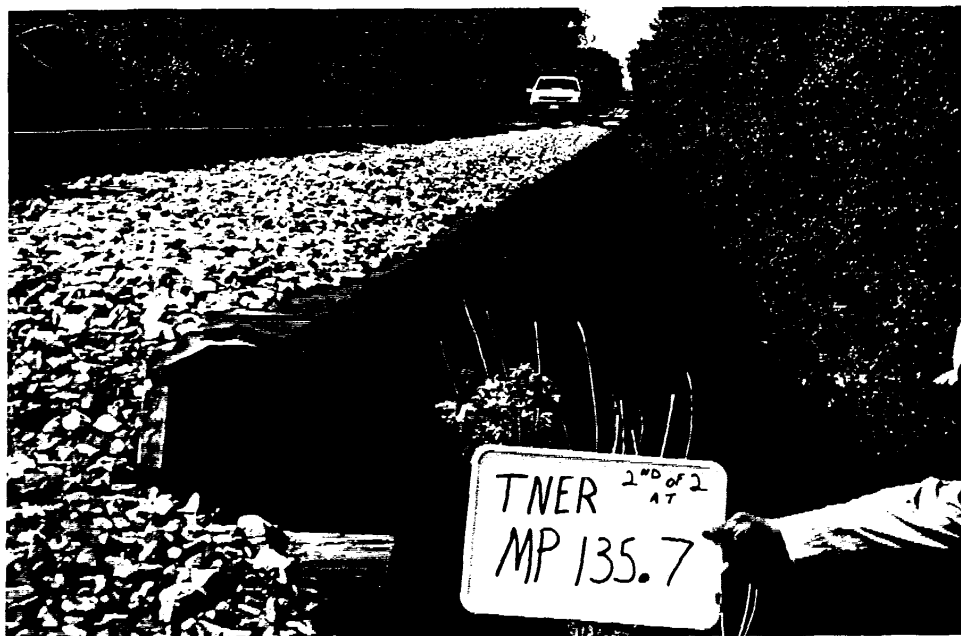












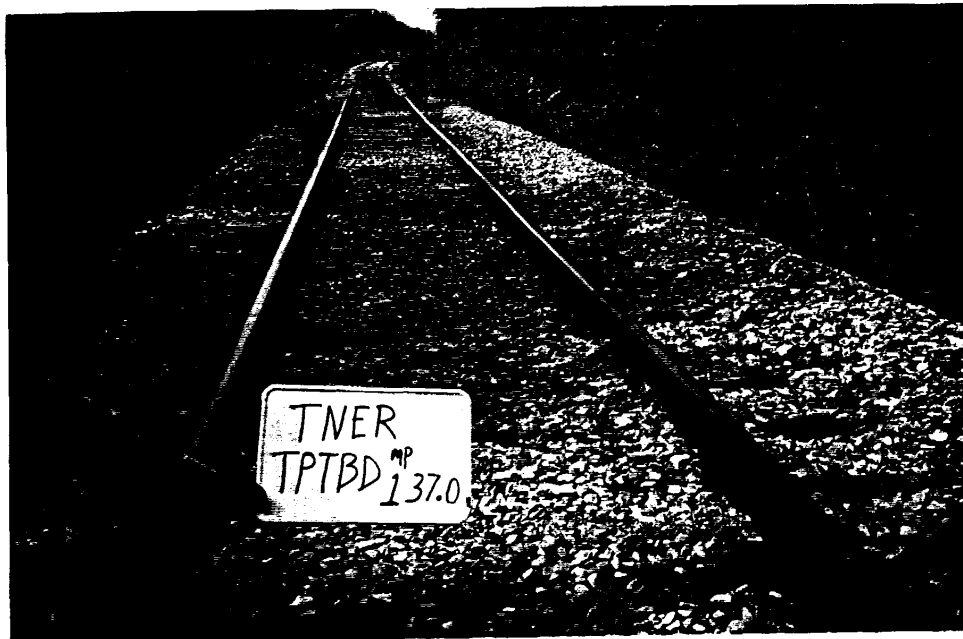


EXHIBIT 3

TEXAS NORTHEASTERN RAILROAD
5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

