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September 23, 2005

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

214739

**Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company
Abandonment Exemption in Oklahoma City, OK**

**STB Docket No. AB-1040X, Stillwater Central Railroad, Inc.
Discontinuance of Service Exemption in Oklahoma City, OK**

214740

Dear Mr. Williams:

Enclosed please find an original and 10 copies of Verified Notice of Exemption under 49 C.F.R. § 1152.50, for filing with the Board in the above-referenced matter.

Also enclosed is a check in the amount of \$6,000.00 for the two filing fees.

ENTERED
Office of Proceedings

SEP 23 2005

Part of
Public Record

Very truly yours,

Sidney L. Strickland, Jr.
Attorney for BNSF Railway Company

FEE RECEIVED

SEP 23 2005

SURFACE
TRANSPORTATION BOARD

FILED

SEP 23 2005

SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD



BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN OKLAHOMA COUNTY, OK

DOCKET NO. AB-6
(SUB-NO. 430X)

STILLWATER CENTRAL RAILROAD,
INC. - DISCONTINUANCE OF SERVICE
EXEMPTION - IN OKLAHOMA
COUNTY, OK

DOCKET NO. AB-1040X

FEE RECEIVED

SEP 23 2005

VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1152.50

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Part of
Public Record

SURFACE
TRANSPORTATION BOARD

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

STILLWATER CENTRAL
RAILROAD, INC
123 N. Depot
Cherryvale, KS 67335

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Attorney for BNSF Railway Company

Attorney for Stillwater
Central Railroad, Inc.

DATE FILED: September 23, 2005

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SURFACE
TRANSPORTATION BOARD

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN OKLAHOMA COUNTY, OK**

**DOCKET NO. AB-6
(SUB-NO. 430X)**

**STILLWATER CENTRAL RAILROAD,
INC. – DISCONTINUANCE OF SERVICE
EXEMPTION – IN OKLAHOMA
COUNTY, OK**

DOCKET NO. AB-1040X

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1152.50**

BNSF RAILWAY COMPANY (BNSF) and the STILLWATER CENTRAL RAILROAD, INC (SLWC) (referred to collectively as “Applicants”) jointly file this Verified Notice of Exemption under 49 C.F.R. 1152 Subpart F- Exempt Abandonments and Discontinuances of Service (49 C.F.R. 1152.50) for BNSF to abandonment and SLWC to discontinue service over a rail line that extends between Milepost 539.96 and Milepost 542.91 in Oklahoma City, Oklahoma, within Oklahoma County, Oklahoma (the “Line”).

The Line is depicted in a map that is attached to this Notice as Appendix 1.

Responses to 49 C.F.R. § 1152.50(d)(2):

- I. *Proposed consummation date for the abandonment.*

The proposed consummation date of this abandonment will be at least 50 days from the filing date of September 23, 2005, which is November 12, 2005.

II. *Certification required in 49 C.F.R. § 1152.50(b)*

The required certifications are attached hereto as Appendix 2.

III. *Information required by 49 C.F.R. § 1152.22(a)(1-4), (7) and (8) and (e)(4).*

(a) General

- (1) Exact name of Applicant.

BNSF Railway Company (BNSF) and Stillwater Central Railroad,
Inc. (SLWC)

- (2) *Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.*

Applicants are common carriers by railroad subject to 49 U.S.C.
Subtitle IV, Chapter 105.

- (3) *Relief sought (abandonment of line or discontinuance of service).*

BNSF and SLWC seek to use the class exemption from Surface
Transportation Board approval authorizing the abandonment and
discontinuance of service of the Oklahoma City, Oklahoma line
specified above.

- (4) *Detailed map of the subject line.*

See Appendix 1.

- (7) *Name, title and address of representative of applicant to whom correspondence should be sent:*

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Attorney for BNSF

Attorney for SLWC.

- (8) *List of all United State Postal Service ZIP Codes that the line traverses.*

The Line traverses United States Postal Service Zip Codes 73102, 74108, and 73129.

- (e)(4) *Statement of whether the properties proposed to be abandoned are suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.*

The properties of the proposed abandonment appear to be appropriate for other public purpose, such as trail use or planned interstate highway construction. Based on information in our possession, 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.

IV. *Level of Labor Protection.*

The interests of railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions set forth in *Oregon Short Line RR Co. - Abandonment - Goshen*, 360 I.C.C. 91 (1979).

V. *Certification that Applicants have complied with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11.*

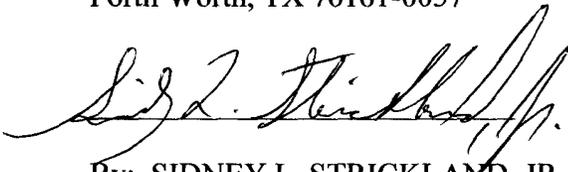
The required certifications are set forth in Appendix 3 to this Notice of Exemption.

VI. *Environmental and Historic Reports.*

A combined Environmental and Historic Report is attached to this Notice of Exemption as Appendix 4.

Respectfully submitted,

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Attorney for Stillwater
Central Railroad, Inc.

DATE FILED: September 23, 2005

APPENDIX 1

Detailed Map of the Subject Line

OKLAHOMA CITY, OKLAHOMA TRACKAGE



MILEPOST 542.91

MILEPOST 539.96

OKLAHOMA CITY

LINE SEGMENT 1003

NORTH

Map labels include: Highley Park, Waterworks, Water Parks, Mark Twain Sch, INTERCHANGE 148, Jolan Park, Grand Ave, Myriad Gardens, Myriad Convention Center, River Park, Westwood Sch, Downtown Airport, Rotary Park, Wheeler Park, Rivers Sch, Perez Park, Wiley Post Park, Substa, Columbus Sch, Jackson High Sch, Watie Sch, Van Buren Sch, Czech Cem, Youngs Park, Rancho Village Sch, South Community Hosp, Hillside, Vineyard Park, Dreyer Park, Lafayette Sch, Capitol Hill High Sch, Sacred Heart Sch, Mount Marys Academy, Heronville Sch, Lee Sch, Grand Ave, 4th St, 7th St, 12th St, 15th St, 18th St, 26th St, 32nd St, 40th St, 44th St, 4th Lane, 14 Lane, 2nd Lane, 1st Lane, 17th St, 16th St, 15th St, 12th St, 11th St, 10th St, 9th St, 8th St, 7th St, 6th St, 5th St, 4th St, 3rd St, 2nd St, 1st St, 1/2 St, 1/4 St, 1/8 St, 1/16 St, 1/32 St, 1/64 St, 1/128 St, 1/256 St, 1/512 St, 1/1024 St, 1/2048 St, 1/4096 St, 1/8192 St, 1/16384 St, 1/32768 St, 1/65536 St, 1/131072 St, 1/262144 St, 1/524288 St, 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APPENDIX 2

Certifications Required in 49 C.F.R. § 1152.50(b)

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

I, Richard A. Batie, being duly sworn depose and state that I am Manager, Network Development in the Network Development Department of the BNSF Railway Company ("BNSF"), that I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief.

In accordance with 49 C.F.R. § 1152.50(b), I hereby certify that, with respect to the line which is the subject of the Notice of Exemption filed in Docket Nos. AB-6 (Sub-No. 430X) and AB-1040X, no local traffic has moved on the line for at least two (2) years prior to the date hereof. Also, the overhead traffic handled on the Line can be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the Line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period.

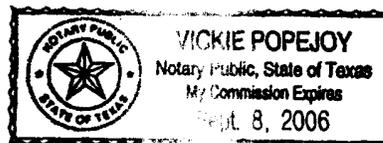
The foregoing certification is made on behalf of BNSF by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned

Richard A. Batie

Richard A. Batie
Manager, Network Development

Subscribed and sworn to
before me the 2nd day of September 2005.

Vickie Popejoy
Notary Public



**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

STATE OF KANSAS)
) ss.
COUNTY OF CRAWFORD)

I, Arthur E. McKechnie III, being duly sworn depose and state that I am Assistant Secretary of Stillwater Central Railroad, Inc. ("SLWC"), that I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief.

In accordance with 49 C.F.R. § 1152.50(b), I hereby certify that, with respect to the line which is the subject of the Notice of Exemption filed in Docket Nos. AB-6 (Sub-No. 430X) and AB-1040X, no local traffic has been handled to or from any customer over the line for at least two (2) years prior to the date hereof. Also, the overhead traffic handled on the line will be rerouted. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period.

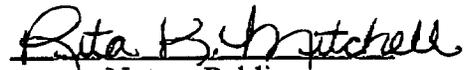
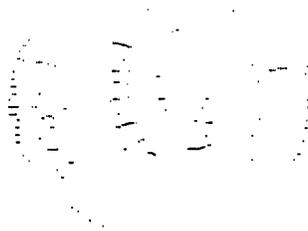
The foregoing certification is made on behalf of SLWC by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned



Arthur E. McKechnie III

SUBSCRIBED AND SWORN TO before me this 23 day of September, 2005, in the County of Crawford, State of Kansas.

My Commission Expires: Feb 12 2009


Notary Public

APPENDIX 3

Certification that Applicants Have Complied with the Notice Requirements of 49 C.F.R.. §§ 1152.50(d)(1) and 1105.11.

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50(d)(1), the undersigned hereby certifies that notice of the proposed abandonment in Docket Nos. AB-6 (Sub. No. 430X) and AB-1040X was mailed via first class mail on September 13, 2005 to the following parties:

Oklahoma Corporation Commission
P.O. Box 52000
Oklahoma City, OK
73152-2000

Military Traffic Management Control
Attn: Railroads for National Defense
720 Thimble Shoals Boulevard, #130
Newport News, VA 23606-2574

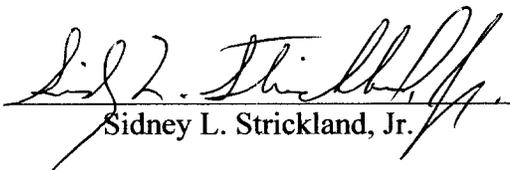
U.S. Department of the Interior
National Park Service
Recreational Resources Assistance Division
1849 C Street, NW
Washington D.C. 20240-0001

Cheryl Echhardt
U.S. National Park Service
12795 W. Alameda Parkway
P.O. Box 25287
Denver, CO 80225-0287

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Yates Building
201 14th Street, SW
Washington, D.C. 20250

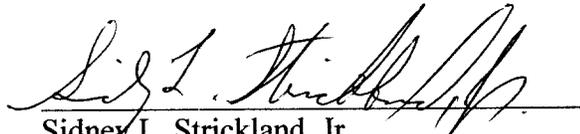
Oklahoma Department of Transportation
Office of Rail Programs and Safety
200 N.E. 21st Street
Oklahoma City, OK 73105

Dated: September 23, 2005


Sidney L. Strickland, Jr.

CERTIFICATION OF COMPLIANCE WITH THE
NEWSPAPER PUBLICATION REQUIREMENTS
OF SECTION 49 C.F.R. § 1105.12

The undersigned certifies that a "Notice of Intent to Abandon or Discontinue Rail Service" was published in the form prescribed by the Board for out of service abandonment exemptions. The notice was published one time in the following newspaper of general circulation in Oklahoma City, Oklahoma. Publication of notice was accomplished on September 15, 2005 in the *Oklahoman*. An affidavit of publication is attached.


Sidney L. Strickland, Jr.
Sidney Strickland And Associates, PLLC
3050 K Street, NW
Suite 101
Washington, DC 2007
Phone: (202) 295-4024
Fax: (202) 672-5499

STB Docket No. AB-6
 Sub-No. 4300
 STB Docket No. AD-1040X
 NOTICE OF INTENT TO
 ABANDON AND
 DISCONTINUE
 RAIL SERVICE
 TRUCK RAILWAY COMPANY
 (TRNSP) AND STILLWATER
 CENTRAL RAILROAD, INC.
 (SRWC) give notice that on or
 about September 23, 2005,
 they intend to file with the
 Surface Transportation
 Board (the Board), Wash-
 ington, DC 20423, a joint no-
 tice of exemption under 49
 CFR 1152 Subpart FEA-
 except Abandonment permit-
 ting the abandonment of the
 2.35 miles of railroad line be-
 tween Milepost 525.75 and
 Milepost 542.91 in Oklahoma
 City, Oklahoma. SRWC has a
 certificate of leased track-
 age and trackage rights over
 the line proposed for aban-
 donment per which SRWC
 will discontinue service. The
 mile trainees through
 United States Postal Service
 ZIP Codes 73102, 73108 and
 73109. The proceeding will
 be docketed as STB Docket
 No. AB-6 Sub-No. 4300 and
 STB Docket No. AD-1040X.
 The Board's Section of Envi-
 ronmental Analysis will gen-
 erally prepare an Environ-
 mental Assessment (EA),
 which will normally be avail-
 able 25 days after the filing
 of the notice of exemption.
 Comments on environmental
 and energy matters should
 be filed no later than 15 days
 after the EA becomes avail-
 able to the public and will be
 addressed in a Board deci-
 sion. Interested persons may
 obtain a copy of the EA or
 make inquiries regarding en-
 vironmental matters by writ-
 ing to the Section of Environ-
 mental Analysis, Surface
 Transportation Board, Wash-
 ington, DC 20423 or by call-
 ing that office at
 202-583-1545.
 Appropriate offers of finan-
 cial assistance to continue
 rail service can be filed with
 the Board. Requests for en-
 vironmental conditions, pub-
 lic use conditions, or rail
 banking/trails use also can
 be filed with the Board. An
 original and 10 copies of any
 proceeding that raises matters
 other than environmental is-
 sues such as title use, pub-
 lic use, and offers of financial
 assistance must be filed di-
 rectly with the Board's Office
 of the Secretary, 1925 K
 Street, N.W., Washington,
 DC 20422-0001 (See 49 CFR
 1104.101 and 1104.301, and
 one copy must be served on
 applicant's representative
 (See 49 CFR 1104.123).
 Questions regarding offers of
 financial assistance, public
 use or title use then be di-
 rected to the Board's Office
 of Congressional and Public
 Service at 202-585-1592.
 Copies of any comments or
 requests for conditions
 should be served on the ap-
 plicant's representative: Sid-
 ney L. Strckland, Jr., Sidney
 Strckland and Associates,
 PLLC, 3950 K Street, Suite
 101, Washington, DC
 20007-5108, (202) 235-4024.

STATE OF OKLAHOMA,
 COUNTY OF OKLAHOMA } SS.

Affidavit of Publication

Helen L. Boswell _____ of lawful age, being first duly sworn, upon

oath deposes and says that she/he is the Classified Legal Notice Admin
 of The Oklahoma Publishing Company, a corporation, which is the publisher of *The
 Oklahoman* which is a daily newspaper of general circulation in the State of
 Oklahoma, and which is a daily newspaper published in Oklahoma County and
 having paid general circulation therein; that said newspaper has been continuously
 and uninterrupted published in said county and state for a period of more than one
 hundred and four consecutive weeks next prior to the first publication of the notice
 attached hereto, and that said notice was published in the following issues of said
 newspaper, namely:

SIDNEY STRCKLAND & ASSOCIATE
 687791 - Metro
 Published on 09/15/2005

Helen L. Boswell

Subscribed and sworn to before me this 21st day of September, 2005.

Deanna Featherston

 Notary Public

My commission expires April 1, 2009



CERTIFICATION PURSUANT TO 49 C.F.R.1105.7(c) and 8(c)

BNSF Railway Company and the Stillwater Central Railroad, Inc., ("Applicants") by and through their authorized representative, Sidney L. Strickland, Jr., and Karl Morell, respectively, certify that on September 2, 2005, Applicants sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

Ms. Victoria Rutson
Chief, SEA
Surface Transportation Board
1925 K Street, N.W.
Washington, DC, 20423-0001

Rodney C. Shaw
District Conservationist
United States Department of Agriculture
Natural Resources Conservation Service
1120 NW 63rd St., Suite G101
Oklahoma City, OK 73116

Charles Wallis, RPA
Historical Archaeologist
State Historic Preservation Office
Oklahoma Historic Society
2704 Villa Prom
Oklahoma City, OK 73107

Matt Pace
Environmental Program Specialist
Water Quality Department
Oklahoma Department of Environmental
Quality
707 North Robinson, P.O. Box 1677
Oklahoma City, OK 73101-1677

Jim Leach, Assistant Director
Water Quality Division
Oklahoma Conservation Commission
2800 North Lincoln Blvd., Suite 160
Oklahoma City, OK 73105

Allen Ryan
Regulatory Branch
U.S. Army Corps of Engineers
1645 S. 101st E. Ave
Tulsa, OK 74128-462

Richard Stark
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
222 S. Houston, Suite A
Tulsa, OK 74127

Kerry Wagon
Public Safety Capital Projects
200 N Walker, 2nd Floor
Oklahoma City, OK 73102

James D. Couch, City Manager
Office of the City Manager
200 N Walker, 3rd Floor
Oklahoma City, OK 73102

Bureau of Land Management
Oklahoma Field Office
7906 E. 33rd Street, Suite 101
Tulsa, OK 74145

Susan Henry, Planner
Conservation and Planning
Oklahoma Tourism and Recreation Dept.
120 N. Robinson, Suite 600
Oklahoma City, OK 73102

Neal Lehr
Department of Public Works
420 W. Main Street, 7th Fl.
Oklahoma City, OK 73102

Carolynn Caudill, County Clerk
County Office Building
320 Robert S. Kerr Avenue
Oklahoma City, OK 73102

Oklahoma County Board
of Commissioners
County Office Building
320 Robert S. Kerr Avenue
Oklahoma City, OK 73102

Cheryl Echhardt
U.S. National Park Service
12795 W. Alameda Parkway
P.O. Box 25287
Denver, CO 80225-0287

Brent Larson
Stormwater Permitting Coordinator
U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue, 12th Fl.
Dallas, TX 75202-2733

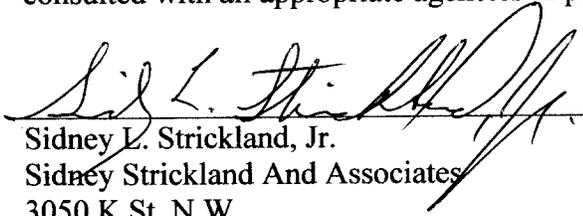
Ferella March
Paul Moore
Natural Resources Biologist
Oklahoma Department of
Wildlife Conservation
P.O. Box 53465

Oklahoma City, OK 73105
Oklahoma Department
of Transportation
Office of Rail Programs and Safety
200 N.E. 21st Street
Oklahoma City, OK 73105

Richard Snay
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910

Buddy Combs
Manager, Railroad Section
Transportation Division
Oklahoma Corporation Commission
P.O. Box 52000
Oklahoma City, OK 73152-2000

The required cover letters (pursuant to 49 C.F.R. 1105.11) are attached hereto. BNSF has consulted with all appropriate agencies in preparing the reports.



