

# FLETCHER & SIPPEL LLC

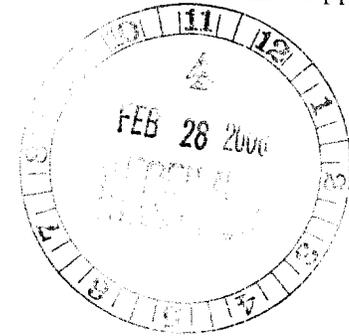
ATTORNEYS AT LAW

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

MICHAEL J. BARRON, JR.  
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215879

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February 27, 2006

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

Re: Environmental Report, Historic Report and Required Certifications for  
Docket No. AB-43 (Sub-No. 178X), Illinois Central Railroad Company.—  
Notice of Exemption for Abandonment in Madison County, Mississippi

Dear Secretary Williams:

Illinois Central Railroad Company intends on filing a Notice of Exemption for the above-referenced proposed abandonment any time on or after March 20, 2006. Enclosed for the above-referenced Abandonment Exemption are the following, which are required by 49 C.F.R. Part 1105:

1. An original and ten copies of the Environmental/Historic Report
2. An original and ten copies of the transmittal letter that accompanied the reports, and
3. An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C.F.R. Part 1105.

Please stamp and return the duplicate copy of this letter to my attention to indicate that you received the items listed. As shown in the Environmental Report, we conclude that the proposed abandonment is outside a coastal area, so Illinois Central Railroad Company concludes the proposed abandonment does not need a Coastal Zone Management Plan Consistency Review.

Feel free to call me if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Barron, Jr.".

Michael J. Barron, Jr.  
Attorney for Illinois Central Railroad Company

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Office of Proceedings

FEB 28 2006

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Public Record

Encls.

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ATTORNEYS AT LAW

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**MICHAEL J. BARRON, JR.**  
(312) 252-1511  
mbarron@fletcher-sippel.com

February 27, 2006

**Re: Illinois Central Railroad Company Notice of Exemption for Abandonment—Madison County, Mississippi—Docket AB-43 (Sub-No. 178X)**

To Whom It May Concern:

Any time on or after March 20, 2006, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line that comes off the Grenada Sub at milepost 705.2 and travels eastward, a distance of approximately 12,300 feet, in Canton, Madison County, Mississippi. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 1925 K Street, N.W., Washington, D.C. 20423-0001, (202) 565-1545, and refer to the above docket number.

IC will file the Environmental Report and Historic Report with the STB on or about February 27, 2006. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (312) 252-1511 or by mail at the above address.

Sincerely,



Michael J. Barron, Jr.  
Attorney for Illinois Central Railroad Company

Encls.

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NO. AB-43 (SUB-NO. 178X)

ILLINOIS CENTRAL RAILROAD COMPANY  
— ABANDONMENT EXEMPTION —  
IN MADISON COUNTY, MISSISSIPPI

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**ENVIRONMENTAL/HISTORIC REPORT**

Illinois Central Railroad Company ("IC") submits this Environmental/ Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence is attached. It is the conclusion of this report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

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

1. Proposed Action and Alternatives. IC seeks to abandon its line of railroad, referred to herein as the "Canton Line" which line comes off the Grenada Sub at milepost 705.2 and travels east approximately 12,300 feet to the end of track, in Canton, Madison County, Mississippi.

Starting from west to east, the Canton Line travels through an urbanized area of Canton, a community in Central Mississippi just north of Jackson and ends at the end of track just east of Canton.

Following abandonment, 10 at-grade crossings can be removed.

There are no buildings located within the abandonment area, but there is one structure located on the abandonment. There is an open deck timber bridge over a non-navigable stream located at the point of switch off the Grenada Sub.

There are no customers on the line and no revenue cars have originated or terminated on the line for at least two years. There is no overhead traffic on the Canton Line, as it is a line that stub ends on its eastern end.

No alternatives to the proposed abandonment have been considered.

After abandonment, IC intends to salvage rail, ties and track material from the line, leaving the ballast in place.

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

2. Transportation System. IC does not anticipate that existing regional or local transportation systems or patterns will be adversely affected by the proposed abandonment as the line is currently not in use. Comments have been requested from the Mississippi Department of Transportation and from the City of Canton; they have not yet responded. See correspondence attached hereto as Appendix B and C.

The width of the right-of-way is 100 feet.

Abandonment of the Canton Line will allow permanent closure of 10 highway grade crossings as follows:

<u>Name</u>	<u>DOT No.</u>	<u>Warning Devices</u>
N. Union Street	300524P	Other signs
US 51 Liberty Street	300525W	Crossbucks
Yandell Street	302665F	None
Dobson Avenue	300526D	None
Yandell Street	302667U	None
Lincoln Avenue	300530T	None
Miller Street	300531A	Other Signs
Matthews Drive	302671J	None

Dowdle Drive	302670C	None
City Street	299747F	None Industry

3. Land Use.

(i) IC does not foresee any inconsistency with regional and/or local land use plans. This is simply an abandonment of a line no longer used.

(ii) The Natural Resources Conservation Service has indicated that the proposed abandonment will not have any adverse impact on prime farmland. See correspondence attached hereto as Appendix D.

