

UNION PACIFIC RAILROAD
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

P 402 544 4735
jmberman@up.com

Jeremy M. Berman

General Attorney

September 21, 2017

244391

VIA E-FILE

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S.W., Room #100
Washington, DC 20423-0001

ENTERED
Office of Proceedings
September 21, 2017
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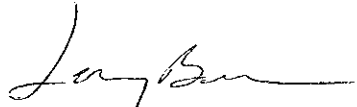
**RE: Proposed Abandonment and Discontinuance of the Rockwell Industrial Lead in Cerro
Gordo County, Iowa
STB Docket No. AB-33 (Sub-No. 327X)**

Dear Ms. Brown:

Attached for filing in the above-referenced docket is Union Pacific Railroad Company's ("Union Pacific") Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Notice of Exemption to Abandon this line on or after October 2, 2017.

Sincerely,


Jeremy M. Berman



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 327X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN CERRO GORDO COUNTY, IOWA
(ROCKWELL INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

UNION PACIFIC RAILROAD COMPANY
Jeremy M. Berman
General Attorney
1400 Douglas Street STOP 1580
Omaha, NE 68179
(402) 544-4735
(402) 501-3773 (FAX)
jmberman@up.com

Dated: September 7, 2017

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-33 (Sub-No. 327X)

**UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN CERRO GORDO COUNTY, IOWA
(ROCKWELL INDUSTRIAL LEAD)**

Combined Environmental and Historic Report

Union Pacific Railroad Company (“UP”) submits this Combined Environmental and Historic Report (“EHR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, for an exempt abandonment of a portion of the Rockwell Industrial Lead, from Milepost 155.5 near Elm Street to Milepost 157.5 near 19th Street, both in Mason City, IA, and for discontinuance only from Milepost 157.5 to Milepost 158.0 near Swifts, IA, a distance of approximately 2.0 miles to be abandoned, and 0.5 miles to be discontinued, all in Cerro Gordo County, Iowa (the “Line”). The Line is contained entirely within U.S. Postal Service Zip Codes 50401. UP anticipates that it will file a Notice of Exemption to abandon the Line on or after October 7, 2017.

A map of the Line (**Attachment No. 1**), and UP’s letter to federal, state and local government agencies (**Attachment No. 2**) are attached to this EHR.

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

(1) Proposed action and alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

Response: The proposed action involves an exempt abandonment of a portion of UP's Rockwell Industrial Lead. The Line proposed for abandonment extends from Milepost 155.5 near Elm Street to Milepost 157.5 near 19th Street, both in Mason City, IA, and for discontinuance only from Milepost 157.5 to Milepost 158.0 near Swifts, IA, in Cerro Gordo County, Iowa, a total distance of approximately 2.0 miles to be abandoned, and 0.5 miles to be discontinued. A map of the Line is attached as

Attachment No. 1.

The Line was originally constructed in 1870 and 1871 by the Central Railroad Company of Iowa, later part of the Minneapolis and St Louis Railway, which was merged into the Chicago and North Western in 1960. It is currently constructed with mostly 100 pound jointed rail laid in 1951, with 85 pound rail in the sidings and spur tracks. There are three bridges on the Line that records show to be older than 50 years.

See **Attachment No. 1.**

The Line proposed for abandonment contains both fee and reversionary property. Based on Railroad's records, the Line does not contain federally granted right-of-way. Any documentation in the UP's possession related to the Line will be made available promptly to those requesting it.

After the proposed abandonment, UP will continue to provide rail service from the remaining portion of the Rockwell Industrial Lead, and the Mason City and Albert Lea

Subdivisions (The Spine Line), which lie within one mile of the Line. Rail service at Mason City is also available from Canadian Pacific Railway and Iowa Traction Railway. The area is well served by local roads and major highways such as US 65, which parallels the Line, and US 18, which runs East and West less than two miles South of the Line.

No local traffic has moved over the Line during the past two years, and there is no overhead traffic. No complaint regarding cessation of service has been filed, is pending, or has been ruled upon in favor of a complainant in at least two years.

(2) Transportation System. Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

Response: Given that no traffic uses the Line, the proposed abandonment will have no impact on area transportation systems and patterns.

