

UNION PACIFIC RAILROAD
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606-1718

P 312.777.2055
F 877.213.4433
mackshumate@up.com

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

March 6, 2013

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

233915
ENTERED
Office of Proceedings
March 6, 2013
Part of
Public Record

RE: Proposed Abandonment of the Thornton Industrial Lead from Milepost 29.52 to Milepost 30.02 near Belmond, IA, a total distance of 0.5 miles in Wright County, Iowa; STB Docket No. AB-33 (Sub-No. 292X).

Dear Ms. Brown:

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

Union Pacific anticipates filing a Notice of Exemption to Abandon the Line on or after March 26, 2013.

Sincerely,



Attachment

2013_03_06 STB Ltr re EHR Filing.doc



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 292X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN WRIGHT COUNTY, IA
(THORNTON INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

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

Dated: March 6, 2013
Filed: March 6, 2013

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 292X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN WRIGHT COUNTY, IA
(THORNTON INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this updated Combined Environmental and Historic Report ("EHR") pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of the Thornton Industrial Lead, from Milepost 30.02 to Milepost 29.52 near Belmond, a distance of 0.5 mile in Wright County, Iowa (the "Line"). The Line traverses U.S. Postal Service Zip Code 50421. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after March 26, 2013. The original EHR was submitted on October 8, 2010.

A map of the Line (**Attachment No. 1**), UP's original letter to federal, state and local government agencies (**Attachment No. 2**), and UP's follow up letter to those agencies (**Attachment No. 3**) are attached to this EHR. Responses received thus far to UP's letters are also attached. In response to UP's follow up letter, the US Army Corps of Engineers reaffirmed its original position taken in 2010 that a Section 404 permit is not required.

ENVIRONMENTAL REPORT
49 C.F.R. ' 1105.7(e)

(1) Proposed action and alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: The proposed action involves an exempt abandonment of UP's Thornton Industrial Lead. The Line proposed for abandonment extends from Milepost 30.02 to Milepost 29.52, near Belmond, in Wright County, Iowa, a total distance of 0.5 mile. A map of the Line is attached as **Attachment No. 1**.

The Line was constructed in 1886 by the Mason City & Ft. Dodge Railroad. The segment is currently constructed primarily with 90 and 100 pound rail laid second hand in 1951.

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

After the proposed abandonment, Belmond will continue to receive rail service from the Ft. Dodge Subdivision of UP. Belmond lies on U.S. Highway 69. Use of this highway and other state and local roads also provides access to several junctions with Interstate 35 within 15 to 20 miles.

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

(2) Transportation System. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger

or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: Given that no traffic uses the Line, the proposed abandonment will have no impact on area transportation systems and patterns.

(3) Land Use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. § 1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

Response:

(i) UP is unaware of any adverse effects on local and existing land use plans. The Wright County Board of Supervisors' Offices has been contacted. To date, UP has not received a response.

(ii) The Natural Resources Conservation Service ("NRCS") has been contacted. Its response, attached as **Attachment No. 4**, states that the proposed action does not appear to cause the conversion of prime farmland or wetlands.

(iii) Not Applicable.

(iv) The property proposed for abandonment is not suitable for public purposes, including roads or highways, other forms of mass transportation, energy production or transmission, as this area is

adequately served by existing roads and utility lines at the present time.

The property may be suitable for conservation as a hike/bike trail, as this property could connect to an existing trail.

(4) Energy.

(i) Describe the effect of the proposed action on transportation of energy resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

Response: (i) There are no effects on the transportation of energy resources.

(ii) There are no recyclable commodities moved over the Line.

(iii) There will be no change in energy consumption from the proposed action.

(iv)(A)(B) UP does not anticipate that there will be any rail-to-motor diversion.

(5) Air. (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. §10901 (or §10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

Response: UP does not anticipate any such effects.

(5) Air. (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. §10901 (or 49 U.S.C. §10505), or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

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

(5) Air. (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) Noise. If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Response: Not applicable.

(7) Safety.

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response: (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous materials waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) Biological resources.

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

Response: (i) The U.S. Fish and Wildlife Service has been contacted, and upon review determined they had no concerns regarding the proposed abandonment. The U.S. Fish and Wildlife Service response is attached as **Attachment No. 5.**

(ii) The National Park Service has been contacted. To date, UP has not received a 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 and the Iowa Environmental Protection Agency have been contacted. To date, UP has not received a response.

(ii) The U. S. Army Corps of Engineers has been contacted, and upon review determined that the proposed abandonment does not require any Section 404 permit. The Corps' updated response is attached as **Attachment No. 6.**

(iii) UP does not anticipate that there will be any requirements for Section 402 permits.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: There are no known adverse environmental impacts.