(iii) The Canton Line does not lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. IC has contacted the Mississippi Coastal Program, Mississippi Department of Marine Resources, but has not as yet received a response. See correspondence attached hereto as Appendix E.

(iv) The line could be suitable for a trail. It would not be suitable for highway purposes as this is an area with a developed highway system.

4. Energy.

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

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

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no current traffic originating or terminating on the line nor overhead traffic on the line and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

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

5. Air.

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

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

(iii) Not applicable. This is an abandonment of a line on which there has been no customers for at least two years and there is no overhead traffic on the line.

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

7. Safety.

(i) The proposed action will have positive effects on public health and safety. Abandonment of the line will allow elimination of 10 public grade crossings. During any salvage operations on the Canton Line, precautions will be taken to ensure public safety.

(ii) Not applicable. This is an abandonment of a line on which no traffic has originated or terminated for at least two years and there is no overhead traffic. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) IC has received no notice of any hazmat sites on the Canton Line, nor is there any environmental enforcement actions on the line. In a telephone conversation on November 14, 2005 with Mr. Jerry Banks of the Groundwater Assessment and Remediation Section of the Mississippi Department of Environmental Quality, Mr. Banks indicated to me that he has no concerns with the abandonment.

8. Biological Resources.

(i) In response to IC's request for comments, the U.S. Fish and Wildlife Service states that no impacts are anticipated on federal listed species as a result of the abandonment and that there are no significant adverse wetland impacts. See correspondence attached hereto as Appendix F.

IC contacted the Mississippi Natural History Program, which responded that there will be no impact on wilderness areas or wildlife preserves. See correspondence attached hereto as Appendix G.

IC also contacted the Mississippi Department of Wildlife, Fisheries and Parks, but has not received a response. See correspondence attached herein as Appendix H.

(ii) The Canton Line does not pass through or is not adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected.

9. Water.

(i) IC has contacted the Mississippi Department of Environmental Quality (“MDEQ”) to determine whether the proposed abandonment is consistent with applicable federal, state and local water quality standards. See correspondence attached hereto as Appendix I. While MDEQ has not responded to this inquiry, IC will be mindful of proper erosion control in the removal of rail and other salvageable materials to minimize impact. IC intends on leaving bridges and culverts in place.

(ii) IC has contacted the Army Corps of Engineers to determine if the proposed abandonment requires permits under Section 404 of the Clean Water Act. The Corps responded in a letter by indicating that no Section 404 permit nor a permit under Section 10 of the Rivers and Harbors Act of 1899 should be required. See correspondence attached hereto as Appendix J.

IC also believes that removal of rails will not affect any existing wetlands. In addition, abandonment should not impact any 100-year floodplain if no additional fill is placed in any floodplain.

(iii) Based on IC’s plans for disposal and recycling of track material, IC concludes that no permits under Section 402 of the Clean Water Act are required. No material will be disposed of into waterways as part of the abandonment. IC contacted the U.S. Environmental Protection Agency regarding the proposed abandonment. The EPA responded that they have no objections, but gave some recommended best practices. See correspondence attached hereto as Appendix K.

#### 10. Proposed Mitigation.

Since IC anticipates no adverse environmental impact from this proposed transaction, no mitigation actions are proposed.

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

1. Map. A map of the Canton Line is attached hereto as Appendix A.

2. Description of Line. The Canton Line begins at a point off the Grenada Sub at milepost 705.2 and travels approximately 12,300 feet east to the end of track in Canton, Madison County, Mississippi. The Canton Line appears to have been part of the old Canton and Carthage Railroad, which would have gone to Carthage, in adjoining Leake County. There have been no revenue cars originating or terminating on the Canton Line for at least two years.

The Canton Line travels through an urbanized area of Canton, and ends at the end of track just east of Canton. The right-of-way width is 100 feet.

3. Photographs.

A photograph is enclosed of the one bridge on the Line. See Appendix L

4. Information on Structures.

There are no buildings on the Canton Line, but there is one structure located on the Canton Line. In particular, there is an open deck timber bridge over a non-navigable creek at the point of switch off the Grenada Sub. This bridge is a common timber pile bridge with wood caps and wood stringers and is of no historical interest.

5. History of Operations.

The Canton Line appears to have been part of the old Canton to Carthage Railroad, running to Carthage in Leake County. IC has been unable to locate any additional historical information on the line.

6. Engineering Documents.

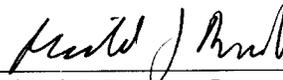
To the best of IC's knowledge, it does not have any relevant engineering documents for the Canton Line.

7. Historic Criteria. Based on readily available information in its possession, IC believes that no site or structure listed in or meeting the criteria for listing in the *National Register of Historic Places* is located on the Canton Line or will be affected by the abandonment. IC also believes that no culturally significant locations, archeological sites, or unique land forms will be affected by the abandonment. IC has contacted the Mississippi Department of Archives and History and requested a historical review. The Department responded by saying that no properties listed on or eligible for the National Register would be affected, and they have no reservations about the proposed abandonment. See correspondence attached hereto as Appendix M.