Texas State Clearinghouse
Governors Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company—
Abandonment Exemption—in Lamar and Fannin Counties, TX (Bonham Subdivision
between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan
Railroad, Inc.— Discontinuance Exemption—in Lamar and Fannin Counties, TX (Bonham
Subdivision between Paris and Bonham, TX)*

Dear Sir or Madam:

On or about April 29, 2003, the Union Pacific Railroad Company ("UP") and the Texas Northeastern Division, Mid-Michigan Railroad, Inc. ("TNER") expect to be filing with the Surface Transportation Board ("STB") a notice of exemption seeking authority for UP to abandon and TNER to discontinue service over a 33.5-mile line between milepost 94.0, near Paris, TX, and milepost 127.5, east of Bonham, TX, in Lamar and Fannin Counties, TX.

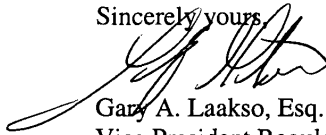
Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. 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 STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, telephone 202-565-1538 and refer to the above Docket No. AB-364 (Sub-No. 5X).

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within 3 weeks. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representatives in this matter are: for

Texas State Clearinghouse
April 9, 2003
Page 2

UP, Mack H. Shumate, Jr., Esq., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606, (312) 777-2055, and for TNER, Gary A. Laakso, Esq., Vice President Regulatory Counsel, RailAmerica, Inc., 5300 Broken Sound Boulevard N.W., Second Floor, Boca Raton, FL 33487, (561) 994-6015, and Louis E. Gitomer, Ball Janik LLP, 1455 F St., N.W., Suite 225, Washington, DC 20005, (202) 638-3307, email at lgitomer@dc.bjllp.com.

Sincerely yours,



Mack H. Shumate, Jr., Esq.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055

Gary A. Laakso, Esq.
Vice President Regulatory Counsel
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 994-6015

Louis E. Gitomer, Esq.
Of Counsel
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Enclosure

TEXAS NORTHEASTERN RAILROAD
5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

Office of Water Resource Management
Texas Natural Resource Conservation Commission
P.O. Box 13087, ml45
Austin, TX 78711-3087

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption–in Lamar and Fannin Counties, TX (Bonham Subdivision
between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan
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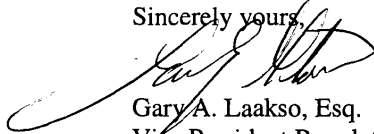
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Office of Water Resource Management
April 9, 2003
Page 2

UP, Mack H. Shumate, Jr., Esq., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606, (312) 777-2055, and for TNER, Gary A. Laakso, Esq., Vice President Regulatory Counsel, RailAmerica, Inc., 5300 Broken Sound Boulevard N.W., Second Floor, Boca Raton, FL 33487, (561) 994-6015, and Louis E. Gitomer, Ball Janik LLP, 1455 F St., N.W., Suite 225, Washington, DC 20005, (202) 638-3307, email at lgitomer@dc.bjllp.com.

Sincerely yours,



Mack H. Shumate, Jr., Esq.
Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055

Gary A. Laakso, Esq.
Vice President Regulatory Counsel
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 994-6015

Louis E. Gitomer, Esq.
Of Counsel
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Enclosure

TEXAS NORTHEASTERN RAILROAD
5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

Honorable Derrell Hall, County Judge
Fannin County, TX
101 East Sam Rayburn Drive, Suite 101
Bonham, TX 75418

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption–in Lamar and Fannin Counties, TX (Bonham Subdivision
between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan
Railroad, Inc.– Discontinuance Exemption–in Lamar and Fannin Counties, TX (Bonham
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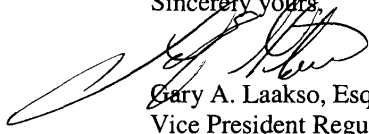
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Honorable Derrell Hall, County Judge
April 9, 2003
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UP, Mack H. Shumate, Jr., Esq., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606, (312) 777-2055, and for TNER, Gary A. Laakso, Esq., Vice President Regulatory Counsel, RailAmerica, Inc., 5300 Broken Sound Boulevard N.W., Second Floor, Boca Raton, FL 33487, (561) 994-6015, and Louis E. Gitomer, Ball Janik LLP, 1455 F St., N.W., Suite 225, Washington, DC 20005, (202) 638-3307, email at lgitomer@dc.bjllp.com.

