

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 414 (Sub-No. 7X)

IOWA INTERSTATE RAILROAD, LTD.—ABANDONMENT EXEMPTION—IN
POTTAWATTAMIE COUNTY, IOWA

Decided: May 5, 2014

Iowa Interstate Railroad, Ltd. (IAIS) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon a line of railroad extending from milepost 467.77 near Hancock Junction, Iowa, to the end of the track at milepost 469.59 near Oakland, Iowa, a distance of approximately 1.82 miles in Pottawattamie County, Iowa. Notice of the exemption was served and published in the Federal Register on March 27, 2014 (79 Fed. Reg. 17,233). The exemption became effective on April 26, 2014.

The Board's Office of Environmental Analysis (OEA) served an environmental assessment (EA) in this proceeding on April 1, 2014. Comments to the EA were due April 16, 2014, and no comments were timely received. In its Final EA, OEA recommended that two environmental conditions be imposed upon any decision granting abandonment authority. By decision served April 25, 2014, the abandonment exemption for the line was made subject to the conditions that IAIS shall: (1) consult with the Iowa Department of Natural Resources (IDNR) prior to initiating salvage operations to determine what, if any, approvals or permits may be needed to protect any rare species or significant natural communities, streams, and other flowing waterbodies, and provide best management practices, and, if approvals or permits are needed, to comply with IDNR's reasonable requirements; and (2) consult with the U.S. Army Corps of Engineers' (Corps) Rock Island District prior to initiating salvage activities for potential impacts to waters of the United States, including wetlands, and comply with the reasonable requirements of the Corps.

In a Supplemental Final EA, OEA now states that, in an e-mail dated April 23, 2014, the National Geodetic Survey (NGS) indicated that one geodetic station marker may be located in the area proposed for abandonment. Therefore, OEA recommends that a new environmental condition be imposed requiring IAIS to consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.

Accordingly, the proceeding will be reopened and the newly recommended condition will be imposed. The environmental conditions imposed in the April 25, 2014 decision remain in effect.

Based on OEA's recommendation, the proposed abandonment, if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served and published in the Federal Register on March 27, 2014, exempting the abandonment of the line described above is subject to a new environmental condition requiring IAIS to consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.
3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.