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THOMAS F. MCFARLAND

September 17, 2009

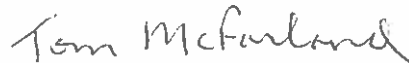
Ms. Victoria Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

Re: STB Docket No. AB-497 (Sub-No. 5X), *Minnesota Northern Railroad, Inc. --
Abandonment Exemption -- in Roseau County, MN*

Dear Ms. Rutson:

Hereby transmitted is a copy of an Environmental Comment dated September 14, 2009 from the Assistant District Counsel of the Corps of Engineers of the U.S. Army Department (no need for Section 10 or Section 404 permits).

Very truly yours,



Thomas F. McFarland
*Attorney for Minnesota Northern
Railroad, Inc.*

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cc: Mr. George LaPray, *w/copy of comments, by mail*

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McFARLAND, P.C.



DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS
ARMY CORPS OF ENGINEERS CENTRE
190 FIFTH STREET EAST
ST. PAUL, MN 55101-1638

September 14, 2009

REPLY TO
ATTENTION OF:

Office of Counsel

Thomas F. McFarland
Thomas F. McFarland, P.C.
208 South LaSalle Street – Suite 1890
Chicago Illinois 60604-1112

RE: STB Docket No. AB-497, Minnesota Northern Railroad, Inc. – Abandonment Exemption –
in Roseau County, MN

Dear Mr. McFarland:

From the information that you provided, it does not appear that the railroad line that will be abandoned crosses any Section 10 waters. We don't see any need for a section 10 permit. No 404 permits will be necessary unless you anticipate conducting any dredge or fill work in wetlands as a result of the abandonment.

The Army Corps of Engineers is currently designing a project in Roseau County. If Minnesota Northern Railroad, Inc. does not abandon the line in Roseau County, we will have to significantly modify the design of our project. If there is a delay in the abandonment, or if for some reason the line will not be abandoned, please notify Paul Kosterman, the project manager, at:

U.S. Army Corps of Engineers
Attn: Paul Kosterman
Suite 401
190 5th St. East
St. Paul, MN 55101-1638

If you have any further questions, you can contact me at the above address, by phone at (651) 290 – 5499 or by email at damon.a.roberts@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Damon Roberts".

Damon Roberts
Assistant District Counsel