HISTORIC REPORT
49 C.F.R. § 1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See **Attachment No. 1.**

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The right-of-way considered in this abandonment passes along the north side of the city of Belmond in a mostly undeveloped area. Across the fence properties are crop lands and woodland. The right-of-way is a 100 foot wide strip of land.

(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: Even though there are no structures 50 years old and older on the Line, the State Historical Society of Iowa was notified. See **Attachment No. 7.** UP received a May 27, 2010 response from the State Historical Society of Iowa stating that they concur with UP's finding that there are no historic properties affected by the proposed project. See **Attachment No. 8.**

(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: See **Attachment No. 1.**

(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 on the Line or in the project area. UP is of the opinion that there is nothing in the scope of the proposed abandonment or discontinuance of service that merits historical comment and that any archeological sites within the scope of the right-of-way would have previously been disturbed during the construction and maintenance of the Line.

(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.

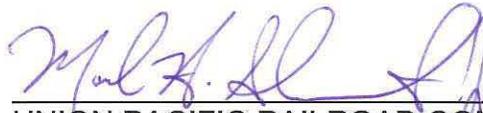
Response: UP does not have any such readily available information.

(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 6th day of March, 2013.

Respectfully submitted,



UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr.

Senior General Attorney

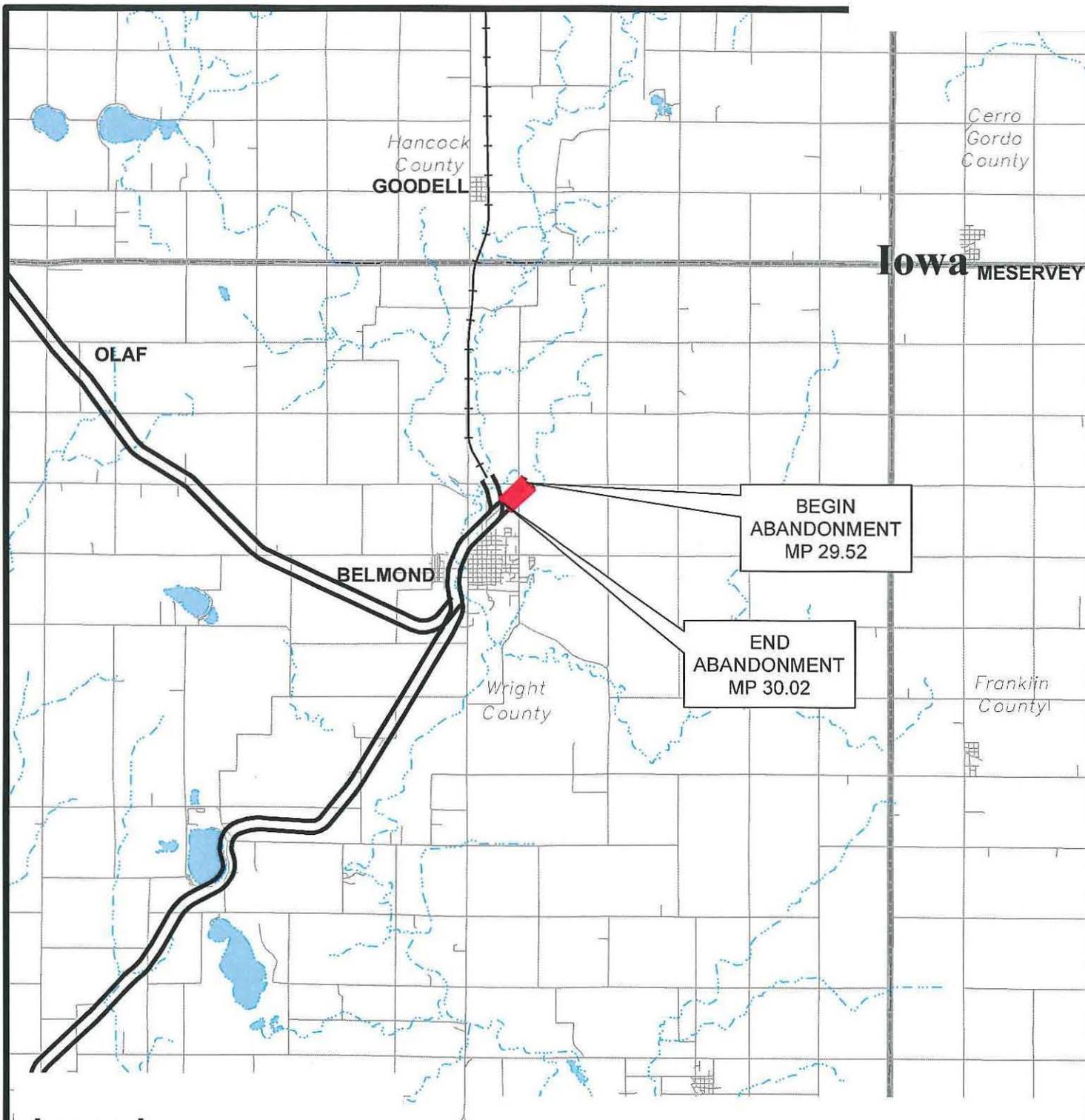
101 North Wacker Drive, #1920

Chicago, Illinois 60606

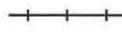
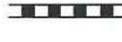
312/777-2055 (Tel.)

