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SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-295-4672
FAX: 202-672-5399

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



March 27, 2006

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

**Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN**

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 \$3,000.00 for the filing fee.

Very truly yours,

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

FEE RECEIVED

MAR 27 2006

SURFACE
TRANSPORTATION BOARD

FILED

MAR 27 2006

SURFACE
TRANSPORTATION BOARD

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN MORRISON COUNTY, MN**

**DOCKET NO. AB-6
(SUB. NO. 438X)**

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

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

FEE RECEIVED
MAR 27 2006
SURFACE
TRANSPORTATION BOARD

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

Office of the Secretary
Part of
Public Record

Attorney for BNSF Railway Company

DATE FILED: March 27, 2006

FILED
MAR 27 2006
SURFACE
TRANSPORTATION BOARD

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Public Record

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN MORRISON COUNTY, MN**

**DOCKET NO. AB-6
(SUB-NO. 438X)**

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

BNSF RAILWAY COMPANY (BNSF) ("Applicant") files this Verified Notice of Exemption under 49 C.F.R. 1152 Subpart F- Exempt Abandonments 49 C.F.R. 1152.50) for BNSF to abandon a rail line that extends between BNSF Milepost 113.44 and Milepost 114.02, near Camp Ripley in Morrison County, Minnesota, a distance of approximately 0.58 miles (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 March 27, 2006, which is May 16, 2006.

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

The required certification is 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).

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

Applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105.

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

BNSF seeks to use the class exemption from Surface

Transportation Board approval authorizing the abandonment of the

Morrison County, Minnesota, 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:*

Sidney L. Strickland, Jr.
Sidney Strickland And
Associates, PLLC
3050 K Street, N.W.
Suite 101
Washington, DC 20007
(202) 295-4672

Attorney for BNSF

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

The Line traverses United States Postal Service Zip Code

56345.

- (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 purposes. Based on information in our possession, the line does contain a federally granted right-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.*

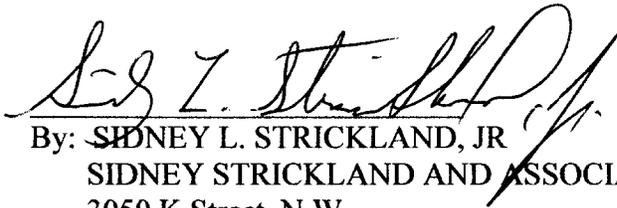
The required certifications are set forth in Appendix 3 to this Notice of Exemption.

