

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

BNSF RAILWAY COMPANY)
ABANDONMENT EXEMPTION) **DOCKET NO. AB 6**
IN COOK COUNTY, ILLINOIS) **(SUB-NO. 493X)**

ENVIRONMENTAL AND HISTORIC REPORTS

BNSF RAILWAY COMPANY
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Service Date: March 3, 2016

ENVIRONMENTAL REPORT

(49 C.F.R. § 1105.7)

(1) Proposed Action and Alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

BNSF Railway Company (“BNSF”) proposes to abandon approximately 0.89 miles of track on the Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois (the “Line”). A map of the project area is attached as **Exhibit A**.

BNSF's salvage process as it relates to this project is as follows:

The proposed abandonment will include the removal of track materials such as rails and ties. The railroad right-of-way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped

by BNSF to an EPA-approved disposal site.

The culverts, ballast and right-of-way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right-of-way and to avoid the placement of fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should not be disrupted.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and is generally bid on the open market. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis (“OEA”) and imposed by the Surface Transportation Board (“STB”) in the final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

No traffic has moved on the Line since August 2014. On August 5, 2014, Colonial Brick Company, Inc., the only customer on the line, was embargoed after a derailment due to track condition. There is no overhead traffic on the portion of the Line proposed for abandonment. Because of the lack of traffic on the Line, only very limited maintenance has been performed on the Line for some time. Therefore, the proposed abandonment will have no impact on rail freight operations and maintenance practices on the Line.

The only alternative to abandonment is to decline to pursue abandonment of the Line and forgo the opportunity costs from salvaging the Line.

(2) Transportation System. Describe the effect of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

There will be no passenger or freight traffic diverted to other transportation systems as a result of the proposed abandonment. There has been no local or overhead traffic on the Line since August 2014.

(3) Land Use

(i) Based on consultation with local and/or regional planning agencies and/or review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

BNSF expects that the proposed action will be consistent with existing land use plans. On September 1, 2015, BNSF contacted the Chicago Plan Commission and Cook County – Department of Planning and Development. As of the date of this Environmental Report, the Chicago Plan Commission and Cook County – Department of Planning and Development have not responded to our inquiry. A copy of the letters are attached as **Exhibits B and C** respectively.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agriculture land.

The information available to BNSF indicates that the proposed abandonment will have no adverse effect on prime agriculture land. BNSF sent a letter to the Illinois NRCS State Office. Eric A. Gerth, Acting State Conservationist, replied in a letter dated September 14, 2015, stating “[b]ecause the proposed track abandonment

would be confined to an existing rail corridor in an urban area, it will have no impact on prime or important farmlands.” A copy of the letter is attached as

Exhibit D.

(iii) If any action affects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

The information available to BNSF indicates that the proposed abandonment will not affect land or water uses within a designated coastal zone. BNSF sent a letter to the Illinois Office of Water Resources. James P. Casey, Federal Consistency Coordinator, Illinois Department of Natural Resources, Coastal Management Program, replied in a letter dated September 14, 2015, stating “[r]ail line abandonments are not listed in the Illinois Coastal Management Program Plan (ICMP) as an activity that will affect any land or water use or natural resource of the coastal zone. Therefore, an ICMP Federal Consistency Determination will not be required.” A copy of the letter is attached as **Exhibit E.**

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

The proposed abandonment may be suitable for alternative public use. BNSF contacted the Chicago Plan Commission and Cook County – Department of Planning and Development.

(4) Energy

(i) Describe the effect of the proposed action on transportation of energy resources.

The proposed abandonment will have no effect on the transportation of energy

resources.

(ii) Describe the effect of the proposed action on recyclable commodities.

The proposed abandonment will have no adverse effect on the movement or recovery of recyclable commodities.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

No traffic has moved on the Line since August 2014, and the proposed action will not result in an increase or decrease in overall energy efficiency.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in the energy consumption and show the data and methodology used to arrive at the figure given.

The proposed abandonment will not result in a diversion of rail to motor carriage.

(5) Air

(i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of the line affected by the proposal, or

(B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or

(C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

The proposed action will not result in rail or truck traffic or activity that meets or exceeds the specified thresholds outlined in (i) (A), (B) or (C) above.

(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:

(A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,

(B) an increase in rail yard activity of at least 20 percent (measured by carload activity), or

(C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505) or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

The proposed action will not result in rail or truck traffic or activity that meets or exceeds the specified thresholds in (ii) (A), (B) or (C) above.

(iii) If the transportation of ozone depleting materials (such as nitrogen oxide and Freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

The proposed abandonment will not affect the transportation of ozone depleting materials.

(6) Noise. If any of the thresholds identified in item (5) (i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more; or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g. schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Not applicable.

(7) **Safety**

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad crossings).

It is expected that this abandonment will have no adverse effect on health or public safety. There are nine (9) public at-grade crossings and two (2) private at-grade crossings on the Line.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills, and the likelihood of an accidental release of hazardous materials.

The abandonment will not result in the transportation of hazardous materials.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

There are no known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way.

(8) **Biological Resources**

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

The information available to BNSF indicates that the proposed abandonment will have no adverse effect on endangered or threatened species or areas designated as a critical habitat. BNSF contacted the U.S. Fish and Wildlife Service, Ecological Services Field Office (“USFWS”), in reference to this proposed abandonment. BNSF generated and reviewed the list of Endangered Species Act Species List for

the project area and determined that the abandonment project will have “no effect” on listed species, their habitats, or proposed or designated critical habitat as the project area is located in the city streets and salvage activities will be restricted to the railroad right-of-way. The USFWS Official Species List states that “[t]here are no critical habitats within your project area.” A copy of the generated USFW Official Species List is attached as **Exhibit F**.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

BNSF expects that the proposed abandonment will have no adverse effect on any wildlife sanctuaries or refuges, National or State parks or forests. On September 1, 2015, BNSF contacted the U.S. Department of the Interior, Bureau of Land Management (“BLM”) and the National Park Service, Midwest Region. As of the date of this Environmental Report, the BLM and the National Park Service have not replied to BNSF’s inquiry. Copies of the letters are attached as **Exhibits G and H** respectively.