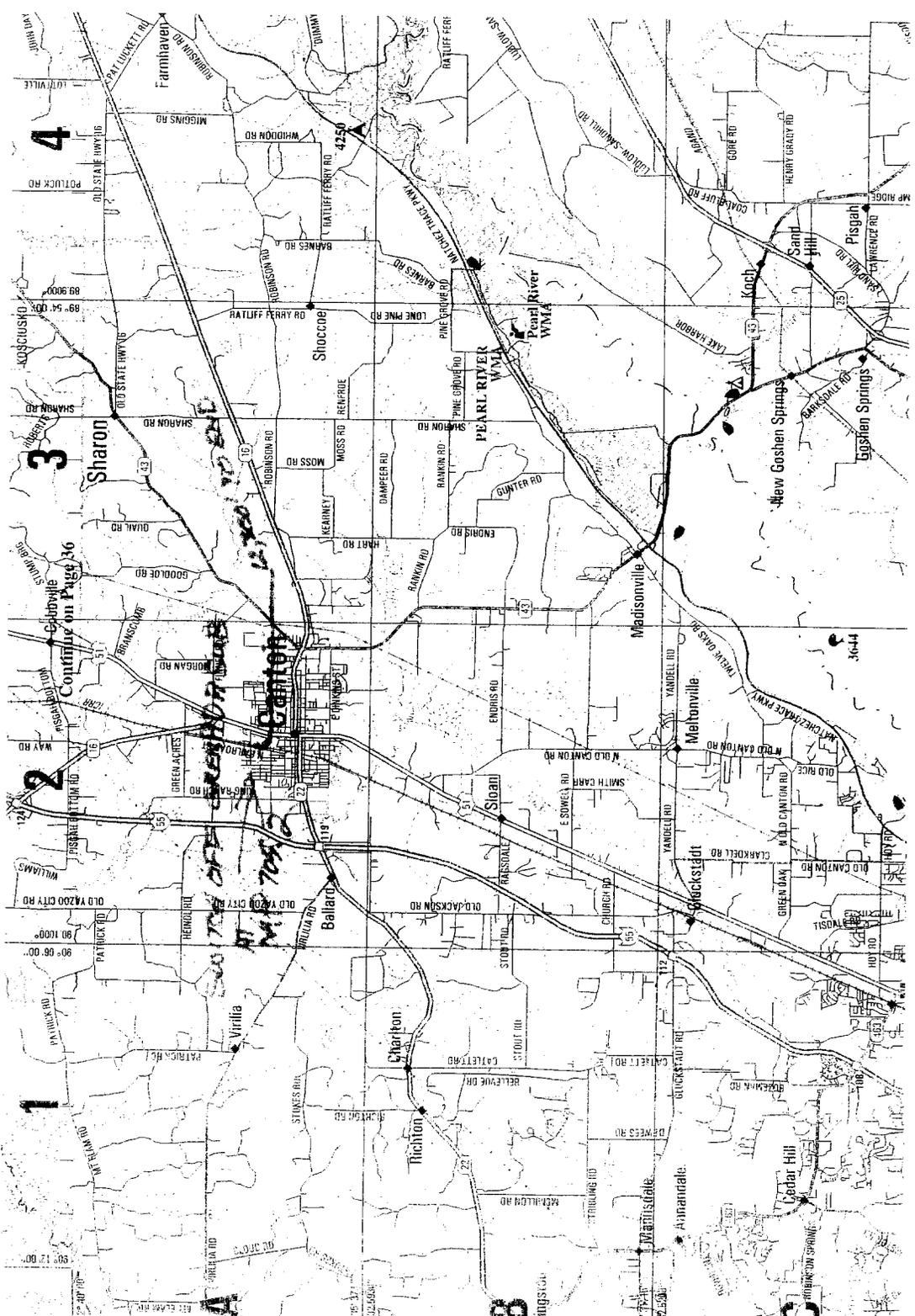
8. Ground Disturbance. IC is unaware of environmental conditions that might affect the archaeological recovery of resources. Access to the line is good.

Dated: February 27, 2006

Respectfully submitted,



Michael J. Barron, Jr.  
Attorney for Illinois Central Railroad Company  
Canadian National/Illinois Central  
29 North Wacker Drive  
Suite 920  
Chicago, IL 60606-2832  
(312) 252-1500



APPENDIX A



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Michael J. Barron

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

Telephone: 312-252-1511  
Fax: 708-332-4361

October 18, 2005

Mr. Marlin D. Collier  
Director, Office of Intermodal Planning  
Mississippi Department of Transportation  
P.O. Box 1850  
Jackson, MS 39115-1850

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mr. Collier:

Illinois Central Railroad Company ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,



Michael J. Barron, Jr.

Encl.

APPENDIX B



www.cn.ca

Michael J. Barron

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Homewood, IL 60430-1339

Telephone: 312-252-1511

Fax: 708-332-4361

October 18, 2005

Mayor Fred Esco, Jr.  
Mayor, Canton, MS  
226 Peace Street  
Canton, MS 39046

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mayor Esco:

Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Michael J. Barron, Jr.

Encl.

