

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 293X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN WRIGHT COUNTY, IA
(KANAWHA 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.)
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mackshumate@up.com

Dated: October 8, 2010
Filed: October 8, 2010

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SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 293X)

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

Combined Environmental and Historic Report

Union Pacific Railroad Company ("UP") submits this 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 Kanawha Industrial Lead, from Milepost – 0.55 to Milepost 0.0 near Belmond, creating an elapsed abandonment length of 0.55 miles 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 October 28, 2010.

A map of the Line (**Attachment No. 1**), and UP's letter to federal, state and local government agencies (**Attachment No. 2**) are attached to this EHR. Responses received thus far to UP's letters are also attached.

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 Kanawha Industrial Lead. The Line proposed for abandonment extends from Milepost – 0.55 to Milepost 0.0 near Belmond, in Wright County, Iowa, creating an elapsed abandonment length of 0.55 miles. A map of the Line is attached as **Attachment No. 1.**

The Line was originally constructed in 1899 by the Iowa Central & Western Railway Company. It is currently constructed primarily with 90 and 100 pound rail laid second hand in 1980. There is a bridge on the Line. This structure is a typical 18 span timber pile trestle bridge with an open deck on a 5.5 degree curve. See

Attachment No. 1.

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

After the proposed abandonment, Belmond would 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 over the Line during 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 has been contacted. To date, UP has not received a response.

(ii) The Natural Resource Conservation Service ("NRCS") has been contacted. Upon review, the NRCS has no concerns or comments at this time. The NRCS response for Wright County is attached as **Attachment No. 3.**

(iii) Not Applicable.

(iv) The property proposed for abandonment is not suitable for public purposes including roads or highways, other forms of mass transportation,

conservation, energy production or transmission, as this area is adequately served by existing roads and utility lines at the present time. The plan for disposition of the non-reversionary land would be to work with any adjacent landowners to the property.

(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 reinstitution 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. 4.

(ii) The National Park Service has been contacted. Their response is attached as **Attachment No. 5.**

(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 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 the proposed abandonment does not require any Section 404 permits. The U. S. Army Corps of Engineers 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 through , the southern portion of the city of Belmond, a light industrial area. The right of way contains irregular shaped parcels of varying width.

(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: The State Historical Society of Iowa has been provided with photographs of the structure on the property that is 50 years old or older. A copy of the letter to the Community Programs Bureau and photographs are attached as **Attachment No. 7.** On May 27, 2010, UP received a 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.

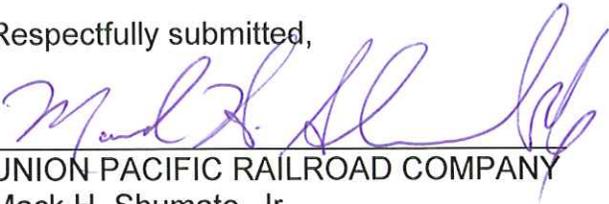
Response: UP does not have any such readily available information.

(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 8th day of October, 2010.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Mack H. Shumate, Jr.", is written over a horizontal line.

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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 293X), the Kanawha Industrial Lead in Wright County, Iowa was served by First Class U.S. Mail, postage prepaid, on the 8th day of October, 2010, on the following parties:

State Clearinghouse (or alternate):

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

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

State Environmental Protection

Agency:

State Environmental Protection Agency
210 Walnut St # 827
Des Moines, IA 50309-2105

Head of each County:

Wright County Board of Supervisors
115 North Main Street
P.O. Box 147
Clarion, IA 50525

Environmental Protection Agency
(Regional Office):

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

State Historic Preservation Office:

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 Corps of Engineers
Rock Island District
Clock Tower Building
P.O. Box 2004
Rock Island, IL 61204-2004

National Park Service:

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

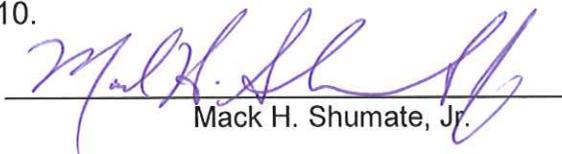
U.S. Natural Resources Conservation
Service:

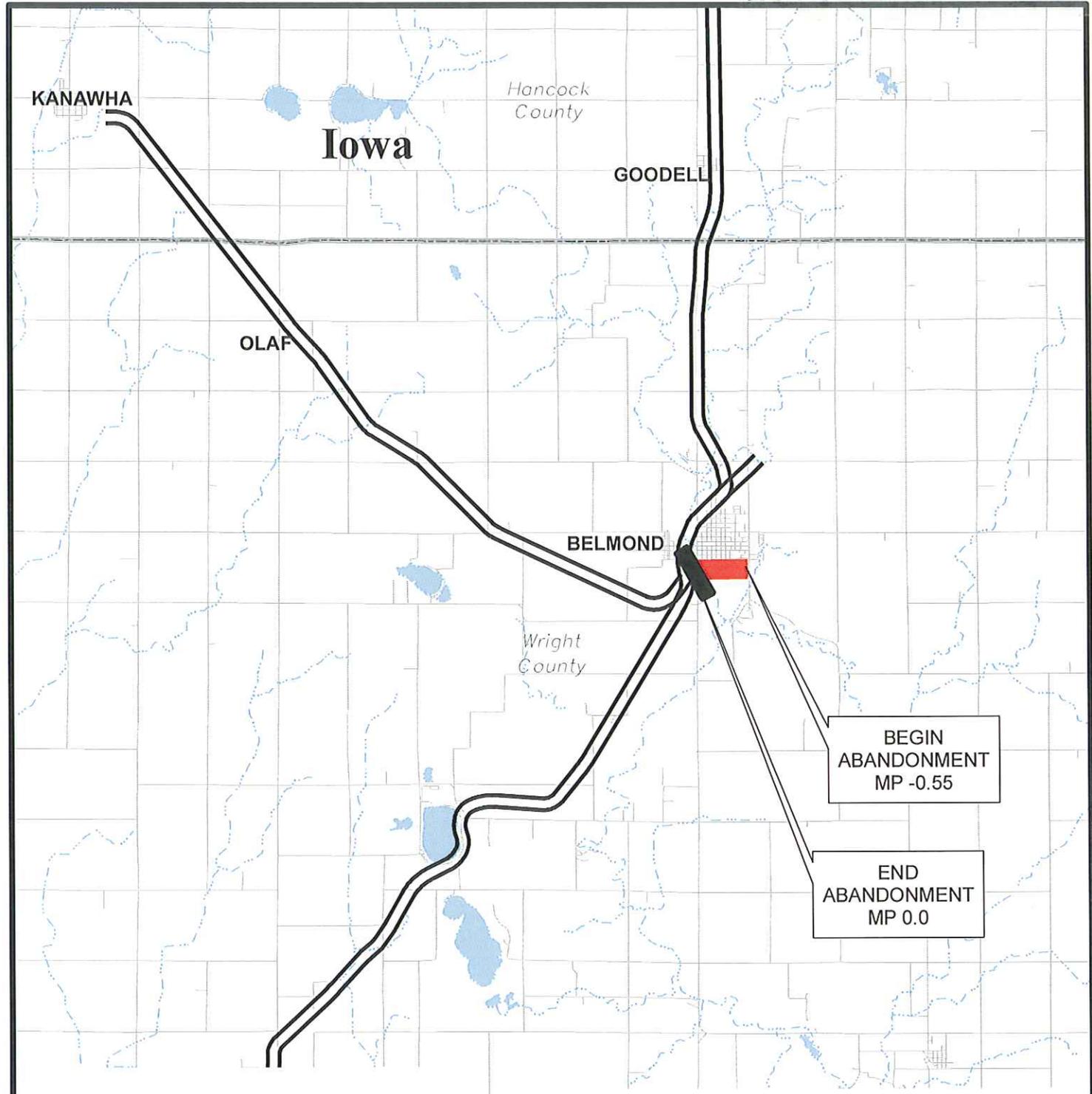
Natural Resource Conservation Service
693 Federal Bldg.
210 Walnut Street
Des Moines, IA 50309-2180

National Geodetic Survey:

National Geodetic Survey
Geodetic System Division
Information Services
NOAA/NGS12
1315 E-W Highway
Silver Spring, MD 20910-3282

Dated this 8th day of October, 2010.


