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248553

ENTERED  
Office of Proceedings  
October 4, 2019  
Part of  
Public Record

October 4, 2019

**By Hand Delivery**

Cynthia Brown, Chief  
Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

**Re: Union Pacific Railroad Company and Jackson County, Missouri - Abandonment  
Exemption - STB Docket AB 33 (Sub No. 342X)**

Dear Ms. Brown:

Enclosed please find an original and ten copies of a petition for exemption by Union Pacific Railroad Company and Jackson County, Missouri to abandon a 17.7 mile line of railroad located in Jackson County, Missouri extending from milepost 288.3 to milepost 270.6. Pursuant to 49 C.F.R. § 1104.3, an electronic copy of this petition will also be provided to the Board via electronic mail today.

Also enclosed is a check totaling \$7,800 for the filing fee. If there are any questions about this matter, please contact me directly, either by telephone at (202) 637-5600 or electronic mail at carolyn.kraska@hoganlovells.com

Respectfully submitted,

Carolyn Gaut Kraska

Associate  
carolyn.kraska@hoganlovells.com  
+1 202 637 5600

FILED  
October 4, 2019  
SURFACE  
TRANSPORTATION BOARD

FEE RECEIVED  
October 4, 2019  
SURFACE  
TRANSPORTATION BOARD



**Before the**  
**SURFACE TRANSPORTATION BOARD**

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STB Docket No. AB 33 (Sub No. 342X)

**UNION PACIFIC RAILROAD COMPANY AND JACKSON COUNTY, MISSOURI –  
ABANDONMENT EXEMPTION – IN JACKSON COUNTY, MISSOURI**

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**JOINT PETITION FOR EXEMPTION TO ABANDON**

Kevin M. Sheys  
Edward J. Fishman  
Carolyn G. Kraska  
Hogan Lovells US LLP  
Columbia Square  
555 Thirteenth Street N.W.  
Washington, DC 20004  
(202) 637-5600

Bryan O. Covinsky  
County Counselor  
Jackson County Courthouse, 2<sup>nd</sup> Floor  
415 East 12<sup>th</sup> Street  
Kansas City, MO 64106  
(816) 881-3355

*Counsel for Jackson County, Missouri*

Dated: October 4, 2019

Jeremy M. Berman  
General Attorney  
Union Pacific Railroad Company  
1400 Douglas Street, Stop 1580  
Omaha, NE 68179  
(402) 544-4735

*Counsel for Union Pacific Railroad*



**Before the**  
**SURFACE TRANSPORTATION BOARD**

STB Docket No. AB 33 (Sub No. 342X)

**UNION PACIFIC RAILROAD COMPANY AND JACKSON COUNTY, MISSOURI –  
ABANDONMENT EXEMPTION – IN JACKSON COUNTY, MISSOURI**

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**JOINT PETITION FOR EXEMPTION TO ABANDON**

Union Pacific Railroad Company (“Union Pacific”) and Jackson County, Missouri (“Jackson County”) (together, “Petitioners”) are filing this Petition for Exemption under the Surface Transportation Board’s (the “Board”) exemption procedures at 49 C.F.R. § 1152.60, seeking an exemption from 49 U.S.C. § 10903 under 49 U.S.C. § 10502 for authority to the abandon the railroad line extending between Mileposts 288.3 and 270.6 in Jackson County, Missouri (the “Subject Line”). Maps of the Subject Line are attached as Exhibit A.

**I. Procedural History**

The Subject Line was sold to St. Louis Southwestern Railway Company (“SSW”) out of the Chicago, Rock Island and Pacific Railroad Company bankruptcy in 1980. *See St. Louis Southwestern Railway Company—Purchase (Portion)—William M. Gibbons, Trustee Of The Property Of Chicago, Rock Island And Pacific Railroad Company, Debtor*, 363 I.C.C. 323 (June 6, 1980). Union Pacific acquired SSW as part of its merger with Southern Pacific, and SSW was merged into Union Pacific in 1996. *See Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway*

Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company, 1 S.T.B. 233 (August 6, 1996).