Sidney L. Strickland, Jr.
Sidney Strickland And Associates
3050 K St. N.W.,
Suite 101
Washington, D.C. 20007



Karl Morell
Of Counsel, Ball Janik LLP
Suite 225
1455 F Street, N.W.
Washington, D.C. 20005

APPENDIX 4

Environmental and Historic Reports.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN OKLAHOMA COUNTY, OK**

**DOCKET NO. AB-6
(SUB-NO. 430X)**

**STILLWATER CENTRAL RAILROAD,
INC. – DISCONTINUANCE OF SERVICE
EXEMPTION – IN OKLAHOMA
COUNTY, OK**

DOCKET NO. AB-1040X

ENVIRONMENTAL AND HISTORIC REPORTS

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

STILLWATER CENTRAL
RAILROAD, INC
123 N. Depot
Cherryvale, KS 67335

By: SIDNEY L. STRICKLAND, JR
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W.,
Suite 101
Washington, DC 20007
(202) 295-4672

By:KARL MORELL
OF COUNSEL
BALL JANIK LLP
455 F Street, N.W., Suite 225
Washington, DC 20005
(202) 638-3307

Attorney for BNSF Railway Company

*Attorney for Stillwater Central
Railroad, Inc.*

DATED: September 2, 2005

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN OKLAHOMA COUNTY, OK**

**DOCKET NO. AB-6
(SUB-NO. 430X)**

**STILLWATER CENTRAL RAILROAD,
INC. – DISCONTINUANCE OF SERVICE
EXEMPTION – IN OKLAHOMA
COUNTY, OK**

DOCKET NO. AB-1040X

**ENVIRONMENTAL AND HISTORIC REPORTS
(49 C.F.R. 1105.7 AND 49 C.F.R. 1105.8)**

Pursuant to 49 C.F.R. § 1105.7 and § 1105.8, BNSF RAILWAY COMPANY (BNSF) and the STILLWATER CENTRAL RAILROAD, INC (SLWC) (referred to collectively as “Applicants”) hereby file Environmental and Historic Reports. These Reports constitute Applicants’ assessment of the environmental effects and historic effects of abandonment and discontinuance of rail service on the involved rail line. Persons who review these Reports are entitled to provide comments to the Surface Transportation Board (STB), Section of Environmental Analysis (SEA), 1925 K Street, N.W., Suite 500, Washington, DC 20423. There is no information in the Applicants’ files to indicate that the rail line covered by these Reports contains federally granted right-of-way. *See* 49 C.F.R. § 1152.60(d). These Reports have been prepared in conjunction with the prospective filing of a Notice for Exemption of abandonment and discontinuance of service on the involved rail line. STB regulations provide that the Notice of Exemption cannot be filed until at least 20 days after these Reports are submitted.

I
ENVIRONMENTAL REPORT
(49 C.F.R. 1105.7)

The following information is submitted to the STB by BNSF in accordance with the Board's reporting requirements as set forth in 49 C.F.R. § 1105.7 for the purpose of assisting the Board's preparation of an environmental document regarding BNSF's Notice of Exemption for abandonment of its line between BNSF Milepost 539.96 and Milepost 542.91 in Oklahoma City, Oklahoma, within Oklahoma County, Oklahoma (the "Line") and the discontinuance of service by SLWC over the Line.

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

BNSF seeks to abandon and SLWC seeks to discontinue operations over this Line. The proposed abandonment may include removal of all rails, ties, bridges and structures on the Line. A map of the line is attached as Exhibit A.

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

The proposed abandonment will have no affect on existing transportation systems or patterns as there has been no local traffic on the Line for over two years and the overhead traffic will be rerouted.

(3) Land Use:

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

BNSF believes the proposed abandonment will not be inconsistent with local or regional land use plans. The Oklahoma Department of Transportation has requested that BNSF abandon the eastern half of the Line to make way for the relocation of Interstate 40 through downtown Oklahoma City. The balance of the proposed abandonment west of the North Canadian River will allow SLWC to eliminate a diamond crossing as well as several street crossings which will no longer be needed for railroad operations in the area following the proposed abandonment.

The City of Oklahoma City is reviewing the proposed abandonment for potential use for public purposes. See Exhibit B, letter from the City of Oklahoma City.

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

The proposed abandonment should have no effect on prime farmland. The Line does not cross prime farmlands, as the Line is located in the middle of a major city. See Exhibit C, letter from the US Natural Resources Conservation Service (formerly the US Soil Conservation Service).

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

N/A

(iv) If the proposed action is abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10906 and explain why.

BNSF believes the right-of-way may be suitable for alternate public uses. The Oklahoma Department of Transportation plans to use the eastern half of the corridor to relocate Interstate 40 through downtown Oklahoma City. The City of Oklahoma City has expressed an interest in the corridor for public purposes. See Exhibit B, letter from the

City of Oklahoma City, Oklahoma.

(4) Energy:

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

There are no known recoverable energy resources along the Line. There has been no local traffic on the line for over two years and the overhead traffic will be rerouted.

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

This abandonment and discontinuance will not adversely affect movement or recovery of recyclable commodities as there has been no local traffic on the line for over two years and the overhead traffic will be rerouted.

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

This abandonment will not result in an increase or decrease in overall energy efficiency as there has been no local traffic on the Line for over two years and the overhead traffic will be rerouted.

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

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

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

There will be no diversions of traffic as there has been no local traffic on the Line for over two years and the overhead traffic will be rerouted.

(5) Air:

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

(A) An increase in rail traffic of at least 100% (measured in gross ton

miles annually) or an increase of at least eight trains a day on any segment of the line effected by the proposed, or

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

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

The action will not result in meeting or exceeding the specified thresholds.

Moreover, the action will not involve an increase in truck traffic of more than 10% or 50 vehicles a day on any affected road segment as there has been no local traffic on the Line for over two years and the overhead traffic will be rerouted.

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

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

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

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

The action will not result in meeting or exceeding the specified thresholds.

Moreover, the proposed abandonment will not result in an increase of rail or truck traffic as there has been no local traffic on the Line for over two years and the overhead traffic will be rerouted.

(iii) If the transportation of ozone depleting materials (such as nitrogen oxide and Freon) is contemplated, identify: the materials and quantity; the frequency of service;

safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

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

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

(i) An incremental increase in noise levels of three decibels Ldn or more,

N/A

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

N/A

(7) Safety:

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

This abandonment should have no adverse effect on health or public safety. There are ten public crossings and no private crossings on the Line. These crossings may be removed following the proposed abandonment. During salvage operations, if any may be required, precautions will be taken to ensure public safety, and contractors will be required to satisfy all applicable health and safety laws and regulations.

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

The proposed abandonment will not affect the transportation of hazardous materials. Indeed, the abandonment will not result in the transportation of hazardous materials.

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

BNSF is not aware of any evidence of known hazardous waste site or sites where there have been known hazardous materials spills on the right-of-way.

(8) Biological Resources:

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

BNSF believes the proposed exemption will not affect endangered or threatened species or areas designated as critical habitat. The U.S Fish and Wildlife Service does not object to implementation of the described action. See Exhibit D. See also Exhibit E, letter from the Oklahoma Department of Wildlife Conservation.

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

BNSF believes the proposed abandonment will not affect wildlife sanctuaries or refuges, National or State parks or forests. The U.S Fish and Wildlife Service does not object to implementation of the described action. See Exhibit D, response from the U.S. Fish and Wildlife Service. See also Exhibit F of the National Park Service. See Exhibit G response from the Oklahoma Tourism and Recreation Department. There is one park near the proposed abandonment site where federal funds were used under the Land and

Water Conservation Fund Program. This is the Wheeler Park and Softball Stadium at S. Western & S.W. 12th St. Oklahoma City. The City of Oklahoma City is interested in avoiding any damage or action that would adversely affect the park or recreational resources in the area.

(9) Water:

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

BNSF believes the proposed exemption will be consistent with applicable Federal, State or local water quality standards. See Exhibit H, letter from the Oklahoma Department of Environmental Quality wherein that agency expressed that it does not find any environmental compliance problems associated with the proposed abandonment project.

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

BNSF believes the proposed abandonment will not require a Section 404 permit. The Department of the Army does not require a permit for this project. See Exhibit I, letter from the Army Corps of Engineers.

BNSF believes the proposed abandonment will not affect any 100-year flood plains. A portion of the Line crosses the North Canadian River.

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

BNSF believes a Section 402 permit will not be required for the proposed action. See Exhibit H, letter from the Oklahoma Department of Environmental Quality. See also, Exhibit J from the U.S. Environmental Protection Agency.

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

The project itself should mitigate the environmental effects of reinstating active rail operations.

II

HISTORIC REPORT (49 C.F.R. 1105.8)

Applicants hereby submit the following information required by 49 C.F.R. § 1105.8(d):

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

The required topographic map is attached to these Reports as Exhibit A.

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

The Line consists of an east-west corridor through part of Oklahoma City. The nature of the right-of-way is urban with the surrounding area generally flat. The Line goes over the North Canadian River about midpoint through the Line. No stations will be abandoned and overhead traffic will be re-routed to another line through the city following the proposed abandonment. The Line is being abandoned to make room for the relocation of Interstate 40 in downtown Oklahoma City, a major public highway project.

Oklahoma City had a 2000 population of 506,132 and Oklahoma County had a 2000 population of 660,448. The right-of-way is generally 100 to 200 feet wide.

There are no federally granted rights of way involved in this proposed abandonment.

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

Photographs of four bridges are attached to this report as Exhibits K1-K14.

Bridge 384.64 is a railroad bridge over which the double track north-south Red Rock Subdivision goes over the single tract east-west Chickasha Subdivision. This bridge is located at approximately Milepost 540.20; this bridge is 37 feet long. See Exhibits K1-K4.

The Shields Avenue Bridge, near Milepost 540.20 and just west of Bridge 384.64, is a city street bridge over the line proposed for abandonment. The bridge is not a railroad bridge, and BNSF does not have any ownership of the Shields Avenue Bridge. See Exhibits K5-K6.

Bridge 541.45 is BNSF's bridge over the North Canadian River at Milepost 541.45. This bridge is 581 feet long and was built in 1956. See Exhibits K7-K10.

Bridge 384.67 is a railroad bridge on a connector line which connects the Red Rock Subdivision with the Chickasha Subdivision. This bridge is 18 feet long. See Exhibits K11-K14.

The Oklahoma Historical Society has determined that the above four bridges are not eligible for listing in the National Register of Historic Places. See Exhibit K.

In addition to the four bridges described above, the following identifies two underpasses that would be affected by the proposed abandonment:

The Robinson Street Underpass is located at Milepost 540.45. The Robinson Street Underpass will be removed and replaced as part of the I-40 relocation project. See Exhibits K15-K17.

The Walker Street Underpass is located at Milepost 540.67. The Walker Street Underpass will also be removed as part of the I-40 relocation project. See Exhibits K18-K20.

The Oklahoma Historical Society has noted that the two underpasses were formally determined eligible for the National Register of Historic Places on October 18, 1999, during the assessment of the I-40 Crosstown project; and the adverse effects to these structures were subsequently mitigated in accordance with the "Memorandum of Agreement among the Federal Highway Administration and [the Oklahoma Historical Society]" and that no further evaluation of the underpasses is necessary. See Exhibit K.

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

Bridge 384.64 was built in 1932. It is unknown whether there has been significant alteration to the bridge structure since that time.

Bridge 384.67 is a railroad bridge and was built in 1931. Similarly, it is unknown as to whether there has been any structural alterations since construction.

There is no information as to the date of construction of the **Shields Avenue Bridge** and the bridge is not believed to be 50 years old or older.

Bridge 541.45, the North Canadian River Bridge, was built in 1956 and, therefore, is not 50 years old or older.

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

The right-of-way was acquired by the St Louis and San Francisco Railroad (SLSF) between 1887 and 1901. In 1980, the former Burlington Northern Railroad (BN) acquired the SLSF. In 1995, BN merged with The Atchison Topeka and Santa Fe Railway (ATSF) to become The Burlington Northern and Santa Fe Railway (BNSF). In 2005, BNSF changed its name to BNSF Railway Company. The Oklahoma City, OK Trackage has been used as an overhead route through Oklahoma City for over a hundred years. On December 29, 2004, BNSF leased this trackage to SLWC. The traffic moving over this route will be rerouted to another line in Oklahoma City to permit the relocation of Interstate 40, a major highway project in downtown Oklahoma City.

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

Applicants do not have any such documents.

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

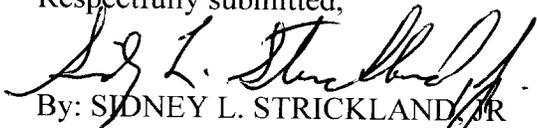
Applicants believe none of the bridge structures affected by the proposed abandonment meet the criteria for listing on the National Register of Historic Places. The bridges are of ordinary construction and design. Importantly, Applicants have consulted with the Oklahoma Historic Preservation Office and that office has found that the four bridges (Shield Avenue Bridge and Bridges 384.64; 541.45 and 384.67) are not eligible for listing in the National Register of Historic Places. They also found: "The

two underpasses (Robinson Street Underpass and Walker Street Underpass) were formally determined eligible for the National Register of Historic Places on October 18, 1999, during the assessment of the I-40 Crosstown project; and the adverse effects to these structures were subsequently mitigated in accordance with the Memorandum of Agreement among the Federal Highway Administration and the [Oklahoma Historical Society] office.” The Oklahoma Historical Society noted that no further evaluation of the underpasses is necessary. See Exhibit K.

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

There are no known prior subsurface ground disturbance or fill, environmental conditions that might affect the archeological recovery of resources and the surrounding terrain.

Respectfully submitted,



By: SIDNEY L. STRICKLAND, JR.
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W., Suite 101
Washington, DC 20007
(202) 295-4672

Attorney for BNSF Railway Company



By: KARL MORELL, OF COUNSEL
BALL JANIK LLP
Suite 225
1455 F Street, N.W.
Washington, D.C. 20005
(202) 638-3307

Attorney for Stillwater Central Railroad, Inc.

DATED: September 2, 2005

OKLAHOMA CITY, OKLAHOMA TRACKAGE



MILEPOST 542.91

MILEPOST 539.96

OKLAHOMA CITY

LINE SEGMENT 1003

NORTH



The City of
OKLAHOMA CITY

James D. Couch, City Manager

EXHIBIT B

August 15, 2005

Mr. Sidney Strickland
3050 K St. N.W., Suite 101
Washington, DC 20007-5108

RE: BNSF Railway Company Abandonment of Oklahoma City, OK
Trackage AB-6-430X

Dear Mr. Strickland:

City staff has reviewed the maps provided for abandonment of the rail line as indicated in your letter. The Oklahoma City Fixed Guideway Study consultants are evaluating the feasibility of using the entire length of this right-of-way and bridge proposed for abandonment. This segment is being considered for a future rail link as part of the region-wide systems planning study. This particular segment could be part of a prospective alignment between the central business district and the regional airport and FAA Center. Ridership and cost effectiveness have yet to be established for this alignment, but this segment of railroad right-of-way may be recommended for further evaluation in a subsequent alternatives analysis phase.

Since we are only in the study phase, we cannot determine whether this abandonment will be necessary in the future until this study is complete.

Thank you for giving us the opportunity to comment on this matter.

Sincerely,


James D. Couch
City Manager



Natural Resources Conservation Service
Oklahoma City Field Office
1120 NW 63rd St., Suite G101
Oklahoma City, OK 73116
Telephone (405) 843-5031

July 25, 2005

Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K St. N. W., Suite 101
Washington, DC 20007-5108

Re: Letter of July 13, 2005
BNSF Railway Company Abandonment of Oklahoma City, OK
Trackage AB-6-430X

Sidney L. Strickland, Jr.,

The proposed construction activity will occur on lands already committed to urban development. Therefore, no prime farmland or wetlands on agricultural land will be affected.

I do recommend that proper erosion and sediment control structures be implemented and maintained.

If our office can be of further assistance, please call me at 405.843.5031.

Sincerely,

/s/

A handwritten signature in cursive script that reads "Rodney C. Shaw".

