

EI-1597

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United States Department of Agriculture

AB 6-429X
882-1X



Natural Resources Conservation Service
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

Phone: (651) 602-7900
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File Code: 190-15-13

June 30, 2005

IN REPLY

REFER TO: BNSF Railway Company Abandonment Exemption
Docket No. AB-6(Sub-No.429X)
Docket No. AB-882 (Sub-No. 1X)
& Correction of Draft Environmental and Historic Report

Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

Dear Sirs:

The Natural Resources Conservation Service (NRCS) has reviewed the above referenced project. The project sponsors are not USDA program benefit recipients, thus the wetland conservation provisions of the 1985 Food Security act, as amended are not applicable. It should be noted, however, that actions by a non-USDA participant third party (project sponsor) which impact agricultural wetlands owned or operated by USDA participants, may jeopardize the owner/operators USDA eligibility. If such impacts are anticipated, the owner/operator should contact the county Farm Service Agency (FSA) office to consider an application for a third party exemption.

The following agencies may have federal or state wetlands, cultural resources, water quality, air quality or threatened and endangered species jurisdiction in the proposed project, and should be consulted.

- Army Corps of Engineers (USACOE) – Clean Water Act
- US Fish and Wildlife Service (FWS) – Endangered Species Act
- Board of Water and Soil Resources (BWSR) - Minnesota Wetlands Conservation Act
- Minnesota Department of Natural Resources (MDNR)
- Minnesota Pollution Control Agency (MPCA)
- State Historic Preservation Officer/State Archaeologist (SHPO)

Finally, because of the location and type of activity proposed, this project will not impact agricultural lands, and a Federal Farmland Policy Protection Act (FPPA) site assessment/land evaluations will not be required. Please note these comments also apply to the *correction* of the Draft Environmental, and Historic Report, dated June 24, 2005, and the MN NRCS has no concerns nor objections concerning the railroad line abandonment.

Sincerely

WILLIAM E. LORENZEN
Environmental Review/Justice Coordinator

cc: Thomas F. McFarland, Attorney For MN Commercial Railway Company, Chicago, IL