Sincerely yours,



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101 North Wacker Drive
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Chicago, IL 60606
(312) 777-2055

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Vice President Regulatory Counsel
5300 Broken Sound Boulevard N.W.
Second Floor
Boca Raton, FL 33487
(561) 994-6015

Louis E. Gitomer, Esq.
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Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Enclosure

TEXAS NORTHEASTERN RAILROAD
5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

Honorable M. C. Superville, County Judge
Lamar County, TX
119 North Main Street, Suite 201
Paris, TX 75460

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption–in Lamar and Fannin Counties, TX (Bonham Subdivision
between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan
Railroad, Inc.– Discontinuance Exemption–in Lamar and Fannin Counties, TX (Bonham
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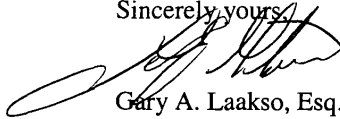
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TEXAS NORTHEASTERN RAILROAD
5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

United States Environmental Protection Agency
Region 6
1455 Ross Avenue
Dallas, TX 75202-2733

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption–in Lamar and Fannin Counties, TX (Bonham Subdivision
between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan
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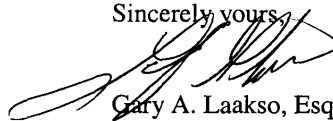
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United States Environmental Protection Agency
April 9, 2003
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5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

US Fish and Wildlife Service
500 Gold Avenue, SW – Room 4000
Albuquerque, NM 87102

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption–in Lamar and Fannin Counties, TX (Bonham Subdivision
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US Fish and Wildlife Service
April 9, 2003
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5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

US Army Corps of Engineers
Fort Worth District
P.O. Box 17300
Fort Worth, TX 76102-0300

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption–in Lamar and Fannin Counties, TX (Bonham Subdivision
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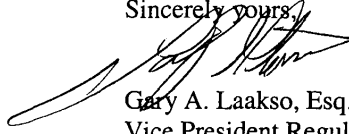
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US Army Corps of Engineers
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April 9, 2003

US Army Corps of Engineers
Tulsa District
P.O. Box 61
Tulsa, OK 74121-0061

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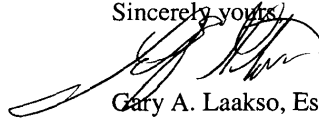
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OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

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

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption–in Lamar and Fannin Counties, TX (Bonham Subdivision
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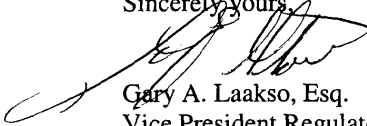
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April 9, 2003
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5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

Natural Resource Conservation Service
Poage Federal Building
101 South Main Street
Temple, TX 76501-7685

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company—
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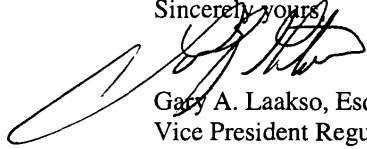
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5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
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April 9, 2003

National Geodetic Survey
NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, MD 20910-3282

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company--
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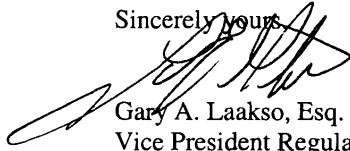
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National Geodetic Survey
April 9, 2003
Page 2

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Sincerely yours,



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Senior General Attorney
101 North Wacker Drive
Room 1920
Chicago, IL 60606
(312) 777-2055

