

234891

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

AUDREY L. BRODRICK
(312) 252-1518
abrodick@fletcher-sippel.com

Phone (312) 252-1500

Fax (312) 252-2400

www.fletcher-sippel.com

September 24, 2013

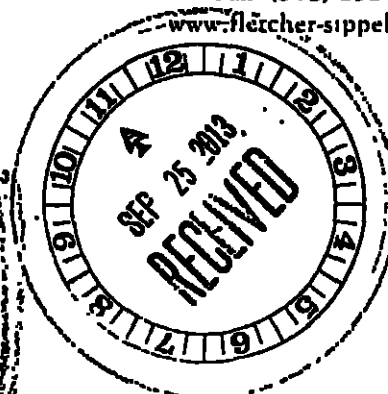
VIA FEDERAL EXPRESS

Ms Cynthia T Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S W., Room 1034
Washington, DC 20024

ENTERED
Office of Proceedings

SEP 25 2013

Part of
Public Record



Re: Docket No AB-314 (Sub-No. 6X) Chicago Central & Pacific Railroad
Company-- Abandonment Exemption -- In Linn County, Iowa

Dear Ms. Brown

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Chicago Central & Pacific Railroad Company, dated September 25, 2013, pursuant to 49 C.F.R. § 1152.50. A check for the filing fee of \$3700.00 is also enclosed.

The original copy of the Environmental/Historic Report was previously filed with the Board on August 27, 2013.

If you have any questions regarding this filing, please feel free to contact me.
Thank you for your assistance on this matter. Kind regards.

FILED

SEP 25 2013

**SURFACE
TRANSPORTATION BOARD**

ALB.dg

Enclosures

cc: Ms. Victoria J Rutson, Room 1106

Respectfully submitted,

Audrey L. Brodrick

Audrey L. Brodrick

Attorney for Chicago Central & Pacific Railroad

FEE RECEIVED

SEP 25 2013

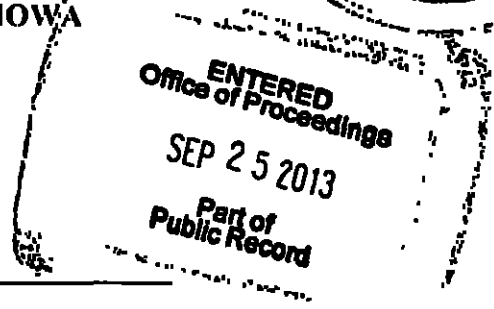
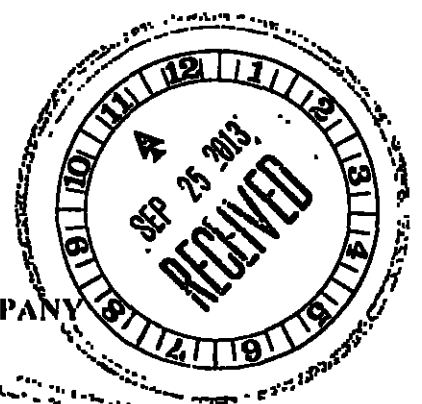
**SURFACE
TRANSPORTATION BOARD**

234891

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO AB-314 (SUB-NO. 6X)

CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN LINN COUNTY, IOWA



VERIFIED NOTICE OF EXEMPTION OF
CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY.
PURSUANT TO 49 C.F.R. § 1152.50

FILED
SEP 25 2013
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
SEP 25 2013
SURFACE
TRANSPORTATION BOARD

Audrey L. Brodrick
Fletcher & Sippel LLC
29 N Wacker Dr., Suite 920
Chicago, Illinois 60606
312-252-1500
ATTORNEY FOR
CHICAGO CENTRAL & PACIFIC
RAILROAD COMPANY

Dated: September 25, 2013

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO AB-314 (SUB-NO. 6X)

**CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
ABANDONMENT EXEMPTION
LINN COUNTY, IOWA**



**VERIFIED NOTICE OF EXEMPTION OF
CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
49 C.F.R. § 1152.50**

Chicago Central & Pacific Railroad Company ("CCP") hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon its line of railroad located in Linn County, referred to herein as the "Line" between milepost 230 24 and milepost 229 75, a distance of approximately 0.49 miles, in Cedar Rapids, Linn County, Iowa

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

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

CCP is a Class II common carrier by rail which owns and operates approximately 700 miles of rail line between Chicago, Illinois and Sioux City/Council Bluffs, Iowa, and commenced operations in 1985. Chicago, Central & Pacific Railroad Company Purchase (Portion), Trackage rights, and Securities Exemption, Finance Docket No 30663 (ICC served December 24, 1985) CCP is today an indirect subsidiary of Canadian National Railway Company ("CNR"), and is part of a Class I system of railroads in the United States controlled by Grand Trunk Corporation, a wholly-owned CNR subsidiary.

The complete name and address of CCP is:

Chicago Central & Pacific Railroad Company
17641 S. Ashland Avenue
Homewood, IL 60430-1345

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

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152, Subpart F, CCP intends to abandon its line of railroad between milepost 230.24 and milepost 229.75, a distance of approximately 0.49 miles, in Cedar Rapids, Linn County, Iowa.

Map: 49 C.F.R. § 1152.22(a)(4)

A map of the Line to be abandoned is attached hereto as Exhibit A.

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

CCP's representative to whom correspondence regarding this abandonment should be sent is:

Audrey L. Brodrick
Fletcher & Sippel LLC
29 N. Wacker Dr., Suite 920
Chicago, IL 60606
312-252-1500

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

The portion of the Line to be abandoned traverses United States Postal Service ZIP Code 52302.

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

Per the certificate and verification attached hereto as Exhibit B, CCP certifies that no local revenue traffic has moved over the portion of the Line to be abandoned for at least the last

two years, there is no overhead traffic on this trackage that would have to be rerouted over other lines. and no formal complaint filed by a user of rail service on the portion of the Line to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the proposed abandonment is pending with the Board or any U S District Court or has been decided in favor of the complainant during the last two years

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

CCP will not consummate the proposed abandonment any earlier than November 14, 2013.

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

Subsequent to abandonment of the Line, CCP will sell a portion of the right of way to a purchaser per the parties' agreement

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

The level of labor protection applicable in rail line abandonment's is that established in *Oregon Short Line Co — Abandonment — Goshen*, 360 I.C C 91 (1979)

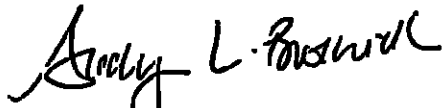
Certificate of Compliance with Notice Requirements: 49 C.F.R. § 1152.50(d)(2)

A certificate that the notice of requirements of 49 C.F.R. § 1152(d)(1) and 49 C F R § 1105.11 have been complied with is attached hereto as Exhibit C

Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

The original of the Environmental Report and Historic Report. prepared pursuant to 49 C.F.R §§ 1105.7 and 1105.8, has been previously filed with the Surface Transportation Board, a copy of which is attached hereto as Exhibit D. As of this date, no further responses have been received

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Audrey L. Brodrick". The signature is fluid and cursive, with the first name "Audrey" being more prominent.

