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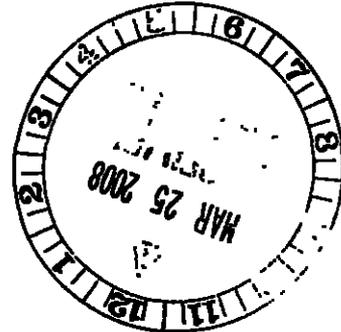


Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

March 24, 2008

**VIA UPS OVERNIGHT**

Surface Transportation Board  
Section of Environmental Analysis  
395 E Street, S.W., Room 1149  
Washington, DC 200024



Attention: Victoria Rutson

**Re: Proposed Abandonment and Discontinuance of Service over the Marshall Industrial Lead from Milepost 0.0 to Milepost 2.2, a distance of 2.2 miles in Saline County, Missouri; STB Docket No. AB-33 (Sub-No. 264X)**

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket are the original and ten (10) copies of a 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 in this matter on or after April 14, 2008.

ENTERED  
Office of Proceedings  
MAR 25 2008  
Part of  
Public Record

Sincerely yours,

Mack H. Shumate, Jr.

Enclosures

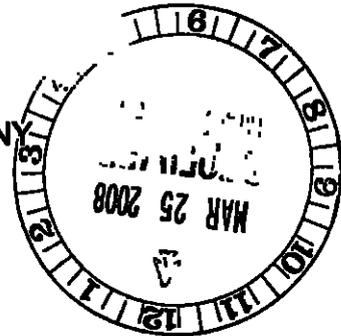
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BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-33 (Sub-No. 264X)

UNION PACIFIC RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN SALINE COUNTY, MISSOURI  
(MARSHALL INDUSTRIAL LEAD)



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Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY

Mack H. Shumate, Jr., Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

Dated: March 24, 2008  
Filed: March 25, 2008

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

Docket No. AB-33 (Sub-No. 264X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN SALINE COUNTY, MISSOURI  
(MARSHALL INDUSTRIAL LEAD)

---

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment and discontinuance of service over the Marshall Industrial Lead from Milepost 0.0 to Milepost 2.2 (as derived from 1918 Missouri Pacific Railroad Company valuation map showing the line as being from survey station 0+00 at the connection with the River Subdivision, hereinafter equaling Milepost 0.0, to survey station 116+59 at the connection with the KCS, hereinafter equaling Milepost 2.2) in or around Marshall, a distance of 2.2 miles in Saline County, Missouri (the "Line"). The Line traverses U. S. Postal Service Zip Code 65340. The UP anticipates that a Notice of Exemption to abandon the Line will be filed at the STB on or after April 14, 2008.

A map of the Line marked **Attachment No. 1** is attached hereto and hereby made a part hereof. UP's letter to federal, state and local government agencies marked **Attachment No. 2** is attached hereto and is hereby made a part hereof. Responses received thus far to UP's letter are attached hereto and sequentially referenced as

attachments in the appropriate sections of this Combined Environmental and Historic Report.

**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 the exempt abandonment and discontinuance of service over the Marshall Industrial Lead from Milepost 0.0 to Milepost 2.2 in or around Marshall, a distance of 2.2 miles in Saline County, Missouri. After abandonment, UP intends to reclassify and retain up to the first 3000-foot section of the Line east of central Marshall for various railroad purposes.

The abandonment of the Line will have no adverse effect on shippers. The Line was a branch line that was reclassified to side track by Missouri Pacific in 1975. Freight shipping activity by railroad has been relocated off the Line. No local traffic has moved on the Line in at least two years, and there is no overhead traffic on the Line. No complaint regarding cessation of service has been submitted, is pending, or has been ruled upon in favor of complainant in the last two years. After abandonment, Marshall, Missouri would continue to receive rail service from UP's River Subdivision just east of the Line to be abandoned and from the KCS to the west of the Line. Marshall lies on U. S. Route 65, which is primarily a north-south corridor. This highway accesses Interstate 70, a major east-west route, 11 miles south of town.

The Line was constructed by the Missouri Pacific Railway Company in the late 1880's. The Line is currently constructed with 85-pound jointed rail. The date the rail was put down is unknown.

The land proposed for abandonment is mostly reversionary. UP does not believe the property is suitable for public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, in that the area is adequately served by existing roads and utility lines. UP plans to work with adjacent landowners concerning disposition of the non-reversionary land. Based on 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.

