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Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1323X

IOWA & MIDDLETOWN RAILWAY LLC
- ABANDONMENT EXEMPTION –
IN DES MOINES COUNTY, IA

ENVIRONMENTAL/HISTORIC REPORT

(color copies included)

ENTERED
Office of Proceedings
May 24, 2022
Part of
Public Record

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*Counsel for Iowa & Middletown Railway
LLC*

Dated: May 24, 2022

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1323X

IOWA & MIDDLETOWN RAILWAY LLC
- ABANDONMENT EXEMPTION - IN DES MOINES COUNTY, IA

ENVIRONMENTAL/HISTORIC REPORT

Iowa & Middletown Railway LLC (“IAMR” or “Applicant”) will be seeking exemption authority for IAMR to abandon approximately 4-miles of rail line (the “Subject Line”) located within the Iowa Army Ammunition Plant (the “Plant”) in Des Moines County, IA. The Subject Line does not have any mileposts. There is one station on the Subject Line. The Subject Line traverses through United States Postal Service ZIP Code 52638. A map of the Subject Line is attached as Exhibit A.

IAMR leases the Subject Line and other tracks located at the Plant from the U.S. Army Joint Munitions Command (“JMC”) through its representative American Ordnance LLC (“AO”). IAMR will be seeking authority to allow it to stop operating at the Plant. IAMR does not own the tracks located at the Plant, including those that comprise the Subject Line, and has no right or plans to salvage any track in connection with the proposed abandonment. IAMR does not know whether the owner will arrange to continue to use the tracks, and if so whether the use will be as common carrier or private tracks.

IAMR plans to seek Surface Transportation Board (“STB”) authorization for its abandonment through a petition for exemption pursuant to 49 USC §10502 and the Board’s regulations at 49 CFR §1152.60 from the prior approval requirements of 49 USC §10903 on or about June 14, 2022. This Report is being filed in connection therewith, and in accordance with

the requirements of 49 CFR 1105.7 and 1105.8. To prepare this Report, Applicant consulted with various state and federal agencies as required by the Board's regulations. See the letters attached as Exhibit B. Based on the written responses received by Applicant to-date attached as Exhibit C, Applicant states as follows:

ENVIRONMENTAL REPORT

(49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

Applicant originally obtained Board authority to acquire and operate approximately four miles of the Subject Line on a portion of the Plant to perform transloading activities for tenants. IAMR leases the line to provide common carrier rail service to transload customers and other rail customers located in the business park. *Iowa & Middletown Railway LLC – Lease and Operation Exemption – American Ordnance LLC, Owner's Representative for U.S. Joint Munitions Command*, STB Finance Docket No. 36231 (served Nov. 26, 2018). IAMR has also used other tracks on the Plant for storage of rail cars.

IAMR does not own and will not salvage the Subject Line; it will remain on the Plant property as private track.

2. EFFECTS ON THE TRANSPORTATION SYSTEM

The abandonment will have no effect on the transportation system because the Subject Line will continue to have access to the interstate rail network as private track. Applicant sent a consultation letter regarding the proposed abandonment to the Iowa Department of Transportation ("IDOT"). See the letters attached as part of Exhibit B. No response has been received from IDOT.

3. **LAND USE**

(i) Applicant is unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. Applicant consulted with the following agencies regarding the proposed abandonment that may be concerned with land use issues: US Department of Agriculture Natural Resources Conservation Service – Local (“NRCS Local”), US Department of Agriculture Natural Resources Conservation Service – National (“NRCS National”), Environmental Protection Agency Region 7 (“EPA Region 7”), U.S. Army Corp of Engineers Western Branch, Rock Island District, Regulatory Division (“ACE”), National Park Service – National (“NPS National”), National Park Service – Midwest Region, Region 3,4,5 (“NPS Midwest Region”), U.S. Fish & Wildlife Service – Midwest Region (“FWS Midwest Region”), National Geodetic Survey, National Oceanic and Atmospheric Administration (“NGS”), IDOT, Iowa Department of Natural Resources (“IDNR”), Iowa Environmental Protection Agency (“IEPA”), The Honorable Tom Broeker, Board Chairman, The Des Moines County Board of Supervisors (“Des Moines County”).

Copies of these letters are attached as part of Exhibit B. To date, Applicant has only received written responses from the following consulted agencies, copies of which are included as part of Exhibit C:

- NGS states a search of its database indicates that any markers within the Plant are water tanks.
- ACE responded to state that it has no concerns.
- IDNR responded that it “searched records of rare species and significant natural communities in the project area and found no site-specific records that would be impacted by” the proposed abandonment.

(ii) Applicant does not believe that the proposed abandonment will have any adverse effect on any prime agricultural land. Consultation notices were sent to the potentially

concerned agencies listed in paragraph 3(i) above, and as indicated, no responses have been received except for the responses from NGS, ACE, and IDNR.

(iii) Iowa does not participate in the National Coastal Zone Management Program, and accordingly, consistency with any coastal zone plans is inapplicable.

(iv) IAMR is not aware of JMC intentions for Subject Line or the Plant and therefore Applicant cannot provide a statement on whether the right of way is suitable for use as a trail or other public purposes.

4. ENERGY

As noted above, IMR leases the Subject Line from JMC, but does not own the Subject Line. Since JMC will continue to own the Subject Line as private track,

(i) the proposed abandonment will have no effect on the transportation of energy sources;

(ii) the proposed abandonment will have no effect on recyclable commodities;

(iii) the proposed abandonment will be no effect on overall energy efficiency;

and

(iv) the proposed abandonment will not divert any traffic from rail to motor carriage.