312/777-2065 (Fax)

mackshumate@up.com



Legend

-  UPRR TO BE ABANDONED
-  OTHER UPRR LINES
-  IANR
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS

THORNTON INDUSTRIAL LEAD

MP 29.52 TO MP 30.02
TOTAL OF 0.5 MILES IN WRIGHT COUNTY
IN IOWA

**UNION PACIFIC RAILROAD CO.
THORNTON INDUSTRIAL LEAD
IOWA**

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES





May 17, 2010

State Clearinghouse (or alternate):

Iowa Department of Management
State Capitol Building Room G12
1007 E Grand Avenue
Des Moines, Iowa 50319

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

State Environmental Protection Agency

210 Walnut St # 827
Des Moines, IA 50309-2105

Head of County:

Wright County Board of Supervisors
115 North Main Street
P.O. Box 147
Clarion Iowa

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

U.S. Environmental Protection Agency
Region 7
901 N. 5th St.
Kansas City, KS 66101

State Historic Society of Iowa:

Community Programs Bureau
600 East Locust
Des Moines, IA 50319-0290

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:

2850 Prairie Du Chien Road Northeast
Iowa City, IA 52240

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

Planning and Compliance Office
National Park Service
Midwest Region
601 Riverfront Dr.
Omaha, NE 68102-4226

**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
Geodetic Services Division
Information Services
NOAAINGS12
1315 E-W Highway
Silver Spring, MD 20910-3282

Re: Proposed Abandonment of the Thornton Industrial Lead from Milepost 29.52 to Milepost 30.02 near Belmont, IA, a total distance of 0.5 miles in Wright County, Iowa; STB Docket No. AB-33 (Sub-No. 292x).

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127



To Whom It May Concern:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Thornton Industrial Lead from Milepost 29.52 to Milepost 30.02 near Belmond, a total distance of 0.5 miles in Wright County, Iowa. A map of the proposed track abandonment shown in red is attached.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F. R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

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

U. S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

U. S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

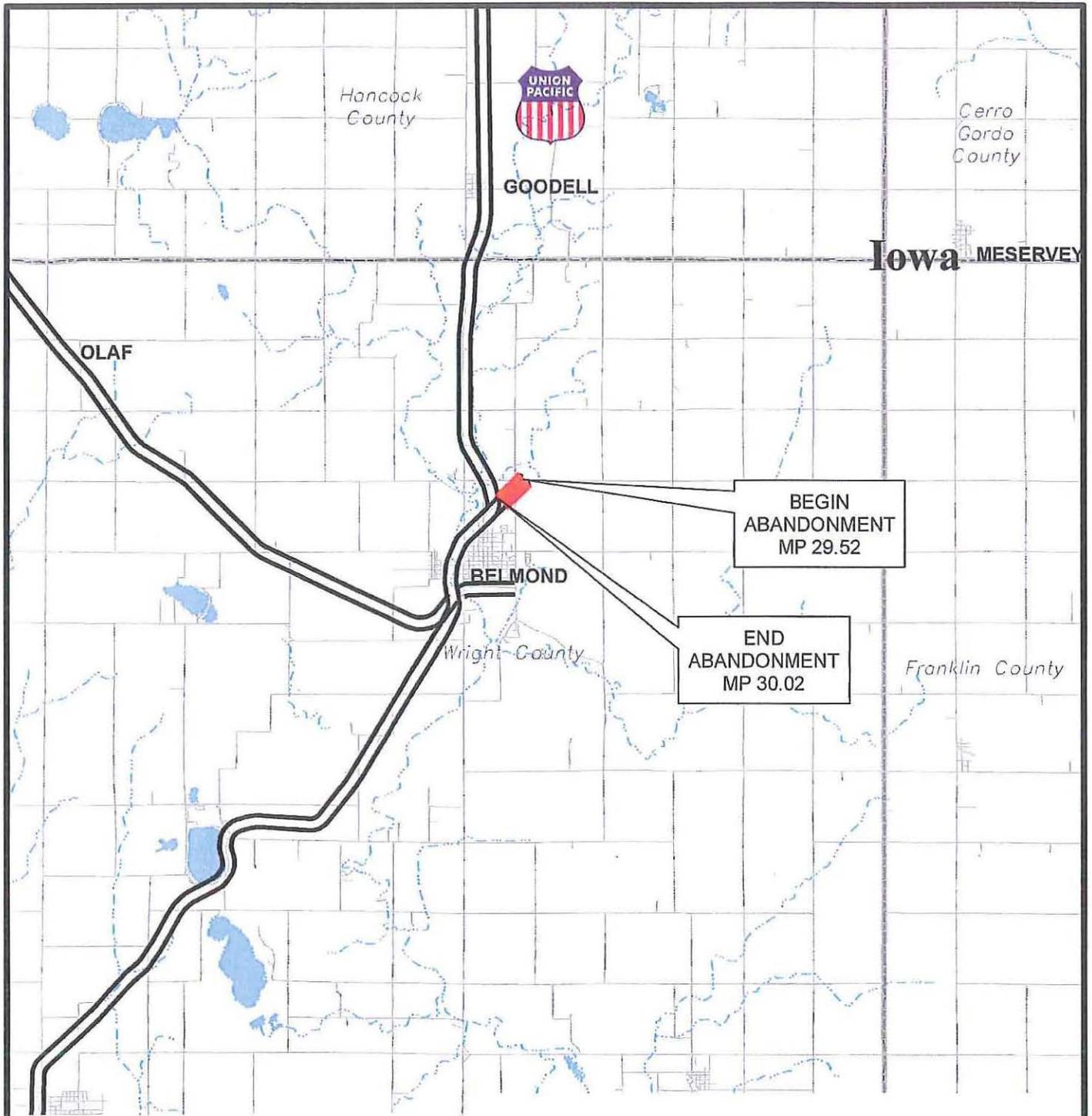
Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "Colleen K. Graham".