In December of 2015, Jackson County filed a Verified Notice of Exemption for authority to acquire the Subject Line from Union Pacific through the Board's class exemption process at 49 C.F.R. § 1150.31. Jackson Cty., Mo.–Acquis. & Operation Exemption–FD 35982 (filed Dec. 23, 2015). While the exemption notice was pending, Jackson County stated that it intended to use portions of the right-of-way for a trail, but asserted that it “had no plans to remove track for the trail.” Jackson Cty., Mo.–Acquis. & Operation Exemption–FD 35982, Reply at 9 (filed Jan. 19, 2016). Based on that representation, the Board found that Jackson County's plan to use portions of the right-of-way as a trail was not inconsistent with its obligations as a common carrier because it remained committed to reestablishing rail service if a freight customer required such service. Jackson Cty., Mo.–Acquis. & Operation Exemption–Union Pac. R.R., FD 35982, slip op. at 3 (STB served Feb. 4, 2016) (the “Exemption Decision”). Jackson County acquired the line from Union Pacific in April 2016.

Later, Jackson County removed portions of the track on the Subject Line and began building portions of a trail directly on the rail bed. For these reasons, the Board revoked Jackson County's acquisition and operation exemption on July 31, 2019. Jackson Cty., Mo.–Acquis. & Operation Exemption–Union Pac. R.R., FD 35982, slip op. at 7 (STB served July 31, 2019) (“Revocation Decision”). The Board revoked the exemption to “ensure the integrity of the Board's processes and therefore help ensure the continuity of a sound transportation system” Id. It was never Jackson County's intention to act in contravention of the Board's processes.

Jackson County ceased all track removal and trail construction on the rail bed upon receipt of the Revocation Decision.<sup>1</sup>

At the time Jackson County acquired the Subject Line, it was out of service and had no customers. If a customer required service, Jackson County was prepared to provide service by engaging a contract operator. By April of 2019, the Subject Line had been in public ownership for three years and no one had requested freight service. Accordingly, Jackson County decided to seek abandonment authorization from the STB. At the time of the Revocation Decision, Jackson County was gathering information for its environmental report, but had not yet filed the report. It is clear from the Revocation Decision that Union Pacific is an appropriate party to seek abandonment authorization. Revocation Decision at 6–7. For the avoidance of doubt about whether Jackson County, as the owner of the Subject Line, also needs abandonment authorization under these circumstances, Jackson County is also seeking such authorization from the Board. Id.

## **II. Petitioners Have Met the Statutory Requirements for the Exemption**

Petitioners seek an exemption under 49 U.S.C. § 10502 from the applicable requirements of 49 U.S.C. § 10903 to permit them to abandon the Subject Line. Under 49 U.S.C. § 10502, the Board must exempt a transaction from regulation when it finds that: (1) continued regulation is not necessary to carry out the Rail Transportation Policy of 49 U.S.C. § 10101; and (2) either (a) the transaction is of limited scope, or (b) regulation is not necessary to protect shippers from an abuse of market power.

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<sup>1</sup> Upon receipt of the Revocation Decision, out of an abundance of caution, Jackson County ceased all trail construction activity on the Subject Line. After carefully reviewing the decision and in order to minimize increased trail construction costs that would result from protracted delay, Jackson County restarted trail construction off the rail bed and without any further track removal.

The legislative history of 49 U.S.C. § 10502 shows clear Congressional intent for the Board liberally use its exemption authority to free certain transactions from the administrative and financial costs associated with continued regulation. When enacting the Staggers Act of 1980, Pub. L. No. 96-448, 94 Stat. 1895, Congress encouraged the Interstate Commerce Commission (“ICC”) to liberally use the expanded exemption authority under former § 10505:

The policy underlying this provision is that while Congress has been able to identify broad areas of commerce where reduced regulation is clearly warranted, the Commission is more capable through the administrative process of examining specific regulatory provisions and practices not yet addressed by Congress to determine where they can be deregulated consistent with the policies of Congress. The conferees expect that, consistent with the policies of this Act, the Commission will pursue partial and complete exemption from remaining regulation.

H.R. Rep. No. 1430, 96<sup>th</sup> Cong. 2d Sess. 105 (1980). This statement applies to the Board as the ICC’s successor agency.