The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. AIR

The proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity. The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(5).

6. NOISE

Applicant does not believe that the proposed abandonment will result in any increase in noise levels.

7. SAFETY

Applicant does not believe that the proposed abandonment will have any adverse effect on public health or safety.

8. BIOLOGICAL RESOURCES

(i) Applicant has consulted with the FWS Midwest Region, as well as to the following agencies that are potentially concerned with biological resources: IDNR, NPS National, NPS Midwest Region, ACE, NRCS-National, and NRCS-Local. Copies of these consultation letters are attached as part of Exhibit B. As stated in Section 3(i), IDNR responded that it “searched records of rare species and significant natural communities in the project area and found no site-specific records that would be impacted by” the proposed abandonment.

(ii) Applicant does not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposed abandonment. Consultation letters were sent to the agencies identified in paragraph 8(i), and Applicant did not receive any responses.

9. WATER

(i) No salvage of the Subject Line is currently planned, and the proposed abandonment will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. Applicant consulted with the agencies identified in paragraph 8(i) and has received no responses.

(ii) Applicant sent a consultation letter regarding the proposed abandonment to the U.S. Army Corps of Engineers. A copy of this letter is attached as part of Exhibit B. ACE responded that it has no concerns related to the proposed abandonment.

(iii) Applicant does not believe that any Clean Water Act permits will be required. Consultation letters were sent to IEPA and EPA. Copies of these letters are attached as part of Exhibit B and Applicant has not received any responses that a Clean Water Act permit is required.

10. PROPOSED MITIGATION

Since no adverse environmental impacts are expected, no mitigation is proposed.

11. ADDITIONAL INFORMATION FOR RAIL CONSTRUCTION

Not applicable.

12. CONSULTATION

As shown by the copies of letters attached as Exhibit B, Applicant has consulted with the following agencies: NRCS Local, NRCS National, EPA Region 7, ACE, NPS National, NPS Midwest Region, FWS Midwest Region, NGS, IDOT, IEPA, IDNR, and Des Moines County. Written responses received to-date are attached as Exhibit C. Written responses received from NGS, ACE, and IDNR are summarized above.

13. CERTIFICATIONS

Applicant certifies that:

- (a) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph 12 above.
- (b) On this date, it sent copies of this report to each of the agencies consulted as shown on the attached certificate of service.

- (c) Notice of the proposed abandonment was published in the *Hawk Eye* May 8, 2022. A copy of the form of notice and proof of publication are attached as Exhibit D.
- (d) Applicant will not file its verified notice of abandonment until at least twenty (20) days after the consulted agencies have been served with a copy of this report.

HISTORIC REPORT (49 CFR 1105.8)

1. U.S.G.S TOPOGRAPHIC MAP

U.S.G.S. topographic maps showing the location of the proposed abandonment are attached as Exhibit E.

2. DESCRIPTION OF RIGHT OF WAY

IAMR will be seeking exemption authority to abandon the approximately 4-mile long Subject Line located within the Plant in Des Moines County, IA. The Subject Line does not have any mileposts. The Subject Line is located primarily in an industrial park within a former military facility. The right of way is generally 50 feet wide. The right of way does not cross any public roadways.

IAMR leases the Subject Line and other tracks located at the Plant from JMC through its representative AO. IAMR will be seeking authority to allow it to stop operating at the Plant. IAMR does not own the tracks located at the Plant, including those that comprise the Subject Line, and will not salvage any track in connection with the proposed abandonment. IAMR does not know whether the owner will arrange to continue to use the tracks, and if so whether the use will be as common carrier or private tracks.

Applicant originally obtained Board authority to lease and operate the Subject Line on a portion of the Plant that JMC no longer needed and repurposed as a business park. IAMR leases the Subject Line from the JMC through its representative AO to provide common carrier rail service to transload customers and other rail customers that were or would locate in the business park. *Iowa & Middletown Railway LLC – Lease and Operation Exemption – American Ordnance LLC, Owner’s Representative for U.S. Joint Munitions Command, STB Finance Docket No. 36231 (served Nov. 26, 2018).*

3. **PHOTOGRAPHS OF HISTORIC STRUCTURE(S)**

No structures exist on the line and thus no photographs of historic structures are required.

4. **DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)**

No structures over 50 years old exist on the Subject Line.

5. **HISTORY OF CARRIER OPERATIONS IN THE AREA**

Applicant originally obtained Board authority to lease and operate approximately four miles of the Subject Line within the Plant on a portion of the Plant that JMC no longer needed and repurposed as a business park. IAMR believes that prior to its lease, rail service on the Plant was provided by private (non-common carrier) operators.

6. **SUMMARY OF STRUCTURE DOCUMENTATION**

There are no structures on the Subject Line and as such, no documentation of structures over 50 years old is required.

7. **OPINION REGARDING CRITERIA FOR LISTING**

Based on readily available information in IAMR's possession, IAMR does not believe that the Subject Line or right of way represent an historical resource or that any protective conditions are warranted.

Applicant has given notice of the proposed abandonment to the Iowa State Historic Preservation Office ('SHPO'), a copy of which is included as part of Exhibit F. The SHPO submitted an email to IAMR stating, "[w]e look forward to consulting with the Surface Transportation Board regarding the above-referenced federal undertaking and reviewing the results of historic property investigations/inventories, evaluations and effects assessment." A copy of the SHPO's letter is included as part of Exhibit G. In transmitting this report to the SHPO, Applicant provided the Board's policy stating that "applicants seeking authority from the

Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations” of the National Historic Preservation Act.