Rodney C. Shaw
District Conservationist

SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
 WASHINGTON, DC 20007-5108
 TELEPHONE: 202-295-4024
 FAX: (202)-672-5399

EXHIBIT D

SIDNEY L. STRICKLAND, JR.
 SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

July 13, 2005

Dale Hall
 Assistant Regional Director
 U.S. Fish and Wildlife Service
 Region 2
 500 Gold Avenue, S.W. Rm. 4000
 Albuquerque, NM 87102

| | |
|---|-----------------------|
| NO OBJECTION FINDING | |
| The U.S. Fish and Wildlife Service does not object to implementation of the described action. | |
| Date | <u>8-12-05</u> |
| Approved by | <u>Richard Strick</u> |
| U.S. FISH AND WILDLIFE SERVICE, TULSA, OK | |

**Re: BNSF Railway Company Abandonment of Oklahoma City, OK
 Trackage, AB-6-430X**

Dear Mr. Hall:

BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 2.95 miles of railroad line between Milepost 539.96 and Milepost 542.91 in Oklahoma City, Oklahoma. The Stillwater Central RR ("SLWC") has a combination of leased trackage and trackage rights over the line proposed for abandonment over which SLWC will discontinue service.

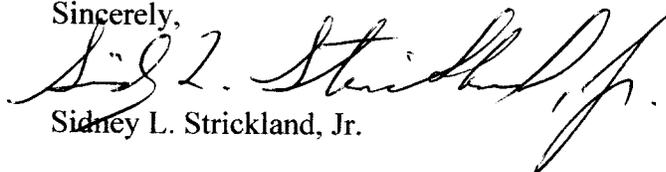
The proposed abandonment may require removal of bridges and structures and the removal of track materials such as rails and ties but the roadbed will be left intact.

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

For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by August 12, 2005. If you have any questions, please do not hesitate to contact me at (202) 295-4024.

Thank you in advance for your cooperation.

Sincerely,


 Sidney L. Strickland, Jr.

Enclosure
 SLS/cac

RECEIVED

JUL 19 2005

ARD-ES

WILDLIFE CONSERVATION COMMISSION

Bruce Mabrey
CHAIRMAN
Bill Phelps
VICE CHAIRMAN
John D. Groendyke
SECRETARY
Mac McGuire
MEMBER

M. David Riggs
MEMBER
Harland Stonecipher
MEMBER
Lewis Stiles
MEMBER
Wade Brinkman
MEMBER



BRAD HENRY, GOVERNOR
GREG D. DUFFY, DIRECTOR

DEPARTMENT OF WILDLIFE CONSERVATION

1801 N. LINCOLN P.O. BOX 53465 OKLAHOMA CITY, OK 73105 PH. 521-3851

August 26, 2005

EXHIBIT E

Mr. Sidney Stickland, Jr.
Sidney Strickland and Assocs.
3050 K St. NW Ste 101
Washington DC 20007-5108

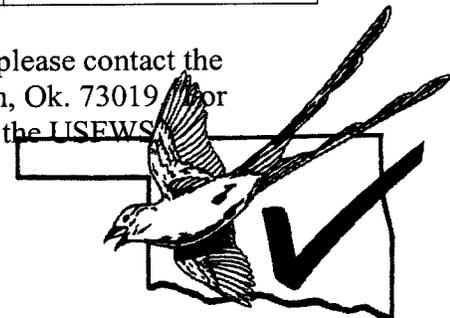
RE: Environmental Review for BNSF Railway Company Abandonment of Oklahoma City, OK, Trackage, AB-6-430X

Dear Mr. Strickland,

In order to streamline the review process and avoid duplication of effort among State and Federal Wildlife Agencies, the Oklahoma Department of Wildlife Conservation (ODWC) will be coordinating environmental impacts to fish and wildlife resources, and threatened and endangered species with the U.S. Fish and Wildlife Service (USFWS) Office in Tulsa, Oklahoma. Their response will reflect ODWC input and no further correspondence from our office will be required unless state-listed threatened or endangered species are involved. At this time all state-listed species occur within Cherokee, Adair, Sequoyah, Delaware, LeFlore, McCurtain, or Pushmataha counties. These species are listed in the table below along with their associated county/area and status.

| Common Name | Scientific Name | County | Status |
|------------------|--------------------------------|--------------------------------------|--------|
| Longnose Darter | <i>Percina nasuta</i> | Sequoyah, Adair | E |
| Neosho Mucket | <i>Lampsilis rafinesqueana</i> | Adair, Delaware, Cherokee | E |
| Ozark Cavefish | <i>Cambarus tartarus</i> | Grand River drainage/Ozark Highlands | E |
| Blackside Darter | <i>Percina maculata</i> | Sequoyah, Leflore, McCurtain | T |

For information on state of Oklahoma species of special concern, please contact the Oklahoma Natural Heritage Inventory, 111 E. Chesapeake Street, Norman, Ok. 73019 or information on Federally listed threatened or endangered species, contact the USEWS Ecological Services, 222 South Houston, Suite A, Tulsa, Ok. 74127 or <http://ifw2es.fws.gov/Oklahoma/endsp.htm>.

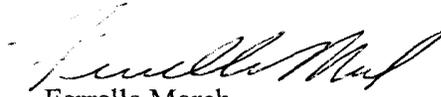


**Search for the Scissortail
on Your State Tax Form**

This correspondence does not provide a general clearance for all projects. Please continue to send descriptions of proposed projects for review by the ODWC. If a response is not received from this office within 30 working days, it may be assumed that the ODWC has no comments beyond those provided by the USFWS. A copy of this letter can be used to document coordination with the ODWC.

If you have any questions please do not hesitate to call the Natural Resources Division at 405-521-4663.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ferrella March".

Ferrella March
Natural Resources Biologist

SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-295-4024
FAX: (202)-672-5399

EXHIBIT F

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

July 13, 2005

U.S. National Park Service
1849 C Street, NW
Washington, DC 20240

**Re: BNSF Railway Company Abandonment of Oklahoma City, OK
Trackage, AB-6-430X**

Dear Sir or Madam:

BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 2.95 miles of railroad line between Milepost 539.96 and Milepost 542.91 in Oklahoma City, Oklahoma. The Stillwater Central RR ("SLWC") has a combination of leased trackage and trackage rights over the line proposed for abandonment over which SLWC will discontinue service.

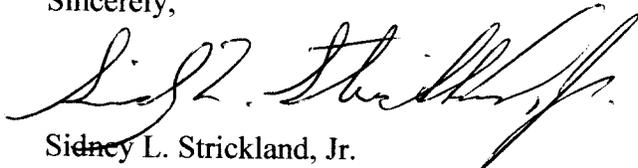
The proposed abandonment may require removal of bridges and structures and the removal of track materials such as rails and ties but the roadbed will be left intact.

As part of the environmental report, BNSF needs to know whether or not there are any wildlife sanctuaries or refuges, National or State parks or forests in the proposed project impact area and if so, what effects would occur as a result of the abandonment.

For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by August 12, 2005. If you have any questions, please do not hesitate to contact me at (202) 295-4024.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.



The National Park Service reviewed this project, and determined that no parks will be affected; therefore, we have no comments.

Signed:  Date: 8/23/05

Enclosure
SLS/cac

OKLAHOMA TOURISM & RECREATION DEPARTMENT

ROBB GRAY
EXECUTIVE DIRECTOR

August 9, 2005

EXHIBIT G

Sidney Strickland and Associates, PLLC
3050 K St. N.W., Suite 101
Washington, DC 20007-4024

Re: BNSF Railway Company Abandonment of Oklahoma City, OK
Trackage, AB-6-430X

Dear Mr. Strickland:

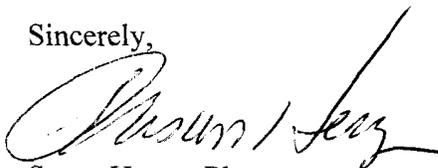
We have reviewed the information you have provided regarding the Railway Abandonment in Oklahoma City, Oklahoma.

We have checked out records and found one park near this site where federal funds were used under the Land and Water Conservation Fund Program. Attached is a description of the project. Our interest is in avoiding any damage or action that would adversely affect the park or recreational resources in the project area.

A conversion of any portion of the project lands to another use would be prohibited. It is recommended that you avoid any permanent impact to this park relative to the abandonment.

Thank you for the opportunity to review this project proposal. If you have any questions, please give me a call at 405-230-8490.

Sincerely,



Susan Henry, Planner
Conservation and Planning
Alternate State Liaison Officer for the
Land and Water Conservation Fund

Attachment: 1

LOVE THE LAND. LOVE THE PEOPLE



Oklahoma
TODAY



120 NORTH ROBINSON, SUITE 600
OKLAHOMA CITY, OK 73102
T (405) 230-8300 • F (405) 230-8500
WWW.TRAVELOK.COM

LWCF PROJECTS:

OKLAHOMA
COUNTY

OKLAHOMA CITY
OKLAHOMA

PROJECT: 40-00029 WHEELER PARK SOFTBALL STADIUM
SPONSOR: CITY OF OKLAHOMA CITY **FUNDING** \$86,743.00 **APPROVED** 8/11/67
LOCATION: SOFTBALL STADIUM IN WHEELER PARK - S. WESTERN & S.W. 12TH ST. OKLA. **COMPLETED** 10/01/69
CITY
SCOPE: CONSTRUCT SOFTBALL STADIUM W/ LIGHTING, RESTROOMS, UTILITIES, IRRIGATION SYSTEM,
SPECTATOR BLEACHERS, PARKING AREAS, & LANDSCAPING.



EXHIBIT H

STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
Governor

August 1, 2005

Sidney L. Strickland, Jr.
Sidney Strickland & Associates, PLLC
3050 K. St. NW, Suite 101, Room 1011
Washington, DC 20007-5108

Re: BNSF Railway Company Abandonment of Oklahoma City, OK Trackage,
AB-6-430X

Dear Mr. Strickland:

The Oklahoma Department of Environmental Quality does not find any environmental compliance problems associated with the BNSF Railway Company Abandonment of Oklahoma City, OK Trackage, AB-6-430X site.

If this site is to disturb more than one (1) acre of land, then you must apply for a Storm Water Discharge General Permit—Construction. To receive the permit you must submit a completed Notice of Intent (NOI), DEQ Form 605-002A to the ECLS/OKC office. You must also develop and implement a Storm Water Pollution Prevention Plan for the site.

This permit can be found at:

http://www.deq.state.ok.us/WQDnew/stormwater/construction/okr10_final_permit_13_sep_2002.pdf. The NOI can be found in Appendix B of this permit.

If you have any questions, please contact Matt Pace, Environmental Programs Specialist, at (405) 702-6209 or e-mail at matt.pace@deq.state.ok.us.

Sincerely,

Samantha Chilton
Engineer Intern II
Watershed Planning & Stormwater Permitting
Water Quality Division

cc: Matt Pace, Environmental Programs Specialist





DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
1645 SOUTH 101ST EAST AVENUE
TULSA, OKLAHOMA 74128-4609

EXHIBIT I

July 29, 2005

Planning, Environmental, and Regulatory Division
Regulatory Branch

Mr. Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K Street, N.W., Suite 101
Washington, DC 20007-5108

Dear Mr. Strickland:

Please reference your letter dated July 13, 2005, regarding the proposed abandonment of existing railway trackage. The project [AB-6-430X] is located within Sections 3, 4, 5, 6, & 7, Township 11 North, Range 3 West, in Oklahoma City, Oklahoma County, Oklahoma.

The provided information does not indicate that a placement of dredged or fill material will be required, permanently or temporarily, into any "waters of the United States," including jurisdictional wetlands. Therefore, your proposal is not subject to regulation pursuant to Section 404 of the Clean Water Act, and a Department of the Army (DA) permit will not be required. Should your method of construction necessitate such a discharge into the North Canadian River or its tributaries, we suggest that you resubmit that portion of your project so that we may determine whether an individual DA permit will be required.

Although DA authorization is not required, this does not preclude the possibility that other Federal, State, or local permits may be required.

Your project has been assigned Identification Number 14785. Please refer to this number during future correspondence. If further assistance is required, contact Mr. Allen Ryan at 918-669-7618.

Sincerely,


David A. Manning
Chief, Regulatory Branch

PRELIMINARY JURISDICTIONAL DETERMINATION (JD)
INFORMATION SHEET

Preliminary JD's are not subject to appeal under the Administrative Appeal Process (AAP) of the U.S. Army Corps of Engineers (Corps). If you wish to challenge Corps regulatory jurisdiction for this project site, you may request an approved JD, which is subject to appeal under the AAP. If you desire to provide new information regarding this project site to the Corps for further consideration in reevaluation of the JD, it is recommended that any information be submitted prior to or accompanying your request for a final approved JD. Once the appeal process is underway for an approved JD, the AAP rules do not allow for submission of new information. You are not required to respond to the Corps regarding a preliminary JD if you concur with the determination.

For obtaining an approved JD, there are two options. The first option is to obtain the services of a consultant trained in the identification and delineation of wetlands and waters of the United States. A list of consultants in the area may be obtained from the Corps office. Any wetland delineation performed by a consultant must be completed in accordance with the 1987 Corps of Engineers Wetland Delineation Manual and supplemental guidance. The submitted wetland delineation should be accompanied by appropriate documentation and will be subject to review and validation by the Corps. A properly prepared and supported wetland delineation report provided by a consultant will expedite project review under the authority of Section 404 of the Clean Water Act. The second option is to request an approved wetland delineation from the Corps office. However, due to resource limitations and the size of the proposed development, the Corps cannot conduct the delineation of wetlands on these lands without a substantial delay for the permit applicant. If you desire the Corps to delineate the wetlands, expect a delay of at least 3 months for us to begin this service. To accomplish this task, you will need to provide notice to the Corps that you elect not to complete the delineation process through a private consultant. You should also provide written right-of-entry for the Corps to access the properties related to this project for wetland delineation purposes.

In addition to the above information, we also request site-specific construction plans that describe, at least in concept, any proposed excavation or filling activity on the subject site. Upon receipt of this information, an site investigation of the property may be conducted. The Corps will then provide a formal wetland delineation describing the extent or absence of wetlands on the property likely to be affected by the proposed project. In accordance with Federal mitigation policy, we may also recommend ways the proposal can be altered to avoid impacting aquatic environments and wetlands. The final wetland determination will be the official position of the Corps used to ascertain the subsequent need for a Section 404 permit for the proposed work, and as an approved JD will be subject to the AAP.

Contact:

Regulatory Branch
U.S. Army Corps of Engineers
1645 S. 101st East Ave.
Tulsa, OK 74128-4609



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE
DALLAS, TEXAS 75202-2733

EXHIBIT J

~~AUG 0 5 2005~~

AUG 0 5 2005

Mr. Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K St. N.W., Suite 101
Washington D.C., 20007-5108

Re: BNSF Railway Company Abandonment of Oklahoma City, OK, Trackage, AB-6-430X

Dear Mr. Strickland:

We have reviewed your letter of July 13, 2005, with respect to the above referenced action. The federal regulations at 40 CFR Part 122.26 delineate the specific National Pollutant Discharge Elimination System (NPDES) permitting requirements for both large (greater than five acres) and small (greater than one acre) construction site activities.

Based on the information you have provided, we feel there would be no need for an NPDES stormwater permit at this time. Our decision is based solely on specific statements in your letter indicating the removal of abandoned track and ties will not involve the disturbance of existing roadbed and that no dredged or fill material is being placed or brought in as a result of this activity.

However, we recommend that you contact the Oklahoma Department of Environmental Quality (ODEQ) directly regarding this matter by telephone at (405) 702-8100. The ODEQ received authorization from EPA to implement the NPDES program in November 1996. It is possible that ODEQ may have State specific stormwater permitting requirements which may apply in this instance.

We thank you for this opportunity to be of service to you. Should you have further questions regarding this matter, please contact our Region 6 Stormwater Permitting Coordinator, Mr. Brent Larsen at the above address or by telephone at 214-665-7523.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Tillman".

Mike Tillman
Environmental Scientist
NPDES Permits Branch



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office • 2704 Villa Prom • Shepherd Mall • Oklahoma City, OK 73107-2441
Telephone 405/521-6249 • Fax 405/947-2918

August 29, 2005

EXHIBIT K

Mr. Sidney Strickland
Strickland & Associates
3050 "K" Street NW, Suite 101
Washington, D.C. 20007-5108

RE: File #1815-05; BNSF Railway Company Abandonment of Oklahoma City, OK Trackage
#AB-6 (Sub #430X)

Dear Mr. Strickland:

Thank you for furnishing us with the additional information requested to complete our review of your undertaking. We find that the four bridges (Shield Avenue Bridge and Bridges 384.64; 541.45 and 384.67) are not eligible for listing in the National Register of Historic Places.

The two underpasses (Robinson Street Underpass and Walker Street Underpass) were formally determined eligible for the National Register of Historic Places on October 18, 1999, during the assessment of the I-40 Crosstown project; and the adverse effects to these structures were subsequently mitigated in accordance with the Memorandum of Agreement among the Federal Highway Administration and our office. Consequently, no further evaluation of the underpasses is necessary.

Thank you for the opportunity to review this project. If you have any questions, please call Charles Wallis, RPA, Historical Archeologist, at 405/521-6381. Please reference the above underlined file number when responding. Thank you.