Colleen K. Graham
Paralegal
Union Pacific Railroad
Law Department
1400 Douglas St., Stop 1580
Omaha, NE 68179
(w) 402-544-1643
cgraham@up.com
CKG/

Enclosure(s)



Legend

- UPRR TO BE ABANDONED
- OTHER UPRR LINES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

THORNTON INDUSTRIAL LEAD

MP 29.52 TO MP 30.02
TOTAL OF 0.5 MILES IN WRIGHT COUNTY
IN IOWA

**UNION PACIFIC RAILROAD CO.
THORNTON INDUSTRIAL LEAD
IOWA**

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES



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UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127



October 22, 2012

State Clearinghouse (or alternate):

Iowa Department of Management State
Capitol Building Room G12
1007 E Grand Avenue
Des Moines, Iowa 50319

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

State Environmental Protection Agency

210 Walnut St # 827
Des Moines, IA 50309-2105

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State Historic Society of Iowa:

Community Programs Bureau
600 East Locust
Des Moines, IA 50319-0290

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, Rock Island
Attn: Regulatory Branch
Clock Tower Building
P. O. Box 2004
Rock Island, IL 61204-2004

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

Planning and Compliance Office
National Park Service
Midwest Region
601 Riverfront Dr.
Omaha, NE 68102-4226

**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
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NOAINGS12
1315 E-W Highway
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To Whom It May Concern:

On May 17, 2010, Union Pacific sent your agency a letter seeking comments concerning the above proposed abandonment. On October 8, 2010, Union Pacific submitted to the Surface Transportation Board a Combined Environmental and Historic Report (CEHR) concerning the proposed abandonment. However, Union Pacific did not submit the proposed abandonment in late 2010 for several business related reasons which are no longer applicable. Union Pacific now wishes to proceed with the proposed abandonment. In order to progress the proposed abandonment, an updated CEHR must be filed. Accordingly, Union Pacific requests any update or revision your agency desires to submit with regard to the proposed abandonment. For your convenience, I have attached the response, if any, your agency submitted with regard to the CEHR filed October 8, 2010.

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Thornton Industrial Lead from Milepost 29.52 to Milepost 30.02 near Belmond, a total distance of 0.5 miles in Wright County, Iowa. A map of the proposed track abandonment shown in red is attached.

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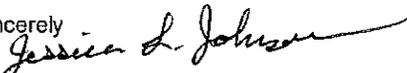
STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