A map of the Line is attached as **Attachment No. 1**.

**(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:** No railroad freight traffic moves over the Line and no railroad freight traffic is expected to move in the future; therefore, there should be no effect on regional or local transportation systems or patterns, and there will be no diversion to other modes or systems.

**(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 effects land or water uses within a designated coastal zone, include the coastal zone information required by § 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) The Saline County Supervisor's Office has been contacted. To date UP has not received a response.

(ii) The United States Natural Resources Conservation Service ("NRCS") has been contacted. The NRCS has determined the proposed abandonment will have no effect on any prime agricultural land. The NRCS response is attached as **Attachment No. 3**, and is hereby made part hereof.

(iii) Not Applicable.

(iv) The property is generally not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, in that the area is adequately served by existing roads and utility lines at the present time.

**(4) Energy.**

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

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

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

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

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

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

**Response:**

(i) There will be no effects on the transportation of energy resources.

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

(iii) There will be no effect on energy efficiency.

(iv)(A)(B) There will be no 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 §§ (5)(i)(A) will apply.**

**Response: There are no such effects anticipated.**

**(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 of these magnitudes as a result of the proposed action.**

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

**(8) Biological resources.**

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

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

**Response:**

**(i) The U. S. Fish and Wildlife Service has been contacted. To date UP has received no response.**

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

**(9) Water.**

**(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

**(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.**

**(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)**

**Response:**

**(I) The Missouri Department of Natural Resources has been contacted. To date UP has received no response.**

**(II) The U.S. Army Corps of Engineers has been contacted. To date UP has not received a determinative response. The U.S. Army Corps of Engineers' initial response is attached as **Attachment No. 4**, and is hereby made part hereof. If no work will be done**

within the Corps of Engineers' jurisdiction a Department of the Army (DA) permit will not be required. In that there are no bridges or navigable waterways on the Line, UP does not expect that a DA permit would be required.

(iii) It is not anticipated 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 proposed for abandonment passes through the northeastern portion of the City of Marshall, Missouri and continues on through a rural area of Saline County, Missouri about 1 mile to the UP River Subdivision connection. The right-of-way within the City of Marshall varies in width up to a maximum of 200 feet in width. The right-of-way outside the city limits of Marshall is typically 100 feet in width, and is mostly undeveloped.

**(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area.**

**Response:** There are no structures 50 years old or older affected by the proposed abandonment. The Missouri State Historical Preservation Office concluded that adequate documentation has been provided and there will be no historic properties affected by the project. The Historic Preservation Office's response is attached hereto as **Attachment No. 5**, and is hereby made part hereof.

**(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations to the extent such information is known:**

**Response:** Not Applicable.

**(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:**

**Response:** See the preceding pages for a brief history and description of carrier operations.

**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:** Not applicable.

**(7) An opinion (based on readily available information in the railroad'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 believes that there is nothing in the scope of the project 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.

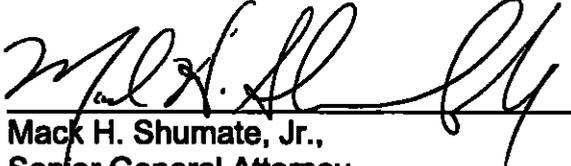
**(9)** Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or group of properties immediately adjacent to the railroad right-of-way. Photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the locations and type of the site (i.e., prehistoric or native American):

**Response:** Not applicable.

Dated this 24<sup>th</sup> day of March, 2008.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr.,  
Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
312/ 777-2055  
312/ 777-2065 FAX

**CERTIFICATE OF SERVICE**  
**OF THE**  
**COMBINED ENVIRONMENTAL AND HISTORIC REPORT**

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No AB-33 (Sub-No. 264X) for the Chesterville Industrial Lead in Colorado and Wharton Counties, Texas was served by first class mail on the 24<sup>th</sup> day of March, 2008 on the following:

**State Clearinghouse (or alternate):**

Missouri Department of Economic Development  
301 W. High Street  
P O. Box 1157  
Jefferson City, MO 65102

**State Environmental Protection Agency:**

Missouri Department of Natural Resources  
P O Box 176  
Jefferson City, MO 65102

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

Not applicable.

