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April 3, 2012

Karl Morell
Of Counsel
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E-FILED

Ms. Victoria Rutson
Chief, Office of Environmental Analysis
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423-0001

Re: STB Docket No. AB 6 (Sub-No. 482X); BNSF Railway
Company --Abandonment Exemption -- in Cook County,
Illinois

Dear Ms. Rutson:

Enclosed for filing in STB Docket No. AB 6 (Sub-No. 482X) are BNSF
Railway Company's Environmental and Historic Reports prepared
pursuant to 49 C.F.R. §§ 1105.7 and 1105.8.

BNSF anticipates filing a Petition for Exemption seeking authority to
abandon the 2.38-mile rail line on or after April 23, 2012.

232156

Sincerely,

Karl Morell
Of Counsel

ENTERED
Office of Proceeding
April 3, 2012
Part of
Public Record

KM:mjl
Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

BNSF RAILWAY COMPANY)	
ABANDONMENT EXEMPTION)	DOCKET NO. AB 6
IN COOK COUNTY, ILLINOIS)	(SUB-NO. 482X)

ENVIRONMENTAL AND HISTORIC REPORTS

BNSF RAILWAY COMPANY
2650 Lou Menk Drive
P.O. Box 96157
Fort Worth, TX 76161-0057

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Service Date: April 3, 2012

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 2.38 miles of rail line located between Station 24 + 43 and Station 149 + 87, 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 the rails and ties and one bridge, but the railroad right-of-way, ballast, and culverts, if there are any on the Line, 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, if there are any on the Line, 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 historic 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.

The Line is stub-ended and, therefore, not capable of handling overhead traffic. No local traffic moved over the Line in 2010 and four carloads moved over the Line in 2011, until the Line was embargoed on October 27, 2011, due to unsafe track conditions. 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 very limited impact on rail freight operations and maintenance practices on the Line.

The only alternative to abandonment would be to not abandon the Line and forego 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 traffic and very little freight traffic diverted to other transportation systems as a result of the proposed abandonment. In well over two years, only four carloads moved over the Line. There is no overhead traffic on the Line.

(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.*

The proposed action is consistent with existing land use plans. BNSF contacted the Chicago Plan Commission and Cook County, Planning and Development.

Anna B. Ashcraft, Director, Real Estate Management Division, Cook County, replied in a letter dated January 17, 2012, stating that the proposed abandonment is consistent with Cook County's existing land use plan. As of the date of this report, BNSF has not received a reply from the Chicago Plan Commission. Copies of the letters are attached as **Exhibit B**.

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

BNSF does not believe that the proposed abandonment will have an adverse effect on prime agriculture land. BNSF sent a letter to the NRCS Illinois State Office.

Ivan Dozier, Acting State Conservationist, NRCS, replied in a letter dated January 13, 2012, stating: "The proposed track abandonment would be confined to an existing rail corridor. It will have no impact on prime or important farmlands." A

copy of the letter is attached as **Exhibit C**.

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

Not applicable.

(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, 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 not adversely affect 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.

The proposed abandonment may result in an insignificant decrease in overall energy efficiency. All four carloads moving to the Line since 2010 were local moves for BNSF. The total BNSF on-branch and off-branch mileage for three of the cars was approximately 9.8 miles and the total on-branch and off-branch

mileage for the fourth car was approximately 12.8 miles. Assuming all of this traffic shifts to trucks, there may be a minute increase in energy consumption.

(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 meeting or exceeding the specified thresholds.

(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 meeting or exceeding the specified thresholds for increased rail or truck traffic as 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 meeting or exceeding 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).*

The proposed abandonment should have no adverse effect on health or public

safety. There are two (2) private at-grade crossings (one active and one closed) and eleven (11) public at-grade crossings (ten active and one closed) 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 and 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.

BNSF does not believe that the proposed abandonment will have an adverse effect on endangered or threatened species or areas designated as a critical habitat. By letter dated January 6, 2012, BNSF contacted the U.S. Fish and Wildlife Service, Chicago Illinois Field Office, in reference to this proposed abandonment. As of the date of this report, BNSF has not received a reply from the agency. A copy of the letter is attached as **Exhibit D**.

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

BNSF does not believe that any wildlife sanctuaries or refuges, National or State parks or forests will be adversely affected by the proposed abandonment. By letters dated January 6, 2012, BNSF contacted the Eastern States Office, Bureau of Land Management and the National Park Service in reference to the proposed abandonment. As of the date of this report, neither agency has replied to our inquiry. Copies of the letters are attached as **Exhibit E**.

(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.

By letter dated January 6, 2012, BNSF contacted the US EPA, Region 5, and the Illinois Office of Water Resources regarding this proposed abandonment.

Terri LeMasters, Storm Water Coordinator, Illinois Environmental Protection Agency, replied via e-mail dated January 31, 2012, stating that the USEPA had referred our letter to them for response. By e-mail dated February 7, 2012, Mr. LeMasters stated that a General NPDES permit for Storm Water Discharges from Construction Site Activities is required for the BNSF project. As of the date of this report, the Illinois Office of Water Resources has not responded to our inquiry. A copy of the e-mail and letter is attached as **Exhibit F**.

(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 is confident that no designated wetlands or 100-year flood plains will be adversely affected by the proposed abandonment. By letter dated January 6,

2012, BNSF contacted the U.S. Army Corps of Engineers, Chicago District in reference to the proposed abandonment. As of the date of this report, the agency has not responded to our inquiry. A copy of the letter is attached as **Exhibit G**.

(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).

By letter dated January 6, 2012, BNSF contacted the US EPA, Region 5, and the Illinois Office of Water Resources regarding this proposed abandonment.

Terri LeMasters, Storm Water Coordinator, Illinois Environmental Protection Agency, replied via e-mail dated January 31, 2012, stating that the USEPA had referred our letter to them for response. By e-mail dated February 7, 2012, Mr. LeMasters stated that a General NPDES permit for Storm Water Discharges from Construction Site Activities is required for the BNSF project. As of the date of this report, the Illinois Office of Water Resources has not responded to our inquiry. A copy of the e-mail and letter is attached as **Exhibit F**.

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

BNSF does not expect any adverse environmental impact 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 the 2.38-mile rail line located between Station 24 + 43 and Station 149 + 87, 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 the rails and ties and one bridge. The railroad right-of-way, ballast and culverts, if there are any on the Line, 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, if there are any on the Line, 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 (“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.

The Line is stub-ended and, therefore, not capable of handling overhead traffic. No local traffic moved over the Line in 2010 and four carloads moved over the Line in 2011, until the Line was embargoed on October 27, 2011, due to unsafe track conditions. 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 very limited impact on rail freight operations and maintenance practices on the Line.

The only alternative to abandonment would be to not abandon the Line and forego 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 2.38 miles from Station 24 + 43 to Station 149 + 87 in Chicago, Cook County, Illinois. The width of the right-of-way is 50 to 350 feet. 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.*

There is one bridge on the Line as follows:

- 1) Bridge 2.2: 327' long, 20' high, fixed span, built in 1898

See **Exhibit H**, attached photographs.

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.*

There is one bridge on the Line as follows:

- 1) Bridge 2.2: 327' long, 20' high, fixed span, built in 1898

See **Exhibit H**, attached photographs.

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.***

This Line was formerly trackage of the Illinois Northern Railway, a switching carrier owned by International Harvester. It ran between the former ATSF Corwith Yard and the former CB&Q trackage east of Western Avenue. In 1949, International Harvester sold its capital stock in the Illinois Northern to a group of railroads, including ATSF, CB&Q and the Pennsylvania. Later, ATSF and subsequently BNSF acquired all of the former Illinois Northern interests in the Chicago Area.

Today, the Line is used as an industrial lead serving one set of industry tracks to Pure Asphalt. Recent carload traffic statistics are as follows:

<u>2010</u>	<u>2011</u>
0	4

The Line has an unusually large number of grade crossings through busy Chicago inner-city streets. These grade crossings are in need of substantial rehabilitation in order to maintain the trackage to reasonably safe standards. On October 28, 2011, BNSF embargoed the Line because of poor track conditions.

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. By letter dated January 26, 2012, Anne E. Haaker, Deputy State Historic Preservation Officer stated: “Based upon the information provided, no historic properties are affected. We, therefore, have no objections to the undertaking proceeding as planned.” The letter is attached as **Exhibit I**.

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.

THE BOARD OF COMMISSIONERS

TONI PRECKWINKLE

PRESIDENT

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ROBERT STEELE
JERRY BUTLER
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17th Dist.



BUREAU OF ECONOMIC DEVELOPMENT

DEPARTMENT OF CAPITAL PLANNING
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January 17, 2012

BNSF Railway Company
2500 Lou Menk Drive-AOB-3
Fort Worth, Texas 76131-2828
Attn: John A. Sims, CP, Paralegal/Law Department

Re: STB Docket No. AB-6 (Sub-No. 482X); BNSF Railway Company-
Abandonment Exemption- in Cook County, Illinois

Dear Mr. Sims:

In response to your letter dated January 6, 2012, please be advised that the proposed abandonment in the above-referenced docket is consistent with Cook County's existing land use plan.

Sincerely,

Anna B. Ashcraft, Director
Real Estate Management Division



John A. Sims, CP
Paralegal
Law Department

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January 6, 2012

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

**Re: STB Docket No. AB-6 (Sub-No. 482X); BNSF Railway Company –
Abandonment Exemption – In Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in a few weeks a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 2.38 miles of rail line in Cook County, Illinois, between Station 24 + 43 and Station 149 + 87, in Chicago.

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 February 17, 2012. You may contact me by email or phone with any questions or concerns. Thank you in advance for your time and contribution.

Sincerely,

John A. Sims, CP
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Karl Morell – Ball Janik LLP – kmorell@bjllp.com
Susan Odom – BNSF - susan.odom@bnsf.com
Mark Norton – BNSF – mark.norton@bnsf.com
Farah Ali – BNSF – farah.ali@bnsf.com
Mike Yuen – BNSF – michael.yuen@bnsf.com



Natural Resources Conservation Service
2118 West Park Court
Champaign, IL 61821
Phone: 217/353-6600
Fax: 217/353-6676

January 13, 2012

Mr. John A. Sims, Paralegal
BNSF Railway
2500 Lou Menk Drive—AOB-3
Fort Worth, TX 76131-2828

RE: Prime Agricultural Land Impact Assessment, STB Docket No. AB-6 (Sub-No. 482X) –
Abandonment Exemption – in Cook County, Illinois

Dear Mr. Sims:

We have reviewed the proposed project as requested.

The proposed track abandonment would be confined to an existing rail corridor. It will have no impact on prime or important farmlands.

Sincerely,

A handwritten signature in black ink, appearing to read "Ivan Dozier".

IVAN DOZIER
Acting State Conservationist

cc:

Don McCallon, ASTC, USDA-NRCS, 3605 N. IL Route 47, Suite C, Morris, Illinois 60450
Acting DC, USDA-NRCS, 1201 S. Gougar Road, New Lenox, Illinois 60451

D



John A. Sims, CP
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 - john.sims@bnsf.com

January 6, 2012

U.S. Fish and Wildlife Service
Chicago Illinois Field Office
1250 South Grove, Suite 103
Barrington, Illinois 60010

**Re: STB Docket No. AB-6 (Sub-No. 482X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in a few weeks a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 2.38 miles of rail line in Cook County, Illinois, between Station 24 + 43 and Station 149 + 87, in Chicago.

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, ties and one bridge; 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 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 imposed by the Office of Environmental Analysis of 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 OEA-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if at all possible, by February 17, 2012. You may contact me by email or phone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,



John A. Sims, CP
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Karl Morell – Ball Janik LLP – kmorell@bjllp.com
Susan Odom – BNSF - susan.odom@bnsf.com
Mark Norton – BNSF – mark.norton@bnsf.com
Farah Ali – BNSF – farah.ali@bnsf.com
Mike Yuen – BNSF – michael.yuen@bnsf.com

E



John A. Sims, CP
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 – john.sims@bnsf.com

January 6, 2012

Eastern States Office
Bureau of Land Management
7450 Boston Boulevard
Springfield, VA 22153-3121

**Re: STB Docket No. AB-6 (Sub-No. 482X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in a few weeks a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 2.38 miles of rail line in Cook County, Illinois, between Station 24 + 43 and Station 149 + 87, in Chicago.

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, ties and one bridge; 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.

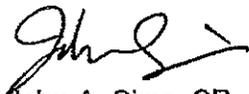
Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

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 imposed by the Office of Environmental Analysis of 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 OEA-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if at all possible, by February 17, 2012. You may contact me by email or phone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,



John A. Sims, CP
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Karl Morell – Ball Janik LLP – kmorell@bjllp.com
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Email - john.sims@bnsf.com

January 6, 2012

Mr. Michael Reynolds, Regional Director
National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

**Re: STB Docket No. AB-6 (Sub-No. 482X); BNSF Railway Company –
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in a few weeks a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 2.38 miles of rail line in Cook County, Illinois, between Station 24 + 43 and Station 149 + 87, in Chicago.

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, ties and one bridge; however, the railroad right of way, ballast and culverts will remain in place.

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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.

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Please provide your assessment and comments to me at the address above, if at all possible, by February 17, 2012. You may contact me by email or phone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,



John A. Sims, CP
Paralegal

Enclosure as stated

cc via email: Courtney Estes – BNSF – courtney.estes@bnsf.com
Karl Morell – Ball Janik LLP – kmorell@bjlp.com
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Mark Norton – BNSF – mark.norton@bnsf.com
Farah Ali – BNSF – farah.ali@bnsf.com
Mike Yuen – BNSF – michael.yuen@bnsf.com

F

Sims, John A

From: LeMasters, Terri <Terri.LeMasters@Illinois.gov>
Sent: Tuesday, February 07, 2012 9:20 AM
To: Sims, John A
Subject: RE: STB Docket No. AB-6; Abandonment Exemption

Mr Sims,

A General NPDES permit for Storm Water Discharges from Construction Site Activities is required for the BNSF Project: STB Docket No. AB-6 in Cook County. The Storm Water Permit is based on acreage of land disturbance and this project will disturb approximately 9.72 acres. Please go to the website: <http://www.epa.state.il.us/water/permits/storm-water/construction.html>. You will find a Notice of Intent to be submitted to this Agency for your project. The address and instructions for submittal are on the NOI form. If you have any questions please contact me. Thank you

Terri LeMasters
Storm Water Coordinator
Division of Water Pollution Control
Illinois Environmental Protection Agency
217/782-0610

From: Sims, John A [mailto:John.Sims@bnsf.com]
Sent: Tuesday, February 07, 2012 8:17 AM
To: LeMasters, Terri
Cc: Williams, Kyle; Sims, John A
Subject: RE: STB Docket No. AB-6; Abandonment Exemption

Hi Terri,

After further discussion with Kyle, we determined that the salvage activities that will be performed regarding this abandonment may disturb between 1 – 9.72 acres of land. Therefore, a permit will be necessary for the salvage work. Please provide me with a formal e-mail reply that states that BNSF will be required to obtain a permit with the necessary contact information (i.e., person, agency) so that I can forward your reply to the Surface Transportation Board who will in turn make this a condition for abandonment of this rail line.

If you have any questions, please give me a call.

Thanks,

John A. Sims, CP
Paralegal
BNSF Railway Company
2500 Lou Menk Drive, 3rd Fl
Fort Worth, Texas 76131-2828
817.352.2376
817.352.2397 (fax)
John.Sims@BNSF.com

CONFIDENTIALITY NOTICE: The information contained in this electronic mail transmission is confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited. If you have received this message in error, please delete this message from all computers and notify us immediately by return e-mail and/or phone (817)352-2376. Thank you.

From: LeMasters, Terri [mailto:Terri.LeMasters@Illinois.gov]
Sent: Tuesday, February 07, 2012 7:26 AM

To: Sims, John A
Subject: RE: STB Docket No. AB-6; Abandonment Exemption

Is 9.72 acres the amount of land that will be disturbed?

From: Sims, John A [mailto:John.Sims@bnsf.com]
Sent: Friday, February 03, 2012 2:50 PM
To: LeMasters, Terri
Cc: Sims, John A
Subject: RE: STB Docket No. AB-6; Abandonment Exemption

Terri,

Please see message below from Kyle Williams, one of our field personnel. I believe you spoke with him briefly about this matter.

Message from Kyle:

"After hhyailing the tracks, I have estimated that the total length of the area being removed with be ~2 miles with widths varying between 20-60'. There are also 17 crossing locations. Of these, three are private, one double crossing, one triple crossing, and one with all of the rail and ties removed (also paved over). The crossings are between 24 and 64'.

I estimate 9.72 acres of land needing to be worked on, with approximately 0.21 acres of that number coming from crossings."

Let me know if you need any additional information.

Regards,
John

From: LeMasters, Terri [mailto:Terri.LeMasters@Illinois.gov]
Sent: Tuesday, January 31, 2012 11:01 AM
To: Sims, John A
Subject: STB Docket No. AB-6; Abandonment Exemption

Mr. Sims,

Your letter was forwarded from the USEPA to Illinois EPA for response since we are the Agency that issues permits. Your drawing shows there may be 11 crossings that will be remediated and repaved. Please provide aerial calculations of these crossings and other areas where there may be clearing, grading or excavating activities. If you have any questions please contact me at 217/782-0610. Thank you

Terri LeMasters
Storm Water Coordinator
Division of Water Pollution Control
Illinois Environmental Protection Agency



John A. Sims, CP
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 – John.sims@bnsf.com

January 6, 2012

Illinois Office of Water Resources
160 N. LaSalle St., Suite S-700
Chicago, Illinois 60601

**Re: STB Docket No. AB-6 (Sub-No. 482X); BNSF Railway Company -
Abandonment Exemption – in Cook County, Illinois**

BNSF Railway Company ("BNSF") anticipates filing in a few weeks a Petition for Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 2.38 miles of rail line in Cook County, Illinois, between Station 24 + 43 and Station 149 + 87, in Chicago.

As part of the environmental report, BNSF is required to contact your agency to determine if the proposed abandonment:

1. will affect land or water uses within a designated coastal zone;
2. is consistent with applicable Federal, State or local water quality standards (with a description of any inconsistencies identified); and
3. will require permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342).

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:

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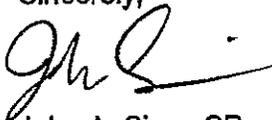
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Please provide your assessment and comments to me at the address above, if at all possible, by February 17, 2012. You may contact me by email or phone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,



John A. Sims, CP
Paralegal

Enclosure as stated

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2500 Lou Menk Drive – AOB-3
Fort Worth, Texas 76131-2828
tel 817-352-2376
fax 817-352-2397
Email – john.sims@bnsf.com

January 6, 2012

U.S. Army Corps of Engineers
Chicago District
111 N. Canal Street
Chicago, IL 60606-7206

**Re: STB Docket No. AB-6 (Sub-No. 482X); 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.**

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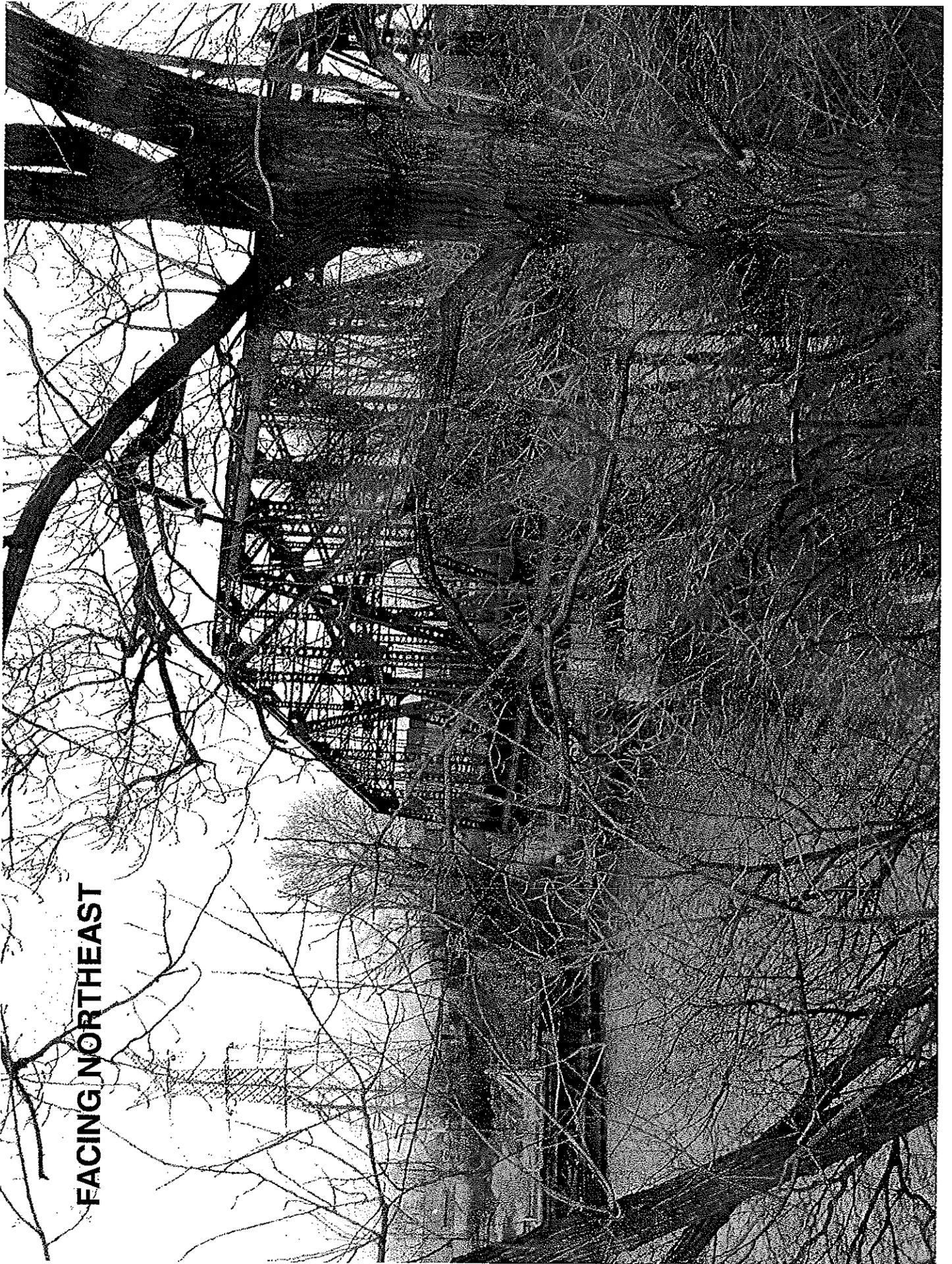


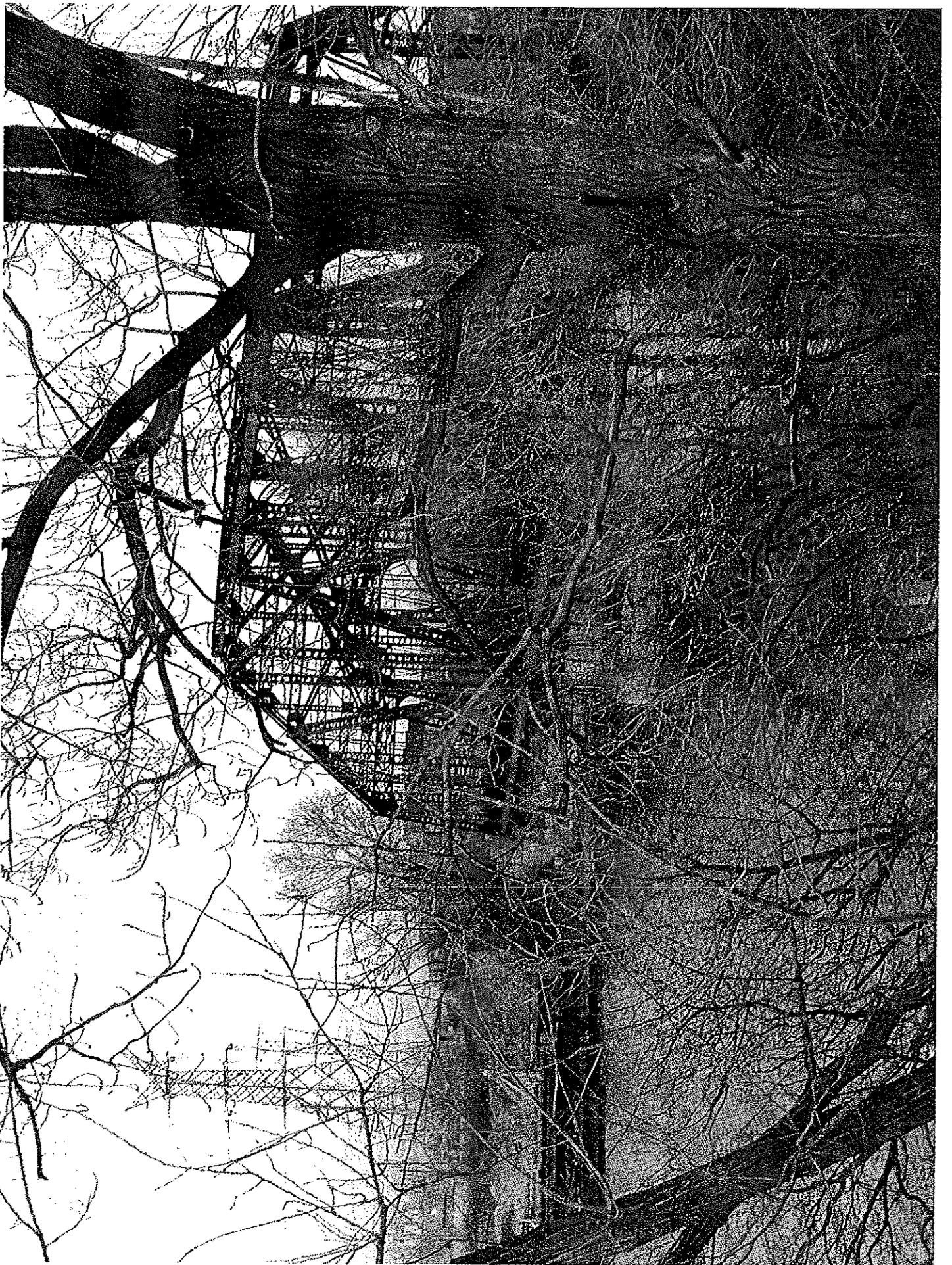
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Paralegal

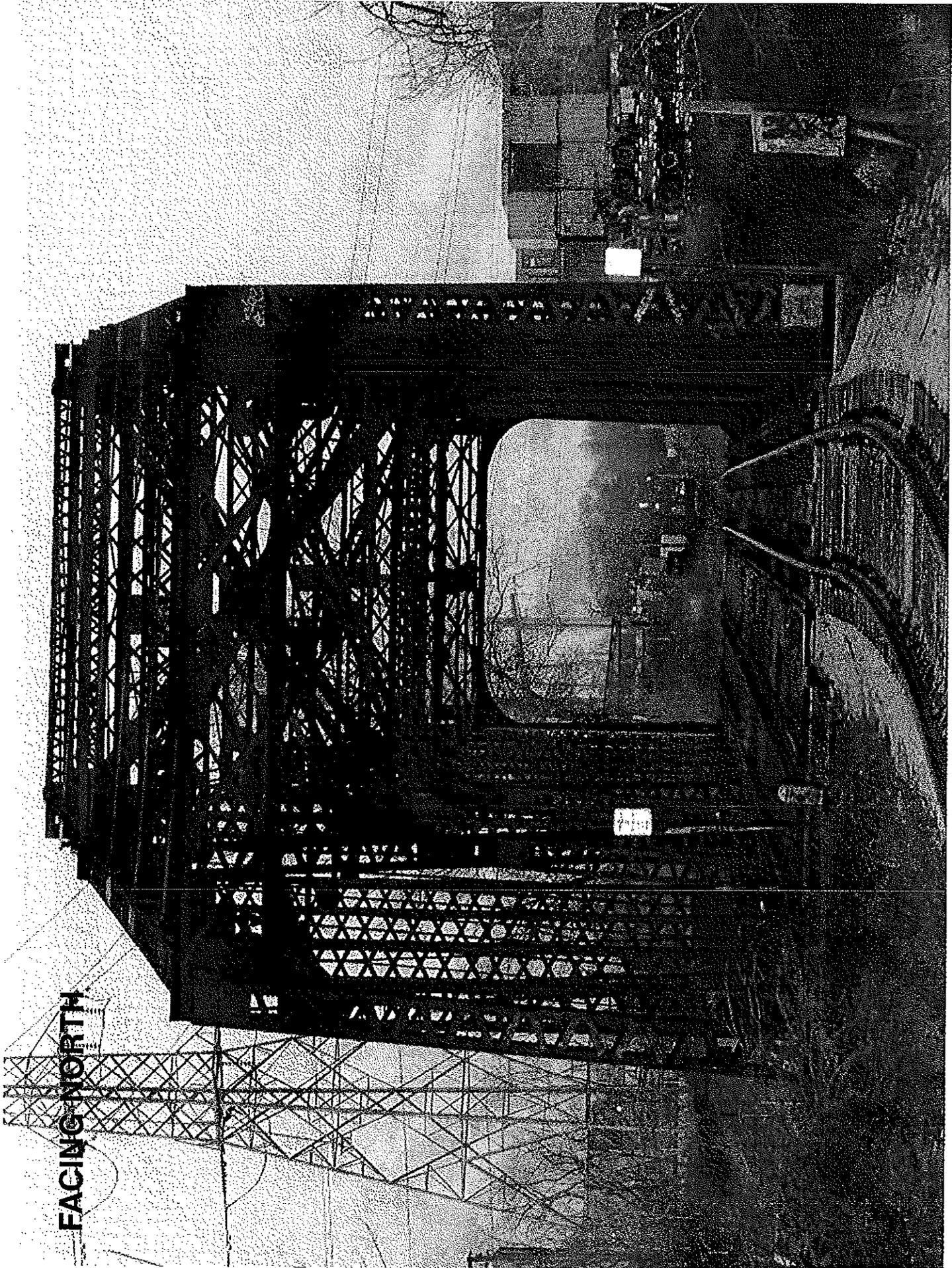
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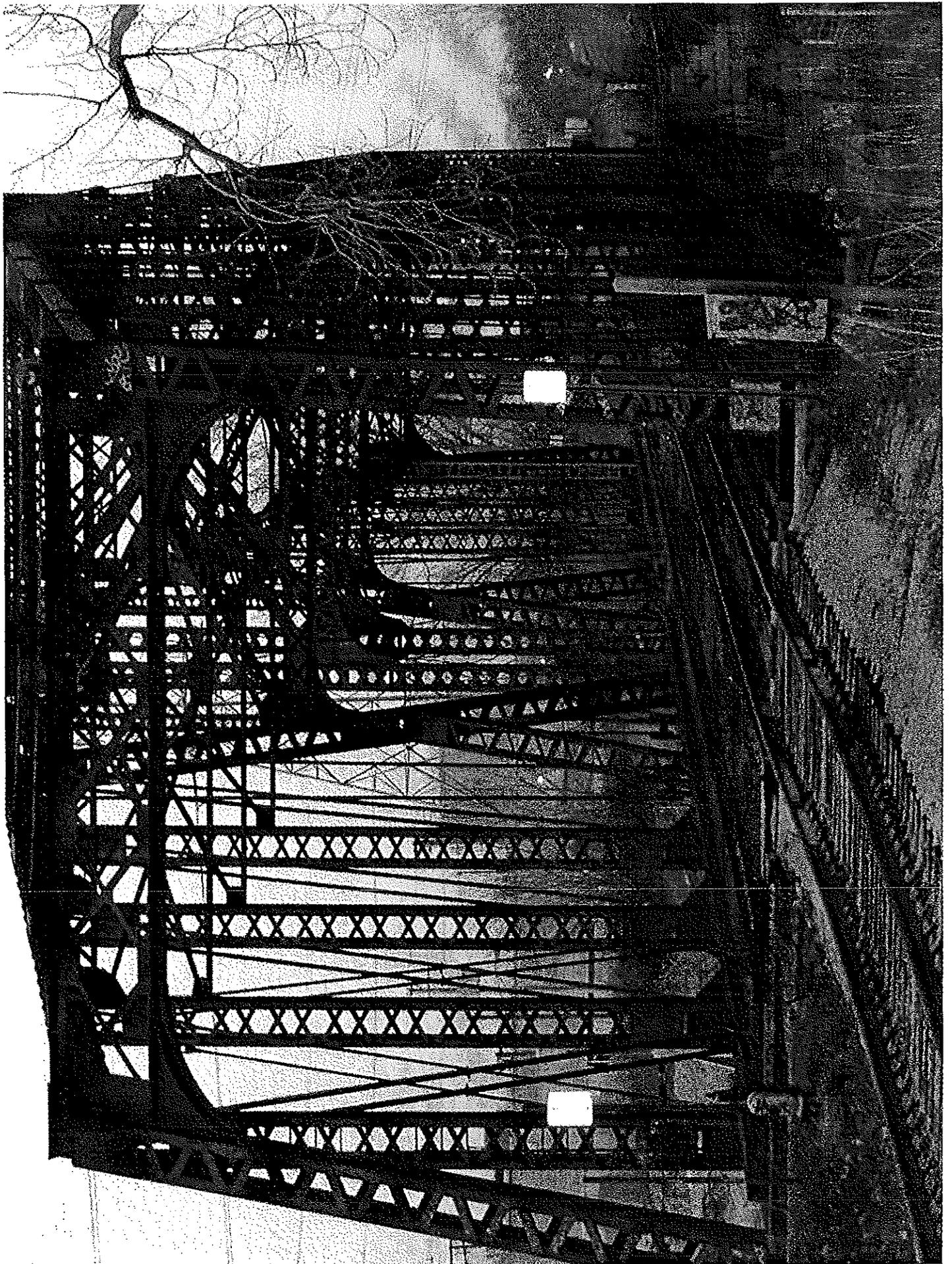
FACING NORTHEAST

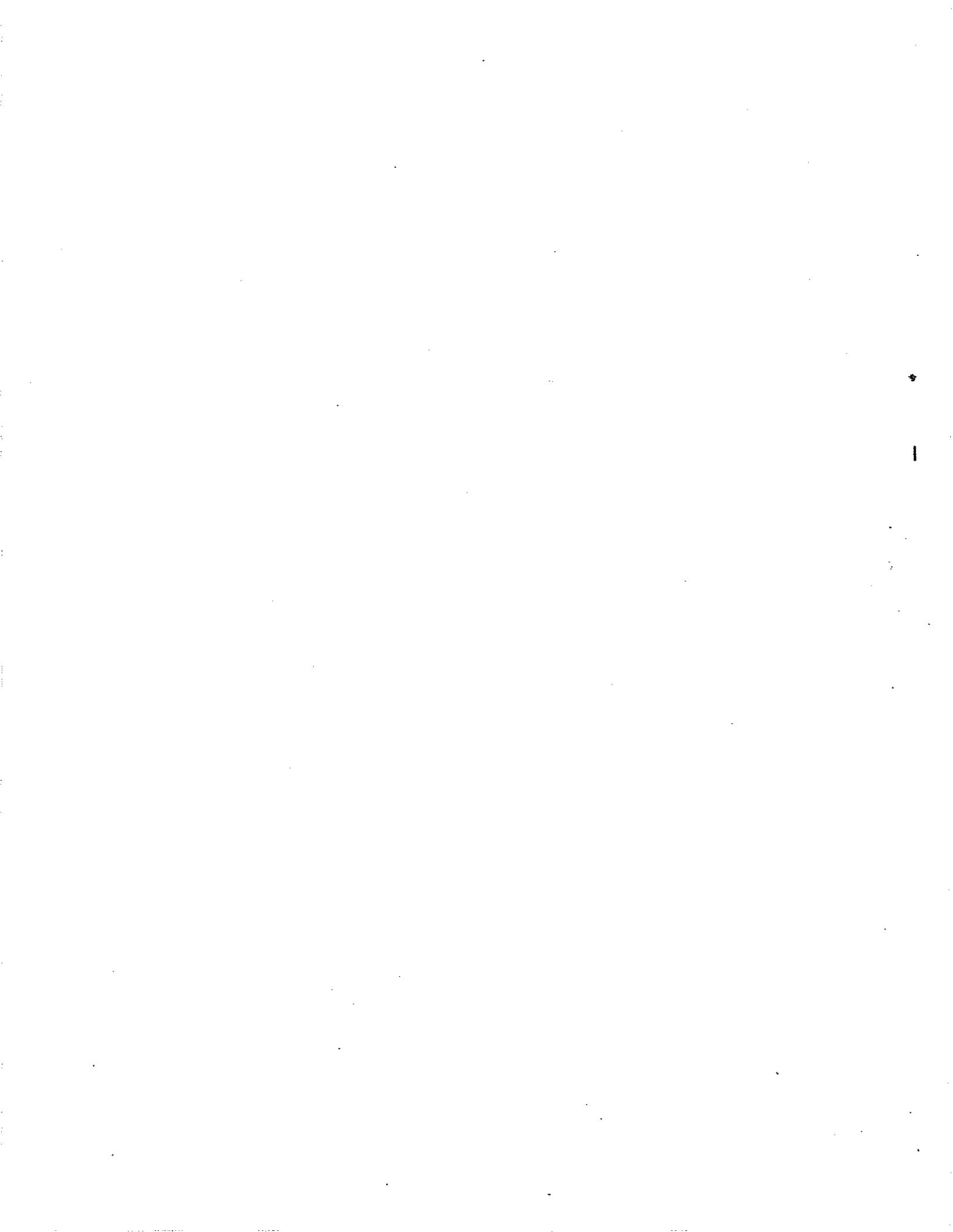






FACING NORTH







Illinois Historic
Preservation Agency

FAX (217) 782-8161

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • www.illinois-history.gov

Cook County
Chicago

Railway Abandonment and Bridge Removal

Station 24 + 43 - North of 35th St., West of St. Louis Ave. to Station 149 + 87
- 26th St. at Western Ave.; Bridge 2.2 over the Chicago River

STB-AB-6 Sub No. 482X

IHPA Log #013011112

January 26, 2012

John Sims
BNSF Railway Company
2500 Lou Menk Drive - AOB-3
Ft. Worth, TX 76131-2828

Dear Mr. Sims:

We have reviewed the documentation submitted for the referenced project in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you have any further questions, please contact me at 217/785-5027.

Sincerely,

Anne E. Haaker
Deputy State Historic
Preservation Officer