Audrey L Brodrick
Fletcher & Sippel LLC
29 N. Wacker Dr , Suite 920
Chicago, IL 60606
312-252-1500
ATTORNEY FOR CHICAGO CENTRAL &
PACIFIC RAILROAD COMPANY

Dated September 25, 2013



Cedar Rapids, Linn County, Iowa

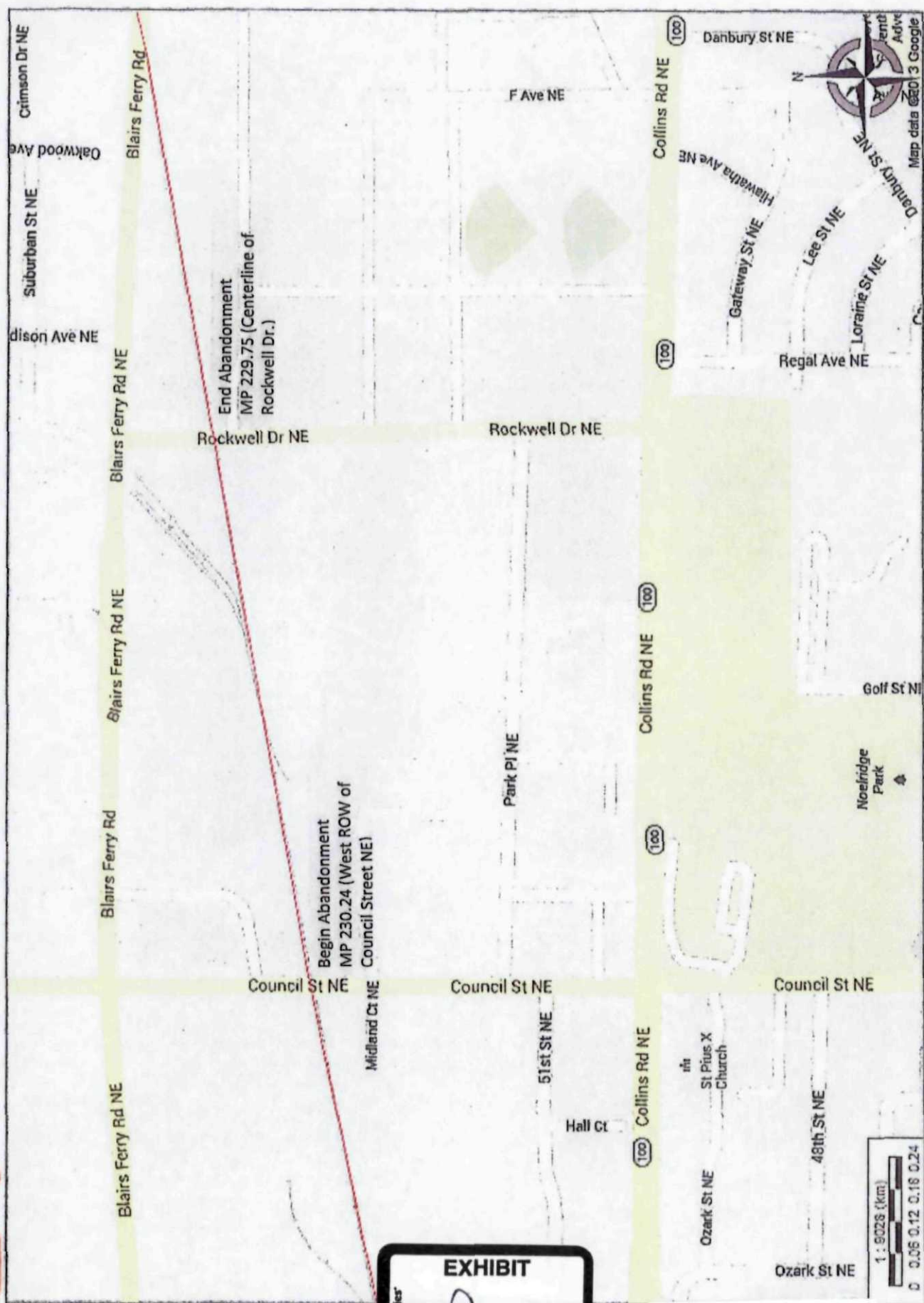


EXHIBIT
A

DOCKET NO AB-314 (SUB-NO. 6X)
CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
— ABANDONMENT EXEMPTION —
IN LINN COUNTY, IOWA
CERTIFICATE AND VERIFICATION

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

Brian
Buchanan, being duly sworn, deposes and says

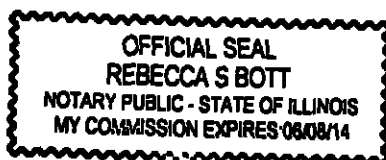
1. That no local traffic has moved over the line of Chicago Central & Pacific Railroad Company ("CCP") from milepost 230.24 and milepost 229.75, a distance of 0.49 miles in Cedar Rapids, Linn County, Iowa for at least two years, and that there is no overhead traffic to be rerouted over other lines, and
2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the last two years; and
3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

Dated: September 3, 2013

Brian Buchanan

Chicago Central & Pacific Railroad Company

Rebecca S. Bott
Subscribed and sworn to before me
this 3rd day of September, 2013



CERTIFICATE

I, Audrey L. Brodrick, an attorney for Chicago Central & Pacific Railroad Company, hereby certify that, for the proceeding before the Surface Transportation Board known as Docket No. AB-314 (Sub-No 6X), Chicago Central & Pacific Railroad Company- Abandonment Exemption - in Linn County, Iowa

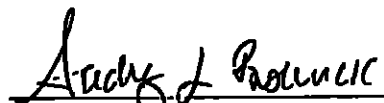
(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to wit On September 5th, and 10th, 2013, written notice was mailed to the (a) United States Department of Defense, MSDDC-TEA, Attn: Railroads for National Defense; (b) U.S. Department of Agriculture, Chief of the Forest Service; (c) National Center for Recreation and Conservation, National Park Service; and (d) Iowa Department of Transportation (copies of which are attached hereto as Attachments 1-4).

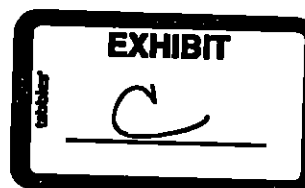
(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit on August 26, 2013, the Environmental and Historic Report for this proceeding, of which the original report was filed with the Surface Transportation Board on August 27, 2013, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 5) were served by first class mail, postage prepaid, on the parties listed on Attachment 6, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11.