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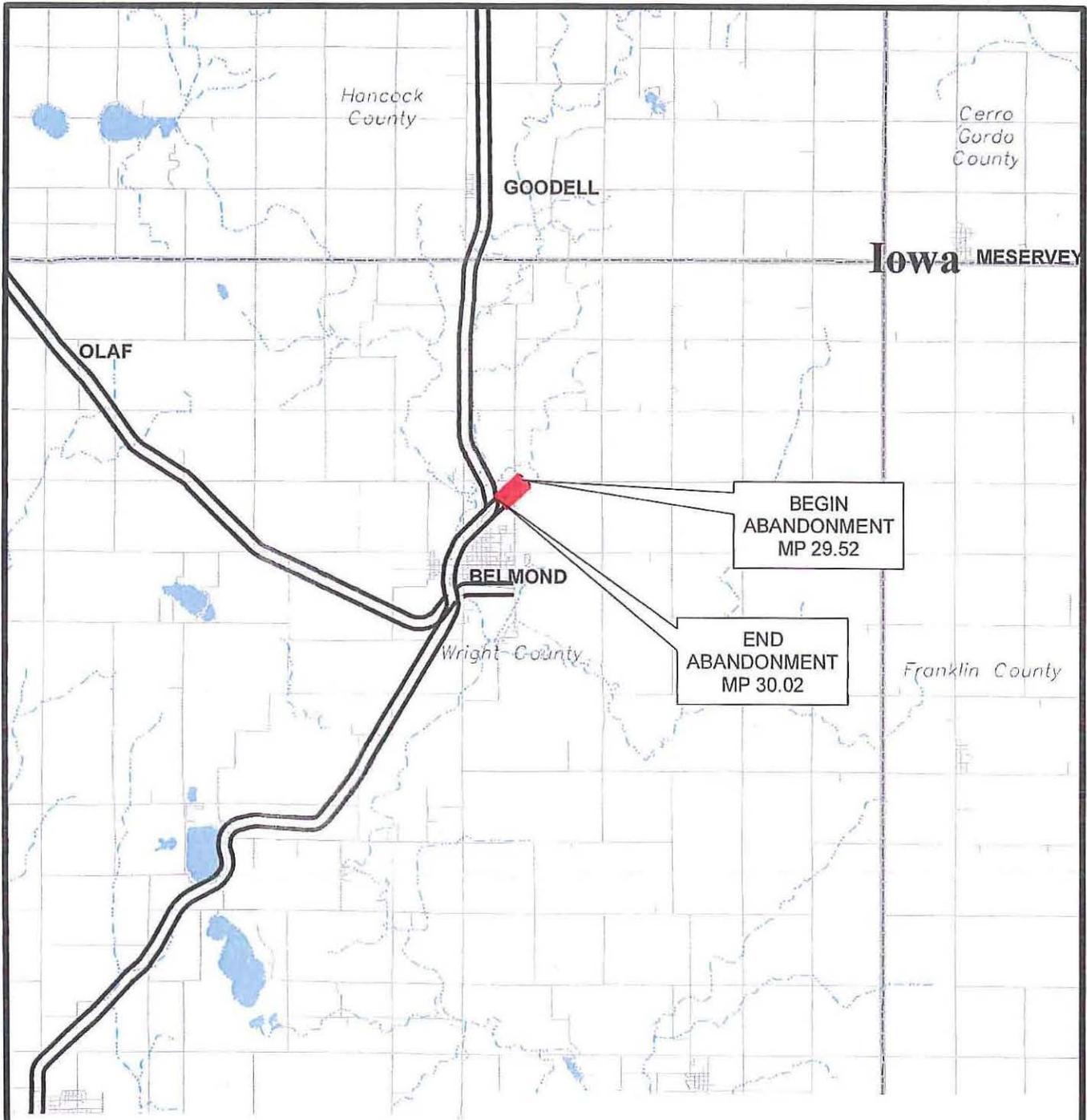
Thank you for your assistance. Please send your reply to the undersigned.

Sincerely



Jessica L. Johnson
Paralegal-Law Department
Union Pacific Railroad
Law Department
1400 Douglas St., Stop 1580
402-544-3868
jjohnson@up.com

Enclosure: Map and Past Response (if applicable)



Legend

- UPRR TO BE ABANDONED
- OTHER UPRR LINES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

THORNTON INDUSTRIAL LEAD

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 THORNTON INDUSTRIAL LEAD
 IOWA**

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES



18-292X)

United States Department of Agriculture



Natural Resources Conservation Service
210 Walnut Street, Room 693
Des Moines, IA 50309-2180

November 1, 2010

Mr. Mack J. Shumate, Jr.
Senior General Attorney, Law Department
Union Pacific Railroad Company
101 North Wacker Drive
Room 1920
Chicago, Illinois 60606

Dear Mr. Shumate:

RE: Union Pacific Railroad Company – Abandonment Exemptions - Wright County, Iowa

The project action does not appear to cause the conversion of prime farmland or wetlands. The Natural Resources Conservation Service (NRCS) has no comment at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "John Myers".

John Myers
State Resource Conservationist

RECEIVED

NOV - 9 2010

LAW DEPARTMENT
UNION PACIFIC RR CO.

Helping People Help the Land

An Equal Opportunity Provider and Employer



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

IN REPLY REFER TO:

FWS/NWRS-RE - General
Railroad Abandonments

June 1, 2010

Ms. Colleen K. Graham
Paralegal, Law Department
Union Pacific Railroad
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

Dear Ms. Graham:

Thank you for the opportunity to comment on the proposed abandonment of service on 0.5 miles of railroad line between Milepost 29.52 and Milepost 30.02 in near Belmond, Wright County, Iowa, STB Docket No. AB-33 (Sub-No. 292x).