APPENDIX C



www.cn.ca

Michael J. Barron

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

Telephone: 312-252-1511  
Fax: 708-332-4361

October 18, 2005

Mr. Homer L. Wilkes  
State Conservationist  
USDA Natural Resources Conservation Service  
100 West Capitol Street, Room 1321  
Jackson, MS 39269

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mr. Wilkes:

Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.

APPENDIX D

Encl.

UNITED STATES DEPARTMENT OF AGRICULTURE



Natural Resources Conservation Service  
Suite 1321, Federal Building  
100 West Capitol Street  
Jackson, MS 39269  
COM: (601) 965-5205 FAX: (601) 965-4940

---

November 7, 2005

Mr. Michael J. Barron  
17641 S. Ashland Avenue  
Homewood, IL 60430-1339

Dear Mr. Barron:

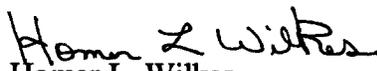
Thank you for the opportunity to comment on the proposed abandonment of 12,300 feet of Illinois Central Railroad Company rail line within the city of Canton, Madison County, Mississippi. The Natural Resources Conservation Service (NRCS) is responsible for insuring compliance with the Farmland Protection Policy Act.

In accordance with the Farmland Protection Policy Act (FPPA) of 1981, programs that contribute to the necessary and irreversible conversion of farmland to nonagricultural uses will be minimized. It follows that these programs shall be administered in a manner that, as practicable, will be compatible with state and local government and private programs and policies to protect farmland.

Prime farmland is not present within the project area. The entire project area is either within or adjacent to the Canton city limits. The project as planned is in full compliance with the Farmland Protection Policy Act.

If best management practices are used during the abandonment process, no long term significant impacts are expected. The Natural Resources Conservation Service concurs in your Finding of No Significant Impacts.

Sincerely,

  
Homer L. Wilkes  
State Conservationist

cc: Kim Harris, State Conservation Engineer, NRCS, Jackson, MS  
Maurice Manning, Area Conservationist, NRCS, Pearl, MS  
Tom Heard, District Conservationist, NRCS, Canton, MS



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Fax: 708-332-4361

October 18, 2005

Mr. Jerry Brashier  
Director of Wetland Permitting  
Mississippi Coastal Program  
Mississippi Dept of Marine Resources  
1141 Bayview Avenue, Suite 101  
Biloxi, MS 39530

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mr. Brashier:

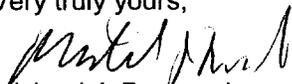
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11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.

APPENDIX E

Encl.



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17641 S. Ashland Avenue  
Homewood, IL 60430-1339

Telephone: 312-252-1511  
Fax: 708-332-4361

October 18, 2005

Ms. Kathy W. L Lunceford  
Environmental Coordinator  
U.S. Fish & Wildlife Service  
6578 Dogwood View Parkway, Suite A.  
Jackson, MS 39213

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Ms. Lunceford:

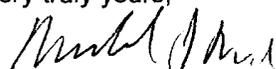
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Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.

APPENDIX F

Encl.



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Fax: 708-332-4361

October 18, 2005

RECEIVED

OCT 24 2005

By MS Field Office

Ms. Kathy W. L Lunceford  
Environmental Coordinator  
U.S. Fish & Wildlife Service  
6578 Dogwood View Parkway, Suite A.  
Jackson, MS 39213

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Ms. Lunceford:

Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Michael J. Barron, Jr.

Encl.

<input checked="" type="checkbox"/> No Significant adverse wetland impacts
<input checked="" type="checkbox"/> No listed, proposed or candidate species present
David Felder
Environmental Coordinator U.S. Fish and Wildlife Service
2006-92 10/21/05
Log No. Date



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Michael J. Barron

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

Telephone: 312-252-1511  
Fax: 708-332-4361

October 18, 2005

Ms. Cynthia Rickis-Gordon  
Environmental Biologist  
Mississippi Natural Heritage Program  
Mississippi Museum of Natural Science  
2148 Riverside Drive  
Jackson, MS 39202-1353

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Ms. Rickis-Gordon:

Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,



Michael J. Barron, Jr.

APPENDIX G

Encl.

December 13, 2005



R# 4485

**Illinois Central**  
2151 North Mill St.  
Jackson, MS 39202

Re: Railroad Line Abandonment  
Road Improvements  
Madison County

To Bob Weadam:

In response to your request for information dated November 1, 2005, I have searched our database for occurrences of state or federally listed species and other special concern animals and plants on and within 2 miles of the site referenced above. No wilderness areas or wildlife preserves are affected at this site.

The Mississippi Natural Heritage Program (MNHP) has compiled a database that is the most complete source of information about Mississippi's rare, threatened, endangered or otherwise significant plants, animals, plant communities and natural features. The quantity and quality of data collected by MNHP are dependent on the research and observations of many individuals and organizations. In many cases, this information is not the result of comprehensive or site-specific field surveys; most natural areas in Mississippi have not been thoroughly surveyed and new occurrences of plant and animal species are often discovered. Heritage reports summarize the existing information known to the MNHP at the time of the request and cannot always be considered a definitive statement on the presence, absence or condition of biological elements on a particular site.

Please feel free to contact us if we can provide additional information.