The Board recently allowed exemptions under similar circumstances in Wisconsin Central Ltd.—Aban. Exemption—in Lake County, Ill., AB 303 (Sub-No. 46X) (STB served June 25, 2015) (“Wisconsin Central”), Brandon Railroad, L.L.C.—Aban. Exemption—in Douglas County, Neb., AB 1182X (STB served May 25, 2016) (“Brandon”), and BNSF Railway Company—Aban. Exemption—in Flathead County, Mont., AB 6 (Sub-No. 495X) (STB served Aug. 14, 2017) (“BNSF”).

**A. The Application of 49 U.S.C. § 10903 Is Not Necessary to Carry Out The Rail Transportation Policy**

Detailed scrutiny of this transaction is not necessary to carry out the rail transportation policy. An exemption would minimize the unnecessary expense associated with the preparation and filing of a formal abandonment application, expedite regulatory decisions and reduce regulatory barriers to exit. 49 U.S.C. § 10101 (2), (7). *See, e.g., Wisconsin Central*, slip op. at 2;

Brandon, slip op. at 2; BNSF, slip op. at 2. Since there have been no shippers on the Subject Line for more than 20 years, there will be no loss of rail service.

Other aspects of the rail transportation policy are not adversely affected. For example, competition and the continuation of a sound rail transportation system are not affected since no shippers will be deprived of any needed rail services. Moreover, if the exemption is granted Petitioners intend for Jackson County to use the Subject Line for rail banking and interim trail use, meaning the Subject Line would remain part of the national rail network.

Granting the Petition would also foster sound economic conditions and would encourage efficient management by allowing the Subject Line to be used as a recreational trail, a better and more productive use than today, while still preserving it for potential reactivation if a need for rail service arises in the future. 49 U.S.C. §§ 10101(5), (9).

#### **B. This Transaction Is Of Limited Scope**

Petitioners are seeking this exemption to abandon 17.7 miles of track which has not been used to serve any customers in over 20 years. If the exemption is allowed, no customers will be adversely affected. Jackson County also plans to use the Subject Line for rail banking and interim trail use meaning the Subject Line will remain intact for reactivation in the unlikely event that a need for rail service arises in the future.

#### **C. This Transaction Will Not Result In An Abuse Of Market Power**

There are no shippers located on the Subject Line and there has not been any rail traffic on the Subject Line in more than 20 years. Therefore, regulation is not necessary to protect shippers.

### **III. Required Information**

This Petition for Exemption is being filed pursuant to the requirements of 49 C.F.R. § 1152.50 regarding exemptions for out of service rail lines. In accordance with those requirements, Union Pacific and Jackson County hereby provide the following information in support of their petition for abandonment exemption:

1. The exact names of the Petitioners are Jackson County, Missouri, doing business as Rock Island Rail Corridor Authority, and Union Pacific Railroad Company.
2. Union Pacific is a common carrier railroad subject to 49 U.S.C. Subtitle IV, Chapter 105. Union Pacific acquired the Subject Line, along with other lines, in 1996. Union Pacific sold the Subject Line to Jackson County in April 2016, following the Board's authorization of Jackson County's exemption to acquire the line. Jackson County is the owner of the Subject Line.
3. The relief sought by Petitioners is an exemption for abandonment authorization for the Subject Line, being the line of railroad extending between Mileposts 288.3 and 270.6 in Jackson County, Missouri. There are no stations on the Subject Line.
4. Maps of the Subject Line are attached hereto as Exhibit A.
5. The representatives of Union Pacific and Jackson County to whom correspondence should be sent are:

Jeremy M. Berman  
General Attorney  
Union Pacific Railroad Company  
1400 Douglas Street, Stop 1580  
Omaha, NE 68179  
(402) 544-4735  
jmberman@up.com

Carolyn G. Kraska  
Associate  
Hogan Lovells US LLP  
555 13<sup>th</sup> Street NW  
Washington, D.C. 20004  
(202) 637-5600  
carolyn.kraska@hoganlovells.com

