

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

EO-1298

CC

MEMORANDUM

September 29, 2009

TO: Ann Newman
Office of Proceedings

FROM: Catherine Glidden CC
Section of Environmental Analysis

RECOMMENDATION: STB Docket No. AB-33 (Sub-No. 235X) – Union Pacific Railroad Company- Abandonment Exemption - in Calhoun and Webster Counties, Iowa. Removal of Existing Section 106 Condition

By letter dated September 15, 2009, the Union Pacific Railroad Company (UP) provided the Board with a letter from the Iowa State Historic Preservation Office indicating that it concurs with the recommendation that the proposed abandonment would have **No Adverse Effect** on any National Register of Historic Places eligible or listed historic properties (see attached).

Accordingly, SEA recommends that the existing historic preservation condition be removed. This action would complete the Section 106 process of the National Historic Preservation Act. All other conditions currently attached to the decision should remain as before.

Please let me know if you need further information or justification. I can be reached at 202-245-0293.

Attachment (1)

cc: Sandra Mays Marr, UP
Ralph Christian, Iowa SHPO

Hidden



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

September 15, 2009

VIA E-Filing

The Honorable Anne Quinlan
Acting Secretary
Surface Transportation Board
Section of Environmental Analysis
395 E Street, S.W.
Washington, DC 20423-0001

Re: Abandonment Exemption of the Roelyn Industrial Lead from M. P. 5.28 near Roelyn to M. P. 8.05 near Somers, a distance of 2.77 miles, Calhoun and Webster Counties, Iowa; STB Docket No. AB-33 (Sub-No. 235X)

Dear Secretary Quinlan:

This is to advise the Board that in accordance with the Decision having a service date of June 24, 2008 in the above-referenced matter, Union Pacific Railroad Company ("UP") is of the opinion that it has taken the steps necessary for the Board to make a determination as to whether or not the Section 106 process of the National Historic Preservation Act has been satisfied.

Attached hereto on letterhead of the State Historical Society of Iowa in response to UP's e-mail of September 14, 2009 is the stamped concurrence of Ralph Christian of the Department of Cultural Affairs indicating that there are no historic properties covered by the subject abandonment.

Upon receipt of the Board's determination that the Section 106 process of the National Historic Preservation Act is in fact complete with regard to the subject abandonment, UP will file a Notice of Consummation indicating that all self-actuating conditions of the abandonment have either been completed or will be completed by the salvage contractor on behalf of UP.

Sincerely,

A handwritten signature in black ink, appearing to read "M. H. Shumate, Jr.", written over a horizontal line.

Attachment

cc: State Historical Society of Iowa

STATE
HISTORICAL
SOCIETY of
IOWA

A Division of the Iowa Department of Cultural Affairs

Christian, Ralph [DCA]

From: SKMAYSM@up.com
Sent: Monday, September 14, 2009 10:48 AM
To: Christian, Ralph [DCA]
Cc: Mack_Shumate@UP.COM; REALLAMO@up.com; CWSAYLOR@up.com
Subject: AB-33 (Sub-No. 235X) - Roelyn Industrial Lead

Good morning Mr. Christian. I just left you a voice mail, but I got cut off before I could finish.

As I indicated in my voice mail, back in September, 2008, Ray Allamong contacted you concerning this abandonment. Mr. Allamong had spoken with you and you had indicated that there were no historical sites or structures affected by this abandonment. Mr. Allamong had requested that you send a brief letter to Union Pacific noting that your office has reviewed the subject line segment and that you have determined that no sites or structures on the right-of-way are eligible for listing or listed in the National Register of Historic Places.

To date, our records indicate that we have not received a letter from you. This letter is required so we can notify the STB that we have honored the consultation condition of the Board.

Please send this letter to Mack Shumate, Senior General Attorney at the address on the bottom of this e-mail. If you would rather, please send the letter in a scanned (pdf) form to me at this e-mail address and I will draft Mr. Shumate's letter to the STB.

Thank you for your prompt attention to this matter.

Sandra Mays Marr
Senior Secretary and Assistant to
Senior General Attorney Mack Shumate and General Attorney Fred Johnston Union Pacific
Railroad Company
101 N. Wacker Dr., Room #1920
Chicago, IL 60606
312/777-2041
312/777-2065 (facsimile)
skmayasm@up.com

**

CONCUR
NA
DATE 12/14/09

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