(3) Land Use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 49 C.F.R. §1105.9.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. §10905 and explain why.

Response:

(i) UP is unaware of any adverse effects on local and existing land use plans. The Cerro Gordo County Board of Supervisors has been contacted. To date, UP has not received a response.

(ii) The Natural Resources Conservation Service (“NRCS”) has been contacted. To date, UP has not received a response.

(iii) Not Applicable.

(iv) It is UP’s opinion that the right of way proposed for abandonment is not suitable for public purposes including roads or highways, other forms of mass transportation, or energy production or transmission, as the area is adequately served by existing roads and utility lines at the present time. UP believes the property is suitable for conservation and use as a public hike and bike trail.

(4) Energy.

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

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

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

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

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

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

Response: (i) There are no effects on the transportation of energy resources.

- (ii) There are no recyclable commodities moved over the Line.
- (iii) There will be no change in energy consumption from the proposed action.
- (iv) (A)(B) UP does not anticipate that there will be any rail-to-motor diversion.

(5) Air. (i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) an increase in rail yard activity of at least 100% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. §10901 (or §10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in subsection (5)(i)(A) will apply.

Response: UP does not anticipate any such effects.

(5) Air. (ii) If the proposed action affects a class 1 or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) an increase in rail yard activity of at least 20% (measured by carload activity), or

(C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. §10901 (or 49 U.S.C. §10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

Response: There will be no increase in rail traffic, rail yard activity, or truck traffic as a result of the proposed action.

(5) Air. (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Response: The proposed action will not affect the transportation of ozone depleting materials.

(6) Noise. If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Response: Not applicable.

(7) Safety.

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

Response: (i) The proposed action will have no detrimental effects on public health and safety.

(ii) The proposed action will not affect the transportation of hazardous materials.

(iii) There are no known hazardous materials waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way.

(8) Biological resources.

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

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

Response: (i) The U.S. Fish and Wildlife Service has been contacted. To date, UP has not received a response.

(ii) The National Park Service has been contacted. To date, UP has not received a response.

(9) Water.

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

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

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

Response: (i) The U. S. Environmental Protection Agency Regional Office and Iowa Environmental Protection Agency have been contacted. To date, no response has been received.

(ii) The U.S. Army Corps of Engineers has been contacted. To date, no response has been received.

(iii) The U. S. Environmental Protection Agency Regional Office has been contacted. To date, no response has been received.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

Response: There are no known adverse environmental impacts.

HISTORIC REPORT

49 C.F.R. §1105.8(d)

(1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action:

Response: See **Attachment No. 1.**

(2) A written description of the right-of-way (including approximate widths to the extent known), and the topography and urban and/or rural characteristics of the surrounding area:

Response: The right of way considered in this abandonment traverses a mix of residential, commercial, and industrial areas through Mason City and is typically 100 feet in width. The topography is generally flat.

(3) Good quality photographs of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:

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

Response to (3) and (4): See **Attachment No. 3.**

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

Response: See UP's response to question (1) in the Environmental Report for a brief history and description.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:

Response: UP does not have any relevant documentation.

(7) An opinion (based on readily available information in the UP's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):

Response: UP submitted historical information to the State Historic Preservation Office of the State Historical Society of Iowa. To date, UP has not received a response.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

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

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

Response: Not applicable.

Dated this 7th day of September 2017.

Respectfully submitted,

s/Jeremy M. Berman
UNION PACIFIC RAILROAD COMPANY
Jeremy M. Berman
General Attorney
1400 Douglas Street STOP 1580 Omaha,
NE 68179
(402) 544-4735
(402) 501-3773 (FAX)
jmberman@up.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 327X), was served by First Class U.S. Mail, postage prepaid, on the 7th day of September, 2017, on the following parties:

State Clearinghouse (or alternate):

Capital Planning Commission
1007 East Grand Ave.
Des Moines, IA 50319

State Environmental Protection

Agency:

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

Head of Each County:

Cerro Gordo Board of Supervisors
220 N. Washington Ave.
Mason City, IA 50401

Environmental Protection Agency
(Regional Office):

U.S. Environmental Protection Agency
Region 7
11201 Renner Blvd.
Lenexa, KS 66219