Sincerely,

  
Adrienne Clark, Biological GIS Technician  
Mississippi Natural Heritage Program

*Preserving Natural Mississippi*

2148 RIVERSIDE DRIVE • JACKSON, MS 39202-1353 • PHONE 601 354-7303 FAX 601 354-7227 • [www.mdwfp.state.ms.us/museum](http://www.mdwfp.state.ms.us/museum)

DEPARTMENT OF WILDLIFE, FISHONES, AND PARKS



www.cn.ca

Michael J. Barron

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

Telephone: 312-252-1511  
Fax: 708-332-4361

October 18, 2005

Mr. Christopher A. Alonzo  
Director, Environmental Programs  
Mississippi Dept. of Wildlife,  
Fisheries and Parks  
1505 Eastover Drive  
Jackson, MS 39211-6322

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mr. Alonzo:

Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.

APPENDIX H

Encl.

# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

MICHAEL J. BARRON, JR.  
(312) 252-1511  
mbarron@fletcher-sippel.com

October 25, 2005

Ms. Lisa Ouzts  
Legal Division  
Mississippi Dept. of Environmental Quality  
P.O. Box 20305  
Jackson, MS 39289-1305

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Ms. Ouzts:

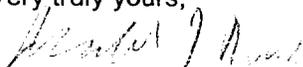
Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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7. National or state parks or forests;
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9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.

APPENDIX I

Encl.



www.cn.ca

Michael J. Barron

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

Telephone: 312-252-1511  
Fax: 708-332-4361

October 18, 2005

Ms. Elizabeth S. Guynes  
Chief, Regulatory Branch  
U.S. Army Corp of Engineers  
Vicksburg District, Operations Division  
4155 Clay Street  
Vicksburg, MS 39280-3435

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mr. Guynes:

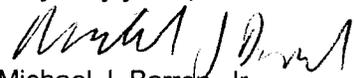
Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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2. Designated wetlands;
3. 100-year-old flood plains;
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10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.

Encl.

APPENDIX J



## DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS  
4155 CLAY STREET  
VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO  
ATTENTION OF:

November 7, 2005

Operations Division  
Regulatory

SUBJECT: Determination of Permit Requirements

Mr. Michael J. Barron, Jr.  
Illinois Central Railroad Company  
17641 South Ashland Avenue  
Homewood, Illinois 60431-1339

Dear Mr. Barron:

I refer to recent correspondence concerning the proposed abandonment by Illinois Central Railroad Company of its rail line that comes off Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi.

Based upon the information furnished, it appears that a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act will not be required for the proposed work. In the event that project plans are changed, or if you anticipate any additional construction, please contact this office for a reevaluation of permit requirements, and refer to No. MVK-2005-1490 when submitting the information.

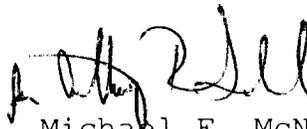
This preliminary jurisdictional determination was based upon available information that there does not appear to be jurisdictional areas on the property subject to regulation pursuant to Section 404 of the Clean Water Act. An appeals form has been enclosed for your review (enclosure).

This determination of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges, and does not authorize any injury to property or invasion of rights or local laws or regulations, or obviate the requirement to obtain State or local assent required by law for the activity discussed herein.

-2-

If we may be of any further assistance in this matter, please contact Ms. Karen Dove-Jackson, telephone (601) 631-7136, fax (601) 631-5459 or e-mail address: regulatory@mvk02.usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael F. McNair". The signature is stylized and cursive.

Michael F. McNair, R.F.  
Team Leader, Permit Section  
Regulatory Branch

Enclosure



www.cn.ca

October 18, 2005

Ms. Elizabeth S. Guynes  
Chief, Regulatory Branch  
U.S. Army Corp of Engineers  
Vicksburg District, Operations Division  
4155 Clay Street  
Vicksburg, MS 39280-3435

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mr. Guynes:

Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Michael J. Barron, Jr.

Encl.