Mack H. Shumate, Jr.



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
-0.11	18 - SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	245.25	1959

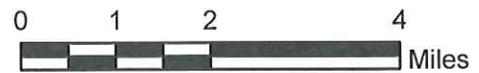
- UPRR TO BE ABANDONED
- OTHER UPRR LINES
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50 + YEAR OLD STRUCTURES

KANAWHA INDUSTRIAL LEAD

MP -0.55 TO MP 0.0
TOTAL OF 0.55 MILES IN WRIGHT COUNTY
IN IOWA

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

INCLUDING 50+ YEAR OLD STRUCTURES





May 19, 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 each 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

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 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

State Historic Society of Iowa:

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

Re: Proposed Abandonment of the Kanawha Industrial Lead from Milepost – 0.55 to Milepost 0.0 near Belmond, a total distance of 0.55 miles in Wright County, Iowa; STB Docket No. AB-33 (Sub-No. 293x)

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 Kanawha Industrial Lead from Milepost – 0.55 to Milepost 0.0 near Belmond, a total distance of 0.55 miles in Wright County, Iowa. A map of the proposed track abandonment shown in black and red is attached.

Law Department

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



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.

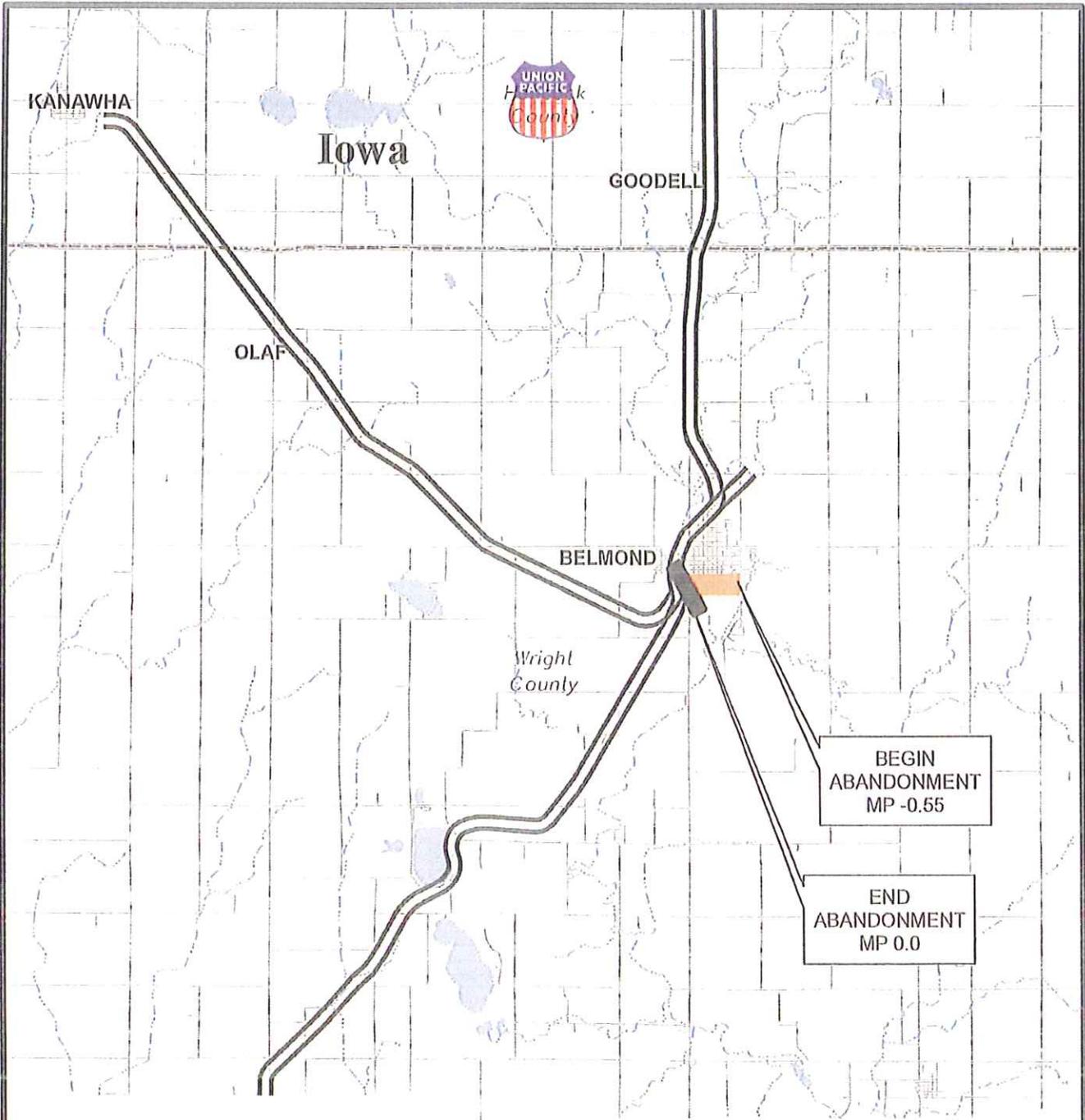
Sincerely,

A handwritten signature in blue ink that reads "Colleen 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)



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
-0.11	18 - SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	245.25	1959

-  UPRR TO BE ABANDONED
-  OTHER UPRR LINES
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KANAWHA INDUSTRIAL LEAD

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TOTAL OF 0.55 MILES IN WRIGHT COUNTY
IN IOWA

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

INCLUDING 50+ YEAR OLD STRUCTURES



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UNION PACIFIC RAILROAD
1400 Douglas St., Stop 1580, Omaha, NE 68179-1530
IX-14027-501-0127

United States Department of Agriculture



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

June 1, 2010

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

Dear Ms. Graham:

Thank you for the opportunity to comment on the proposed abandonment of Kanawha Industrial Lead in Wright County, Iowa. The Natural Resources Conservation Service has no concerns or comments at this time.

If we can be of any further assistance, feel free to contact me at 515-323-2223, or by email at john.myers@ia.usda.gov.

Sincerely,

A handwritten signature in cursive script that reads "John Myers".

John Myers
State Resource Conservationist

cc: Connie Roys, District Conservationist, NRCS, Clarion, IA

USDA-NRCS
210 WALNUT STREET, ROOM 693
DES MOINES IA 50309-2115

OFFICIAL BUSINESS



Colleen Graham
Union Pacific Law Dept.
1400 Douglas St. Stop 1580
Omaha NE 68179





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

May 25, 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 0.55 miles of railroad line between Milepost - 0.55 and Milepost 0.0 in Wright County, Iowa, STB Docket No. AB-33 (Sub-No. 293x).

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,

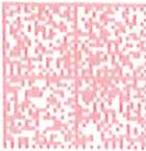
Patrick G. Carroll
Senior Realty Officer
Division of Realty

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



W38



UNITED STATES POSTAGE
U.S. OFFICIAL MAIL
PENALTY FOR PRIVATE USE \$300
\$ 00.440
02 1M
0004212891 MAY 26 2010
MAILED FROM ZIP CODE 55111



Law Department

National Park Service
Midwest Region
601 Riverfront Drive
Omaha, Nebraska 68402-4226

July 1, 2010

Dear Mr. Maydwell,

We are in receipt of your letter dated June 16, 2010. Union Pacific respectfully requests that you forward our notice to the Iowa administrator of the L&WCF. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Colleen K. Graham".

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

MLK/enclosures



United States Department of the Interior

National Park Service

Midwest Region
601 Riverfront Drive
Omaha, Nebraska 68102-4226



19-00121 (MWR-P/G)

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

JUN 16 2010

Dear Ms. Graham:

The National Park Service has reviewed the proposed abandonment of the Kanawha Industrial Lead. We understand the proposed project STB Docket No.Ab-33 (Sub-No.293x) involves the abandonment and discontinued service of the Kanawha Industrial Lead from Milepost - 0.55 to Milepost 0.0 near Belmond, a total distance of 0.55 miles in Wright County, Iowa.

The proposed study area includes a public park and recreation area that was developed with assistance from the Land and Water Conservation Fund (L&WCF) program. This site is 19-00121 (River Park), which was improved under L&WCF grant.