**Head of County (Planning):**

Saline County Supervisors  
101 E Arrow Street  
County Courthouse  
Marshall, MO 65340-2124

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

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

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

U.S. Fish and Wildlife Service  
Region 3  
1 Federal Drive  
BHW Federal Building  
Fort Snelling, MN 55111

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

Department of the Army  
U S. Army Corps of Engineers  
Kansas City District  
601 E 12th Street  
Kansas City, Mo 64106

**National Park Service:**

Midwest Regional Office  
National Park Service  
1709 Jackson Street  
Omaha, NE 68102

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

State Conservationist  
USDA, Natural Resources Conservation Service  
Missouri State Office  
Parkade Center, Suite 250  
601 Business Loop 70 West  
Columbia, MO 65203-2546

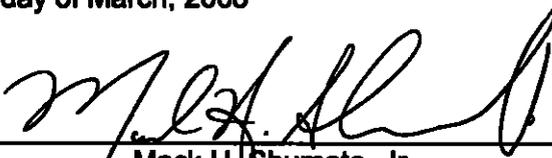
**National Geodetic Survey:**

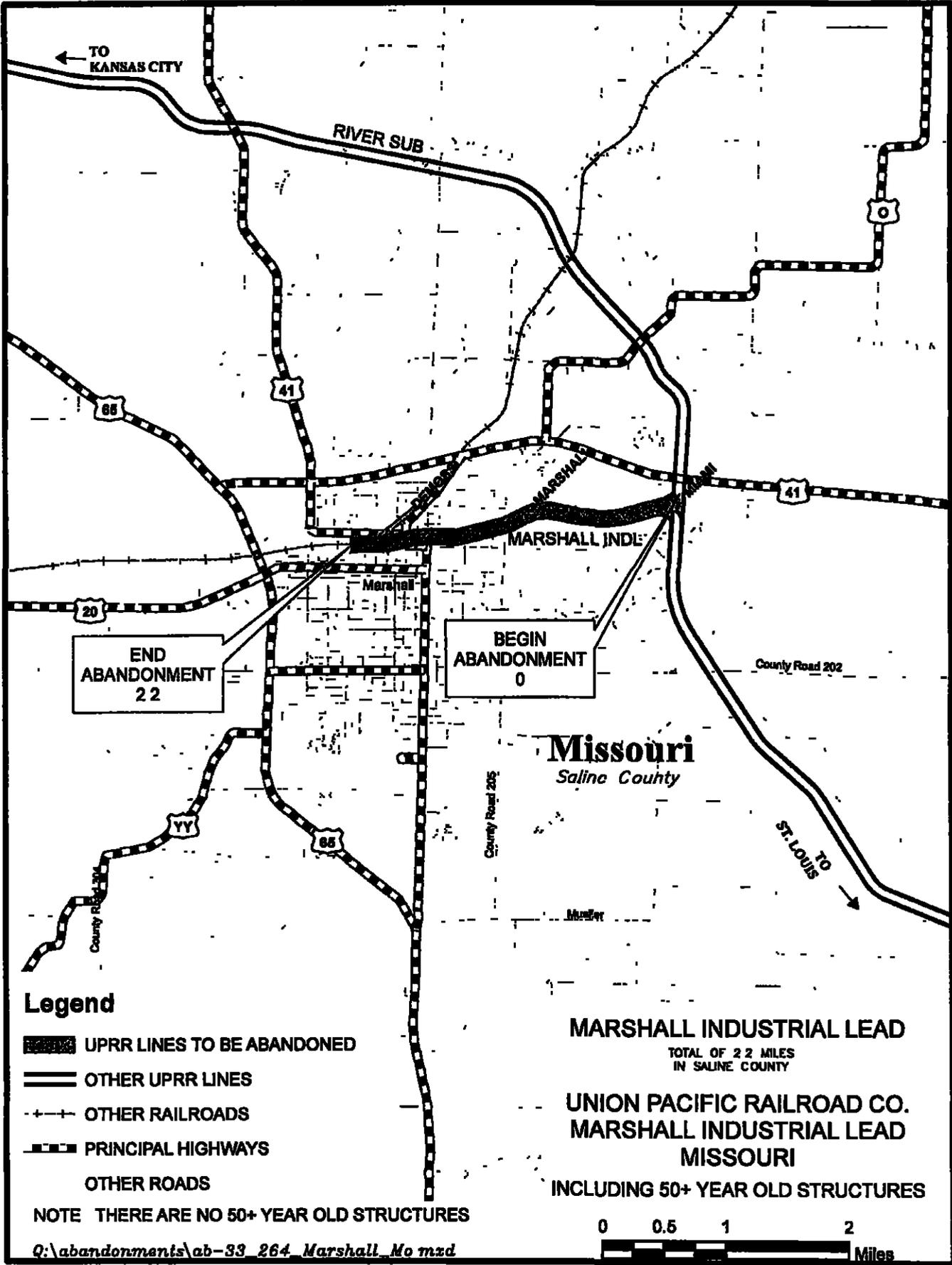
National Geodetic Survey  
Frank Maida, Chief  
Spatial Reference System Division  
NOAA N/NGS23  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

