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SEA

SERVICE DATE – MAY 30, 2008

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-33 (Sub.-No. 235X)

**Union Pacific Railroad Company -- Abandonment Exemption -- in Calhoun and Webster
Counties, Iowa**

BACKGROUND

In this proceeding, the Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for UP to abandon 2.77 miles of rail line in Calhoun and Webster Counties, Iowa. The rail line, known as the Roelyn Industrial Lead, extends from milepost 5.28 near Roelyn to milepost 8.05 near Somers. A map depicting the entire rail line in relationship to the area served is appended to this Environmental Assessment (EA). If this notice becomes effective, UP will be able to salvage the track, ties, and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

UP 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. UP 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)].¹ The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

UP states that there is now no demand for or prospect of rail service over the rail line, and that no traffic has originated, terminated, or moved overhead on this rail line segment for at least two years. Consequently, no rail traffic will be diverted to highway mode as a result of the abandonment.

¹ The railroad's Environmental and Historic Reports are available for viewing on the Board's website a <http://www.stb.dot.gov> by going to "E-Library," selecting "Filings," and then conducting a search for AB-33 (Sub-No. 235X).

Salvage Activities

According to UP, the rail line was constructed between 1901 and 1903 by the Mason City & Fort Dodge Railway and currently consists of 85-pound rail laid in 1925. The right-of-way of the rail line is generally 100 feet wide situated within a level rural setting. UP states there is approximately 43 acres of non-revisionary property. The rail line does not contain Federally granted right-of-way.

Impacts from salvage and disposal of abandoned rail lines, like this one, 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 re-grading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

Neither the Environmental nor Historic reports submitted by UP make any mention of planned post abandonment activities, though UP notes that the rail line may be suitable for interim trail use. However, UP states that the rail line would not be useful for any other kind of public use such as for a road, highway, mass transportation, or conservation or energy transmission. UP adds that any conversion of the property for a transportation use is unnecessary as the area is adequately served by existing roads and transmission lines.

The Calhoun County Board of Supervisors has indicated to UP that the railroad right-of-way crosses over the following drainage districts that could be impacted during any salvage operations: (1) Drainage District No. 75 located in Section 35 of Greenfield Township (35-88-31); (2) Drainage District No. 97 located in Section 35 of Greenfield Township (35-88-31); (3) Joint Drainage District No. 95 Calhoun & No. 70 Webster located in Section 36 of Greenfield Township (36-88-31); and (4) Joint Drainage District No. 31 Calhoun & No. 16 Webster Open Ditch located in Section 2 & 3 of Cedar Township (2&3-87-31). The Calhoun County Board of Supervisors requests that UP remove bridge pilings associated with No. 16 Webster Open Ditch and advises that any expenses associated with the repair of any of the above ditches that may occur during renovation of the rail line would be charged to UP or other party that may take ownership of the line following abandonment. Consequently, SEA recommends a condition to ensure that the concerns of the Calhoun County Board of Supervisors are appropriately addressed.

The U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), provided comments to UP regarding the potential impact of the proposed abandonment on agricultural drainage systems along and through the railroad grade. NRCS states that activities associated with the proposed abandonment could impact remnant grasses and forbs important to Iowa's history within these areas and suggested that Calhoun and Webster County Conservation Boards be requested to conduct an inventory of native plants within the project area prior to the onset of salvage activities. We are therefore recommending that UP consult with the Calhoun and Webster County Conservation Boards regarding the above prior to conducting salvage operations on the line. A copy of this EA will also be provided to NRCS for its review and comment.

The U.S. Army Corps of Engineers (USACE) has stated to UP that the proposed abandonment will not require a permit under Section 404 of the Clean Water Act. However, in the event that bridges are to be removed, USACE states that fill material will need to be moved to upland, non-wetland sites; and bridge pilings must be removed to at least on foot below streambed elevations. Additionally, any disturbed areas need to be reseeded with native grasses and subject to appropriate mitigation measures to prevent sedimentation of materials in the waters of the United States. Accordingly, SEA recommends a condition be imposed requiring UP to comply with the above stated actions in the event that bridges are to be removed.

The U.S. Environmental Protection Agency (USEPA) has not provided comments at the time this EA was prepared regarding potential permitting requirements of the proposed abandonment under Section 402 of the Clean Water Act.

Based on all information available to date, and the imposition of the recommended mitigation, SEA does not believe that any salvage activities would cause significant environmental impacts.

HISTORIC REVIEW

UP submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)].² UP 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 in response to the historic report. Consequently, SEA is recommending a condition that UP 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. 470.³

SEA conducted a search of the Native American Consultation Database at <http://www.cast.uark.edu/other/nps/nacd/> to locate any Federally recognized tribes that may have ancestral connections to the project area. No tribes were identified.

CONDITIONS

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

1. The Iowa State Historic Preservation Office or SHPO has not completed its evaluation of the potential impact of this project on historic properties. Accordingly, the Union Pacific Railroad Company (UP) 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

² The combined environmental and historic report for this proceeding can be viewed online by conducting a "Full Text Search" using the Docket Number for this proceeding, AB-33 (Sub. No. 235X), at <http://www.stb.dot.gov/filings/all.nsf/ByFilingDate?OpenView>.

³ Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.dot.gov/stb/environment/preservation.html>.

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. UP shall report back to the Section of Environmental Analysis regarding the results of any consultations with the SHPO.

2. Based on the comments of the United States Army Corps of Engineers, if salvage activities include bridge removal, the Union Pacific Railroad Company shall:
(1) remove all fill material to an upland, non-wetland site; (2) remove all pilings to at least one foot below streambed elevations; (3) seed all disturbed areas with native grasses; and (4) take measures to ensure that sediments are not introduced into waters of the United States.
3. Upon the recommendation of the Natural Resources Conservation Service, the Union Pacific Railroad Company shall consult with the Calhoun and Webster County Conservation Boards regarding the potential impact of the proposed abandonment on agricultural drainage systems along and through the railroad grade and to determine the need to conduct an inventory of native plants within the project area prior to the onset of salvage activities.
4. Prior to conducting salvage operations, the Union Pacific Railroad Company shall consult with the Calhoun County Board of Supervisors to address its concerns regarding potential impacts that may occur during salvage activities to the following drainage Districts located under the right-of-way of the line proposed for abandonment: (1) Drainage District No. 75 located in Section 35 of Greenfield Township (35-88-31); (2) Drainage District No. 97 located in Section 35 of Greenfield Township (35-88-31); (3) Joint Drainage District No. 95 Calhoun & No. 70 Webster located in Section 36 of Greenfield Township (36-88-31); and (4) Joint Drainage District No. 31 Calhoun & No. 16 Webster Open Ditch located in Section 2 & 3 of Cedar Township (2&3-87-31).

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the four recommended conditions are imposed, abandonment of the rail 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), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage 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 the petition for 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) 245-0230, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this EA, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Catherine Glidden, who prepared this EA. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov by clicking on the "E-FILING" link. Please refer to **Docket No. AB-33 (Sub. No. 235X)** in all correspondence, including e-filings, addressed to the Board. If you have any questions regarding this EA, please contact Catherine Glidden, the environmental contact for this case, by phone at (202) 245-0293, fax at (202) 245-0454, or e-mail at gliddenc@stb.dot.gov.

Date made available to the public: May 30, 2008.

Comment due date: **June 16, 2008 (15 days)**.

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

Anne K. Quinlan
Acting Secretary

Attachment