Sincerely,

Melvena Heisch
Deputy State Historic
Preservation Officer

MH:pm

EXHIBIT K-1

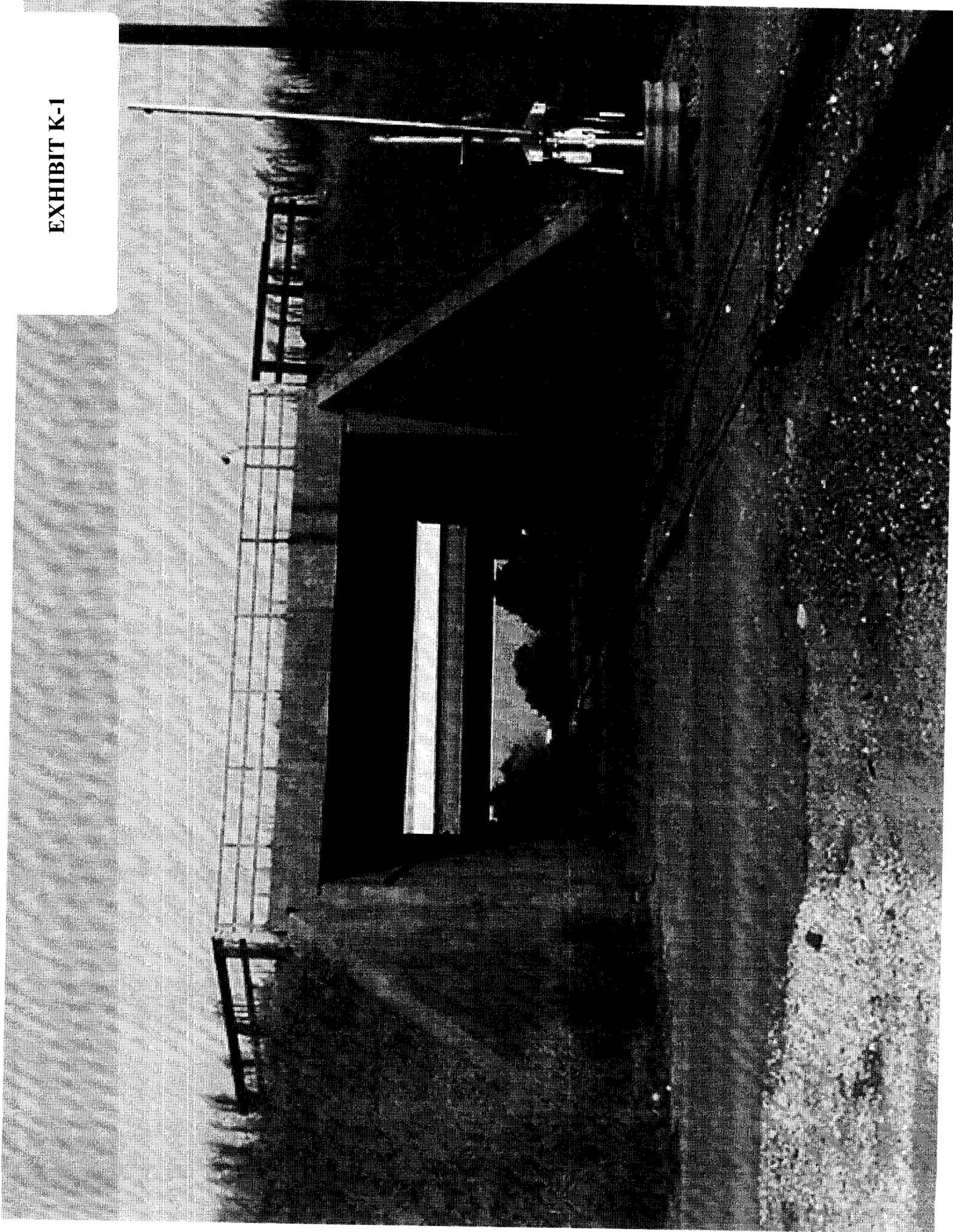


EXHIBIT K-2

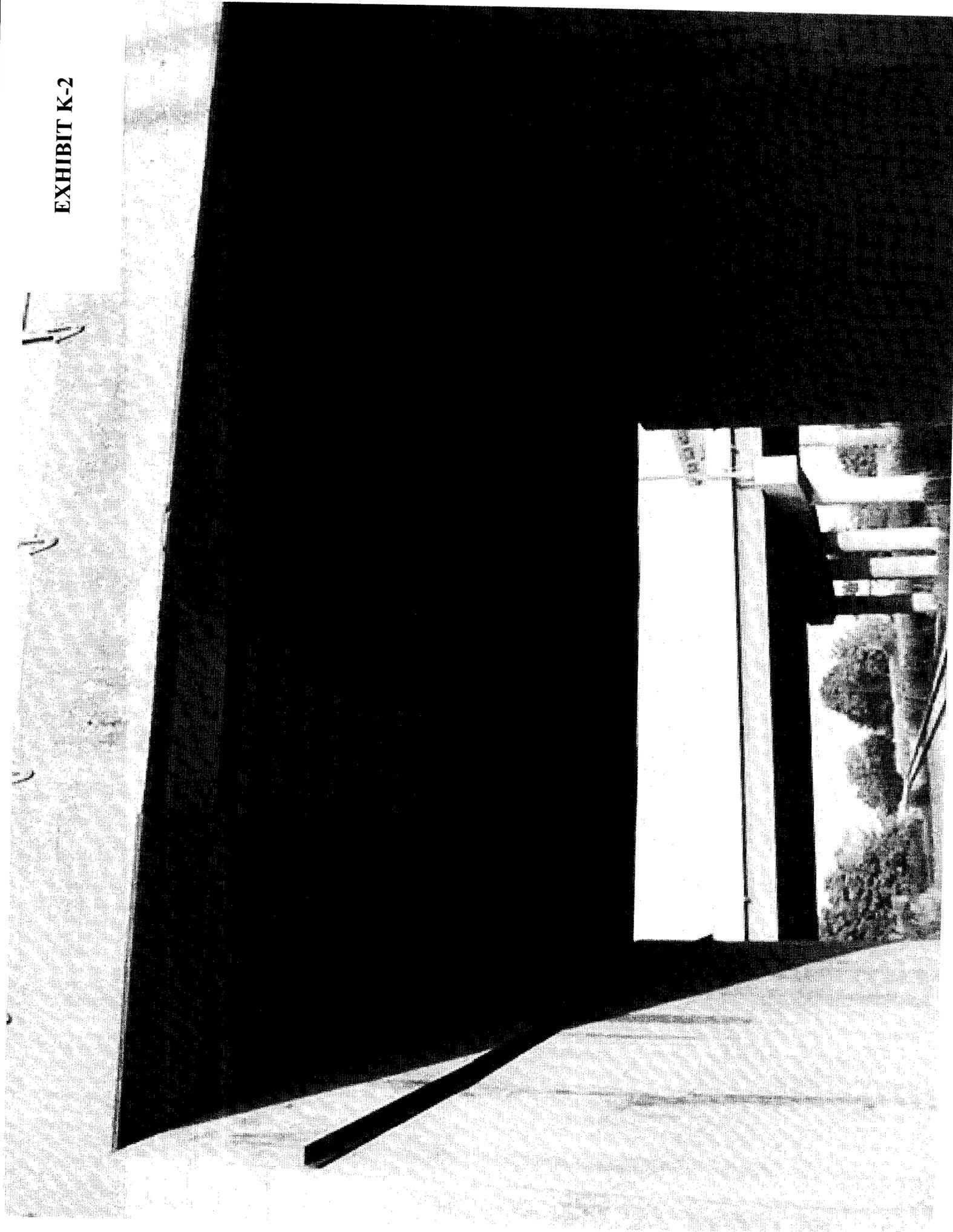


EXHIBIT K-3



EXHIBIT K-4

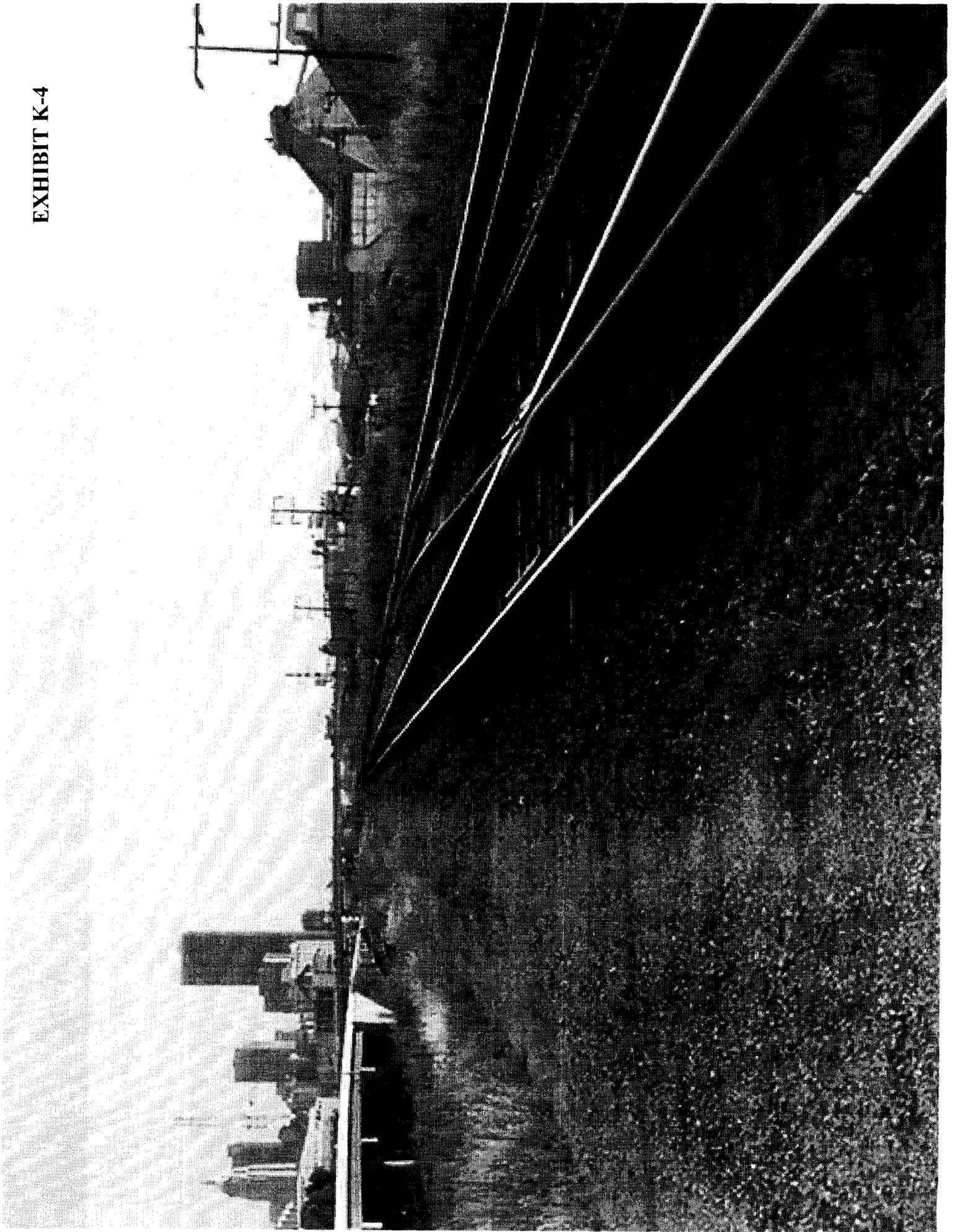


EXHIBIT K-5

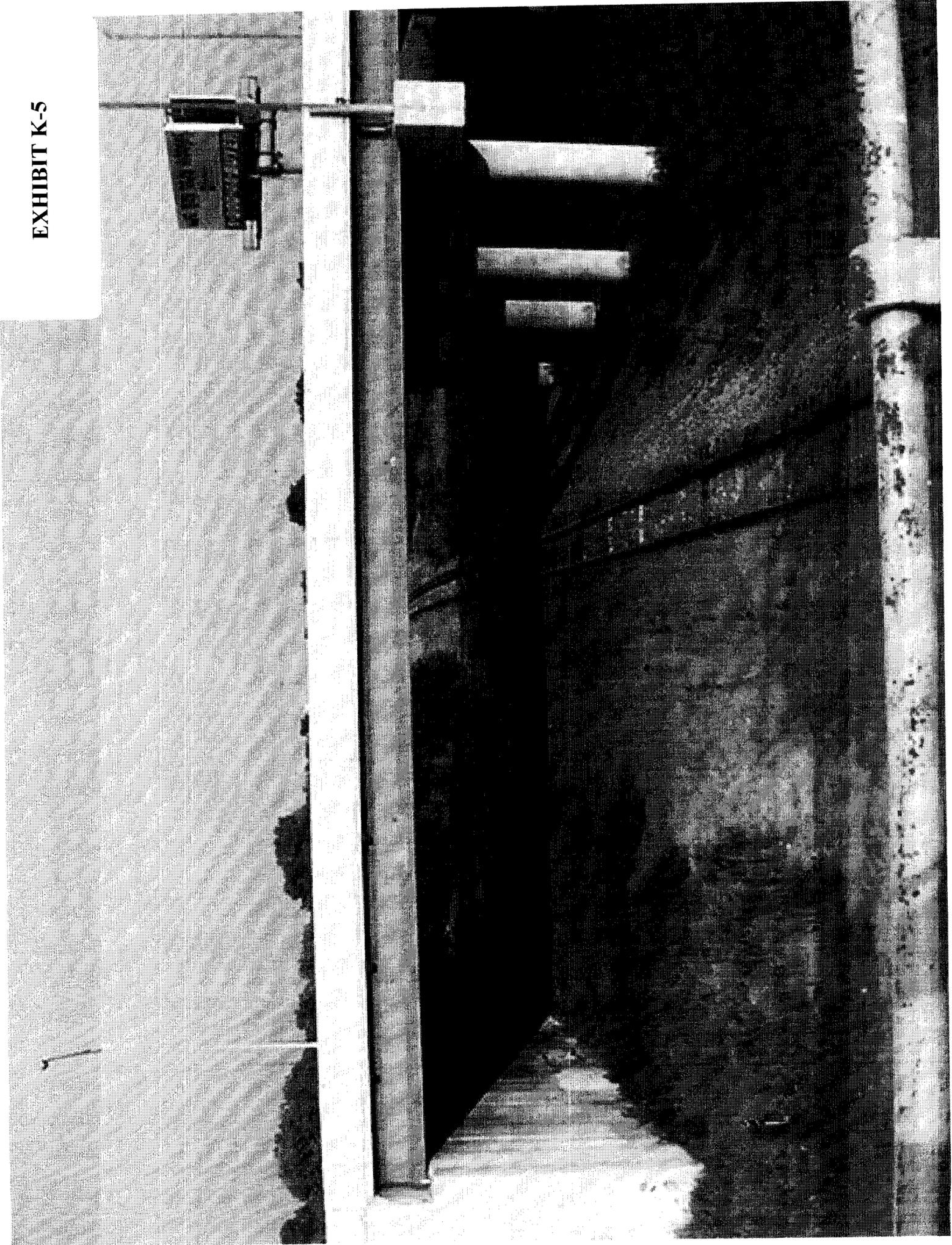


