



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

July 17, 2007

E-filing

Mr. Vernon Williams, Secretary
Surface Transportation Board
Section of Environmental Analysis
395 E Street, S.W., Room 1149
Washington, DC 20423-0001

**RE: Docket No. AB-33(Sub-No.175X), Union Pacific Railroad Company
- Abandonment Exemption - - In Hamilton County, Iowa
(Ellsworth Industrial Lead)**

Dear Mr. Williams:

Pursuant to the attached Section 106 Findings letter received from the State Historical Society of Iowa ("SHSI"), dated July 3, 2007, the SHSI has no outstanding Section 106 issues regarding the above-referenced abandonment. Therefore, the Union Pacific Railroad Company respectfully requests that the Surface Transportation Board issue an amended decision in AB-33(Sub-No. 175X) acknowledging that the Section 106 condition has been satisfied.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", with a stylized flourish at the end.

Mack H. Shumate, Jr.

Enclosure

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A Division of the Iowa Department of Cultural Affairs

July 3, 2007

Hans Matthiessen, Senior Project Manager Finance
Union Pacific Railroad
1400 Douglas Avenue—STOP 1830
Omaha, Nebraska 68179-1830

Mack Shumate, Jr.
Senior General Attorney
Union Pacific Railroad
101 North Wacker Drive, Rm. 1920
Chicago, Illinois 60606

RE: STB - IOWA - BRISTOW SUBDIVISION—SUB. 200X (R&C# 030100046); PERRY
SUBDIVISION—SUB. 213X (R&C#031125102); THORNTON INDUSTRIAL LEAD—SUB.
NO.225X (R&C#970117095); ELLSWORTH INDUSTRIAL LEAD—SUB. NO. 175X
(R&C#051140096); AND BELL AVENUE INDUSTRIAL LEAD, DES MOINES—SUB. NO.
170(R&C#020177058) - SECTION 106 FINDINGS

Gentlemen:

We write concerning the above referenced proposed line abandonments, which we understand you have placed on hold due to Section 106 conditions. We have reviewed our files on all of these undertakings, and the only one we have outstanding issues with is the Bell Avenue Industrial Lead, particularly the CGW bridge. On July 10, 2001, we recommended that the Union Pacific undertake an intensive level historical and architectural survey of this structure. We reiterated that recommendation in a September 28, 2004 email to Don Snoddy of the Union Pacific. Although we have received copies of plans, legal descriptions, bridge inspection reports, and various other documents, we have yet to receive an intensive level survey completed by a qualified historian or architectural historian. In our opinion, it is highly likely that the bridge is National Register eligible and it may possess state as well as local significance.

At this time, it is unclear what the Union Pacific's intentions are in regard to the CGW Bridge. In one submittal, it was stated that the railroad intended to demolish it. Such an action would result in an automatic finding of Adverse Effect. Another item in the file indicated that the line might donate the bridge to the City of Des Moines for a trails project. With an appropriate historic preservation covenant, this action might be considered a No Adverse Effect. We await the Union Pacific's response.

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Questions or comments may be directed to me at Ralph.Christian@iowa.gov or 515/281-8697.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph J. Christian", with a stylized flourish at the end.

Ralph J. Christian

Historian

Review and Compliance Program

Stuart Anderson, IDOT