We have researched our ownerships in the vicinity and have determined we do not own any lands or interests in land in the vicinity of the proposed rail line abandonments. We do not have any concerns regarding real estate matters in the abandonments.

Sincerely,

Patrick G. Carroll
Senior Realty Officer
Division of Realty



May 17, 2010

State Clearinghouse (or alternate):

Iowa Department of Management
State Capitol Building Room G12
1007 E Grand Avenue
Des Moines, Iowa 50319

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

State Environmental Protection Agency

210 Walnut St # 827
Des Moines, IA 50309-2105

Head of County:

Wright County Board of Supervisors
115 North Main Street
P.O. Box 147
Clarion Iowa

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

U.S. Environmental Protection Agency
Region 7
901 N. 5th St.
Kansas City, KS 66101

State Historic Society of Iowa:

Community Programs Bureau
600 East Locust
Des Moines, IA 50319-0290

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:

2850 Prairie Du Chien Road Northeast
Iowa City, IA 52240

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

Planning and Compliance Office
National Park Service
Midwest Region
601 Riverfront Dr.
Omaha, NE 68102-4226

**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
Geodetic Services Division
Information Services
NOAAINGS12
1315 E-W Highway
Silver Spring, MD 20910-3282

Re: Proposed Abandonment of the Thornton Industrial Lead from Milepost 29.52 to Milepost 30.02 near Belmond, IA, a total distance of 0.5 miles in Wright County, Iowa; STB Docket No. AB-33 (Sub-No. 292x).

COPY

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
Ex (402) 501-0127



To Whom It May Concern:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Thornton Industrial Lead from Milepost 29.52 to Milepost 30.02 near Belmond, a total distance of 0.5 miles in Wright County, Iowa. A map of the proposed track abandonment shown in red is attached.

Pursuant to the STB's regulations at 49 C.F.R. Part 1152, and the environmental regulations at 40 C.F.R. Part 1105.7, this is to request your assistance in identifying any potential effects of this action as indicated in the paragraphs below. We do not anticipate any adverse environmental impacts. However, if you identify any adverse environmental impacts, describe any actions that are proposed in order to mitigate the environmental impacts. Please provide us with a written response that can be included in an Environmental Report, which will be sent to the STB.

LOCAL AND/OR REGIONAL PLANNING AGENCIES. State whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

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

U. S. FISH AND WILDLIFE SERVICE (And State Game And Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and, (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

STATE WATER QUALITY OFFICIALS. State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

U. S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

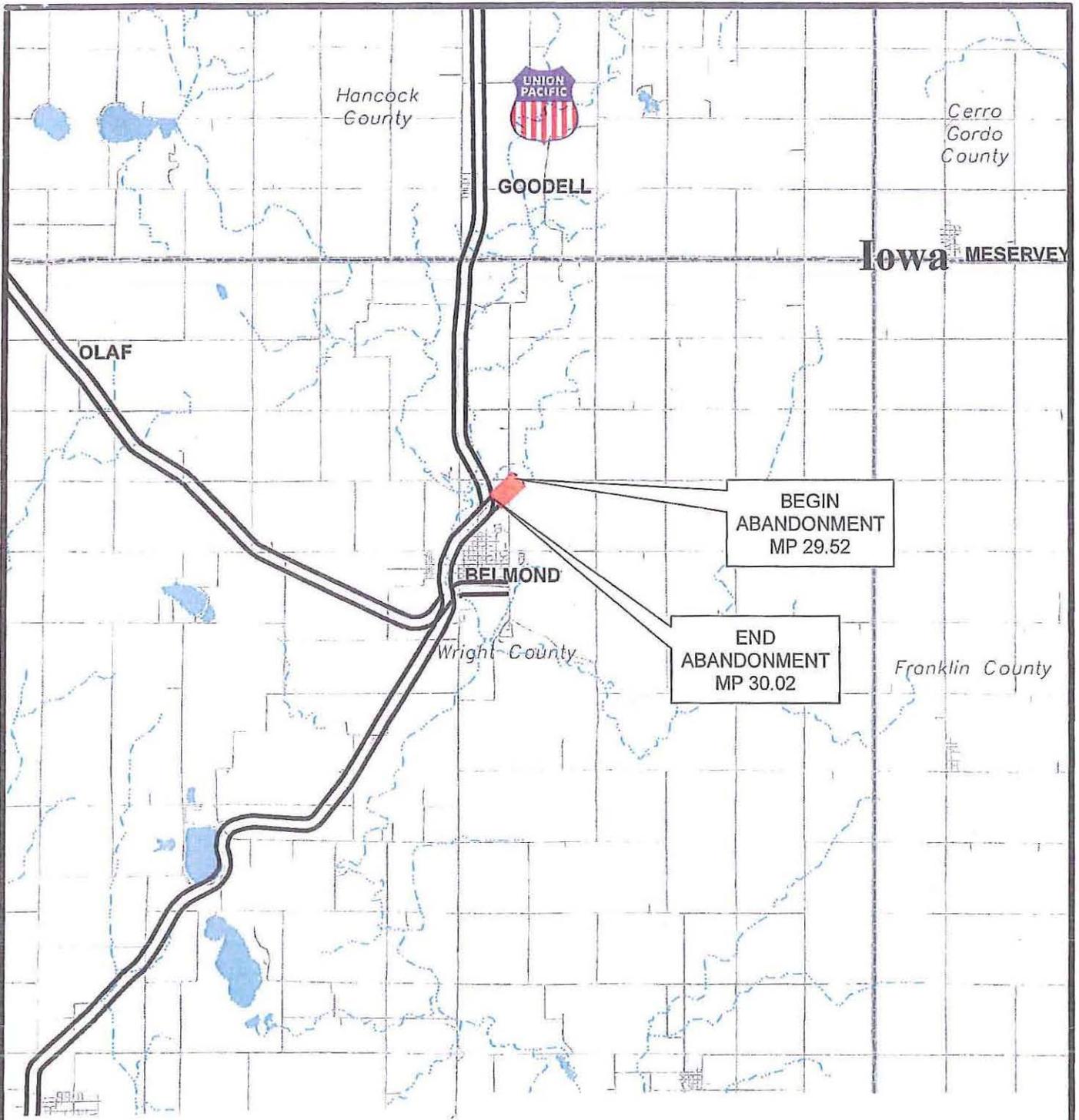
Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "Colleen K. Graham".