6. The Subject Line traverses through United States Postal Service ZIP Codes 64063, 64081, 64082, 64086, 64129, 64133, 64138 and 64139.
7. Information in the possession of Union Pacific regarding any additional restrictions on title will be made available on reasonable request.
8. If the Board authorizes abandonment of the Subject Line, Jackson County will seek issuance of a Certificate of Interim Trail Use ("CITU") based on the filing of a Statement of Willingness to Assume Financial Responsibility for the Subject Line and then Union Pacific and Jackson County intend to enter into a trail use/rail banking agreement that complies with the Board's Trails Act regulations. If a CITU is issued, Jackson County anticipates salvaging track and track materials.
9. Petitioners do not plan to consummate the abandonment, but intend for Jackson County to use the Subject Line for rail banking and interim trail use.
10. Petitioners certify that:
  - a) No local or overhead traffic has moved over the Subject Line for more than two years (in fact, no local or overhead traffic has moved since before Union Pacific acquired the Subject Line, a period of more than 20 years).
  - b) No formal complaint by a user of rail service on the Subject Line, or a state or local government entity acting on behalf of such user, regarding cessation of service over

the Subject Line either is pending with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two year period.

11. Although no employees of Union Pacific or Jackson County will be affected by the proposed abandonment, Petitioners recognize that the abandonment of the Subject Line will be made subject to the standard employee protective conditions as set forth in Oregon Short Subject Line Railroad Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

12. Petitioners served an Environmental/Historic Report on all required parties on September 12, 2019 (which the Board docketed on September 13, 2019), twenty or more days prior to this filing. Since the filing of the Environmental/ Historic Report, Petitioners received one additional response to the Environmental/Historic Report, in which the National Geodetic Survey (“NGS”) confirmed that the abandonment would not impact any NGS controls on the Subject Line. A copy of this response is attached as Exhibit B.

13. Petitioners certify that notice of the proposed abandonment was published in the Kansas City Star on September 27, 2019, as required by 49 C.F.R. § 1105.11. A copy of the notice and a copy of the proof of publication are attached as Exhibit C.

14. Petitioners certify that a copy of the notice required by 49 C.F.R. § 1152.50(d)(1) was sent to the required governmental agencies on September 24, 2019. A copy of the notice is attached hereto as Exhibit D.

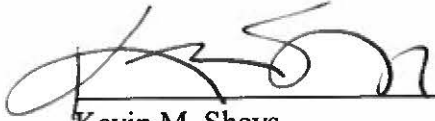
15. A draft Federal Register notice is attached to this Petition as Exhibit E.

*Space left intentionally blank*

#### IV. Conclusion

For the reasons set forth above, Petitioners respectfully request that the Board grant this petition for exemption.

Respectfully submitted,



Kevin M. Sheys  
Edward J. Fishman  
Carolyn G. Kraska  
Hogan Lovells US LLP  
Columbia Square  
555 Thirteenth Street N.W.  
Washington, DC 20004  
(202) 637-5600

Jeremy M. Berman  
General Attorney  
Union Pacific Railroad  
1400 Douglas Street, Stop 1580  
Omaha, NE 68179  
(402) 544-4735