We recommend you consult directly with the official who administers the L&WCF program in the State of Iowa, to determine any potential conflicts with Section 6(f)(3) of the L&WCF Act (Public Law 88-578, as amended). This section states: "No property acquired or developed with assistance under this section shall, without the approval of the Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."

The administrator for the L&WCF program in Iowa is Mr. Richard A. Leopold, Director, Iowa Department of Natural Resources, 502 East Ninth Street, Wallace State Office Building - 4th Floor, Des Moines, Iowa 50319-0034.

Sincerely,

Robert Maydwell
Grants Management Assistant

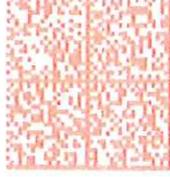


cc:

Ms. Kathleen Moench, Federal Aid Coordinator, Budget and Finance Bureau, Iowa Department of Natural Resources, 502 East Ninth Street Wallace, State Office Building – 4th Floor, Des Moines, Iowa 50319-0034

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
MIDWEST REGION
601 RIVERFRONT DRIVE
OMAHA, NEBRASKA 68102

OFFICIAL BUSINESS



Postnet

049J62036859

\$00.440

06/21/2010

Mailed From 68102

US POSTAGE

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





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

REPLY TO
ATTENTION OF

June 11, 2010

Operations Division

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

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

Dear Ms. Graham:

Our office reviewed all information provided concerning the proposed railroad line abandonments near the Iowa River in Section 30, Township 93 North, Range 23 West, Wright County, Iowa.

Should your projects involve the extraction of any bridges, you are required to remove all fill material to an upland, non-wetland site, and to remove all pilings to at least one foot below streambed elevations. You are also required to seed all disturbed areas with native grasses and to implement appropriate measures to insure that sediments are not introduced into waters of the United States during your project.

We determined your projects as proposed do 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, these determinations resulted.

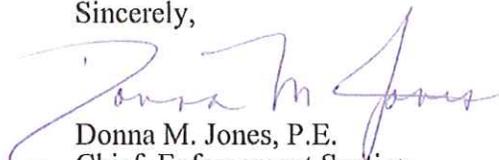
You are advised that the determinations for your projects are valid for five years from the date of this letter. If the projects are not completed within this five-year period or your project plans change, you should contact our office for another determination.

Although a DA permit will not be required for the projects, 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 and return the attached postcard 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 or telephone Ms. Lynn Parker at 309/794-5446.

Sincerely,


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

Enclosure

Copies Furnished: w/o enclosure

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



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



UNITED STATES POSTAGE
 PERNEY BOWES
 02 1A
 000 4390 226
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 MAILED FROM ZIP CODE 61204

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



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 and 2010-665 NPR

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

OFFICIAL BUSINESS

FIRST CLASS MAIL

Ms. Colleen Graham
Union Pacific Railroad
1406 Douglas Street, Stop 1580
Omaha, Nebraska 68179

41



UNITED STATES POSTAGE
02 1A
0004390226
MAILED FROM ZIP CODE 61204
PRINT & BOOKS
\$ 00.449
JUN 14 2010



May 19, 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 each 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

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 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

State Historic Society of Iowa:

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

Re: Proposed Abandonment of the Kanawha Industrial Lead from Milepost – 0.55 to Milepost 0.0 near Belmond, a total distance of 0.55 miles in Wright County, Iowa; STB Docket No. AB-33 (Sub-No. 293x)

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 Kanawha Industrial Lead from Milepost – 0.55 to Milepost 0.0 near Belmond, a total distance of 0.55 miles in Wright County, Iowa. A map of the proposed track abandonment shown in black and red is attached.

Law Department

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



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.