(3) A newspaper notice was published on July 26, 2013 in The Gazette, a newspaper of general circulation in Linn County, Iowa. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice and Affidavit of Publication are attached to this certificate as Attachment 7.

(4) The notice requirements of 49 C.F.R. 1105.8 have been complied with.

Dated this 25th day of September, 2013.


Audrey L. Brodrick
Counsel for Chicago Central & Pacific Railroad
Company



ATTACHMENT 1 TO EXHIBIT C

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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www.fletcher-sippel.com

AUDREY L. BRODRICK
(312) 252-1518
abrodick@fletcher-sippel.com

September 10, 2013

Railroads For National Defense Program
Military Surface Deployment & Distribution Command
Transportation Engineering Agency
1 Soldier Way, Bldg 1900W
Scott AFB, IL 62225- 5006

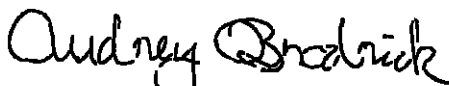
Re: Docket No AB 314 (Sub No. 6X) – Chicago Central and Pacific
Railroad Company Notice of Exemption for Abandonment in
Cedar Rapids, Linn County, Iowa

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central and Pacific Railroad Company shall, on or after September 21, 2013, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a .49 mile line of railroad between milepost 230.24 and milepost 229.75 in Cedar Rapids, Linn County, Iowa. Such line runs through U.S. Postal Zip Code 52302.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Audrey L. Brodrick
Counsel for Chicago Central and Pacific
Railroad Company

ALB:dg

ATTACHMENT 2 TO EXHIBIT C

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

AUDREY L. BRODRICK
(312) 252-1518
abrodick@fletcher-sippel.com

September 10, 2013

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

Re: Docket No AB 314 (Sub No. 6X) – Chicago Central and Pacific
Railroad Company Notice of Exemption for Abandonment in
Cedar Rapids, Linn County, Iowa

Dear Mr. Tidwell

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central and Pacific Railroad Company shall, on or after September 21, 2013, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 49 mile line of railroad between milepost 230.24 and milepost 229.75 in Cedar Rapids, Linn County, Iowa. Such line runs through U.S. Postal Zip Code 52302.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Audrey L. Brodrick
Counsel for Chicago Central and Pacific
Railroad Company

ALB dg

ATTACHMENT 3 TO EXHIBIT C

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

AUDREY L. BRODRICK
(312) 252-1518
abrodrick@fletcher-sippel.com

September 5, 2013

National Park Service
Attention: Charlie Stockman
Org. 2220
1201 I (Eye) Street, N.W.
Washington, D.C. 20005

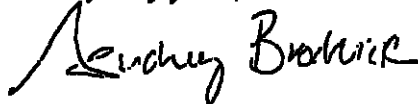
Re: Docket No. AB 314 (Sub No. 6X) – Chicago Central and Pacific
Railroad Company Notice of Exemption for Abandonment in
Cedar Rapids, Linn County, Iowa

Dear Mr. Stockman:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central and Pacific Railroad Company shall, on or after September 16, 2013, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 49 mile line of railroad between milepost 230.24 and milepost 229.75 in Cedar Rapids, Linn County, Iowa. Such line runs through U.S. Postal Zip Code 52302.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Audrey L. Brodrick
Counsel for Chicago Central and Pacific
Railroad Company

ALB.dg

ATTACHMENT 4 TO EXHIBIT C

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

AUDREY L. BRODRICK
(312) 252-1518
ahrodrick@fletcher-sippel.com

September 10, 2013

Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

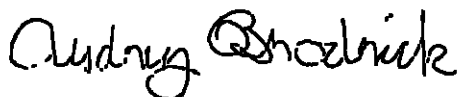
Re Docket No. AB 314 (Sub No. 6X) – Chicago Central and Pacific
Railroad Company Notice of Exemption for Abandonment in
Cedar Rapids, Linn County, Iowa

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Chicago Central and Pacific Railroad Company shall, on or after September 21, 2013, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a .49 mile line of railroad between milepost 230.24 and milepost 229.75 in Cedar Rapids, Linn County, Iowa. Such line runs through U.S. Postal Zip Code 52302.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Audrey L. Brodrick
Counsel for Chicago Central and Pacific
Railroad Company

ALB dg

ATTACHMENT 5 TO EXHIBIT C

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

August 26, 2013

Re: Chicago Central & Pacific Railroad Company Notice of Exemption for Abandonment – Cedar Rapids, Linn County, Iowa - Docket AB-314 (Sub-No. 6X)

To Whom It May Concern:

Any time on or after September 16, 2013, Chicago Central & Pacific Railroad Company ("CCP") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 230.24 and milepost 229.75, a distance of 0.49 miles, in Cedar Rapids, Linn County, Iowa. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D C 20423-0001, (202) 245-0295, and refer to the above docket number.

CCP will file the Environmental Report and Historic Report with the STB on or about August 26, 2013. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (312) 252-1511 or by mail at the above address.

Sincerely,



Michael J. Barron, Jr.
Attorney for Chicago Central & Pacific Railroad Company

Enc.

ATTACHMENT 6 TO EXHIBIT C

U.S. Environmental Protection Agency
Office of Water
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Office of Ocean and Coastal Resource
Management
NOAA Ocean Service
1305 East West Highway
Silver Springs, MD 20910

Linn County Board of Supervisors
Linn County Administrative Office
Building
930 First Street SW
Cedar Rapids, IA 52404

US EPA Region 7
901 N 5th Street
Kansas City, KS 66101

US Fish & Wildlife Service
Midwest Region
5600 American Blvd West, Suite 990
Bloomington, MN 55437-1458

National Geodetic Survey Information Services
Simon Monroe <Simon.Monroe@noaa.gov>

U.S. Army Corp of Engineers Rock
Island District
Clock Tower Building
PO Box 2004
Rock Island, IL 61204

National Park Service, Midwest Region
601 Riverfront Dr.
Omaha, NE 68102

National Resource Conservation
Service
Jay Mar, State Conservationist
Iowa State Office
210 Walnut Street, Room 693
Des Moines, IA 50309-2119

Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

State Historical Society of Iowa
Attn: Douglas Jones
600 East Locust Street
Des Moines, IA 50319

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

Iowa Department of Natural Resources
502 East 9th Street
Des Moines, IA 50319-0034

STATE OF IOWA
Counties of Linn and Johnson

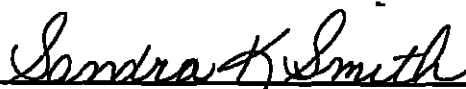
ss.

I, Tim McDougall, do state that I am the publisher of THE GAZETTE, a daily newspaper of general circulation in Linn and Johnson Counties, in Iowa. The notice, a printed copy of which is attached, was inserted and published in THE GAZETTE newspaper in the issue(s) of July 26, 2013.