NPR

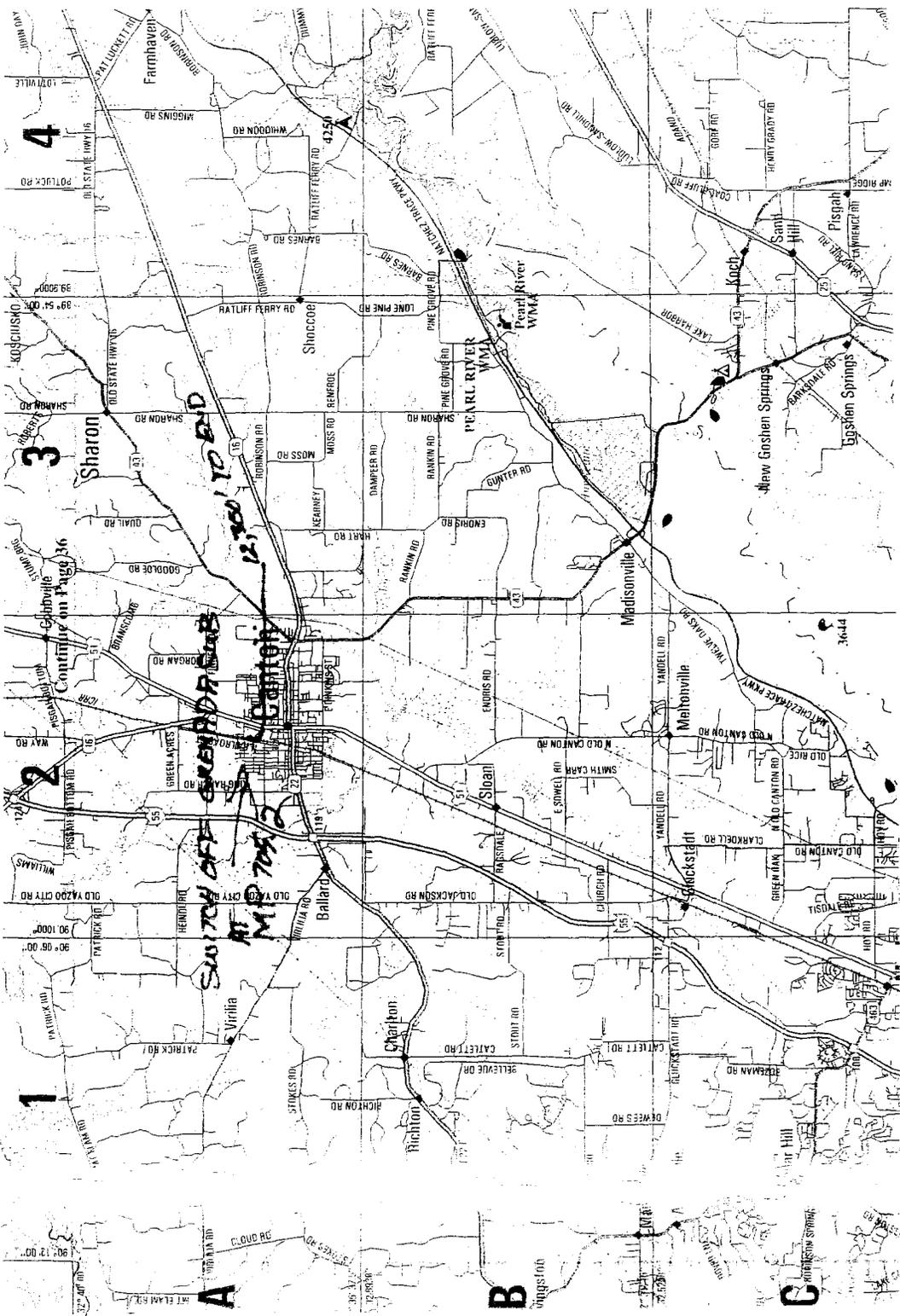
ORU → FP

KDJ  
10/25

Michael J. Barron

17641 S. Ashland Avenue  
Homewood, IL 60430-1339

Telephone: 312-252-1511  
Fax: 708-332-4361



## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Illinois Central Railroad Company	File Number: MVK-2005-1490	Date: November 7, 2005
Attached is:		See Section Below
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input checked="" type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.**

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations (JD) associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Ms. Karen Dove-Jackson  
U.S. Army Corps of Engineers  
Regulatory Branch  
4155 Clay Street  
Vicksburg, MS 39183-3435  
(601) 631-7136

If you only have questions regarding the appeal process you may also contact:

Division Engineer  
Attn: Appeals Review Officer  
Mississippi Valley Division  
Post Office Box 80  
Vicksburg, MS 39181-0080  
(601) 634-5820

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:
----------------------------------	-------	-------------------



## DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS

4155 CLAY STREET

VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO  
ATTENTION OF:

October 25, 2005

Operations Division  
Regulatory

SUBJECT: Illinois Central Railroad Company Proposed Abandonment  
in Madison County, Mississippi

Mr. Michael J. Barron, Jr.  
CN  
17641 South Ashland Avenue  
Homewood, Illinois 60430-1339

Dear Mr. Barron:

We have received your correspondence, subject as above, on October 24, 2005. We are working diligently to reply to you in a timely manner. For ease of reference, we assigned your correspondence an identification number, MVK-2005-1490. Please refer to this number should you write or call us about your request.

If you have any questions about the status of your request, please call this office at 601-631-5165.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth S. Guynes".

Elizabeth S. Guynes  
Chief, Regulatory Branch

# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

MICHAEL J. BARRON, JR.  
(312) 252-1511  
mbarron@fletcher-sippel.com

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

October 25, 2005

Mr. James I. Palmer  
Regional Administrator, Region IV  
U.S. Environmental Protection Agency  
61 Forsyth Street  
Atlanta, GA 30303

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mr. Palmer:

Illinois Central Railroad Company. ("ICR") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon its rail line that comes off ICR's Grenada Sub at milepost 705.2 and traverses eastward approximately 12,300 feet to the end of track in Canton, Madison County, Mississippi. For your convenience, we have attached a map for your reference. ICR is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

  
Michael J. Barron, Jr.  
Encl.

cc: Allison Wise

APPENDIX K

COM

# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

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

MICHAEL J. BARRON, JR.  
(312) 252-1511  
mbarron@fletcher-sippel.com

November 1, 2005.