State Historic Preservation Office:

State Historical Society of Iowa
600 E. Locust St.
Des Moines, IA 50319

U.S. Fish and Wildlife:

U.S. Fish and Wildlife Service
Midwest Region
5600 American Blvd. West, Suite 990
Bloomington, MN 55437-1458

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Rock Island District
Attn: CEMVR-PM-AC
P.O. Box 2004
Clock Tower Building
Rock Island, IL 61204-2004

National Park Service:

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

U.S. Natural Resources Conservation
Service:

U.S. Natural Resources Conservation
Service
Mason City Service Center
1415 S. Monroe Ave.
Mason City, IA 50401-5678

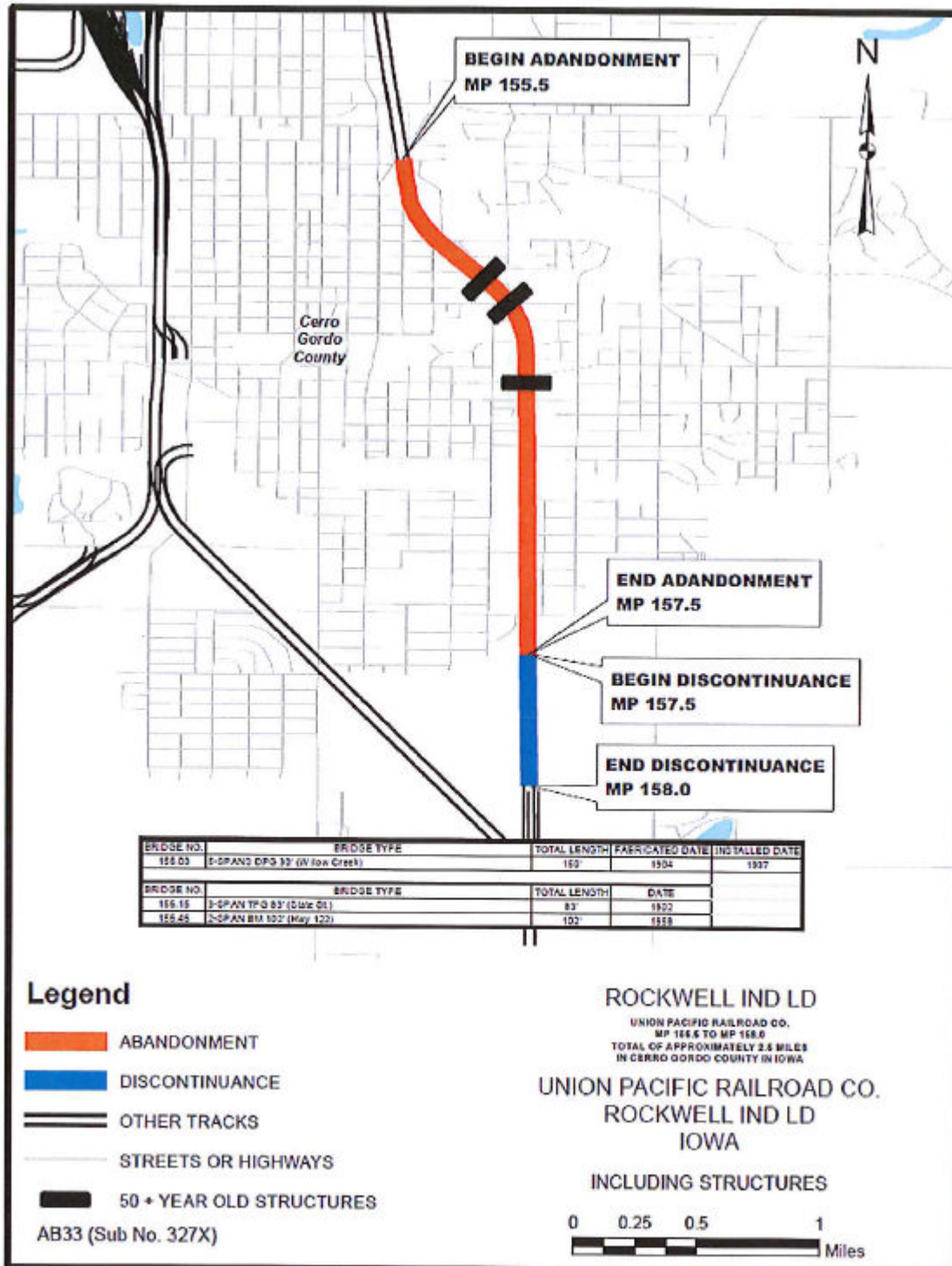
National Geodetic Survey:

National Geodetic Survey
Geodetic System Division
SSMC-3 #9209
NOAA/NGS 2
1315 E-W Highway
Silver Spring, MD 20910-3282

Dated this 7th day of September, 2017.

s/Jeremy M. Berman

Jeremy M. Berman





August 18, 2017

State Clearinghouse (or Alternate):

Capital Planning Commission
1007 East Grand Ave.
Des Moines, IA 50319

U.S. Army Corps of Engineers:

U.S. Army Corps of Engineers
Omaha District
1616 Capitol Ave., Suite 9000
Omaha, NE 68102

State Environmental Protection Agency:

Iowa Environmental Protection Agency
210 Walnut Street
Des Moines, IA 50309

National Park Service (Regional Office):

National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102

Environmental Protection Agency (Regional Office):

U.S. Environmental Protection Agency Region 7
11201 Renner Blvd.
Lenexa, KS 66219

U.S. Natural Resources Conservation Service:

U.S. Natural Resources Conservation Service
Mason City Service Center
1415 S. Monroe Ave.
Mason City, IA 50401-5678

State of Iowa Historic Preservation Office:

State Historical Society of Iowa
600 E. Locust St.
Des Moines, IA 50319

National Geodetic Survey:

Geodetic Services Division
SMCC-3 #9209
NOAA N/NGS2
1315 E-W Highway
Silver Spring, Maryland 20910

U.S. Fish and Wildlife Service:

U.S. Fish and Wildlife Service
Midwest Region
5600 American Blvd. West, Suite 990
Bloomington, MN 55437-1458

Head of Cerro Gordo County, Iowa:

Cerro Gordo Board of Supervisors
220 N. Washington Ave.
Mason City, IA 50401

Re: Proposed Abandonment and Discontinuance of the Rockwell Industrial Lead, a total distance of approximately 2.5 miles in Cerro Gordo County, Iowa; STB Docket No. AB-33 (Sub-No. 327X)

To Whom It May Concern:

Union Pacific Railroad Company ("UP") plans to request authority from the Surface Transportation Board (STB) for UP to abandon and discontinue service on the Rockwell Industrial Lead from MP 155.5 near Elm St to MP 157.5 near 21st St, in Mason City, IA, and to discontinue service only from MP 157.5 to MP 158.0 near Swifts, IA, a total distance of approximately 2.5 miles all in Cerro Gordo County, IA. A map is attached with the proposed abandonment and discontinuance shown in red and the discontinuance only shown in blue.

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

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

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

U.S. FISH AND WILDLIFE SERVICE (And State Game and Parks Commission, If Addressed). State (1) whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects, and (2) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

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

U.S. ARMY CORPS OF ENGINEERS. State (1) whether permits under Section 404 of the Clean Water Act (33 U.S. C. § 1344) are required for the proposed action and (2) whether any designated wetlands or 100-year flood plains will be affected. Please describe the effects.

U.S. ENVIRONMENTAL PROTECTION AGENCY AND STATE ENVIRONMENTAL PROTECTION (OR EQUIVALENT AGENCY). (1) Identify any potential effects on the surrounding area, (2) identify the location of hazardous waste sites and known hazardous material spills on the right-of-way and list the types of hazardous materials involved, and (3) state whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