8. ENVIRONMENTAL CONDITIONS

Applicant is unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might affect the archeological recovery of resources or the surrounding terrain. Moreover, Applicant does not own the tracks and will not be conducting any salvage work as part of this abandonment.

Respectfully submitted,



Eric M. Hocky
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Suite 2620
Philadelphia, PA 19103
(215) 640-8500
ehocky@clarkhill.com

Justin J. Marks
Clark Hill PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
(202) 772-0916
jmarks@clarkhill.com

*Counsel for Iowa & Middletown Railway
LLC*

Dated: May 24, 2022

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of May 2022, I served a copy of the foregoing Environmental and Historic Report on the persons listed below by first class mail, postage prepaid:

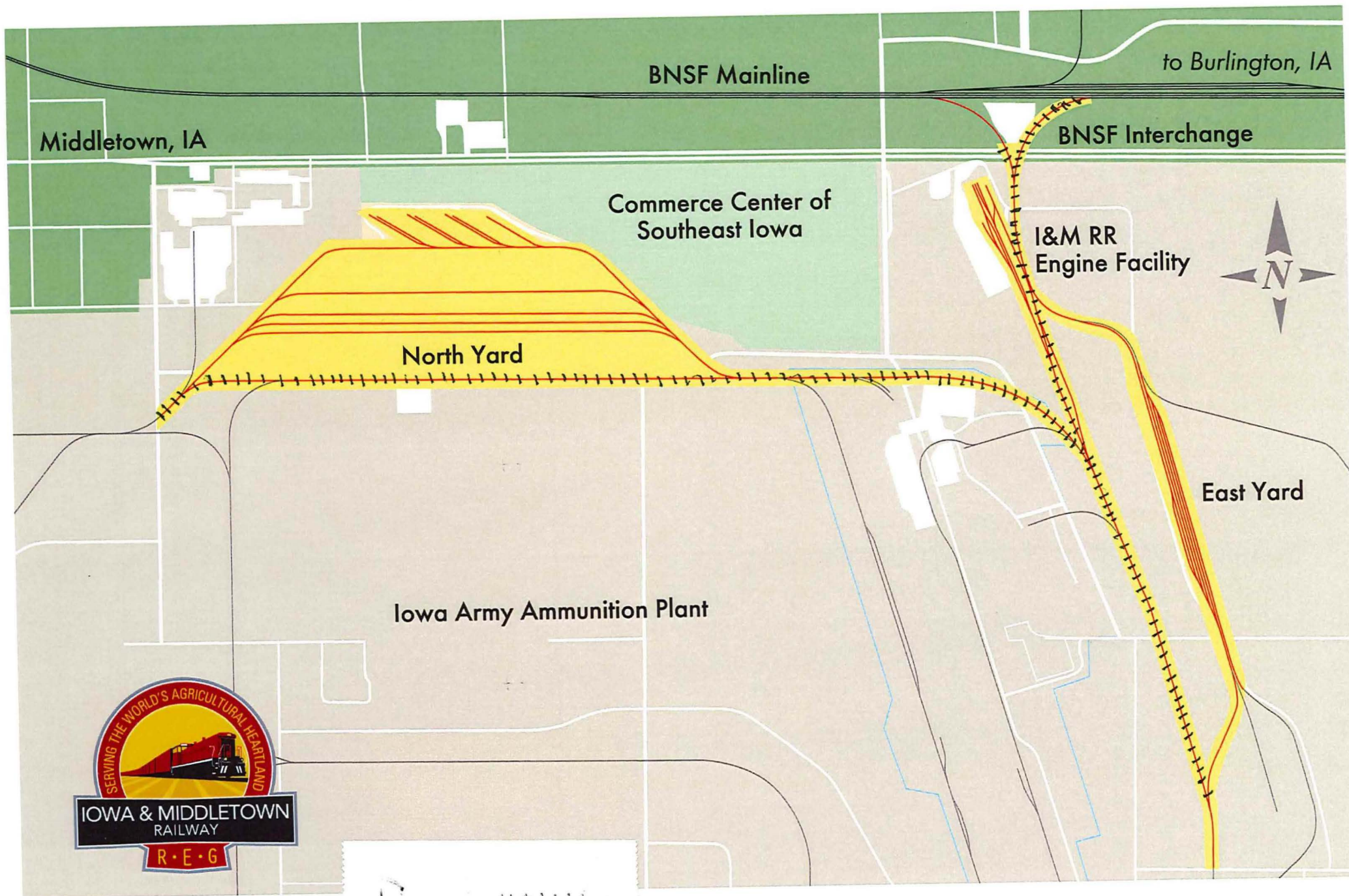
Jon Hubbert, State Conservationist USDA Natural Resources Conservation Service Neal Smith Federal Building 210 Walnut Street, Room 693 Des Moines, IA 50309 Jon.hubbert@usda.gov	Meg McCollister, Regional Administrator Office of the Regional Administrator US EPA Region 7 11201 Renner Blvd. Lenexa, KS 66219
United States Department of Agriculture Natural Resources Conservation Service Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250	U.S. Army Corps of Engineers Western Branch, Rock Island District ATTN: Regulatory Division Clock Tower Building P.O. Box 2004 Rock Island, IL 61204-2004 iowaregulatory@usace.army.mil
National Park Service 1849 C Street, NW Washington, DC 20240	National Park Service Regional Director Midwest Region, Region 3,4,5 601 Riverfront Drive Omaha, NE 68102-4226
United States Fish & Wildlife Service Midwest Region 5600 American Boulevard West Suite 990 Bloomington, MN 55437-1458	National Geodetic Survey ngs.infocenter@noaa.gov
Iowa Department of Natural Resources Permitting and Environmental Review Tool https://programs.iowadnr.gov/permit/	Iowa Department of Transportation Office of Rail Transportation 800 Lincoln Way Ames, IA 50010
The Honorable Tom Broeker	Iowa Environmental Protection Agency