(9) Water

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

The information available to BNSF indicates that the proposed abandonment is consistent with applicable Federal, State and local water quality standards. BNSF sent a letter to the Illinois Office of Water Resources. James P. Casey, Federal Consistency Coordinator, Illinois Department of Natural Resources, Coastal Management Program, replied in a letter dated September 14, 2015, stating “[r]ail

line abandonments are not listed in the Illinois Coastal Management Program Plan (ICMP) as an activity that will affect any land or water use or natural resource of the coastal zone. Therefore, an ICMP Federal Consistency Determination will not be required.” A copy of the letter is attached as **Exhibit E**.

On September 1, 2015, BNSF also contacted the U.S. EPA Region 5 regarding the proposed abandonment. As of the date of this Environmental Report, the agency has not replied to BNSF’s inquiry. A copy of the letter is attached as **Exhibit I**.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

BNSF expects that the proposed abandonment will have no adverse effect on designated wetlands or 100-year flood plains. On October 1, 2015, BNSF contacted the U.S. Army Corps of Engineers, Chicago District in reference to the proposed abandonment. As of the date of this Environmental Report, the agency has not replied to BNSF’s inquiry. A copy of the letter is attached as **Exhibit J**.

(iii) State whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).

BNSF is aware of no permit under Section 402 of the Clean Water Act that is required for the proposed abandonment. BNSF sent a letter to the Illinois Office of Water Resources. James P. Casey, Federal Consistency Coordinator, Illinois Department of Natural Resources, Coastal Management Program, replied in a letter dated September 14, 2015, stating “[r]ail line abandonments are not listed in the

Illinois Coastal Management Program Plan (ICMP) as an activity that will affect any land or water use or natural resource of the coastal zone. Therefore, an ICMP Federal Consistency Determination will not be required.” A copy of the letter is attached as **Exhibit E**.

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(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

BNSF expects that no adverse environmental impact will result from the proposed abandonment and, therefore, sees no need for any mitigating actions. BNSF will, of course, consult (as required) with any recipients of this Environmental Report regarding appropriate mitigation actions and will comply with those mitigation actions required by the Board.

HISTORIC REPORT

(49 C.F.R. § 1105.8)

(1) Proposed Action and Alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

BNSF Railway Company (“BNSF”) proposes to abandon approximately 0.89 miles of track on the Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois (the “Line”). A map of the project area is attached as **Exhibit A**.

BNSF's salvage process as it relates to this project is as follows:

The proposed abandonment will include the removal of track materials such as rails and ties. The railroad right-of-way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into rail cars and shipped

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Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and is generally bid on the open market. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis (“OEA”) and imposed by the Surface Transportation Board (“STB”) in the final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

No traffic has moved on the Line since August 2014. On August 5, 2014, Colonial Brick, the only customer on the line, was embargoed after a derailment due to track condition. There is no overhead traffic on the portion of the Line proposed for abandonment. Because of the lack of traffic on the Line, only very limited maintenance has been performed on the Line for some time. Therefore, the proposed abandonment will have no impact on rail freight operations and maintenance practices on the Line.

The only alternative to abandonment is to decline to pursue abandonment of the Line and forgo the opportunity costs from salvaging the Line.

HISTORIC REPORT

1. *A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.*

The required topographic map is attached to this Report as **Exhibit A**.

2. *A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area*

The subject Line extends approximately 0.89 miles on the Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois. The urban right-of-way varies in width from 25 to 105 feet wide. There are no federally granted rights of way involved.

3. *Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area.*

None.

4. *The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.*

None.

5. *A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.*

The Chicago, Burlington & Quincy Railroad Company (“CB&Q”) acquired the right-of-way in 1881. In 1901, Grand Northern Railway Company and Northern Pacific Railway Company jointly acquired control of CB&Q. On March 2, 1970, Great Northern Railway Company and Northern Pacific Railway Company were merged into Great Northern Pacific and Burlington Lines, Inc., pursuant to an Agreement of Merger dated as of January 26, 1961 (“Northern Lines Agreement”). On March 2, 1970, CB&Q merged into the Great Northern Pacific and Burlington Lines, Inc., pursuant to an Agreement of Merger dated as of January 26, 1961 (“Burlington Merger Agreement”). A Certificate of Amendment of Certificate of Incorporation of Great Northern Pacific and Burlington Lines, Inc., dated February 12, 1970, was filed in the office of the Secretary of State of Delaware on March 2, 1970, and the name of the company changed to Burlington Northern Inc. (“BNI”). BNI changed its name to Burlington Northern Railroad Company (“BNRR”) in 1981. BNRR merged with The Atchison, Topeka and Santa Fe Railway Company in 1996 to become The Burlington Northern and Santa Fe Railway Company, which name was changed to BNSF Railway Company in 2005.

6. *A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.*

Documents in BNSF's possession concerning this abandonment may include alignment maps showing the right-of-way and/or station maps. These documents are too large for practical reproduction in this report, but can be furnished upon request, if they are available.

7. *An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities).*

BNSF contacted the Illinois Historic Preservation Agency (“SHPO”) in reference to the proposed abandonment. Rachel Leibowitz, Ph.D., Deputy State Historic Preservation Officer, replied in a letter dated September 23, 2015, stating “[t]he project area is located within the Pilsen Historic District, which was listed on the National Register of Historic Places on February 1, 2006. In our opinion, the removal of track materials will have no adverse effect on this district.” A copy of the letter is attached as **Exhibit K**.

8. *A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.*

The Line was disturbed during original construction by cuts and fill and any archaeological resources that may have been located in the proposed project area would have been affected at that time. Our records do not indicate any environmental conditions that might affect the archaeological recovery of resources.

9. *Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (i.e. prehistoric or native American).*

If any additional information is requested, BNSF will promptly supply the necessary information.

EXHIBIT A

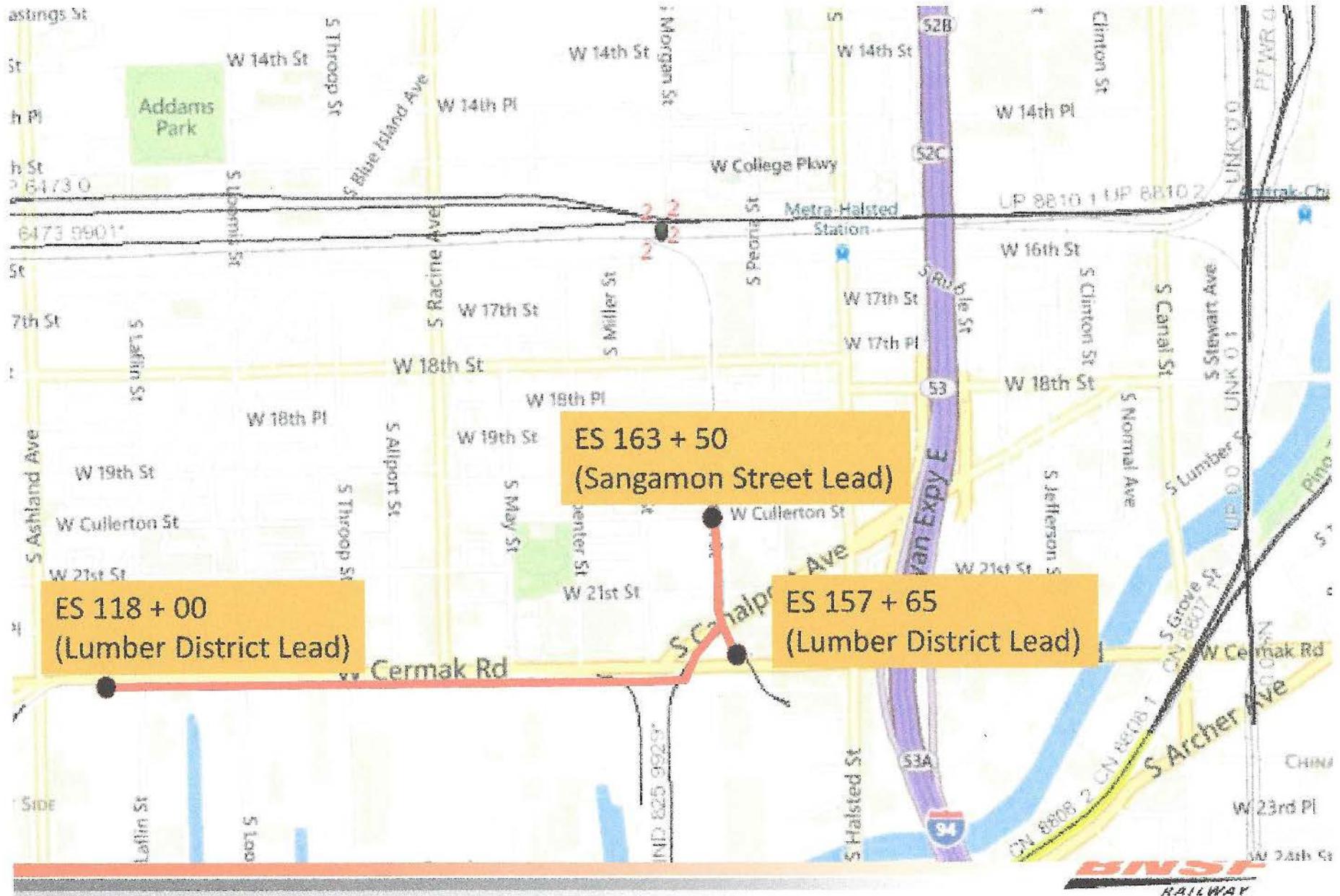


EXHIBIT B



Emily Thompson
Paralegal
Law Department

BNSF Railway Company
2500 Lou Menk Drive – AOB-3
Fort Worth, Texas 76131-2828
tel 817-352-2378
fax 817-352-2397
Email – emily.thompson@bnsf.com

September 1, 2015

Chicago Plan Commission
City Hall
121 N. LaSalle Street
Chicago, Illinois 60602

**Re: STB Docket No. AB 6 (Sub-No. 493X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in about 60 days a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon approximately 0.89 miles of track on the Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois.

As part of the environmental report, BNSF is required to contact you to determine if the proposed abandonment is consistent with existing land use plans. If applicable, please describe any inconsistencies.

Your assessment and comments are respectfully requested. For your reference a map of the subject railroad line is enclosed. Please provide your response to me at the address above, if at all possible, by November 2, 2015. You may contact me by email or telephone with any questions or concerns. Thank you in advance for your time and contribution.

Sincerely,


Emily Thompson
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Tyler White – BNSF – tyler.white2@bnsf.com
Karl Morell – Karl Morell & Associates – karlm@karimorell.com
Mark Norton – BNSF – mark.norton@bnsf.com
John Sims – BNSF – john.sims@bnsf.com

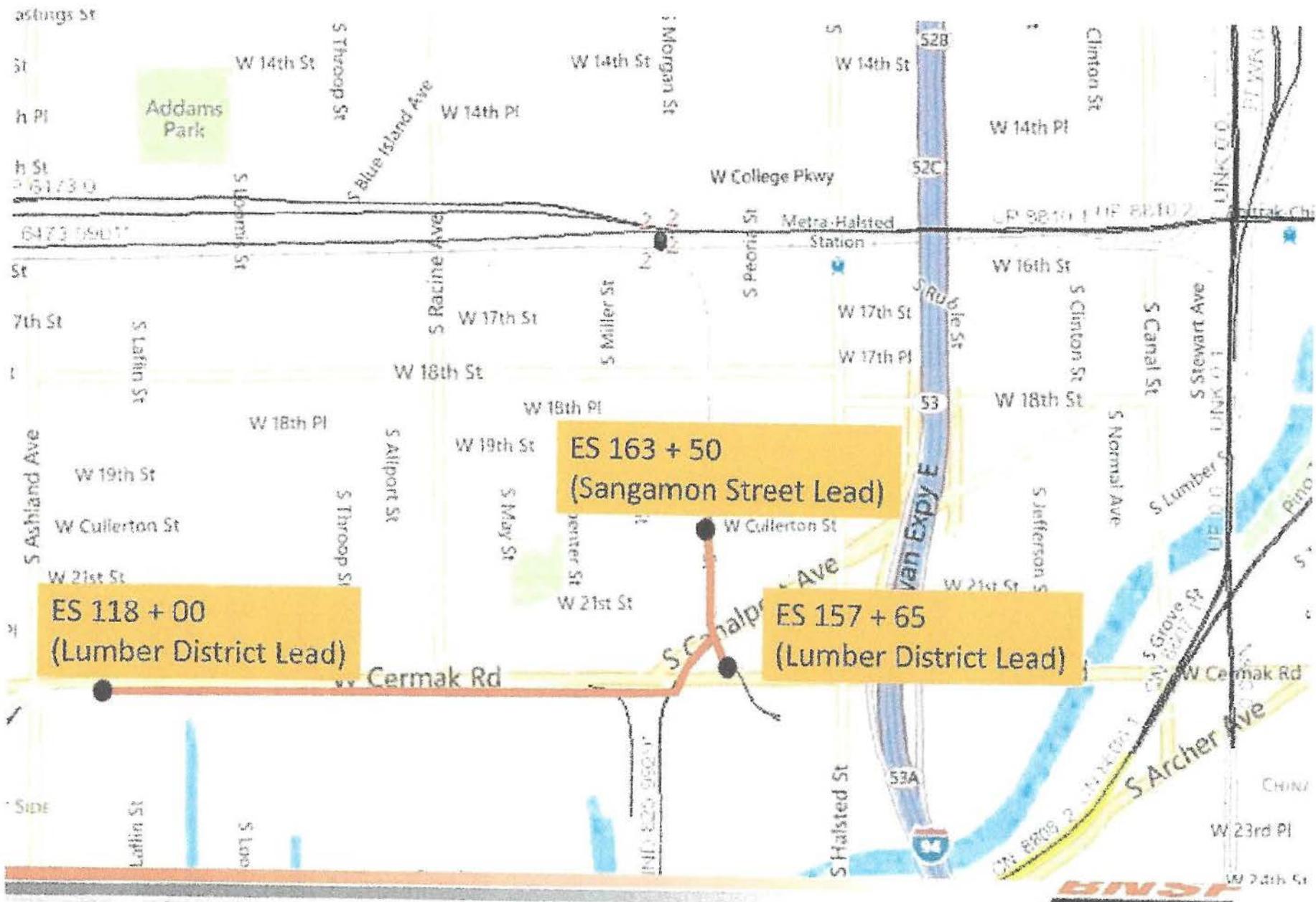


EXHIBIT C



Emily Thompson
Paralegal
Law Department

BNSF Railway Company
2500 Lou Menk Drive – AOB-3
Fort Worth, Texas 76131-2828
tel 817-352-2376
fax 817-352-2397
Email – emily.thompson@bnsf.com

September 1, 2015

Cook County
Department of Planning and Development
69 W. Washington, Suite 2900
Chicago, Illinois 60602

**Re: STB Docket No. AB 6 (Sub-No. 493X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in about 60 days a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon approximately 0.89 miles of track on the Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois.

As part of the environmental report, BNSF is required to contact you to determine if the proposed abandonment is consistent with existing land use plans. If applicable, please describe any inconsistencies.

Your assessment and comments are respectfully requested. For your reference a map of the subject railroad line is enclosed. Please provide your response to me at the address above, if at all possible, by November 2, 2015. You may contact me by email or telephone with any questions or concerns. Thank you in advance for your time and contribution.

Sincerely,


Emily Thompson
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Tyler White – BNSF – tyler.white2@bnsf.com
Karl Morell – Karl Morell & Associates – karlm@karlmorell.com
Mark Norton – BNSF – mark.norton@bnsf.com
John Sims – BNSF – john.sims@bnsf.com

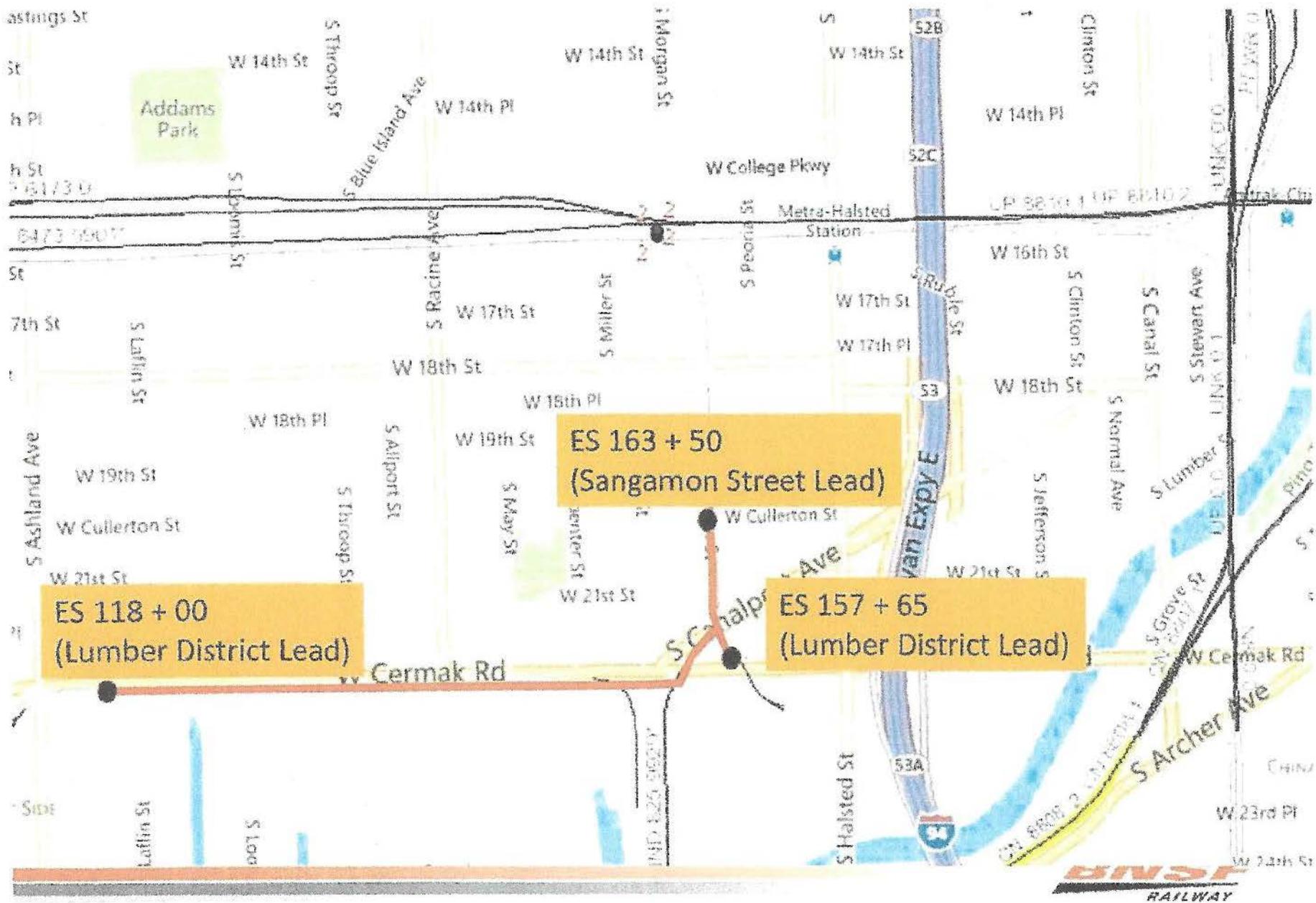


EXHIBIT D



September 14, 2015

Ms. Emily Thompson, Paralegal
BNSF Railway Company
2500 Lou Menk Drive – AOB-3
Fort Worth TX 76131-2828

RE: STB Docket number AB 6 (Sub-No. 493X) BNSF Railway Company – Abandonment
Exemption in Cook County, Illinois

Dear Ms. Thompson:

We have reviewed the proposed project as requested.

Because the proposed track abandonment would be confined to an existing rail corridor in an urban area, it will have no impact on prime or important farmlands.

Sincerely,

ERIC A. GERTH
Acting State Conservationist

cc:

Tessa Chadwick, Assistant State Conservationist, USDA-NRCS, 3605 N. IL Route 47, Suite C,
Morris, Illinois 60450

Jamie Newton, Acting District Conservationist, USDA-NRCS, 1201 S. Gougar Road,
New Lenox, Illinois 60451

North Cook County Soil Water Conservation District, 2358 Hassell Road, Suite B, Hoffman
Estates, Illinois 60169

Ron Collman, State Soil Scientist, USDA-NRCS, 2118 West Park Court, Champaign, Illinois
61821

Timothy Prescott, Resource Inventory Specialist, USDA-NRCS, 2118 West Park Court,
Champaign, Illinois 61821

EXHIBIT E



Bruce Rauner, Governor • Wayne A. Rosenthal, IDNR Director
Diane Tecic, Coastal Management Program Director

160 N. LaSalle Street, Suite S-703 • Chicago, Illinois 60601
www.dnr.illinois.gov/cmp

September 14, 2015

Emily Thompson
BNSF Railway Company
2500 Lou Menk Drive – AOB-3
Fort Worth, Texas 7613-2828

RE: IFC2015023; proposed rail line abandonment, STB Docket NO. AB-6 (sub-No. 493X)

Dear Ms. Thompson:

Thank you for your letter dated September 1, 2015 seeking comments on the above referenced rail line abandonment in Cook County. Rail line abandonments are not listed in the Illinois Coastal Management Program Plan (ICMP) as an activity that will affect any land or water use or natural resource of the coastal zone. Therefore, an ICMP Federal Consistency Determination will not be required.

If you have any questions, feel free to contact me at (312) 793-5947 or james.casey@illinois.gov.

Sincerely,

James P. Casey
Federal Consistency Coordinator

EXHIBIT F



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Chicago Ecological Service Field Office
1250 SOUTH GROVE AVENUE SUITE 103
BARRINGTON, IL 60010
PHONE: (847)381-2253 FAX: (847)381-2285
URL:

www.fws.gov/midwest/angered/section7/s7process/7a2process.html

Consultation Code: 03E13000-2016-SLI-0028

November 03, 2015

Event Code: 03E13000-2016-E-00038

Project Name: Cook County, IL rail line abandonment

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Please note! For all wind energy projects and projects that include installing towers that use guy wires or are over 200 feet in height, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

For all other projects, continue the Section 7 Consultation process by going to our Section 7 Technical Assistance website at

<http://www.fws.gov/midwest/angered/section7/s7process/index.html>. If you are familiar with this website, you may want to go to Step 2 of the Section 7 Consultation process at <http://www.fws.gov/midwest/angered/section7/s7process/step2.html>.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and

completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Cook County, IL rail line abandonment

Official Species List

Provided by:

Chicago Ecological Service Field Office
1250 SOUTH GROVE AVENUE SUITE 103
BARRINGTON, IL 60010
(847) 381-2253

<http://www.fws.gov/midwest/endangered/section7/s7process/7a2process.html>

Consultation Code: 03E13000-2016-SLI-0028

Event Code: 03E13000-2016-E-00038

Project Type: ** OTHER **

Project Name: Cook County, IL rail line abandonment

Project Description: Salvage BNSF rail line within the city streets of Cook County, IL. Salvage will be done within railroad right-of-way.

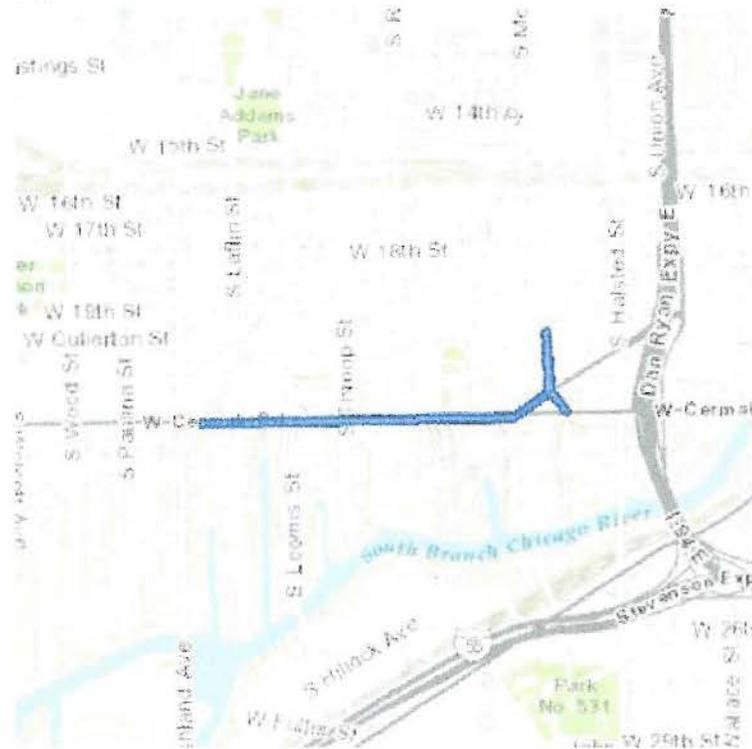
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Cook County, IL rail line abandonment

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-87.65127871832807 41.85258190152753, -87.64986022055557 41.85334457616761, -87.649935785918 41.855294938380865, -87.64986100069946 41.85539714565288, -87.64973438143232 41.85539455402126, -87.64966384103406 41.85528937223777, -87.6494496766982 41.8533673622363, -87.6487514844883 41.85273509179641, -87.64873209523319 41.85260721709165, -87.64882764707139 41.85252005213569, -87.64895320784053 41.852551074330655, -87.64963028965693 41.85316078762687, -87.65124114092949 41.852308068804874, -87.66501696642997 41.852100288408735, -87.66511456520816 41.85213900120568, -87.6651562038848 41.852235388044804, -87.66511749108787 41.852332986822994, -87.66502110424874 41.85237462549965, -87.65127871832807 41.85258190152753)))

Project Counties: Cook, IL



United States Department of Interior
Fish and Wildlife Service

Project name: Cook County, IL rail line abandonment

Endangered Species Act Species List

There are a total of 10 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Piping Plover (<i>Charadrius melodus</i>) Population: Great Lakes watershed	Endangered		
Red Knot (<i>Calidris canutus rufa</i>)	Threatened		
Flowering Plants			
Eastern Prairie Fringed orchid (<i>Platanthera leucophaea</i>)	Threatened		Will this project impact, directly or indirectly, emergent wetland, wet meadow, sedge meadow, fen, wet to mesic prairie, or marsh edges?
Leafy prairie-clover (<i>Dalea foliosa</i>)	Endangered		
Mead's milkweed (<i>Asclepias meadii</i>)	Threatened		
Prairie bush-clover (<i>Lespedeza leptostachya</i>)	Threatened		
Insects			
Hinc's Emerald dragonfly	Endangered	Final designated	



United States Department of Interior
Fish and Wildlife Service

Project name: Cook County, IL rail line abandonment

<i>(Somatochlora hineana)</i>			
Rattlesnake-Master Borer moth <i>(Papaipema eryngii)</i>	Candidate		
Mammals			
Northern long-eared Bat <i>(Myotis septentrionalis)</i>	Threatened		
Reptiles			
eastern Massasauga <i>(Sistrurus catenatus)</i>	Proposed Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: Cook County, IL rail line abandonment

Critical habitats that lie within your project area

There are no critical habitats within your project area.

EXHIBIT G



Emily Thompson
Paralegal
Law Department

BNSF Railway Company
2500 Lou Menk Drive – AOB-3
Fort Worth, Texas 76131-2828
tel 817-352-2376
fax 817-352-2397
Email – emily.thompson@bnsf.com

September 1, 2015

U.S. Department of the Interior
Bureau of Land Management
Eastern States Offices
20 M Street SE, Suite 950
Washington, DC 20003

**Re: STB Docket No. AB 6 (Sub-No. 493X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in about 60 days a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon approximately 0.89 miles of track on the Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois.

As part of the requisite environmental report, BNSF needs to know: 1) whether or not there are any endangered or threatened species, wildlife sanctuaries or refuges, or areas designated as critical habitat adjacent to or near the line, and 2) if so, what effects the proposed action may have on same.

For your reference I have enclosed a map of the subject railroad line. Following is information on BNSF's salvage process as it relates to this project that should also be of use:

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from among the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts, ballast and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and not to place

fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should not be disrupted. Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and is generally bid on the open market. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in their final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if at all possible, by November 2, 2015. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,



Emily Thompson
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Tyler White – BNSF – tyler.white2@bnsf.com
Karl Morell – Karl Morell & Associates – karim@karlmorell.com
Mark Norton – BNSF – mark.norton@bnsf.com
John Sims – BNSF – john.sims@bnsf.com

EXHIBIT H



Emily Thompson
Paralegal
Law Department

BNSF Railway Company
2500 Lou Menk Drive – AOB-3
Fort Worth, Texas 76131-2828
tel 817-352-2376
fax 817-352-2397
Email – emily.thompson@bnsf.com

September 1, 2015

Cam Sholly, Regional Director
National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

**Re: STB Docket No. AB 6 (Sub-No. 493X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in about 60 days a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon approximately 0.89 miles of track on the Lumber District Lead beginning just west of Laffin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois.

As part of the requisite environmental report, BNSF needs to know: 1) whether or not there are any wildlife sanctuaries or National or State parks or forests adjacent to or near the line, and 2) if so, what effects the proposed action may have on same.