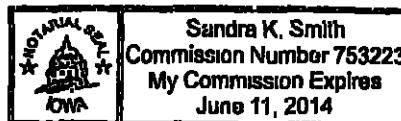
The reasonable fee for publishing said notice is \$27.93



This instrument was acknowledged by Tim McDougall before me on July 26, 2013.



Notary Public in and for the State of Iowa



LEGAL NOTICE
(Chicago, Central, & Pacific Railroad Company gives notice that on or after August 19, 2013, it intends to file with the Surface Transportation Board, Washington, DC 20423, for notice of exemption under 49 CFR 1152 Subpart F-Exemption Abandonments, permitting the abandonment approximately 8.49 miles of railroad line between milepost 230.24 and milepost 239.75 in Linn County, Cedar Rapids, Iowa, which line traverses through U.S. Postal Zip Code 52302. The proceeding will be docketed as AB-314 (Sub No. 6X). The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, 395 E Street SW, Washington, DC 20423 or by calling that office at (202) 245-0245. Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking that use can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E Street SW, Washington, DC 20423-0001. (See 49 CFR 1104.1(a) and 1104.3(a)). And one copy must be served on applicant's representative. (See 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trail use may be directed to the Commission's Office of Congressional and Public Services at (202) 245-0245. Copies of any comments or requests for conditions should be served on the applicant's representative. Thomas, J. Healey, (708) 332-4381, at 17641 S. Ashland Avenue, Homewood, IL 60430.

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
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MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

August 26, 2013

Ms Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
395 L Street, SW
Washington, DC 20423-0001

Re: Environmental Report, Historic Report and Required Certifications for
Docket No AB-314 (Sub No. 6X)
Chicago Central & Pacific Railroad Company — Notice of Exemption for Abandonment in
Cedar Rapids, Linn County, Iowa

Dear Ms Brown:

Chicago Central & Pacific Railroad Company ("CCP") intends to file a Notice of Exemption for the above-referenced proposed abandonment any time on or after September 16, 2013. Enclosed for the above-referenced Abandonment Exemption are the following documents, which are required by 49 C.F.R. Part 1105

1. An original and ten copies of the Environmental/Historic Report;
2. An original and ten copies of the transmittal letter that accompanied the reports; and
3. An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C.F.R. Part 1105.

Feel free to call me if you have any questions.

Respectfully submitted,



Michael J. Barron, Jr.
Attorney for
Chicago Central & Pacific Railroad Company

Encls.



FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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Suite 920
Chicago, Illinois 60606-2832

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Fax: (312) 252-2400
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MICHAEL J. BARRON, JR.
(312) 252-1511
mbarron@fletcher-sippel.com

August 26, 2013

Re: Chicago Central & Pacific Railroad Company Notice of Exemption for Abandonment – Cedar Rapids, Linn County, Iowa - Docket AB-314 (Sub-No. 6X)

To Whom It May Concern:

Any time on or after September 16, 2013, Chicago Central & Pacific Railroad Company ("CCP") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 230.24 and milepost 229.75, a distance of 0.49 miles, in Cedar Rapids, Linn County, Iowa. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0295, and refer to the above docket number.

CCP will file the Environmental Report and Historic Report with the STB on or about August 26, 2013. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (312) 252-1511 or by mail at the above address.

Sincerely,



Michael J. Barron, Jr.
Attorney for Chicago Central & Pacific Railroad Company

Enc.

Docket No. AB-314 (Sub-No. 6X)

CHICAGO CENTRAL & PACIFIC
RAILROAD COMPANY

NOTICE OF EXEMPTION FOR
ABANDONMENT IN CEDAR RAPIDS
LINN COUNTY, IOWA

To: Chief, Section of Administration
Surface Transportation Board (STB)
395 E. Street, SW
Washington, DC 20424

CERTIFICATE OF COMPLIANCE WITH 49 C.F.R. PART 1105

I hereby certify that on August 26, 2013, copies of the Environmental Report and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 C.F.R. § 1105.7(b), all agencies consulted in preparing the reports, and on the State of Iowa Historical Buildings office. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Chicago Central & Pacific Railroad Company intends to file its Notice of Exemption in the above-captioned matter no earlier than September 16, 2013. All appropriate agencies as listed in 49 C.F.R. § 1105.7(e) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on July 26, 2013, in *The Gazette*, a newspaper of general circulation in Linn County, Iowa. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice is attached to this certificate as Attachment B.

Dated this 26th day of August, 2013.



Michael J. Barron, Jr.
Attorney for Chicago Central & Pacific Railroad Company

U S. Environmental Protection Agency
Office of Water
1200 Pennsylvania Ave., N W
Washington, DC 20460

Office of Ocean and Coastal Resource Management
NOAA Ocean Service
1305 East West highway
Silver Springs, MD 20910

Linn County Board of Supervisors
Linn County Administrative Office Building
930 First Street SW
Cedar Rapids, IA 52404

US EPA Region 7
901 N. 5th Street
Kansas City, KS 66101

National Geodetic Survey Information Services
Simon Monroe <Simon.Monroe@noaa.gov>

US Fish & Wildlife Service
Midwest Region
5600 American Blvd. West, Suite 990
Bloomington, MN 55437-1458

U.S. Army Corp of Engineers Rock Island District
Clock Tower Building
PO Box 2004
Rock Island, IL 61204

National Park Service, Midwest Region
601 Riverfront Dr.
Omaha, NE 68102

National Resource Conservation Service
Jay Mar, State Conservationist
Iowa State Office
210 Walnut Street, Room 693
Des Moines, IA 50309-2119

Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

State Historical Society of Iowa
600 East Locust Street
Des Moines, IA 50319
Attn: Douglas Jones

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

Iowa Department of Natural Resources
502 East 9th Street
Des Moines, IA 50319-0034

STATE OF IOWA
Counties of Linn and Johnson

ss.

I, Tim McDougall, do state that I am the publisher of THE GAZETTE, a daily newspaper of general circulation in Linn and Johnson Counties, in Iowa. The notice, a printed copy of which is attached, was inserted and published in THE GAZETTE newspaper in the issue(s) of July 26, 2013.

The reasonable fee for publishing said notice is \$27.93



This instrument was acknowledged by Tim McDougall before me on July 26, 2013.



Notary Public in and for the State of Iowa

LEGAL NOTICE:
Chicago & North Western Railway Company gives notice that on or after August 19, 2013, it intends, in accordance with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F, "Exemption from the requirements of the National Abandonment Act," permitting the abandonment of approximately 0.49 miles of railroad line between milepost 230.24 and milepost 229.75 in Linn County, Cedar Rapids, Iowa which line traverses through US Postal Zip Code 52202. The proceeding will be conducted as AB-314 (Sub No. 6X). The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 75 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA is completed and is available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, 1395 L Street SW, Washington, DC 20423, or by calling that office at (202) 245-0245. Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1395 E. Street SW, Washington, DC 20423-0001. (See 49 CFR 1104.1(a) and 1104.3(e)). And one copy must be served on applicant's representative. (See 49 CFR 1104.12(d)). Questions regarding offers of financial assistance, public use or trail use may be directed to the Commission's Office of Congressional and Public Services at (202) 245-0245. Copies of any comments or requests for conditions should be served on the applicant's representative. Thomas J. Hickey, (708) 332-4381, at 17641 S. Ashland Avenue, Homewood, IL 60433.



