

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

E0-557
CG

POST POST ENVIRONMENTAL ASSESSMENTS FOR:

STB DOCKET NO. AB-33 (Sub-No. 225X),
STB DOCKET NO. AB-33 (Sub-No. 213X),
STB DOCKET NO. AB-33 (Sub-No. 200X), and STB DOCKET NO. AB-33 (Sub-No. 175X)

July 19, 2007

RECOMMEND REMOVAL OF SECTION 106 CONDITIONS

SEA served Environmental Assessments (EA) for the four abandonment proceedings shown above [STB Docket No. AB-33 (Sub-No. 225) was served on 4/12/2005, STB Docket No. AB-33 (Sub-No. 213X) was served on 9/3/2004, STB Docket No. AB-33 (Sub-No. 200X) was served on 8/3/2003, and STB Docket No. AB-33 (Sub-No. 175X) was served on 4/3/2006]. All four abandonments are located in Iowa. In each of the EAs, SEA concluded that the Section 106 process had not been completed and recommended a condition that prohibits the Union Pacific Railroad Company (UP) from completing salvage activities and/or consummating the abandonments until the Section 106 process of the National Historic Preservation Act had been completed.

Comments on the EAs

Attached is a July 3, 2007 letter from the Iowa State Historic Preservation Officer (SHPO) indicating that it has no outstanding issues with the four abandonments shown above (note that a fifth abandonment discussed in the SHPO letter in STB Docket No. AB-33 (Sub-No. 170X) has outstanding Section 106 issues that UP needs to address and is therefore not part of this request). SEA contacted the SHPO by phone on July 18, 2007 to confirm its opinion regarding potential effects on historic properties for the four abandonments discussed here. During the call, Iowa Deputy SHPO Lowell Soike stated to SEA that the proposed abandonments in STB Docket No. AB-33 (Sub-No. 225X), STB Docket No. AB-33 (Sub-No. 213X), STB Docket No. AB-33 (Sub-No. 200X) and STB Docket No. AB-33 (Sub-No. 175X) would have **no effect on historic properties**.

Conclusions

Based on the above information, SEA has determined that the Section 106 process has been completed for the proposed abandonments in STB Docket No. AB-33 (Sub-No. 225X), STB Docket No. AB-33 (Sub-No. 213X), STB Docket No. AB-33 (Sub-No. 200X), and STB Docket No. AB-33 (Sub-No. 175X). Therefore, SEA requests that the Section 106 conditions currently attached to each of the decisions in these four proceedings be removed.

SEA CONTACT: Catherine Glidden (202) 245-0293 CG



A Division of the Iowa Department of Cultural Affairs

July 3, 2007

Hans Matthiessen, Senior Project Manager Finance
Union Pacific Railroad
1400 Douglas Avenue—STOP 1830
Omaha, Nebraska 68179-1830

Mack Shumate, Jr.
Senior General Attorney
Union Pacific Railroad
101 North Wacker Drive, Rm. 1920
Chicago, Illinois 60606

RE: STB – IOWA – BRISTOW SUBDIVISION—SUB. 200X (R&C# 030100046); PERRY
SUBDIVISION—SUB. 213X (R&C#031125102); THORNTON INDUSTRIAL LEAD—SUB.
NO.225X (R&C#970117095); ELLSWORTH INDUSTRIAL LEAD—SUB. NO. 175X
(R&C#051140096); AND BELL AVENUE INDUSTRIAL LEAD, DES MOINES—SUB. NO.
170(R&C#020177058) – SECTION 106 FINDINGS

Gentlemen:

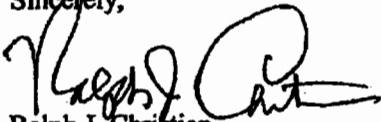
We write concerning the above referenced proposed line abandonments, which we understand you have placed on hold due to Section 106 conditions. We have reviewed our files on all of these undertakings, and the only one we have outstanding issues with is the Bell Avenue Industrial Lead, particularly the CGW bridge. On July 10, 2001, we recommended that the Union Pacific undertake an intensive level historical and architectural survey of this structure. We reiterated that recommendation in a September 28, 2004 email to Don Snoddy of the Union Pacific. Although we have received copies of plans, legal descriptions, bridge inspection reports, and various other documents, we have yet to receive an intensive level survey completed by a qualified historian or architectural historian. In our opinion, it is highly likely that the bridge is National Register eligible and it may possess state as well as local significance.

At this time, it is unclear what the Union Pacific's intentions are in regard to the CGW Bridge. In one submittal, it was stated that the railroad intended to demolish it. Such an action would result in an automatic finding of Adverse Effect. Another item in the file indicated that the line might donate the bridge to the City of Des Moines for a trails project. With an appropriate historic preservation covenant, this action might be considered a No Adverse Effect. We await the Union Pacific's response.

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Questions or comments may be directed to me at Ralph.Christian@iowa.gov or 515/281-8697.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph J. Christian", with a stylized flourish at the end.

Ralph J. Christian
Historian
Review and Compliance Program

Stuart Anderson, IDOT