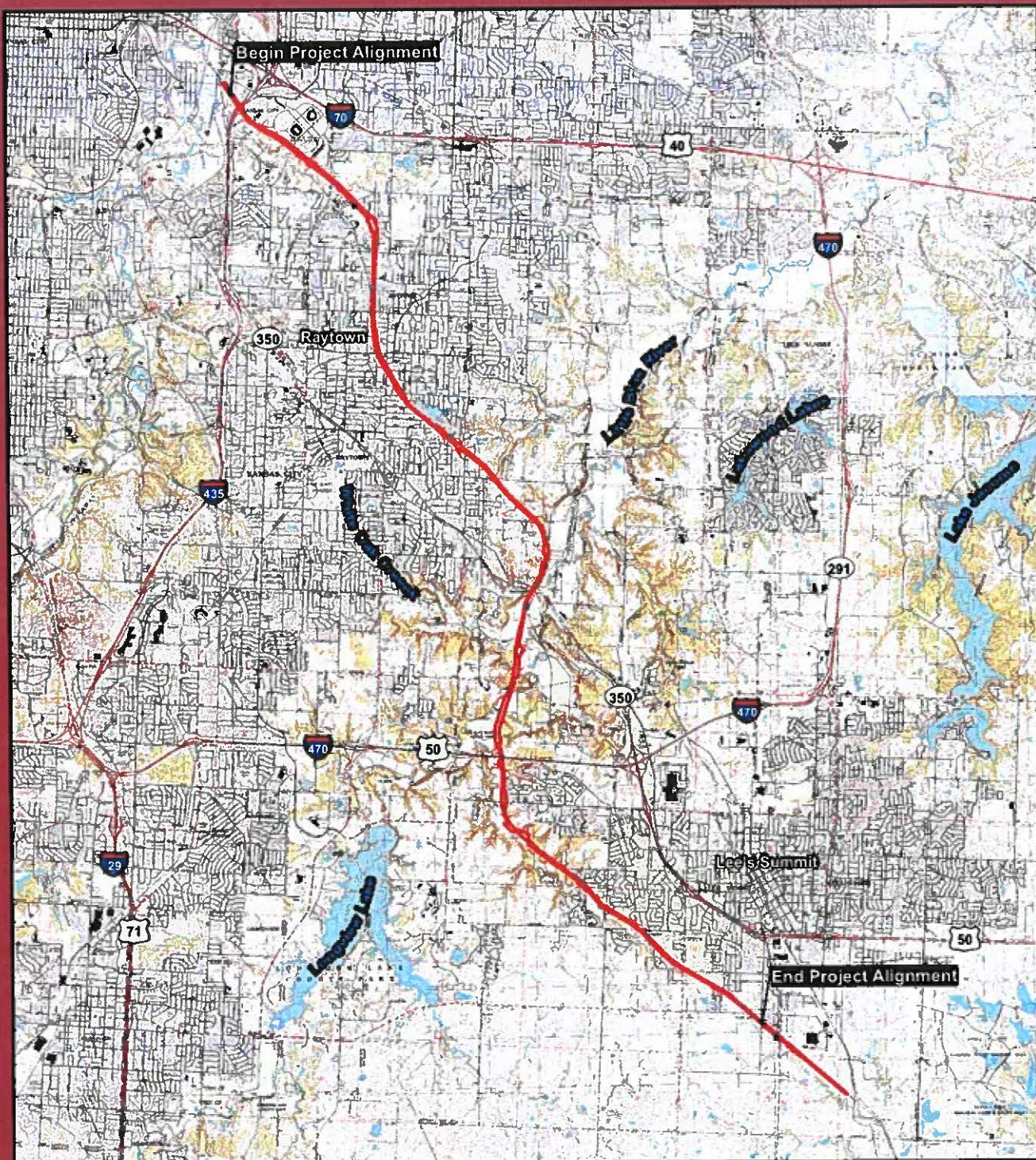
*Counsel for Union Pacific Railroad Company*

Bryan O. Covinsky  
County Counselor  
Jackson County Courthouse, 2<sup>nd</sup> Floor  
415 East 12<sup>th</sup> Street  
Kansas City, MO 64106  
(816) 881-3355

*Counsel for Jackson County, Missouri*

Dated: October 4, 2019

# Exhibit A



#### Legend

Study Area

#### Topographic Map



0 1 2 Miles

**TranSystems**

EXPERIENCE | TRANSPORTATION

Date: March 2017

**Rock Island Shared Use Path**

Jackson County, Missouri

USGS 1:24,000 Topographic Quadrangles:  
Independence, Lee's Summit, Lake Jacomo



**Jackson County, Missouri**  
GIS Department  
203 W Walnut Independence, MO 64090 816.887.4563 [jginfo@jacksoncounty.org](mailto:jginfo@jacksoncounty.org)

# Exhibit B

## **Kraska, Carolyn G.**

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**From:** brian.ward <ngs.infocenter@noaa.gov>  
**Sent:** Friday, September 20, 2019 8:55 AM  
**To:** Kraska, Carolyn G.  
**Subject:** [JIRA] (IMOV-5985) Re: STB Docket No. AB-1278X

A comment is added on your issue:

### **Re: Re: STB Docket No. AB-1278X**

No impact on NGS control through this section of railroad.  
Issue resolved.

