

UNION PACIFIC RAILROAD  
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Chicago, Illinois 60606-1718

Mack H. Shumate, Jr. Senior General Attorney, Law Department

P 312 777 2055  
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June 29, 2011

**VIA E-FILE**

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

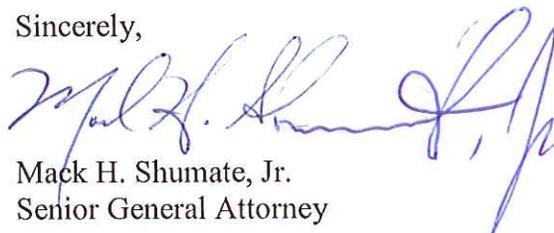
**Re: Proposed Abandonment and Discontinuance of a portion of the Great Western Industrial Lead and Discontinuance of related Trackage Rights; STB Docket Nos. AB-33 (Sub-No. 300X) and AB-414 (Sub-No. 6X)**

Dear Ms. Brown:

Attached for filing in the above-referenced docket is Union Pacific Railroad Company's ("Union Pacific") and Iowa Interstate Railroad, Ltd.'s ("IAIS") 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 and IAIS anticipate filing a Petition for Exemption to Abandon the Line and Discontinue certain Union Pacific and IAIS trackage rights interests related to the Line on or after July 19, 2011.

Sincerely,



Mack H. Shumate, Jr.  
Senior General Attorney

Enclosures

2011\_06\_29 STB Ltr to Hon. Cynthia Brown re EHR Filing.doc

June 29, 2011

VIA E-FILE

TO: SEE ATTACHED SERVICE LIST

**Re: Proposed Abandonment and Discontinuance of a portion of the Great Western Industrial Lead and Discontinuance of related Trackage Rights; STB Docket Nos. AB-33 (Sub-No. 300X) and AB-414 (Sub-No. 6X)**

To whom it may concern:

On or after July 19, 2011, Union Pacific Railroad Company ("UP") and Iowa Interstate Railroad, Ltd. ("IAIS") (collectively the "Applicants") expect to be filing with the Surface Transportation Board ("STB" or "Board") a Petition for Exemption seeking authority to: (1) abandon and discontinue service (UP) over the remaining portion of the Great Western Industrial Lead (the "Line") from Milepost 503.6 to Milepost 504.6, a distance of 0.45 miles; (2) abandon and discontinue service (UP) over the UP Connector Track from Milepost 503.85 on the Line to Milepost 486.8 on the IAIS Line, a distance of approximately 400 feet; (3) discontinue service (UP) of UP's Overhead Trackage Rights from Milepost 488.0 to Milepost 486.8 on the IAIS Line; and (4) discontinue service (IAIS) of IAIS' Trackage Rights from (a) Milepost 486.8 on the IAIS Line to Milepost 503.85 on the Line, a distance of approximately 400 feet and (b) from Milepost 503.6 to Milepost 504.05 on the Line, a distance of 0.45 miles, all being located in Pottawattamie County, Iowa. Attached is a Combined Environmental and Historic Report which describes the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

The Applicants 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 Board's environmental review process, please contact the Section of Environmental Analysis (SEA) at the following address, and refer to the above-referenced Docket Numbers:

Surface Transportation Board  
Section of Environmental Analysis (SEA)  
395 East Street, S.W., Room #100  
Washington, DC 20423-0001  
Telephone No.: (202) 245-0296

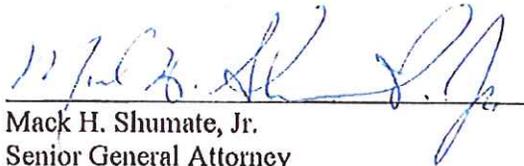
June 28, 2011

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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 three (3) weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representatives directly. UP's representative in this matter is Mack H. Shumate, Jr. IAIS' representative in this matter is Lanny M. Van Daele. Our representatives may be contacted at the addresses and telephone numbers indicated below.

Yours very truly,



Mack H. Shumate, Jr.  
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Email: [mackshumate@up.com](mailto:mackshumate@up.com)



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Corporate Counsel  
Iowa Interstate Railroad, Ltd.  
5900 6th S.W.  
Cedar Rapids, IA 52404  
319-298-5405  
319-298-5456 (FAX)  
Email: [lmvandaele@iaisrr.com](mailto:lmvandaele@iaisrr.com)

**State Clearinghouse (or alternate):**

Mr. Steven R. McCann  
Division for Community Progress  
Iowa Department of Economic Development  
200 East Grand Avenue  
Des Moines, IA 50309

**State Environmental Protection Agency:**

Department of Natural Resources  
Henry A. Wallace State Office Building  
502 E. 9<sup>th</sup> Street  
Des Moines, IA 50319-0034

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

Not applicable.