Mr. Russell L. Wright, Jr.  
U.S. Environmental Protection Agency  
Region 4  
Atlanta Federal Center  
61 Forsyth Street  
Atlanta, GA 30303-8960

Re: Mississippi Abandonments

Dear Mr. Wright:

Thank you for your correspondence of October 24. Enclosed are copies of recent correspondence I sent to the EPA concerning additional abandonments. We welcome your input on these abandonments as well. Please let us know if we should direct all future correspondence on upcoming abandonments to your attention.

Sincerely,



Michael J. Barron, Jr.

Encl.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

November 14, 2005

Mr. Michael J. Barron, Jr.  
Counsel for Illinois Central Railroad Company  
17641 South Ashland Avenue  
Homewood, Illinois 60430

**SUBJ: EPA Comments on Illinois Central Railroad Company (ICR) Proposed Railroad Abandonments in Madison County and Lawrence County, MS; Also, EPA Generic Response for Prospective ICR Railroad Abandonment Proposals with Minimal Environmental Impacts**

Dear Mr. Barron:

The U.S. Environmental Protection Agency (EPA) has received your two letters dated October 18, 2005, regarding the proposed railroad abandonments in Madison and Lawrence County, Mississippi. The Madison County proposal is for MP 705.2 to the end of the track (12,300 ft) while the Lawrence County proposal is for a 4.1-mile strip from MP 53.0 to MP 57.1.

EPA Region 4 typically does not comment on proposed railroad abandonment actions since environmental impacts of such proposals are generally minimal. Therefore, from our perspective and to streamline the process, such proposals within EPA Region 4 (AL, MS, FL, GA, KY, NC, SC, TN) typically need not be forwarded to us. However, if the Surface Transportation Board (STB) requires written comments from this Agency in order to complete their National Environmental Policy Act (NEPA) process, we suggest that a copy of this response letter be used as a generic response to the STB for future ICR railroad abandonments. However, this would only apply for proposals that have minimal environmental impacts. In instances where substantive impacts are expected or ICR is uncertain as to the level of impact, we would ask to receive project description information and that these proposals be flagged with an explanation as to why ICR believes that the abandonment proposal may be environmentally significant.

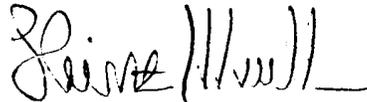
It should also be noted that the following generic impact summary is also relevant for most if not all railroad abandonment proposals. Future ICR railroad abandonment proposals should comply with these general comments and incorporate them into the ICR Borrower's Environmental Report (BER) and the STB NEPA process:

*Unless the proposed abandonment would have substantive water quality, wetland, air quality, endangered species, noise, hazardous waste or other impacts, EPA would not expect to have objections to its implementation. However, we recommend that any runoff from the exposed rail bed be controlled, particularly at any rail line crossings of*

*waterbodies such as streams. Any past petroleum or other chemical spills along the line should be cleaned up and removed railroad ties should be properly disposed due to their creosote treatment. All construction staging areas for the abandonment work should be sited outside of Waters of the U.S. such as wetlands or streams, and should be restored after project completion. If residences are located near the rail line, any noisy construction work should be limited to weekdays during daytime hours to the extent feasible. Overall, the abandonment work must also be in compliance with all federal and state laws and regulations, as well as any local ordinances. Additionally, we suggest that all removed rails be recycled and that the railroad corridor be allowed to naturally revegetate or be reused for approved linear or recreational projects.*

Should you have questions regarding these comments, feel free to contact Chris Hoberg of my staff at 404/562-9619 or [hoberg.chris@epa.gov](mailto:hoberg.chris@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Heinz J. Mueller". The signature is written in a cursive style with a horizontal line at the end.

Heinz J. Mueller, Chief  
NEPA Program Office  
Office of Policy and Management









# FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

MICHAEL J. BARRON, JR.  
(312) 252-1511  
mbarron@fletcher-sippel.com

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

January 3, 2006

Mr. Thomas H. Waggener  
Review and Compliance Officer  
Mississippi Dept. of Archives and History  
Historic Preservation Division  
P.O. Box 571  
Jackson, MS 39205-0571

Re: Illinois Central Railroad Company Proposed Abandonment in Madison County, Mississippi

Dear Mr. Waggener:

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon rail line in Madison County starting at a point off the Grenada Sub at milepost 705.2 and traveling east through Canton approximately 12,300 feet to the end of track. IC is advising you of the proposed action so you may assist us in performing a historical review process. A map of the area slated for abandonment is enclosed. There appears to be no structures on the line.

Thank you for your assistance. Please call me should you have questions.