Mr Stephen Mahfood  
State Historic Preservation Officer  
Department of Natural Resources  
P. O Box 176  
Jefferson City, MO 65102

Dated this 24<sup>th</sup> day of March, 2008

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





Law Department

December 19, 2007

**State Clearinghouse (or alternate):**

Missouri Department of Economic Development  
301 W. High Street  
P. O. Box 1157  
Jefferson City, MO 65102

**State Environmental Protection Agency:**

Missouri Department of Natural Resources  
P. O. Box 176  
Jefferson City, MO 65102

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

Not applicable.

**Head of County (Planning):**

Saline County Supervisors  
101 E Arrow Street  
County Courthouse  
Marshall, MO 65340-2124

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

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

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

U.S. Fish and Wildlife Service  
Region 3  
1 Federal Drive  
BHW Federal Building  
Fort Snelling, MN 55111

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

Department of the Army  
U.S. Army Corps of Engineers  
Kansas City District  
601 E 12th Street  
Kansas City, Mo 64106

**National Park Service:**

Midwest Regional Office  
National Park Service  
1709 Jackson Street  
Omaha, NE 68102

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

State Conservationist  
USDA, Natural Resources Conservation Service  
Missouri State Office  
Parkade Center, Suite 250  
601 Business Loop 70 West  
Columbia, MO 65203-2546

**National Geodetic Survey:**

National Geodetic Survey  
Frank Malda, Chief  
Spatial Reference System Division  
NOAA N/NGS23  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

Mr. Stephen Mahfood  
State Historic Preservation Officer  
Department of Natural Resources  
P. O. Box 176  
Jefferson City, MO 65102

Re: Proposed Abandonment of the Marshall Industrial Lead from Milepost 0.0 near Miami to Milepost 2.20 near Marshall, a distance of 2.20 miles in Saline County, Missouri; STB Docket No. AB-33 (Sub-No. 264X)

Dear Sirs:

Union Pacific Railroad Company plans to request authority from the Surface Transportation Board (STB) to abandon and discontinue service on the Marshall Industrial Lead from Milepost 0.0 near Miami to Milepost 2.20 near Marshall, a distance of 2.20 miles

in Saline County, Missouri. A map of the proposed track abandonment shown in black is attached.

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

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

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

**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.

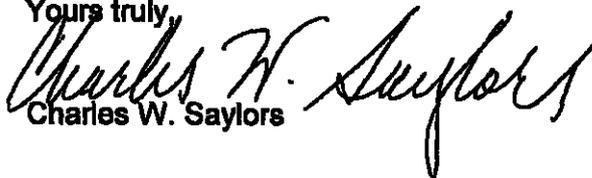
**STATE WATER QUALITY OFFICIALS.** State whether the proposed action is consistent with applicable Federal, State or Local water quality standards. Describe any inconsistencies.

