

EO-229 CD

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

Mr. Doug Jones, Archaeologist
State Historical Society of Iowa
State Historic Preservation Office
600 East Locust Street
Des Moines, Iowa 50319-0290

October 27, 2005

Re: STB Docket No. AB – 314 (Sub- No. 3X), Chicago, Central and Pacific Railroad Company - Abandonment Exemption - in Linn County, Iowa

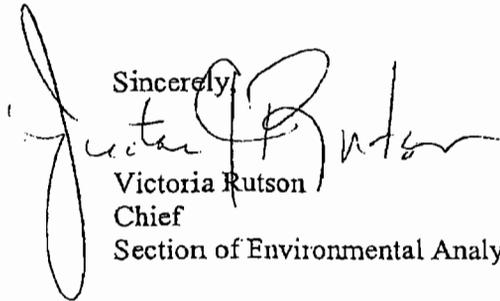
Dear Mr. Jones:

As you know, Chicago, Central and Pacific Railroad Company (CC&P) filed a notice of exemption with the Surface Transportation Board (Board) seeking to abandon an approximately .79-mile railroad line in Linn County, Iowa. The Board's approval of the abandonment is considered an undertaking under Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) (NHPA) and is thus covered under its provisions.

The Section of Environmental Analysis (SEA) is the office within the Board responsible for conducting the environmental review process pursuant to the National Environmental Policy Act (NEPA), including the NHPA. SEA has reviewed the proposed project and, pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of the NHPA at 36 CFR 800.5(c) and 36 CFR 800.8, finds that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected by the proposed abandonment. Therefore, the Board finds that there are **No Historic Properties Affected** for this undertaking in accordance with 36 CFR 800.4(d)(1). Please inform SEA within the 30 day specified time frame if you object to this finding.

Enclosed please find a statement indicating our compliance with the documentation requirements of 36 CFR 800.11(d). The documentation for this finding, as specified at 36 CFR 800.11(e), consists of the railroad's Historic Report, all relevant correspondence, and the Environmental Assessment, which have been provided to your office and made available to the public. SEA believes that our environmental review meets the intent and goals of NEPA, including 36 CFR 800.11 and 36 CFR 800.2(d)(2) (See 49 CFR 1105.8), and that the Section 106 process has been properly completed for this case.

SEA is committed to ensuring proper completion of the Section 106 process and we look forward to working with you in the future. If you have any questions, please do not hesitate to call me or Christa Dean at (202) 565-1606.

Sincerely,

Victoria Rutson
Chief
Section of Environmental Analysis

Attachments

Statement of Compliance

36 CFR 800.11(d) Finding of no historic properties affected. Documentation shall include:

- (1) **A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary;**
 - In April 2005, Chicago, Central and Pacific Railroad Company sent to the State Historical Society of Iowa (State Historic Preservation Office or SHPO) an Historic Report as required by the Surface Transportation Board's (Board) environmental rules. See 49 CFR 1105.8(a). The Historic Report described the nature of the proposed abandonment and area of potential effects, the history of carrier operations in the area, and properties 50 years old or older. The railroad also included maps of the area and photographs of the bridges on the line.
- (2) **A description of the steps taken to identify historic properties, including, as appropriate, efforts to seek information pursuant to 800.4(b);**

The railroad solicited comments from the SHPO, as well as other Federal, state, and local entities regarding the proposed abandonment.

- Pursuant to the requirements of the National Environmental Policy Act and Section 106 of the National Historic Preservation Act, the Board's Section of Environmental Analysis (SEA) prepared an Environmental Assessment (EA) that was served on October 17, 2005. In the EA, SEA indicated that there are no buildings, bridges, or structures on the line that are 50 years old or older.
- SEA placed all material regarding the proposed abandonment in the public docket and solicited comments from agencies, interested parties, and the public on the EA.
- SEA has consulted with the SHPO, railroad, and other concerned or interested parties.

(3) The basis for determining that no historic properties are present or affected;

- The railroad's Historic Report, as well as research performed by the Board's Section of Environmental Analysis, indicates that there are no buildings, bridges, or structures on the line that are 50 years old or older

No Historic Properties Affected

Based on the information provided to date, SEA has determined that the proposed rail abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register). Accordingly, the Board finds that there are No Historic Properties Affected for this undertaking in accordance with 36 CFR 800.4(d)(1). Once 30 days have passed, SEA will recommend that the Board remove the Section 106 condition in this proceeding. Therefore, please inform SEA within the 30 day specified time frame if you object to this finding

CONCUR

NAME [Signature]

DATE 10/26/05

For your convenience, you may respond by marking the appropriate space below:

SHPO concurs with the finding that no historic properties would be affected by this proposed rail line abandonment.

SHPO does not concur with this finding and will submit additional comments within 30 days.