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NATURAL HERITAGE
FOUNDATION
"for those who follow"

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August 6, 2003

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AUG 7 2003

SURFACE
TRANSPORTATION BOARD

Vernon A. Williams, Secretary
Surface Transportation Board
1925 "K" Street, NW
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings
AUG 07 2003
Part of
Public Record

RE: Union Pacific Railroad Abandonment, Story and Polk Counties in Iowa;
STB Docket No. AB-33 (Sub-No. 206X)

Dear Mr. Williams:

This comment should be treated as a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of the Story and Polk County Conservation Boards (public agencies), and the Iowa Natural Heritage Foundation (non-profit corporation), which are parties interested in conservation and recreation, and are hereinafter referred to as "Commenter".

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between milepost 10.7 near Ankeny to milepost 341.1 (Equation: 23.20 = 339.60) near Slater, in Polk and Story Counties, IA. The line traverses United States Postal Service Zip Codes 50015, 50021, 50244.

A. Public Use Condition

Commenter requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, including tracks, ties and signal equipment, except for public use on reasonable

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terms. The justification for this condition is that the corridor is located near a county highway and would make an excellent transportation and recreation trail and conversion of the property to trail use is in accordance with the Central Iowa Trail Plan and Iowa Trails 2000 (State Trails Plan). In addition, the corridor provides important wildlife habitat and greenspace and its preservation as a trail is consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time to complete negotiations with the railroad.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad right-of-way in this proceeding is highly suitable for railbanking and interim trail use. In addition to the public use conditions sought above, Commenter also makes the following statement:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL

RESPONSIBILITY: In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C.1247(d), and 49 C.F.R. 1152.29, Commenter is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by UP Railroad Company after transfer of the corridor to the public agencies.

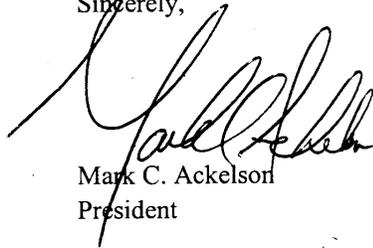
The Story and Polk County Conservation Boards and the Natural Heritage Foundation acknowledge that the use of the right-of-way is subject to the users continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

The property extends from milepost 10.7 near Ankeny to milepost 341.1 near Slater, in Polk and Story Counties, IA. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-33 (Sub-No. 206X). A map depicting the right-of-way is attached.

By my signature below, I certify service upon Union Pacific Railroad Company c/o Mack Schumate, Room 1920, 101 N. Whacker Drive, Chicago, IL 60606, by U.S. Mail, postage prepaid, first class, today, August 6, 2003 and via FAX number 312-777-2065.

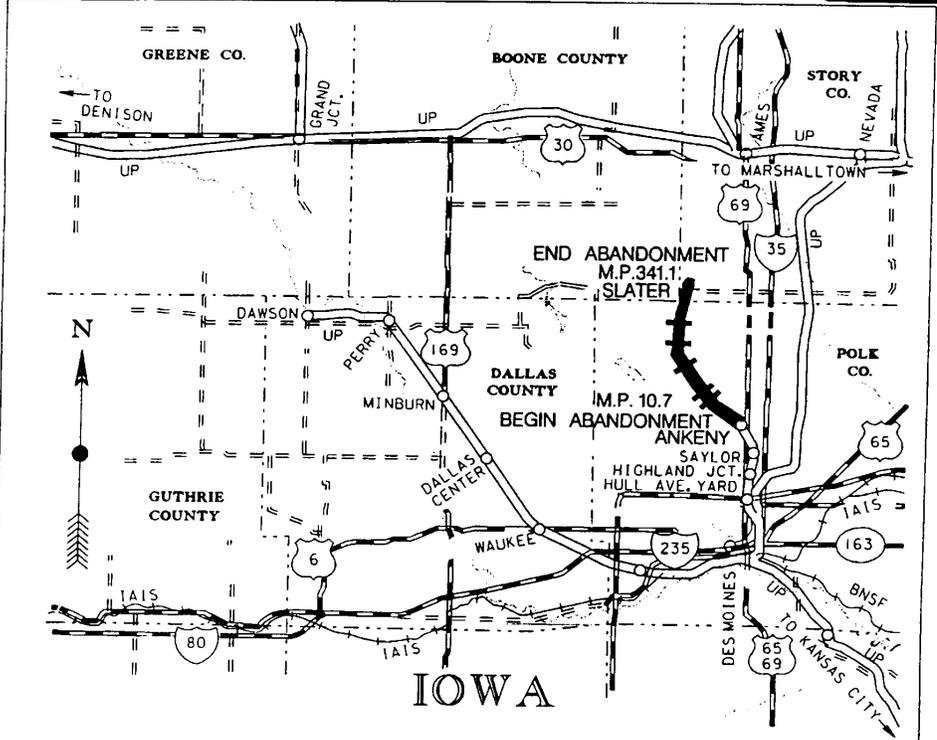
On behalf of the Story and Polk County Conservation Boards and the Iowa Natural Heritage Foundation, thank you for your consideration of this petition.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark C. Ackelson', is written over the typed name and title.

Mark C. Ackelson
President

Cc: Polk County Conservation Board, Story County Conservation Board



STATION	MILE POST	AGENCY
SLATER	339.80	NO

BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
BR 2074	6 SP TPT	84'	1944
BR 2076	1 SP TPT	14'	1953
BR 2081	1 - 20' BEAM SPAN	20'	1914
BR 2087	1 - 18' BEAM SPAN	18'	1913
BR 2103	1 - 24' BEAM SPAN	24'	1913

- LEGEND**
- RR LINES TO BE ABANDONED
 - OTHER UPRR LINES
 - OTHER RAILROADS
 - 50+ YEAR OLD STRUCTURES
 - PRINCIPAL HIGHWAYS
 - OTHER ROADS

Ankeny Subdivision
M.P. 10.7 TO M.P. 341.1 (EQUATION: 23.20 = 339.80)
ANKENY SUBDIVISION A TOTAL OF 14.0 MILES
IN POLK & STORY COUNTIES, IOWA

UNION PACIFIC RAILROAD
ANKENY SUBDIVISION
INCL. 50+ YEAR OLD STRUCTURES