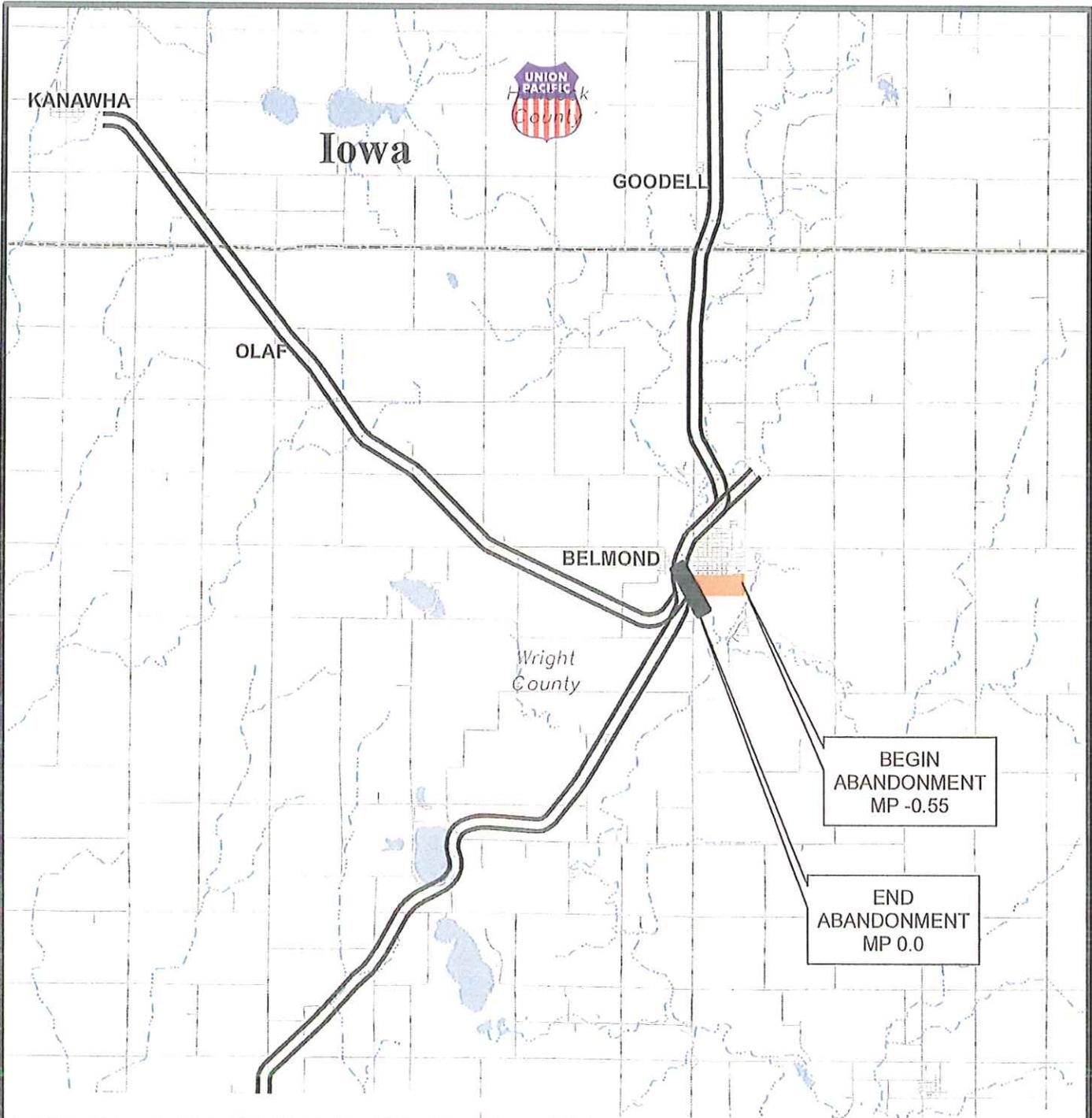
Sincerely,

A handwritten signature in blue ink that reads "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)



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
-0.11	18 - SPAN TIMBER PILE TRESTLE OPEN DECK (TSTOD)	245.25	1959

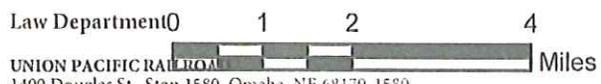
-  UPRR TO BE ABANDONED
-  OTHER UPRR LINES
-  PRINCIPAL HIGHWAYS
-  OTHER ROADS
-  50 + YEAR OLD STRUCTURES