Board Chairman, The Des Moines County Board of Supervisors Board@dmcounty.com	Environmental Field Office 6 1023 W. Madison Washington, IA 52353
Iowa Department of Cultural Affairs Daniel Higginbottom Daniel.higginbottom@iowa.gov	

Justin J. Marks
CLARK HILL PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
202.772.0916
jmarks@clarkhill.com

EXHIBIT A

MAP



Line ++++++

EXHIBIT B

CONSULTATION LETTERS

(ENCLOSURES NOT INCLUDED)

Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
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Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

March 24, 2022

VIA EMAIL AND/OR FIRST-CLASS MAIL

ALL AGENCIES ON THE
ATTACHED SERVICE LIST

Re: Iowa & Middletown Railway LLC – Abandonment Exemption –
in Des Moines County, IA
Surface Transportation Board Docket No. AB 1323X

To Whom it May Concern:

This letter is to advise you that Iowa & Middletown Railway LLC ("IAMR") intends to file a petition for exemption for IAMR to abandon approximately four miles of track (the "Subject Line") located within the Iowa Army Ammunition Plant (the "Plant") in Des Moines County, IA. The Subject Line does not have any mileposts.

The Subject Line traverses through United States Postal Service ZIP Code 52638. A map of the Subject Line is attached as Exhibit A.

IAMR plans to petition the Surface Transportation Board ("STB") for an exemption under 49 USC § 10502 from the provisions of 49 USC § 10903 to enable IAMR to abandon the Subject Line, on or after May 26, 2022 in STB Docket No. AB 1323X.

IAMR leases the Subject Line and other tracks located at the Plant from the U.S. Army Joint Munitions Command ("JMC") through its representative American Ordnance LLC. IAMR will be seeking authority to allow it to stop operating at the Plant. IAMR does not own the tracks located at the Plant, including those that comprise the Subject Line, and has no plans to salvage any track in connection with the proposed abandonment. IAMR does not know whether the owner will arrange to continue to use the tracks, and if so whether the use will be as common carrier or private tracks.

Based upon information in IAMR's possession, the Subject Line is located on federally-owned property.

IAMR does not intend to salvage the Subject Line; it will remain on the Plant property. IAMR believes that the abandonment will not have a significant adverse effect upon the environment.

March 24, 2022
Page 2

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

We would appreciate an expression from you by May 2, 2022 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,



Justin J. Marks
Counsel to Iowa & Middletown Railway LLC

Enclosure

EXHIBIT C

AGENCY RESPONSES

Marks, Justin J.

From: Zehr, Matthew A CIV USARMY CEMVR (USA) <Matthew.A.Zehr@usace.army.mil>
Sent: Tuesday, March 29, 2022 12:43 PM
To: Marks, Justin J.
Subject: RE: Railroad Abandonment - Iowa & Middletown Railway LLC STB Docket No. AB 1323X

[External Message]

No concerns.

Thank you,

Matt Zehr
Chief, Western Branch
Regulatory Division
Rock Island District
309-794-5372

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

From: Marks, Justin J. <jmarks@ClarkHill.com>
Sent: Thursday, March 24, 2022 10:25 AM
To: Jon.hubbert@usda.gov; IowaRegulatory <IowaRegulatory@usace.army.mil>; ngs.infocenter@noaa.gov;
Kurt.levetzow@dnr.iowa.gov; Board@dmcounty.com
Subject: [URL Verdict: Neutral][Non-DoD Source] Railroad Abandonment - Iowa & Middletown Railway LLC STB Docket No. AB 1323X

Please find the attached letter on behalf of Iowa & Middletown Railway LLC and its proposal to abandon a line of railroad in Des Moines County, Iowa.

Thank you,

Justin J. Marks

Attorney at Law

Clark Hill

1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004

+1 202.772.0916 (office) | +1 703.215.6938 (cell) | +1 202.772.0930 (fax)

jmarks@clarkhill.com <mailto:jmarks@clarkhill.com> | www.clarkhill.com <Blockedhttp://www.clarkhill.com/>

Marks, Justin J.

From: seth.moore@dnr.iowa.gov
Sent: Tuesday, March 29, 2022 2:51 PM
To: Marks, Justin J.
Subject: 2022-0632 Environmental Review Request - Iowa & Middletown Railway LLC – Abandonment Exemption – in Des Moines County, IA Surface Transportation Board Docket No. AB 1323X

[External Message]

40.8202/-91.2357; Des Moines County
Sec. 32/T70N/R03W

Thank you for inviting Department comment on the impact of this project. The Department has searched for records of rare species and significant natural communities in the project area and found no site-specific records that would be impacted by this project. However, these records and data are not the result of thorough field surveys. If listed species or rare communities are found during the planning or construction phases, additional studies and/or mitigation may be required.