National Geodetic Survey

# Exhibit C

**THE KANSAS CITY  
STAR**  
MEDIA COMPANY  
1601 McGee Street • Kansas City, MO 64108

The Kansas City Star  
KansasCity.com  
Customized Digital Solutions  
Cars.com  
The Lee's Summit Journal  
The Cass County Democrat  
The Olathe Daily News

Star Savings  
Kansas City Spaces magazine  
InkKC.com  
Middle of the Map  
KC Weddings magazine  
KC Weddings Bridal Spectacular

## AFFIDAVIT OF PUBLICATION

| Account # | Ad Number  | Identification                                | PO                              | Amount   | Cols | Depth   |
|-----------|------------|-----------------------------------------------|---------------------------------|----------|------|---------|
| 751143    | 0004395321 | STB Docket No. AB 33 (Sub No. 342X) Notice of | B Docket No. AB 33 (Sub No. 342 | \$962.32 | 2    | 5.11 In |

Attention: Carolyn Kraska

HOGAN LOVELLS US LLP  
555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004

THE STATE OF TEXAS

County of Tarrant

I, Victoria Rodeia,

STB Docket No. AB 33 (Sub No. 342X)

Notice of Intent to Abandon

Union Pacific Railroad Company (UP) and Jackson County, Missouri (Jackson County) give notice that on or about October 4, 2019, they intend to file with the Surface Transportation Board (Board), Washington, DC 20423, a petition for exemption under 49 CFR 1152 Subpart F - Exempt Abandonments, permitting the abandonment of a 17.7 mile line of railroad formerly operated by Union Pacific Railroad Company extending between Mileposts 288.3 and 270.6 in Jackson County, Missouri, that traverses through United States Postal Service ZIP Codes 64063, 64081, 64082, 64086, 64129, 64133, 64138 and 64139. The proceeding will be docketed on Surface Transportation Board docket no. AB 33 (Sub No. 342X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the petition for exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public, and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Office of Environmental Analysis, Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001 or by calling that office at (202) 245-0291.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trail use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Proceedings, Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001 [see 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on UP's and Jackson County's representatives [see 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicants' representative: Carolyn Kraska, Hogan Lovells US LLP, Columbia Square, 555 13 th St. NW, Washington, DC 20004; (202) 637-5600.

make oath and swear that

CYPRESS MEDIA, LLC, publishers of The Kansas City Star, all it's neighborhood sections and suburban newspapers including #16, #13, Johnson County News, Northland and its subsidiaries, The Olathe News, The Cass County Democrat-Missourian and The Lee's Summit Journal, are published in the Kansas City Missouri metro (distribution) area including but not exclusively to Johnson and Wyandotte Counties in the state of Kansas, and Cass, Clay, Jackson and Platte Counties in the state of Missouri. Every publication listed is published weekly, twice weekly or daily. We confirm the notice ran the days scheduled in this statement. A true copy of which is hereto attached was duly published in.

*V. Rodeia*

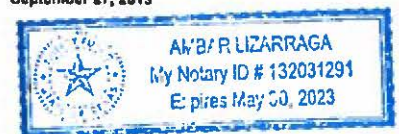
FOR THE PERIOD OF 1 day(s)

COMMENCING 09/27/2019

ENDING 09/27/2019

EDITION(S)

September 27, 2019



Subscribed and sworn to before me, this 27th day of September in the year of 2019.

*Ambros*

- Notary

Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!

# Exhibit D



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555 Thirteenth Street, NW  
Washington, DC 20004  
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F +1 202 637 5910  
www.hoganlovells.com

September 24, 2019

**By Certified Mail**

**TO ALL PARTIES ON THE  
ATTACHED SERVICE LIST**

**Re: Union Pacific Railroad Company and Jackson County, Missouri - Abandonment  
Exemption – STB Docket AB 33 (Sub No. 342X).**

To whom it may concern:

This letter is being sent to you pursuant to the requirements of 49 C.F.R. § 1152.50(d), to advise you that Jackson County, Missouri ("Jackson County"), doing business as Rock Island Rail Corridor Authority, and Union Pacific Railroad Company ("Union Pacific") intend to jointly file a petition for abandonment authority under 49 CFR 1152 Subpart F – Exempt Abandonments, permitting the abandonment of the segments Union Pacific's lines of railroad extending between Milepost 288.3 and Milepost 270.6 in Jackson County, Missouri (the "Subject Line"), a total distance of 17.7 miles. The Subject Line traverses through United States Postal Service ZIP Codes 64063, 64081, 64082, 64086, 64129, 64133, 64138, and 64139. A map of the Subject Line is attached as Exhibit A.

