

July 24, 2012

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July 24, 2013  
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Public Record

**VIA E-FILE**

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E. Street, S.W., Room #100  
Washington, D.C. 20423-0001

**RE: Proposed Abandonment of the Bristow Subdivision from Milepost 318.07 to Milepost 318.66, a Total Distance of 0.59 Miles near Hampton, Franklin County, Iowa; STB Docket No. AB-33 (Sub-No. 316X)**

Dear Ms. Brown:

Attached for filing in the above-referenced docket is Union Pacific Railroad Company's ("Union Pacific") Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Notice of Exemption to Abandon the Line on or after August 13, 2013.

Sincerely,



Mack H. Shumate, Jr.  
Senior General Attorney

Attachment

AB-33 (Sub-No. 316X) 2013\_07\_24 STB-EHR Agency Ltr.doc

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 316X)  
UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN FRANKLIN COUNTY, IA  
(BRISTOW SUBDIVISION)**

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**Combined Environmental and Historic Report**

UNION PACIFIC RAILROAD COMPANY  
Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, #1920  
Chicago, Illinois 60606  
312/777-2055 (Tel.)  
312/777-2065 (FAX)  
mackshumate@up.com

Dated: July 24, 2013  
Filed: July 24, 2013

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 316X)  
UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN FRANKLIN COUNTY, IA  
(BRISTOW SUBDIVISION)**

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**Combined Environmental and Historic Report**

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report ("EHR") pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of the Bristow Subdivision, from Milepost 318.07 to Milepost 318.66 near Hampton, a distance of 0.59 miles in Franklin County, Iowa (the "Line"). The Line traverses U.S. Postal Service Zip Code 50441. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after August 13, 2013.<sup>1</sup>

A map of the Line (**Attachment No. 1**), and UP's letter to federal, state and local government agencies (**Attachment No. 2**), are attached to this EHR. Responses received thus far to UP's letters are also attached.

**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 an exempt abandonment of UP's Bristow

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<sup>1</sup> (Note: The portion of the Line from milepost 318.07 to milepost 318.36 was originally approved for abandonment in AB-33 (Sub-No. 200X) as part of a longer segment from milepost 294.75 near Allison to milepost 318.36. On September 26, 2003, a decision and notice of interim trail use or abandonment was served for the entire segment, but the subsequent trail transaction in August, 2008 ended at milepost 318.07. Because UP never consummated the abandonment authority on the 0.29 mile portion from milepost 318.07 to 318.36 that was excluded from the trail sale, that segment will be included again in the proposed Notice of Exemption.)

Subdivision. The Line proposed for abandonment extends from Milepost 318.07 to Milepost 318.66 near Hampton, in Franklin County, Iowa, a total distance of 0.59 miles. A map of the Line is attached as **Attachment No. 1**.

The Line was constructed by the Mason City & Ft. Dodge Railroad in 1902. It currently consists of second hand 85 pound jointed rail laid in 1938. There are no bridge structures on the Line.

The Line proposed for abandonment contains mostly non-reversionary property. Based upon information in UP's possession, the Line does not contain federally granted right-of-way. Any documentation in UP's possession concerning the Line will be made available to those requesting such information.

It is UP's intention to salvage the Line and dispose of the right of way, possibly for trail use. The salvage process is expected to begin with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) will be removed. Next, the wooden ties will be raised from the ballast with a tool designed for minimum disruption of the ground material. The ties would then be separated into three groups as follows: (1) good quality ties that would be re-used in rail service, (2) landscape-quality ties that would be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties will be loaded into truck trailers or containers and shipped by UP's contractor to an EPA approved disposal site or to a cogeneration plant.

Culverts and right-of-way grading will remain intact so as not to alter the prevailing water flows along the Line. Ballast will typically be left in place, but may be

removed if it is of exceptional high quality - suitable for resale - or to make the right of way more suitable for a planned future use. Finally, all road crossings will be removed and remediated, then resurfaced with gravel, asphalt or concrete, as required by the local governing road authority. Railroad signals will also be dismantled and removed.