**Head of each County:**

Pottawattamie County Board of Supervisors  
227 South Sixth Street  
County Courthouse  
Council Bluffs, IA 51501-4269

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

U.S. Environmental Protection Agency  
Region VII  
901 North 5th Street  
Kansas City, KS 66101

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

U.S. Fish & Wildlife Service, Region 3  
One Federal Drive  
Federal Building  
Fort Snelling, MN 55111

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

U.S. Army Engineer District, Omaha  
1616 Capitol Ave., Suite 9000  
Omaha, NE 68102

**National Park Service:**

National Park Service - Midwest Region  
601 Riverfront Drive  
Omaha, NE 68102

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

Natural Resource Conservation Service  
693 Federal Bldg.  
210 Walnut Street  
Des Moines, IA 50309-2180

**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

State Historical Society of Iowa  
Attn: R&C Coordinator  
600 East Locust Street  
Des Moines, IA 50319-0290

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 300X)**

**UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT AND DISCONTINUANCE OF  
SERVICE AND TRACKAGE RIGHTS --  
IN POTTAWATTAMIE COUNTY, IOWA  
(GREAT WESTERN INDUSTRIAL LEAD)**

**Docket No. AB-414 (Sub-No. 6X)**

**IOWA INTERSTATE RAILROAD, LTD.  
-- DISCONTINUANCE OF SERVICE AND TRACKAGE RIGHTS --  
IN POTTAWATTAMIE COUNTY, IOWA  
(GREAT WESTERN INDUSTRIAL LEAD)**

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**Combined Environmental and Historic Report**

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**Dated and Filed:** June 29, 2011

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 300X)**

**UNION PACIFIC RAILROAD COMPANY  
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-- DISCONTINUANCE OF SERVICE AND TRACKAGE RIGHTS --  
IN POTTAWATTAMIE COUNTY, IOWA  
(GREAT WESTERN INDUSTRIAL LEAD)**

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**Combined Environmental and Historic Report**

Union Pacific Railroad Company ("UP") and Iowa Interstate Railroad, Ltd. ("IAIS") submit this Combined Environmental and Historic Report ("EHR") pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d) for an exempt abandonment and discontinuance of the remaining portion of the Great Western Industrial Lead, from Milepost 503.6 to Milepost 504.05, a distance of 0.45 miles in Pottawattamie County, Iowa (the "Line") and to the extent applicable exempt abandonment and discontinuance of the track from Milepost 503.85 on the Line to the end of the IAIS' Line at Milepost 486.8 on the IAIS Line (the "UP Connector Track"). As part of this matter, IAIS proposes to discontinue its trackage rights over the Line and the Connector Track (the "IAIS Trackage Rights") and UP proposes to discontinue its overhead trackage rights over IAIS' Line from Milepost

486.80 to Milepost 488.00 (the "UP Overhead Trackage Rights").<sup>1</sup> The Line, the UP Connector Track, the IAIS Trackage Rights and the UP Overhead Trackage Rights all traverse U.S. Postal Service Zip Code 51503.

A map of the Line, the UP Connector Track, the IAIS' Line, the IAIS Trackage Rights and the UP Overhead Trackage Rights (see **Attachment No. 1**), and UP's initial letter to federal, state and local government agencies (see **Attachment No. 2**) are attached to this CEHR and are hereby made a part hereof. Responses received thus far to UP's letters are also attached. UP and IAIS anticipate filing a Joint Petition for Exemption to abandon and discontinue the Line on or after July 19, 2011.<sup>2</sup>

## 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

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<sup>1</sup> In UP's Petition for Exemption, which it expects to file on or after July 19, 2011, UP will seek to discontinue the UP Trackage Rights over IAIS' Main Line from IAIS' Milepost 486.8 to Milepost 488.0, a distance of 1.2 miles in Pottawattamie County, Iowa. IAIS' Main Line will have a direct physical connection to the Red Giant/Midwest Walnut Industry Track and continue to serve the shippers on the Line pursuant to Industry Track Agreements with all shippers thereon. IAIS' Main Line is linked to the Line via the UP Connector Track which will also be owned and controlled by the shippers and is specifically included as part of the Red Giant/Midwest Walnut Industry Track.

<sup>2</sup> The Original CEHR for the Line was filed with the Surface Transportation Board (the "Board") on July 22, 2008 by UP and IAIS in the Proposed Abandonment and Discontinuance of the Great Western Industrial Lead; STB Docket Nos. AB-33 (Sub-No. 274X) and AB-414 (Sub-No. 4X). In that the current matter covers the same Line, and the original CEHR is over two (2) years old, upon recommendation of the Environmental Section of the Board, it was determined that the CEHR for the Line should be refilled. The abandonment and discontinuance authority originally sought by UP and IAIS in AB-33 (Sub-No. 274X) and AB-414 (Sub-No. 4X) was filed with the Board on August 20, 2008. The requested abandonment and discontinuance authority was rejected by the Board because (a) the petitioners did not provide any details of the agreements with the shippers regarding the proposed future rail service arrangements for the shippers and (b) the petitioners did not provide statements from Midwest Walnut and Red Giant that reflected the shippers' acquiescence to the Joint Petition. The Shippers on the Line have reached agreement among themselves and with the UP and IAIS and now unanimously support the current proposed Joint Petition which is the subject of this CEHR and all relevant agreements between the various parties covering the proposed future rail service arrangements for the Shippers will be fully disclosed in the Joint Petition.

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 (1) UP's request for authority to abandon the remaining portion of UP's Great Western Industrial Lead or the Line; (2) UP's request for authority to discontinue UP's Overhead Trackage Rights over IAIS' Line; (3) UP's request for authority to abandon UP's operation on the UP Connector Track; and (4) IAIS' request for authority to discontinue IAIS' Trackage Rights over the UP Connector Track and the Line. The Line proposed for abandonment extends from Milepost 503.6 to Milepost 504.05, a distance of 0.45 miles, the UP Connector Track begins at Milepost 503.85 on the Line and extends to Milepost 486.8 on the IAIS Line, a distance of approximately 400 feet, the UP's Overhead Trackage Rights on the IAIS Line extends from Milepost 488.0 to Milepost 486.8 on the IAIS Line, a distance of 1.2 miles and IAIS' Trackage Rights over the UP Connector Line and the Line, a distance of 0.45 miles over the Line and approximately 400 feet over the UP Connector Track, all being in Pottawattamie County, Iowa. A map of the Line, the UP Connector Track, the IAIS' Line and the location of the IAIS Trackage Rights and UP Overhead Trackage Rights is attached hereto as **Attachment No. 1** and hereby made a part hereof.