Gary A. Laakso, Esq.
Vice President Regulatory Counsel
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Louis E. Gitomer, Esq.
Of Counsel
Ball Janik LLP
1455 F Street, N.W., Suite 225
Washington, D.C. 20005
(202) 638-3307

Enclosure

TEXAS NORTHEASTERN RAILROAD
5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

Texas Parks and Wildlife
4200 Smith School Road
Austin, TX 78744

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption—in Lamar and Fannin Counties, TX (Bonham Subdivision
between Paris and Bonham, TX)*
Docket No. AB-364 (Sub-No. 8X), *Texas Northeastern Division, Mid-Michigan
Railroad, Inc.– Discontinuance Exemption—in Lamar and Fannin Counties, TX (Bonham
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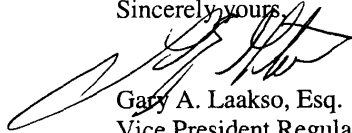
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5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
FAX (561) 994-4629

April 9, 2003

City of Bonham
301 East 5th Street
Bonham, TX 75418-4093

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company–
Abandonment Exemption–in Lamar and Fannin Counties, TX (Bonham Subdivision
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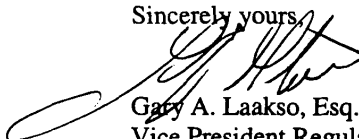
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City of Bonham
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5300 BROKEN SOUND BLVD., N.W. 2ND FLOOR
BOCA RATON, FL 33487
OFFICE (561) 994-6015
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April 9, 2003

Texas Historical Commission
P.O. Box 12276, Capitol Station
Austin, TX 78711

RE: Docket No. AB-33 (Sub-No. 163X), *Union Pacific Railroad Company—
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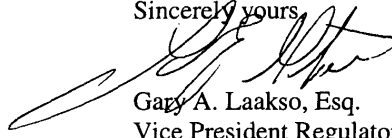
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EXHIBIT 4

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
95.6	FRAME TRESTLE - OPEN DECK	35'	1925
99.5	TIMBER PILE TRESTLE - BRIDGE DECK	38'	1928
99.9	TIMBER PILE TRESTLE - BRIDGE DECK	52'	1931
100.6	TIMBER PILE TRESTLE - BRIDGE DECK	52'	1930
101.4	TIMBER PILE TRESTLE - BRIDGE DECK	52'	1931
102.1	TIMBER PILE TRESTLE - BRIDGE DECK	65'	1935
102.4	TIMBER PILE TRESTLE - BRIDGE DECK	78'	1930
102.9	TIMBER PILE TRESTLE - BRIDGE DECK	53'	1930
105.5	TIMBER PILE TRESTLE - BRIDGE DECK	65'	1937
106.4	TIMBER PILE TRESTLE - BRIDGE DECK	52'	1929
107.3	TIMBER PILE TRESTLE - BRIDGE DECK	13'	1931
108.5	TIMBER PILE TRESTLE - BRIDGE DECK	91'	1938
108.7	TIMBER PILE TRESTLE - BRIDGE DECK	182'	1935
114.3	TIMBER PILE TRESTLE - BRIDGE DECK	39'	1929
119.0	TIMBER PILE TRESTLE - BRIDGE DECK	226'	1931
119.7	TIMBER PILE TRESTLE - BRIDGE DECK	381'	1929
122.9	TIMBER PILE TRESTLE - BRIDGE DECK	50'	1931
123.8	TIMBER PILE TRESTLE - BRIDGE DECK	102'	1929
124.3	TIMBER PILE TRESTLE - BRIDGE DECK	379'	1930
	TPG - OPEN DECK		1905
	TIMBER PILE TRESTLE - BRIDGE DECK		1930
125.8	TIMBER PILE TRESTLE - BRIDGE DECK	78'	1942
126.5	TIMBER PILE TRESTLE - BRIDGE DECK	154'	1931
126.6	TIMBER PILE TRESTLE - BRIDGE DECK	76'	1928
126.7	TIMBER PILE TRESTLE - BRIDGE DECK	642'	1928
	TPG - OPEN DECK		1908
	TIMBER PILE TRESTLE - BRIDGE DECK		1928