UP's salvage work for abandonments is always performed by experienced rail material salvagers. Each salvage contract includes detailed information on any environmental or historical conditions imposed by the Board. Completed work is independently inspected by a UP roadmaster or other maintenance official to ensure compliance with UP standards of quality and all contractual obligations, including Board imposed conditions, if applicable.

After the proposed abandonment, the Hampton area would continue to receive rail service from the Mason City Subdivision of UP. Hampton lies at the intersection of U.S. Route 65 and Iowa Route 3, the latter providing access to Interstate 35 approximately ten miles to the west.

No local traffic has moved to or from the Line in the past two years and there is no overhead traffic. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant in at least two years.

**(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:** Given that no traffic uses the Line, the proposed abandonment will have no impact on area 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 designated coastal zone, include the coastal zone information required by 49 C.F.R. § 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) UP is unaware of any adverse effects on local and existing land use plans. The Franklin County Board of Supervisors' office has been contacted. To date, UP has not received a response.

(ii) The Natural Resources Conservation Service ("NRCS") has been contacted. To date, UP has not received a response.

(iii) Not Applicable.

(iv) The property proposed for abandonment is not suitable for public purposes, including roads or highways, other forms of mass transportation, energy production or transmission, as this area is adequately served by existing roads and utility lines at the present time. The property may be suitable for conservation as a hike/bike trail, as this property could connect to an existing trail.

**(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 are no effects on the transportation of energy resources.
  - (ii) There are no recyclable commodities moved over the Line.
  - (iii) There will be no change in energy consumption from the proposed action.
  - (iv)(A)(B) UP does not anticipate that there will be any rail-to-motor diversion.

**(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 subsection (5)(i)(A) will apply.

**Response:** UP does not anticipate any such effects.

**(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 reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

**Response:** There will be no increase in rail traffic, rail yard activity, or truck traffic as a result of the proposed action.

**(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 materials waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

**(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) and (ii). The U.S. Fish and Wildlife Service and the National Park

Service were contacted. To date, UP has not received a response. UP also contacted the Iowa Department of Natural Resources. In its response attached as **Attachment 3**, the Department states that it has found no site specific records of rare species and significant natural communities that would be impacted by the proposed action.

**(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 U. S. Environmental Protection Agency Region 7 office and the Iowa Department of Natural Resources have been contacted. In a May 7, 2013 letter (attached as **Attachment No. 4**), EPA Region 7 responded that no issues were found that should interfere with the proposed abandonment.
  - (ii) The U. S. Army Corps of Engineers (Corps) has been contacted. Its May 2, 2013 response is attached as **Attachment No. 5**. The Corps determined that no Section 404 permit is required for the proposed action.
  - (iii) UP does not anticipate that 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:** There are no known adverse environmental impacts.

**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 commences by sharing a crossing point with UP's Mason City Subdivision. It then continues westward through an agricultural area. The east half of the corridor varies from 68 to 83 feet in width. The west half of the corridor is 100 feet in width.

**(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:

**(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 to (3) and (4):** There are no structures on the Line.

**(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 UP's response to question (1) in the Environmental Report for a brief history and description.

**(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 does not have any relevant documentation.

(7) An opinion (based on readily available information in the UP'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:** UP sent the Iowa State Historic Preservation Office additional information covering the location and history of the Line itself as well as assessing possible impact on existing National Register sites. Also included was a record review by the office of the state archaeologist. The Preservation Office responded with a June 11, 2013 letter attached as **Attachment No. 6** stating its opinion that the Line does not meet any of the eligibility criteria for listing on the National Register. The letter then goes on to say that there appears to be little likelihood that the proposed action will encounter or adversely impact archaeological properties that may be eligible for listing.