**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.

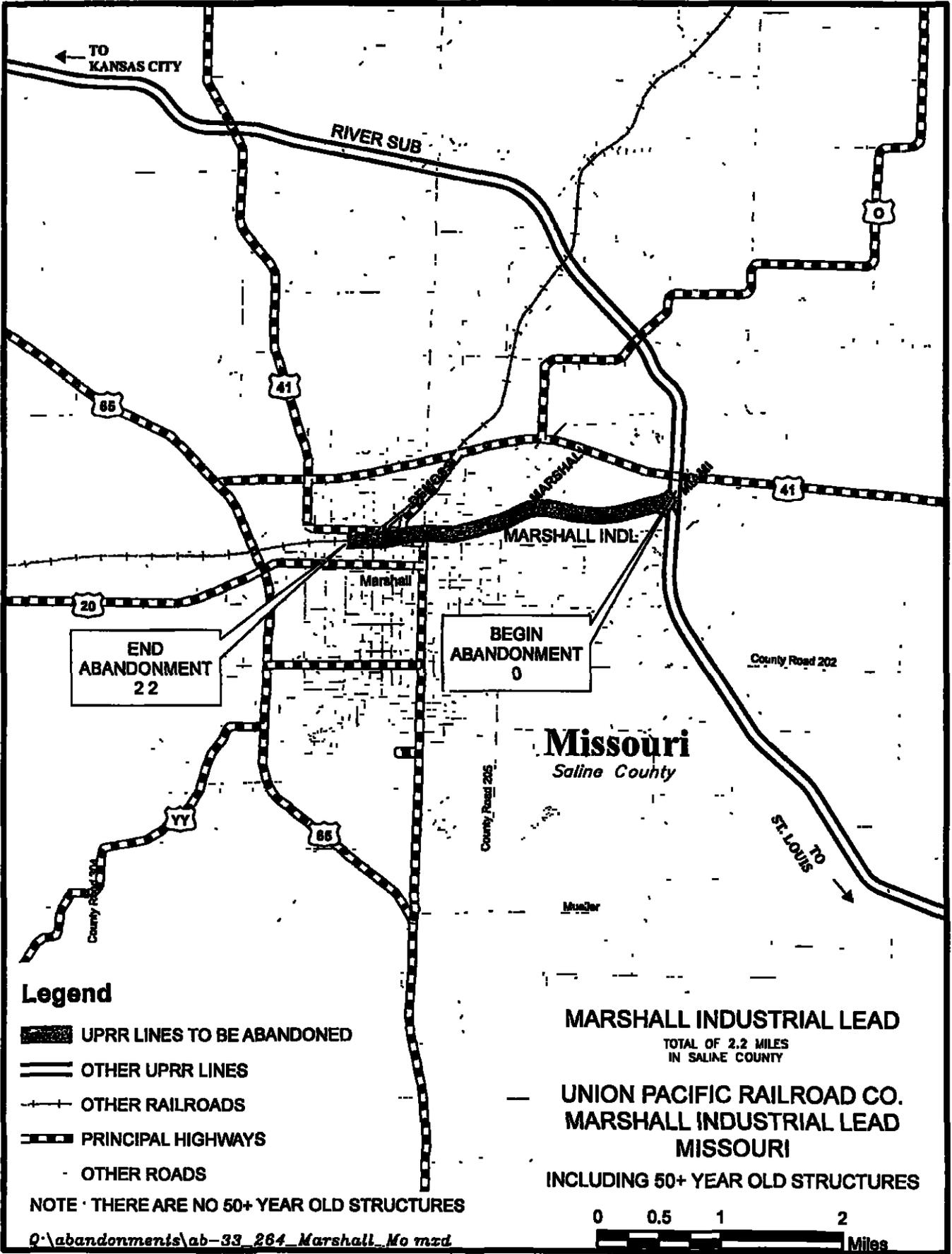
**U. S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY).** (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials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

Yours truly,

  
Charles W. Saylor

Attachment



United States Department of Agriculture



601 Business Loop 70 West, Columbia, MO 65203

January 23, 2008

Charles W. Saylor  
Union Pacific Railroad  
1400 Douglas Street  
STOP 1580  
Omaha, NE 68179-1580

Re: Proposed Abandonment of the Marshall Industrial Lead from Milepost 0.0 near Miami to Milepost 2.20 near Marshall, a distance of 2.20 miles in Saline County, Missouri; STB Docket No. AB-33 (Sub-No. 264X)

Dear Mr. Saylor:

This letter is a follow-up to your December 19, 2007 letter to me regarding the above listed project. The Natural Resources Conservation Service (NRCS) sees no effect of the proposed action on any prime agricultural land. Any prime agricultural land would have been impacted during the installation

If you have any questions, please feel free to contact Clayton Lee, State Soil Scientist at (573) 876-0907.