EXHIBIT K-6

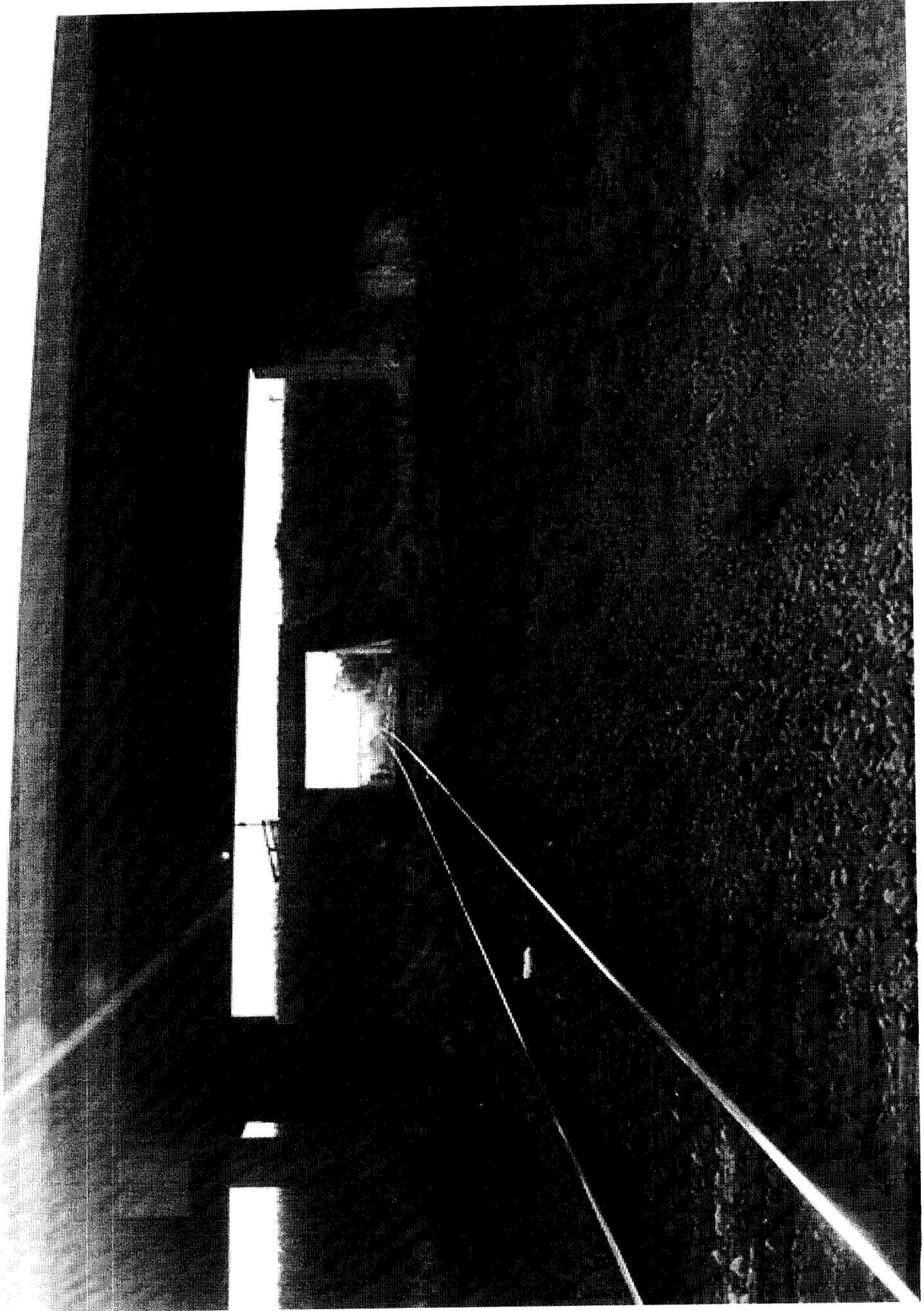
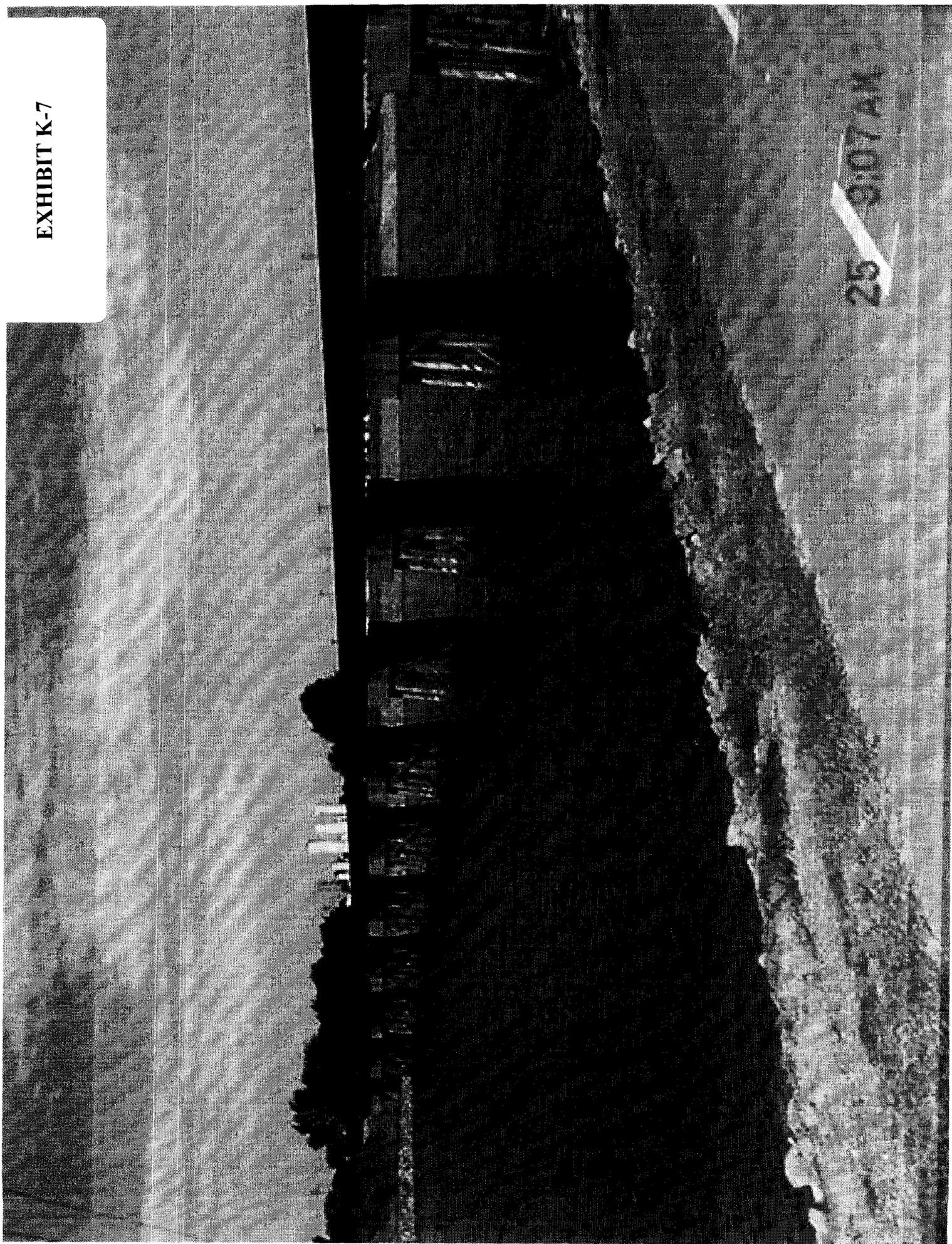


EXHIBIT K-7



25 9:07 AM

EXHIBIT K-8

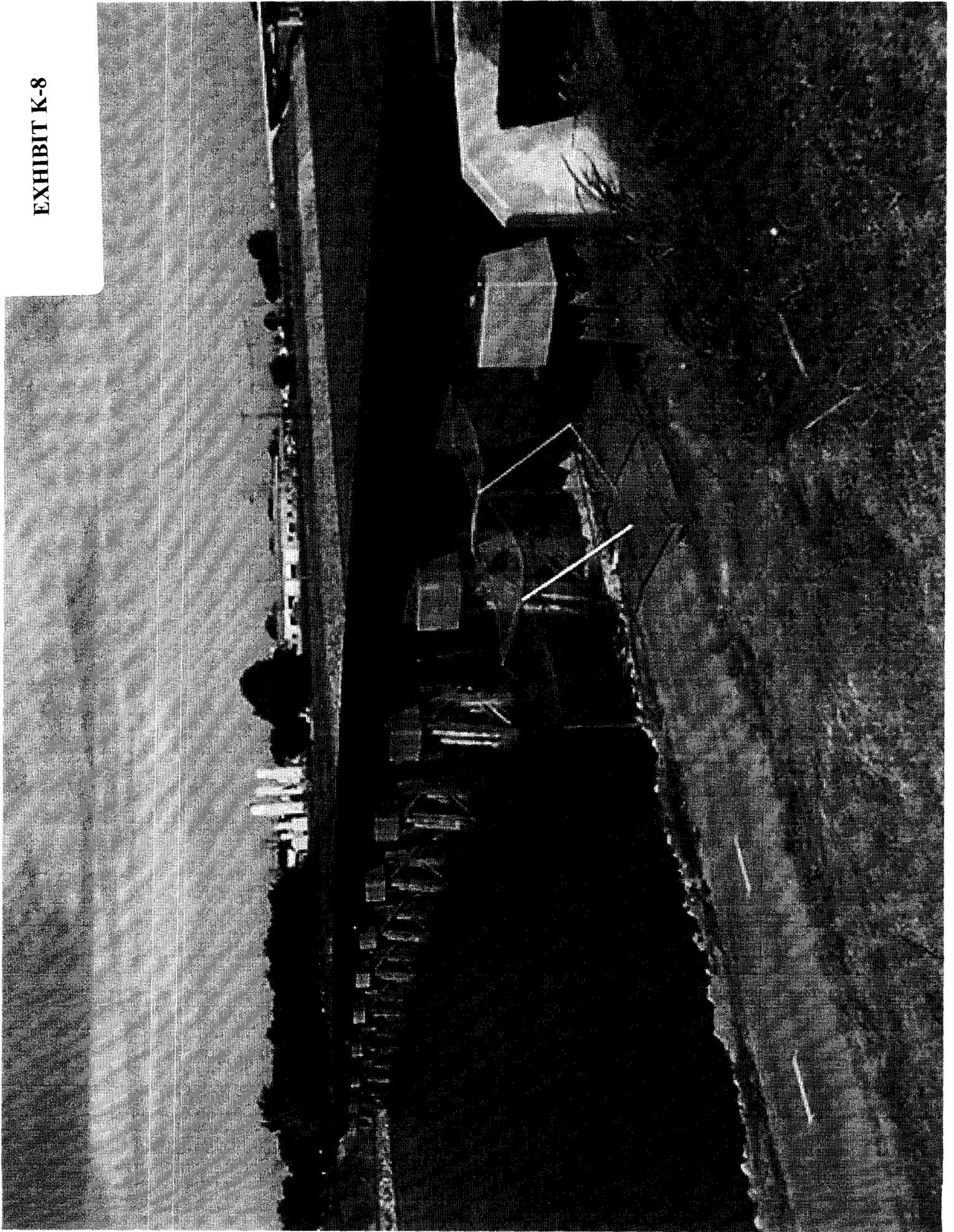


EXHIBIT K-9

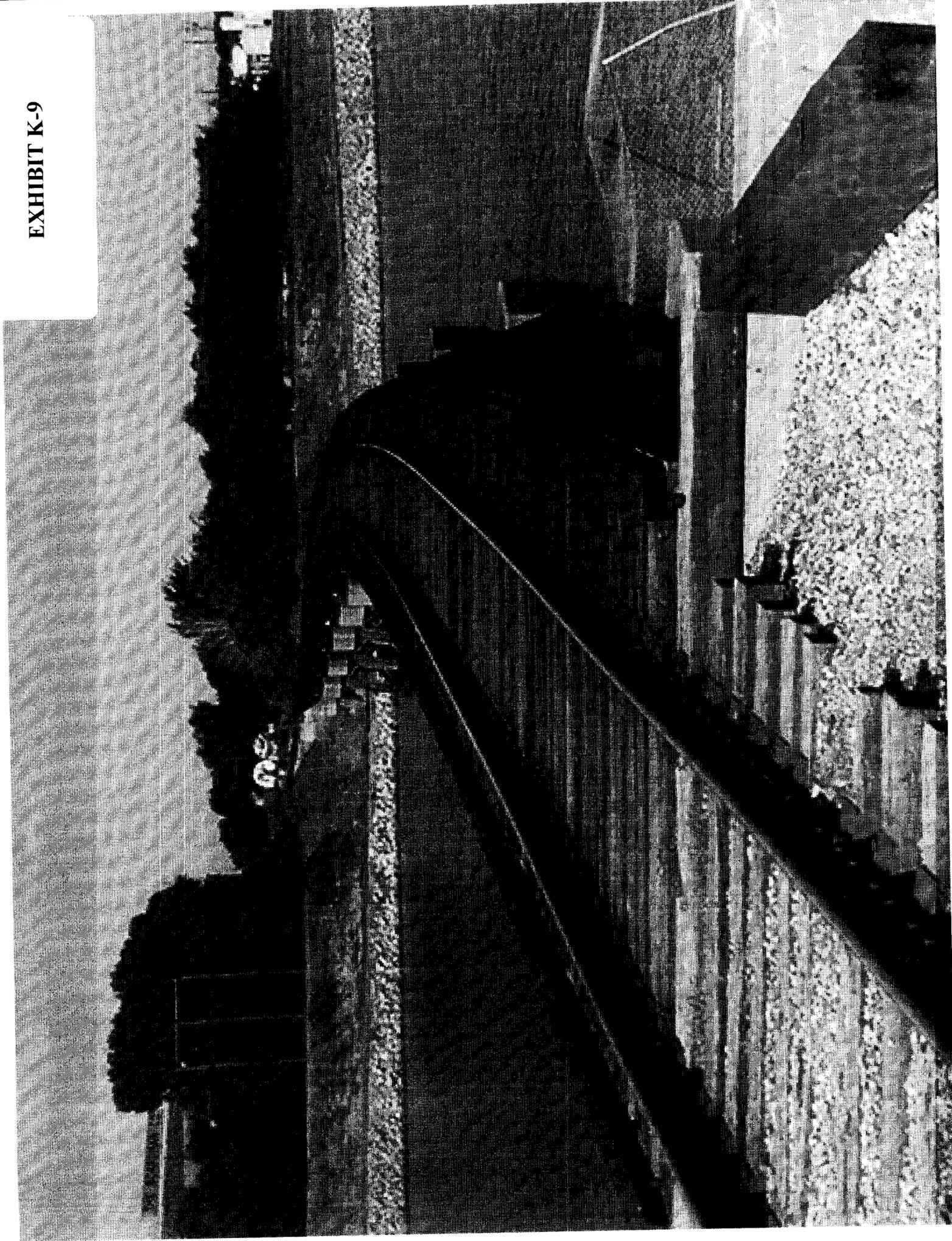
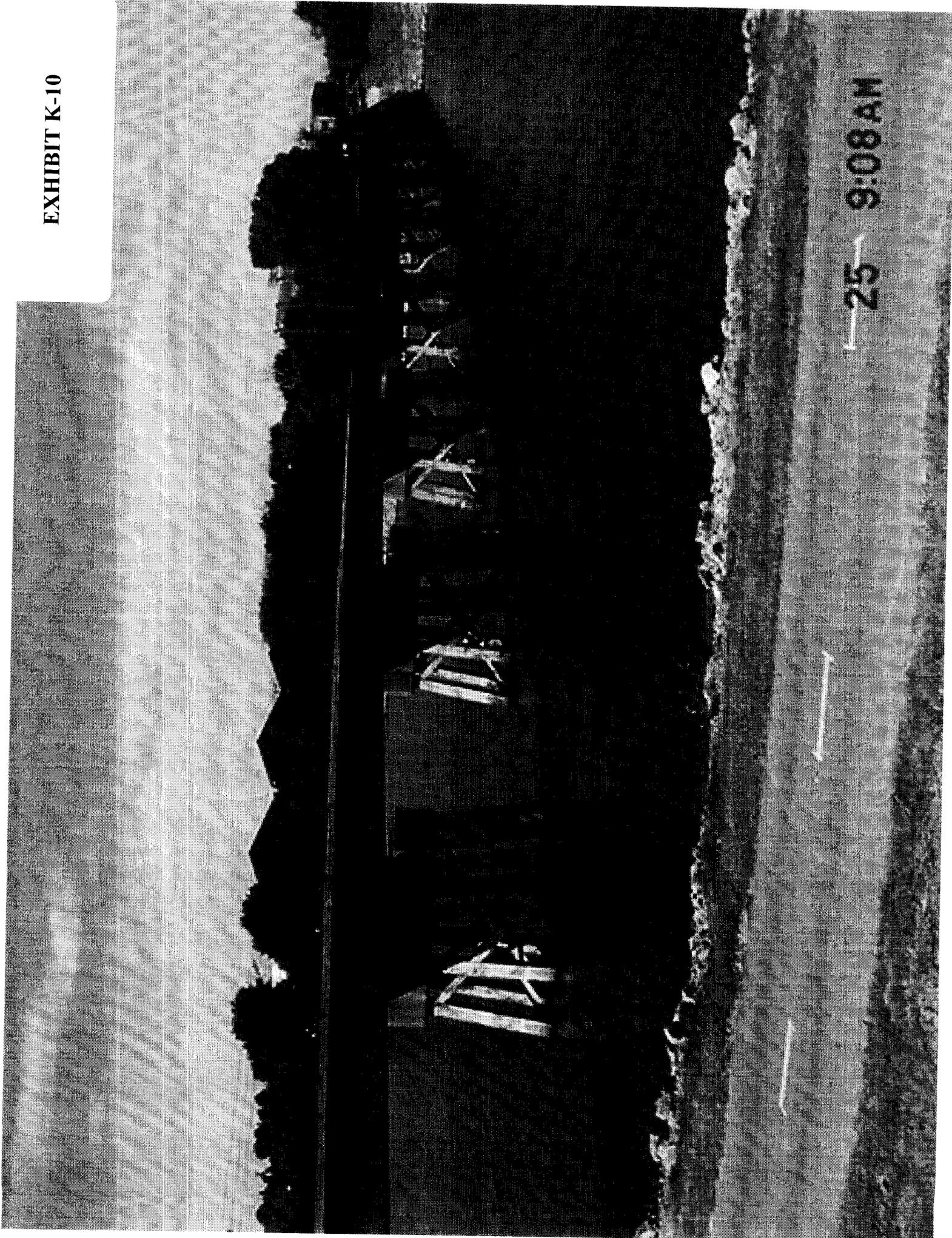