(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:** UP does 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 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 locations and type of the site (i.e., prehistoric or native American):

**Response:** Not applicable.

Dated this 24<sup>th</sup> day of July, 2013.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Mack H. Shumate, Jr.", is written over a horizontal line.

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr.

Senior General Attorney

101 North Wacker Drive, #1920

Chicago, Illinois 60606

312/777-2055 (Tel.)

312/777-2065 (Fax)

mackshumate@up.com

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 316X), the Bristow Subdivision in Franklin County, Iowa was served by First Class U.S. Mail, postage prepaid, or by e-mail, on the 24<sup>th</sup> day of July, 2013, on the following parties:

**State Clearinghouse (or Alternate):**

Kathy Mabie  
Iowa Department of Management  
State Capitol  
Des Moines, IA 50319

**U.S. Army Corps of Engineers:**

U.S. Army Corps of Engineers  
Rock Island District  
P.O. Box 2001  
Rock Island, Illinois 61204

**State Environmental Protection Agency:**

Iowa Department of Natural Resources  
Field Services and Compliance Bureau  
Wallace State Office Building  
502 East 9th Street  
Des Moines, IA 50319

**National Park Service (Regional Office)**

Mr. Michael Reynolds, Regional Director  
National Park Service - Midwest Region  
601 Riverfront Drive  
Omaha, Nebraska 68102

**Environmental Protection Agency (Regional Office):**

U.S. Environmental Protection Agency - Region 7 (Midwest)  
11201 Renner Boulevard  
Lenexa, Kansas 66101

**U.S. Natural Resources Conservation Service:**

U.S. Natural Resources Conservation Service  
Hampton Service Center  
1019 Fourth Street SE  
Hampton, Iowa 50441

**Iowa State Historic Preservation Office:**

Iowa State Historic Preservation Office  
600 East Locust Street, Room 232  
Des Moines, Iowa 50319

**National Geodetic Survey:**

Geodetic Services Division  
SMCC-3 #9209  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, Maryland 20910

