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**JEREMY M. BERMAN**  
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June 7, 2012

## VIA FEDERAL EXPRESS

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20024

RECEIVED  
JUN 8 2012  
MANAGEMENT  
STB

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

232404

Dear Ms. Brown:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Notice of Exemption of Elgin, Joliet & Eastern Railway Company Pursuant to 49 C.F.R. § 1152.50**, dated June 7, 2012. A check in the amount of \$3,600, representing the appropriate fee for this filing, is attached.

One extra copy of the Notice and this letter also are enclosed. Please date-stamp those items to show receipt of this filing and return them to me in the provided envelope.

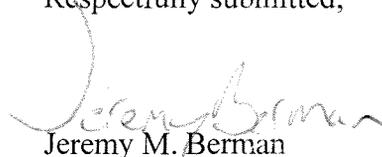
The original copy of the Environmental/Historic Report accompanying the Notice has been provided directly to the Board's Office of Environmental Analysis. If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

Respectfully submitted,

**FILED**

JUN 08 2012

**SURFACE  
TRANSPORTATION BOARD**



Jeremy M. Berman

Attorney for

Elgin, Joliet & Eastern Railway Company

JMB:jb  
Enclosures

**FEE RECEIVED**

JUN 08 2012

**SURFACE  
TRANSPORTATION BOARD**

ENTERED  
Office of Proceedings

JUN 08 2012

Public Record

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NO. AB-117 (SUB-NO. 8X)

ELGIN, JOLIET & EASTERN RAILWAY COMPANY  
-- ABANDONMENT EXEMPTION --  
IN GRUNDY COUNTY, IL

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RECEIVED  
JUN 8 2012  
MANAGEMENT  
STB

**VERIFIED NOTICE OF EXEMPTION OF  
ELGIN, JOLIET & EASTERN RAILWAY COMPANY  
PURSUANT TO 49 C.F.R. § 1152.50**

Thomas J. Litwiler  
Jeremy M. Berman  
Fletcher & Sippel LLC  
29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832  
(312) 252-1500

**ATTORNEYS FOR ELGIN, JOLIET &  
EASTERN RAILWAY COMPANY**

Dated: June 7, 2012

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NO. AB-117 (SUB-NO. 8X)

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ELGIN, JOLIET & EASTERN RAILWAY COMPANY  
-- ABANDONMENT EXEMPTION --  
IN GRUNDY COUNTY, IL

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**VERIFIED NOTICE OF EXEMPTION OF  
ELGIN, JOLIET & EASTERN RAILWAY COMPANY  
PURSUANT TO 49 C.F.R. § 1150.50**

Elgin, Joliet & Eastern Railway Company ("EJ&E") hereby submits this Verified Notice of Exemption under 49 C.F.R. § 1152.50 for the abandonment of EJ&E 's line of railroad (the "Goose Lake Segment") extending from milepost 27.91 to the end of track at milepost 30.17 near Morris, Illinois, a distance of approximately 2.26 miles in Grundy County, Illinois. A map showing the line to be abandoned is attached hereto as Exhibit A.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), EJ&E submits the following information:

**General Corporate Information: 49 C.F.R. § 1152.22(a)(1) - (2)**

EJ&E is a common carrier by rail which owns and operates approximately 158 miles of track in northeastern Illinois and northwestern Indiana, in an arc around Chicago. EJ&E is a wholly-owned, indirect subsidiary of Canadian National Railway Company. See Canadian National Railway Company and Grand Trunk Corporation -- Control -- EJ&E West Company, Finance Docket No. 35087 (STB served December 24, 2008).

The complete name and address of EJ&E is:

Elgin, Joliet & Eastern Railway Company  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345  
(708) 332-3500

**Relief Sought: 49 C.F.R. § 1152.22(a)(3)**

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. § 1152.50(b), EJ&E seeks to abandon its line of railroad extending from milepost 27.91 to the end of the track at milepost 30.17 near Morris, Illinois, a distance of approximately 2.26 miles in Grundy County, Illinois. No rail freight service has been provided on the Goose Lake Segment since before 1991.

The Goose Lake Segment previously formed part of the Gardner, Coal City & Northern Railway Company ("GCC&N") route from Walker through Coal City to South Wilmington, Illinois. In 1891, EJ&E acquired the GCC&N and the Walker-South Wilmington line became EJ&E's Coal City Branch. EJ&E abandoned the Coal City Branch from Coal City to South Wilmington in 1937, and in 1952 it abandoned the branch from Goose Lake (also known as "Clay Pit") south to Coal City. The Goose Lake Segment is at the south end of the remaining branch line and was used to serve the clay pits at Goose Lake. The last traffic on the Goose Lake Segment moved prior to 1991. In recent years, the Goose Lake Segment was utilized by a private firm to test track geometry equipment; that use ended on May 1, 2009.<sup>1</sup>

**Map: 49 C.F.R. § 1152.22(a)(4)**

A map showing the location of the Goose Lake Segment and its relation to other rail lines, highways and geographic features in the area is attached hereto as Exhibit A.

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<sup>1</sup> Use of a track segment for the storage or testing of non-revenue equipment that does not originate or terminate on the line does not disqualify the segment from the class exemption for the abandonment of out-of-service rail lines. See Union Pacific Railroad Company -- Abandonment Exemption -- In Ada County, ID, Docket No. AB-33 (Sub-No. 137X) (STB served August 6, 1999). Even if such use constituted traffic originating or terminating on the line, this use ended more than three years ago meaning the Goose Lake Segment would still qualify for the out-of-service exemption.

**Applicant's Representative: 49 C.F.R. § 1152.22(a)(7)**

Any correspondence regarding the proposed abandonment should be sent to EJ&E's representative at the following address:

Jeremy M. Berman  
Fletcher & Sippel LLC  
29 North Wacker Drive  
Suite 920  
Chicago, IL 60606-2832  
(312) 252-1500

**ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)**

The Goose Lake Segment traverses United States Postal Service ZIP Code 60450.

**Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)**

EJ&E certifies that no local traffic has moved over the Goose Lake Segment for at least two years and that no overhead traffic could be or was previously handled on the stub-ended line. EJ&E further certifies that no formal complaint by a user of rail service on the Goose Lake Segment (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years. See Certification and Verification of Brian R. Buchanan, attached hereto as Exhibit B.

**Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)**

EJ&E intends to consummate abandonment of the Goose Lake Segment on or shortly after July 28, 2012.

**Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)**

Following abandonment, EJ&E intends to convey the right-of-way to the Illinois Department of Natural Resources ("ILDNR"). ILDNR plans to use the right-of-way to connect

the two properties adjacent to the right-of-way in order to increase the quality of the wetland and migratory bird habitat. The conveyance to ILDNR satisfies, in part, Voluntary Mitigation condition 104 ("VM 104") adopted in Canadian National Railway Company and Grand Trunk Corporation -- Control -- EJ&E West Company, Finance Docket No. 35087 (STB served December 24, 2008) at 72. Based on information in EJ&E's possession, the subject line does not appear to contain any federally granted right of way.

**Notice Requirement: 49 C.F.R. §§ 1152.50(d)(2), 1105.11**

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written pre-filing notice of the proposed abandonment is attached hereto as Exhibit C. A certificate that the Environmental/Historic Report accompanying this Notice as Exhibit D has been served on the agencies designated in 49 C.F.R. § 1105.7(b) is attached as Appendix P to that Report.

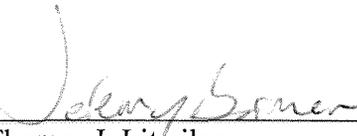
**Labor Protection: 49 C.F.R. § 1152.50(d)(2)**

The appropriate level of labor protection for the transaction proposed herein is that set forth in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). No EJ&E employees will be adversely affected by the proposed abandonment.

**Environmental and Historic Preservation Data: 49 C.F.R. § 1105**

An Environmental/Historic Report prepared in compliance with the requirements and specifications of 49 C.F.R. § 1105 is attached hereto as Exhibit D. That report concludes that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

Respectfully submitted,

By: 

Thomas J. Litwiler  
Jeremy M. Berman  
Fletcher & Sippel LLC  
29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832  
(312) 252-1500

**ATTORNEYS FOR ELGIN, JOLIET & EASTERN  
RAILWAY COMPANY**

Dated: June 7, 2012



**CERTIFICATION AND VERIFICATION**

State of Illinois )  
 ) ss:  
County of Cook )

Brian R. Buchanan, being duly sworn, deposes and says that he is Manager-  
Network Strategies for Elgin, Joliet & Eastern Railway Company ("EJ&E") and that:

1) No local traffic has moved over EJ&E 's rail line between milepost 27.91  
and milepost 30.17 near Morris, in Grundy County, Illinois for at least two years; no overhead  
traffic could be or was previously handled on the stub-ended line; and no formal complaint filed  
by a user of rail service on the line (or a state or local government entity acting on behalf of such  
user) regarding cessation of service over the line either is pending with the Board or any U.S.  
District Court or has been decided in favor of such complainant during the last two years; and

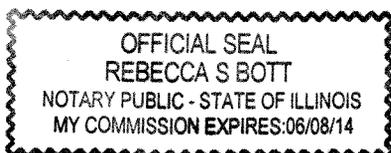
2) He has read the foregoing Notice of Exemption and knows the facts  
asserted therein, and the same are true as stated.

  
\_\_\_\_\_  
Brian R. Buchanan

SUBSCRIBED AND SWORN TO  
before me this 1 day  
of June, 2012.

  
\_\_\_\_\_  
Notary Public

My Commission expires:



CERTIFICATE OF NOTIFICATION

I hereby certify that on May 17, 2012, written notice in the form attached hereto and containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies designated in that subsection:

Mr. Doug Scott  
Chairman  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois, 62701

Railroads for National Defense Program  
Transportation Engineering Agency  
Surface Deployment and Distribution Command  
1 Soldier Way  
Scott AFB, IL 62225

Mr. Charlie Stockman  
Chief, Rivers, Trails & Conservation Assistance Program  
National Park Service  
1849 C Street, N.W., Org. Code 2220  
Washington, DC 20240-0001

Mr. Thomas L. Tidwell  
Chief of the Forest Service  
U.S. Department of Agriculture  
1400 Independence Avenue, S.W.  
Washington, DC 20250-0003

  
\_\_\_\_\_  
Jeremy M. Berman

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NO. AB-117 (SUB-NO. 8X)

ELGIN, JOLIET & EASTERN RAILWAY COMPANY  
-- ABANDONMENT EXEMPTION --  
IN GRUNDY COUNTY, IL

---

**ENVIRONMENTAL/HISTORICAL REPORT**

Elgin, Joliet & Eastern Railway Company ("EJ&E") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence is attached.<sup>1</sup> It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

**ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)**

1. Proposed Action and Alternatives. EJ&E seeks to abandon its line of railroad extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris, Illinois (the "Line"). The Line is situated in Grundy County, Illinois and extends a total distance of approximately 2.26 miles.

The Line has not been required to serve any customer in recent years. There have been no rail shipments of any kind on the Line since before 1991, and no reasonably foreseeable possibility for the development of new rail traffic exists.

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<sup>1</sup> This report has been revised from the version served on various agencies on May 8, 2012 to reflect additional correspondence received by EJ&E since that time. The additional correspondence is included with this report as Appendix J-1.

The Line is adjacent to the Goose Lake Prairie Nature Preserve and the Goose Lake Prairie State Park. Following abandonment, EJ&E intends to salvage rail, ties and other track material from the Line and convey the right-of-way to the Illinois Department of Natural Resources ("ILDNR"). ILDNR plans to use the right-of-way to connect the two properties adjacent to the right-of-way in order to increase the quality of the wetland and migratory bird habitat. The conveyance to ILDNR satisfies, in part, Voluntary Mitigation condition 104 ("VM 104") adopted in Canadian National Railway Company and Grand Trunk Corporation -- Control -- EJ&E West Company, Finance Docket No. 35087 (STB served December 24, 2008) at 72.

No alternatives to the proposed abandonment have been considered. The only alternative is retention of the Line in its current unused state, which would have no environmental impact but would prevent the redeployment of EJ&E's assets elsewhere and preclude ILDNR's plan to increase the quality of the wetland and migratory bird habitat.

A map showing the location of the Line is attached hereto as **Appendix A**.

2. Transportation System. EJ&E does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line, and no traffic has been handled on the Line since before 1991. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic handled on the stub ended Line, and no passenger trains are operated over the Line. There are no grade crossings located on the Line.

EJ&E has contacted and requested comments from the Illinois Department of Transportation ("IDOT"). See correspondence attached hereto as **Appendix B**. To date, EJ&E has received no comments from IDOT.

3. Land Use.

(i) EJ&E does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from Mr. Ron Severson, Grundy County Board Chairman. See correspondence attached hereto as **Appendix C**. To date, EJ&E has received no comments from Mr. Severson.

(ii) EJ&E has contacted and requested comments from the Natural Resources Conservation Service of the United States Department of Agriculture ("NRCS") regarding whether the proposed abandonment of the Line will affect any prime or unique farmland. See correspondence attached hereto as **Appendix D**. In a letter dated April 25, 2012, NRCS indicated that there will be no impact on prime agricultural land by removing the rail and track materials or conveying the right-of-way to ILDNR. See correspondence attached hereto as **Appendix D-1**.

(iii) The Line does not appear to be within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. EJ&E has contacted the ILDNR, the agency responsible for coastal management in Illinois. See correspondence attached hereto as **Appendix E**. To date, EJ&E has received no comments from ILDNR.

(iv) Following abandonment of the Line, the right-of-way will be conveyed to ILDNR and will be used to increase the quality of the wetland and migratory bird habitat. Therefore, EJ&E does not believe that the right-of-way of the Line is suitable for alternative public use under 49 U.S.C. § 10905.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No freight traffic has moved on the Line for over twenty years, and EJ&E foresees little or no possibility that on-line energy resource traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. To the best of EJ&E's knowledge, no such traffic has been handled on this line, and EJ&E foresees little or no possibility that any online recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on the Line and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable. Abandonment of the Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Grundy County is a designated nonattainment area for 2 NAAQS Pollutants under the Clean Air Act. In any event, abandonment of the Line

will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. No ozone depleting materials have been transported over the Line for at least three years, and no such shipments will be diverted as a result of this abandonment.

EJ&E has contacted and requested comments from the U.S Environmental Protection Agency ("EPA") and the Illinois Environmental Protection Agency ("ILEPA") and the U.S Environmental Protection Agency ("EPA"). See correspondence attached hereto as **Appendices F and G**. To date, EJ&E has received no comments from EPA or ILEPA.

6. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R § 1105.7(c)(5)(i) will be exceeded as a result of the abandonment.

7. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. During any salvage operations on the Line, precautions will be taken to ensure public safety.

(ii) Not applicable. As the Line has not had any traffic for two decades, the proposed abandonment will have no effect on the transportation of hazardous materials.

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

8. Biological Resources.

(i) The Line is adjacent to the Goose Lake Prairie Nature Preserve and the Goose Lake Prairie State Park. Salvage operations will be handled using existing access routes. Following abandonment, EJ&E will convey the right-of-way to the ILDNR

for use in a project to increase the quality of the wetland and migratory bird habitat. EJ&E thus does not believe that any critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, or that any endangered or threatened species are present in the area or would be adversely affected. Indeed, abandonment is specifically intended to allow improvements in migratory bird habitats. The U.S. Fish and Wildlife Service ("FWS") has been contacted. See correspondence attached hereto as **Appendix H**. In a letter dated April 27, 2012, FWS indicated that has no concerns regarding real estate matters in the proposed abandonment. See correspondence attached hereto as **Appendix H-1**.

(ii) The Line is adjacent to the Goose Lake Prairie Nature Preserve and the Goose Lake Prairie State Park. Because the right-of-way will be conveyed to ILDNR, EJ&E believes this abandonment will not adversely affect the Goose Lake Prairie Nature Preserve or the Goose Lake Prairie State Park. EJ&E has contacted and requested comments from the National Park Service ("NPS"), as set forth in **Appendix I**. To date, EJ&E has received no comments from NPS. EJ&E also requested comments from ILDNR, as the state agency responsible for Illinois state parks and conservation areas. See correspondence attached hereto as **Appendix E**. To date, EJ&E has received no comments from ILDNR.

9. Water.

(i) EJ&E believes that the proposed abandonment of the Line is consistent with applicable federal, state and local water quality standards.

EJ&E contacted and requested comments from ILDNR. See correspondence attached hereto as **Appendix E**. To date, EJ&E has received no comments from ILDNR.

(ii) The Army Corps of Engineers (the "Corps") has been contacted to determine if the proposed abandonment requires permits under Section 404 of the Clean Water Act. See correspondence attached hereto as **Appendix J**. In a phone call on April 25, 2012, Jeff Sniadach from the Corps requested EJ&E provide information on the section(s), township(s) and range(s) which the Line traverses. EJ&E provided this information to Mr. Sniadach by telephone, at (309) 794-5369, on May 4, 2012. In a letter dated May 10, 2012, the Corps stated that the abandonment does not require a Section 404 permit. See correspondence attached hereto as **Appendix J-1**. The letter also requested that EJ&E contact the ILDNR to determine if a floodplain development permit is required. EJ&E contacted and requested comments from ILDNR. See correspondence attached hereto as **Appendix E**. To date, EJ&E has received no comments from ILDNR.

(iii) No permits under Section 402 of the Clean Water Act are required. No material will be disposed of into a waterway as part of the abandonment.

10. Proposed Mitigation. As no adverse impact is anticipated from the proposed abandonment, EJ&E does not propose any mitigation measures.

11. Additional Information for Rail Constructions. Not applicable.

\* \* \* \* \*

In addition to the agencies referenced above, EJ&E also has contacted and requested comments from the National Geodetic Survey (by e-mail to NGS.InfoCenter@noaa.gov). See correspondence attached hereto as **Appendix K**. By e-mail

dated April 20, 2012, the National Geodetic Survey indicated that there are no geodetic station marks located in the area of the Line. See correspondence attached hereto as **Appendix K-1**.

On May 8, 2012, EJ&E served a copy of this report on the Illinois Department of Commerce and Community Affairs, the agency acting as the State Clearinghouse/Single Point of Contact. See correspondence attached hereto as **Appendix L**.

## HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. Map. A map of the Line is attached hereto as **Appendix A**.
2. Description of Line. The line to be abandoned begins at milepost 27.91 and extends in a generally southern direction a distance of approximately 2.26 miles to milepost 30.17 near Morris, Illinois. The Line runs adjacent to the Goose Lake Prairie Nature Preserve and the Goose Lake Prairie State Park in Grundy County, Illinois.
3. Photographs. There are no structures located on the Line and thus no photographs are being provided.
4. Information on Structures. There are no structures located on the Line.
5. History of Operations. The Line was constructed in 1887-1888 by the Gardner, Coal City & Northern Railway Company ("GCC&N"), an EJ&E affiliate, as part of a route extending from Walker through Coal City to South Wilmington, Illinois. EJ&E acquired the GCC&N on January 9, 1891, and the Walker-South Wilmington line became EJ&E's Coal City Branch, connecting with the EJ&E main line at Walker. In 1935, EJ&E discontinued operations on the Coal City Branch from Goose Lake (also known as "Clay Pit") south to South Wilmington. *Elgin, J. & E. Ry. Co. Abandonment of Operations*, 207 I.C.C. 411 (1935). In 1937, EJ&E abandoned the Coal City Branch from Coal City to South Wilmington, and in 1952 it abandoned the branch from Goose Lake south to Coal City. *Elgin, J. & E. Ry. Co. Abandonment*, 217 I.C.C. 757 (1937); *Elgin, Joliet & Eastern Railway Company Abandonment*, 282 I.C.C. 812 (1952) (unpublished). The Line remained in place to serve the clay pits at Goose Lake, and was served from the north via Walker. The last traffic on the Line moved prior to 1991. In recent years, the Line was utilized by a private firm to test track geometry equipment; that use ended on May 1, 2009.

EJ&E was historically affiliated with United States Steel Corporation. Since 2009, it has been an indirect subsidiary of Canadian National Railway Company.

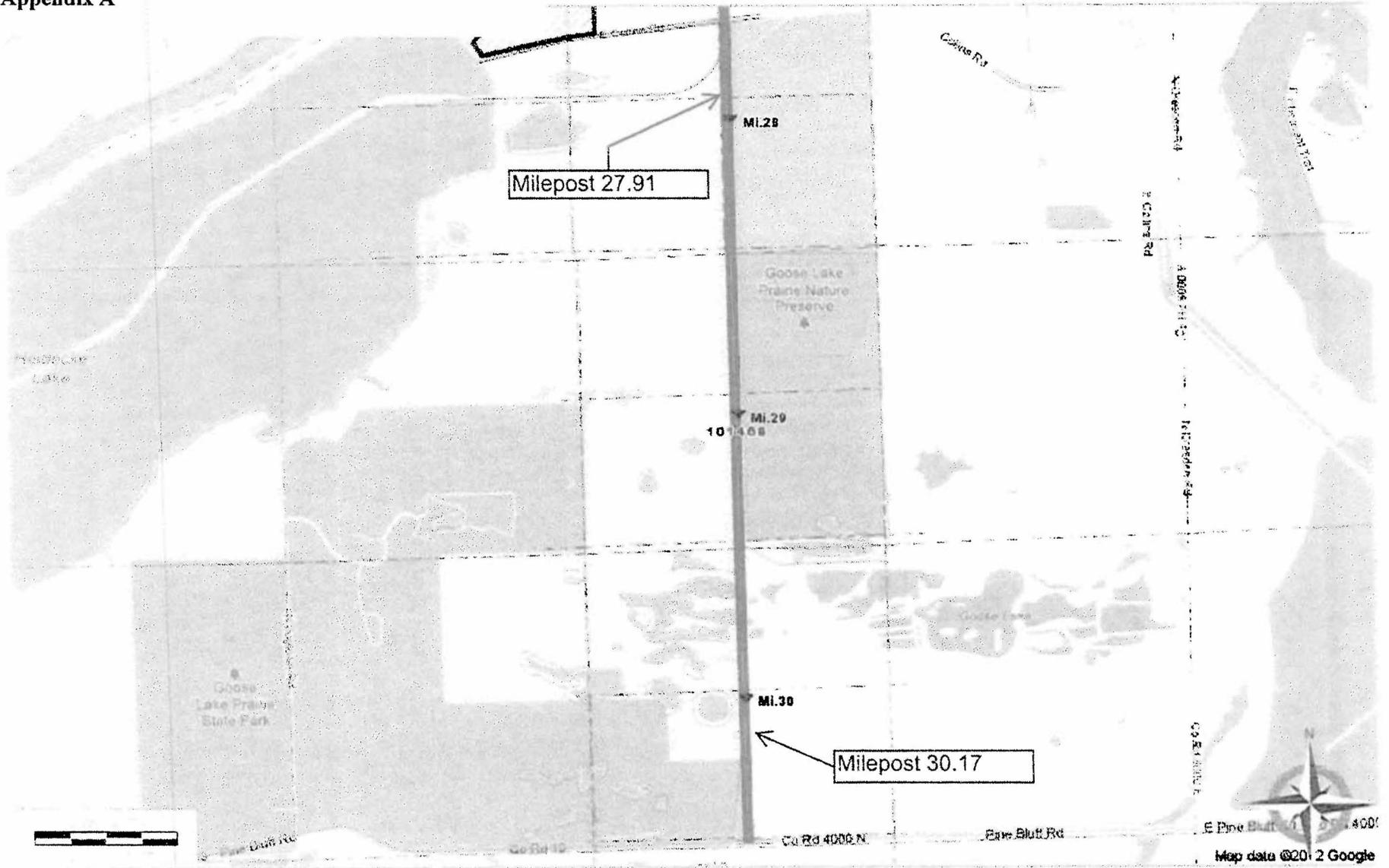
6. Engineering Documents. There are no structures located on the Line and thus EJ&E does not possess engineering drawings or records.

7. Historic Criteria. Based on readily available information in its possession, EJ&E does not believe that any site or structure listed in or meeting the criteria for listing in the Register of Historic Places is located on the Line or will be affected by the abandonment. There are no structures located on the Line. EJ&E also believes that no culturally significant locations, archaeological sites or unique land forms will be affected by the abandonment.

EJ&E has given notice of the proposed abandonment to the Illinois Historic Preservation Agency, acting as the State Historic Preservation Officer ("SHPO"). See correspondence attached hereto as **Appendix M**. In a letter dated April 23, 2012, the SHPO indicated that no historic properties are located on the Line and that SHPO has no objection to the proposed abandonment. See correspondence attached hereto as **Appendix M-1**.

8. Ground Disturbances. Based on readily available information in its possession, EJ&E believes that subsurface ground disturbance occurred when the Line was constructed 120 years ago. EJ&E is unaware of other environmental conditions that might affect the archaeological recovery of resources. Access to the Line is fair.

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company –  
Abandonment Exemption – In Grundy County, IL  
Appendix A



**Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**  
**Appendix B**

**FLETCHER & SIPPEN LLC**

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

**JEREMY M. BERMAN**  
(312) 252-1510  
jberman@fletcher-sippel.com

April 18, 2012

Illinois Department of Transportation  
2300 S. Dirksen Parkway  
Springfield, IL 62764

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

To Whom It May Concern:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;

# FLETCHER & SIPPEN LLC

April 18, 2012

Page 2

11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix C

## FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

JEREMY M. BERMAN  
(312) 252-1510  
jberman@fletcher-sippel.com

April 18, 2012

Mr. Ron Severson  
Grundy County Board Chairman  
1320 Union Street  
Morris, IL 60450

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

Dear Mr. Severson:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;

# FLETCHER & SIPPEN LLC

Mr. Ron Severson

April 18, 2012

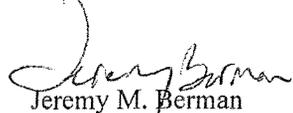
Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix D

## FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

JEREMY M. BERMAN  
(312) 252-1510  
jberman@fletcher-sippel.com

April 18, 2012

National Resource Conservation Service  
Morris Service Center  
3605 North Route 47, Suite A  
Morris, IL 60450

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

To Whom It May Concern:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;

# FLETCHER & SIPPEL LLC

April 18, 2012

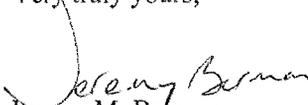
Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,

  
Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

United States Department of Agriculture



Natural Resources Conservation Service  
3605 N. IL Route 47, Suite B  
Morris, IL 60450  
(815) 942-0359 Extension 3

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix D-1

[www.il.nrcs.usda.gov](http://www.il.nrcs.usda.gov)

April 25, 2012

Jeremy M. Berman  
Fletcher & Sippel LLC, Attorneys at Law  
29 North Wacker Drive, Suite 920  
Chicago, IL 60606-2832

RE: Docket No. AB-117 (Sub-No.8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy, County, IL

Dear Mr. Berman:

In regards to the approximately 2.26 miles of Elgin, Joliet & Eastern Railway Company's Goose Lake Segment abandonment, there will be no impact on prime agricultural land by removing rail and track materials from the line and then conveying the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Hamer".

Jennifer Hamer  
District Conservationist

*Helping People Help the Land*

An Equal Opportunity Provider and Employer



# FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

**JEREMY M. BERMAN**  
(312) 252-1510  
jberman@fletcher-sippel.com

**Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**  
**Appendix E**

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

April 18, 2012

Illinois Department of Natural Resources  
Region II Office - Northeastern Illinois  
2050 West Stearns Road  
Bartlett, IL 60103

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

To Whom It May Concern:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;

# FLETCHER & SIPPEL LLC

April 18, 2012

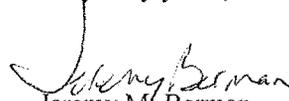
Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix F

## FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

JEREMY M. BERMAN  
(312) 252-1510  
jberman@fletcher-sippel.com

April 18, 2012

Mr. Kenneth A. Westlake  
Chief, NEPA Implementation Section  
US EPA Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

Dear Mr. Westlake:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;

# FLETCHER & SIPPEL LLC

Mr. Kenneth A. Westlake

April 18, 2012

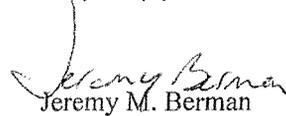
Page 2

9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

**JEREMY M. BERMAN**  
(312) 252-1510  
jberman@fletcher-sippel.com

**Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**  
**Appendix G**

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

April 18, 2012

Illinois EPA  
1021 North Grand Avenue East  
Springfield, Illinois 62794-9276

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

To Whom It May Concern:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;

# FLETCHER & SIPPEN LLC

April 18, 2012

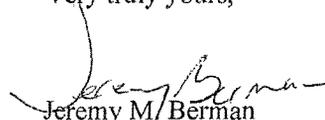
Page 2

11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

# FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

JEREMY M. BERMAN  
(312) 252-1510  
jberman@fletcher-sippel.com

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix H

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

April 18, 2012

US Fish and Wildlife  
Midwest Regional Office  
BHW Federal Building, One Federal Drive  
Fort Snelling, MN 55111-4056

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

To Whom It May Concern:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;

# FLETCHER & SIPPEN LLC

April 18, 2012

Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment



United States Department of the Interior

FISH AND WILDLIFE SERVICE

5600 American Boulevard West, Suite 990  
Bloomington, Minnesota 55437-1458



Appendix H-1

IN REPLY REFER TO:

FWS/NWRS-RE - General  
Railroad Abandonments

April 27, 2012

Mr. Jeremy M. Berman  
Fletcher & Sippel, LLC  
Attorneys at Law  
29 N. Wacker Drive, Suite 920  
Chicago, Illinois 60606-2832

**RE: Docket No. AB-117 (Sub-No. 8X), Elgin, Joliet & Eastern Railway Company –  
Abandonment Exemption – Grundy County, Illinois**

Dear Mr. Berman:

Thank you for the opportunity to comment on the proposed abandonment by Elgin, Joliet & Eastern Railway Company of 2.26 miles of rail line, the Goose Lake segment, between Milepost 27.91 and Milepost 30.17 near Morris in Grundy County, Illinois.

We have researched our ownerships in the vicinity and have determined we do not own any lands or interests in land in the vicinity of the proposed rail line abandonments. We do not have any concerns regarding real estate matters in the abandonments.

Sincerely,

Patrick G. Carroll  
Senior Realty Officer  
Division of Realty

**Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix H-1**

**Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix I**

**FLETCHER & SIPPEL LLC**

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

Phone: (312) 252-1500  
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www.fletcher-sippel.com

**JEREMY M. BERMAN**  
(312) 252-1510  
jberman@fletcher-sippel.com

April 18, 2012

National Park Service  
Department of Interior  
1849 C Street, N.W.  
Washington, DC 20240

**Re: Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL**

To Whom It May Concern:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
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8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;

# FLETCHER & SIPPEL LLC

April 18, 2012

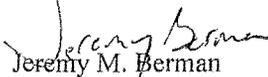
Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

JEREMY M. BERMAN  
(312) 252-1510  
jberman@fletcher-sippel.com

**Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**  
**Appendix J**

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

April 18, 2012

U.S. Army Corp of Engineers  
Rock Island District  
Clock Tower Building, P.O. Box 2004  
Rock Island, IL 61204-2004

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

To Whom It May Concern:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;

# FLETCHER & SIPPEL LLC

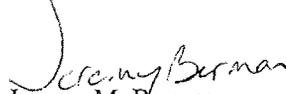
April 18, 2012  
Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment



REPLY TO  
ATTENTION OF

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT  
PO BOX 2004 CLOCK TOWER  
ROCK ISLAND, ILLINOIS 61204-2004  
Abandonment Exemption -- In Grundy County, IL  
Appendix J-1

May 8, 2012

Operations Division

SUBJECT: CEMVR-OD-P-2012-611

Mr. Jeremy Berman  
Fletcher and Sippel, LLC  
29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606

Dear Mr. Berman:

Our office reviewed your letter dated, April 20, 2012, concerning the proposed railway abandonment project in Section 34, Township 34 North, Range 8 East, and Sections 3 and 6, Township 33 North, Range 8 East, Grundy County, Illinois.

We determined your project as proposed does not require a Department of the Army (DA) Section 404 permit. The decision regarding this action is based on information found in the administrative record which documents the District's decision-making process, the basis for the decision, and the final decision. No indication of discharge of dredged or fill material was found to occur in waters of the United States (including wetlands). Therefore, this determination resulted.

You are advised that this determination for your project is valid for five years from the date of this letter. If the project is not completed within this five-year period or your project plans change, you should contact our office for another determination.

This Preliminary Jurisdiction Determination is not appealable. You may request an Approved Jurisdiction Determination and provide additional information for our consideration

Although an individual DA permit and individual IEPA 401 certification will not be required for the project, this does not eliminate the requirement that you must still acquire other applicable Federal, state, and local permits. If you have not already coordinated your project with the Illinois Department of Natural Resources – Office of Water Resources, please contact them at 217/782-3863 to determine if a floodplain development permit is required for your project.

Should you have any questions, please contact our Regulatory Branch by letter, or telephone me at 309/794-5367.

Sincerely,

Jeffrey W. Sniadach  
Project Manager  
Enforcement Section

Copies Furnished: (w/o enclosures)

Mr. Mike Diedrichsen, P.E.  
Office of Water Resources  
IL Department of Natural Resources  
One Natural Resources Way  
Springfield, Illinois 62701-1271

Mr. Dan Heacock  
Illinois Environmental Protection Agency  
Watershed Management Section,  
Permit Section. 15  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
[Epa.401.bow@illinois.gov](mailto:Epa.401.bow@illinois.gov) (email)

U.S. Army Corps of Engineers  
Illinois Waterway Project Office  
257 Grant Street  
Peoria, Illinois 61603

# FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

JEREMY M. BERMAN  
(312) 252-1510  
jberman@fletcher-sippel.com

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix K

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

April 18, 2012

Mr. Simon Monroe  
Geodetic Technician  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Springs, MD 20910-3282

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

Dear Mr. Monroe:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;

# FLETCHER & SIPPEL LLC

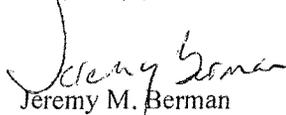
Mr. Simon Monroe  
April 18, 2012  
Page 2

8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance.

Very truly yours,



Jeremy M. Berman  
Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

**Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**  
**Appendix K-1**

**Jeremy Berman**

---

**From:** Simon Monroe <simon.monroe@noaa.gov>  
**Sent:** Friday, April 20, 2012 11:21 AM  
**To:** Jeremy Berman  
**Cc:** Surface Transportation Board; Gilbert Mitchell; Simon Monroe  
**Subject:** NGS Response, STB Docket AB-117 (SUB NO. 008X)

- > Thank you for sharing your railroad abandonment environmental report
- > for
- >
- > MORRIS, Grundy County, ILLINOIS.
- >
- >
- >
- > Approximately 00 geodetic survey marks may be located in the area
- > described.
- > If marks will be disturbed by the abandonment, [THE RAILROAD] shall
- > consult with the National Geodetic Survey (NGS) at least 90 days prior
- > to beginning salvage activities that will disturb, or destroy any
- > geodetic station
- >
- > marks described on the attached file. Additional advice is provided
- > at <http://geodesy.noaa.gov/marks/railroads/>

|---|---|  
|---|---|-----|-----|-----|-----|

No Stations Found.

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix L

**FLETCHER & SIPPEN LLC**

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

JEREMY M. BERMAN  
(312) 252-1510  
jberman@fletcher-sippel.com

May 8, 2012

Ms. Virginia Bova  
Department of Commerce and Community Affairs  
James R. Thompson Center  
100 West Randolph, Suite 3-400  
Chicago, IL 60601

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

Dear Ms. Bova:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris, Illinois, a distance of approximately 2.26 miles in Grundy County, Illinois.

In accordance with 49 C.F.R. §§ 1105.7(b) and 1105.11, we are providing for your information the enclosed Environmental/Historic Report which will accompany the notice of exemption and which describes the proposed action and any expected environmental or historic effects. The Report also includes a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis at the following address:

Surface Transportation Board  
Office of Environmental Analysis  
395 E Street, S.W., Room 1106  
Washington, DC 20423-0001  
(202) 245-0295

# FLETCHER & SIPPEL LLC

Ms. Virginia Bova

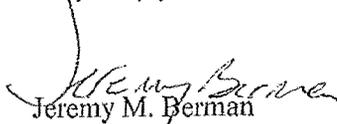
May 8, 2012

Page 2

Your comments should reference Docket No. AB-117 (Sub-No. 8X) and, if written, should include a copy to the undersigned. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the Office of Environmental Analysis would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, you should feel free to contact me directly at 312-252-1510. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Jeremy M. Berman

Attorney for Elgin, Joliet & Eastern Railway  
Company

JMB:jb

Enclosure

# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

JEREMY M. BERMAN  
(312) 252-1510  
jberman@fletcher-sippel.com

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix M

Phone: (312) 252-1500  
Fax: (312) 252-2400  
www.fletcher-sippel.com

April 18, 2012

Ms. Anne E. Haaker  
Deputy State Historic Preservation Officer  
Preservation Services Division  
Illinois Historic Preservation Agency  
1 Old State Capitol Plaza  
Springfield, Illinois 62701-1507

Re: **Docket No. AB-117 (Sub-No. 8X)**  
**Elgin, Joliet & Eastern Railway Company --**  
**Abandonment Exemption -- In Grundy County, IL**

Dear Ms. Haaker:

On or about May 28, 2012, Elgin, Joliet & Eastern Railway Company ("EJ&E") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of EJ&E's line of railroad, referred to herein as the Goose Lake Segment, extending from Milepost 27.91 to the end of track at Milepost 30.17 near Morris in Grundy County, Illinois, a distance of approximately 2.26 miles. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No traffic has moved on the Goose Lake Segment since 1991. A map showing the location of the Goose Lake Segment is attached for your reference. After abandonment, EJ&E will remove rail and track materials from the line, and will convey the right-of-way to the Illinois Department of Natural Resources for the development of wetland and migratory bird habitat.

In accordance with the Board's environmental and historic preservation regulations, 49 C.F.R. § 1105.8, we are advising you of the proposed abandonment of the Goose Lake Segment so that you may determine whether this action will have any effect on any historic structures or sites. There are no railroad buildings or bridges of any kind on the line to be abandoned. WCL also is unaware of any historic sites involved in the proposed abandonment.

We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-117 (Sub-No. 8X) and be sent to the undersigned, as counsel for EJ&E.

# FLETCHER & SIPPEL LLC

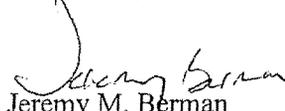
Ms. Anne E. Haaker

April 18, 2012

Page 2

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before EJ&E's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1510. Thank you for your assistance on this matter.

Very truly yours,



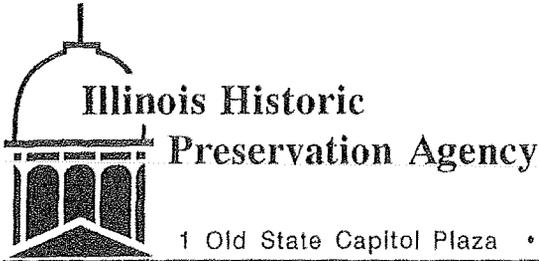
Jeremy M. Berman

Attorney for Elgin, Joliet & Eastern  
Railway Company

JMB:tjl

Attachment

Docket No. AB-117 (Sub-No. 8X)  
Elgin, Joliet & Eastern Railway Company --  
Abandonment Exemption -- In Grundy County, IL  
Appendix M-1



1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • [www.illinois-history.gov](http://www.illinois-history.gov)

Grundy County PLEASE REFER TO: IHPA LOG #001042012  
Morris  
Goose Lake Segment, Milepost 27.91 to 30.17  
STB-AB-117 (Sub-No. 8X)  
Railroad track abandonment, Elgin, Joliet & Eastern Railway Co.

April 23, 2012

Jeremy M. Berman  
Fletcher & Sippel, LLC  
29 North Wacker Drive, Suite 920  
Chicago, IL 60606-2832

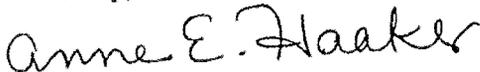
Dear Mr. Berman:

We have reviewed the documentation submitted for the referenced project(s) 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 (2) 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 are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,



Anne E. Haaker  
Deputy State Historic  
Preservation Officer



Illinois EPA  
1021 North Grand Avenue East  
Springfield, IL 62794-9276

National Park Service  
Department of Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Illinois Department of Natural Resources  
Region II Office – Northeastern Illinois  
2050 West Stearns Road  
Bartlett, IL 60103

National Resource Conservation Service  
Morris Service Center  
3605 North Route 47, Suite A  
Morris, IL 60450

Mr. Ron Severson  
Grundy County Board Chairman  
1320 Union Street  
Morris, IL 60450

Illinois Department of Transportation  
2300 S. Dirksen Parkway  
Springfield, IL 62764

U.S. Fish and Wildlife  
Midwest Regional Office  
BHW Federal Building, One Federal Drive  
Fort Snelling, MN 55111-4056

Mr. Simon Monroe  
Geodetic Technician  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Springs, MD 20910-3282

Mr. Kenneth A. Westlake  
Chief, NEPA Implementation Section  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Ms. Anne E. Haaker  
Deputy State Historic Preservation Officer  
Preservation Services Division  
Illinois Historic Preservation Agency  
1 Old State Capitol Plaza  
Springfield, IL 62701-1507

U.S. Army Corp of Engineers  
Rock Island District  
Clock Tower Building, P.O. Box 2004  
Rock Island, IL 61204-2004

Ms. Virginia Bova  
Department of Commerce and Community Affairs  
James R. Thompson Center  
100 West Randolph, Suite 3-400  
Chicago, IL 60601

### CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS }  
GRUNDY COUNTY } ss.

This is to Certify that a notice, a true copy of which is hereto attached, was published in The Morris Daily Herald, a secular newspaper of general circulation published daily, except Sunday and Monday in the City of Morris, in the County of Grundy and State of Illinois, by the Morris Publishing Co., a corporation existing under the laws of said state, once each ~~week~~<sup>day</sup> for

One successive ~~weeks~~<sup>days</sup>, that the date of the first paper containing said notice was Wednesday the 16th day of May, 2012, and that the date of the last paper containing said notice was Wednesday the 16th day of May, 2012.

And this is to Further Certify that said newspaper has been regularly published for twelve months prior to the first publication of said notice therein, and that the person who signs the name of said company to this certificate is as appears by the records of said company, its duly authorized agent for such purpose.

Dated in said county, this 16th day of May, 2012.

Morris Publishing  
By [Signature]  
Authorized Agent

Board's Office of Public Assistance, Governmental Affairs & Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Fletcher & Sippel LLC, Attention: Jeremy M. Berman, 29 N. Wacker Dr., Suite 920, Chicago, IL 60606.  
(Published in the Morris Daily Herald, May 16, 2012.)

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use and offers of financial assistance) must be filed directly with the Board's Office of Proceedings, 395 E. Street, SW, Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the

No. AB-117 (Sub-No. 8X)  
The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at 202-245-0295.

#### PUBLIC NOTICE NOTICE

Elgin, Joliet & Eastern Railway Company gives notice that on or after May 29, 2012 it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments permitting the abandonment of a 2.26-mile line of railroad between Milepost 27.91 and the end of track at Milepost 30.17 near Morris, Illinois, traversing United States Postal Service ZIP Code 60450 in Grundy County, Illinois. The proceeding will be docketed as

No. 21218