EXHIBIT K-10



25 9:08 AM

EXHIBIT K-11

3 7:16 AM

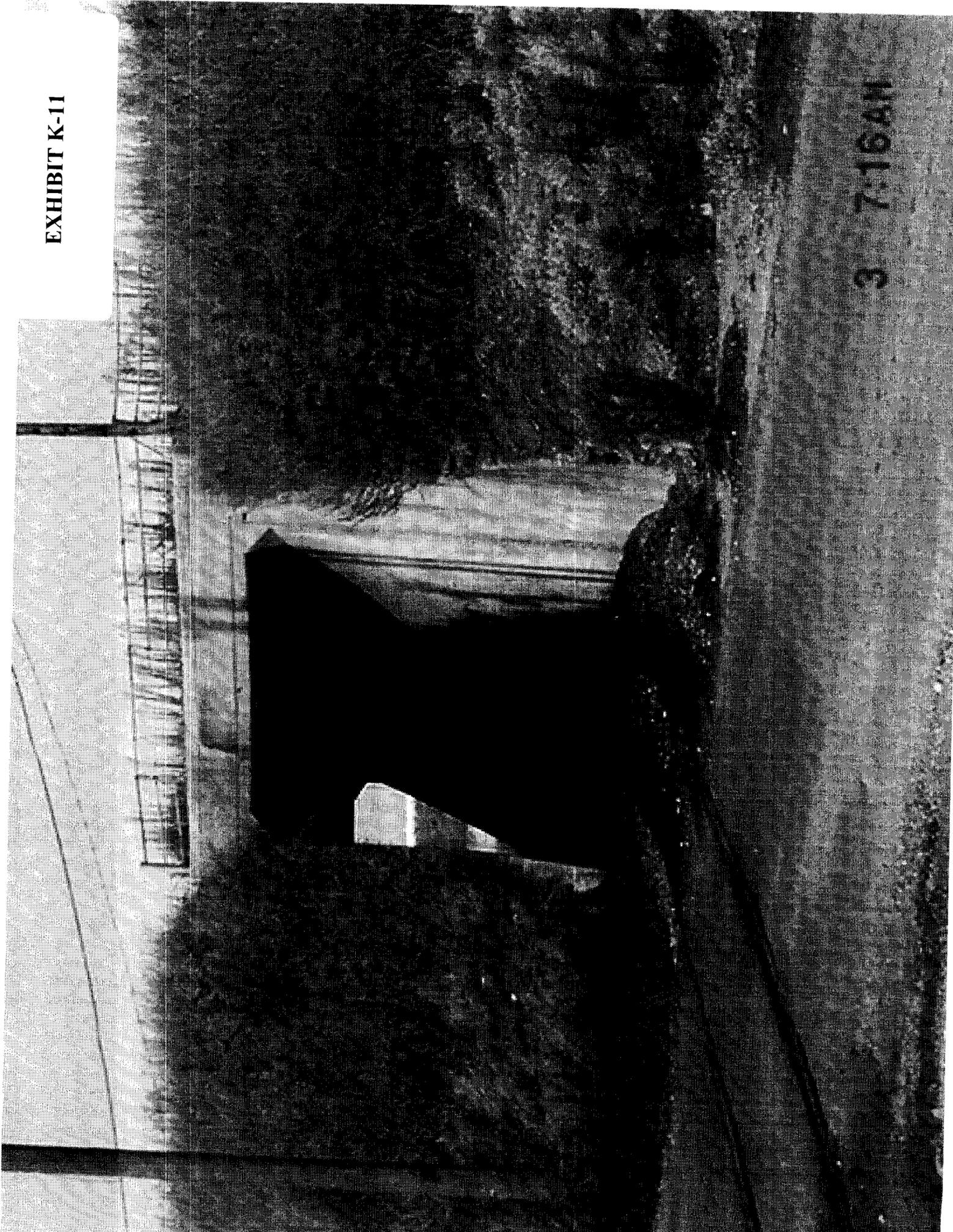


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3 7:29AM

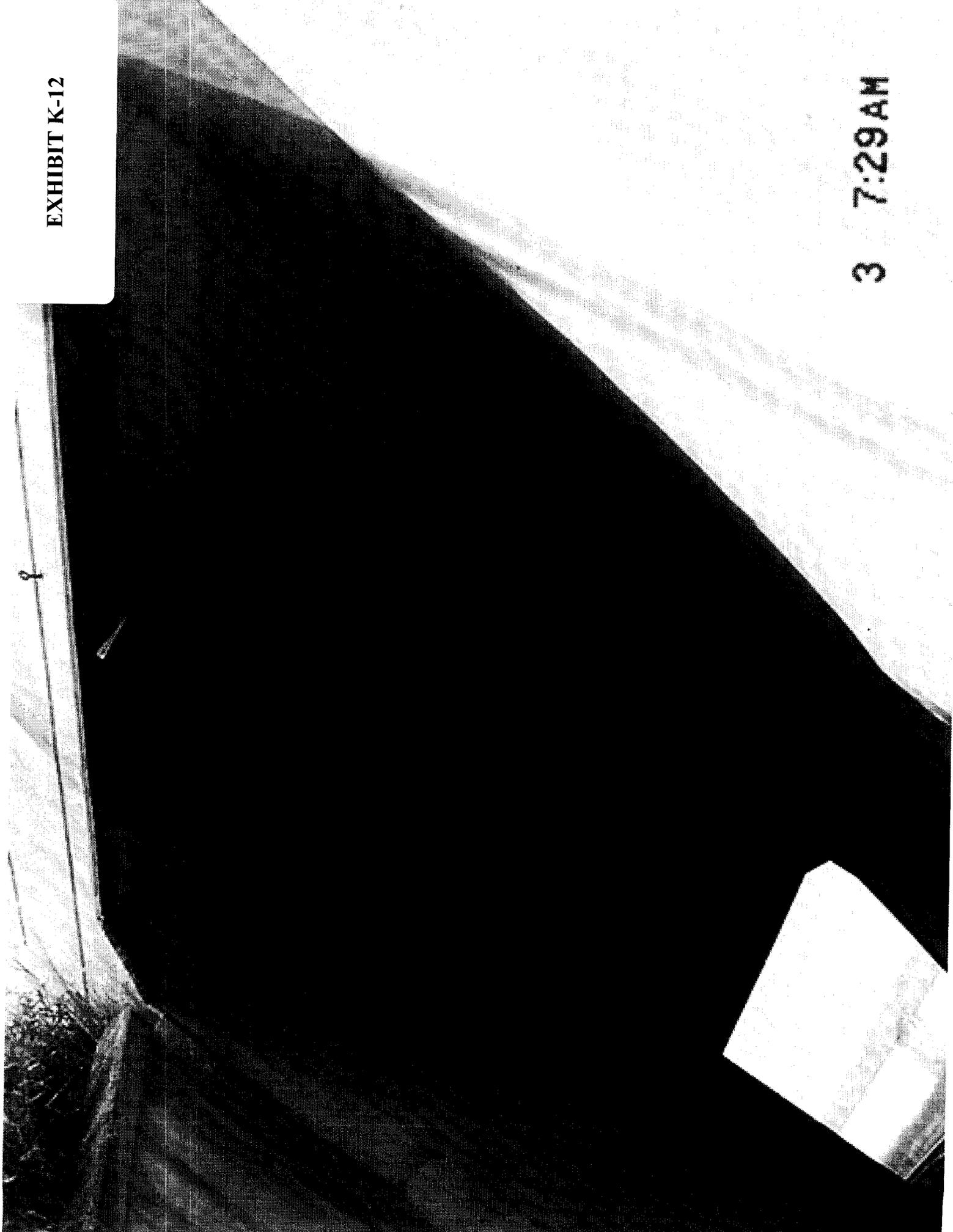


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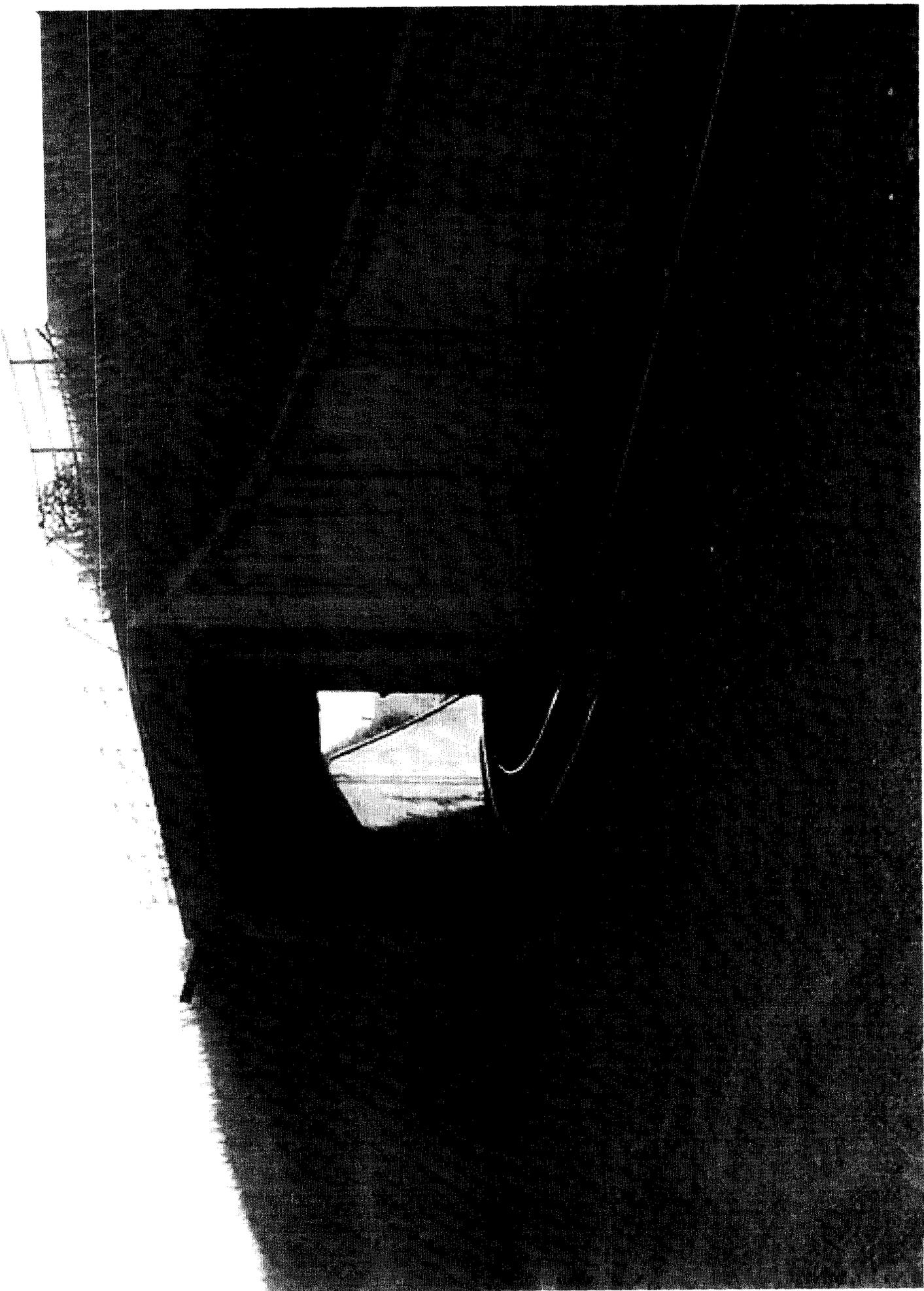


EXHIBIT K-14

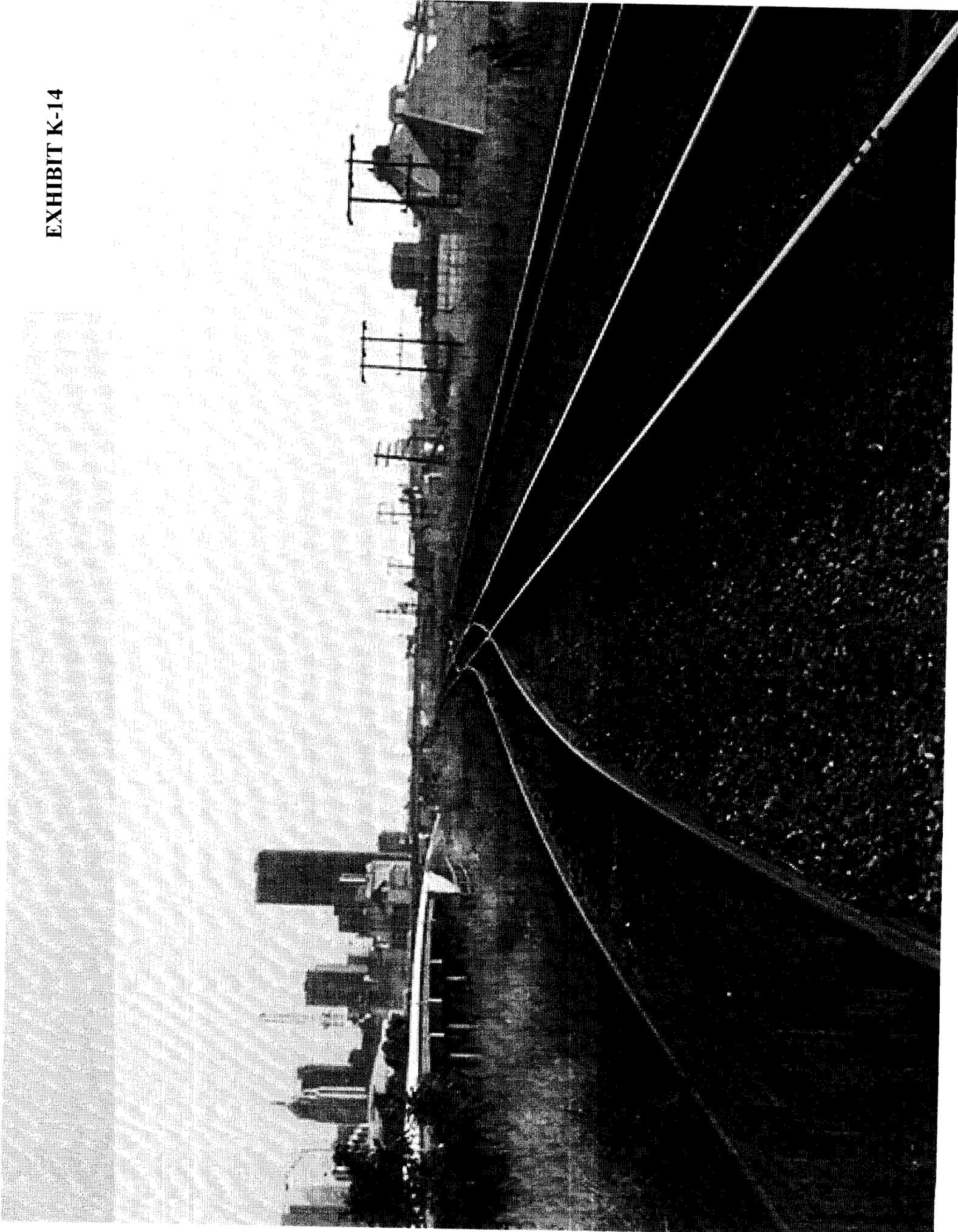
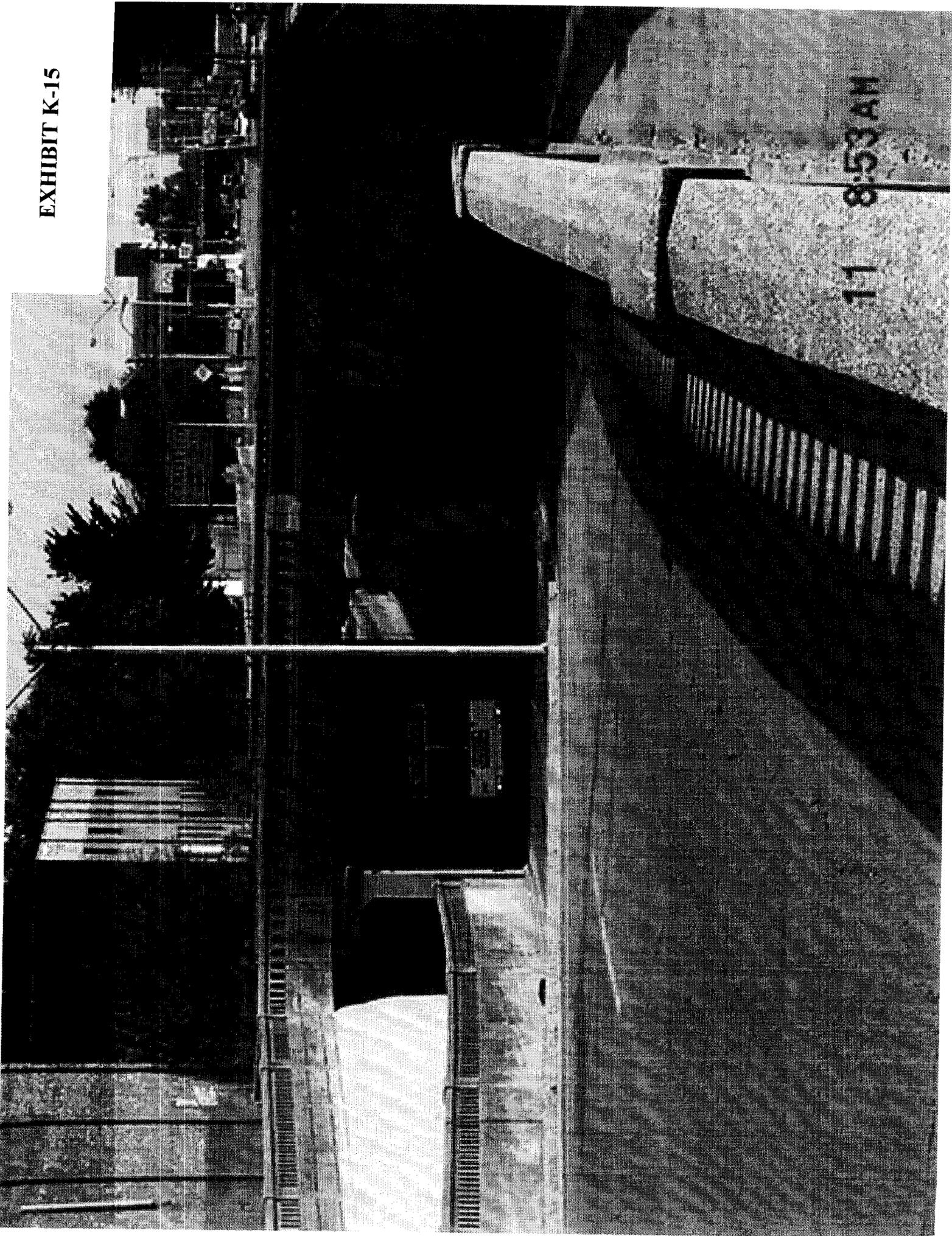