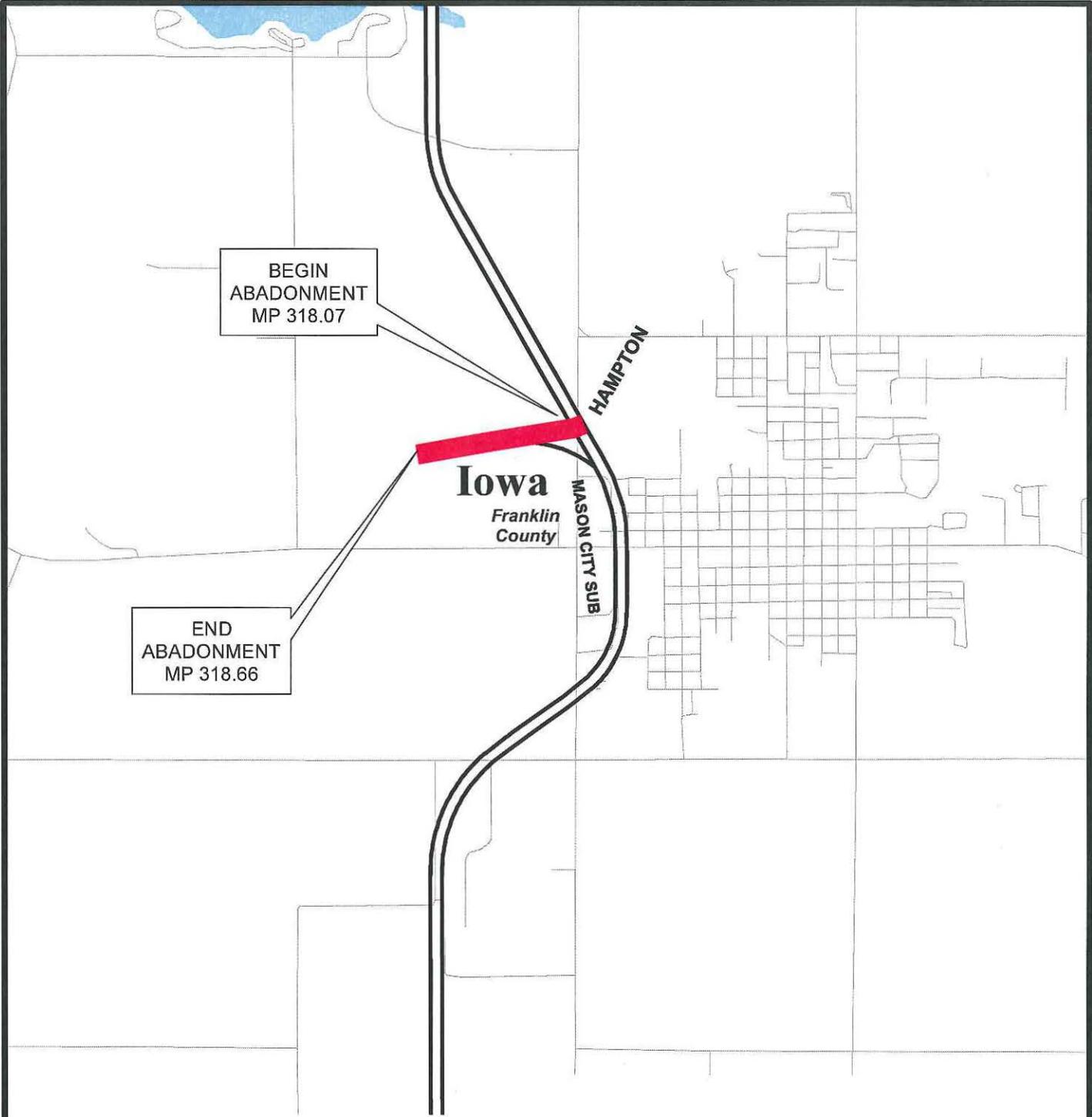
**U.S. Fish and Wildlife Service:**

U.S. Fish and Wildlife Service  
Rock Island Illinois Field Office  
1511 47<sup>th</sup> Avenue  
Moline, Illinois 61265

Head of Franklin County, Iowa:  
Franklin County Board of Supervisors  
County Courthouse  
P.O. Box 26  
Hampton, IA 50441

Dated this 24<sup>th</sup> day of July, 2013.

  
\_\_\_\_\_  
Mack H. Shumate, Jr.



**Legend**

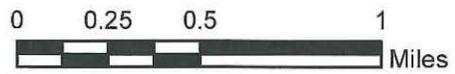
- CONNECTION TRACK
- █ UPRR TO BE ABANDONED
- ▬ PRINCIPAL HIGHWAYS
- OTHER ROADS

**BRISTOW SUBDIVISION**

UNION PACIFIC RAILROAD CO.  
 MP 318.07 TO MP 318.66  
 TOTAL OF 0.59 MILES IN FRANKLIN COUNTY  
 IN IOWA

**UNION PACIFIC RAILROAD CO.  
 BRISTOW SUBDIVISION  
 IOWA**

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES



Q:\abandonments\ab33\_316x\_Bristow\_sub.mxd

April 17, 2013

**State Clearinghouse (or Alternate):**

Ms. Kathy Mabie  
Iowa Department of Management  
State Capitol  
Des Moines, Iowa 50319

**State Environmental Protection Agency:**

Iowa Department of Natural Resources  
Field Services and Compliance Bureau  
Wallace State Office Building  
502 East 9th Street  
Des Moines, Iowa 50319

**Environmental Protection Agency (Regional Office):**

U.S. Environmental Protection Agency - Region 7 (Midwest)  
11201 Renner Boulevard  
Lenexa, Kansas 66101