Sandra K. Smith
Commission Number 753223
My Commission Expires
June 11, 2014

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-314 (SUB-NO. 6X)

CHICAGO CENTRAL & PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN CEDAR RAPIDS, LINN COUNTY, IOWA

ENVIRONMENTAL/HISTORIC REPORT

Chicago Central & Pacific Railroad Company, ("CCP") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§1105.7 and 1105.8. Supporting correspondence and certifications are attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

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

1 **Proposed Action and Alternatives** CCP seeks to abandon its line of railroad extending from milepost 230.24 to milepost 229.75 in Cedar Rapids, Iowa (the "Line"). The Line is situated in Linn County, Iowa and extends a total distance of 0.49 miles.

The Line has not been required to serve any customer in many years. It previously ran through residential and industrial/commercial areas and passes. In 2007, most of the rail line was removed through an abandonment and the property sold for trail use. There have been no rail shipments of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists.

Following abandonment, CCP intends to salvage rail, ties and track materials from the Line. There are no bridges or structures along this portion. No other alternatives to the proposed abandonment have been considered. A map showing the location of the Line is attached herein as Appendix A.

CCP has contacted and requested comments from the Linn County Board of Supervisors. See correspondence attached herein as Appendix B. The Board has found no adverse effects with regard to this proposed abandonment.

2. Transportation System CCP does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic on the Line, and no passenger trains are operated over the Line.

CCP has contacted and requested comments from the Iowa Department of Transportation. See correspondence attached herein as Appendix C. The Department has not responded to our correspondence.

3. Land Use.

(i) CCP does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the National Geodetic Survey Information Services. See correspondence attached herein as Appendix D. No geodetic survey marks are located along this portion of the Line.

(ii) The proposed abandonment lies entirely within the limits of Linn County, Iowa. CCP has contacted the Natural Resource Conservation Service (NRCS) in Iowa. See correspondence attached herein as Appendix E. No comments have been received to this date.

(iii) CCP has contacted and requested comments from the Office of Ocean and Coastal Resource Management. See correspondence attached herein as Appendix F. There has been no response to date. CCP believes that this track does not lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment should not affect any land or water uses in such an area or result in any coastal

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities move on the Line, and CCP foresees little or no possibility that such on-line traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on this line for many years (if ever), and CCP foresees little or no possibility that any online recyclable commodity traffic would develop in the future.

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

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

5. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail

yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. §1105.7(e)(5)(ii)(A), (B) or (C)

(iii) Not applicable. This is an abandonment of a line on which there have been no customers for at least two years and there is no overhead traffic on the line.

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

7. Safety

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

(ii) Not applicable. To CCP's knowledge, no hazardous commodities were ever handled on this Line. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) To the best of CCP's knowledge, there are no known hazardous waste sites or any hazardous waste materials involved. Therefore, CCP believes that its abandonment will not have any adverse impact on this site.

8. Biological Resources.

(i) The US Fish & Wildlife Service have been contacted and we have requested comments. See correspondence attached as Appendix G. No comments have been received to date

(ii) The Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. CCP has contacted and requested comments from the National Park Service, Midwest Region. See correspondence attached herein as Appendix H. There has been no response to date.

9. Water.

(i) The Army Corps of Engineers has been contacted to determine if the proposed abandonment requires permits under Section 404 of the Clean Water Act. The Corps has indicated it does not. See correspondence attached herein as Appendix I.

CCP also believes that removal of the rails will not affect any existing wetlands. In addition, abandonment should not impact any 100-year floodplain if no additional fill is placed in any floodplain.

(ii) The U.S. Environmental Protection Agency has been contacted and we have requested comments from them. See correspondence attached herein as Appendix J. The EPA referred our correspondence to the Region 7 office. CCP believes that no permits under section 402 of the Clean Water Act (33 U.S.C. 1342) will be required for the proposed action.

CCP has also contacted the U.S. Environmental Protection Agency, Region 7. See correspondence attached herein as Appendix K. There has been no response to date.

10. Proposed Mitigation As no adverse impact is anticipated, CCP does not propose any mitigation activities.

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

1. Map. A map of the Line is attached hereto as Appendix A.

2. Description of Line CCP seeks to abandon its line of railroad extending from milepost 230.24 to milepost 229.75 in Cedar Rapids, Iowa (the "Line"). The Line is situated in Linn County, Iowa and extends a total distance of 0.49 miles

3. Photographs. There are no photographs of the line since there are no bridges or structures.

4. History of Operations The Line has not been required to serve any customer in many years. It previously ran through residential and industrial/commercial areas and passes. In 2007, most of the rail line was removed through an abandonment and the property sold for trail use. There have been no rail shipments of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists.

5. Engineering Documents. To the best of CCP's knowledge, there are no engineering documents since there are no bridges or structures.

6. Historic Criteria. CCP has contacted and given notice of the proposed abandonment to the State of Iowa Historical Buildings office. See correspondence attached as Appendix L. CCP will forward additional feedback to the STB as soon as it is received

8. Ground Disturbances CCP is unaware of any possibility that archeological resources may be in the area. Access to the line is generally good.