EXHIBIT K-15



11 8:53 AM

EXHIBIT K-16

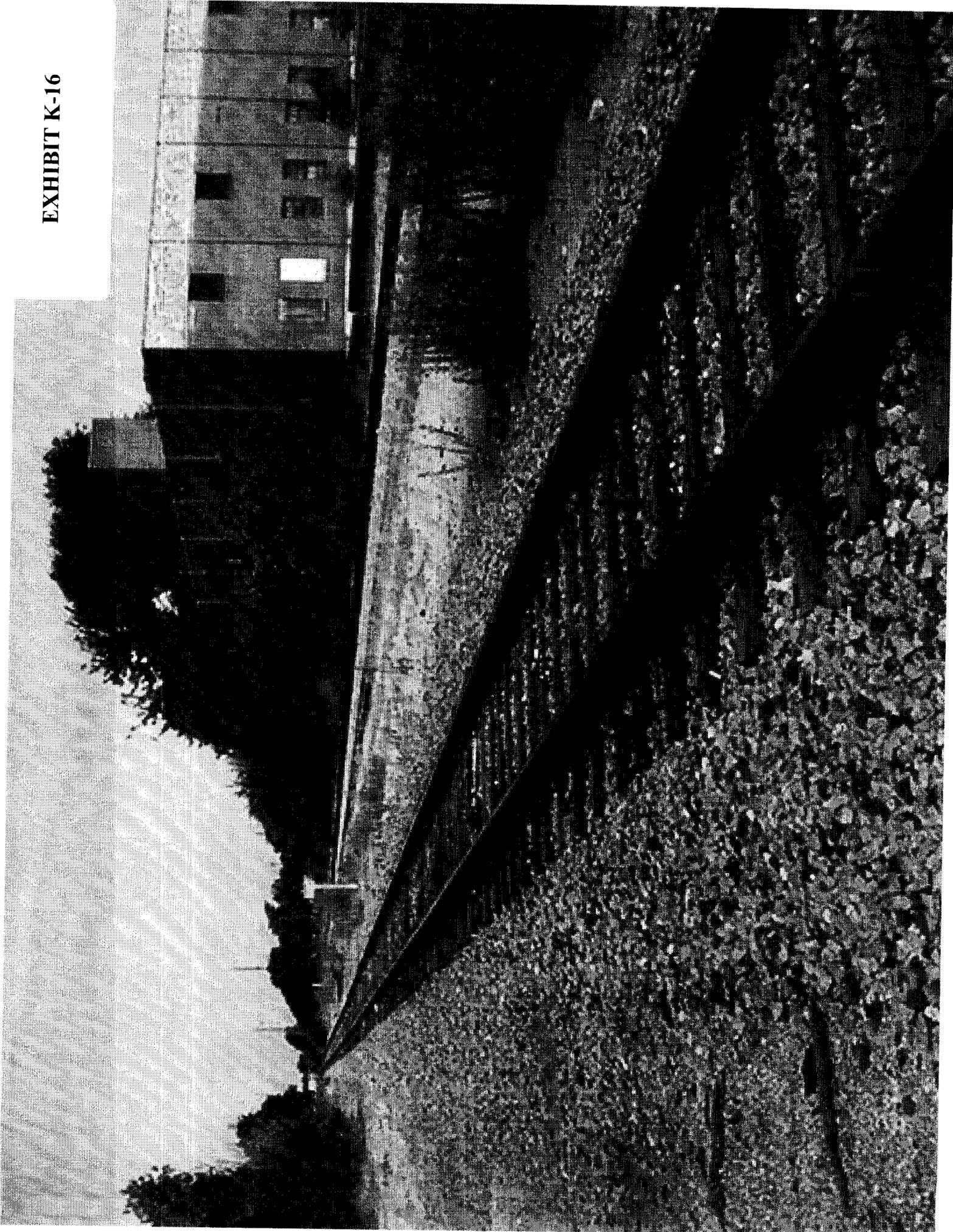


EXHIBIT K-17

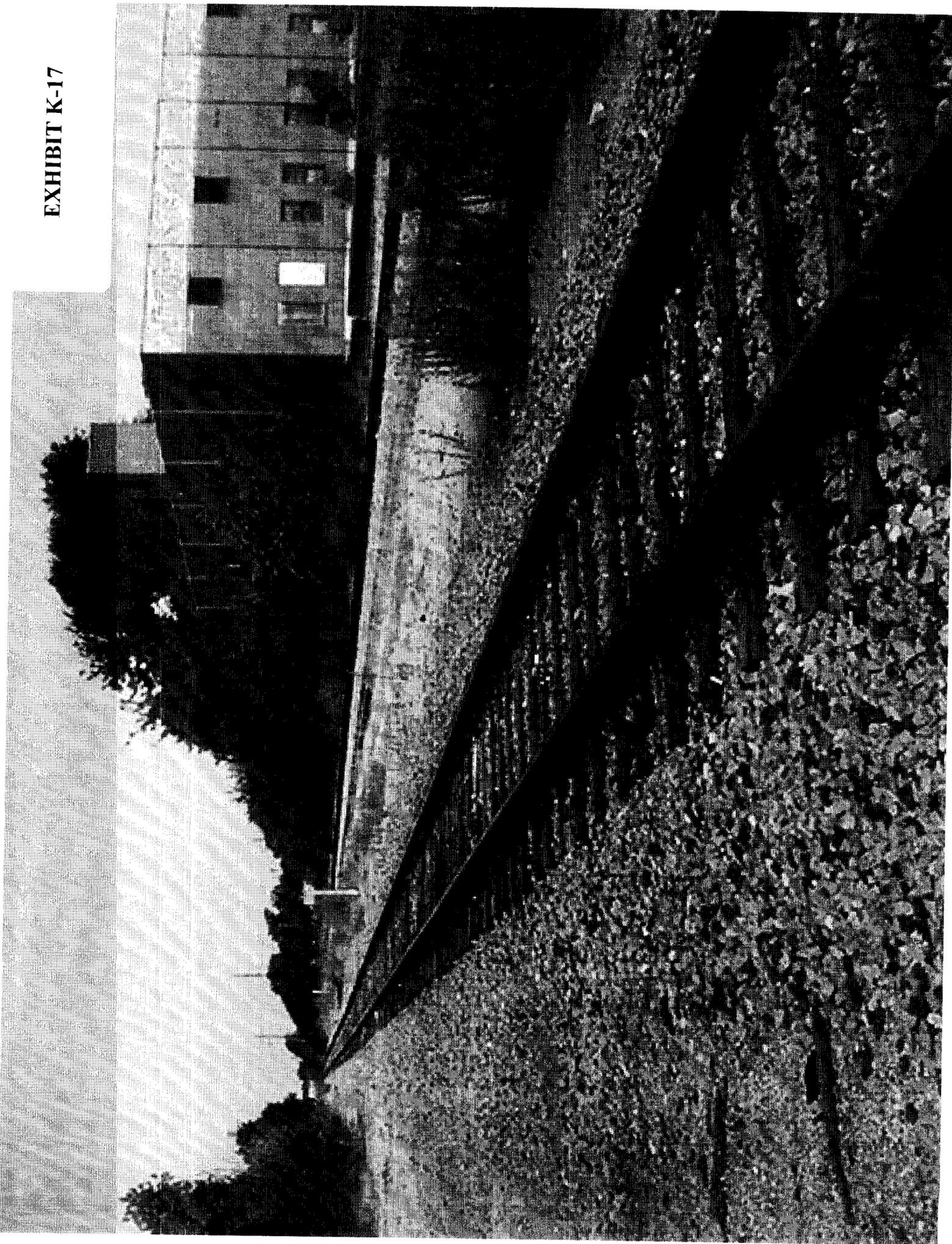


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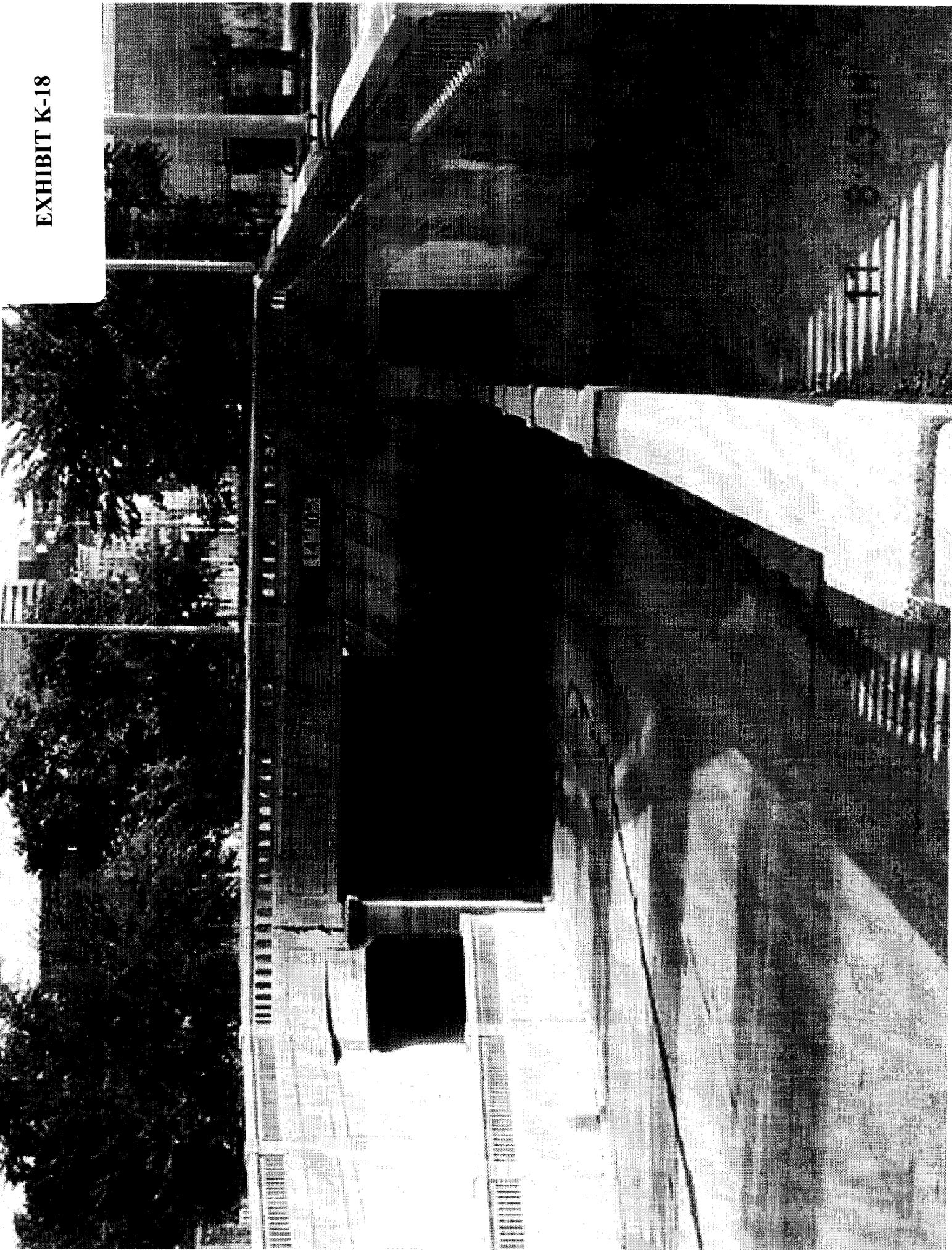


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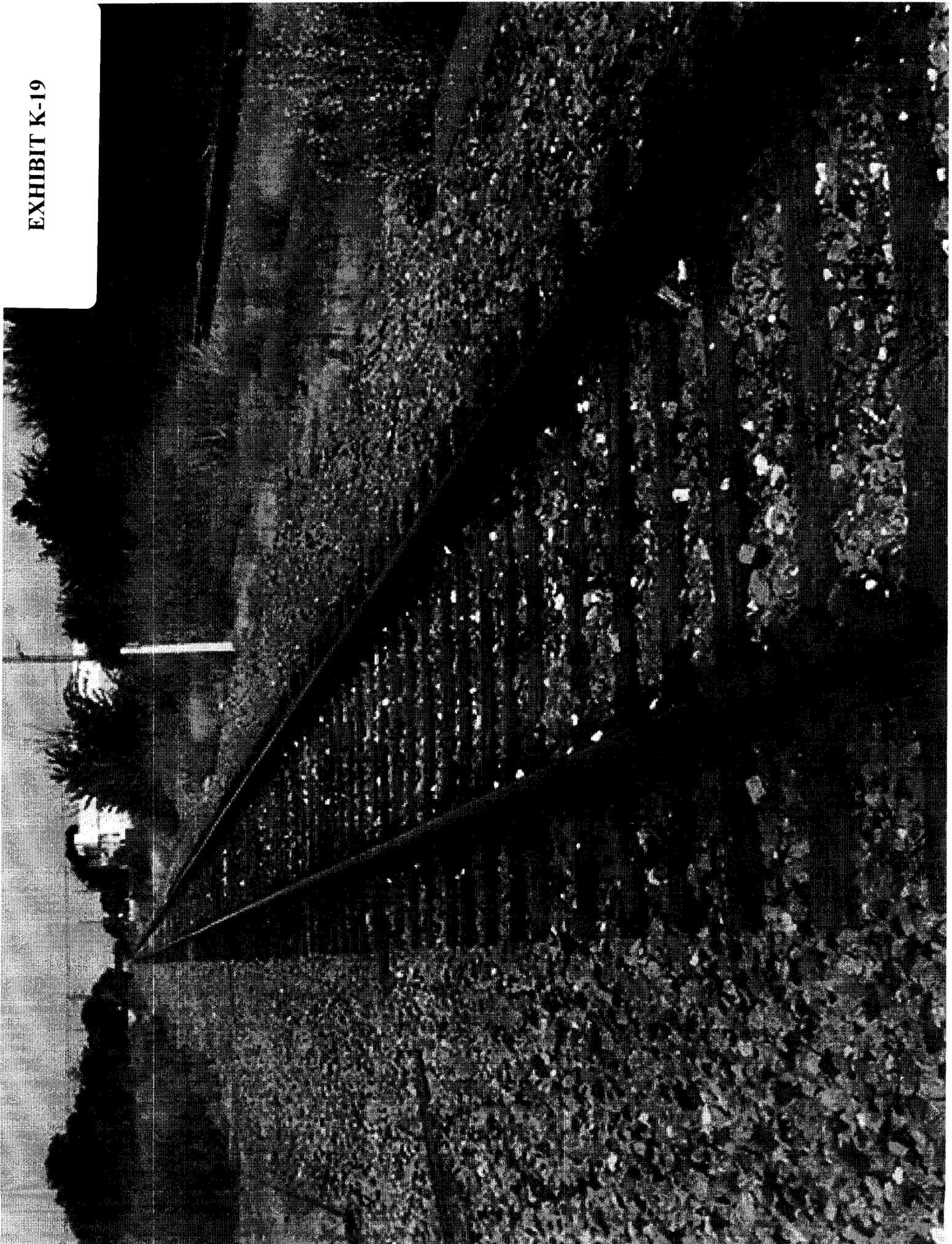
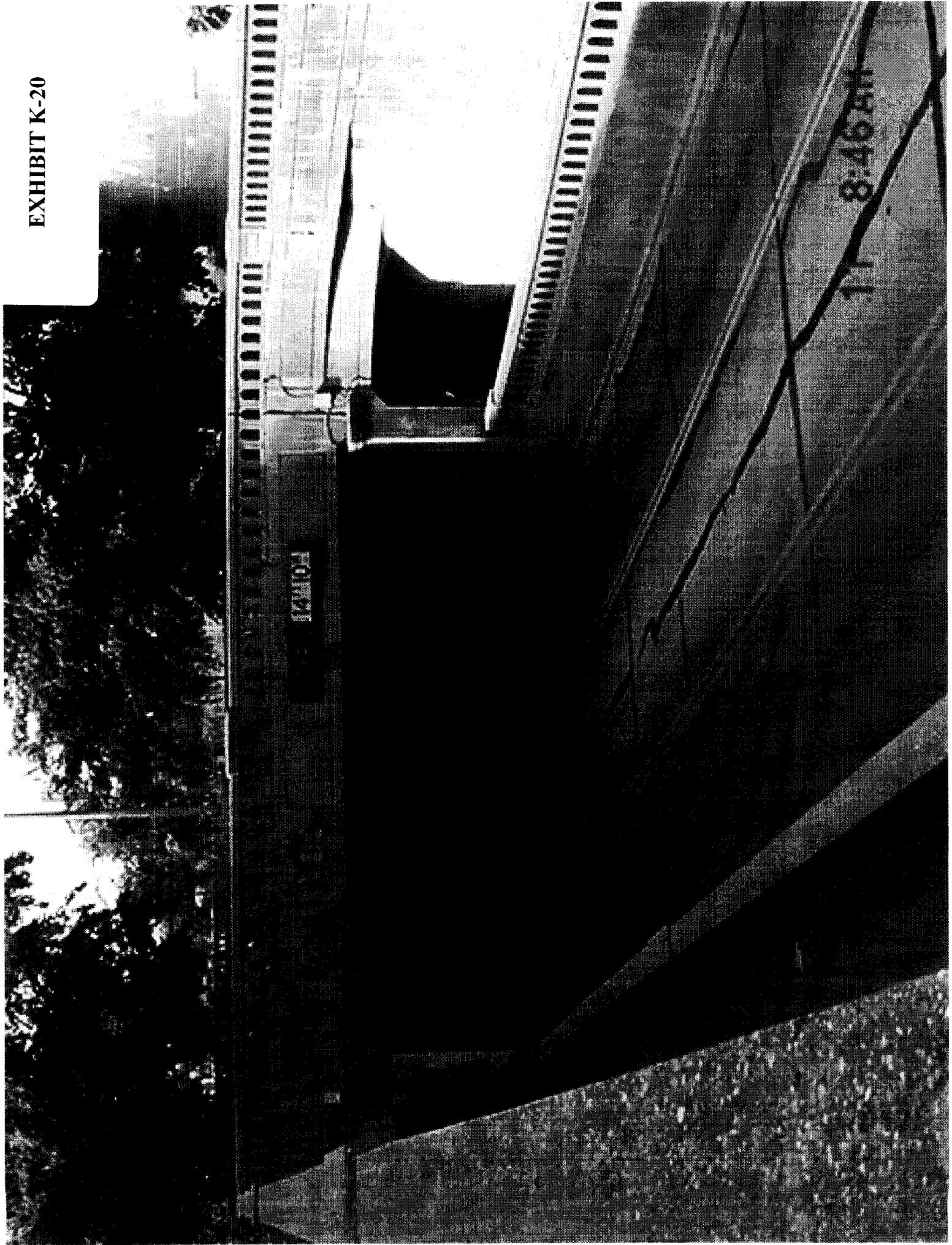