VI. *Environmental and Historic Reports.*

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

Respectfully submitted,

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



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

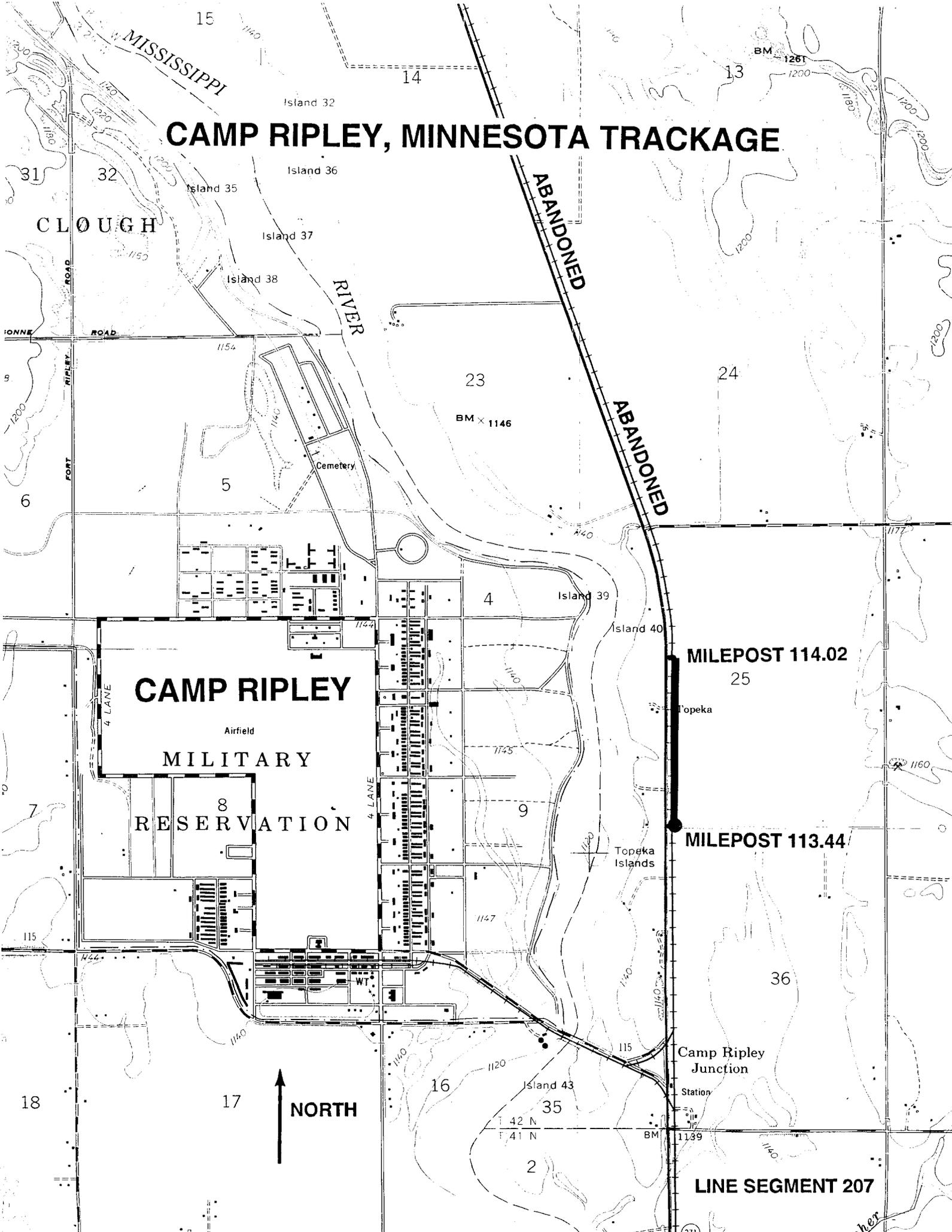
Attorney for BNSF Railway Company

DATE FILED: March 27, 2006

APPENDIX 1

Detailed Map of the Line

CAMP RIPLEY, MINNESOTA TRACKAGE



CAMP RIPLEY
MILITARY
RESERVATION

Airfield

MILITARY

RESERVATION

WI

ABANDONED

ABANDONED

MILEPOST 114.02

MILEPOST 113.44

Camp Ripley
Junction

Station

LINE SEGMENT 207

NORTH

(371)

APPENDIX 2

Certification 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 as 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.

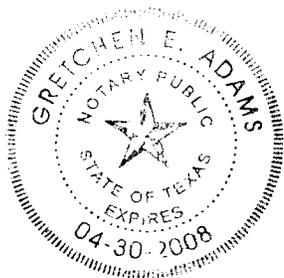
In accordance with 49 C.F.R. § 1152.50(b), I hereby certify that, with respect to the line which is the subject of the Notice of Exemption filed in Docket No. AB-6 (Sub-No. 438X), no local traffic has moved on the line for at least two (2) years prior to the date hereof. Also, there is no overhead traffic handled on the Line to 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 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
Manager, Network Development

Subscribed and sworn to
before me the 12 day of March, 2006.