Colleen K. Graham
Paralegal
Union Pacific Railroad
Law Department
1400 Douglas St., Stop 1580
Omaha, NE 68179
(w) 402-544-1643
cgraham@up.com
CKG/

Enclosure(s)



Legend

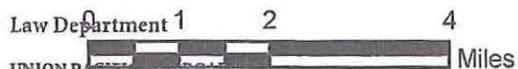
- UPRR TO BE ABANDONED
- OTHER UPRR LINES
- PRINCIPAL HIGHWAYS
- OTHER ROADS

THORNTON INDUSTRIAL LEAD

MP 29.52 TO MP 30.02
 TOTAL OF 0.5 MILES IN WRIGHT COUNTY
 IN IOWA

**UNION PACIFIC RAILROAD CO.
 THORNTON INDUSTRIAL LEAD
 IOWA**

NOTE : THERE ARE NO 50+ YEAR OLD STRUCTURES



UNITED STATES
DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
BISHOP HENRY WHIPPLE FEDERAL BUILDING
1 FEDERAL DRIVE
FORT SNELLING, MN 55111-4056
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



Ms. Colleen K. Graham
Paralegal, Law Department
Union Pacific Railroad
1400 Douglas St, Stop 1580
Omaha, NE 68179



425

REPLY TO
ATTENTION OFDEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT
PO BOX 2004 CLOCK TOWER BUILDING
ROCK ISLAND, ILLINOIS 61204-2004

December 13, 2012

Operations Division

SUBJECT: CEMVR-OD-P-2010-664 & 665

Union Pacific Railroad
c/o Ms. Jessica Johnson, Paralegal
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

Dear Ms. Johnson:

Our office reviewed all information provided concerning the status of files CEMVR-OD-P-2010-664 & 665 for the proposed Union Pacific Railroad abandonment from the Thornton Industrial lead at Milepost 29.52 to Milepost 30.02 near Belmond, Iowa, a total distance of 0.5 miles in Wright County, Iowa; STB Docket No. AB-33 (Sub-No. 292x) in Section 30, Township 93 North, Range 23 West, Wright County, Iowa.

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

Please contact our office if the project plans change and there is a potential for impacts of dredged or fill material into Corps' regulated waters, which will require a Department of the Army 404 permit.

You are advised that this determination for your project is valid until June 11, 2015. If the project is not completed within this period or your project plans change, you should contact our office for another determination.

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

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

Should you have any questions, please contact our Regulatory Branch by letter, telephone or email to Mrs. Kirsten Brown at 309/794-5104 or Kirsten.L.Brown@usace.army.mil.

Sincerely,

A handwritten signature in blue ink that reads "Donna M. Jones".