Dated: August 26, 2013

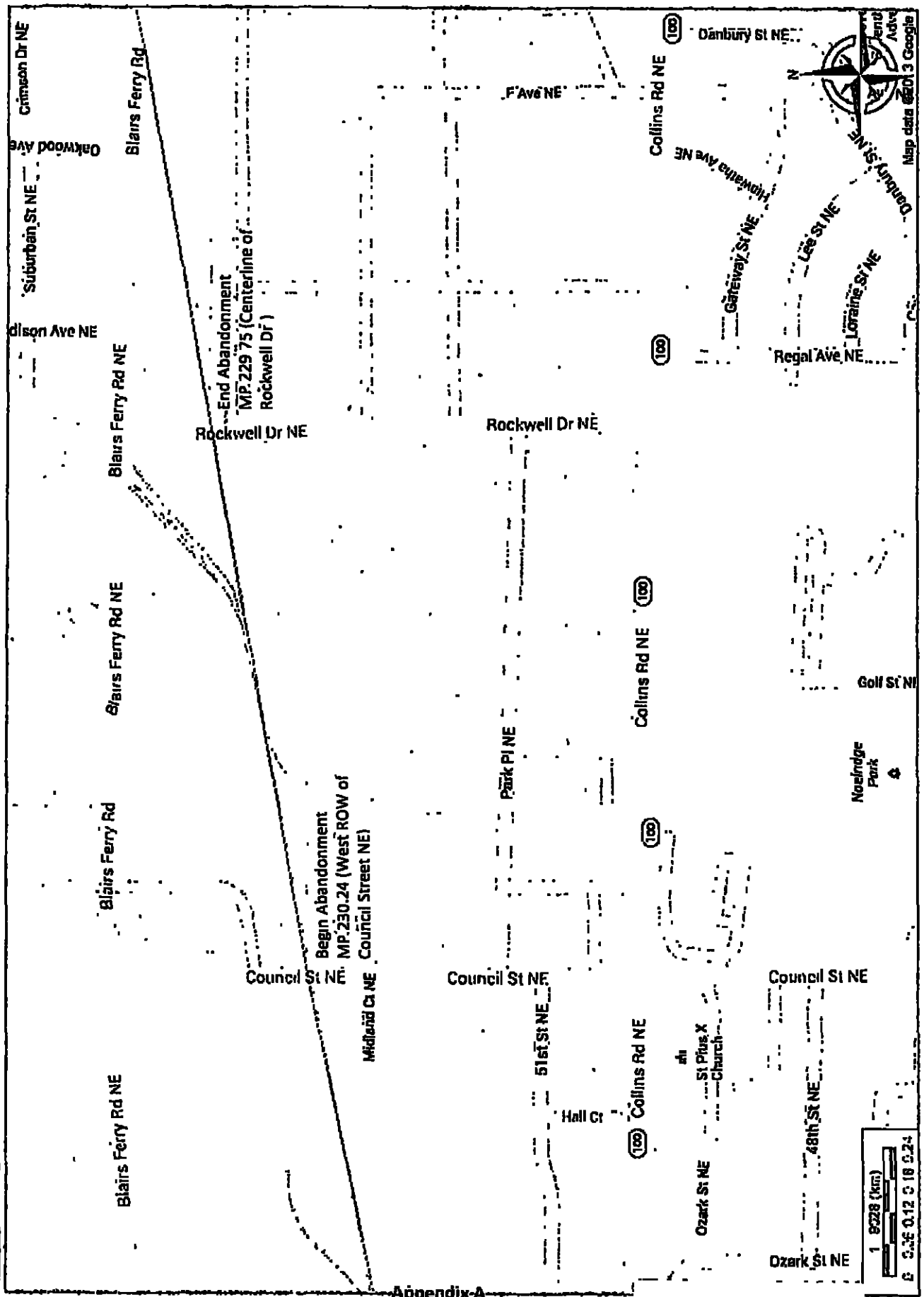
Respectfully submitted,



Michael J. Barron, Jr.
Attorney for the Chicago Central & Pacific Railroad Company
Fletcher & Sippel LLC
29 N Wacker, Suite 920
Chicago, IL 60606-2832
Telephone: 312-252-1500



Cedar Rapids, Linn County, Iowa





www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17841 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4381
tom.healey@cn.ca

June 25, 2013

Linn County Board of Supervisors
Linn County Administrative Office Building
930 First Street SW
Cedar Rapids, IA 52404

Re: Docket AB-314 (Sub-No 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam:

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl



**Board of Supervisors
Linn County, Iowa**

Lu Barron - District 1
Linda Langston - District 2
Ben Rogers - District 3
Bront Oleson - District 4
John Harris - District 5

935 Second Street SW
Cedar Rapids, Iowa 52404-2100

July 31, 2013

Thomas J. Healey, Esq
Counsel for Chicago Central & Pacific
Railroad Company
17641 S. Ashland Avenue
Homewood, IL 60430-1339

Re: Docket AB-314 (Sub-No. 6X)
Proposed Abandonment in Cedar Rapids, Linn County, Iowa

Dear Mr. Healey

Mr. Les Beck, Linn County's Director of Planning and Development, has reviewed the proposed abandonment of approximately .49 miles of railroad line in Cedar Rapids, Iowa, for its potential effects on the 12 factors listed in your letter.

He has found no adverse effects, and the Board of Supervisors concurs. Thank you for the opportunity to speak to this issue.

Sincerely,

Lu Barron
Chair
Linn County Board of Supervisors



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4381
tom.healey@cn.ca

June 25, 2013

Iowa Department of Transportation
800 Lincoln Way
Arnes, Iowa 50010

Re. Docket AB-314 (Sub-No 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam,

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl.



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Thomas J. Healey
Counsel - Regulatory
17841 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4381
tom.healey@cn.ca

June 25, 2013

National Geodetic Survey Information Services
Simon Monroe <Simon.Monroe@noaa.gov>

Re Docket: AB-314 (Sub-No 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Mr. Monroe:

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl

Rebecca Bott

From: Rebecca Bott
Sent: Tuesday, July 23, 2013 01:03 PM
To: Rebecca Bott
Subject: FW: NGS Response, STB Docket AB-314 (SUB NO 006X)

----- Original Message -----

Subject: NGS Response, STB Docket AB-00 (SUB NO 000X)
Date: Wed, 16 Apr 2008 17:47:20 -0400
From: Simon Monroc <Simon.Monroc@noaa.gov>
To: Simon Monroc <Simon.Monroc@noaa.gov>

Thank you for sharing your railroad abandonment environmental report for
CEDAR RAPIDS, Linn County, IOWA.

Approximately 00 geodetic survey marks may be located in the area
described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall
consult with the National Geodetic Survey (NGS) at least 90 days prior to
beginning salvage activities that will disturb, or destroy any geodetic
station

marks are described on the attached file Additional advice is provided
at

<http://geodesy.noaa.gov/marks/railroads/>

|---|---| |-----|-----|-----|---|-----|

No Stations Found.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17841 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4381
tom.healey@cn.ca

June 25, 2013

National Resource Conservation Service
Jay Mar, State Conservationist
Iowa State Office
210 Walnut Street, Room 693
Des Moines, IA 50309-2119

Re Docket. AB-314 (Sub-No 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Mr. Mar.

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230 24 and ending at MP 229 75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl.



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T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

June 25, 2013

Office of Ocean and Coastal Resource Management
NOAA Ocean Service
1305 East West highway
Silver Springs, MD 20910

Re: Docket AB-314 (Sub-No. 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl.



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Counsel - Regulatory
17841 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

June 25, 2013

US Fish & Wildlife Service
Midwest Region
5800 American Blvd. West, Suite 990
Bloomington, MN 55437-1458

Re: Docket. AB-314 (Sub-No. 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam:

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl.