This letter is a record of review for protected species, rare natural communities, state lands and waters in the project area, including review by personnel representing state parks, preserves, recreation areas, fisheries and wildlife but does not include comment from the Environmental Services Division of this Department. This letter does not constitute a permit. Other permits may be required from the Department or other state or federal agencies before work begins on this project.

If you have questions about this letter or require further information, please contact me at (515) 330-6432.

Environmental Review requests can be submitted electronically to: SLER@dnr.iowa.gov.

Sincerely,



Seth Moore | Environmental Specialist
Iowa Department of Natural Resources
P 515-330-6432 | F 515-725-8202 | 502 E. 9th St., Des Moines, IA 50319
www.iowadnr.gov

Marks, Justin J.

From: dave.zenk <ngs.infocenter@noaa.gov>
Sent: Friday, March 25, 2022 9:35 AM
To: Marks, Justin J.
Subject: [JIRA] (IMOV-9100) Railroad Abandonment - Iowa & Middletown Railway LLC STB Docket No. AB 1323X

[External Message]

A comment is added on your issue:

Re: Railroad Abandonment - Iowa & Middletown Railway LLC STB Docket No. AB 1323X

Deborah,

I checked the NGS Data Explorer and other sources.

A radial query centered on LD0786 shows the following marks in and nearby the location.

It appears that the NGS marks within the Army Ammunition Plant site are all *water tanks.*

The other 4 marks in the list are benchmarks located outside the plant along US34

V|Vert_Source|Latitude.....|Longitude.....|Stab|C|Designation

V	Vert_Source	Latitude.....	Longitude.....	Stab	C	Designation
	-----	-----	-----		-----	
.		N404857.66204	W0911328.15934		S	IOWA ORD PLT LINE 1 WATER TANK <----center of radial search
.		N404855.86943	W0911420.03265		S	IOWA ORD PLT LINE 5 WATER TANK
.		N404808.29379	W0911408.44048		S	IOWA ORD PLT LINE 3 WATER TANK
.		N404923.29444	W0911441.43601		S	IOWA ORD PLT YARD L WATER TANK
.		N404753.71119	W0911308.96166		S	IOWA ORD PLT LINE 2 WATER TANK
.		N404811.67158	W0911454.16100		S	IOWA ORD PLT LINE 6 WATER TANK
.		N404747.45019	W0911447.19825		S	IOWA ORD PLT LINE 7 WATER TANK
.		N404922.60982	W0911533.66720		S	IOWA ORD PLT ADM AREA TANK
.		N404709.81075	W0911711.36788		S	IOWA ORD PLT LINE 3A WTR TANK

Outside the plant along US34

2|88/ADJUSTED|N404938.....|W0911358.....|D...|G|UU 125

2|88/ADJUSTED|N404935.....|W0911249.....|D...|S|V 125

.|29/.....|N404941.....|W0911411.....|....|S|TBM 2

125

Iowa DOT reports that they do not have any control marks within the Plant site.

Dave Zenk

On Thu, Mar 24, 2022 at 2:46 PM deborah.brooks (Jira) <

National Geodetic Survey

EXHIBIT D

NEWSPAPER NOTICE

LOCALiQ

The Hawk Eye

PO Box 631366 Cincinnati, OH 45263-1366

PROOF OF PUBLICATION

Justin Marks
Hill, Clark
1001 Pennsylvania AVE NW # 1300
Washington DC 20004-2505

STATE OF IOWA, COUNTY OF DES MOINES

The Hawk Eye, a newspaper printed and published in the city of Burlington, and of general circulation in the County of Des Moines, State of Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue dated:

05/08/2022

Sworn to and subscribed before on 05/08/2022



Legal Clerk

Amy Kokott
Notary, State of WI, County of Brown
6/30/2025

My commission expires

Publication Cost: \$41.18
Order No: 7262232 # of Copies:
Customer No: 753072 1
PO #: IAMR Notice

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

AMY KOKOTT
Notary Public
State of Wisconsin

Notice of Intent to Abandon Rail Service

Iowa & Middletown Railway LLC gives notice that on or about May 26, 2022 it intends to file with the Surface Transportation Board, Washington, DC, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of an approximately 4 mile line of railroad located within the Iowa Army Ammunition Plant traversing through United States Postal Service ZIP Code 52638 in Des Moines County, IA. The proceeding has been docketed as No. AB 1323X.

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 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 OEA, Surface Transportation Board, Washington, DC or by calling OEA at (202) 245-0291.

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. 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 Proceedings either via e-filing or addressed to 395 E. Street S.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W. Suite 1300 South, Washington, DC 20004; jmarks@clarkhill.com. Published: May 8, 2022