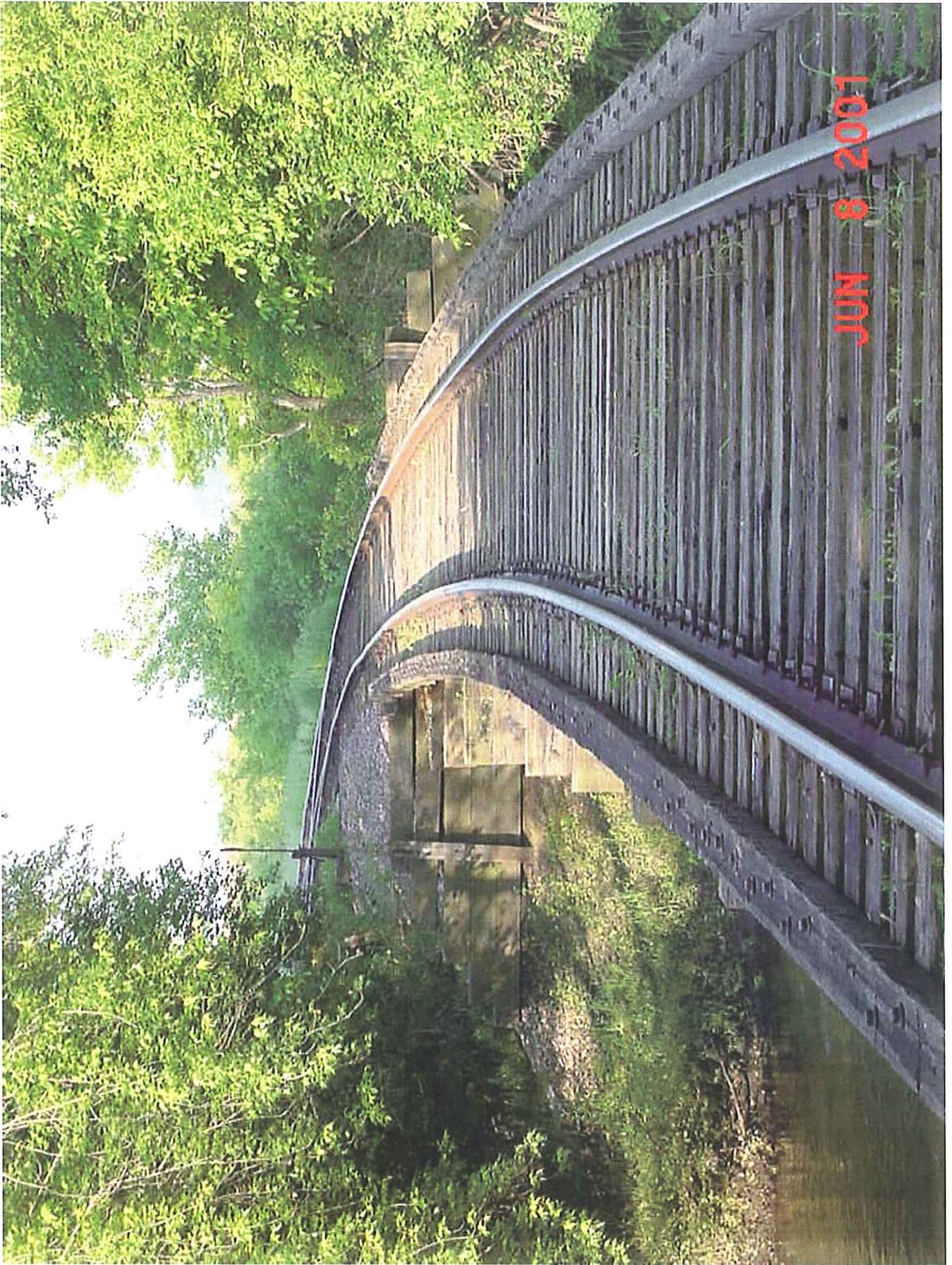
KANAWHA INDUSTRIAL LEAD

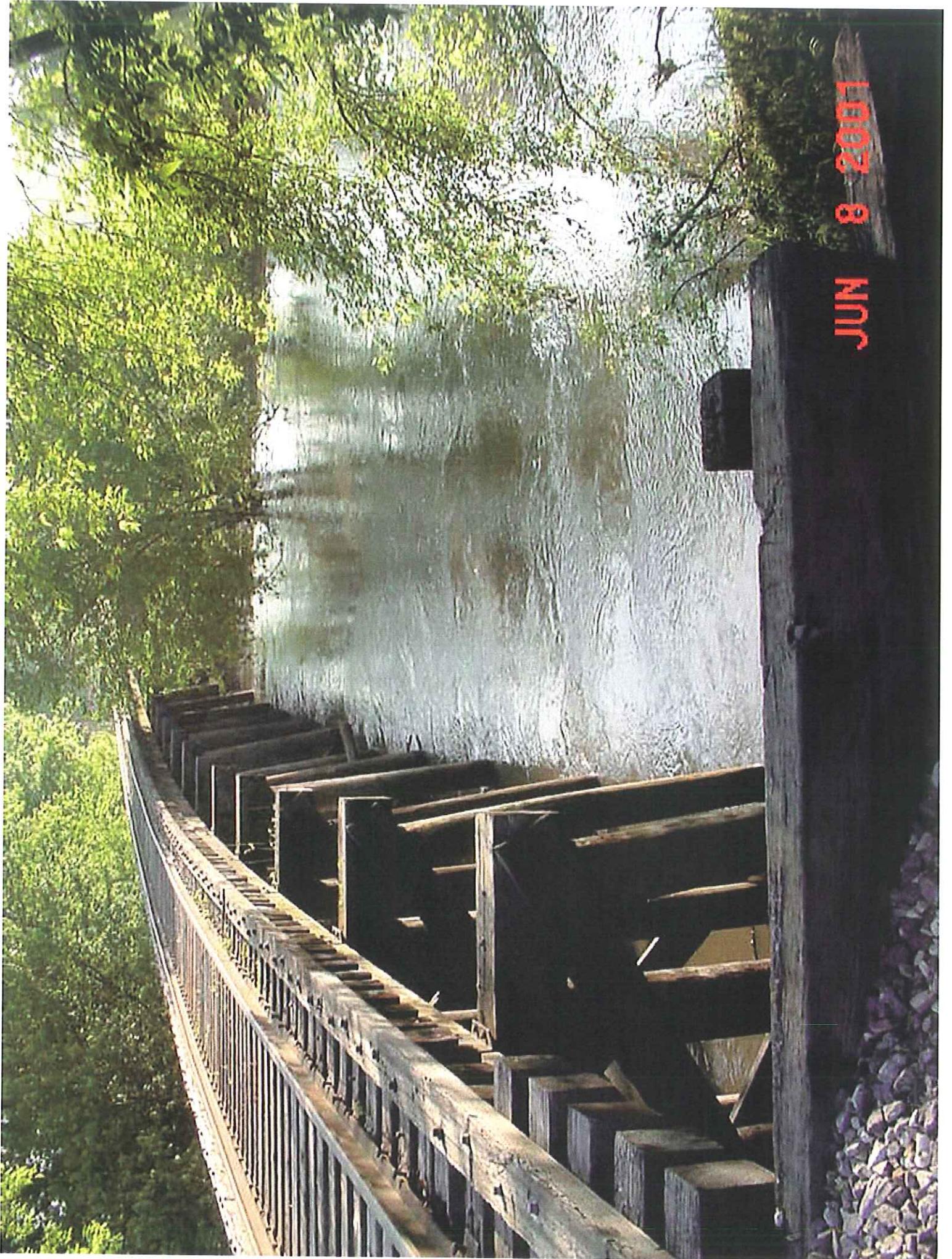
MP -0.55 TO MP 0.0
TOTAL OF 0.55 MILES IN WRIGHT COUNTY
IN IOWA

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

INCLUDING 50+ YEAR OLD STRUCTURES







JUN 8 2007



A Division of the Iowa Department of Cultural Affairs

May 27, 2010

In response, refer to:
R&C #: 100599147

RE: DOCKET AB-33(SUB-NO 293X) - UNION PACIFIC RAILROAD COMPANY - PROPOSED EXEMPT DISCONTINUANCE OF SERVICE OVER PORTION OF KANAWHA INDUSTRIAL LEAD FROM MP 0.55 TO MP 0.0 NEAR BELMOND

Dear Ms. Graham:

We reviewed the information received in our office on 5/24/2010 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