APPENDIX 3

*Certifications 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 No. AB-6 (Sub. No. 438X) was mailed via first class mail on March 16, 2006 to the following parties:

Minnesota Public Utilities Commission
121 7th Place E., Suite 350
Saint Paul, MN 55101-2147

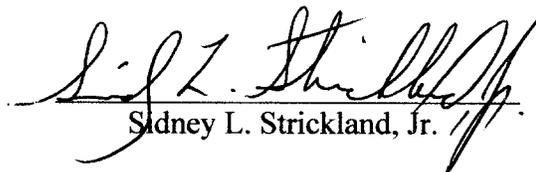
Military Traffic Management Control
Attn: Railroads for National Defense
720 Thimble Shoals Boulevard, #130
Newport News, VA 23606-2574

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

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

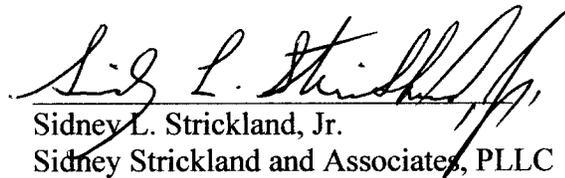
Minnesota Department of Transportation
Office of Freight and Commercial Vehicle Operations
Mail Stop 420
1110 Centre Point Curve
Mendota Heights, MN 55120-4152

Dated March 27, 2006


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 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 Morrison County, Minnesota: *Minnesota Star Tribune*. Publication of the notice was accomplished on March 20, 2006. An Affidavit of Publication and a copy of the publication are attached.



Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K Street, NW
Suite 101
Washington, DC 20007
Phone: (202) 295-4672
Fax: (202) 672-5499

STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

AFFIDAVIT OF PUBLICATION

Linda St. Clair, being duly sworn, on oath says She is and during all times herein stated has been an employee of the Star Tribune, a subsidiary of McClatchy Company, 425 Portland Avenue, Minneapolis, Minnesota 55488, publisher and printer of the Star Tribune newspaper (the "Newspaper"), published 7 days a week, and has full knowledge of the facts herein stated as follows:

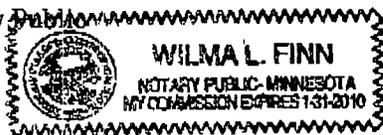
- 1...(a) The Newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 1,000 square inches;
 - (b) The Newspaper is printed daily and distributed at least five days each week;
 - (c) In at least half of its issues each year, the Newspaper has no more than 75 percent of its printed space comprised of advertising material and paid public notices. In all of its issues each year, the Newspaper has not less than 25 percent of its news columns devoted to news of local interest to the community which it purports to serve. Not more than 25 percent of the Newspaper's non-advertising column inches in any issue duplicates any other publication;
 - (d) The Newspaper is circulated in the local public corporation which it purports to serve, and has at least 500 copies regularly delivered to paying subscribers;
 - (e) The Newspaper has its known office of issue established in either the county in which it lies, in whole or in part, the local public corporation which the Newspaper purports to serve, or in an adjoining county;
 - (f) The Newspaper files a copy of each issue immediately with the state historical society;
 - (g) The Newspaper is made available at single or subscription prices to any person, corporation, partnership, or other unincorporated association requesting the Newspaper and making the applicable payment;
 - (h) The Newspaper has complied with all the foregoing conditions for at least one year immediately preceding the date of the notice publication which is the subject of the Affidavit; and
 - (i) Between September 1 and December 31 of each year, the Newspaper publishes and submits to the secretary of state, along with a filing fee of \$25, a sworn United States Post Office periodical class statement of ownership and circulation.
2. The printed copy of the matter attached hereto (the "Notice") was cut from the columns of the Newspaper and was printed and published in the English language, on the following days and dates: Monday, March 20, 2006.
 3. Except as otherwise directed by a particular statute requiring publication of a public notice, the Notice was printed in a type face no smaller than six point with a lowercase alphabet of 90 point.
 4. The fees for publication are as follows:
 - (a) The maximum rate currently allowed by law for publication of a public notice in the Newspaper is \$4.75;
 - (b) The lowest classified rate currently paid by commercial users for comparable space in the Newspaper is \$8.59; and;
 - (c) The rate actually charged for publication of the Notice was \$423.50

Linda St. Clair

Subscribed and sworn to before me
on March 20, 2006.