EXHIBIT E

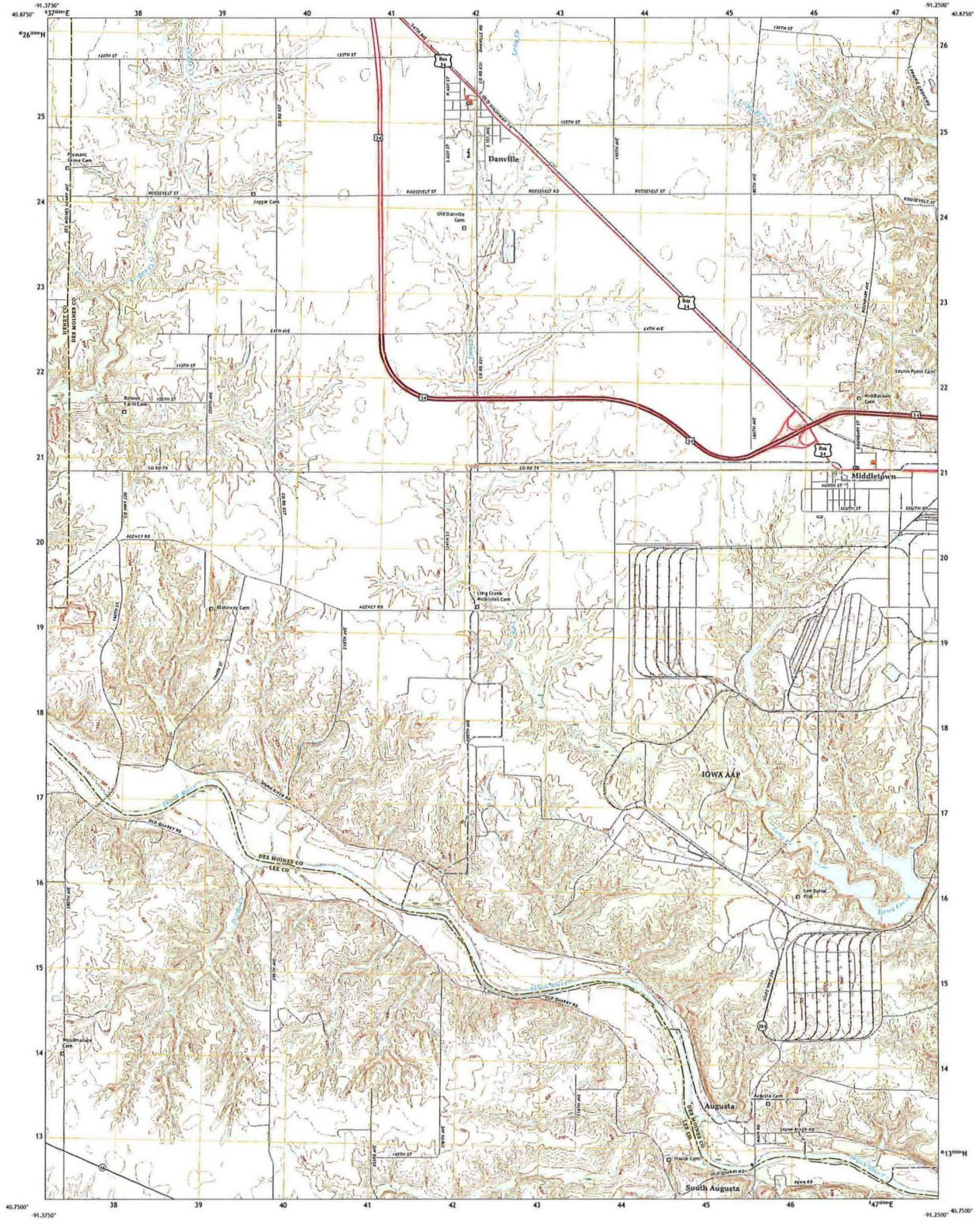
TOPOGRAPHICAL MAPS



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

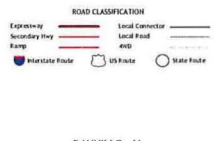
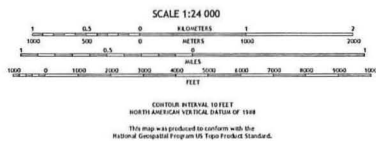
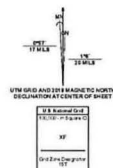


DANVILLE QUADRANGLE
IOWA
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84), Projection and
1:50,000-meter geoid-based Transverse Mercator, Zone 15T
This map is not a legal document. Boundaries may be
generalized for this map scale. Private land with government
reservations may not be shown. Obtain permission before
entering private lands.

Source: U.S. Census Bureau, 2010
Data: U.S. Census Bureau, 2010
Hydrography: National Hydrography Dataset, 2004
Contour: National Elevation Dataset, 2004
Boundaries: Multiple sources; see metadata file 2010-2011
Public Land Survey: National Wetlands Inventory, 2000
Wetlands: U.S. National Wetlands Inventory, Not Available



