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January 15, 2002

VIA FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20006

**ENTERED
Office of the Secretary**

JAN 16 2002

**Part of
Public Record**



Re: **Docket No. AB-43 (Sub-No. 171X)
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois**

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Petition for Exemption of Illinois Central Railroad Company**, dated January 15, 2002. A check in the amount of \$4,400, representing the appropriate fee for this filing, is attached.

In accordance with 49 C.F.R. § 1152.60(c), a computer diskette containing the text of the draft *Federal Register* notice of this petition for exemption (Exhibit B to the Petition) in WordPerfect 5.1 format also is enclosed. For convenience, this diskette also contains the text of the Petition for Exemption and its accompanying Environmental/Historic Report. Finally, one extra copy of the Petition and this letter are enclosed. I would request that you 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 (Exhibit C to the Petition) has been provided directly to the Board's Section of Environmental Analysis. That version of the Report includes color photographs of the three structures on the line to be abandoned that are 50 years old or older.

FILED

JAN 16 2002

**SURFACE
TRANSPORTATION BOARD**

FEE RECEIVED

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JAN 16 2002

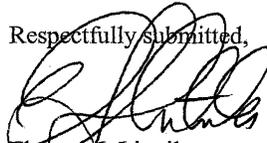
**SURFACE
TRANSPORTATION BOARD**

FLETCHER & SIPPEN LLC

Mr. Vernon A. Williams
January 15, 2002
Page 2

If you have any questions regarding this filing, please feel free to contact me.
Thank you for your assistance on this matter. Kind regards.

Respectfully submitted,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Enclosures

cc: Victoria J. Rutson, SEA

ORIGINAL
204434

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (SUB-NO. 171X)

ILLINOIS CENTRAL RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MCLEAN COUNTY, ILLINOIS



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PETITION FOR EXEMPTION OF
ILLINOIS CENTRAL RAILROAD COMPANY

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TRANSPORTATION BOARD

Thomas J. Litwiler
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(312) 540-0500

**ATTORNEY FOR ILLINOIS CENTRAL
RAILROAD COMPANY**

Dated: January 15, 2002

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (SUB-NO. 171X)

ILLINOIS CENTRAL RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MCLEAN COUNTY, ILLINOIS

**PETITION FOR EXEMPTION OF
ILLINOIS CENTRAL RAILROAD COMPANY**

Pursuant to 49 U.S.C. § 10502 and the regulations of the Surface Transportation Board (the "Board") at 49 C.F.R. §§ 1121 and 1152.60, Illinois Central Railroad Company ("IC") hereby petitions the Board for an exemption from the prior approval requirements of 49 U.S.C. § 10903 to abandon a line of railroad, referred to herein as the "Heyworth Spur," extending from milepost 783.42 to the end of line at milepost 786.5 in Heyworth, McLean County, Illinois, a distance of approximately 3.08 miles. A map showing the location of the line to be abandoned is attached to this Petition as Exhibit A. A draft *Federal Register* notice of this Petition in the form prescribed by 49 C.F.R. § 1152.60(c) is attached hereto as Exhibit B.

No rail service or operations have been conducted on the Heyworth Spur since April, 2001, when the sole former shipper on the line, Carter Lumber, ceased operations. The Carter Lumber facility is not expected to reopen, and prior to its closure only a single carload of traffic had moved over the Heyworth Spur during 2001. A copy of this petition has been served on Carter Lumber. There are no other recent shippers on the Heyworth Spur, and there is no prospect for the development of sufficient new rail traffic to sustain operations in the future. IC service to an existing A.E. Staley facility in Heyworth will not be affected by the proposed abandonment.

Abandonment will allow the State of Illinois to avoid significant expense for the upgrade of a rail/highway crossing on the Heyworth Spur, currently scheduled for the upcoming construction year. IC also has conferred with the Village of Heyworth and understands that the Village supports the proposed abandonment. As discussed further below, abandonment of the Heyworth Spur plainly satisfies the exemption criteria of 49 U.S.C. § 10502, and this petition should be granted.

I. IDENTIFICATION OF PETITIONER

Petitioner IC is a Class I common carrier by rail which owns and operates approximately 2550 miles of rail line in six midwestern and south central states. IC's principal route extends from Chicago, Illinois through Memphis, Tennessee to New Orleans, Louisiana. Secondary main lines reach to Springfield, Peoria and East St. Louis, Illinois; Baton Rouge, Louisiana; and Mobile, Alabama. IC is a wholly-owned subsidiary of Canadian National Railway Company ("CN"), which operates an approximately 18,000-mile rail system in fifteen U.S. states and eight provinces in the Dominion of Canada.¹ The Board approved CN's control of IC in Canadian National Railway Company, Grand Trunk Corporation and Grand Trunk Western Railroad Incorporated -- Control -- Illinois Central Corporation, Illinois Central Railroad Company, Chicago, Central & Pacific Railroad Company and Cedar River Railroad Company, Finance Docket No. 33556, Decision No. 37 (STB served May 25, 1999).

¹ The CN rail system also includes Grand Trunk Western Railroad Incorporated, Duluth, Winnipeg & Pacific Railway Company, Chicago, Central & Pacific Railroad Company, Cedar River Railroad Company, Waterloo Railway Company, Wisconsin Central Ltd., Fox Valley & Western Ltd., Sault Ste. Marie Bridge Company, Wisconsin Chicago Link Ltd. and Algoma Central Railway, Inc. See Canadian National Railway Company, Grand Trunk Corporation and WC Merger Sub, Inc. -- Control -- Wisconsin Central Transportation Corporation, Wisconsin Central Ltd., Fox Valley & Western Ltd., Sault Ste. Marie Bridge Company and Wisconsin Chicago Link Ltd., Finance Docket No. 34000 (STB served September 7, 2001).

The complete name and address of IC is:

Illinois Central Railroad Company
455 North Cityfront Plaza Drive
Chicago, Illinois 60611-5317
(312) 755-7500

II. DESCRIPTION OF LINE TO BE ABANDONED

IC's Heyworth Spur is a single-track, stub-ended line that extends from the south side of the Village of Heyworth through the village to the existing end of line at milepost 786.5 north of the village. The Heyworth Spur forms the northern portion of IC's Clinton-Heyworth branch line, which connects at Clinton with IC's secondary main line between Gilman and Springfield, Illinois. The Heyworth Spur was once part of IC's "Charter Line" route between Freeport and Centralia, Illinois. That route was abandoned north of milepost 786.5 in 1983. Illinois Central Gulf Railroad Company -- Abandonment -- In McLean, Woodford, Marshall, LaSalle, Lee, Ogle and Stephenson Counties, IL, Docket No. AB-43 (Sub-No. 100) (ICC served June 17, 1983).² The Heyworth Spur includes no stations,³ and traverses United States Postal Service ZIP Code 61745.

The right-of-way of the Heyworth Spur varies in width between 74 feet and 200 feet. Pursuant to 49 C.F.R. § 1152.60(d), IC states that, based on information in its possession, the Heyworth Spur does not contain federally granted rights-of-way. Any relevant documentation on this subject in IC's possession will be made available promptly to those requesting it.

² Approximately 1500 feet of this abandoned trackage north of milepost 786.5 has remained in place for use as a tail track.

³ Heyworth will remain a station on IC's Clinton-Heyworth branch after abandonment of the Heyworth Spur.

The Heyworth Spur is in generally fair condition. The line is equipped with 90-, 110-, 112- and 115-pound rail, and is maintained as FRA excepted track with a maximum speed limit of ten miles per hour. There are six public highway grade crossings on the Heyworth Spur, one of which -- the Cleveland Street/U.S. Route 136 crossing -- is scheduled for a state-sponsored upgrade during the upcoming construction year. Abandonment of the Heyworth Spur will avoid this unnecessary expenditure of state funds on a grade crossing which is no longer active. After abandonment, IC intends to salvage rail and track materials from the portion of the Heyworth Spur north of approximately milepost 784.23. The short, remaining segment of the Heyworth Spur (from milepost 783.42 to approximately milepost 784.23) will be reclassified as side track and used to support service at the adjacent A.E. Staley grain facility.⁴

IC utilized the Heyworth Spur solely to provide service to Carter Lumber, at the end of the line north of Heyworth. Traffic was inbound lumber, and had diminished significantly in recent years: from 123 carloads in 1999, to 88 carloads in 2000, to 1 (one) carload during the first four months of 2001. Carter Lumber's Heyworth facility closed in April, 2001, and is not expected to reopen. No traffic of any kind has moved over the Heyworth Spur since that time, and there are no other shippers on the Heyworth Spur.

Service to Carter Lumber previously was provided on an as-needed basis by a road-switcher assignment based at IC's Clinton, Illinois yard, approximately eleven miles south of Heyworth. That assignment operated with a 3-person crew and a SD- or GP- class locomotive. While the assignment typically served only Carter Lumber, the assignment has been retained and performing other services since Carter Lumber's closure.

⁴ The southern limit of the proposed Heyworth Spur abandonment (milepost 783.42) is located at the south switch into A.E. Staley's Heyworth facility. Service to A.E. Staley will not be affected by the proposed abandonment.

III. JURISDICTION AND STATUTORY STANDARDS

The Board has jurisdiction over the proposed abandonment of IC's Heyworth Spur pursuant to 49 U.S.C. § 10903. Generally, a common carrier by rail must obtain authority from the Board under Section 10903 before abandoning a line of railroad. However, 49 U.S.C. § 10502 requires the Board to exempt a person, transaction or service from the statutory and regulatory requirements otherwise applicable to a rail carrier when the Board determines that: (1) application of those requirements is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101; and (2) either (a) the transaction is of limited scope or (b) regulation is not needed to protect shippers from an abuse of market power.

IV. CRITERIA OF 49 U.S.C. § 10502

A. Detailed Scrutiny Under 49 U.S.C. § 10903 Is Not Necessary To Carry Out The Rail Transportation Policy Of 49 U.S.C. § 10101

Granting IC an exemption to abandon the Heyworth Spur is consistent with the goals articulated in the national Rail Transportation Policy, 49 U.S.C. § 10101. By allowing IC to avoid the expense of retaining and maintaining a line that generates no traffic or revenue -- and by permitting IC to redeploy its assets more productively elsewhere -- exemption will encourage the honest and effective management of railroads and promote the development of an economically sound and efficient transportation system. 49 U.S.C. §§ 10101(3), (4), (5) and (9). Exemption also will allow the State of Illinois to avoid unnecessary expenditures on a rail/highway crossing that has no rail traffic, and reallocate crossing upgrade funds to other locations with greater need. Given the absence of any current or prospective on-line traffic, there is no reasonable likelihood that the Heyworth Spur could be operated profitably, and no justification under the criteria of Section 10101 to burden IC with retention of the line.

The rail transportation policy also provides that the Board should minimize the need for federal regulatory control over the rail transportation system, expedite regulatory decisions and reduce barriers to exit. 49 U.S.C. §§ 10101(2), (7), and (15). The statutory exemption procedure of Section 10502 obviates the need for the expensive and time-consuming processes attendant to a proceeding under Section 10903, including the costs of preparing an application. Reliance on the adequate and expeditious exemption procedure herein would minimize Board regulation of this transaction and reduce the regulatory burden on IC.