The Line was originally constructed in 1901 by the Mason City and Fort Dodge Railroad. Its track, which is maintained as excepted track, contains 85-pound jointed rail, laid second-hand in 1961. The UP Connector Track was constructed in 2000. The Line and the UP Connector Track are located on property under a purchase contract from UP to Red Giant Oil Co. ("Red Giant") and does not contain any federally granted rights-of-way or reversionary property.

UP granted IAIS, the IAIS Trackage Rights that permits IAIS to operate over the UP Connector Track and the Line.<sup>3</sup> During the past four (4) years, IAIS has been the sole rail service provider to and from the Line. There are two (2) shippers on the Line, Red Giant Oil Company ("Red Giant") and Midwest Walnut Company of Iowa ("Midwest Walnut"). Midwest Walnut last used rail service on the Line by receiving six (6) railcars in 2010 and anticipates similar traffic moves in the future. Red Giant has used rail service on the Line in 2008, 2009 and 2010, for both inbound and outbound carloads of petroleum products. No other customers have received rail service via the Line during this time period. It is impossible to have overhead traffic on the Line in that the portions of Great Western Industrial Lead to the north and south of the Line were previously abandoned in 2000 and 1971 respectively. (See **Attachment No. 5** which is attached hereto and hereby made a part hereof.)

IAIS will provide direct rail common carrier service to both shippers on the Line from IAIS' Line following the Board's approval of the proposed abandonment and discontinuance authority. The proposed abandonment and trackage rights discontinuances coupled with the closing of the sale of the Line and the Connector Track to Red Giant subject to the permanent easement access for Midwest Walnut thereover pursuant to the Operating Agreement will give Red Giant and Midwest Walnut control over their respective industrial facilities with common carrier rail service being provided by IAIS to the shippers via the connection of the IAIS Line to the Red Giant/Midwest Walnut Industry Track as hereinafter defined. IAIS' Industry Track Agreements with both Red Giant and Midwest Walnut provides direct physical access

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<sup>3</sup> See *Iowa Interstate Railroad, Ltd. and Union Pacific Railroad Co.—Joint Relocation Project Exemption in Council Bluffs, Pottawattamie County*, STB Docket No. 33883, STB served June 30, 2000.

from the IAIS Line to both Red Giant and Midwest Walnut via the Red Giant/Midwest Walnut Industry Track.

Rail service will continue to be available to any potential customers in the area via the IAIS Line. Both Red Giant and Midwest Walnut have provided letters supporting the proposed abandonment and proposed discontinuances and said letters will be included in the Joint Petition.

The Line proposed for abandonment is not suitable for other public purposes including roads or highways, mass transportation, energy production or transmission, or recreational use, as the real property upon which the Line and the UP Connector Track is located is contractually obligated to be transferred by UP to Red Giant and become part of Red Giant's industrial facility with permanent easement access for Midwest Walnut thereover, pursuant to an Operating Agreement between Red Giant and Midwest Walnut, to the IAIS Line. IAIS will continue to serve both Red Giant and Midwest Walnut through the direct connection of the IAIS Line to the Red Giant/Midwest Walnut Industry Track which will consist of the former UP Connector and the Line. Moreover, the Line and the UP Connector Track are located in the City of Council Bluffs, which is already served by numerous local streets and interstate highways, other UP and IAIS lines, as well as lines of other railroads, including BNSF Railway Co. and Canadian National Railway Co.

The removal of UP's and IAIS' common carrier interests associated with the Line and the UP Connector Track will enable Red Giant to (a) finalize the acquisition of the real property which makes up the UP Connector Track and the Line, and thereby creating the "Red Giant/Midwest Walnut Industry Track"; and (b) to modify and expand

its operations as necessary subject to the permanent easement access for Midwest Walnut thereover pursuant to the Operating Agreement and assure continued rail service to both Red Giant and Midwest Walnut by IAIS via the direct connection with the IAIS Line.

The only current rail shipments that utilize the Line and the UP Connector Track are those rail cars handled by IAIS that either originate or terminate at Red Giant or originate or terminate at Midwest Walnut. It is important to note that neither Red Giant nor Midwest Walnut are nor will become common carriers by rail as a result of the proposed abandonment and discontinuances and closing under the related line sale, easement and operating agreements. UP and IAIS will clearly show in their Joint Petition that under 49 U.S.C. 10502 continued regulation of the Line and the Connector Track is not necessary to carry out the rail transportation policy of 49 U.S.C. 10101 and that the entire transaction and service is of very limited scope and that regulation is not necessary in this matter to protect Red Giant and Midwest Walnut from the abuse of Market Power.

There is no overhead traffic and no passenger service on the Line. Based upon information in UP's possession, the Line contains no federally granted right-of-way and none of the adjacent property is reversionary. Any documentation in UP's possession will be made available promptly to those requesting it.

**(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:** There will be no effects on regional or local transportation systems and patterns, and no diversion of traffic to other transportation systems or modes, as IAIS

will continue to serve Red Giant and Midwest Walnut via the direct connection of the IAIS Line with the Red Giant/Midwest Walnut Industry Track.

**(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 Pottawattamie County Board of Supervisors Office has been contacted. To date, UP has received no response.

(ii) The Natural Resources Conservation Service ("NRCS") has been contacted. To date, UP has received no response.

(iii) Not Applicable.

(iv) The property associated with the Line does not appear to be suitable for public purposes such as roads, highways, or other forms of mass transportation, conservation, or energy production or transmission, because the subject area is located in an industrial area, and because IAIS will continue to serve both Red Giant and Midwest Walnut via the direct connection of the IAIS Line to the Red Giant/Midwest Walnut

Industry Track pursuant to the Industrial Track Agreements with both Red Giant and Midwest Walnut.

**(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 will be no effects on the transportation of energy resources.

(ii) There will be no effects on the transportation of recyclable commodities.

(iii) There will be no change in energy consumption resulting 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) The U.S. Fish and Wildlife Service has been contacted. To date, UP has received no response.

(ii) The National Park Service has been contacted. To date, UP has received no response.

**(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 Regional Office has been contacted. Upon review, the EPA has previously determined that no regulatory or remedial activity related to the proposed abandonment will be necessary within the Line's alignment. The EPA's prior response is attached as **Attachment No. 3**.

(ii) The U. S. Army Corps of Engineers has been contacted. To date, UP has received no response.

(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 Line's right-of-way is approximately 50 feet wide, and its topography is level.

(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:** There are no structures over 50 years old affected by the proposed abandonment.

(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:** Not applicable.

(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:** At this time, UP knows of no historic sites or structures or archeological resources in the project area. No structures over 50 years old are affected by the proposed abandonment. The State Historical Society of Iowa has reviewed the proposed abandonment and has stated it will respond only if it determines within 30 days that one of several enumerated conditions in its prior response exists. The agency's prior response is attached as **Attachment No. 4**. To date, UP has received no further responses.

**(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.

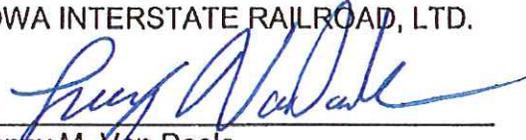
**(9)** Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified non-railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties 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 29th day of June, 2011.

Respectfully submitted,

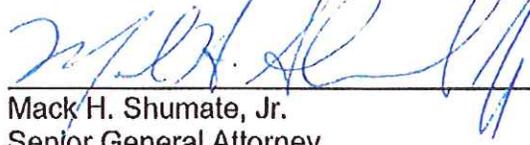
IOWA INTERSTATE RAILROAD, LTD.



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Lanny M. Van Daele  
Corporate Counsel  
Iowa Interstate Railroad, Ltd.  
5900 6th S.W.  
Cedar Rapids, IA 52404  
(319) 298-5405  
(319) 298-5456 FAX  
Email: [lmvandaele@iisrr.com](mailto:lmvandaele@iisrr.com)

UNION PACIFIC RAILROAD COMPANY



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Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, Suite 1920  
Chicago, IL 60606  
(312) 777-2055  
(312) 777-2065 FAX  
Email: [mackshumate@up.com](mailto:mackshumate@up.com)

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 Nos. AB-33 (Sub-No. 300X) and AB-414 (Sub-No. 6X) for abandonment and discontinuance of the remaining portion of the Great Western Industrial Lead and discontinuance of related Trackage Rights, in Pottawattamie County, Iowa was served by first class mail on the 29th day of June, 2011 on the following:

**State Clearinghouse (or alternate):**

Mr. Steven R. McCann  
Division for Community Progress  
Iowa Department of Economic Development  
200 East Grand Avenue  
Des Moines, IA 50309

**State Environmental Protection Agency:**

Department of Natural Resources  
Henry A. Wallace State Office Building  
502 E. 9<sup>th</sup> Street  
Des Moines, IA 50319-0034

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

Not applicable.

**Head of each County:**

Pottawattamie County Board of Supervisors  
227 South Sixth Street  
County Courthouse  
Council Bluffs, IA 51501-4269

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

U.S. Environmental Protection Agency  
Region VII  
901 North 5th Street  
Kansas City, KS 66101

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

U.S. Fish & Wildlife Service, Region 3  
One Federal Drive  
Federal Building  
Fort Snelling, MN 55111

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

U.S. Army Engineer District, Omaha  
1616 Capitol Ave., Suite 9000  
Omaha, NE 68102

**National Park Service:**

National Park Service - Midwest Region  
601 Riverfront Drive  
Omaha, NE 68102

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

Natural Resource Conservation Service  
693 Federal Bldg.  
210 Walnut Street  
Des Moines, IA 50309-2180

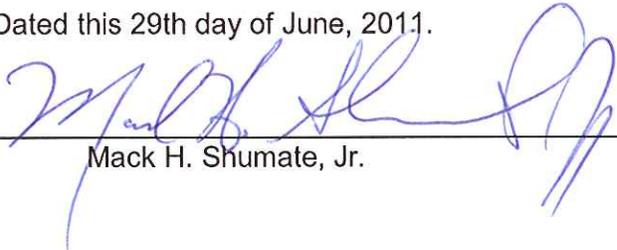
**National Geodetic Survey:**

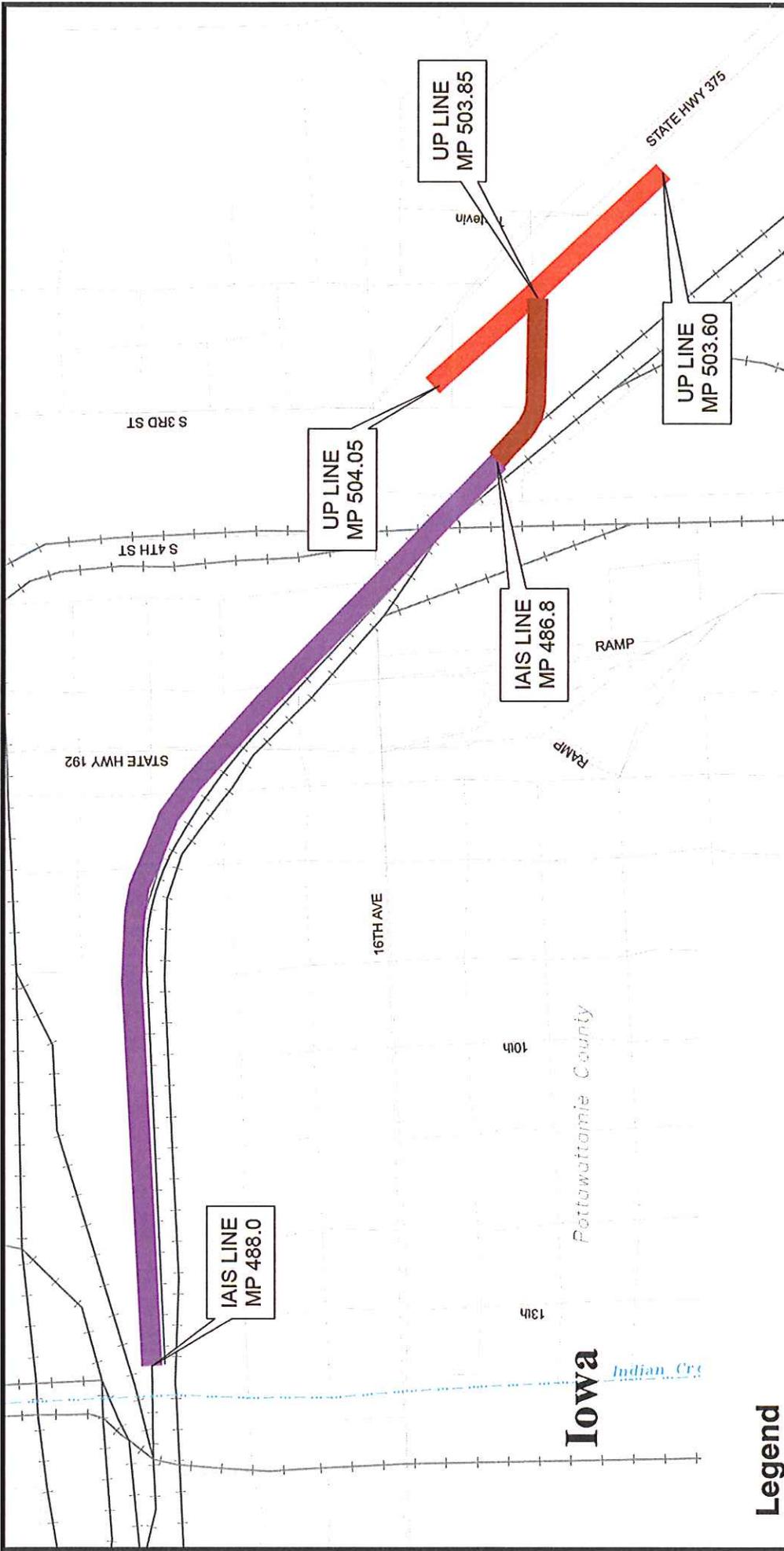
National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

State Historical Society of Iowa  
Attn: R&C Coordinator  
600 East Locust Street  
Des Moines, IA 50319-0290

Dated this 29th day of June, 2011.

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



**Legend**

- UP LINE (TO BE ABANDONED BY UP) AND (IAIS TO DISCONTINUE TRACKAGE RIGHTS THEREON)
- IAIS LINE (UP TO DISCONTINUE OVERHEAD TRACKAGE RIGHTS THEREON)
- CONNECTING TRACK (TO BE ABANDONED BY UP) AND (IAIS TO DISCONTINUE TRACKAGE RIGHTS THEREON)
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS

**THE PROPOSED TRANSACTION**

UP LINE - MP 503.6 TO MP 504.05  
 TOTAL OF 0.45 MILES  
 AND UP CONNECTING TRACK  
 MP 503.60 (UP) TO MP 488.8 (IAIS)  
 IAIS LINE - MP 488.8 TO 488.0  
 TOTAL OF 0.8 MILES, PLUS CONNECTING TRACK  
 IN POTTAWATTOMIE COUNTY, IOWA

**UNION PACIFIC RAILROAD CO.  
 GREAT WESTERN INDUSTRIAL LEAD  
 IOWA**



Law Department

July 10, 2008

**State Clearinghouse (or alternate):**

Mr Steven R McCann  
 Division for Community Progress  
 Iowa Department of Economic Development  
 200 East Grand Avenue  
 Des Moines, IA 50309

**State Environmental Protection Agency:**

Department of Natural Resources  
 Henry A Wallace State Office Building  
 502 E 9<sup>th</sup> Street  
 Des Moines, IA 50319-0034

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

Not applicable

**Head of each County:**

Pottawattamie County Board of Supervisors  
 227 South Sixth Street  
 County Courthouse  
 Council Bluffs, IA 51501-4269

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

U S Environmental Protection Agency  
 Region VII  
 901 North 5th Street  
 Kansas City, KS 66101

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

U S Fish & Wildlife Service, Region 3  
 One Federal Drive  
 Federal Building  
 Fort Snelling, MN 55111

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

U S Army Engineer District, Omaha  
 1616 Capitol Ave , Suite 9000  
 Omaha, NE 68102

**National Park Service:**

National Park Service - Midwest Region  
 1709 Jackson St  
 Omaha, NE 68102

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

Natural Resource Conservation Service  
 693 Federal Bldg  
 210 Walnut Street  
 Des Moines, IA 50309-2180

**National Geodetic Survey:**

National Geodetic Survey  
 Edward J McKay, Chief  
 Spatial Reference System Division  
 NOAA N/NGS2  
 1315 E-W Highway  
 Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

State Historical Society of Iowa  
 Attn R&C Coordinator  
 600 East Locust Street  
 Des Moines, IA 50319-0290

**Re: Proposed Abandonment of the Great Western Industrial Lead from Milepost 503.6 to Milepost 504.05, a distance of 0.45 miles in Pottawattamie County, Iowa; STB Docket No. AB-33 (Sub-No. 274X)**

Ladies and Gentlemen

Union Pacific Railroad Company (UP) plans to request authority from the Surface Transportation Board (STB) to abandon the Great Western Industrial Lead from Milepost 503 6 to Milepost 504 05, a distance of 0 45 miles in Pottawattamie County, Iowa <sup>1</sup> A map indicating the

<sup>1</sup> As part of this transaction, UP will also propose discontinuance of trackage rights over Iowa Interstate Railroad, Ltd (IASR) from Milepost 486 8 to Milepost 488 0 in Pottawattamie County, and IASR will propose discontinuance of its trackage rights over the portion of railroad that UP is abandoning The two rail line segments are linked by a short connecting track

proposed abandonment is attached UP does not anticipate that a grant of abandonment authority will result in removal of the line or a change in operations over it Rather, the line will become privately owned, and rail operations over it will continue

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, please 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. ***We ask that you provide us with a written response within seven days of receipt of this letter.***

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

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

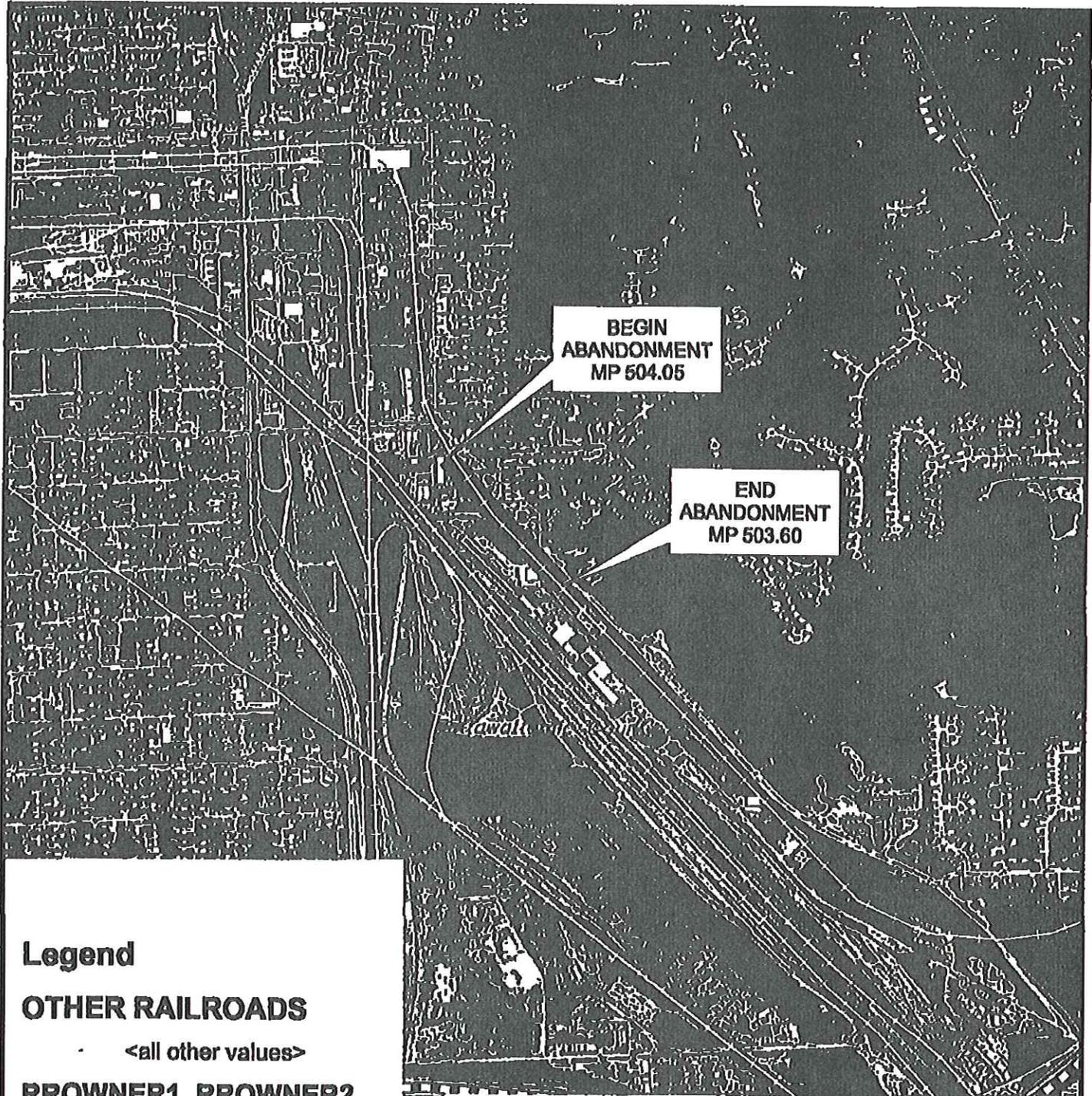
U S ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY) (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials 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 fax your reply to Union Pacific Railroad, Mr Chuck Saylor, 1400 Douglas Street, Mail Stop 1580, Omaha, NE, 68179. The fax number is (402) 501-0129 If you need further information, please contact me at (402) 544-4861

Yours truly,

  
Charles W Saylor

Attachment



**Legend**

**OTHER RAILROADS**

<all other values>

**RROWNER1, RROWNER2**

—+—+—+ IAIS, ICE

—+—+—+ OTHER RAILROADS

█ abandonment.csv Events

==== OTHER UPRR LINES

—+—+—+ OTHER RAILROADS

▬▬▬▬▬▬ PRINCIPAL HIGHWAYS

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES

**GREAT WESTERN INDUSTRIAL LEAD**

MP 503.6 TO MP 504.05  
TOTAL OF 0.45 MILES  
IN POLK COUNTY, IOWA

**UNION PACIFIC RAILROAD CO.  
GREAT WESTERN INDUSTRIAL LEAD  
IOWA**

INCLUDING 50+ YEAR OLD STRUCTURES

0 0.050.1 0.2

█ Miles 00018



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
911 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

Mr. Chuck Saylor  
1400 Douglas Street  
Mail Stop 1580  
Omaha, NE 68179

Dear Mr. Saylor:

RE: STB Docket No. AB-33 (Sub-No. 274X), *Union Pacific Railroad Company—  
Abandonment of the Great West Industrial Lead from Milepost 503.6 to Milepost 504.05  
in Pottawattamie County, IA*

This correspondence responds to your inquiry of July 10, 2008, requesting the United States Environmental Protection Agency's 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 regulatory or remedial activity was found to be within the rail line's alignment that should influence the abandonment proposal (please see enclosed map). EPA does caution, however, 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 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 myself at (913)-551-7565 or [tucker.amber@epa.gov](mailto:tucker.amber@epa.gov), or you may also contact Mr. Joseph Cothem, NEPA Team Leader, at (913) 551-7148 or [cothem.joe@epa.gov](mailto:cothem.joe@epa.gov).

Sincerely,

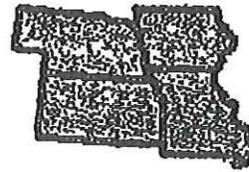
Amber Tucker  
NEPA Reviewer  
EPA R7 Environmental Services Division

Enclosure

00019



# UPR Abandonment Site



- AFS - Major
- AFS - Minor
- RCRA TSD
- ⊕ RCRA LQG
- ⊖ Superfund
- ▲ TRIS
- ⊙ NPDES - Major
- ⊙ NPDES - Minor
- ⊙ PWS Wells
- ⊙ PWS Intakes
- Interstate Highways
- US Highways
- State Highways and County Roads
- Roads
- Railroads
- 303d Streams
- EJ Area (Block Group)

NOTE: The Environmental Protection Agency does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any loss or injury resulting from reliance upon the information shown.

"Minority" is a percentage of minority individuals relative to total population per block group. "Below Poverty" is the percentage of the total block group population with incomes below the poverty level in 1999. Block group geography and demographic data are based on the 2000 Census. This information depicts areas of concern where potential environmental and/or human health problems may disproportionately impact a population.

This information should not be used in comparison to previous EPA Region 7 Environmental Justice maps using 1990 data, as the data parameters have changed. The EPA Region 7 Environmental Justice Program has chosen to adopt the US Census Bureau's parameters for poverty and race/ethnicity status in an effort to show a more accurate picture.

MapScale 1:250,000

**EPA**  
**REGION 7**  
**ENSV Division**  
 7-15-2008

00020



A Division of the Iowa Department of Cultural Affairs

Your request for comment by the State Historic Preservation Officer has been received.

Date Received: 7/14/2008

End of 30 Day Period: 8/13/2008

Agency: STB

SHPO R&C #. 080778043

**UNION PACIFIC RAILROAD COMPANY (UP) - STB DOCKET NO. AB-33 (SUB-NO. 274X) -  
PROPOSED ABANDONMENT OF THE GREAT WESTERN INDUSTRIAL LEAD FROM  
MILEPOST 503.6 TO MILEPOST 504.05**

In accord with federal regulations, our office will respond **ONLY** when:

- The SHPO has received incomplete information or inadequate documentation under 36CFR800 11(a), (d), and (e) **OR**
- The SHPO objects to your definition of the Area of Potential Effect (APE) for the undertaking **OR**
- The SHPO objects to your finding of whether a property is or is not eligible for listing on the National Register of Historic Places **OR**
- The SHPO objects to your finding of the project's effect on a historic property **OR**
- The project is proposed to have a "No Adverse Effect," with or without conditions, and where the SHPO disagrees with the finding **OR**
- The project is determined to have an "Adverse Effect" on a historic property and the federal agency is consulting with SHPO on how to resolve such "Adverse Effects"