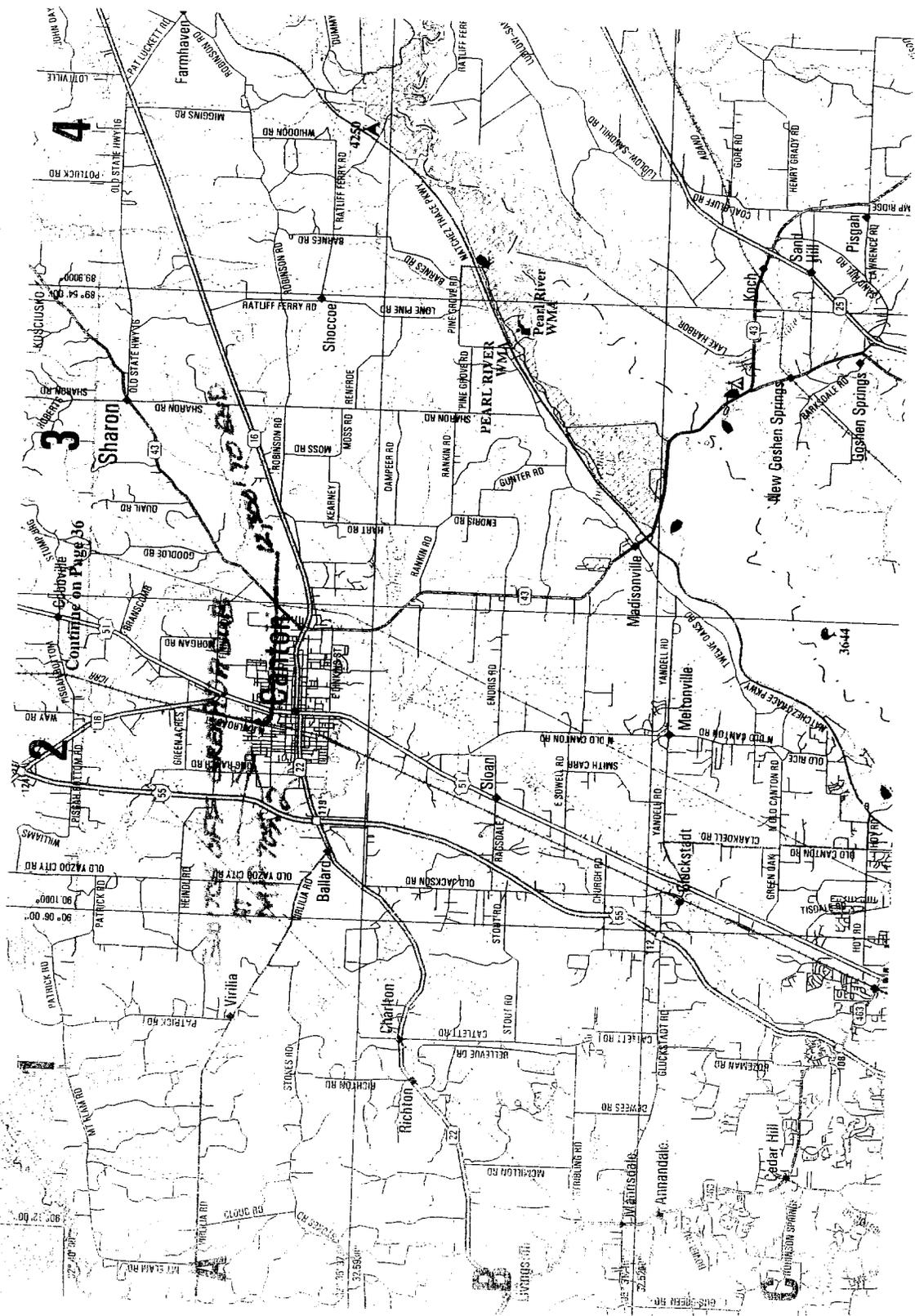
Very truly yours,



Michael J. Barron, Jr.

Enc.

APPENDIX M



4

3

2

Sharonville  
Continuing on Page 36



January 10, 2006

Mr. Michael J. Barron, Jr.  
Fletcher & Sippel, LLC  
29 North Wacker Drive  
Suite 920  
Chicago, Illinois 60606-2832

Dear Mr. Barron:

RE: Proposed abandonment of a rail line starting at a point off the Grenada Sub at milepost 705.2 and east through Canton approximately 12,300 feet to the end of track, Madison County

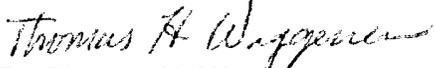
We have reviewed your January 3, 2006, cultural resources assessment request for the above referenced project proposal in accordance with our responsibilities outlined in 36 CFR 800.4 and 800.5 regarding the identification of historic properties and assessment of any potential adverse effects. It is our determination that no properties listed in or eligible for listing in the National Register of Historic Places will be affected. Therefore, we have no reservations with the proposal.

In addition, we are not aware of any potential of this undertaking to affect Indian cultural or religious sites. However, if you require confirmation of this, the tribal entities will have to be contacted directly.

Should there be additional work in connection with the project, or any changes in the scope of work, please let us know in order that we may provide you with appropriate comments in compliance with the above referenced regulations. There remains a very remote possibility that unrecorded cultural resources may be encountered during construction. Should this occur, we would appreciate your contacting us immediately so that we may take appropriate steps under 36 CFR 800, part 13, regarding our response within forty-eight hours. If we can be of further assistance, please do not hesitate to contact this office.

Sincerely,

H. T. Holmes  
State Historic Preservation Officer

  
By: Thomas H. Waggener  
Review and Compliance Officer

cc: Clearinghouse for Federal Programs