DANVILLE, IA
2022

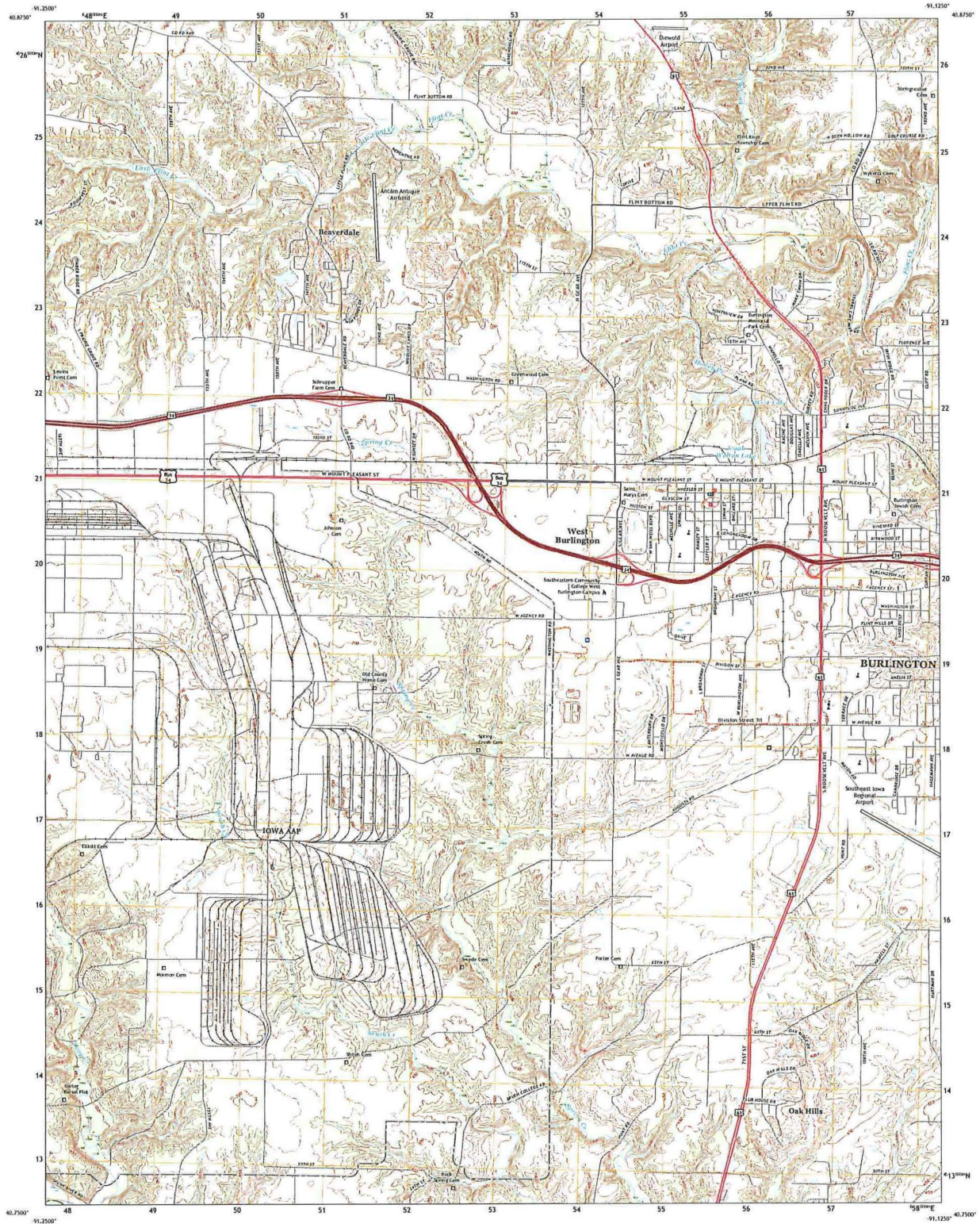




U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

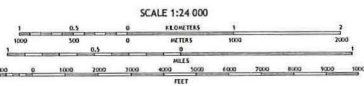
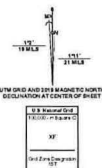


WEST BURLINGTON QUADRANGLE
IOWA
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
100-meter geotransformations available. June 13T
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
reproducing or using this map.

Imagery: 2017, August 2017 - October 2017
Base: U.S. Census Bureau, 2010 - 2018
Hydrography: National Hydrographic Dataset, 2006 - 2018
Contours: Multiple sources; see metadata file 2010 - 2018
Public Land Survey System: BLM, 2000
Wetlands: 2001 National Wetlands Inventory Not Available



1	2	3
4	5	6
7	8	9

1 Pleasant Grove
2 Spring
3 Spring
4 Spring
5 Spring
6 Spring
7 Spring
8 Spring
9 Spring

WEST BURLINGTON, IA
2022

EXHIBIT F

SHPO CORRESPONDENCE

Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
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March 25, 2022

VIA Iowa Culture Community WebPage

State Historic Preservation Office of Iowa
Section 106 Project

Re: Iowa & Middletown Railway LLC – Abandonment Exemption –
in Des Moines County, IA
Surface Transportation Board Docket No. AB 1323X

To Whom it May Concern:

This letter is to advise you that Iowa & Middletown Railway LLC ("IAMR") intends to file a petition for exemption for IAMR to abandon approximately four miles of track (the "Subject Line") located within the Iowa Army Ammunition Plant (the "Plant") in Des Moines County, IA. The Subject Line does not have any mileposts.

The Subject Line traverses through United States Postal Service ZIP Code 52638. A map of the Subject Line is attached as Exhibit A.

IAMR plans to petition the Surface Transportation Board ("STB") for an exemption under 49 USC § 10502 from the provisions of 49 USC § 10903 to enable IAMR to abandon the Subject Line, on or after May 26, 2022 in STB Docket No. AB 1323X.

IAMR leases the Subject Line and other tracks located at the Plant from the U.S. Army Joint Munitions Command ("JMC") through its representative American Ordnance LLC. IAMR will be seeking authority to allow it to stop operating at the Plant. IAMR does not own the tracks located at the Plant, including those that comprise the Subject Line, and has no plans to salvage any track in connection with the proposed abandonment. IAMR does not know whether the owner will arrange to continue to use the tracks, and if so whether the use will be as common carrier or private tracks.

Based upon information in IAMR's possession, the Subject Line is located on federally-owned property.

IAMR does not intend to salvage the Subject Line; it will remain on the Plant property. IAMR believes that the abandonment will not have a significant adverse effect upon any historic resources.

In advance of preparing a Section 106 historical report as required by applicable STB regulations, we are consulting with you as to any concerns which you may have as to effects of the proposed abandonment on historical resources.

