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SEA

SERVICE DATE – APRIL 18, 2006

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-586 (Sub-No. 2X)**

**North Central Railway Association, Inc. –  
Abandonment Exemption – in Hardin County, IA**

**BACKGROUND**

In this proceeding, the North Central Railway Association, Inc. (NCRA) filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a line of railroad in Hardin County, Iowa. The abandonment covers 10.54 mile of rail line, and extends from milepost 201.46 near Ackley to milepost 212.00 near Steamboat Rock, in Hardin County, IA. NCRA states that the width of the right-of-way of the rail line is generally 100 feet.

**DESCRIPTION OF RAIL LINE**

According to the railroad, the Iowa Central Railway company initially purchased the line between 1866 and 1869 as part of the north-south railroad mainline located between Marshalltown, IA, about 30 miles due south of Steamboat Rock, and Mason City, IA, approximately 45 miles north of Ackley. The line was later expanded to a north-south route between Minneapolis/St. Paul, MN and Kansas City, MO. In 1912, the Iowa Central Railway Company deeded the line to the Minneapolis and St. Paul Railroad Company. In 1960, the line was deeded to the Chicago and North railway Company (CNW). In 1983, Rock Island and Pacific Company purchased the line and reduced its traffic to local service only. The railroad states that in 1988, CNW filed an application to abandon the line with the Interstate Commerce Commission. The abandonment was approved in 1989. However, following its approval, CNW and NCRA negotiated the purchase of the line. In 1989, NCRA was authorized to acquire the line and the abandonment was dismissed. In November 1989, the Chicago Central and Pacific Railroad Company (CCP) was granted permission to lease and operate the line, but according to the railroad, there has been no rail service on the line for over sixteen years. A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment. Based on information in the railroad's possession, the line does not contain any Federally granted rights-of-way. If the notice becomes effective, the railroad will be able to salvage track, ties, and other railroad appurtenances and to dispose of the right-of-way.

## **ENVIRONMENTAL REVIEW**

NCRA submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. NCRA served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)]. The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

### ***Diversion of Traffic***

According to NCRA, no local traffic has moved over the line for at least two years and no overhead traffic would be rerouted as a result of the abandonment. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

### ***Salvage Activities***

The proposed line to be abandoned commences in the city of Ackley to the north and progresses southward through farmland, bypassing the Mann Wilderness Area and Iowa River to the west before finally reaching its terminus in the town of Steamboat Rock. To date, Federal and state agencies have not provided comments regarding the abandonment; however, aerial photographs and topographic maps from the U.S. Geological Survey indicate the presence of streams at numerous locations along the rail line. Some of the water bodies appear large enough to contain 100-year floodplain, and possibly wetlands. Moreover, there could be prime agricultural soils along the right-of-way, as much of the area comprises farmland. According to information obtained from the Iowa Department of Natural Resources (IDNR) website, the rail line is located in the Iowan Surface Ecosystem, a geologically-complex region comprised of bedrock and glacial landforms. There are no natural lakes of glacial origin, but IDNR indicates that overflow areas and backwater ponds on some of the larger river channels could contribute to a diverse array of fish species and aquatic habitat, some of which could be Federally listed as endangered or threatened.

Impacts from salvage and disposal of rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading the right-of-way. Based on the limited information available to date, SEA cannot fully determine if salvage activities would cause significant environmental impacts on the area surrounding the proposed abandonment. Therefore, SEA is providing a copy of this EA to the following agencies for review and comment: U.S. Department of Agriculture, Natural Resources Conservation Service; Iowa Department of Natural Resources Environmental Protection Division; Iowa Trails Council Inc.; U.S. Fish and Wildlife Service; U.S.

Environmental Protection Agency; U.S. National Geodetic Survey; and the U.S. Army Corps of Engineers. Copies of the EA will also be provided to appropriate local and state agencies. Additionally, SEA will recommend conditions requiring NCRA to consult with the above referenced agencies prior to commencement of any salvage activities.

## **HISTORIC REVIEW**

NCRA submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)].<sup>1</sup> Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f. NCRA served the report on the Iowa State Historic Preservation Office (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has not yet submitted comments to NCRA in response to the historic report. Consequently, SEA recommends a condition be imposed that NCRA shall retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are eligible for listing or listed in the National Register of Historic Places until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470.

SEA conducted a search of the National Park Service's Native American Consultation Database at <http://www.cast.uark.edu/other/nps/nacd/> to identify Federally recognized tribes that may have an interest in the project. The data base indicated that the Sac and Fox Nation of Missouri, the Sac and Fox Nation of Oklahoma, and the Sac and Fox Tribe of the Mississippi in Iowa may have an interest in the proposed abandonment. Consequently, SEA will ensure that the tribes receive a copy of this EA for their review and comment.

## **CONDITIONS**

We recommend that the following conditions be placed on any decision granting abandonment authority:

1. Prior to commencement of any salvage activities, the North Central Railway Association, Inc. (NCRA) shall consult with the U.S. Army Corps of Engineers (Corps) regarding its requirements and, if applicable, shall comply with the reasonable requirements of the Corps.
2. Prior to commencement of any salvage activities, NCRA shall consult with the U.S. Environmental Protection Agency (USEPA) to ensure that any concerns regarding potential contamination of the right-of-way and applicable stormwater management requirements are addressed. NCRA shall report the results of these consultations on writing to the Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) prior to the onset of salvage operations.

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<sup>1</sup> The combined environmental and historic report for this proceeding can be viewed on-line by conducting a "Full Text Search" using the Docket Number for this proceeding, AB-586 (Sub. No. 2X) at <http://www.stb.dot.gov/filings>.

3. To ensure appropriate consideration of the National Pollutant Discharge Elimination System (NPDES) requirements, NCRA shall consult with the USEPA and the Iowa Department of Natural Resources Environmental Protection Division prior to the commencement of any salvage activities and shall comply with the reasonable NPDES requirements.
4. Prior to commencement of any salvage activities, NCRA shall consult with the U.S. Fish and Wildlife Service regarding potential impacts from salvaging activities to Federally listed threatened and endangered species that may occur in the vicinity of the line. NCRA shall report the results of these consultations in writing to the Board's SEA prior to the onset of salvage operations.
5. NCRA shall consult with the Natural Resources Conservation Service prior to commencement of any salvage activities to determine if there will be any impacts to prime farmland and wetlands.
6. NCRA shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years old or older) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f, has been completed. NCRA shall report back to SEA regarding any consultations with the Iowa State Historic Preservation Office (SHPO) and any other Section 106 consulting parties. NCRA may not file its consummation notice or initiate any salvage activities related to abandonment until the Section 106 process has been completed and the Board has removed the condition.
7. In the event that any archaeological sites, human remains, funerary items or associated artifacts are discovered during NCRA's salvage activities, NCRA will immediately cease all work and notify SEA, interested Federally recognized tribes, and the SHPO. SEA shall then consult with the SHPO, interested Federally recognized tribes, and NCRA to determine whether any mitigation measures are necessary.

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), and discontinuance of service without abandonment. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

## **PUBLIC USE**

Following abandonment of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

## **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

## **COMMENTS**

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Diana Wood, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's web site, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB-586 (Sub-No. 2X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Diana Wood, the environmental contact for this case, by phone at (202) 565-1552, fax at (202) 565-9000, or e-mail at [woodd@stb.dot.gov](mailto:woodd@stb.dot.gov)

Date made available to the public: April 18, 2006.

Comment due date: **May 3, 2005.**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment