

ORIGINAL

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BEFORE THE
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
March 7, 2014
Part of
Public Record

DOCKET NO. AB-414 (SUB-NO. 7X)

IOWA INTERSTATE RAILROAD, LTD.
-- ABANDONMENT EXEMPTION --
IN POTTAWATTAMIE COUNTY, IOWA



**VERIFIED NOTICE OF EXEMPTION OF
IOWA INTERSTATE RAILROAD, LTD.
PURSUANT TO 49 C.F.R. § 1152.50**

FILED
March 7, 2014
Surface Transportation Board

Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEY FOR IOWA INTERSTATE
RAILROAD, LTD.**

Dated: March 6, 2014

FEE RECEIVED
March 7, 2014
Surface Transportation Board

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-414 (SUB-NO. 7X)

IOWA INTERSTATE RAILROAD LTD.
-- ABANDONMENT EXEMPTION --
IN POTTAWATTAMIE COUNTY, IOWA

**VERIFIED NOTICE OF EXEMPTION OF
IOWA INTERSTATE RAILROAD, LTD.
PURSUANT TO 49 C.F.R. § 1150.50**

Iowa Interstate Railroad, Ltd. ("IAIS") hereby submits this Verified Notice of Exemption under 49 C.F.R. § 1152.50 for the abandonment of IAIS's line of railroad (the "Oakland Branch") extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. A map showing the line to be abandoned is attached hereto as Exhibit A.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), IAIS submits the following information:

General Corporate Information: 49 C.F.R. § 1152.22(a)(1) - (2)

Petitioner IAIS is a Class II common carrier by rail which owns or operates approximately 560 route miles of rail line in the states of Illinois and Iowa. IAIS's principal route extends from Blue Island, Illinois, outside of Chicago, to Council Bluffs. A primary branch line extends from Bureau, Illinois, on the Blue Island-Council Bluffs line, to Peoria, Illinois. Secondary branch lines reach a number of points in Illinois and Iowa. IAIS began operations in 1984, over rail lines previously owned by the bankrupt Chicago, Rock Island &

Pacific Railroad Company. See generally Iowa Interstate Railroad, Ltd. -- Lease and Operate -- Exemption, Finance Docket No. 30554 (ICC served October 1, 1984).

IAIS controls the Lincoln & Southern Railroad Company, a non-operating Class III rail carrier which owns a portion of IAIS's Peoria Branch. See Iowa Interstate Railroad, Ltd. -- Acquisition of Control Exemption -- Lincoln & Southern Railroad Company, Finance Docket No. 34942 (STB served December 22, 2006).

The complete name and address of IAIS is:

Iowa Interstate Railroad, Ltd.
5900 6th Street S.W.
Cedar Rapids, IA 52404
(319) 298-5400

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. § 1152.50(b), IAIS seeks to abandon its line of railroad extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. No rail freight service has been provided on the Oakland Branch in a number of years.

The Oakland Branch is the southern segment of a branch line between Hancock and Oakland, Iowa that connects at Hancock Junction, Iowa (just south of Hancock) with IAIS's Blue Island-Council Bluffs main line. After abandonment of the Oakland Branch, IAIS will continue to provide service on the remainder of the Hancock-Oakland line into Hancock.

Map: 49 C.F.R. § 1152.22(a)(4)

A map showing the location of the Oakland Branch and its relation to other rail lines, highways and geographic features in the area is attached hereto as Exhibit A.

Applicant's Representative: 49 C.F.R. § 1152.22(a)(7)

Any correspondence regarding the proposed abandonment should be sent to IAIS's representative at the following address:

Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
(312) 252-1500

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The Oakland Branch traverses United States Postal Service ZIP Code 51560.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

IAIS certifies that no local traffic has moved over the Oakland Branch for at least two years and that no overhead traffic could be or was previously handled on the stub-ended line. IAIS further certifies that no formal complaint by a user of rail service on the Oakland Branch (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years. See Certification and Verification of Jerome P. Lipka, attached hereto as Exhibit B.

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

IAIS intends to consummate abandonment of the Oakland Branch on or shortly after April 26, 2014.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

The National Park Service has indicated that a group may be interested in potential trail use on the right-of-way of the Oakland Branch. IAIS does not otherwise believe that the right-of-way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because it runs largely parallel to U.S. Route 59 through an agricultural area. Based on information in IAIS's possession, the subject line does not appear to contain any federally granted right of way.

Notice Requirement: 49 C.F.R. §§ 1152.50(d)(2), 1105.11

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written prefiling notice of the proposed abandonment is attached hereto as Exhibit C. A certificate that the Environmental/Historic Report accompanying this Notice as Exhibit D has been served on the agencies designated in 49 C.F.R. § 1105.7(b) is attached as Appendix Q to that Report.

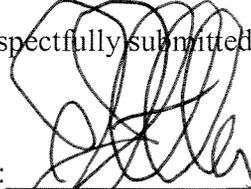
Labor Protection: 49 C.F.R. § 1152.50(d)(2)

The appropriate level of labor protection for the transaction proposed herein is that set forth in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). No IAIS employees will be adversely affected by the proposed abandonment.

Environmental and Historic Preservation Data: 49 C.F.R. § 1105

An Environmental/Historic Report prepared in compliance with the requirements and specifications of 49 C.F.R. § 1105 is attached hereto as Exhibit D. That report concludes that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

Respectfully submitted,



By:

Thomas J. Litwiler

Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEY FOR IOWA INTERSTATE
RAILROAD, LTD.**

Dated: March 6, 2014



MP 467.77 Proposed EOT

MP 469.59 End of Tracks

**DOCKET NO. AB-414 (SUB-NO. 7X)
IOWA INTERSTATE RAILROAD, LTD.
-- ABANDONMENT EXEMPTION --
IN POTTAWATTAMIE COUNTY, IA**

Imagery Date: 5/9

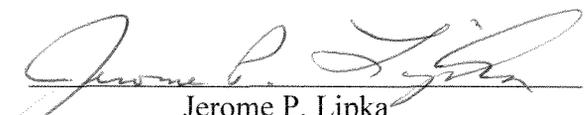
VERIFICATION

State of Iowa)
) SS:
County of Linn)

Jerome P. Lipka, being duly sworn, deposes and says that he is President and Chief Executive Officer of Iowa Interstate Railroad, Ltd. ("IAIS") and that:

1) No local traffic has moved over IAIS's rail line between Milepost 467.77 near Hancock Junction, Iowa and Milepost 469.59 near Oakland, Iowa in Pottawattamie County, Iowa for at least two years; no overhead traffic could be or was previously handled on the stub-ended line; and no formal complaint filed by a user of rail service on the line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years; and

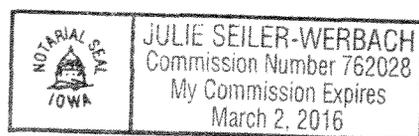
2) He has read the foregoing Notice of Exemption and knows the facts asserted therein, and the same are true as stated.


Jerome P. Lipka

SUBSCRIBED AND SWORN TO
before me this 3 day
of March, 2014.


Notary Public

My Commission expires:



CERTIFICATE OF NOTIFICATION

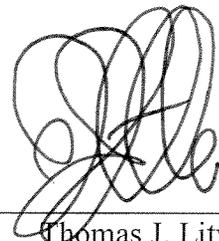
I hereby certify that on February 25, 2014, written notice in the form attached hereto and containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies designated in that subsection:

Ms. Tamara Nicholson, P.E.
Director, Office of Rail Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Railroads for National Defense Program
Transportation Engineering Agency
Surface Deployment and Distribution Command
1 Soldier Way, Bldg. 1900W
Scott AFB, IL 62225

Mr. Charlie Stockman
Chief, Rivers, Trails & Conservation Assistance Program
National Park Service
1849 C Street, N.W., Org. Code 2220
Washington, DC 20240-0001

Mr. Thomas L. Tidwell
Chief of the Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Thomas J. Litwiler

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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tlitwiler@fletcher-sippel.com

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Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

February 25, 2014

Ms. Tamara Nicholson, P.E.
Director, Office of Rail Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

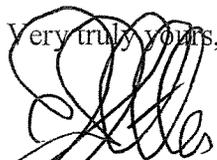
Dear Ms. Nicholson:

On or after March 7, 2014, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The line traverses United States Postal Zip Code 51560. IAIS's notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for at least the previous two years.

We are notifying you of the proposed abandonment in accordance with the requirements of 49 C.F.R. § 1152.50(d)(1). As also required by that regulation, IAIS states that, based on information in its possession, the line **does not** contain any federally granted rights-of-way. Any documentation on this subject in the railroad's possession will be made available promptly to those requesting it.

Should you have any questions or need additional information regarding this abandonment, please feel free to contact me at 312-252-1508.

Very truly yours,



Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-414 (SUB-NO. 7X)

IOWA INTERSTATE RAILROAD, LTD.
-- ABANDONMENT EXEMPTION --
IN POTTAWATTAMIE COUNTY, IOWA

ENVIRONMENTAL/HISTORICAL REPORT

Iowa Interstate Railroad, Ltd. ("IAIS") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence is attached.¹ It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. Proposed Action and Alternatives. IAIS seeks to abandon its line of railroad extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa (the "Oakland Branch"). The Oakland Branch is situated in Pottawattamie County, Iowa and extends a total distance of approximately 1.82 miles.

The Oakland Branch has not been required to serve any customer in recent years. There have been no rail shipments of any kind on the Oakland Branch for more than two years, and no reasonably foreseeable possibility for the development of new rail traffic exists.

¹ This report has been revised from the version served on various agencies on February 14, 2014 to reflect additional e-mail correspondence received from the State Historical Society of Iowa since that time. That correspondence is discussed on page 11 of this report.

Following abandonment, IAIS intends to salvage rail, ties and other track material from the Oakland Branch. The two bridges on the line as well as the subgrade of the line will remain in place.

No alternatives to the proposed abandonment have been considered. The only alternative is retention of the Oakland Branch in its current unused state, which would have no environmental impact but would prevent the redeployment of IAIS's assets elsewhere.

A map showing the location of the Oakland Branch is attached hereto as **Appendix A**.

2. Transportation System. IAIS does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Oakland Branch, and no traffic has been handled on the line for at least several years. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic handled on the stub-ended Oakland Branch, and no passenger trains are operated over the line. There are no public grade crossings located on the Oakland Branch.

IAIS has contacted and requested comments from the Iowa Department of Transportation ("Iowa DOT"). See correspondence attached hereto as **Appendix B**. To date, IAIS has received no comments from Iowa DOT.

3. Land Use.

(i) IAIS does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the Chairman of the Pottawattamie County Board of Supervisors as well as from the County's Office of

Planning and Development. See correspondence attached hereto as **Appendices C and D**. To date, IAIS has received no comments from the County.

(ii) IAIS has contacted and requested comments from the Natural Resources Conservation Service of the United States Department of Agriculture ("NRCS") regarding whether the proposed abandonment of the Oakland Branch will affect any prime or unique farmland. See correspondence attached hereto as **Appendix E**. To date, NCRS has not provided a response.

(iii) Iowa does not have any designated Coastal Zone Management Areas. See, e.g., http://www.rurdev.usda.gov/IA_env_Class1_coastal_zone.html. The proposed abandonment of the Oakland Branch accordingly will not affect any land or water uses in such an area or result in any coastal impacts.

(iv) IAIS does not believe that the right-of-way of the Oakland Branch is suitable for alternative public use under 49 U.S.C. § 10905. The Oakland Branch is located in a rural, agricultural area and does not link populated areas, and an existing major roadway (U.S. Route 59) runs largely parallel to the line. The National Park Service, Midwest regional office, has indicated that a group may be interested in acquiring the right-of-way for use as a trail.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No freight traffic has moved on the Oakland Branch for at least several years, and IAIS foresees little or no possibility that on-line energy resource traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. To the best of IAIS's knowledge, no such traffic has been recently handled on this line, and IAIS foresees little or no possibility that any online recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on the Oakland Branch and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable. Abandonment of the Oakland Branch will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Pottawattamie County is a designated nonattainment area for 1 NAAQS Pollutant (lead) under the Clean Air Act. Nonetheless, abandonment of the Oakland Branch will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. No ozone depleting materials have been transported over the Oakland Branch for at least several years, and no such shipments will be diverted as a result of this abandonment.

IAIS has contacted and requested comments from the U.S Environmental Protection Agency ("EPA") and the Iowa Department of Natural Resources ("Iowa DNR"). See correspondence attached hereto as **Appendices F and G**. The response provided by Iowa DNR does not indicate any concerns with air quality. See correspondence attached hereto as **Appendix G-1**. To date, IAIS has received no comments from EPA.

6. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R § 1105.7(c)(5)(i) will be exceeded as a result of the proposed abandonment.

7. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. During salvage operations on the Oakland Branch, precautions will be taken to ensure public safety.

(ii) Not applicable. As the Oakland Branch has not had any traffic for at least several years, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) There are no known hazardous waste sites or sites where there have been known hazardous material spills on right-of-way of the Oakland Branch.

8. Biological Resources.

(i) IAIS does not believe that any critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, or that any endangered or threatened species are present in the area or would be adversely affected. Salvage operations will be handled using existing access routes. The Iowa Department of Natural Resources, Conservation and Recreation Division ("Iowa DNR/C&R") has indicated that

rare species or significant natural communities would not be impacted by the project. See correspondence attached hereto as **Appendices H and H-1**. IAIS also has contacted the U.S. Fish and Wildlife Service ("FWS"), which to date has provided no comment. See correspondence attached hereto as **Appendix I**.

(ii) IAIS is not aware of any national or state parks or forests or wildlife sanctuaries or refuges that are adjacent to or in the vicinity of the Oakland Branch. The Iowa DNR has conducted a review with respect to state parks, preserves and recreation areas and indicates no objections or concerns with respect to such area. See correspondence attached hereto as **Appendix H-1**. IAIS also has contacted and requested comments from the National Park Service ("NPS"), as set forth in **Appendix J**. As indicated above, NPS has indicated by phone that a group may be interested in acquiring the right-of-way of the Oakland Branch for use as a trail, but has not otherwise commented on the abandonment.

9. Water.

(i) IAIS believes that the proposed abandonment of the Oakland Branch is consistent with applicable federal, state and local water quality standards.

IAIS contacted and requested comments from Iowa DNR. See correspondence attached hereto as **Appendix G**. Iowa DNR recommends that IAIS utilize Best Management Practices during salvage to control erosion and protect water quality. See correspondence attached hereto as **Appendix G-1**. IAIS also requested comments from the Omaha District of the U.S. Army Corps of Engineers ("the Corps"). See correspondence attached hereto as **Appendix K**. In a letter dated December, 17, 2013, the Omaha District indicated that the proposed abandonment falls within the

regulatory boundary of the Corps' Rock Island District, and that a copy of IAIS's comment request letter had been forwarded to the Rock Island District. See correspondence attached hereto as **Appendix K-1**. A copy of this Environmental/Historic Report is being served to both the Omaha District and the Rock Island District. The Omaha District also recommended that IAIS consult: 1) with Iowa DNR regarding state water quality programs; 2) with the Fish and Wildlife Service and Iowa DNR regarding fish and wildlife resources; 3) with the Iowa State Historic Preservation Office regarding potential cultural resources; and 4) with the floodplain management office at Iowa DNR. As reflect in this Environmental/Historic Report, IAIS has engaged in each of the recommended consultations. Correspondence seeking comments from the State National Flood Insurance Program ("NFIP") Coordinator for Iowa DNR is attached hereto as **Appendix L**.

(ii) The proposed abandonment does not involve the placement of dredged or fill materials into waters of the United States, and thus a permit under Section 404 of the Clean Water Act is not required. IAIS is unaware of any designated wetlands or 100-year flood plains that would be affected by the proposed abandonment. IAIS has requested comments from the Corps and from various offices of Iowa DNR. See correspondence attached hereto as **Appendices K, G, H and L**. The Corps has indicated that the Oakland Branch does not appear to be located within Corps owned or operated lands. See correspondence attached hereto as **Appendix K-1**. Iowa DNR has reviewed state lands and waters in the project area and not discovered significant natural communities that would be impacted. See correspondence attached hereto as **Appendix H-1**.

(iii) No permits under Section 402 of the Clean Water Act are required.

No material will be disposed of into a waterway as part of the abandonment.

10. Proposed Mitigation. As no adverse impact is anticipated from the proposed abandonment, IAIS does not propose any mitigation measures.

11. Additional Information for Rail Constructions. Not applicable.

* * * * *

In addition to the agencies referenced above, IAIS has contacted and requested comments from the National Geodetic Survey (by e-mail to NGS.InfoCenter@noaa.gov). See correspondence attached hereto as **Appendix M**. IAIS is unaware of any geodetic station marks located in the area of the Oakland Branch. IAIS also requested comments from the Iowa Department of Management, the agency acting as the State Clearinghouse/Single Point of Contact. See correspondence attached hereto as **Appendix N**.

HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. Map. A map of the Oakland Branch is attached hereto as **Appendix A.**
2. Description of Line. The line to be abandoned consists of a single track.

It begins at milepost 467.77 near Hancock Junction, Iowa and extends in a southerly direction a distance of approximately 1.82 miles to milepost 469.59 north of Oakland, Iowa, where it curves southeasterly into a former shipper facility. The Oakland Branch traverses a rural, generally flat and largely agricultural area parallel to and to the west of U.S. Route 59 in east-central Pottawattamie County.

3. Photographs. The only structures on the Oakland Branch that are 50 years old or older are two bridges. Photographs of these bridges are attached hereto as **Appendices O-1 and O-2.**

4. Information on Structures. There are two bridge structures on the Oakland Branch which are 50 years old or older:

<u>Milepost</u>	<u>Length</u>	<u>Description</u>
468.1	121 feet	6-span timber pile trestle
469.2	68 feet	5-span timber trestle

IAIS is unsure of the exact construction date of these bridges. IAIS has no plans to remove or otherwise alter these structures as a result of the proposed abandonment.

5. History of Operations. The Oakland Branch was constructed in 1879-1880 by The Avoca, Macedonia and South Western Railroad Company ("AM&SW") as part of a branch line between Avoca and Carson, Iowa. In 1880, the AM&SW was merged with several other companies to become The Chicago, Rock Island & Pacific Railway Company ("Rock Island"). The Avoca-Carson line crossed Rock Island's Chicago-Council Bluffs main line at Hancock Junction. The Rock Island was reorganized as Chicago, Rock Island & Pacific

Railroad Company in 1948. In 1954, the Rock Island abandoned the portion of the Avoca-Carson line south of Oakland. Finance Docket No. 18091, *Chicago, R.I. & P. R. Co. Abandonment*, 290 I.C.C. 804 (1953) (unpublished). The Rock Island entered bankruptcy in 1975, and abandoned its remaining rail lines in 1980. Rock Island's rail lines between the Chicago area and Council Bluffs, including the remaining branch line between Hancock Junction and Oakland that includes the Oakland Branch, were run by interim operators until being leased by IAIS in 1984 and subsequently acquired by IAIS. *Iowa Interstate Railroad, Ltd. -- Lease and Operate -- Exemption*, Finance Docket No. 30554 (ICC served October 1, 1984). Traffic on the Oakland Branch diminished over time, and IAIS has not provided rail service on the line for several years.

6. Engineering Documents. IAIS does not possess engineering drawings or records that would be useful in documents the two bridge structures on the Oakland Branch. IAIS will provide copies of any other documents in its possession.

7. Historic Criteria. Based on readily available information in its possession, IAIS does not believe that any site or structure listed in or meeting the criteria for listing in the Register of Historic Places is located on the Oakland Branch or will be affected by the abandonment. The two bridges on the Oakland Branch are not unique in character or noteworthy in their style or material of construction. IAIS also believes that no culturally significant locations, archaeological sites or unique land forms will be affected by the abandonment.

IAIS gave notice of the proposed abandonment to the State Historical Society of Iowa, acting as the State Historic Preservation Officer ("SHPO"). See correspondence attached hereto as **Appendix P**. By e-mail dated March 4, 2014, the SHPO indicated that it did not have a

record of receiving the initial notice letter, that there has been a change in personnel at the SHPO's office, and that the SHPO is reviewing the documentation provided in this report and would provide a response.

8. Ground Disturbances. Based on readily available information in its possession, IAIS believes that subsurface ground disturbance occurred when the Oakland Branch was constructed 135 years ago. IAIS is unaware of other environmental conditions that might affect the archaeological recovery of resources. Access to the line is generally fair but restricted in certain areas.



FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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tlitwiler@fletcher-sippel.com

November 21, 2013

Ms. Tamara Nicholson
Director, Office of Rail Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Ms. Nicholson:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Oakland Branch so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;

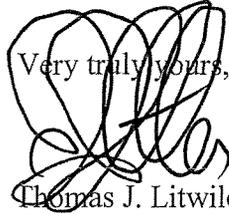
FLETCHER & SIPPEL LLC

Ms. Tamara Nicholson
November 21, 2013
Page 2

9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

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November 21, 2013

Mr. Scott A. Belt
Chairman, Board of Supervisors
Pottawattamie County, Iowa
Court House, Second Floor
227 South 6th Street
Council Bluffs, Iowa 51501

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Mr. Belt:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Oakland Branch so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;

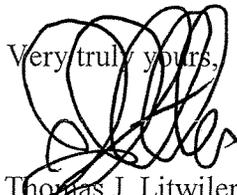
FLETCHER & SIPPEL LLC

Mr. Scott A. Belt
November 21, 2013
Page 2

8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

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Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

November 21, 2013

Ms. Kay E. Mocha
Director, Office of Planning & Development
Pottawattamie County, Iowa
Court House Annex, First Floor
223 South 6th Street
Council Bluffs, Iowa 51501

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Ms. Mocha:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Oakland Branch so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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5. Bodies of water and overall water quality under applicable federal, state or local standards;
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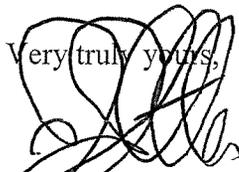
FLETCHER & SIPPEN LLC

Ms. Kay E. Mocha
November 21, 2013
Page 2

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Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

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Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

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Suite 920
Chicago, Illinois 60606-2832

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www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

November 21, 2013

Mr. Jay T. Mar
State Conservationist
USDA Natural Resources Conservation Service
693 Federal Building
210 Walnut Street
Des Moines, Iowa 50309-2119

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Mr. Mar:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

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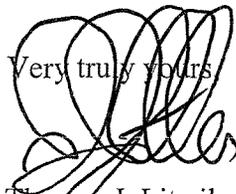
FLETCHER & SIPPEN LLC

Mr. Jay T. Mar
November 21, 2013
Page 2

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Very truly yours,

Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

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ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

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tlitwiler@fletcher-sippel.com

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www.fletcher-sippel.com

November 21, 2013

Mr. Karl Brooks
Administrator, Region VII
U.S. Environmental Protection Agency
11201 Renner Boulevard
Lenexa, Kansas 66219

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Mr. Brooks:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

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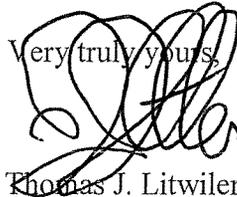
FLETCHER & SIPPEN LLC

Mr. Karl Brooks
November 21, 2013
Page 2

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Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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tlitwiler@fletcher-sippel.com

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www.fletcher-sippel.com

November 21, 2013

Ms. Christine M. Schwake
Environmental Specialist
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319-0034

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Ms. Schwake:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

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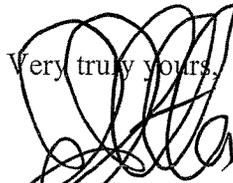
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Ms. Christine M. Schwake
November 21, 2013
Page 2

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In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment



STATE OF IOWA

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

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

December 11, 2013

MR THOMAS J LITWILER
FLETCHER & SIPPEL LLC
29 N WACKER DR STE 920
CHICAGO IL 60606-2832

RE: Iowa Interstate Railroad, Ltd. – Abandonment Exemption
Pottawattamie County, Iowa
Docket No. AB-414 (Sub-No. 7X)

Dear Mr. Litwiler:

This letter is in response to the November 21, 2013 letter concerning the above-referenced project. Thank you for inviting comments on the impact of the above referenced project.

Waters of the United States (includes wetlands) should not be disturbed if a less environmentally damaging alternative exists. Unavoidable adverse impacts should be minimized to the extent practicable. Any remaining adverse impacts should be compensated for through restoration and creation activities (enhancement and/or preservation may be in addition to the restoration/creation). We would ask that Best Management Practices be used to control erosion and protect water quality near the project.

Any proposed placement of dredged or fill material into waters of the United States (including jurisdictional wetlands) requires Department of the Army authorization. When detailed plans are available, please complete and submit the joint application form to the Rock Island District Corps of Engineers (1 copy) and Iowa Department of Natural Resources (2 copies) for processing. The application form may be obtained at:
<http://www.iowadnr.gov/InsideDNR/RegulatoryWater/WetlandsPermitting.aspx> .

An electronic copy of the application form and instructions may also be obtained on the Corps' website: <http://www.mvr.usace.army.mil/Missions/Regulatory.aspx> .

If you have any questions, please call me at (515) 281-6615.

Sincerely,

A handwritten signature in cursive script that reads "Christine M. Schwake".

Christine Schwake
Environmental Specialist

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

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www.fletcher-sippel.com

November 21, 2013

Ms. Inga M. Foster
Environmental Specialist
Iowa Department of Natural Resources
Conservation and Recreation Division
502 East 9th Street
Des Moines, Iowa 50319-0034

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Ms. Foster:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

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FLETCHER & SIPPEL LLC

Ms. Inga M. Foster
November 21, 2013
Page 2

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Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment



STATE OF IOWA

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

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

December 10, 2013

FLETCHER & SIPPEL LLC
Attn: THOMAS LITWILER
29 N WACKER DR STE 920
CHICAGO IL 60606

RE: Environmental Review for Natural Resources
Railroad Track Abandonment
MP 467.77 to MP 469.59
Pottawattamie County
Section 25 & 36, Township 76 N, Range 40 W

Dear Mr. Litwiler,

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: 9612.

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

Sincerely,

A handwritten signature in black ink that reads "Kelly Poole". The signature is fluid and cursive.

Kelly Poole
Environmental Specialist
Conservation and Recreation Division

FILE COPY: Kelly Poole

Tracking Number: 9612

cmz

FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

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tlitwiler@fletcher-sippel.com

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www.fletcher-sippel.com

November 21, 2013

Mr. Richard C. Nelson
Supervisor, Rock Island Field Office
U.S. Fish & Wildlife Service
1511 47th Street
Moline, Illinois 61265

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Mr. Nelson:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

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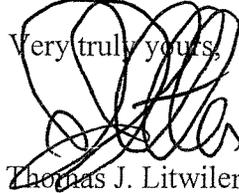
FLETCHER & SIPPEN LLC

Mr. Richard C. Nelson
November 21, 2013
Page 2

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Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

November 21, 2013

Ms. Karen Anderson
Outdoor Recreation Planner
National Park Service, Midwest Region
601 Riverfront Drive
Omaha, Nebraska 68102-4226

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Ms. Anderson:

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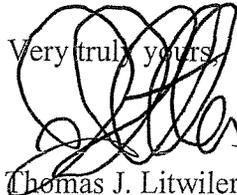
FLETCHER & SIPPEL LLC

Ms. Karen Anderson
November 21, 2013
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12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

November 21, 2013

Mr. Bradley E. Thompson
Planning, Programs and Project Management Branch
U.S. Army Corps of Engineers, Omaha District
1616 Capitol Avenue
Suite 9000
Omaha, Nebraska 68102-4901

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Mr. Thompson:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Oakland Branch so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;

FLETCHER & SIPPEN LLC

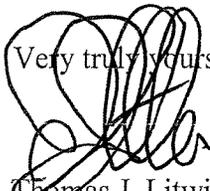
Mr. Bradley E. Thompson
November 21, 2013
Page 2

8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

Very truly yours,



Thomas J. Litwiler

Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVENUE
OMAHA NE 68102-4901

Docket No. AB-414 (Sub-No. 7X)
Environmental/Historic Report
Appendix K-1

December 17, 2013

Planning, Programs, and Project Management Branch

Mr. Thomas Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, Illinois 60606-2832

Dear Mr. Litwiler:

The U.S. Army Corps of Engineers, Omaha District (Corps) has reviewed your letter dated November 21, 2013 (received December 2, 2013) regarding Docket No. AB-414 (Sub No.7X). The Corps understands that Iowa Interstate Railroad, Ltd is filing to abandon their approximate-1.82 mile Oakland Branch Line, extending from milepost 467.77 near Hancock, Iowa to the end of the track located at milepost 469.59 near Oakland, Iowa in Pottawattamie County.

It is important to note that the proposed abandonment is within the Corps Omaha District Civil Works Boundary, but is located outside of our District's regulatory boundary. A copy of your letter regarding this proposal was forwarded to our Rock Island District's Regulatory Office, who provides regulatory oversight, respectively, in this area. To ensure Iowa is in compliance with the Corps' permitting regulations, all preliminary and final project plans should be sent to the following address:

U.S. Army Corps of Engineers, Rock Island District
Clock Tower Building
Attention: CEMVR-OD-P/Lenz
P.O. Box 2004
Rock Island, Illinois 61204-2004

In addition, the Corps Omaha District offers the following comments:

Your plans should be coordinated with the state water quality offices in which the project is located to ensure compliance with federal and state water quality standards and regulations mandated by the Clean Water Act and administered by the U.S. Environmental Protection Agency. Please coordinate with the Iowa Department of Natural Resources concerning state water quality programs.

If you have not already done so, it is recommended you consult with the U.S. Fish and Wildlife Service and Iowa Department of Natural Resources regarding fish and wildlife resources. In addition, the Iowa State Historic Preservation Office should be contacted for information and recommendations on potential cultural resources in the project area.

The proposed project does not appear to be located within Corps owned or operated lands; therefore, we are providing no floodplain or flood risk information. To determine if the proposed project may impact areas designated as a Federal Emergency Management Agency special flood hazard area, please consult the following floodplain management office:

Iowa Department of Natural Resources
Attention: Mr. Bill Cappuccio
Wallace State Office Building
502 9th Street
Des Moines, Iowa 50319
Telephone: 515-281-8942
Fax: 515-281-8895
Email: bill.cappuccio@iowa.gov

Any proposed placement of dredged or fill material into waters of the United States (including jurisdictional wetlands) requires Department of the Army authorization under Section 404 of the Clean Water Act. You can visit the Omaha District's Regulatory website for permit applications and related information. Please review the information on the provided website (<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram.aspx>) to determine if this project requires a 404 permit. As previously mentioned, all preliminary and final project plans should be sent to the Rock Island District's Regulatory Office to ensure the proposed project complies with all of the permit requirements.

If you have any questions, please contact Ms. Amanda Ciurej of my staff at (402) 995-2897.

Sincerely,



Eric Laux
Chief, Environmental Resources and Missouri
Recovery Program Plan Formulation Section

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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Suite 920
Chicago, Illinois 60606-2832

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www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

November 21, 2013

Mr. William Cappuccio
State NFIP Coordinator
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319-0034

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Mr. Cappuccio:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Oakland Branch so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;

FLETCHER & SIPPEL LLC

Mr. William Cappuccio

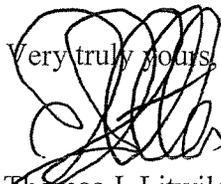
November 21, 2013

Page 2

9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

Very truly yours,


Thomas J. Litwiler

Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

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THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

November 21, 2013

Mr. Simon Monroe
Geodetic Services Division
National Geodetic Survey
N/NGS12, SSMC, Room 9217
1315 East West Highway
Silver Spring, Maryland 20910-3282

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Mr. Monroe:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Oakland Branch so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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7. Endangered or threatened species and critical habitats;

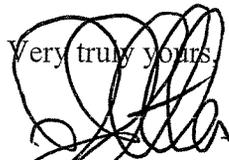
FLETCHER & SIPPEN LLC

Mr. Simon Monroe
November 21, 2013
Page 2

8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

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29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

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www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

November 21, 2013

Ms. Kathy Mabie
Fiscal & Policy Analyst
Iowa Department of Management
State Capitol Building, Room G12
1007 East Grand Avenue
Des Moines, Iowa 50319

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Ms. Mabie:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Oakland Branch so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;

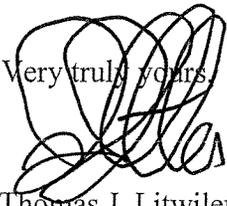
FLETCHER & SIPPEL LLC

Ms. Kathy Mabie
November 21, 2013
Page 2

8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance.

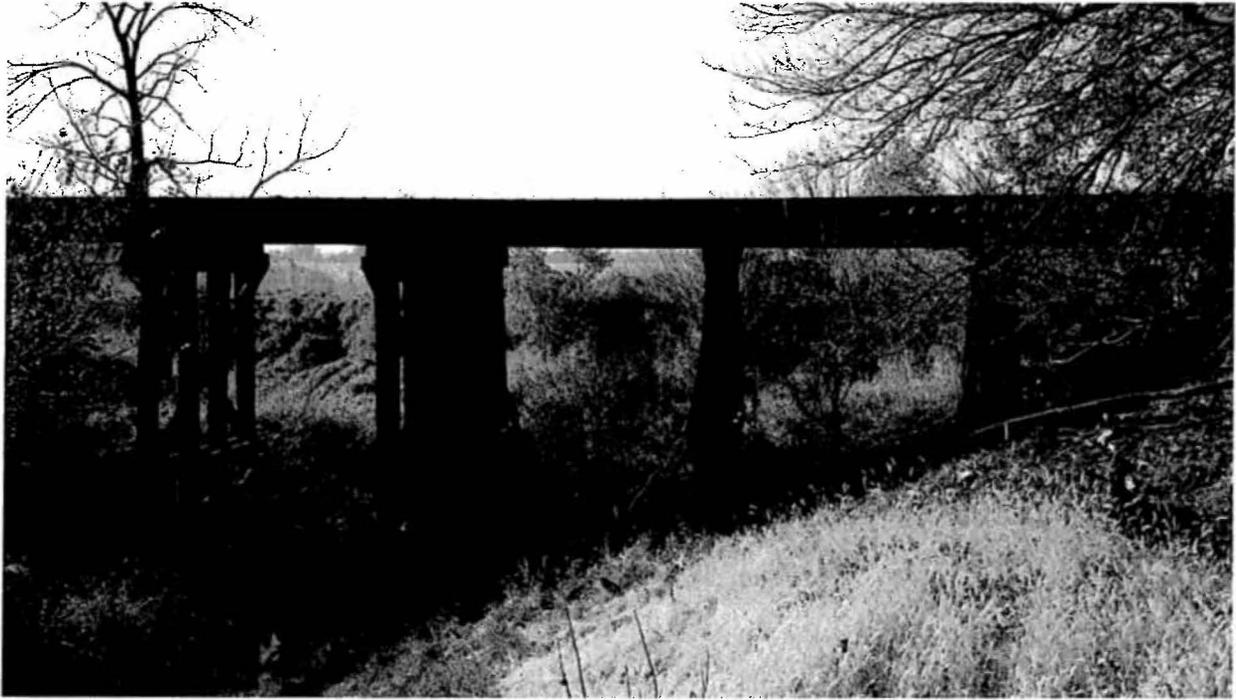
Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

468.1 121' 6-Span Timber



468.1 Side View Looking West



468.1 Under View Looking South



468.1 Backwall Looking North



468.1 Top of Bridge Looking South

469.2 68' 5-Span Timber



469.2 Side View Looking West



469.2 Top View Looking South



469.2 Backwall Looking North



469.2 Side View Looking South East

FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive
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Chicago, Illinois 60606-2832

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THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

November 21, 2013

Ms. June Strand
Review & Compliance Coordinator
State Historical Society of Iowa
600 East Locust Street
Des Moines, IA 50309-0290

Re: **Docket No. AB-414 (Sub-No. 7X)**
Iowa Interstate Railroad, Ltd. -- Abandonment
Exemption -- In Pottawattamie County, Iowa

Dear Ms. Strand:

On or about December 31, 2013, Iowa Interstate Railroad, Ltd. ("IAIS") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of IAIS's line of railroad, referred to herein as the Oakland Branch, extending from Milepost 467.77 near Hancock Junction, Iowa to the end of track at Milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. A map showing the location of the Oakland Branch is attached for your reference. After abandonment, IAIS will remove rail and track materials from the line.

In accordance with the Board's environmental and historic preservation regulations, 49 C.F.R. § 1105.8, we are advising you of the proposed abandonment of the Oakland Branch so that you may determine whether this action will have any effect on any historic structures or sites. There are no railroad buildings on the line to be abandoned. IAIS believes that there are two bridges on the Oakland Branch which are 50 years old or older. Information on and photographs of these bridges will be forwarded to you with the Environmental/Historic Report referenced below. IAIS does not believe that either of the bridges are rare in character or of historic significance. Moreover, the bridges will not be removed or disturbed in connection with the proposed abandonment. Thus, abandonment should result in no adverse effect on these structures. IAIS also is unaware of any historic sites involved in the proposed abandonment.

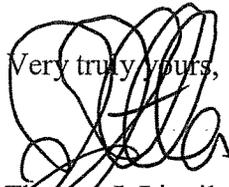
We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments

FLETCHER & SIPPEN LLC

Ms. June Strand
November 21, 2013
Page 2

should reference Docket No. AB-414 (Sub-No. 7X) and be sent to the undersigned, as counsel for IAIS.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IAIS's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter.

Very truly yours,


Thomas J. Litwiler
Attorney for Iowa Interstate Railroad, Ltd.

TJL:tl

Attachment

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-414 (SUB-NO. 7X)

IOWA INTERSTATE RAILROAD, LTD.
-- ABANDONMENT EXEMPTION --
IN POTTAWATTAMIE COUNTY, IOWA

**CERTIFICATION OF SERVICE AND PUBLICATION
PURSUANT TO
49 C.F.R. § 1105.7(b) AND 49 C.F.R. § 1105.12**

I, Thomas J. Litwiler, an attorney for Iowa Interstate Railroad, Ltd., hereby certify as follows:

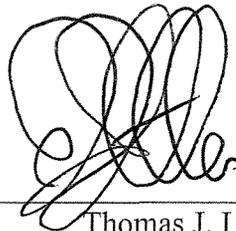
1. Iowa Interstate Railroad, Ltd. has consulted with all appropriate agencies in preparing the foregoing Environmental/Historic Report and on February 14, 2014 a copy of the foregoing report was served by first class mail, postage prepaid, upon each of the agencies identified in Appendix Q-1 as designated in 49 C.F.R. § 1105.7(b).

2. I have contacted the following newspaper of general circulation for the county in which the rail line to be abandoned in this proceeding is located, and arranged for the publication of a Notice of Intent to Abandon pursuant to 49 C.F.R. § 1105.12:

Pottawattamie County - *The Daily Nonpareil*
525 West Broadway, Suite 300
Council Bluffs, Iowa 51503

3. The Notice of Intent to Abandon was published in *The Daily Nonpareil* on February 27, 2014.

4. A proof of publication is being provided by *The Daily Nonpareil* and will be forwarded upon receipt.



Thomas J. Litwiler

Dated: March 6, 2014

Ms. Tamara Nicholson
Director, Office of Rail Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Ms. Christine M. Schwake
Environmental Specialist
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, IA 50319-0034

Ms. Kelly Poole
Environmental Specialist
Iowa Department of Natural Resources
Conservation and Recreation Division
502 East 9th Street
Des Moines, IA 50319-0034

Mr. Jay T. Mar
State Conservationist
USDA Natural Resources Conservation Service
693 Federal Building
210 Walnut Street
Des Moines, IA 50309-2119

Ms. Kathy Mabie
Fiscal & Policy Analyst
Iowa Department of Management
State Capitol Building, Room G12
1007 East Grand Avenue
Des Moines, IA 50319

Mr. Eric A. Laux
Chief, Environmental Resources Section
U.S. Army Corps of Engineers, Omaha District
Planning, Programs and Project
Management Branch
1616 Capitol Avenue
Omaha, NE 68102-4901

Mr. Gary W. Lenz
Chief, Regulatory Branch
U.S. Army Corps of Engineers,
Rock Island District
Clock Tower Building
P.O. Box 2004
Rock Island, IL 61204-2004

Mr. Bradley E. Thompson
Planning, Programs and Project
Management Branch
U.S. Army Corps of Engineers
Omaha District
1616 Capitol Avenue, Suite 9000
Omaha, NE 68102-4901

Mr. Richard C. Nelson
Supervisor, Rock Island Field Office
U.S. Fish & Wildlife Service
1511 47th Street
Moline, IL 61265

Mr. Karl Brooks
Administrator, Region VII
U.S. Environmental Protection Agency
11201 Renner Boulevard
Lenexa, KS 66219

Ms. Karen Anderson
Outdoor Recreation Planner
National Park Service, Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

Mr. Simon Monroe
Geodetic Services Division
National Geodetic Survey
N/NGS12 - SSMC, Room 9217
1315 East West Highway
Silver Spring, MD 20910-3282

Mr. Scott A. Belt
Chairman, Board of Supervisors
Pottawattamie County, Iowa
Court House, Second Floor
227 South 6th Street
Council Bluffs, IA 51501

Ms. Kay E. Mocha
Director, Office of Planning & Development
Pottawattamie County, Iowa
Court House Annex, First Floor
223 South 6th Street
Council Bluffs, IA 51501

Mr. William Cappuccio
State NFIP Coordinator
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, IA 50319-0034

Ms. June Strand
Review & Compliance Coordinator
State Historical Society of Iowa
600 East Locust Street
Des Moines, IA 50319-0290