**Iowa State Historic Preservation Office:**

Iowa State Historic Preservation Office  
600 East Locust Street, Room 232  
Des Moines, Iowa 50319

**U.S. Fish and Wildlife Service:**

U.S. Fish and Wildlife Service  
Rock Island Illinois Field Office  
1511 47<sup>th</sup> Avenue  
Moline, Illinois 61265

**U.S. Army Corps of Engineers:**

U.S. Army Corps of Engineers  
Rock Island District  
P.O. Box 2001  
Rock Island, Illinois 61204

**National Park Service (Regional Office):**

Mr. Michael Reynolds, Regional Director  
National Park Service - Midwest Region  
601 Riverfront Drive  
Omaha, Nebraska 68102

**U.S. Natural Resources Conservation Service:**

U.S. Natural Resources Conservation Service  
Hampton Service Center  
1019 Fourth Street SE  
Hampton, Iowa 50441

**National Geodetic Survey:**

Geodetic Services Division  
SMCC-3 #9209  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, Maryland 20910

**Head of Franklin County, Iowa:**

Franklin County Board of Supervisors  
County Courthouse  
P.O. Box 26  
Hampton, IA 50441

Re: Proposed Abandonment of the Bristow Subdivision from Milepost 318.07 to Milepost 318.66, a total distance of 0.59 miles near Hampton, Franklin County, Iowa; STB Docket No. AB-33 (Sub-No. 316X)

**To Whom It May Concern:**

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (the "STB") to abandon and discontinue service on the Bristow Subdivision from Milepost 318.07 to Milepost 318.66, a total distance of 0.59 miles near Hampton, Franklin County, Iowa. 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 40 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. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, 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.

U. S. SOIL CONSERVATION SERVICE. State the effect of the proposed action on any prime agricultural land.



UNION PACIFIC RAILROAD  
1400 Douglas Street Omaha, Nebraska 68179

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 the undersigned.

