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City of Marion

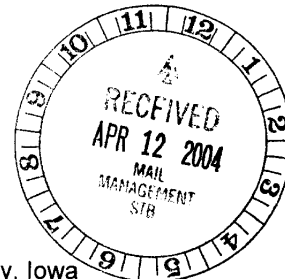
1100 8th Avenue • Marion, IA 52302
(319) 377-1581 • Fax (319) 377-7892 • www.cityofmarion.org

April 6, 2004

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street NW – Room 711
Washington, DC 20423

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RE: STB Docket No. AB-314 (Sub-No 2X) Part of Public Record
Chicago Central & Pacific Railroad – Abandonment – Linn County, Iowa

Dear Mr. Williams:

On October 25, 2002, the Surface Transportation Board (STB) entered into a decision and served notice with respect to interim trail use/rail banking of the captioned abandonment, subject to public use trail, environmental and standard employee protective conditions. On October 29, 2003, the STB concurred with the City of Marion's request to extend the interim trail use/park banking of the subject abandonment until April 19, 2004.

Since negotiations have commenced, the city has been awarded a Brownfields Environmental Assessment Grant by the U.S. Environmental Protection Agency (EPA). The project area for this grant includes a substantial part of the railroad abandonment property. After consulting with the railroad, it has been mutually agreed that meaningful negotiations cannot be undertaken until the environmental assessment has been completed. Both parties have agreed to suspend negotiations until the environmental assessments are complete. The contracts for the environmental assessments have been awarded. The project has begun and it is expected the environmental assessments will be available within the next six months. (Please refer to timeline for Railroad Property Environmental Assessment developed by engineering firm Howard R. Green Company.)

Accordingly, the City of Marion, Iowa, respectfully requests an additional six (6) month time extension regarding interim trail use/rail banking of the subject abandonment within the corporate limits of the City of Marion, Iowa.

Please feel free to contact City Manager Jeff Schott or me at 319-377-1581 if you have any questions or need additional information regarding this request.

Sincerely,

John B. Nieland, Mayor

JBN:st

cc: Michael J. Barron, Jr., Counsel, Chicago Central & Pacific Railroad
Wayne Gartner, Chicago Central and Pacific Railroad
Nancy J. Burns, Iowa Department of Transportation
John Hey, Iowa Department of Transportation
Troy Siefert, Iowa Department of Transportation

**Marion Central Corridor Brownfields Assessment Project
Time Line for Railroad Property Assessment**

Task	Time Period - 2004											
	February	March	April	May	June	July	August	September	October	November	December	
Enter into Contract with Consultant												
EPA Property Eligibility Determination												
Obtain Signed Access Agreement from CCPRR												
Complete Phase I Work Plan & Submit to EPA												
Complete Phase I ESA on CCPRR & Submit to EPA												
Complete Phase II DQO/QAPP & Submit to EPA												
Receive EPA Approval/Comments on DQO/QAPP												
Complete PSSAC for Phase II ESA on CCPRR & Submit to EPA												
Receive EPA Approval/Comments from PSSAC												
Complete Phase II ESA on CCPRR & Submit to EPA & IDNR												
Receive EPA & IDNR Comments on Phase II ESA												
Evaluate Remediation Alternatives												
Enter into Property Acquisition Negotiations with CCPRR												

KEY

CCPRR = Chicago, Central & Pacific Railroad Company
DQO/QAPP = Data Quality Objective/Quality Assurance Project Plan
EPA = Environmental Protection Agency Region 7
ESA = Environmental Site Assessment
IDNR = Iowa Department of Natural Resources
PSSAC = Property Specific Sampling and Analyses Checklist