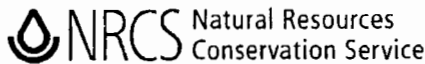


United States Department of Agriculture



3915 Oakland Avenue, Suite 103, St. Joseph, MO 64506

April 4, 2013

Ms. Sandra L. Brown
Thompson Hine LLP
Suite 700
1919 M Street, NW
Washington, DC 20036

Dear Ms. Brown,

This letter is in response to your environmental effects request letter sent to the Natural Resources Conservation Service, Columbia, MO. Your letter was dated March 21, 2013. The following comments pertain to the proposed railroad line abandonment in Cass and Pettis Counties, Missouri. I have reviewed the proposed project and offer the following information for consideration in your environmental report:

1. Background Information-In 1981, the U.S. Congress passed the Farmland Protection Policy Act (FPPA) which directs USDA through NRCS to provide technical assistance to Federal agencies, and State and local governments or organizations that desire to develop programs or policies to limit the conversion of productive farmlands to non-agricultural uses.
2. The Goal of FPPA- is to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of important farmland to nonagricultural uses. More information can be found at http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/programs/alphabetical/fppa/?&cid=nrcs143_008275
As the web site explains, if areas are considered already in urban use, or are on existing right of way purchased before August 4th, 1984, than FPPA does not apply. You can obtain site specific acres of prime farmland, and farmland of statewide importance by utilizing the Web Soil Survey. <http://websoilsurvey.nrcs.usda.gov/app/> Therefore, if the right of way for these rail lines were obtained before August 4th, 1984, then FPPA does not apply to those areas, and a Farmland Conversion Impact Rating is not needed.
3. Review of the Proposed Project-Areas where distribution facilities or lines are constructed within road and highway right of ways, are determined "previously converted" to non-agricultural uses. Areas where the poles and guy wires are installed in cultivated fields and pastures will have only a minor impact on the conversion of important farmlands. Generally, buried cables and pipelines will not cause the conversion of important farmlands. **If areas can no longer be farmed due to new construction, or restricted access, they are subject to FPPA and a form AD-1006 should be completed. If final construction does not eliminate any land from agricultural crop production, then FPPA does not apply.**



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4. The NRCS County Hydric soil lists can be obtained at the county NRCS field office. Hydric soils are soils that show properties of long term saturation, and have a high probability of being classified as a wetland. The Hydric soil list is also on line at the NRCS Soil Data Mart <http://soildatamart.nrcs.usda.gov/>. If needed, site specific wetland determinations for non agricultural purposes can be requested from the U.S. Army Corps of Engineers, or from private consulting firms.
5. Erosion Considerations-If your project includes trenching, or construction activity that would destroy grass or vegetative cover, we recommend special attention be given to areas subject to soil erosion caused by rain and water flow. Even though most trenches are narrow, soil erosion can still be a significant hazard on slopes greater than 2 percent. Vegetation should be promptly reestablished on disturbed areas. The Missouri NRCS Critical Area Planting standard can be accessed on the electronic field office tech guide at <http://www.nrcs.usda.gov/technical/efotg/>.
6. Conservation Structures- such as: terraces, diversions, underground drain tiles, grassed waterways: If the project construction causes any damage to soil and water conservation practices or structures, they should be promptly repaired.

If you have any questions, please call me at 816-232-6555 ext. 138.

Sincerely,

A handwritten signature in dark ink, appearing to read 'David K. Kacirek', is written over a horizontal line.

David K. Kacirek
Area Resource Soil Scientist

cc: Patricia L. Hufford, Area Conservationist, St. Joseph, MO
Jorge L. Lugo-Camacho, State Soil Scientist, Columbia, MO
Diane M. Bradley-Redden, District Conservationist, Harrisonville, MO
Ryan E. Peck, District Conservationist, Sedalia, MO