Otherwise, at the end of the 30-day period, you may either proceed to the next step in the process based on the finding or determination, or consult with the Advisory Council on Historic Preservation in lieu of the SHPO. In order to determine the next step in the process, please review the appropriate section of the federal regulations [36CFR800.4(d)(1) or the Programmatic Agreement under which your project is being reviewed

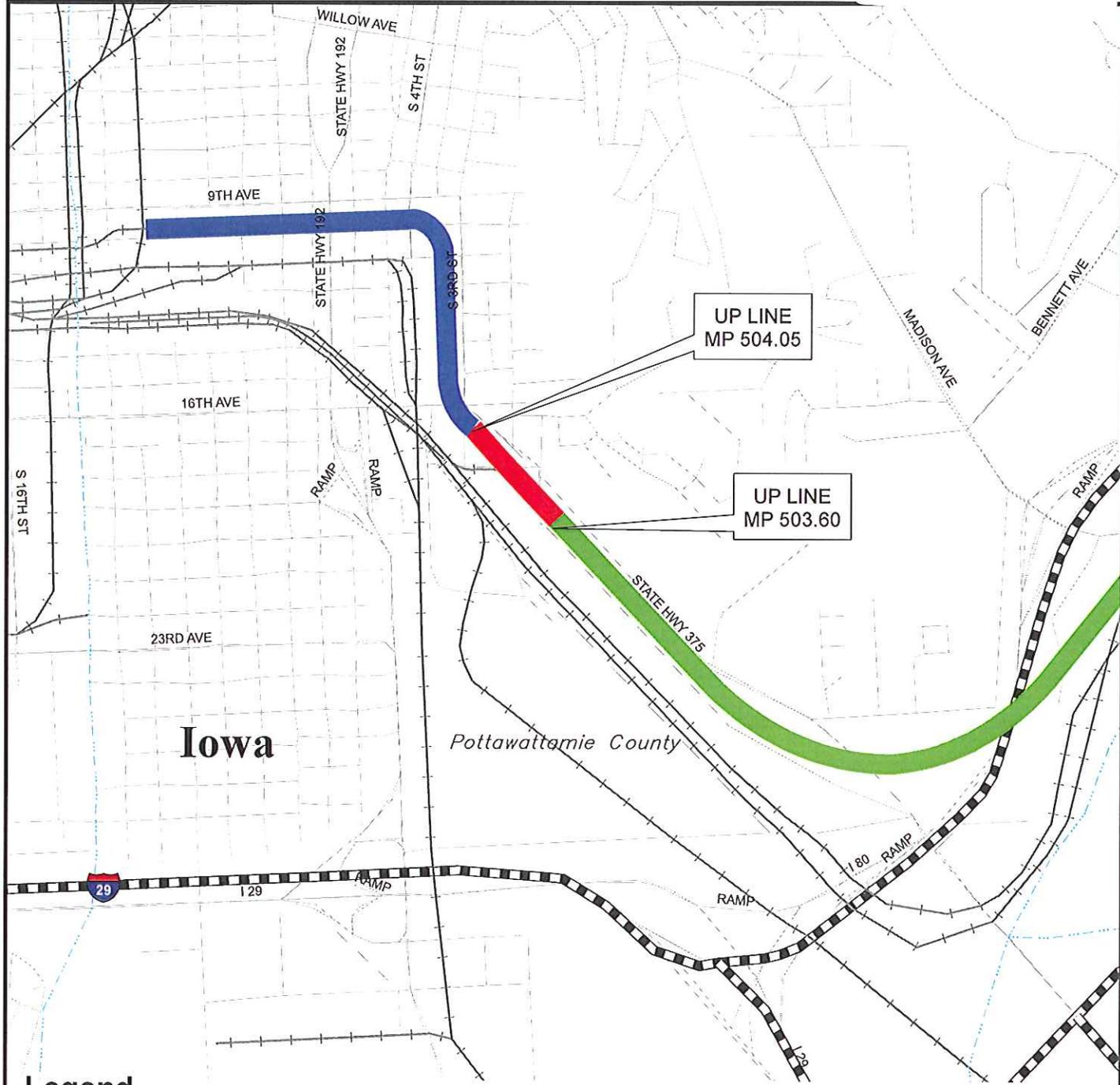
Be advised that the successful conclusion of consultation with the SHPO does not fulfill the agency's responsibility to consult with other parties who may have an interest in properties that may be affected by this project. Nor does it override the sovereign status of federally recognized American Indian Tribes in the Section 106 consultation process.

We have made these comments and recommendations according to our responsibility defined by Federal law pertaining to the Section 106 process. The responsible federal agency does not have to follow our comments and recommendations to comply with the Section 106 process. It also remains the responsible federal agency's decision on how you will proceed from this point for this project.

Should you have any questions please contact me at the number or email below, referencing the R&C # above.

SHPO Review & Compliance Coordinator  
(515) 281-8743

00021



**Legend**

- UP LINE (IAIS TO ACQUIRE OPERATING RIGHTS AND COMMON CARRIER OBLIGATIONS)
- ABANDONED IN 1971
- ABANDONED IN 2000
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS

**PRIOR ABANDONMENTS**

UP LINE -  
 MP 503.6 TO MP 504.05  
 TOTAL OF 0.45 MILES  
 IAIS LINE - MP 486.8 TO 488.0  
 TOTAL OF 1.2 MILES  
 IN POTTAWATTAMIE COUNTY, IOWA

**UNION PACIFIC RAILROAD CO.**