Appendix G



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Thomas J. Healey
Counsel - Regulatory
17841 S Ashland Avenue
Homewood, IL 60430 1339

T - 708-332-4381
F - 708-332-4381
tom.healey@cn.ca

June 25, 2013

National Park Service, Midwest Region
601 Riverfront Dr.
Omaha, NE 68102

Re: Docket AB-314 (Sub-No 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam:

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following

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Law

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Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430 1339

T - 708-332-4381
F - 708-332-4381
tom.healey@cn.cn

June 25, 2013

U.S. Army Corp of Engineers Rock Island District
Clock Tower Building
PO Box 2004
Rock Island, IL 61204

Re. Docket: AB-314 (Sub-No 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam:

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl.



REPLY TO
ATTENTION OF

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

August 1, 2013

Operations Division

SUBJECT: CEMVR-OD-P-2013-1030

Mr Thomas Healey
Chicago Central and Pacific Railroad Company
17641 S. Ashland Ave.
Homewood, Illinois 60430-1339

Dear Mr. Healey:

Our office reviewed your letter dated June 25, 2013, concerning the proposed abandonment of 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Section 3, Township 83 North, Range 7 West, Linn County, Iowa.

We determined your project as proposed 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.

You are advised that this determination for your project is valid for five years from the date of this letter. If the project is 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 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.usacc.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 me by letter, or telephone at 309/794-5859.

Sincerely,

Albert J. Frohlich
Project Manager
Enforcement Section

Enclosures

Copies Furnished (w/o enclosures)

**Mr. Kelly Stone (3)
Iowa Department of Natural Resources
Water Resources Section
Wallace State Office Building
502 East 9th Street
Des Moines, Iowa 50319-0034**



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1338

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

June 25, 2013

U.S. Environmental Protection Agency
Office of Water
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Re. Docket AB-314 (Sub-No. 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam:

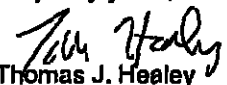
Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
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3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl.

Appendix J



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D C 20460

JUL 09 2013

OFFICE OF WATER

Mr. Thomas J. Healey
Counsel for Wisconsin Central Ltd.
17641 S. Ashland Avenue
Homewood, Illinois 60430

Dear Mr. Healey,

Thank you for your letter of June 25, 2013, to the U.S. Environmental Protection Agency (EPA) regarding Chicago Central & Pacific Railroad Company Proposed Abandonment in Cedar Rapids, Linn County Iowa.

We have referred your letter to Mr. Jason Daniel of our Region 7 office in Kansas City, KS. The EPA Region 7 has responsibility for actions in the State of Iowa. Mr. Daniel's office will respond to your letter. You can contact Mr. Daniels at 913-551-7443 or at daniels.jason@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "David Evans", is written over a horizontal line.

David Evans,
Director, Wetlands Division



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4381
tom.healey@cn.ca

June 25, 2013

US EPA Region 7
901 N 5th Street
Kansas City, KS 66101

Re: Docket AB-314 (Sub-No. 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam:

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Linn County, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

1. Water quality,
2. Designated wetlands,
3. 100-year-old flood plains;
4. Endangered or threatened species,
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests,
8. Coastal zone management,
9. Soil and natural resource conservation;
10. Agricultural land,
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Encl

Appendix K



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17841 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4381
tom.healey@cn.ca

June 25, 2013

State of Iowa Historical Building
Attn: Director
600 East Locust
Des Moines, IA 50319-0290

Re: Docket AB-314 (Sub-No. 6X)
Proposed abandonment in Cedar Rapids, Linn County, Iowa

Dear Sir or Madam:

Chicago Central & Pacific Railroad Company ("CCP") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.49 miles of railroad line starting at MP 230.24 and ending at MP 229.75 in Cedar Rapids, Iowa. For your convenience, we have attached a map for your reference. CCP is advising you of the proposed action so you may assist us in performing a historical review process. There are no buildings or structures located along this segment of the line and therefore, there are no historic properties.

Thank you for your assistance. Please call me should you have questions.

Very truly yours,

Thomas J. Healey
Counsel for Chicago Central & Pacific Railroad Company

Enc

Appendix L

Michael Barron, Jr.

Subject: FW. 130657082 Chicago Central & Pacific Railroad Company Docket AB-314 (Sub-No 6X) MP 230.24 to MP 229.75 in Cedar Rapids

From: Jones, Doug [DCA] [<mailto:Doug.Jones@iowa.gov>]
Sent: Wednesday, August 07, 2013 10:39 AM
To: Tom Healey
Cc: Jones, Doug [DCA]; Strand, June [DCA]; Cownie, Mary [DCA]
Subject: 130657082 Chicago Central & Pacific Railroad Company Docket AB-314 (Sub-No.6X) MP 230.24 to MP 229.75 in Cedar Rapids

Mr. Healey,

We have received your recent correspondence that you submitted to our office regarding the above referenced undertaking. We understand that this project will be a federal undertaking for the Surface Transportation Board (STB) and will need to comply with Section 106 of the National Historic Preservation Act and the National Environmental Policy Act

We will need the following types of information provided to our office to initiate the Section 106 review for this undertaking:

- The Area of Potential Effect (APE) for this project needs to be adequately defined (36 CFR Part 800.16 (d)).
- Information on what types of cultural resources are or may be located in the APE (36 CFR Part 800.4).
- The significance of the historic properties in the APE in consideration of the National Register of Historic Places Criteria
- A determination from the responsible federal agency of the undertaking's effects on historical properties within the APE (36 CFR Part 800.5)

A lot of the background research on cultural resources can be initiated through on-line searches such as I-Sites <http://www.uiowa.edu/~osn/focus/information/isf.htm> to conduct archaeological and architectural site background checks.

We will be able to provide comments on this undertaking when this information has been addressed and provided to our office. Please reference the Review and Compliance Number provided above in all future submitted correspondence to our office for this project. We look forward to further consulting with you and the Surface Transportation Board on this project.

We have provided this technical assistance according to our responsibility defined by Federal law. It remains the federal agency's decision on how you will proceed from this point for this project.