March 25, 2022
Page 2

We would appreciate an expression from you by May 2, 2022 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the historical resources (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

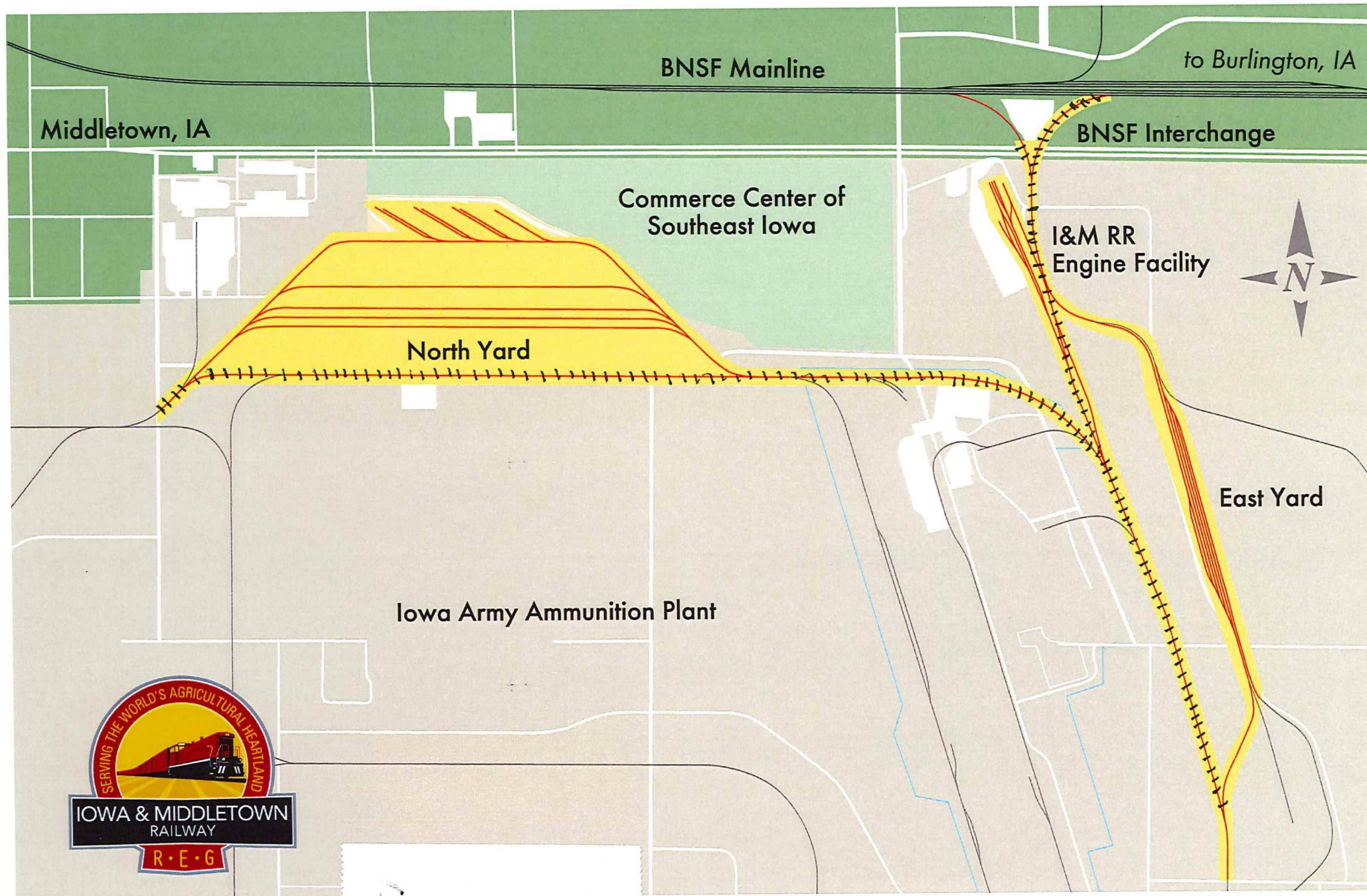
Sincerely,

A handwritten signature in blue ink, reading "Justin J. Marks". The signature is fluid and cursive, with the first name "Justin" and last name "Marks" clearly legible.

Justin J. Marks
Counsel to Iowa & Middletown Railway LLC

Enclosure

Exhibit A



Line ++++++

Marks, Justin J.

From: noreply@salesforce.com on behalf of Daniel Higginbottom
<daniel.higginbottom@iowa.gov>
Sent: Tuesday, March 29, 2022 2:26 PM
To: Marks, Justin J.
Subject: 220329849-STB-Des Moines-Iowa Army Ammunition Plant-Petition for Exemption to Abandon a Line of Railroad.

[External Message]

March 29, 2022

220329849-STB-Des Moines-Iowa Army Ammunition Plant-Petition for Exemption to Abandon a Line of Railroad.

Mr. Marks-

We have received your March 25, 2022 notice and provide the following technical assistance response.

We look forward to consulting with the Surface Transportation Board regarding the above-referenced federal undertaking and reviewing the results of historic property investigations/inventories, evaluations and effects assessment.

Please be sure that future submissions to our office for review reference the assigned review and compliance number (220329849), and that the federal agencies determination is supported by documentation that meet the standards set forth at 36 CFR 800.11.

Be advised that evaluations of National Register eligibility must be performed by an individual or individuals that meet the Secretary of Interior's Professional Qualifications Standards for the relevant discipline as outlined at 36 CFR Part 61.

Daniel K. Higginbottom, Archaeologist

Iowa State Historic Preservation Office