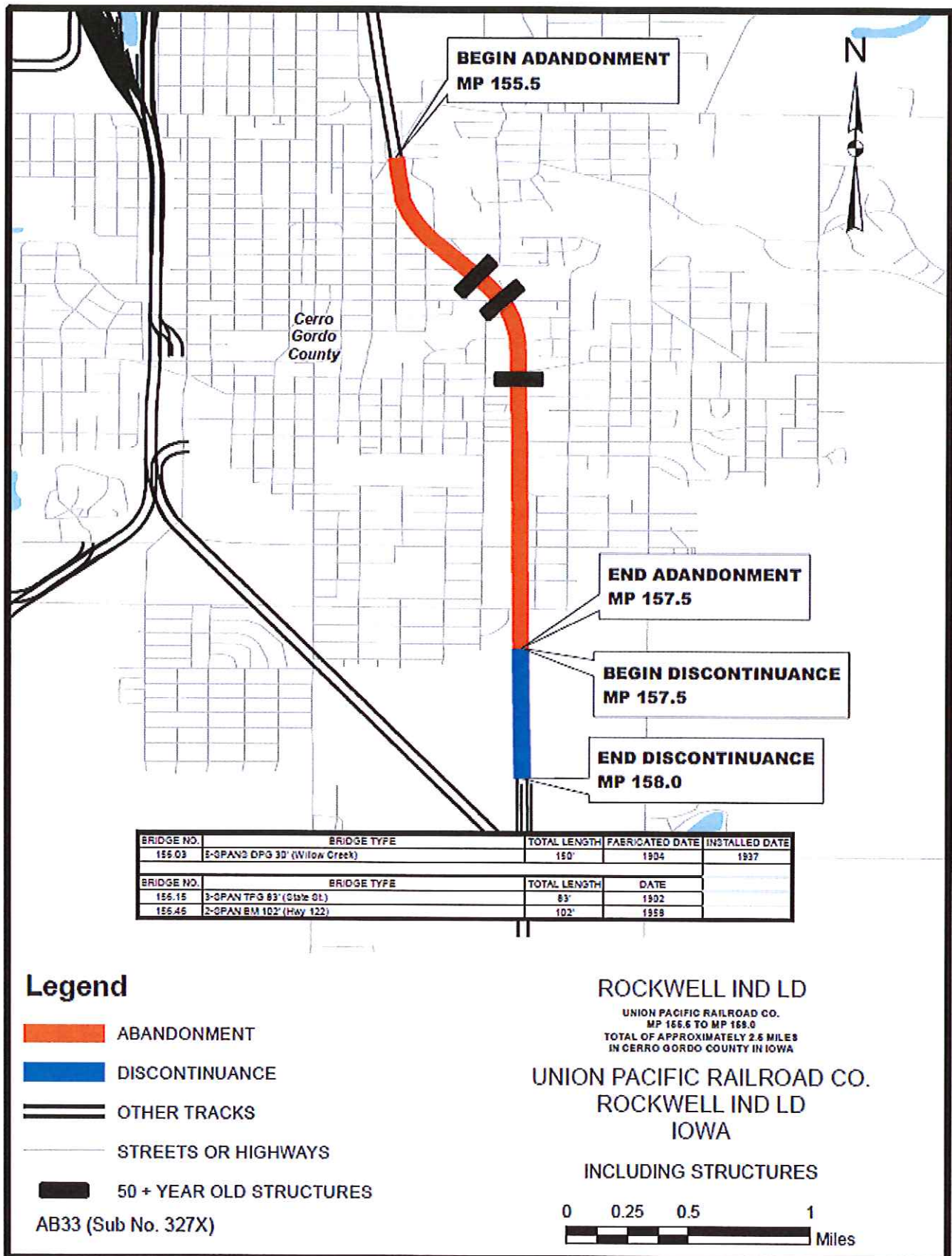
Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,



Sarah J. Rief
Legal Assistant - Law Department
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, Nebraska 68179
Phone: (402) 544-0438
Email: sjrief@up.com

Attachment





August 31, 2017

U.S. Army Corps of Engineers
Rock Island District
Attn: CEMVR-PM-AC
P.O. Box 2004
Clock Tower Building
Rock Island, IL 61204-2004

Re: Proposed Abandonment and Discontinuance of the Rockwell Industrial Lead, a total distance of approximately 2.5 miles in Cerro Gordo County, Iowa; STB Docket No. AB-33 (Sub-No. 327X)

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UNION PACIFIC RAILROAD
1400 Douglas Street Omaha, Nebraska 68179