Douglas W. Jones, Int. Deputy State Historic Preservation Officer
State Historical Society of Iowa
600 East Locust
Des Moines, Iowa 50319

• (515) 281-4358

• Doug.jones@iowa.gov

REQUEST FOR SHPO COMMENT ON A PROJECT

Submit one copy with each property for which our comment is requested. Please print or type.
Return to State-Historical Society of Iowa, State Historic Preservation Office, 800 E. Locust St, Des Moines, IA 50319-0290

I. GENERAL INFORMATION

☐ This is a new submittal

☒ This is more information relating to SHPO R&C #: 130657082

a Property Name: Chicago Central & Pacific Railroad Company Rail Line

b Property Street & Number: Rail line between running east-west from Council Street to Rockwell Drive, south of Blair's Ferry Road Northeast

c. County. Linn City Cedar Rapids Zip 52302

d Federal Agency STB Federal Funding Program/Permit. N/A

e. Agency Project No. AB-314 (Sub No. 6X) If HUD, circle one: 24 CFR Part 50 or Part 58

f. Contact Person on Project: Michael Barron Phone: (312) 252-1511

g Contact Address: Fletcher & Sippel, 29 N. Wacker Dr., Ste 920, Chicago, IL Zip: 60606

email mbarron@fletcher-sippel.com

II. IDENTIFICATION OF HISTORIC PLACES

Scope of Effort Applied

☐ As agreed in programmatic or other agency agreements with SHPO (if applicable)

☒ Includes the attached elements required under 36 CFR 800.4(a)

1) Area of potential effects, as defined in 800.16(d), is shown on map

2) Existing information has been reviewed on historic properties in the property area at SHPO office and/or other locations of inventory data

3) Information has been sought from parties likely to have knowledge about historic properties in the project area

4) Information gathered from Indian tribes, as appropriate

Identification Results

History and Architecture

☐ An attached Iowa Site Inventory form is completed
buildings or structures 50 years old or older

for each building 50 years of age or older N/A, There are no

Archaeology

☐ Yes ☒ No The project will involve excavation

If yes, submit all of the following information (use attachments of necessary)

1) Precise project location map (preferably U.S.G.S 7.5 min Quad with name, date, & location)

2) Site plan showing limits of proposed excavation

3) Number of acres in project

4) Legal location: Section(s) Township(s) Range(s)

5) Description of width and depth of proposed excavation and current conditions of project area

III. APPLICANT CERTIFICATION (Check Either Adverse Effect or No Adverse Effect for Historic Property Affected category)

Findings (Check One)

☒ No historic properties will be affected (i.e., none are present or there are historic properties present but the project will have no effect upon them) and adequate documentation under 800.11 is provided, including

1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, drawings, as necessary and

2) A description of the steps taken to identify historic properties, including, as appropriate, efforts to seek information pursuant to 800.4(b) and

3) The basis for determining that no historic properties are present or affected

I understand that the SHPO has 30 days from receipt to object to the finding, after which the applicant's responsibilities under Section 106 of the Historic Preservation Act are fulfilled.

☐ An historic property will be affected for which documentation is provided as required in 36 CFR Part 800.11(e) and, in applying the criteria of adverse effect under 800.5, propose that the project be considered to have (Check One):

☐ A No Adverse Effect under which, in consultation with the SHPO, the project will be modified or conditions imposed to avoid adverse effects. I understand that failure of the SHPO to provide a dated response within 30 days from receipt to the finding shall be considered agreement of the SHPO with the finding

☐ An Adverse Effect is found and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect under 800.6

Federally Authorized Signature.

Type name below →

Date: August 22, 2013

IV. STATE HISTORIC PRESERVATION OFFICE COMMENT

☐ Agree with the finding in section III above (move to reader's file)

☐ See attached follow-up letter

☐ Object to the finding for reasons indicated in attached letter

☐ Cannot review until information is sent as follows

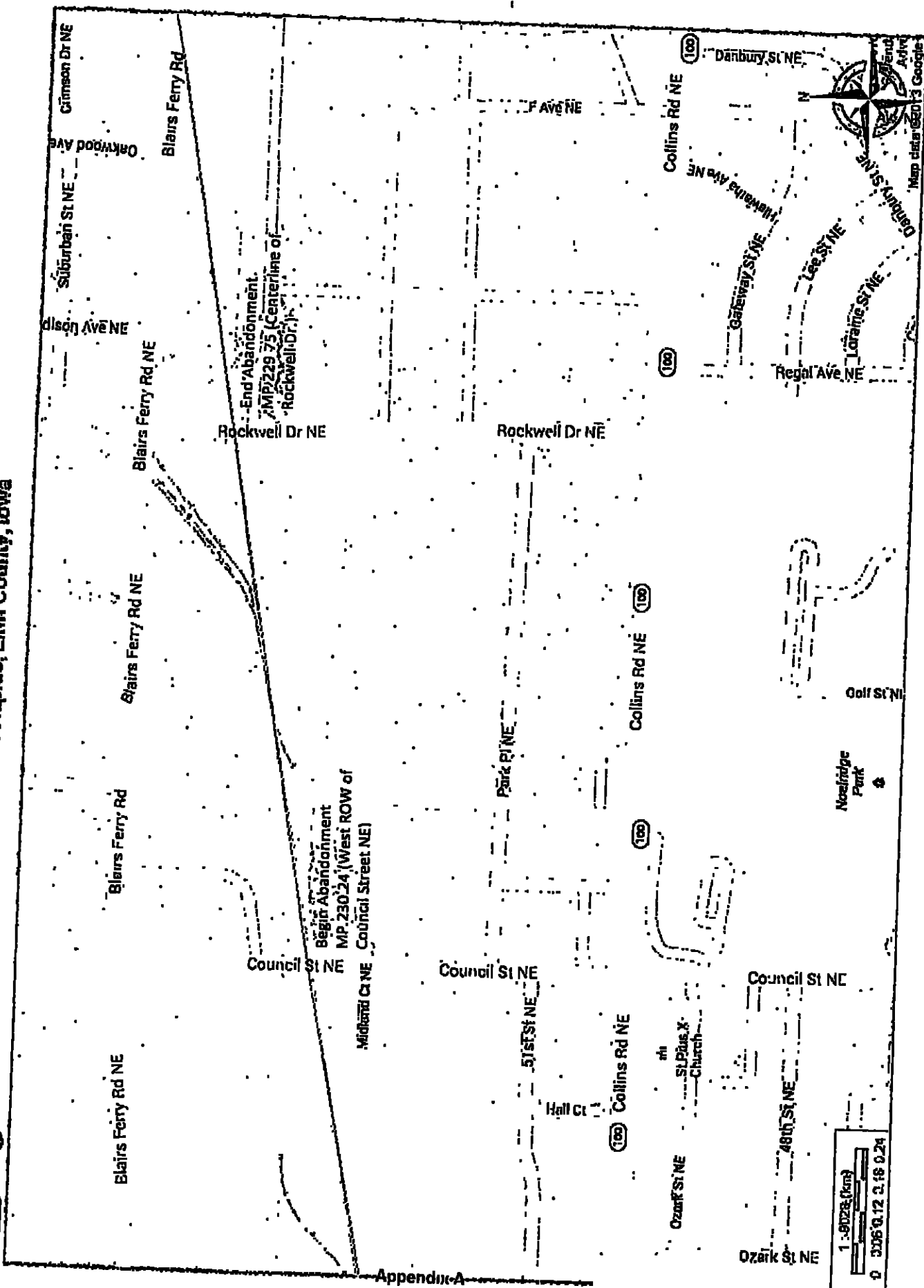
Authorized Signature: Date

Please mail a copy of this signed statement to your contact person at the Federal Agency

Version, 12/18/02



Cedar Rapids, Linn County, Iowa



Appendix A