None of the other rail transportation policy criteria will be adversely affected. No rail service of any kind has been provided on the Heyworth Spur for the last nine months. The only previously active shipper on the line, Carter Lumber, has closed its Heyworth facility and ceased all rail shipments. A copy of this petition is being served on Carter Lumber. Existing rail service to A.E. Staley in Heyworth will not be affected by the requested abandonment exemption.

B. The Transaction Is Of Limited Scope

The transaction for which exemption is sought consists solely of the abandonment of an unused stub-ended spur totaling 3 miles in a rural area and formerly operated to reach a single customer. No rail service has been provided on the line for nine months, and the only previous shipper on the line has ceased operations. There are no reasonable prospects for future rail traffic on the Heyworth Spur, particularly given that no traffic besides that of Carter Lumber has moved over the line in modern times. The proposed abandonment clearly is of limited scope.

C. Regulation Is Not Necessary To Protect Shippers From An Abuse Of Market Power

Since this transaction is of limited scope, IC does not need to demonstrate that regulation is unnecessary to protect shippers from abuse of market power. 49 U.S.C.

§ 10502(a)(2). Even so, it is clear that this transaction will not and cannot subject shippers to any market power abuse.

Carter Lumber, the only previous shipper on the Heyworth Spur, has shut down and no longer requires or utilizes rail service. Carter previously used rail service solely for the receipt of inbound lumber, an exempt commodity presumptively subject to effective intermodal transportation options and competition. 49 C.F.R. § 1039.11(a); Rail Exemption -- Lumber or Wood Products, 7 I.C.C.2d 673 (1991). Rail service to A.E. Staley in Heyworth will not be affected by the proposed abandonment. Any other potential shippers in the area would have access to service from motor carriers and would retain access to rail service from IC at Heyworth. Accordingly, regulation by the Board of this abandonment is not and cannot be necessary to protect any shipper from an abuse of power.

V. LEVEL OF LABOR PROTECTION TO BE IMPOSED

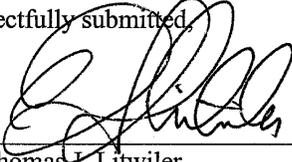
IC does not anticipate any adverse impact on employment levels as a result of the proposed abandonment. No operations or maintenance have been conducted on the Heyworth Spur for the last nine months. IC agrees that the appropriate level of employee protection to be imposed on this abandonment is that established in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979).

VI. ENVIRONMENTAL REPORT

In accordance with the requirements of 49 C.F.R. §§ 1105.7(a), 1105.8(a) and 1121.3(b), an Environmental/Historic Report is attached as Exhibit C to this Petition.

WHEREFORE, IC respectfully requests that the Board exempt from the prior approval requirements of 49 U.S.C. § 10903 the abandonment of IC's Heyworth Spur extending from milepost 783.42 to milepost 786.5 in Heyworth, McLean County, Illinois.

Respectfully submitted,

By: 

Thomas J. Litwiler
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Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721
(312) 540-0500

**ATTORNEY FOR ILLINOIS CENTRAL
RAILROAD COMPANY**

Dated: January 15, 2002

Federal Register Notice

Docket No. AB-43 (Sub-No. 171X)

Notice of Petition for Exemption to Abandon

On January 16, 2002, Illinois Central Railroad Company ("IC") filed with the Surface Transportation Board, Washington, DC 20423, a petition for exemption for the abandonment of IC's line of railroad, referred to as the Heyworth Spur, extending from milepost 783.42 to the end of line at milepost 786.5 in Heyworth, McLean County, Illinois, a distance of approximately 3.08 miles. The line for which the abandonment exemption request was filed traverses United States Postal Service ZIP Code 61745 and includes no stations.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions specified in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested parties should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the *Federal Register*.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

Any environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

COPY

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (SUB-NO. 171X)

ILLINOIS CENTRAL RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN MCLEAN COUNTY, ILLINOIS

ENVIRONMENTAL/HISTORIC REPORT

Illinois Central Railroad Company ("IC") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence and certifications are attached. 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. IC seeks to abandon its line of railroad, referred to herein as the "Heyworth Spur," extending from milepost 783.42 to the end of line at milepost 786.5¹ in Heyworth, Illinois. The Heyworth Spur is situated in McLean County, Illinois, and extends a total distance of approximately 3.08 miles. The stub-ended line connects at milepost 783.42 with IC's Clinton District, which extends to a connection with IC's Chicago-Gilman-Springfield line at Clinton, Illinois.

¹ An additional 1500 feet of trackage beyond milepost 786.5 serves as a tail track. This trackage was abandoned in Illinois Central Gulf Railroad Company -- Abandonment -- In McLean, Woodford, Marshall, LaSalle, Lee, Ogle and Stephenson Counties, IL, Docket No. AB-43 (Sub-No. 100) (ICC served June 17, 1983).

There have been no rail operations of any kind on the Heyworth Spur since April, 2001. Prior to that, the line was used solely to provide service to Carter Lumber, located at the end of the line north of Heyworth. Traffic was inbound lumber. The Carter Lumber facility closed in April, 2001, and is not expected to reopen. Prior to closing, Carter Lumber had received only a single carload of traffic during 2001. There are no other shippers on the Heyworth Spur, and no reasonable possibility for the development of new rail traffic. Service to A.E. Staley in Heyworth will be unaffected by the proposed abandonment.

Following abandonment, IC intends to salvage rail, ties and track materials from the portion of the Heyworth Spur lying north of approximately milepost 784.23. The short, remaining portion of the Heyworth Spur will be reclassified as side track and utilized to support service at the nearby A.E. Staley facility. The railbed, subgrade and single bridge on the Heyworth Spur will remain in place and not be disturbed.

No alternatives to the proposed abandonment have been considered. The only alternative is retention of the Heyworth Spur in its current, unused state, which would have no environmental impact.

A map showing the location of the Heyworth Spur is attached hereto as Appendix A.

2. Transportation System. IC 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 Heyworth Spur. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. The only former shipper on the line has ceased operations. Alternative rail service will continue to be available

from IC at Heyworth. There is no overhead traffic on the stub-ended Heyworth Spur, and no passenger trains are operated over the line.

Abandonment of the Heyworth Spur will allow permanent closure of a total of eight highway grade crossings, as follows:

<u>Milepost</u>	<u>Name</u>	<u>DOT Number</u>	<u>Warning Devices</u>
784.24	Cleveland Street (U.S. 136)	290 448 T	Flashers
784.34	Cole Street	290 445 X	Crossbucks
784.41	Main Street	290 443 J	Flashers
784.48	Newton Street	290 442 C	Crossbucks
784.55	Pease Street	290 441 V	Crossbucks
785.80	Private	290 440 N	None
786.05	Private	290 439 U	None
786.55	TR 157	290 438 M	Crossbucks ²

There are two additional grade crossings on the segment of the Heyworth Spur between milepost 783.42 and milepost 784.23 that will be reclassified as side track. IC understands that the Village of Heyworth supports abandonment of the Heyworth Spur and removal of the numerous grade crossings through the city. IC also has contacted the Illinois Department of Transportation, which has indicated that it has no comment with respect to the transportation aspects of the proposed abandonment. See correspondence attached hereto as Appendices B and B-1.

3. Land Use.

(i) IC does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from McLean County, Illinois and the McLean County Regional Planning Commission. See correspondence attached hereto as Appendices C and D. The McLean County Department of Parks and

² This crossing is on the previously-abandoned section of line just north of milepost 786.5 that currently serves as a tail track.

Recreation and McLean County Regional Planning Commission have each indicated that they support the proposed abandonment provided that the right-of-way is available for a potential rails-to-trails conversion. See correspondence attached hereto as Appendices C-1 and D-1.³ IC has confirmed to both agencies that, except for the southernmost 0.8 miles of the Heyworth Spur (which, as discussed above, will be converted to side track), IC is amenable to discussions regarding a potential sale of the Heyworth Spur right-of-way to the county for a trails conversion. See correspondence attached hereto as Appendices C-2 and D-2.

(ii) The Heyworth Spur is located within and in the immediate vicinity of the village of Heyworth, Illinois. The Natural Resources Conservation Service of the United States Department of Agriculture has confirmed that the proposed abandonment will not have an adverse impact on any prime agricultural lands. See correspondence attached hereto as Appendices E and E-1. IC also has contacted and requested comments from the Illinois Department of Agriculture. See correspondence attached hereto as Appendix F.

(iii) The Heyworth Spur does not lie 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. IC has contacted and requested comments from the Illinois Department of Natural Resources and the Illinois

³ The comments of the McLean County Regional Planning Commission were attached to the response provided by the Illinois Department of Commerce and Community Affairs, acting as the Illinois state clearinghouse. The clearinghouse's response is separately attached hereto as Appendix M-1.

Environmental Protection Agency, neither of which has any objection to the proposed abandonment. See correspondence attached hereto as Appendices G, G-1, H and H-1.

(iv) IC is not aware of any alternative public use under 49 U.S.C. § 10905 for which the right-of-way of the Heyworth Spur would be suitable. To date, IC has received expressions of interest (discussed above) from the McLean County Department of Parks and Recreation and the McLean County Regional Planning Commission regarding potential use of the Heyworth Spur right-of-way as a recreational trail.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities moved over the Heyworth Spur, and IC foresees little or no possibility that such on-line traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on the Heyworth Spur for many years (if ever), and IC foresees little or no possibility that any on-line recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. No rail freight traffic currently moves to or from points on the Heyworth Spur, 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 Heyworth Spur 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. IC does not believe that McLean County, Illinois is a class I or nonattainment area under the Clean Air Act. In any event, abandonment of the Heyworth Spur 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 freight traffic has been handled on the Heyworth Spur since April, 2001, and ozone depleting materials were not transported over the line prior to that time. Accordingly, no shipments of ozone depleting materials will be diverted as a result of this abandonment.

IC has contacted and requested comments from the Illinois Environmental Protection Agency and the U.S. Environmental Protection Agency. See correspondence attached hereto as Appendices H and I. The Illinois EPA expresses no objections with respect to the proposed abandonment. See correspondence attached hereto as Appendix H-1.

6. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R. § 1105.7(e)(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. Abandonment of the Heyworth Spur will allow a total of eight rail/highway grade crossings within a developed community to be eliminated. During any salvage operations on the Heyworth Spur, precautions will be taken to ensure public safety.

(ii) Not applicable. To IC's knowledge no hazardous commodities were handled on the Heyworth Spur in the modern era. No traffic of any kind has been handled on the Heyworth Spur since April, 2001. Accordingly, 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 the right-of-way of the Heyworth Spur.

8. Biological Resources.

(i) No critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, and IC does not believe that any endangered or threatened species are present in the area or would be adversely affected. Salvage operations will be handled within the right-of-way using existing access routes, and the subgrade of the Heyworth Spur and the single bridge on the line will not be removed or altered in connection with the abandonment. IC has requested comments from the Illinois Department of Natural Resources, the Illinois Environmental Protection Agency and the U.S. Fish and Wildlife Service. See correspondence attached as Appendices G, H and J.

The Illinois Department of Natural Resources confirms that no state-listed threatened or endangered species are known to exist in the vicinity of the Heyworth Spur. See correspondence attached hereto as Appendix G-1. The Illinois EPA and U.S. Fish

and Wildlife Service likewise have no objection to the proposed abandonment. See correspondence attached hereto as Appendices H-1 and J-1.

(ii) The Heyworth Spur does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. The Illinois Department of Natural Resources has confirmed that there are no Illinois Natural Area Inventory sites or dedicated Illinois Nature Preserves in the vicinity of the Heyworth Spur. See correspondence attached hereto as Appendix G-1. IC also has contacted and requested comments from the National Park Service, as set forth in Appendix K.

9. Water. Any water quality effects of the proposed abandonment should be minimal. There is a single bridge on the Heyworth Spur, which crosses Kickapoo Creek. That bridge will not be removed, disturbed or altered as a result of the proposed abandonment. In addition, there are two concrete box culverts over intermittent streams that likewise will not be disturbed by the abandonment. IC does not intend to alter the contour of the roadbed underlying the Heyworth Spur in connection with the proposed abandonment and any salvage activities. IC does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act.

To IC's knowledge, there are no wetlands located in or along the right-of-way of the Heyworth Spur, and IC is unaware of any 100-year floodplains that would be affected by abandonment.

Information on the proposed abandonment has been provided to the Illinois Department of Natural Resources, the Illinois Environmental Protection Agency, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service and the U.S. Army Corps

of Engineers. See correspondence attached as Appendices G, H, I, J and L. The Army Corps of Engineers has confirmed that a Section 404 permit is not required and that no wetlands will be affected by a discharge of dredged or fill material. See correspondence attached as Appendix L-1. The Illinois Department of Natural Resources indicates that there are no registered Land and Water Reserves in the vicinity of the Heyworth Spur. See correspondence attached as Appendix G-1. Both the Illinois EPA and the U.S. Fish and Wildlife Service indicate that they have no objection to the proposed abandonment. See correspondence attached as Appendices H-1 and J-1.

* * * * *

In addition to the agencies referenced above, IC also has contacted and requested comments from the Illinois Department of Commerce and Community Affairs (acting as the Illinois state clearinghouse) and the National Geodetic Survey. See correspondence attached as Appendices M and N. In a telephone conversation, the Illinois state clearinghouse suggested that IC provide information regarding the abandonment to the Illinois Department of Agriculture and the McLean County Regional Planning Commission. IC has now done so. See correspondence attached hereto as Appendices F and D. By letter dated September 7, 2001, the Illinois state clearinghouse has indicated that the proposed abandonment is apparently not in conflict with the state's plans, policies and priorities. The only comments attached to the clearinghouse's response were from the McLean County Regional Planning Commission. Those comments are discussed above at pages 3-4. Also see correspondence attached hereto as Appendix D-1.

The National Geodetic Survey has identified six geodetic station markers in the vicinity of the Heyworth Spur. See correspondence attached as Appendix N-1. Of these markers, one is located south of the proposed abandonment and off of IC's right-of-way, one is located north of the proposed abandonment, one has been missing since at least 1933, and one is

embedded in a concrete abutment of IC's Kickapoo Creek bridge. As indicated above, IC has no plans to remove or alter that bridge as part of the proposed abandonment of the Heyworth Spur. IC does not foresee disturbance of any of the six markers in connection with the proposed abandonment, and will provide appropriate notification to NGS should any relocation become necessary.

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

1. Map. A map of the Heyworth Spur is attached hereto as Appendix A.
2. Description of Line. The line to be abandoned begins at a connection with IC's existing line at milepost 783.42 in Heyworth, north of the TR 579 crossing and just north of the existing switch into the A.E. Staley facility in Heyworth. From that point, the Heyworth Spur extends in a northerly direction a distance of approximately 3.08 miles to the end of line at milepost 786.5 outside Heyworth, just north of the switch into the former Carter Lumber facility and just south of the TR 157 crossing. An additional 1500 feet of tail track extends north from milepost 786.5. The area has a generally flat or slightly rolling topography and is rural in character. There is a closed commercial business adjacent to the north end of the line; further south the area becomes single-family residential (with some storefront businesses) as the line enters the rural community of Heyworth. An A.E. Staley facility which will retain IC rail service sits adjacent to the south end of the Heyworth Spur.

The width of the Heyworth Spur varies from 74 feet to 200 feet, as follows:

MP 783.32 to MP 783.62	-	100 feet
MP 783.62 to MP 784.00	-	74 feet
MP 784.00 to MP 784.61	-	100 feet
MP 784.61 to MP 784.67	-	Tapers from 100 to 200 feet
MP 784.67 to MP 785.80	-	200 feet
MP 785.80 to MP 786.29	-	100 feet
MP 786.29 to MP 786.37	-	Tapers from 100 to 200 feet
MP 786.37 to MP 786.50	-	200 feet

3. Photographs. Attached as Appendix O are photostatic copies of photographs of a bridge over Kickapoo Creek and two concrete box culverts over intermittent streams. These are the only structures of any kind located on the Heyworth Spur which are 50 years old or older. Color photographs of these structures have been provided to the State Historic Preservation Officer ("SHPO") at the Illinois Historic Preservation Agency. Color copies of the photographs are being provided to the Board's Section of Environmental Analysis.

4. Information on Structures. Information regarding the three structures on the Heyworth Spur which are 50 years old or older is as follows:

<u>Milepost</u>	<u>Name</u>	<u>Length</u>	<u>Year Built</u>	<u>Type</u>
785.4	Kickapoo Creek	77'4"	1921	Concrete abutment with two deck plate girder spans
784.7	Intermittent	73'6"	1926	Double concrete box
784.0	Intermittent	53'3"	1918	Concrete box

None of these structures has any historic value or significance. IC has no current plans to remove or alter these structures in connection with the proposed abandonment.

5. History of Operations. The Heyworth Spur was constructed in 1853-1854 as part of IC's original "Charter Line" between Cairo and Centralia on the south and LaSalle and Freeport to the north. Eventually the Centralia-Freeport line was eclipsed by IC's "branch" from Centralia to Chicago, and the route through Heyworth became a secondary IC route.

The Charter Line was broken as a through route in the early 1980s, and the line north of Heyworth was abandoned in 1983. Illinois Central Gulf Railroad Company -- Abandonment -- In McLean, Woodford, Marshall, LaSalle, Lee, Ogle and Stephenson Counties, IL, Docket No. AB-43 (Sub-No. 100) (ICC served June 17, 1983). Since that time, the Heyworth Spur has functioned as the end of a branch line serviced out of IC's terminal in Clinton, Illinois. In recent years the Heyworth Spur has been utilized only to serve Carter

Lumber, which closed in April, 2001. No operations or maintenance are currently conducted on the Heyworth Spur, and thus no changes are anticipated as a result of this abandonment.

6. Engineering Documents. IC does not possess engineering drawings of the bridge on the Heyworth Spur over Kickapoo Creek.

7. Historic Criteria. Based on readily available information in its possession, IC believes that no site or structure listed in or meeting the criteria for listing in the Natural Register of Historic Places is located on the Heyworth Spur or will be affected by the abandonment. The bridge over Kickapoo Creek and the two concrete box culverts -- the only structures on the line which are 50 years old or older -- are not rare in character, style or composition or otherwise of historic significance. IC also believes that no culturally significant locations, archaeological sites or unique land forms will be affected by the abandonment.

The Illinois Historic Preservation Agency, acting as the state historic preservation office, has confirmed that the proposed abandonment will not have any effect on any historic properties. See correspondence attached as Appendices P and P-1.

8. Ground Disturbances. Based on readily available information in its possession, IC believes that substantial subsurface ground disturbance occurred when the Heyworth Spur was constructed 150 years ago. IC is unaware of any other environmental conditions that might affect the archaeological recovery of resources. Access to the line is generally fair to good.

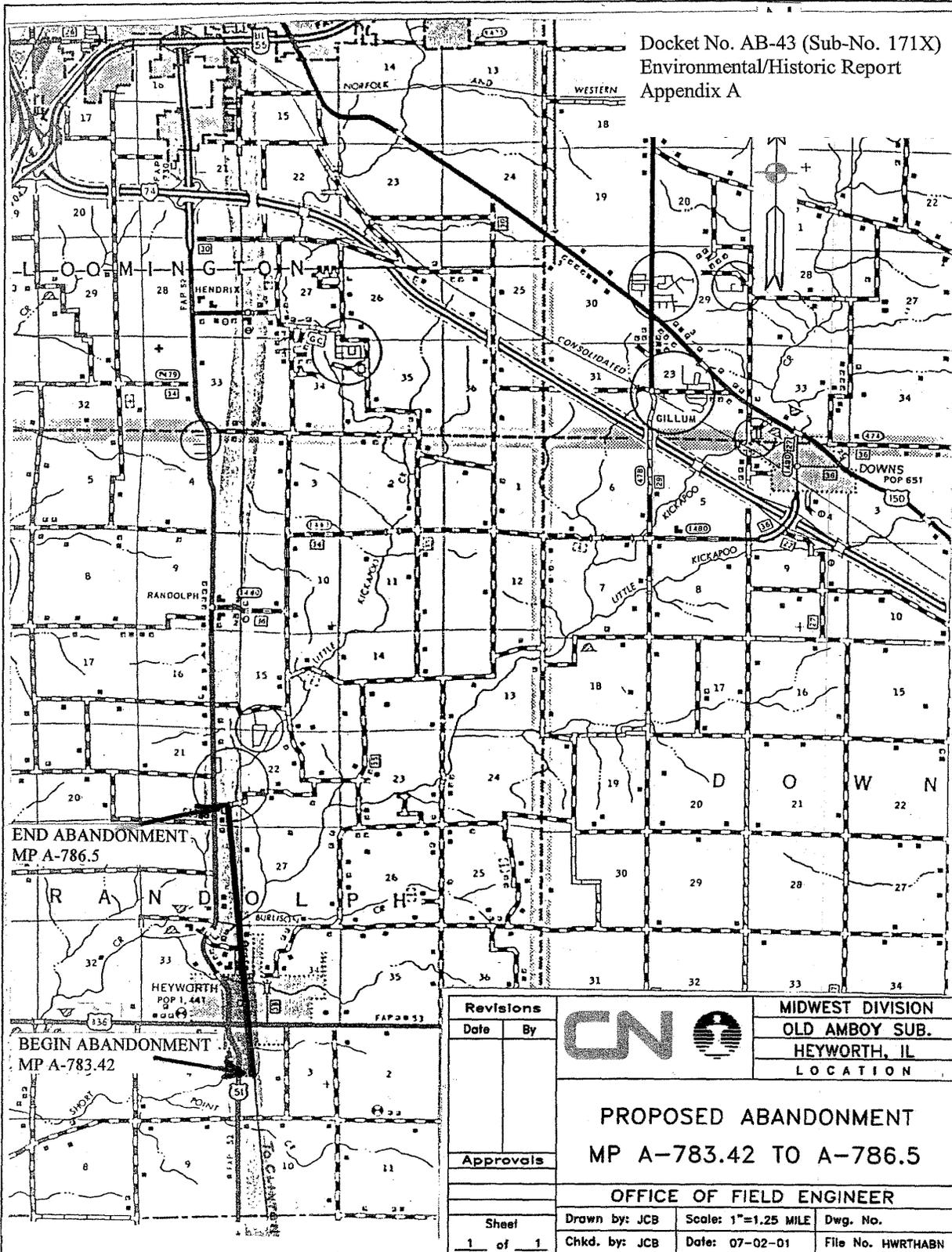
CERTIFICATIONS - 49 C.F.R § 1105.7(c)

A certification that the foregoing Report has been served on each of the agencies designated in 49 C.F.R. § 1105.7(b) and that IC has consulted with all appropriate agencies in

preparing this Report is attached hereto as Appendix Q.⁴ A certification that, in accordance with 49 C.F.R. § 1105.12, IC has published notice of the proposed abandonment in a newspaper of general circulation in the county through which the Heyworth Spur passes is attached hereto as Appendix R.

⁴ IC has received additional agency comments and responses since service of the Report in accordance with 49 C.F.R. § 1105.12. This version of the Report has been updated to reflect those additional responses.

Docket No. AB-43 (Sub-No. 171X)
 Environmental/Historic Report
 Appendix A



END ABANDONMENT
 MP A-786.5

BEGIN ABANDONMENT
 MP A-783.42

Revisions

Date	By

Approvals



MIDWEST DIVISION
 OLD AMBOY SUB.
 HEYWORTH, IL
 LOCATION

PROPOSED ABANDONMENT
 MP A-783.42 TO A-786.5

OFFICE OF FIELD ENGINEER

Drawn by: JCB	Scale: 1"=1.25 MILE	Dwg. No.
Chkd. by: JCB	Date: 07-02-01	File No. HWRTHABN

Sheet
 1 of 1

FLETCHER & SIPPEL LLC

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180 North Stetson Avenue
Chicago, Illinois 60601-6721

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 1, 2001

Ms. Linda M. Wheeler
Director, Office of Planning & Programming
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, Illinois 62764

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Ms. Wheeler:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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

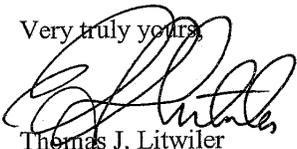
Ms. Linda M. Wheeler
August 1, 2001
Page 2

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

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,

Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

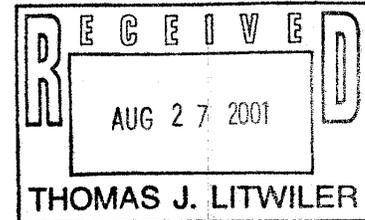
Attachment



Illinois Department of Transportation
2300 South Dirksen Parkway / Springfield, Illinois / 62764

August 24, 2001

Mr. Thomas J. Litwiler
Attorney for Illinois Central Railroad Company
c/o Fletcher & Sippell, LLC
Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, IL 60601-6721



RE: Docket No. AB 43 (Sub-No. 171X)
Illinois Central Railroad Company Abandonment
Exemption – In McLean County, Illinois.

Dear Mr. Litwiler:

Thank you for your letter of August 1, 2001 indicating that on or about September 10, 2001 the Illinois Central Railroad Company (IC) expects to file with the STB a petition for exemption to abandon a line of railroad through Heyworth known as the Heyworth Spur. You assert that this 3.08 mile line serves no active shippers and that as such the impact to the local transportation system is minimal.

The purpose of your letter is to comply with the Surface Transportation Board's regulations at 49 CFR 1105 regarding identifying potential effects the abandonment may have. In addition to the Illinois Department of Transportation, notice was provided to various agencies as required by 49 CFR 1105.7 (b). These agencies included the Illinois State Clearinghouse, the Illinois Environmental Protection Agency, McLean County, US Fish and Wildlife Service and the Army Corps of Engineers.

The interests of this department would lie in regional or local land use plans, regional or local transportation systems and patterns including alternative transportation modes. The interests of this department relate to transportation matters. As there are no shippers on the line we have no comment at this time.

Thank you for your letter.

Sincerely,

A handwritten signature in cursive script that reads 'Linda M. Wheeler'.

Linda M. Wheeler, Director
Planning and Programming

cc: Surface Transportation Board

FLETCHER & SIPPEN LLC

Two Prudential Plaza, Suite 3125
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www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 1, 2001

Mr. Michael F. Sweeney
McLean County Board Chairman
701 Law & Justice Center
104 West Front Street
Bloomington, Illinois 61702

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Sweeney:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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. Michael F. Sweeney

August 1, 2001

Page 2

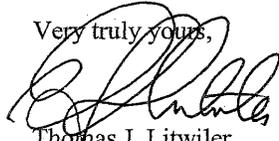
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

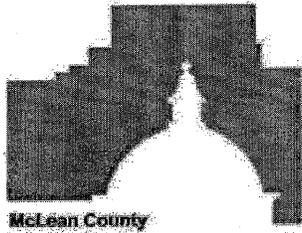
Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment



DEPARTMENT OF PARKS AND RECREATION
(309)726-2022 FAX (309)726-2025 www.mclean.gov
13001 Recreation Area Dr. Hudson, IL 61748-7594

Mr. Thomas Litwiler
Fletcher & Sippel
Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, IL 60601-6721

Sept. 4, 2001

Re: Docket No. AB-43(Sub-No. 171x)

Dear Mr. Litwiler::

In response to your recent inquiry to McLean County Government concerning the proposed abandonment of Illinois Central Railroad Company railway line, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, please find the following answers.

1. Regional or Local Use Plans?

Answer: The adopted McLean County Comprehensive Plan and McLean County Greenways Plan both identify the proposed abandonment as a community greenway and trail development location within and extending from the Village of Heyworth. The County supports the railbanking of this corridor, or abandonment exemption, if converted to a trail and/or other public use within McLean County, consistent with the adopted McLean County Comprehensive Plan and McLean County Greenways Plan.

The McLean County Department of Building and Zoning has experienced difficulties with problem uses established improperly on previously abandoned and segmented railroad right-of-way in other locations in the County. In addition, the Community of Heyworth has reported problem uses along current ROW. Therefore, the County would object to an abandonment exemption, which may lead to such problematic occurrences.

2. Regional or local transportation systems and patterns, including alternative patterns?

Answer: The adopted McLean County Comprehensive Plan and McLean County Greenways Plan both identify the ICG ROW as a future community trail opportunity which would provide for pedestrian and bike access and egress within and to the north of the community, as growth occurs along this corridor.

3. Energy consumption and efficiency?

Answer: The provision for a safe and accessible bike and pedestrian trail within the Heyworth Community may provide a fuel efficient transportation alternative to vehicular use.

4. Air emissions and noise levels?

Answer: The County is not designated "Non-attainment of National Ambient Air Quality Standards". The County does regulate noise in unincorporated areas under Performance Standards which appear in the McLean County Code, Chapter 40, McLean County, Illinois Zoning Ordinance, Article 7, section 710.

5. Bodies of water and overall water quality under applicable federal state or local standards?

Answer: The ROW runs contiguous to and is traversed by the Little Kickapoo Creek and its flood plain. This creek and flood plain have been identified in the McLean County Greenways plan as having considerable timber. The preservation of the entire Little Kickapoo Creek Greenway, including the ICG ROW assists the process of groundwater recharge and provides plant and animal habitat.

6. Designated wetlands and 100-year flood plains?

The ROW runs contiguous with and includes a section of the Little Kickapoo Creek Flood Plain. Wetlands mapping shows PUBG within the ROW and PF01A contiguous to the ROW.

7. Endangered or threatened species and critical habitat?

Answer: The County does not maintain comprehensive records on threatened and endangered species within the County. The proposed abandonment has been identified as a Greenway in the McLean County Greenways Plan with considerable amount of timber and provides a corridor for wildlife habitat, and preserves water quality.

8. Wildlife sanctuaries or refuges and national or state parks or forests?

Answer: The line does not pass adjacent to any known local parks. The County has no parks adjacent to the proposed abandonment.

9. Existing or potential Safety Hazards?

Answer: The County does not maintain comprehensive records on hazardous waste sites or areas of known spills.

10. Coastal Zone Management Areas?

Answer: This proposed abandonment is not within a Coastal Zone Management Area.

11. The need for permits under section 402 or 404 of the Clean Water Act?

Answer: Obtaining new 402 and/or 404 permits or removal of structures at Little Kickapoo Creek may be necessary for new uses for ROW.

If you have additional questions, please feel free to contact me at ph. # 309-726-2022 or e:mail me at bwasson@mclean.gov.

Sincerely,

William R.(Bill) Wasson
Director of Parks and Recreation

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix C-2

FLETCHER & SIPPEL LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

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Fax: (312) 540-9098
www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

January 15, 2002

Mr. Paul E. Russell, AICP
Executive Director
McLean County Regional Planning Commission
211 West Jefferson Street
Bloomington, Illinois 61701

Mr. William R. Wasson
Director
McLean County Department of Parks & Recreation
13001 Recreation Area Drive
Hudson, IL 61748-7594

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Messrs. Russell and Wasson:

Enclosed for your information is a copy of the petition for exemption that Illinois Central Railroad Company ("IC") is filing today with the Surface Transportation Board for the abandonment of IC's Heyworth Spur between milepost 783.42 and milepost 786.5 in McLean County. Under the STB's procedural schedule for abandonments, a decision on IC's petition should be issued by May 6, 2002, and would become effective on June 5, 2002.

In previous correspondence (Mr. Wasson's September 4, 2001 letter to me and Mr. Russell's September 7, 2001 letter to Virginia Bova of the Illinois State Clearinghouse), you expressed interest in a potential rails-to-trails conversation of the Heyworth Spur right-of-way after abandonment. IC intends to reclassify the southernmost 0.8 miles of the Heyworth Spur (from milepost 783.42 to approximately milepost 784.23) as side track to support rail service at the A.E. Staley facility in Heyworth. Accordingly, that segment of the Heyworth Spur right-of-way would not be available for rails-to-trails use.

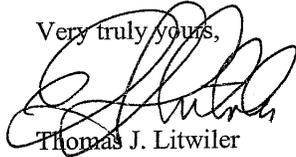
IC is, however, more than willing to discuss sale of the remainder of the Heyworth Spur right-of-way to the county for a trails conversion. Such discussions might also include those portions (if any) of the previously abandoned right-of-way north of the existing Heyworth Spur in which IC retains an interest. The appropriate IC contact for such discussions is Mr. Art Spiros, a former IC employee who is now a Land Sales Consultant for IC. Mr. Spiros can be reached at 708-206-3541.

FLETCHER & SIPPEL LLC

Mr. Paul E. Russell, AICP
Mr. William R. Wasson
January 15, 2002
Page 2

I trust these representations and arrangements satisfy the items addressed in your respective letters. If for some reason that is not the case, please feel free to contact me. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

cc: Mr. Art Spiros
Mr. Jim Kvedaras, CN/IC
Michael J. Barron, Jr., CN/IC

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Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 31, 2001

Mr. Mark Dravillas
Community Planner
McLean County Regional Planning Commission
211 West Jefferson Street
Bloomington, Illinois 61701

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Dravillas:

On or about September 20, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

At the suggestion of the Illinois Department of Commerce and Community Affairs (acting as the Illinois state clearinghouse), and 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 petition for exemption and which describes the proposed action and any expected environmental or historic effects. The Report also includes a map of the affected area. Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects.

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 Section of Environmental Analysis at the following address:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001
(202) 565-1538

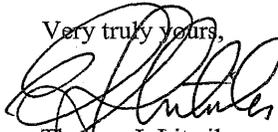
FLETCHER & SIPPEL LLC

Mr. Mark Dravillas
August 31, 2001
Page 2

Your comments should reference Docket No. AB-43 (Sub-No. 171) 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 Section 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Enclosure

FROM : MCRPC

FAX NO. : 309-827-4773

Se Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix D-1



McLEAN COUNTY REGIONAL PLANNING COMMISSION

211 WEST JEFFERSON STREET • BLOOMINGTON, ILLINOIS 61701 • PHONE: 309-828-4331 • FAX: 309-827-4773 • WWW.MCPLAN.ORG

September 7, 2001

Ms. Virginia Bova
Illinois State Clearinghouse
100 W Randolph
Suite 3 - 400
Chicago, IL 60601

Dear Ms. Bova:

In response to the Public Notice SAI 01-081013, of the proposed abandonment of the Illinois Central Railroad company railway line (referred to herein as the Heyworth Spur) extending from Milepost 783.42 to milepost 786.5, this Commission supports the rail banking of this corridor, or abandonment exemptions, if converted to a trail and other public use under a single jurisdiction within McLean County, consistent with the adopted McLean County Regional Comprehensive Plan and McLean County Greenways Plan.

The adopted McLean County Regional Comprehensive Plan and McLean County Greenways Plan both identify the proposed abandonment as a community greenway and trail development location within and extending from the Village of Heyworth. The aforementioned plans also indicate the opportunity to provide pedestrian and bike access and egress within and extending to the north of the community, as growth occurs along this corridor.

The ROW is contiguous with and is traversed by the Little Kickapoo Creek and its flood plain. This creek and flood plain have been identified in the McLean County Greenways plan as having considerable timber. The preservation of the entire Little Kickapoo Creek, including the ICC ROW assist the process of groundwater recharge and provides plant and animal habitat.

Thank you for your consideration of this matter. If you have any questions please contact Lydia Reynolds, Community Planner at (309) 828-4331 or Lydia@mcplan.org

Sincerely,

A handwritten signature in cursive script that reads "Paul E. Russell".

Paul E. Russell, AICP
Executive Director

Richard Buchanan, Chairman • Sharon Meginnis, Vice Chairman • Bill Bartley • Don Fernandes
Scott King • James Pearson • Richard Percy • Jim Rutherford • Janet Smith • Sue Strang

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix D-2

FLETCHER & SIPPEN LLC

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Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

January 15, 2002

Mr. Paul E. Russell, AICP
Executive Director
McLean County Regional Planning Commission
211 West Jefferson Street
Bloomington, Illinois 61701

Mr. William R. Wasson
Director
McLean County Department of Parks & Recreation
13001 Recreation Area Drive
Hudson, IL 61748-7594

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Messrs. Russell and Wasson:

Enclosed for your information is a copy of the petition for exemption that Illinois Central Railroad Company ("IC") is filing today with the Surface Transportation Board for the abandonment of IC's Heyworth Spur between milepost 783.42 and milepost 786.5 in McLean County. Under the STB's procedural schedule for abandonments, a decision on IC's petition should be issued by May 6, 2002, and would become effective on June 5, 2002.

In previous correspondence (Mr. Wasson's September 4, 2001 letter to me and Mr. Russell's September 7, 2001 letter to Virginia Bova of the Illinois State Clearinghouse), you expressed interest in a potential rails-to-trails conversation of the Heyworth Spur right-of-way after abandonment. IC intends to reclassify the southernmost 0.8 miles of the Heyworth Spur (from milepost 783.42 to approximately milepost 784.23) as side track to support rail service at the A.E. Staley facility in Heyworth. Accordingly, that segment of the Heyworth Spur right-of-way would not be available for rails-to-trails use.

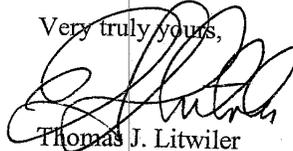
IC is, however, more than willing to discuss sale of the remainder of the Heyworth Spur right-of-way to the county for a trails conversion. Such discussions might also include those portions (if any) of the previously abandoned right-of-way north of the existing Heyworth Spur in which IC retains an interest. The appropriate IC contact for such discussions is Mr. Art Spiros, a former IC employee who is now a Land Sales Consultant for IC. Mr. Spiros can be reached at 708-206-3541.

FLETCHER & SIPPEL LLC

Mr. Paul E. Russell, AICP
Mr. William R. Wasson
January 15, 2002
Page 2

I trust these representations and arrangements satisfy the items addressed in your respective letters. If for some reason that is not the case, please feel free to contact me. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

cc: Mr. Art Spiros
Mr. Jim Kvedaras, CN/IC
Michael J. Barron, Jr., CN/IC

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix E

FLETCHER & SIPPEL LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

August 1, 2001

Mr. William J. Gradle
State Conservationist
USDA Natural Resources Conservation Service
1902 Fox Drive
Champaign, IL 61820

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Gradle:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Flint Old Main so that you may assist us in identifying any potential effects it may have on prime agricultural land as designated by the Natural Resources Conservation Service.

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

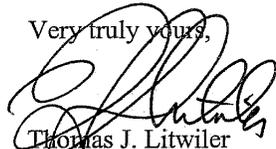
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

FLETCHER & SIPPEL LLC

Mr. William J. Gradle
August 1, 2001
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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment



Natural Resources Conservation Service

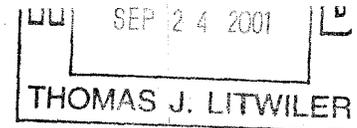
Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix E-1

United States
Department of
Agriculture

1902 Fox Drive
Champaign, IL
61820

September 10, 2001

Thomas J. Litwiler
Attorney for Illinois
Central Railroad Company
Fletcher & Sippel
Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721



RE: Docket No. AB-43 (Sub-No. 171X), Illinois Central Railroad Company - Abandonment
Exemption - In McLean County, Illinois

Dear Mr. Litwiler,

The USDA-Natural Resources Conservation Service has reviewed the Illinois Central Railroad Company abandonment exemption in McLean County, Illinois. We see no detrimental impact to prime agricultural land.

Thank you for the opportunity to comment on this project.

Sincerely,

WILLIAM J. GRADLE
State Conservationist

cc:

Surface Transportation Board, Section of Environmental Analysis, Room 504, Washington, DC
Tony Kramer, Assistant State Conservationist, NRCS, Champaign
Bill Lewis, Planning Team Leader, NRCS, Champaign
Paul Krone, Environmental Specialist, NRCS, Champaign
Kent Bohnhoff, District Conservationist, NRCS, Normal

pk:litwiler.doc

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."

FLETCHER & SIPPEN LLC

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Fax: (312) 540-9098
www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 31, 2001

Mr. Terry Savko
Bureau of Land & Water Resources
Illinois Department of Agriculture
P.O. Box 19281
Springfield, Illinois 62794-9281

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Savko:

On or about September 20, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

At the suggestion of the Illinois Department of Commerce and Community Affairs (acting as the Illinois state clearinghouse), and 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 petition for exemption and which describes the proposed action and any expected environmental or historic effects. The Report also includes a map of the affected area. Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects.

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 Section of Environmental Analysis at the following address:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001
(202) 565-1538

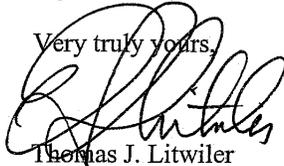
FLETCHER & SIPPEL LLC

Mr. Terry Savko
August 31, 2001
Page 2

Your comments should reference Docket No. AB-43 (Sub-No. 171) 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 Section 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Enclosure

FLETCHER & SIPPEL LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

August 1, 2001

Mr. Kirby Cottrell
Director, Office of Resource Conservation
Illinois Department of Natural Resources
600 North Grand Avenue West
Springfield, Illinois 62701

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Cottrell:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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. Kirby Cottrell
August 1, 2001
Page 2

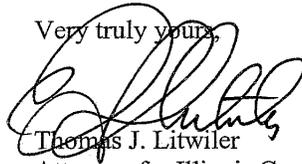
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

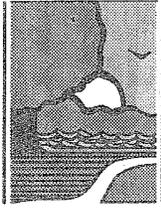
Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment



Illinois
Department of
Natural Resources

524 South Second Street, Springfield, Illinois 62701-1787

September 27, 2001

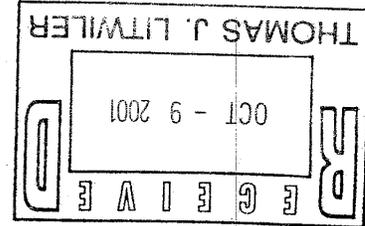
George H. Ryan, Governor • Brent Manning, Director

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix G-1

Code # 0106754

<http://dnr.state.il.us>

Mr. Thomas Litwiler
Fletcher & Sippel, L.L.C.
Two Prudential Plaza, Suite 3125
180 North Stetson
Chicago, IL 60601-6721



RE: **Illinois Central Railroad Co., Docket No. AB-43 (Sub-No. 171X), McLean County
Endangered Species Consultation Program
Natural Heritage Database Review # 0106754**

Dear Mr. Litwiler:

Thank you for submitting this railroad abandonment project for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The Natural Heritage Database contains no records of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves or registered Land and Water Reserves in the vicinity of the 3.08 mile abandonment corridor. **Consultation is terminated.** Termination does not imply the Department's authorization or endorsement. Consultation may be re-opened if information or potential impacts, not previously considered, are brought to our attention. Consultation is valid for no more than two years; if the project has not been implemented by then, a new consultation will be necessary.

The Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of significant natural features in any specific location; consultation cannot replace detailed site surveys. Should a protected resource be encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Should you need additional information regarding the consultation process, or should you have any questions, please do not hesitate to contact me.

Sincerely,

Rick Pietruszka, Project Manager
Endangered Species Consultation Program
Division of Natural Resource Review and Coordination
Ph. (217) 785-5500
Fax (217) 557-0728

cc: Surface Transportation Board, Section of Environmental Analysis

FLETCHER & SIPPEN LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

August 1, 2001

Mr. Thomas V. Skinner
Director
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, Illinois 62794-9276

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Skinner:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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. Thomas V. Skinner
August 1, 2001
Page 2

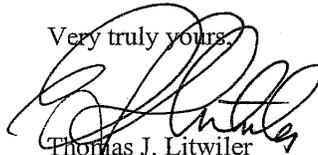
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

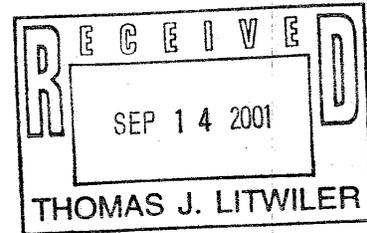
1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

217/782-0547

September 7, 2001

Mr. Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company
Fletcher & Sippel
Two Prudential Plaza, Suite 3125
Chicago, Illinois 60601-6721



Re: Docket No. AB-43 (Sub-No. 171X)
Illinois Central Railroad Company – Abandonment
Exemption – In McLean County

Dear Mr. Litwiler:

Thank you for the opportunity to comment on the Illinois Central Railroad Company Abandonment Exemption in McLean County.

The Agency has no objection to the project described in your letter of August 1, 2001. However, we would like to remind you that any railroad ties removed during this project should be recycled, reused or delivered to a permitted disposal facility.

Sincerely,

A handwritten signature in cursive script that reads "Bernard P. Killian".

Bernard P. Killian
Deputy Director

GEORGE H. RYAN, GOVERNOR

FLETCHER & SIPPEL LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 1, 2001

Mr. Francis X. Lyons
Regional Administrator, Region 5
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604-3507

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Lyons:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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. Francis X. Lyons
August 1, 2001
Page 2

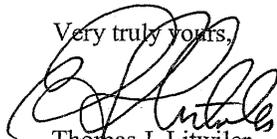
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

August 1, 2001

Mr. Richard C. Nelson
Field Supervisor
U.S. Fish & Wildlife Service
4469 48th Avenue Court
Rock Island, Illinois 61201

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Nelson:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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. Richard C. Nelson
August 1, 2001
Page 2

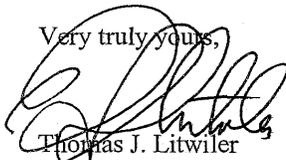
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Because of the extremely limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix J-1

FLETCHER & SIPPEL LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 1, 2001

Mr. Richard C. Nelson
Field Supervisor
U.S. Fish & Wildlife Service
4469 48th Avenue Court
Rock Island, Illinois 61201

NO OBJECTION
U.S. Fish & Wildlife Service
Rock Island, Illinois

J. G. Miller 9/26/01
Supervisor — Date

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company – Abandonment
Exemption – In McLean County, Illinois

Dear Mr. Nelson:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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;

AUG -6 2001

FLETCHER & SIPPEL LLC

Mr. Richard C. Nelson
August 1, 2001
Page 2

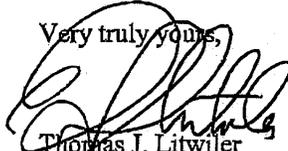
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEN LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 1, 2001

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
1849 C Street, N.W.
Washington, DC 20240

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. Shaddox:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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;
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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. William D. Shaddox
August 1, 2001
Page 2

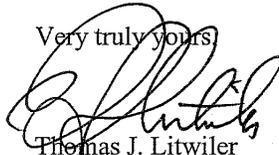
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

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Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment

FLETCHER & SIPPEN LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 1, 2001

U.S. Army Corps of Engineers
Rock Island District, Regulatory Division
Attn: CEMVR-OD-S
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61201-2004

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Sir or Madam:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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

U.S. Army Corps of Engineers
August 1, 2001
Page 2

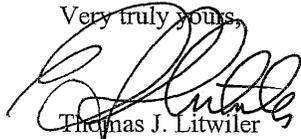
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix L-1

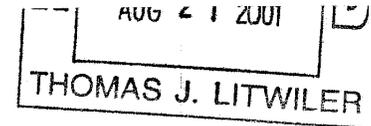


REPLY TO
ATTENTION OF:

Operations Division

DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

August 14, 2001



SUBJECT: CEMVR-OD-P-414640

Mr. Thomas Litwiler
Fletcher and Sippel LLC
Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601

Dear Mr. Litwiler:

Our office reviewed your letter dated August 6, 2001, concerning the proposed abandonment of an Illinois Central Railroad line, known as the Heyworth Spur, located in Section 3, Township 21 North, Range 2 East and Sections 22, 27 and 34, Township 22 North, Range 2 East, McLean County, Illinois.

We determined your project as proposed does not require a Department of the Army (DA) Section 404 permit. Our office reviewed the information provided to us. 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.

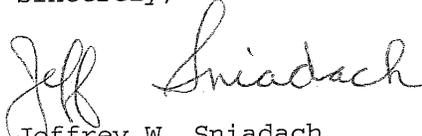
You are advised that this determination for your project is valid for five years from the date of this letter. If the project is not completed within this five-year period or your project plans change, you should contact our office for another determination.

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.

-2-

Should you have any questions, please contact our
Regulatory Branch by letter, or telephone me at
309/794-5369

Sincerely,



Jeffrey W. Sniadach
Project Manager
Enforcement Section

Copies Furnished:

Mr. Bob Dalton
Illinois Department of Natural Resources
Lincoln Tower Plaza, 524 South Second Street
Springfield, Illinois 62701-1787

Mr. Bruce Yurdin
Manager, Permit Section #15
Watershed Management Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

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

FLETCHER & SIPPEL LLC

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Fax: (312) 540-9098
www.fletcher-sippel.com

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

August 1, 2001

Ms. Virginia Bova
Single State Point of Contact
Illinois Department of Commerce and
Community Affairs
100 West Randolph, Suite 3-400
Chicago, Illinois 60601

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Ms. Bova:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Heyworth Spur 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;
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7. Endangered or threatened species and critical habitats;

FLETCHER & SIPPEL LLC

Ms. Virginia Bova
August 1, 2001
Page 2

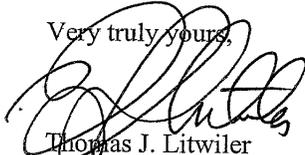
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment

September 7, 2001

Mr. Thomas J. Litwiler
Fletcher & Sippel, LLC
Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, IL 60601

SAI: 01-081013
REGION: 04
CFDA #
TITLE: Illinois Central Railroad Company - Abandonment
Exemption/McLean County, Illinois - Docket No.
AB-43 (Sub-No. 171 X)



**SINGLE POINT
OF CONTACT**

*Illinois State
Clearinghouse*

Administered by the
**Illinois Department
of Commerce and
Community Affairs**

James R. Thompson Center
100 West Randolph
Suite 3-400
Chicago, IL 60601
312/814-6028
FAX: 312/814-8485
TDD: 312/419-0667

George H. Ryan
Governor

Pam McDonough
Director

The Illinois State Clearinghouse has processed the subject notification pursuant to Federal Executive Order 12372. Representatives of State, regional and local organizations whose activities might be affected by action on this project have been provided an opportunity for review and comment.

Based on the information provided and responses of interested parties, it has been determined that:

___ No comments were received during the 30-day review period, which indicates that the proposed project is apparently not in conflict with the State's plans, policies and priorities.

X The comments received during the 30-day review period indicate that the proposed project is apparently not in conflict with the State's plans, policies and priorities. However, the attached comment(s) and/or recommendations(s) should be taken into consideration by the applicant and the funding agency.

___ The comments received during the 30-day review period indicate that the proposed project is not in conflict with the State's plans, policies and priorities provided the provision(s) outlined in the attachment(s) is/are met.

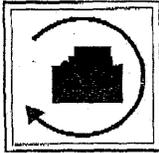
___ The comments received during the 30-day review period indicate that the proposed project is in conflict with the plans, policies and priorities of the State. See attachment(s) for further explanation.

This notice neither waives the necessity to obtain, nor excuses the failure to obtain, any additional notification, approval, permit, license, contract, right, or other arrangement which may be required for this project. The funding agency will conduct a programmatic review which is separate and distinct from this Executive Order 12372 review.

This letter is valid for two years from this date. However, any updated documents must be submitted to the State Clearinghouse if revision, continuation, or augmentation is sought for the project. Please reference the State Application Identifier (SAI) number in any future correspondence concerning this project.

Thank you for participating in the State Clearinghouse process. We wish you every success in your endeavors.

Virginia Bova
Virginia Bova
Coordinator/Single Point of Contact

**MCLEAN COUNTY REGIONAL PLANNING COMMISSION**211 WEST JEFFERSON STREET • BLOOMINGTON, ILLINOIS 61701 • PHONE: 309-828-4331 • FAX: 309-827-4773 • WWW.MCPLAN.ORG

September 7, 2001

Ms. Virginia Bova
Illinois State Clearinghouse
100 W Randolph
Suite 3 - 400
Chicago, IL 60601

Dear Ms. Bova:

In response to the Public Notice SAI 01-081013, of the proposed abandonment of the Illinois Central Railroad company railway line (referred to herein as the Heyworth Spur) extending from Milepost 783.42 to milepost 786.5, this Commission supports the rail banking of this corridor, or abandonment exemptions, if converted to a trail and other public use under a single jurisdiction within McLean County, consistent with the adopted McLean County Regional Comprehensive Plan and McLean County Greenways Plan.

The adopted McLean County Regional Comprehensive Plan and McLean County Greenways Plan both identify the proposed abandonment as a community greenway and trail development location within and extending from the Village of Heyworth. The aforementioned plans also indicate the opportunity to provide pedestrian and bike access and egress within and extending to the north of the community, as growth occurs along this corridor.

The ROW is contiguous with and is traversed by the Little Kickapoo Creek and its flood plain. This creek and flood plain have been identified in the McLean County Greenways plan as having considerable timber. The preservation of the entire Little Kickapoo Creek, including the ICC ROW assist the process of groundwater recharge and provides plant and animal habitat.

Thank you for your consideration of this matter. If you have any questions please contact Lydia Reynolds, Community Planner at (309) 828-4331 or Lydia@mcplan.org

Sincerely,

A handwritten signature in cursive script that reads "Paul E. Russell".

Paul E. Russell, AICP
Executive Director

Richard Buchanan, Chairman • Sharon McGinnis, Vice Chairman • Bill Bartley • Don Fernandes
Scott King • James Pearson • Richard Percy • Jim Rutherford • Janet Smith • Sue Strang

FLETCHER & SIPPEN LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

August 1, 2001

Mr. Edward J. McKay
Chief, Spatial Reference System Division
National Geodetic Survey
National Oceanic and Atmospheric
Administration
1315 East West Highway, Room 8813
Silver Spring, Maryland 20910-3282

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Mr. McKay:

On or about September 10, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. A map showing the location of the line to be abandoned is attached for your reference. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

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FLETCHER & SIPPEL LLC

Mr. Edward J. McKay
August 1, 2001
Page 2

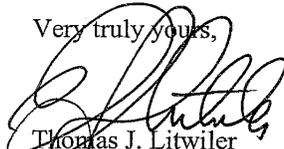
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11. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the extremely 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-43 (Sub-No. 171X) and be sent to the undersigned, as counsel for IC, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001.

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 IC's petition for 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Attachment



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

August 21, 2001

Ms. Victoria J. Rutson
Chief, Section of Environmental
Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix N-1

THOMAS J. LITWILE

Dear Ms. Rutson:

The area in question on the map attached to a letter dated August 1, 2001, enclosed, concerning a proposed abandonment of 3.08 miles of Illinois Central Railroad Co. rail line, from milepost 783.42 to milepost 786.5, known as the Heyworth Spur, in Heyworth, McLean County, Illinois, STB Docket No. AB-43 (Sub-No. 171X), has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, six geodetic station markers have been identified that may be affected by the proposed abandonment; a listing of these markers is enclosed. Additional information about these station markers can be obtained via the Internet or NGS CD-ROM. A fact sheet for these two data retrieval methods is enclosed. If there are any planned activities which could disturb or destroy these markers, NGS requires not less than 90 days' notification in advance of such activities in order to plan for their relocation.

If further information is needed about these geodetic station markers, my address is NOAA, N/NGS2, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3191, fax: 301-713-4324, e-mail: Ed.McKay@noaa.gov.

Sincerely,

Edward J. McKay
Chief, Spatial Reference
System Division

Enclosures

cc: ~~T. Litwiler - Fletcher & Sippel LLC~~
N/NGS1x1: C. Pearson



Printed on Recycled Paper



ILLINOIS CENTRAL RAILROAD COMPANY

McLEAN COUNTY, ILLINOIS

STB DOCKET NO. AB-43 (SUB-NO. 171X)

SIX GEODETIC CONTROL MARKS IN THE PROPOSED ABANDONMENT AREA

PID	DESIGNATION	LATITUDE	LONGITUDE
LC0473	U 258	N401747	W0885825
LC1817	HEYWORTH	N401812	W0885828
LC0470	R 7 RESET 1961	N401851	W0885832
LC0468	S 258	N401938	W0885841
LC0467	R 258	N402003	W0885844
LC0466	D 259	N402041	W0885849



**NATIONAL GEODETIC SURVEY
NEWS FLASH**



LOOK FOR US ON THE WORLD WIDE WEB

Just point your Web browser to: <http://www.ngs.noaa.gov>

There you'll find a wealth of information on our data products, software programs, user services, and links to other helpful sites on the Web.

USE OUR ELECTRONIC BULLETIN BOARD

With a personal computer, modem, and basic communications software you now have direct access to:

- ▶ *Up-to-date National Spatial Reference System (NSRS) information,*
- ▶ *Software programs for using geodetic data,*
- ▶ *Global Positioning System (GPS) orbit data,*
- ▶ *Listings of publications on geodesy, photogrammetry, and related topics,*
- ▶ *Information on technical workshops and advisory services,*
- ▶ *A directory for contacting NGS personnel, and*
- ▶ *A direct link to order data products that are not available on-line (available soon).*
- ▶ ***There is no access fee (other than the phone call).***

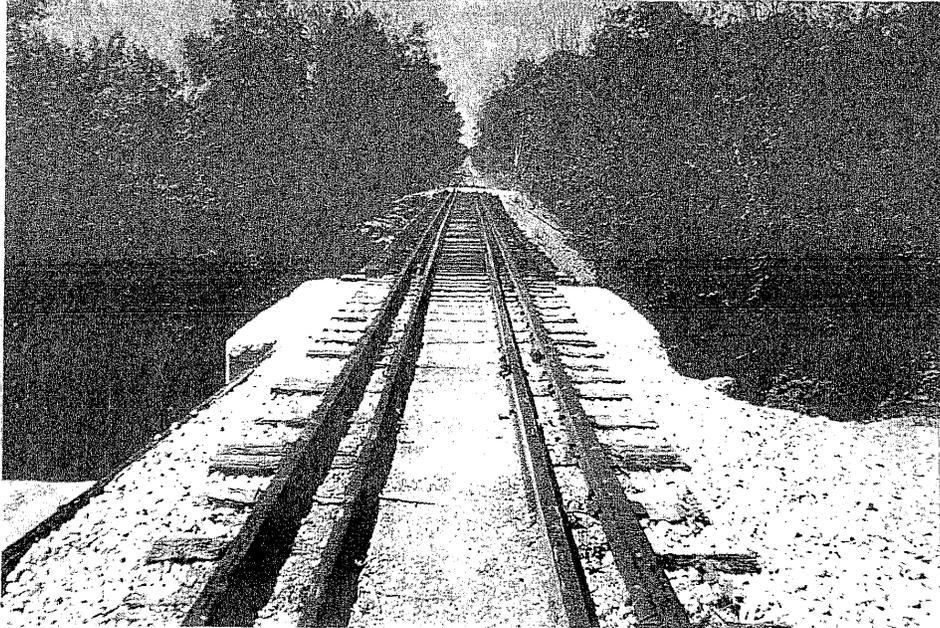
Bulletin Board Phone: (301) 713-4181; 713-4182
Systems Operator: Andre Harrison
Phone: (301) 713-3257
Fax: (301) 713-4176

Communication Settings:
Baud Rates: 300-14,400
Bits: 8; Parity: N
Stop Bit: 1; Full Duplex

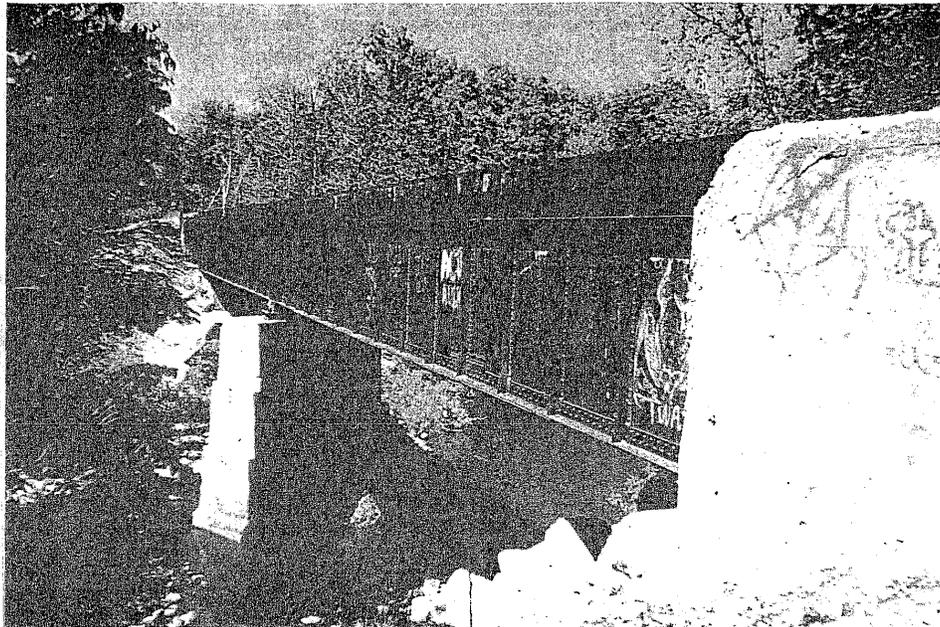
OUR ENHANCED CD-ROM DATA SHEET IS NOW AVAILABLE

- ▶ *Includes position and height information for the entire United States on five compact discs, organized by regions and updated annually,*
- ▶ *Includes new data files, such as calibration base line data,*
- ▶ *Includes program DSX, for extracting control points of a given type and/or accuracy within a specified radius, rectangular area, station name, or station identifier (PID),*
- ▶ *Enhanced CD-ROM also includes the following two software programs: DSSELECT, to make customized data listings from NGS CD-ROM data sheet files, (especially helpful for developing geographic information systems), and DSPLOT, to display the extracted data graphically on the terminal screen.*

For more information on NGS' products and services, contact:
NOAA, National Geodetic Survey, N/NGS12
1315 East-West Highway, Station 09202
Silver Spring, MD 20910
Telephone: (301) 713-3242; Fax: (301) 713-4172
Monday through Friday, 7:00 a.m. - 4:30 p.m., Eastern Time



*Heyworth, IL - Bridges/Structures - Bridge MP A 785.4 Kickapoo Creek
Looking north*



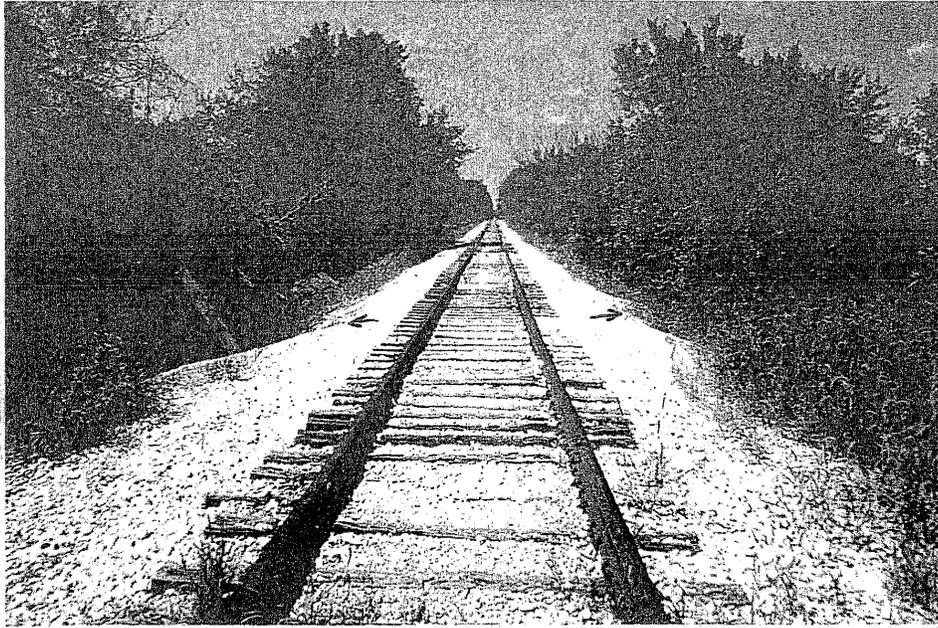
Heyworth - Bridges/Structures - Bridge MP A 785.4 Kickapoo Creek - West Side



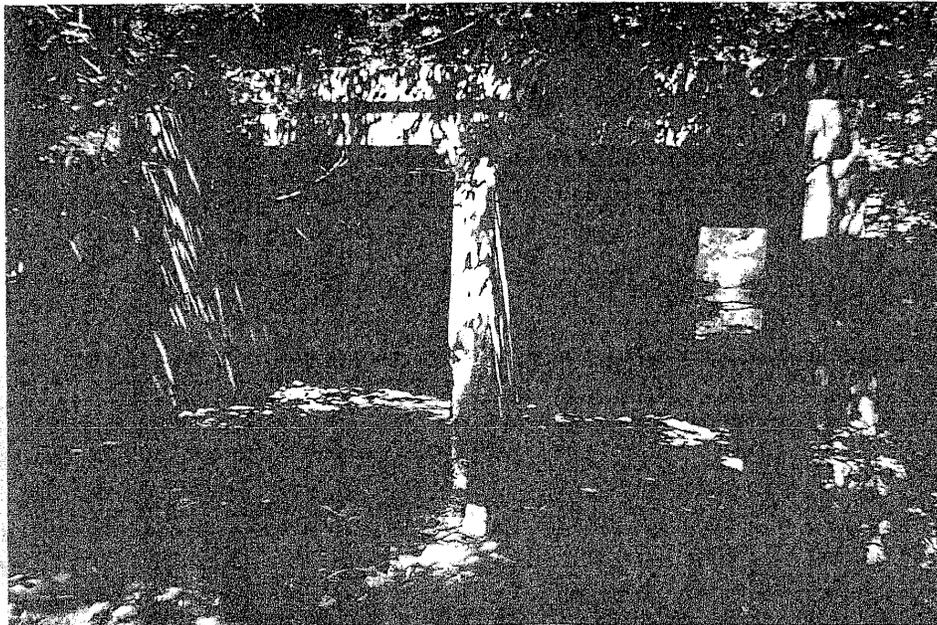
*Heyworth - Bridges/structures - Concrete Box MP A 784.0 - Looking south
(dotted arrows indicate location)*



Heyworth, IL - Bridges/structures - Concrete Box MP A 784.0 (West Side)



Heyworth - Bridges/Structures - Concrete Box MP A 784.7 - looking north



Heyworth - Bridges/Structures - Concrete Box MP A 784.7 - West Side

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix P

FLETCHER & SIPPET LLC

Two Prudential Plaza, Suite 3125
180 North Stetson Avenue
Chicago, Illinois 60601-6721

Thomas J. Litwiler
(312) 540-9440
tlitwiler@fletcher-sippel.com

Phone: (312) 540-0500
Fax: (312) 540-9098
www.fletcher-sippel.com

August 31, 2001

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

Re: **Docket No. AB-43 (Sub-No. 171X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In McLean County, Illinois

Dear Ms. Haaker:

On or about September 20, 2001, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board a petition for exemption for the abandonment of IC's line of railroad, referred to herein as the Heyworth Spur, extending from milepost 783.42 to milepost 786.5, a distance of approximately 3.08 miles, in Heyworth, McLean County, Illinois. The petition for exemption will be filed pursuant to 49 U.S.C. § 10502 and 49 C.F.R. §§ 1121 and 1152.60. No active shippers remain on the stub-ended Heyworth Spur, and no rail service is currently provided on the line. After abandonment, certain rail and track materials will be removed from the line.

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 petition for exemption and which describes the proposed action and any expected environmental or historic effects. The Report also includes a map of the affected area.

There are three structures on the Heyworth Spur which are 50 years old or older. Information regarding these structures is provided on page 9 of the Environmental/Historic Report, and original color photographs of the structures are included as Appendix O to the Report. IC does not believe that these structures are rare in character or of historic significance. IC also is unaware of any historic site involved in the proposed abandonment.

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 Section of Environmental Analysis at the following address:

FLETCHER & SIPPEL LLC

Ms. Anne E. Haaker
August 31, 2001
Page 2

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001
(202) 565-1538

Your comments should reference Docket No. AB-43 (Sub-No. 171) 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 Section 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 312-540-9440. Thank you for your assistance on this matter. Kind regards.

Very truly yours,

Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

Enclosure



Illinois Historic
Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

Docket No. AB-43 (Sub-No. 171X)
Environmental/Historic Report
Appendix P-1

THOMAS J. LITWILER

McLean County
Heyworth
Unknown
F&S - AB-43 (Sub-No 171X)
Abandon Line of Railroad

Please refer to: IHPA LOG #0109050023HML

September 26, 2001

Thomas J. Litwiler
Fletcher & Sippel, LLC
Attorney
2 Prudential Plaza, Suite 3125
180 N. Stetson Ave
Chicago, IL 60601-6721

Dear Sir:

Thank you for requesting comments from our office concerning the possible effects of the referenced project on cultural resources. Our comments are required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties".

Our staff has reviewed the specifications and assessed the impact of the project as submitted by your office. We have determined, based on the available information, that this project, as proposed, will have no effect on any Historic Properties. We, therefore, have no objection to the undertaking proceeding as planned.

Please submit a copy of this letter with your application to the state or federal agency from which you obtain any permit, license, grant, or other assistance. Please retain this letter in your files as evidence of compliance with Section 106 of the National Historic Preservation Act of 1966, as amended.

Sincerely,

Anne E. Haaker
Deputy State Historic
Preservation Officer

AEH:EGH:jrm

CERTIFICATE OF SERVICE

I hereby certify that Illinois Central Railroad Company has consulted with all appropriate agencies in preparing the foregoing Environmental/Historic Report and that on August 31, 2001 a copy of the foregoing report was served by first class mail, postage prepaid, upon each of the following agencies as designated in 49 C.F.R. § 1105.7(b):

Ms. Virginia Bova
State Single Point of Contact
Illinois Department of Commerce and
Community Affairs
100 West Randolph, Suite 3-400
Chicago, IL 60601

Ms. Linda M. Wheeler
Director, Office of Planning & Programming
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

Mr. Thomas V. Skinner
Director
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62794-9276

Mr. Kirby Cottrell
Director, Office of Resource Conservation
Illinois Department of Natural Resources
600 North Grand Avenue West
Springfield, IL 62701

Mr. Jeffrey W. Sniadach
Project Manager, Enforcement Section
Rock Island District, Operations Division
U.S. Army Corps of Engineers
Clock Tower Building, P.O. Box 2004
Rock Island, IL 61201-2004

Mr. Richard C. Nelson
Field Supervisor
U.S. Fish & Wildlife Service
4469 48th Avenue Court
Rock Island, IL 61201

Mr. Francis X. Lyons
Regional Administrator, Region 5
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604-3507

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
1849 C Street, N.W.
Washington, DC 20240

Mr. Edward J. McKay
Chief, Spatial Reference System Division
National Geodetic Survey
National Oceanic and Atmospheric
Administration
1315 East West Highway, Room 8813
Silver Spring, MD 20910-3282

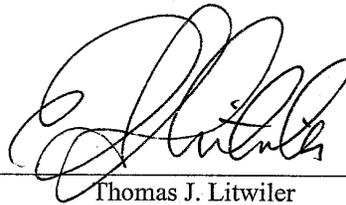
Mr. Michael F. Sweeney
McLean County Board Chairman
701 Law & Justice Center
104 West Front Street
Bloomington, IL 61702

Mr. Mark Dravillas
Community Planner
McLean County Regional Planning Commission
211 West Jefferson Street
Bloomington, IL 61701

Mr. Terry Savko
Bureau of Land & Water Resources
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281

Mr. William J. Gradle
State Conservationist
USDA Natural Resources Conservation Service
1902 Fox Drive
Champaign, IL 61820

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



Thomas J. Litwiler

Dated: January 15, 2002

Notice of Intent to Abandon Rail Service - Illinois Central Railroad Company
 Illinois Central Railroad Company (IC) gives notice that on or about October 9, 2001, it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10503 permitting the abandonment of approximately 3.08 miles of rail line between milepost 783.42 and milepost 786.5 in Heyworth, McLean County, Illinois. The line to be abandoned traverses United States Postal Service ZIP Code 61745. The proceeding will be docketed as No. AB-43 (Sub-No. 1713).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 60 days after the filing of the petition for abandonment. Comments on environmental and energy matters should be filed no later than 30 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 Section of Environmental Analysis, Surface Transportation Board, Washington, DC 20423, or by calling that office at 202-565-1838.

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 the Secretary, 1925 K Street, N.W., Washington, DC 20423. (See 49 C.F.R. 1104.1(a) and 1104.3(a)) and one copy must be served on IC's representative (see 49 C.F.R. 1104.12(a)). Questions regarding offers of financial assistance, public use, or trails use may be directed to the Board's Office of Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on IC's representative at the following address:

Thomas J. Litwiler, Esq.
 Fletcher & Sippel LLC
 Two Prudential Plaza,
 Suite 3125
 180 North Stetson Avenue
 Chicago, Illinois 60601-6721
 (312)540-9440

**Certificate of Publication in
 THE PANTAGRAPH**

STATE OF ILLINOIS
 COUNTY OF MCLEAN
 CITY OF BLOOMINGTON—ss.

PANTAGRAPH PUBLISHING CO. hereby certifies that it is now and has been for more than one year continuously, d/b/a THE PANTAGRAPH, a daily secular newspaper of general circulation in said County, printed and published in the City, County and State aforesaid, and further certifies that said newspaper has been continuously published at regular intervals of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that THE PANTAGRAPH is a newspaper as defined by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that a notice of which the annexed notice is a true copy, has been regularly published in said paper

time _____
 for _____ successive _____
 The first publication on the 4th
 day of October 2001
 and the last publication on the _____
 day of _____ 20 _____

IN WITNESS WHEREOF, THE SAID PANTAGRAPH PUBLISHING CO. d/b/a THE PANTAGRAPH has caused its name to be hereunto signed by its Publisher, Financial Director, Accounting Manager on this 9th day of October 2001

PANTAGRAPH PUBLISHING CO.
 d/b/a THE PANTAGRAPH
 By Franco E. Barth
 Its Accounting Manager
 Printer's Fees \$ 156.64
 Paid _____ 20 _____
 Ad Number 3870

VERIFICATION

State of Illinois)
)
County of Cook) SS:

James M. Kvedaras, being duly sworn, deposes and says that he is Director - Corporate Development for Canadian National/Illinois Central, of which Illinois Central Railroad Company is a part, that he has read the foregoing Petition for Exemption and knows the facts asserted therein, and that the same are true as stated.

James M. Kvedaras

James M. Kvedaras

SUBSCRIBED AND SWORN to
before me this 10th day
of January, 2002.

Karen A. McCarthy

Notary Public

My Commission expires: 6/24/02



CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2002, a copy of the foregoing **Petition for Exemption of Illinois Central Railroad Company** was served by first class mail, postage prepaid, upon the agencies specified in 49 C.F.R. § 1152.50(d)(1) and all customers formerly shipping or receiving traffic on the line to be abandoned, as follows:

Ms. Linda M. Wheeler
Director, Office of Planning and Programming
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

Military Traffic Management Command
Transportation Engineering Agency
Railroads for National Defense Program
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

Dr. Michael P. Dombeck
Chief of the Forest Service
U.S. Department of Agriculture
Yates Federal Building, 4NW
201 14th Street, S.W.
Washington, DC 20250

Mr. D. Thomas Ross
National Center for Recreation and Conservation
National Park Service
1849 C Street, N.W. MS3622
Washington, DC 20240

Ms. Judy Lee
Real Estate Department
Carter Lumber Company
601 Tallmadge Road
Kent, OH 44240



Thomas J. Litwiler