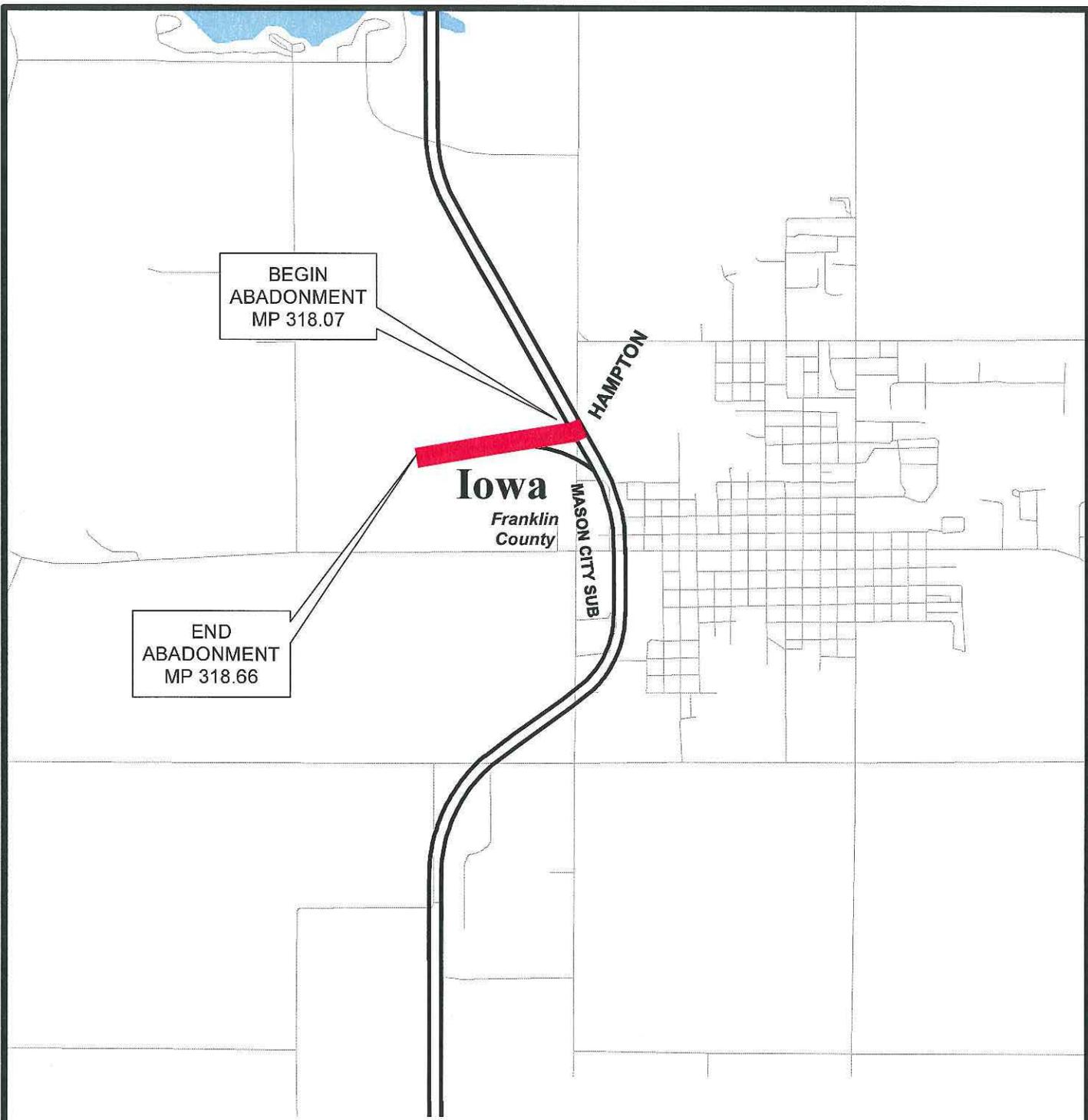
Sincerely,



Kristine K. Nelson  
Paralegal - Law Department  
Union Pacific Railroad Company  
1400 Douglas Street, MS 1580  
Omaha, Nebraska 68179  
Phone: (402) 544-3512  
kknelso1@up.com

Enclosure





**Legend**

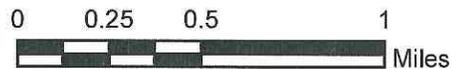
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**BRISTOW SUBDIVISION**

UNION PACIFIC RAILROAD CO.  
 MP 318.07 TO MP 318.66  
 TOTAL OF 0.59 MILES IN FRANKLIN COUNTY  
 IN IOWA

**UNION PACIFIC RAILROAD CO.  
 BRISTOW SUBDIVISION  
 IOWA**

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES





# STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

May 14, 2013

UNION PACIFIC RAILROAD  
Attn: KRISTINE NELSON  
1400 DOUGLAS ST  
OMAHA NE 68179

RE: Environmental Review for Natural Resources  
Abandonment of Bristow Subdivision from MP 318.07 to MP 318.66  
Hampton, Ia  
Franklin County  
Section 32, Township 92 N, Range 20 W

Dear Ms. Nelson,

Thank you for inviting Department comment on the impact of this project. The Department has searched for records of rare species and significant natural communities in the project area and found no site-specific records that would be impacted by this project. However, these records and data are not the result of thorough field surveys. If listed species or rare communities are found during the planning or construction phases, additional studies and/or mitigation may be required.

This letter is a record of review for protected species, rare natural communities, state lands and waters in the project area, including review by personnel representing state parks, preserves, recreation areas, fisheries and wildlife but does not include comment from the Environmental Services Division of this Department. This letter does not constitute a permit. Other permits may be required from the Department or other state or federal agencies before work begins on this project.

Please reference the following IDNR Environmental Review/Sovereign Land Program tracking number assigned to this project in all future correspondence related to this project: 8797.