EXHIBIT K-20



CERTIFICATION PURSUANT TO 49 C.F.R.1105.7(c)

BNSF Railway Company and the Stillwater Central Railroad, Inc., ("Applicants") by and through their authorized representative, Sidney L. Strickland, Jr., and Karl Morell, respectively, certify that on September 2, 2005, Applicants sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

Ms. Victoria Ruston
Chief, SEA
Surface Transportation Board
1925 K Street, N.W.
Washington, DC, 20423-0001

Richard Stark
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
222 S. Houston, Suite A
Tulsa, OK 74127

Rodney C. Shaw
District Conservationist
United States Department of Agriculture
Natural Resources Conservation Service
1120 NW 63rd St., Suite G101
Oklahoma City, OK 73116

Kerry Wagon
Public Safety Capital Projects
200 N Walker, 2nd Floor
Oklahoma City, OK 73102

Charles Wallis, RPA
Historical Archaeologist
State Historic Preservation Office
Oklahoma Historic Society
2704 Villa Prom
Oklahoma City, OK 73107

James D. Couch, City Manager
Office of the City Manager
200 N Walker, 3rd Floor
Oklahoma City, OK 73102

Matt Pace
Environmental Program Specialist
Water Quality Department
Oklahoma Department of Environmental
Quality
707 North Robinson, P.O. Box 1677
Oklahoma City, OK 73101-1677

Bureau of Land Management
Oklahoma Field Office
7906 E. 33rd Street, Suite 101
Tulsa, OK 74145

Jim Leach, Assistant Director
Water Quality Division
Oklahoma Conservation Commission
2800 North Lincoln Blvd., Suite 160
Oklahoma City, OK 73105

Susan Henry, Planner
Conservation and Planning
Oklahoma Tourism and Recreation Dept.
120 N. Robinson, Suite 600
Oklahoma City, OK 73102

Allen Ryan
Regulatory Branch
U.S. Army Corps of Engineers
1645 S. 101st E. Ave
Tulsa, OK 74128-462

Neal Lehr
Department of Public Works
420 W. Main Street, 7th Fl.
Oklahoma City, OK 73102

Carolynn Caudill, County Clerk
County Office Building
320 Robert S. Kerr Avenue
Oklahoma City, OK 73102

Oklahoma County Board
of Commissioners
County Office Building
320 Robert S. Kerr Avenue
Oklahoma City, OK 73102

Cheryl Echhardt
U.S. National Park Service
12795 W. Alameda Parkway
P.O. Box 25287
Denver, CO 80225-0287

Brent Larson
Stormwater Permitting Coordinator
U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue, 12th Fl.
Dallas, TX 75202-2733

Ferella March
Paul Moore
Natural Resources Biologist
Oklahoma Department of
Wildlife Conservation
P.O. Box 53465
Oklahoma City, OK 73105

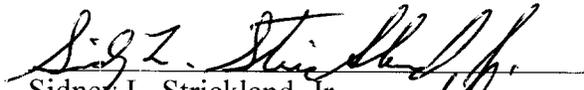
Oklahoma Department
of Transportation
Office of Rail Programs and Safety
200 N.E. 21st Street
Oklahoma City, OK 73105

Richard Snay
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910

Buddy Combs
Manager, Railroad Section
Transportation Division
Oklahoma Corporation Commission
P.O. Box 52000
Oklahoma City, OK 73152-2000

Richard Stark
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
222 S. Houston, Suite A
Tulsa, OK 74127

The required cover letters (pursuant to 49 C.F.R. 1105.11) are attached hereto. BNSF has consulted with all appropriate agencies in preparing the reports.


Sidney L. Strickland, Jr.
Sidney Strickland And Associates
3050 K St. N.W.,
Suite 101
Washington, D.C. 20007


Karl Morell
Of Counsel, Ball Janik LLP
Suite 225
1455 F Street, N.W.
Washington, D.C. 20005

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-295-4024
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Ms. Victoria Ruston
Chief, SEA
Surface Transportation Board
1925 K Street, N.W.
Washington, DC, 20423-0001

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

Dear Ms. Ruston:

On or about September 23, 2005, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 2.95 miles of railroad line between Milepost 539.96 and Milepost 542.91 in Oklahoma City, within Oklahoma County, OK. The Stillwater Central Railroad, Inc. ("SLWC") has a combination of leased trackage and trackage rights over the line proposed for abandonment over which SLWC will discontinue service. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/cac

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-295-4024
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Rodney C. Shaw
District Conservationist
United States Department of Agriculture
Natural Resources Conservation Service
1120 NW 63rd St., Suite G101
Oklahoma City, OK 73116

Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment Exemption in Oklahoma County, OK

STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of Service Exemption in Oklahoma County, OK

Dear Mr. Shaw:

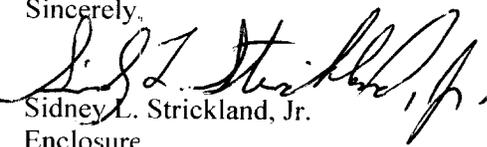
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We are providing these reports so that you may review the information that will form the basis for the STB's independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub-No.430X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within 3 weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 295-4024 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
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3050 K ST. N.W., SUITE 101
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SIDNEY L. STRICKLAND, JR.
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September 2, 2005

Charles Wallis, RPA
Historical Archaeologist
State Historic Preservation Office
Oklahoma Historic Society
2704 Villa Prom
Oklahoma City, OK 73107

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

Dear Mr. Wallis :

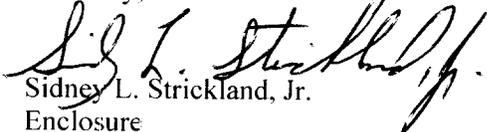
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Thank you in advance for your cooperation.

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Sidney L. Strickland, Jr.

Enclosure
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Matt Pace, Environmental Program Specialist
Water Quality Department
Oklahoma Department of Environmental Quality
707 North Robinson, P.O. Box 1677
Oklahoma City, OK 73101-1677

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

Dear Mr. Pace:

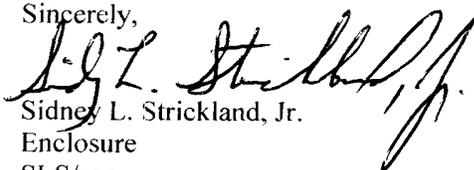
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Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.
Enclosure
SLS/cac

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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Jim Leach, Assistant Director
Water Quality Division
Oklahoma Conservation Commission
2800 North Lincoln Blvd., Suite 160
Oklahoma City, OK 73105

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

Dear Mr. Leach:

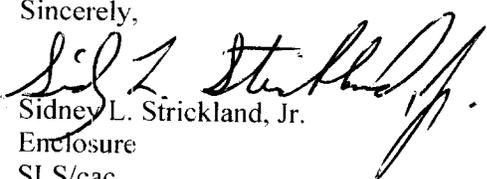
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Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/cac

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WASHINGTON, DC 20007-5108
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FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Allen Ryan
Regulatory Branch
U.S. Army Corps of Engineers
1645 S. 101st E. Ave
Tulsa, OK 74128-4629

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK
Identification No. 14785***

Dear Mr. Ryan:

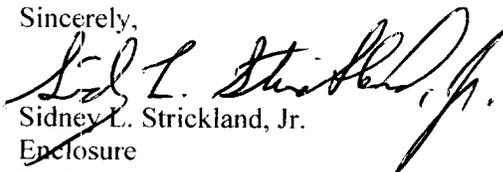
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Sidney L. Strickland, Jr.

Enclosure
SLS/cac

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3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-295-4024
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Kerry Wagon
Public Safety Capital Projects
200 N Walker, 2nd Floor
Oklahoma City, OK 73102

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

Dear Ms. Wagon:

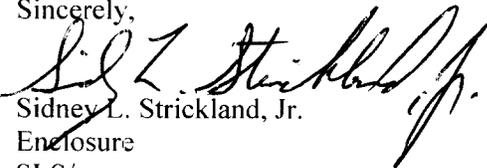
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Sidney L. Strickland, Jr.

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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

James D. Couch, City Manager
Office of the City Manager
200 N Walker, 3rd Floor
Oklahoma City, OK 73102

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

Dear Mr. Couch:

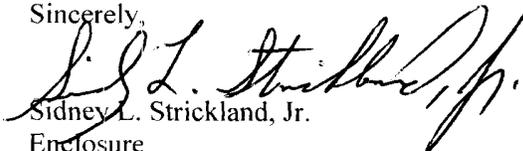
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SIDNEY L. STRICKLAND, JR.
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September 2, 2005

Bureau of Land Management
Oklahoma Field Office
7906 E. 33rd Street, Suite 101
Tulsa, OK 74145

Re: STB Docket No. AB-6 (Sub. No. 430X), BNSF Railway Company Abandonment Exemption in Oklahoma County, OK

STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of Service Exemption in Oklahoma County, OK

Dear Sir or Madam:

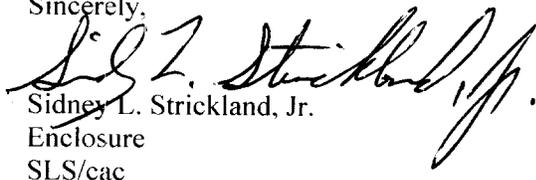
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Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.
Enclosure
SLS/cac

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-295-4024
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLCCOM

September 2, 2005

Susan Henry, Planner
Conservation and Planning
Oklahoma Tourism and Recreation Dept.
120 N. Robinson, Suite 600
Oklahoma City, OK 73102

Re: STB Docket No. AB-6 (Sub. No. 430X), BNSF Railway Company Abandonment Exemption in Oklahoma County, OK

STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of Service Exemption in Oklahoma County, OK

Dear Ms. Henry:

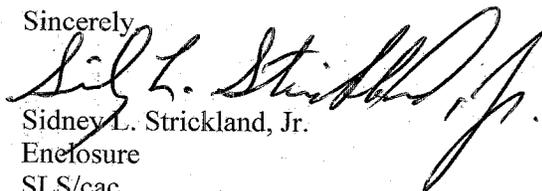
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TELEPHONE: 202-295-4024
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLCCOM

September 2, 2005

Neal Lehr
Department of Public Works
420 W. Main Street, 7th Fl.
Oklahoma City, OK 73102

Re: STB Docket No. AB-6 (Sub. No. 430X), BNSF Railway Company Abandonment Exemption in Oklahoma County, OK

STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of Service Exemption in Oklahoma County, OK

Dear Mr. Lehr:

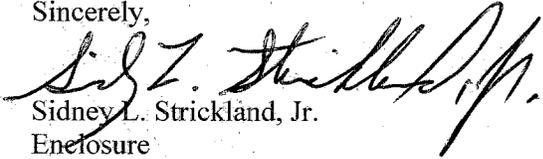
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FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Carolynn Caudill, County Clerk
County Office Building
320 Robert S. Kerr Avenue
Oklahoma City, OK 73102

Re: STB Docket No. AB-6 (Sub. No. 430X), BNSF Railway Company Abandonment Exemption in Oklahoma County, OK

STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of Service Exemption in Oklahoma County, OK

Dear Ms. Caudill:

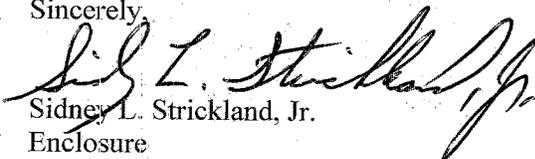
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Sincerely,



Sidney L. Strickland, Jr.

Enclosure

SLS/cac

c: Oklahoma County Board of Commissioners

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-295-4024
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Oklahoma County Board
of Commissioners
County Office Building
320 Robert S. Kerr Avenue
Oklahoma City, OK 73102

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

Dear Sir or Madam:

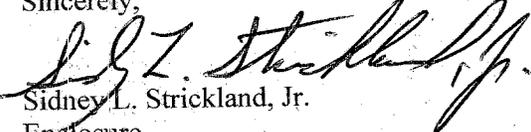
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Sidney L. Strickland, Jr.

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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Cheryl Echhardt
U.S. National Park Service
12795 W. Alameda Parkway
P.O. Box 25287
Denver, CO 80225-0287

Re: STB Docket No. AB-6 (Sub. No. 430X), BNSF Railway Company Abandonment Exemption in Oklahoma County, OK

STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of Service Exemption in Oklahoma County, OK

Dear Ms. Echhardt:

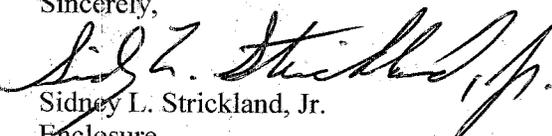
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Brent Larson
Stormwater Permitting Coordinator
U.S. Environmental Protection Agency
1445 Ross Avenue, 12th Fl.
Dallas, TX 75202-2733

Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment Exemption in Oklahoma County, OK

STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of Service Exemption in Oklahoma County, OK

Dear Mr. Larson:

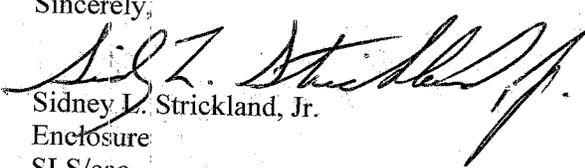
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3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-295-4024
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Ferella March
Natural Resources Biologist
Oklahoma Department of
Wildlife Conservation
P.O. Box 53465
Oklahoma City, OK 73105

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

Dear Ms. March:

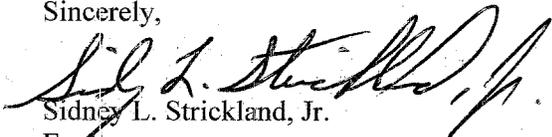
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TELEPHONE: 202-295-4024
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Oklahoma Department
of Transportation
Office of Rail Programs and Safety
200 N.E. 21st Street
Oklahoma City, OK 73105

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
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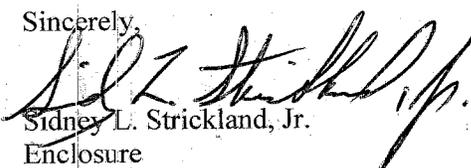
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLCCOM

September 2, 2005

Richard Snay
National Geodetic Survey
1315 East-West Highway
Silver Spring, MD 20910

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK***

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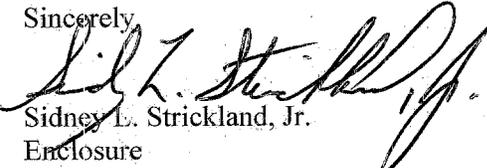
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

September 2, 2005

Buddy Combs
Manager, Railroad Section
Transportation Division
Oklahoma Corporation Commission
P.O. Box 52000
Oklahoma City, OK 73152-2000

***Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK***

***STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
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Dear Mr. Combs:

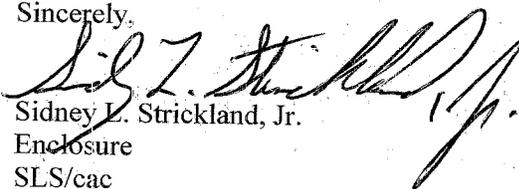
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TELEPHONE: 202-295-4024
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLCCOM

September 2, 2005

Richard Stark
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
222 S. Houston, Suite A
Tulsa, OK 74127

*Re: STB Docket No. AB-6 (Sub. No. 430X) BNSF Railway Company Abandonment
Exemption in Oklahoma County, OK*

*STB Docket No. AB-1040X, Stillwater Central Railroad, Inc. Discontinuance of
Service Exemption in Oklahoma County, OK*

Dear Mr. Stark:

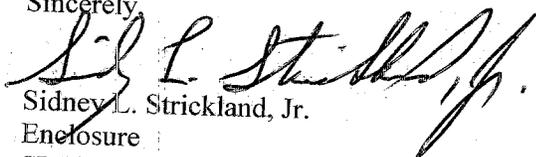
On or about September 23, 2005, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 2.95 miles of railroad line between Milepost 539.96 and Milepost 542.91 in Oklahoma City, Oklahoma. The Stillwater Central Railroad, Inc. ("SLWC") has a combination of leased trackage and trackage rights over the line proposed for abandonment over which SLWC will discontinue service. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB's independent environmental and historic analyses 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 STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub-No.430X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within 3 weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 295-4024 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/cac