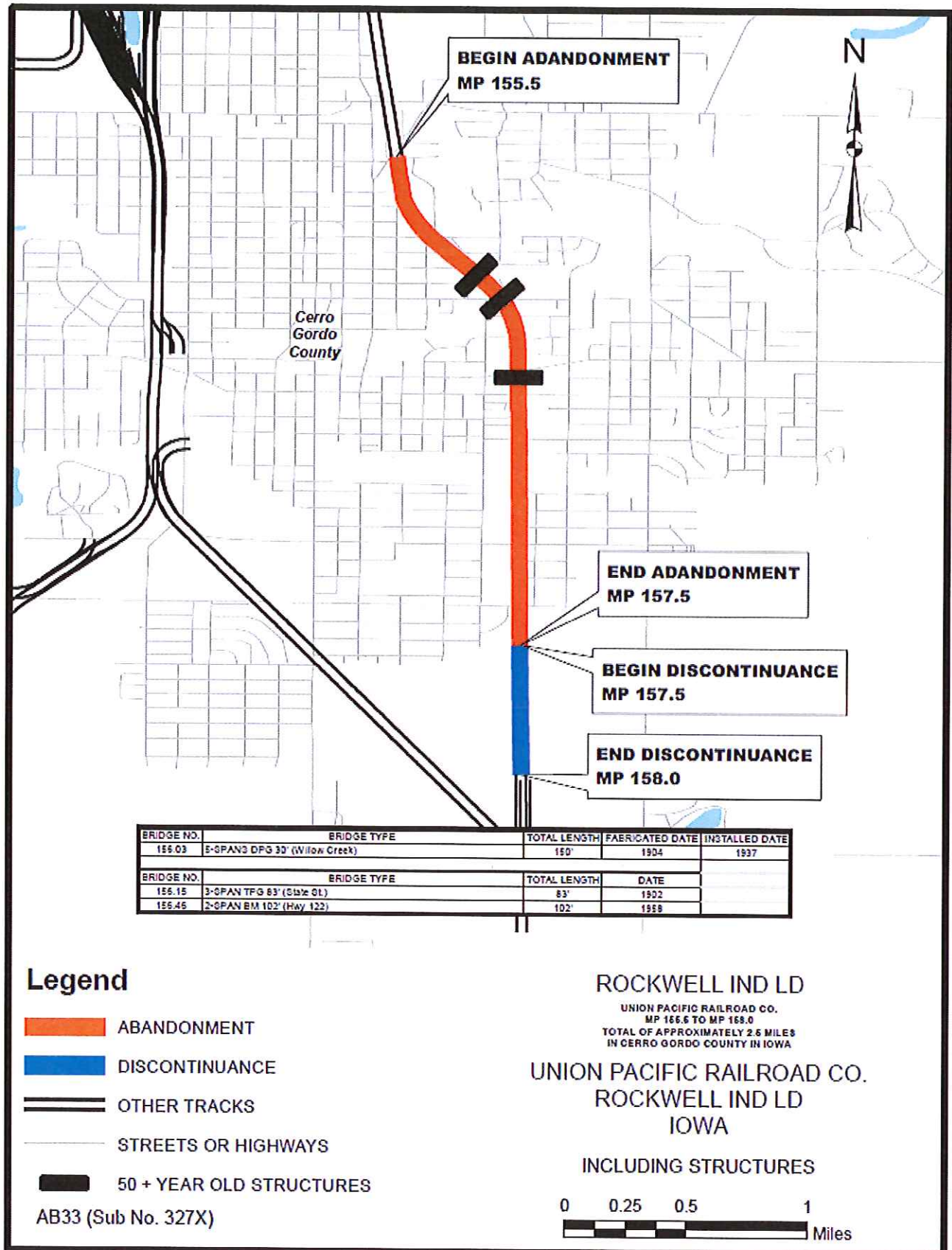
Thank you for your assistance. Please send your reply to the undersigned.

Sincerely,



Sarah J. Rief
Legal Assistant - Law Department
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, Nebraska 68179
Phone: (402) 544-0438
Email: sjrief@up.com

Attachment



Structure 1: Willow Creek, MP 156.03, constructed 1904, installed 1937.









Structure 2: State Street, MP 156.15, constructed 1902.







Structure 3: Hwy 122 / 5th St - MP 156.45, constructed 1958