If you have questions about this letter or require further information, please contact me at (515) 281-8967.

Sincerely,

A handwritten signature in blue ink that reads "Kelly Poole".

Kelly Poole  
Environmental Specialist  
Conservation and Recreation Division

FILE COPY: Kelly Poole  
Tracking Number: 8797

cmz

502 EAST 9th STREET / DES MOINES, IOWA 50319-0034  
PHONE 515-281-5918 FAX 515-281-6794 [www.iowadnr.gov](http://www.iowadnr.gov)

ATTACHMENT 3

From: "Tucker, Amber" <Tucker.Amber@epa.gov>  
To: "kknelso1@up.com" <kknelso1@up.com>  
Date: 05/07/2013 04:35 PM  
Subject: UPR Abandonment of Bristow Subdivision near Hampton, IA

Dear Ms. Nelson:

RE: STB Docket No. AB-33 (Sub-No. 316X), *Union Pacific Railroad Company– Abandonment of the Bristow Subdivision from Milepost 318.07 to Milepost 318.66 near Hampton, Franklin County, IA*

This correspondence responds to your inquiry of April 17, 2013 requesting the Environmental Protection Agency's (EPA) interest in this proposed abandonment. In evaluating this action, I referred to EPA Region 7's Geographic Information Systems for spatial relationships of environmentally regulated facilities and remediation sites. In this evaluation, no issues were found that should interfere with the proposed abandonment. However, EPA does caution that environmental legacies of railway operations can include (but may not be limited to) product spills, maintenance activities-- where waste fuels and lubricants may have been discarded, wood preservative applications to ties and trestles, and rights-of-way maintenance with herbicides.

As is the case for all federal actions being reviewed through the National Environmental Policy Act (NEPA) process, it is the obligation of the lead federal agency to determine the environmental consequences of the action. Please note that while we believe that this letter expresses our views on the impacts of the project based on the limited available information, it is up to the STB to determine what, if any, further consultation with EPA would be necessary to begin operations. A more detailed reporting of removal &/or cleanup plans and procedures may be warranted.

For future abandonment proposals, if EPA can be of assistance within its jurisdiction or technical capabilities, please contact me at (913)-551-7565 or [tucker.amber@epa.gov](mailto:tucker.amber@epa.gov).

**Amber Tucker**  
US EPA R7  
ENSV-NEPA Team  
11201 Renner Blvd  
Lenexa, KS 66219  
913-551-7565



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT  
PO BOX 2004 CLOCK TOWER BUILDING  
ROCK ISLAND, ILLINOIS 61204-2004

May 2, 2013

Operations Division

SUBJECT: CEMVR-OD-P-2013-648

Ms. Kristine Nelson  
Union Pacific Railroad Company  
Law Department  
1400 Douglas Street, MS 1580  
Omaha, Nebraska 68179

Dear Ms. Nelson:

Our office reviewed your letter dated April 17, 2013, concerning the proposed abandonment of the Bristow Subdivision from Milepost 318.07 to Milepost 318.66, near Hampton in Section 28, Township 92 North, Range 20 West, Franklin County, Iowa.

We determined your project as proposed does not require a Department of the Army (DA) Section 404 permit. The decision regarding this action is based on information found in the administrative record which documents the District's decision-making process, the basis for the decision, and the final decision. No indication of discharge of dredged or fill material was found to occur in waters of the United States (including wetlands). Therefore, this determination resulted.

You are advised that this determination for your project is valid for five years from the date of this letter. If the project is not completed within this five-year period or your project plans change, you should contact our office for another determination.

Although a DA permit will not be required for the project, this does not eliminate the requirement that you must still acquire other applicable Federal, state, and local permits.

The Rock Island District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the attached postcard and return it or go to our Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>. (Be sure to select "Rock Island District" under the area entitled: Which Corps office did you deal with?).

Should you have any questions, please contact me by letter, or telephone at 309/794-5859.