Donna M. Jones, P.E.
Chief, Enforcement Section
Regulatory Branch

Enclosures

Copies Furnished: (w/o enclosures)

Ms. Christine Schwake (3)
Iowa Department of Natural Resources
Water Resources Section
Wallace State Office Building
502 East 9th Street
Des Moines, Iowa 50319-0034



Building Strong for America



US Army Corps of Engineers®

We would appreciate you taking a minute to answer these 5 questions about your experience with our Regulatory Program. The information will be used to help us improve our processes and our customer service. **Thank you!**

Please rate on a 1-5 scale, 5=High Satisfaction, 3=Average, 1=Low Satisfaction (circle below)

- 1. Did the Corps representative act professionally and treat you with courtesy? 1 2 3 4 5 N/A
- 2. Did the Corps provide sufficient information to allow you to complete an application form, comment on public notice, or otherwise evaluate our work? 1 2 3 4 5 N/A
- 3. Did the Corps respond to your letters and telephone calls in a reasonable amount of time? 1 2 3 4 5 N/A
- 4. Did the Corps representative answer your questions clearly, giving you accurate information about our Regulatory Program? 1 2 3 4 5 N/A
- 5. What is your OVERALL rating of the level of service provided by the Corps of Engineers Regulatory Program? 1 2 3 4 5 N/A

Please complete and return this postage paid card to us.

Other comments are welcome: _____

2010-664 + 665

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ROCK ISLAND
CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

OFFICIAL BUSINESS



Union Pacific Railroad
c/o Ms. Jessica Johnson, Paralegal
1400 Douglas Street, Stop 1580
Omaha, Nebraska



DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
REGULATORY BRANCH, CEMVR-OD-P
P. O. BOX 2004
ROCK ISLAND, IL 61204-2004



Rock Island District
Corps of Engineers
ATTN: CEMVR-OD-P
Post Office Box 2004
Rock Island, Illinois 61204-2004



May 17, 2010

State Historical Society of Iowa
Community Programs Bureau
600 East Locust
Des Moines, IA 50319-0290

RE: Exempt Discontinuance of Service over a portion of the Thornton Industrial Lead from Milepost 29.52 to Milepost 30.02 near Belmond, a distance of 0.5 miles in Wright County, Iowa; STB Docket AB-33 (Sub-No. 292x)

To Whom it may concern:

Union Pacific Railroad Company ("Union Pacific") is notifying your office of its planned abandonment of a portion of the Thornton Industrial Lead (the "Line") in Wright County, Iowa under STB Docket No. AB-33 (Sub-No. 292x). There are no structures on the Line fifty (50) years old or older.

Even though there are no qualifying historic structures on the Line, the Surface Transportation Board ("STB") desires verification that your office sees no outstanding issues under Section 106 of the National Historic Preservation Act. Accordingly, if you concur that there are no outstanding Section 106 issues regarding the Line, please verify by signing and dating the duplicate original of this letter and return same to me in the enclosed self-addressed envelope, or if you prefer, you may respond via email to cgraham@up.com with a signed version of the letter in PDF format.

Thank you for your assistance in this matter. If you have any questions, please call me at 402/544-1643.

Sincerely,

A handwritten signature in blue ink that reads "Colleen Graham".

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127



State Historical Society of Iowa
Community Programs Bureau
600 East Locust
Des Moines, IA 50319-0290

No Outstanding Section 106 Issues:

By: _____

Title: _____

Dated: _____

Law Department

UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1580
fx. (402) 501-0127



A Division of the Iowa Department of Cultural Affairs

May 27, 2010

In response, refer to:
R&C #: 970117095

RE: DOCKET AB-33(SUB-NO 292X) - UNION PACIFIC RAILROAD COMPANY - PROPOSED EXEMPT DISCONTINUANCE OF SERVICE OVER PORTION THORNTON INDUSTRIAL LEAD FROM MP 29.2N TO MP 30.02 NEAR BELMOND

Dear Ms. Graham:

We reviewed the information received in our office on 5/21/2010 concerning the proposed project for the above property. Thank you for providing the Iowa Historic Preservation Office (SHPO) with the opportunity to review this undertaking. We make the following comments and recommendations based on our examination of this material and in accordance with Section 106 of the National Historic Preservation Act of 1966; its implementing regulations, 36 CFR Part 800 (revised, effective August 5, 2004); and the Advisory Council on Historic Preservation's Policy Statement on Affordable Housing and Historic Preservation (adopted November 9, 2006), if applicable.

We agree with your opinion that the property does not appear to be eligible for listing on the National Register of Historic Places. Therefore, we concur with your finding that No Historic Properties will be Affected by the proposed project.

If design changes involving undisturbed new rights-of-way or easements are made for this project, please forward additional information to our office for further comment along with the Agency Official's determination of effect. If project activities uncover any item(s) that might be of archaeological, historical, or architectural interest, or if important new archaeological, historical, or architectural data should be encountered in the project APE, the applicant should make reasonable efforts to avoid further impacts to the property until an assessment can be made by an individual meeting the Secretary of the Interior's professional qualifications standards (36 CFR Part 61).

We have made these comments and recommendations according to our responsibility defined by Federal law pertaining to the Section 106 process. Should you have any additional comments or questions, please contact me at Ralph.Christian@iowa.gov or at 515.281.8697.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph J. Christian".

Ralph J. Christian, Historian
Iowa Historic Preservation Office