Sincerely,

ROGER A. HANSEN  
State Conservationist

cc w/attach: Steven H. Wooden, DC, NRCS, Marshall, Missouri



**DEPARTMENT OF THE ARMY  
KANSAS CITY DISTRICT, CORPS OF ENGINEERS  
STATE REGULATORY PROGRAM OFFICE - MISSOURI  
221 BOLIVAR STREET, SUITE 103  
JEFFERSON CITY, MISSOURI 65101**

January 16, 2008

REPLY TO  
ATTENTION OF

Missouri State Regulatory Office  
(2007-00063)  
Saline County, MO

Union Pacific Railroad  
1400 Douglas Street  
Mail Stop 1580  
Omaha, NE 68179-1580

Dear Mr. Saylor,

This letter is in response to your application, received on January 7, 2008, requesting our assistance in identifying any potential effects of a proposed abandonmate and discontinued service on the Marshall Industrial Lead for a distance of 2.20 miles. The site is located in Section 11 & 12, Township 50 north, Range 21 west, Saline County, Missouri.

Your application has been assigned number 2007-00063. All activities requiring a permit are given a thorough public interest review, which includes a detailed evaluation of the potential effects on the environment. As part of this review, a public notice will be distributed to all known interested agencies, organizations, firms and individuals soliciting comments regarding the proposed activity.

The Corps of Engineers has jurisdiction over all waters of the United States. Discharges of dredged or fill material in waters of the United States, including wetlands, require prior authorization from the Corps under Section 404 of the Clean Water Act (33 USC 1344). The implementing regulation for this Act is found at 33 CFR 320-331.

In order that this office can prepare and distribute a public notice, it is necessary that you provide the type of work, if any at all, which will be conducted within the Corps of Engineers jurisdiction. If work is to be conducted processing of your application will begin as soon as all required information is received. However, if no work is to be done within the Corps of Engineers jurisdiction a Department of the Army (DA) permit will not be required.

Federal regulations 33 C.F.R. Parts 320-331 require that a DA permit be issued by this office prior to initiation of any activity on the portion of the proposed project which is within the Corps of Engineers' regulatory jurisdiction.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. We have placed an automated version of our Customer Service Survey form at: <http://ner2.nwp.usace.army.mil/survey.html>. At your request, we will mail you a paper copy that you may complete and return to us by mail or fax.

If you have any questions concerning this matter, please feel free to write or call me at 573-634-2248 x3832 or FAX 573-634-7960.

Sincerely,

James Reenan  
Regulatory Specialist

## CULTURAL RESOURCE ASSESSMENT Section 106 Review

CONTACT PERSON/ADDRESS

C:

Charles W. Saylor  
Union Pacific Railroad  
1400 Douglas Street  
Mail Stop 1580  
Omaha, Nebraska 68179

PROJECT:

Abandonment, Marshall Industrial Lead, Milepost 0.0 near Miami to Milepost 2.20 near Marshall

FEDERAL AGENCY

FHWA

COUNTY:

SALINE

The State Historic Preservation Office has reviewed the information submitted on the above referenced project. Based on this review, we have made the following determination:

After review of initial submission, the project area has a low potential for the occurrence of cultural resources. A cultural resource survey, therefore, is not warranted.

Adequate documentation has been provided (36 CFR Section 800.11). There will be "no historic properties affected" by the current project.

An adequate cultural resource survey of the project area has been previously conducted. It has been determined that for the proposed undertaking there will be "no historic properties affected".

For the above checked reason, the State Historic Preservation Office has no objection to the initiation of project activities. PLEASE BE ADVISED THAT, IF THE CURRENT PROJECT AREA OR SCOPE OF WORK ARE CHANGED, A BORROW AREA IS INCLUDED IN THE PROJECT, OR CULTURAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, APPROPRIATE INFORMATION MUST BE PROVIDED TO THIS OFFICE FOR FURTHER REVIEW AND COMMENT. Please retain this documentation as evidence of compliance with Section 106 of the National Historic Preservation Act, as amended.

By:



Mark A. Miles, Deputy State Historic Preservation Officer

December 31, 2007

Date

MISSOURI DEPARTMENT OF NATURAL RESOURCES  
STATE HISTORIC PRESERVATION OFFICE  
P.O. Box 176, Jefferson City, Missouri 65102

For additional information, please contact Judith Deel, (573) 751-7862. Please be sure to refer to the project number:  
004-SA-08