For your reference I have enclosed a map of the subject railroad line. Following is information on BNSF's salvage process as it relates to this project that should also be of use:

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from among the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts, ballast and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and **not** to place

fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should not be disrupted. Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

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Please provide your assessment and comments to me at the address above, if at all possible, by November 2, 2015. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,



Emily Thompson
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Tyler White – BNSF – tyler.white2@bnsf.com
Karl Morell – Karl Morell & Associates – karlm@karlmorell.com
Mark Norton – BNSF – mark.norton@bnsf.com
John Sims – BNSF – john.sims@bnsf.com

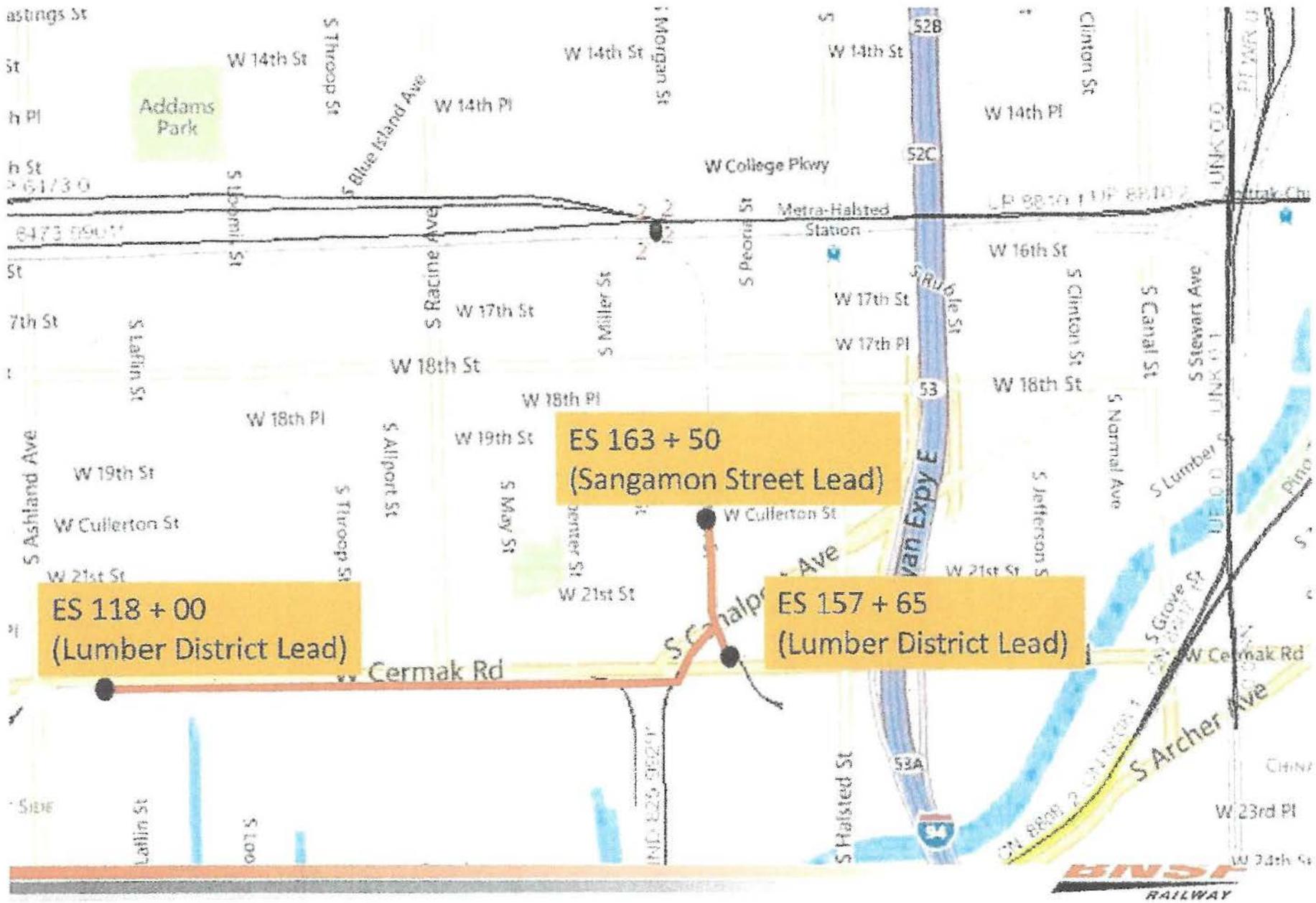


EXHIBIT I



Emily Thompson
Paralegal
Law Department

BNSF Railway Company
2500 Lou Menk Drive - AOB-3
Fort Worth, Texas 76131-2028
tel 817-352-2376
fax 817-352-2397
Email emily.thompson@bnsf.com

September 1, 2015

US EPA Region 5
Attn: Ken Westlake
Ralph Metcalfe Federal Building
77 West Jackson Blvd.
Chicago, IL 60604

**Re: STB Docket No. AB 6 (Sub-No. 493X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in about 60 days a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon approximately 0.89 miles of track on the Lumber District Lead beginning just west of Laflin Street at Engineering Station 118+00 and proceeding east along West Cermak Road to the most easterly point at Engineering Station 157+65 and heading north along the Sangamon Street Lead at Engineering Station 163+50, including both legs of the wye, in Chicago, Cook County, Illinois.

As part of the requisite environmental report, BNSF needs to know: 1) whether or not this action will be consistent with Federal, State or local water quality standards, and 2) whether or not Section 402 and/or National Pollutant Discharge Elimination System ("NPDES") permits are required for performance of the salvage activity described below. Please note: **BNSF anticipates the proposed abandonment will not disturb more than one (1) acre of land.**

For your reference I have enclosed a map of the subject railroad line. Following is information on BNSF's salvage process as it relates to this project that should also be of use:

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

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Please provide your assessment and comments to me at the address above, if at all possible, by November 2, 2015. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

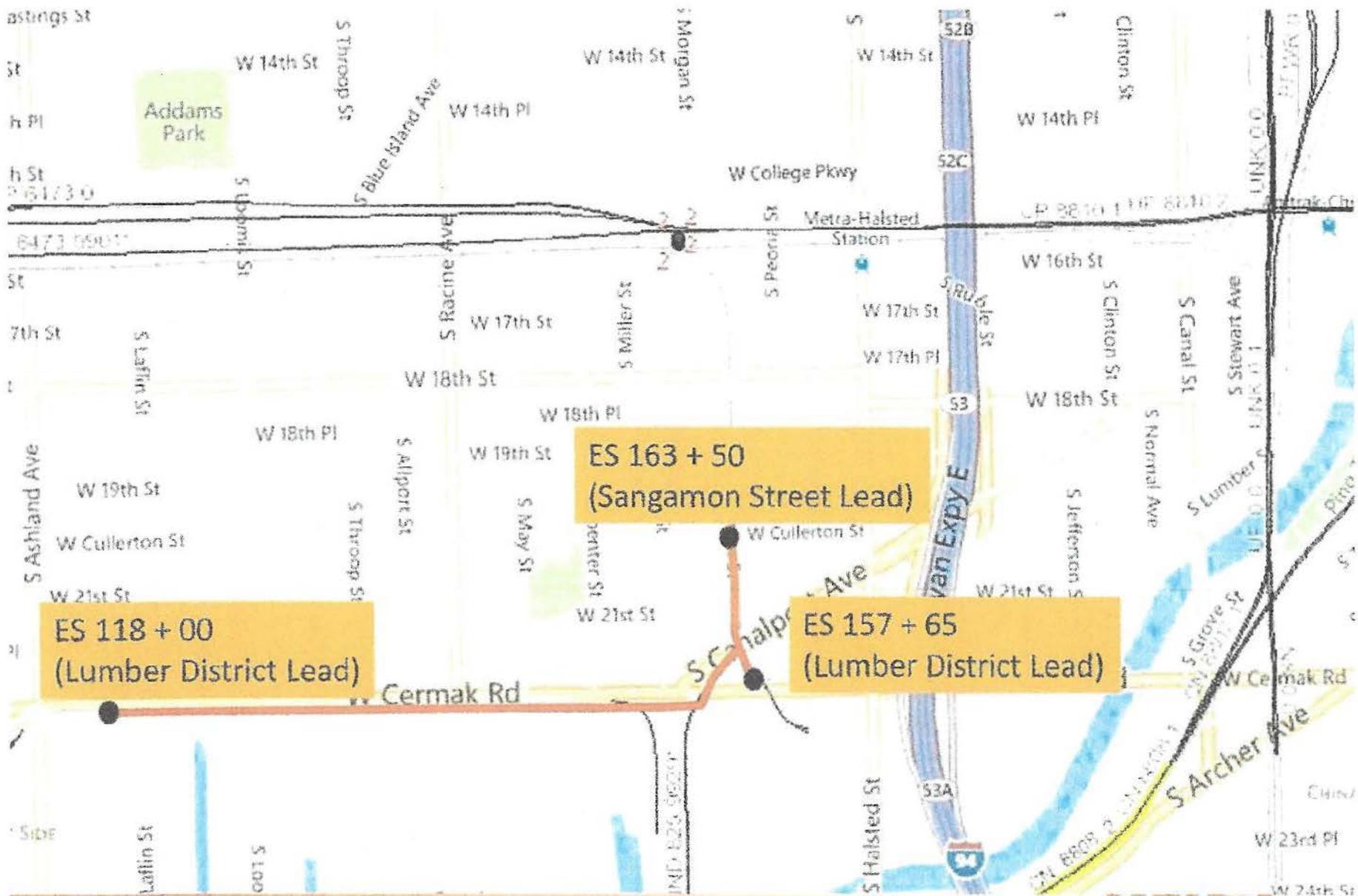
Sincerely,



Emily Thompson
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Tyler White – BNSF – tyler.white2@bnsf.com
Karl Morell – Karl Morell & Associates – karlm@karlmorell.com
Mark Norton – BNSF – mark.norton@bnsf.com
John Sims – BNSF – john.sims@bnsf.com



ES 118 + 00
(Lumber District Lead)

ES 163 + 50
(Sangamon Street Lead)

ES 157 + 65
(Lumber District Lead)

EXHIBIT J



Emily Thompson
Paralegal
Law Department

BNSF Railway Company
2500 Lou Menk Drive -- AOB-3
Fort Worth, Texas 76131-2828
tel 817-352-2376
fax 817-352-2397
Email -- emily.thompson@bnsf.com

October 1, 2015

U.S. Army Corps of Engineers
Chicago District
231 S. LaSalle Street, Suite 1500
Chicago, IL 60604

**Re: STB Docket No. AB 6 (Sub-No. 493X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

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As part of the requisite environmental report, BNSF needs to know: 1) whether or not Section 404 permits will be required for the performance of salvage activity, and 2) if the proposed abandonment will affect any 100-year floodplains or any designated wetlands. Your assessment and comments are respectfully requested. In addition, if it is your determination that floodplains will be affected please furnish, if available, 8½" x 11" black and white maps of each designated floodplain area. Please note: **BNSF does not anticipate any potential impacts to waters of the U.S. as a result of the proposed abandonment.**

For your reference a map of the subject railroad line is enclosed. Following is information on BNSF's salvage process as it relates to this project that should also be of use:

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Please provide your assessment and comments to me at the address above, if at all possible, by November 2, 2015. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,



Emily Thompson
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Tyler White – BNSF – tyler.white2@bnsf.com
Karl Morell – Karl Morell & Associates – karlm@karlmorell.com
Mark Norton – BNSF – mark.norton@bnsf.com
John Sims – BNSF – john.sims@bnsf.com

EXHIBIT K



**Illinois Historic
Preservation Agency**

1 Old State Capitol Plaza, Springfield, IL 62701-1512

FAX (217) 524-7525

www.illinoishistory.gov

Cook County

Chicago

Railway Abandonment, BNSF Railway Company

From Engineering Station 118+00 to Engineering Station 157+65 and Engineering Station 163+50

STB-AB 6 (Sub-No. 493X)

IHPA Log #016090415

September 23, 2015

Emily Thompson

BNSF Railway Corporation

2500 Lou Menk Dr. - AOB-3

Fort Worth, TX 76131-2828

Dear Ms. Thompson:

We have reviewed the documentation provided for the above referenced project. The project area is located within the Pilsen Historic District, which was listed on the National Register of Historic Places on February 1, 2006. In our opinion, the removal of track materials will have no adverse effect on this district.

If these plans are modified, please notify our office. Please retain this letter as evidence of compliance with Section 106 of the National Historic Preservation Act of 1966, as amended.

If you have any questions, please contact me at 217/785-5031.

Sincerely,

Rachel Leibowitz, Ph.D.

Deputy State Historic

Preservation Officer