Sincerely,

Albert J. Frohlich  
Project Manager  
Enforcement Section

Enclosures

Copies Furnished: (w/o enclosures)

Mr. Kelly Stone (3)  
Iowa Department of Natural Resources  
Water Resources Section  
Wallace State Office Building  
502 East 9<sup>th</sup> Street  
Des Moines, Iowa 50319-0034

# CULTURAL AFFAIRS

MARY COWNIE, DIRECTOR  
CHRIS KRAMER, DEPUTY DIRECTOR

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

June 11, 2013

In reply refer to:  
R&C#: 130435107



SARABETH ANDERSON  
ADMINISTRATOR



SUSAN KLOEWER  
MUSEUM DIRECTOR



MATTHEW HARRIS  
ADMINISTRATOR

Raymond E. Allamong, Jr., Senior Manager Rail Line Planning  
Union Pacific Railroad  
1400 Douglas Street  
Stop 1350  
Omaha, NE 68179

RE: STB – FRANKLIN COUNTY – UNION PACIFIC RAILROAD CO. – STB  
DOCKET NO. AB-33 (SUB-NO.316X) – PROPOSED ABANDONMENT OF  
THE BRISTOW SUBDIVISION PROJECT – MILE POST 318.07 TO MILE  
POST 318.66 – ADDITIONAL INFORMATION

Dear Mr. Allamong,

Thank you for providing additional information to our office concerning the above referenced proposed project. We understand that this project will be a federal undertaking for the Surface Transportation Board (STB) and will need to comply with Section 106 of the National Historic Preservation Act and the National Environmental Policy Act.

Given the location and scope of the proposed undertaking, and considering the landuse history of the parcel involved, it is our opinion that this section of track does not meet any of the eligibility criteria for listing on the National Register of Historic Places. Also, there appears to be little likelihood that the undertaking will encounter or adversely impact archaeological properties that may be eligible for listing in the National Register of Historic Places. Therefore, we would be able to concur with an agency's (STB) determination that **No Historic Properties will be Affected** by the implementation of this undertaking. Please forward a copy of the agency's letter of determination to our office upon its publication so that we can issue our formal concurrence and conclude our consultation on this project.

**Be advised that the successful conclusion of consultation with the SHPO in no way abrogates the agency's responsibility to consult with other parties that may have an interest in properties that may be affected by this project. Nor does it subjugate the sovereign status of federally recognized American Indian Tribes in the Section 106 consultation process.**

If design changes are made for this project which would involve undisturbed new rights-of-way or easements, please forward additional information to our office for further comment along with the Agency Official's determination of effect. If project activities uncover an item(s) that might be of archeological, historical or architectural interest, or if important new archeological, historical or architectural data should be encountered in the project APE, the contractor should make reasonable efforts to avoid further impacts to the property until an assessment can be made by a qualified archaeologist.

STATE HISTORICAL BUILDING  
600 EAST LOCUST  
DES MOINES, IOWA 50319

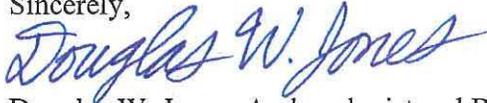
T. (515) 281-5111  
F. (515) 242-6498

WWW.CULTURALAFFAIRS.ORG

Please reference the Review and Compliance Number provided above in all future submitted correspondence to our office for this project. We look forward to further consulting with you and the Surface Transportation Board on this project.

We have provided this **technical assistance** according to our responsibility defined by Federal law. It remains the federal **agency's decision** on how you will proceed from this point for this project.

Sincerely,



Douglas W. Jones, Archaeologist and Review and Compliance Program Manager  
and Interim Deputy State Historic Preservation Officer  
State Historic Preservation Office  
State Historical Society of Iowa  
(515) 281-4358

cc: Ralph Christian, Historian, State Historical Society of Iowa  
Troy Brady, Environmental Protection Specialist, STB