Based upon information in Jackson County's and Union Pacific's possession, the Subject Line does not contain federally granted rights of way. Any documentation in Jackson County's and Union Pacific's possession will be made available promptly to those requesting it. Jackson County intends to use the Subject Line for rail banking and interim rail use. Union Pacific and Jackson County believe that this is a reasonable alternative public purpose for the right of way.

Jackson County and Union Pacific expect to file the joint petition for exemption authority to abandon the Subject Line with the Surface Transportation Board on or about October 4, 2019.

Respectfully submitted,

Carolyn Kraska

Associate  
carolyn.kraska@hoganlovells.com  
D +1 202 637 8568

**SERVICE LIST**

STB Docket No. AB 33 (Sub No. 342X)

Missouri Public Service Commission  
200 Madison Street, PO Box 360  
Jefferson City, MO 65102-0360

United States Department of Defense  
Military Surface Depl. & Dist.  
Spec. Asst. Transportation Engineering  
Attn: SDTE-SA Railroads for Natl Def  
709 Ward Drive, Building 1990  
Scott AFB, IL 62225-5357

U.S. Department of the Interior  
National Park Service  
Recreation Resources Assistance Division  
1849 C Street, NW  
Washington, DC 20240

U.S. Department of the Interior  
National Park Service – Midwest Region  
RTCA Program  
601 Riverfront Dr.  
Omaha, NE 68102

U.S. Department of Agriculture  
Office of Chief of Forest Service  
1400 Independence Ave., SW  
Washington, DC 20250-1111

# Exhibit E

***Federal Register Notice***

Docket No. AB-33 (Sub-No. 342X)  
UNION PACIFIC RAILROAD COMPANY  
—ABANDONMENT EXEMPTION—  
IN JACKSON COUNTY, MISSOURI

Notice of Petition for Exemption To Abandon

On October 4, 2019 Union Pacific Railroad Company (Union Pacific) and Jackson County, Missouri (Jackson County) jointly filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment of a line of railroad extending from railroad milepost 288.3 to milepost 270.6, which traverses through 64063, 64081, 64082, 64086, 64129, 64133, 64138 and 64139 United States Postal Service ZIP Codes, a distance of 17.7 miles, in Jackson County, Missouri.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in Oregon Short Line R. Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

If the Board authorizes abandonment of the Subject Line, Jackson County will seek issuance of a Certificate of Interim Trail Use ("CITU") based on the filing of a Statement of Willingness to Assume Financial Responsibility for the Subject Line and then Union Pacific and Jackson County intend to enter into a trail use/rail banking agreement that complies with the Board's Trails Act regulations. If a CITU is issued, Jackson County anticipates salvaging track and track materials.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Office of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Office of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

## CERTIFICATE OF SERVICE

I, Carolyn Kraska, hereby certify that on October 4, 2019, a true and correct copy of Union Pacific Railroad Company's and Jackson County's Petition for Exemption to Abandon was sent via Federal Express to the following:

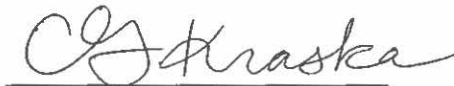
Missouri Public Service Commission  
200 Madison Street, PO Box 360  
Jefferson City, MO 65102-0360

United States Department of Defense  
Military Surface Depl. & Dist.  
Spec. Asst. Transportation Engineering  
Attn: SDTE-SA Railroads for Natl Def  
709 Ward Drive, Building 1990  
Scott AFB, IL 62225-5357

U.S. Department of the Interior  
National Park Service  
Recreation Resources Assistance Division  
1849 C Street, NW  
Washington, DC 20240

U.S. Department of the Interior  
National Park Service – Midwest Region  
RTCA Program  
601 Riverfront Dr.  
Omaha, NE 68102

U.S. Department of Agriculture  
Office of Chief of Forest Service  
1400 Independence Ave., SW  
Washington, DC 20250-1111

A handwritten signature in cursive script, reading "CG Kraska", written in dark ink. The signature is positioned above a horizontal line.

Carolyn G. Kraska