Wilma L. Finn

Notary Public



Sidney Strickland and Associates, PLLC
Ian Thomas
3050 K Street NW; Ste 101
Washington, DC 20007-5108

BTD DOCKET NO. AB-6
 (Sub. No. 438X)

NOTICE OF INTENT TO ABANDON RAIL SERVICE

BNSF RAILWAY COMPANY (BNSF) gives notice that on or about March 27, 2006, it intends to file with the Surface Transportation Board (the Board), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments permitting the abandonment of the 0.56 miles of railroad line between Milepost 113.44 and Milepost 114.02, near Camp Ripley in Morrison County, Minnesota. The rail line traverses through United States Postal Service Zip Code 56345. The proceeding will be docketed as BTD Docket No. AB-6 (Sub. No. 438X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at 202-565-1645.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use, or conditions of rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative. [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use, or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-4592. Copies of any comments or requests for conditions should be served on the applicant's representative: Sidney E. Strickland, Jr., Sidney Strickland and Associates, PLLC, 3050 K Street, Suite 101, Washington, DC, 20007-5108.

7398899
86 lines
class 203

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

BNSF Railway Company ("BNSF"), by and through its authorized representative, Sidney L. Strickland, Jr., certifies that on March 6, 2006, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

William E. Lorenzen
Environmental Review/Justice Coordinator
U.S. Department of Agriculture
Natural Resources Conservation Service
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

Dennis A. Gimmetad
Government Programs & Compliance Officer
Minnesota Historical Society
RE: Compliance #2006-0687
345 W. Kellogg Blvd.
St. Paul, MN 55102-1906

Robert J. Whiting, Chief, Regulatory Branch
U.S. Army Corps of Engineers
St. Paul District
190 Fifth St. East, Suite 401
St. Paul, MN 55101-1638

Patrick G. Carroll, Division of Realty
Fish and Wildlife Service
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

Teresa Thews
Parks and Recreation Division, Minnesota DNR
500 Lafayette Road
St. Paul, MN 55155-4040

Marcia Sieckman, Supervisor, Lands and Renewable
Resources Team
U.S. Bureau of Land Management
Milwaukee Field Office
626 E. Wisconsin Ave.
Suite 200
Milwaukee, WI 53202

Chuck Forss
Water Plan Coordinator
Land Use Planner
Morrison County Commissioners
County Courthouse
213 First Avenue S.E.
Little Falls, MN 56345-3196

Ross Norgren
Morrison County Public Works Department
213 Southeast 1st Avenue
Little Falls, MN 56345

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

Robert J. Rickert
Rail Bank and Abandonment Coordinator
Minnesota Department of Transportation
Office of Freight and Commercial Vehicle Operations
Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55120-4152

Robert Maydwell
National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

Kenneth A. Westlake, Chief
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Minnesota Department of Administration
200 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Springs, MD 20910-3282

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155

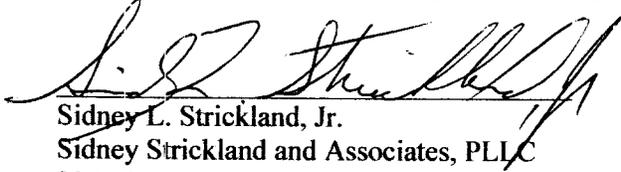
Lawrence S. Zdon
Municipal Division
Stormwater and Wastewater Policy Section
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Steven Colvin
DNR-Ecological Services
500 Lafayette Rd.
St. Paul, MN 55155-4025

Morrison County Commissioners
County Courthouse
213 SE First Ave
Little Falls, MN 56345

Courtland Nelson, Director
Parks and Recreation Division, Minnesota DNR
500 Lafayette Road
St. Paul, MN 55155-4040

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, PLLC
3050 K St. N.W.,
Suite 101
Washington, D.C. 20007

APPENDIX 4

Environmental and Historic Reports

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN MORRISON COUNTY, MN**

**DOCKET NO. AB-6
(SUB. NO. 438X)**

ENVIRONMENTAL AND HISTORIC REPORTS

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

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

DATED: March 6, 2006

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN MORRISON COUNTY, MN**

**DOCKET NO. AB-6
(SUB. NO. 438X)**

**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") (referred to as "Applicant") hereby files Environmental and Historic Reports. These Reports constitute Applicant's assessment of the environmental effects and historic effects of abandonment 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 information in the Applicant's files to indicate that the rail line covered by these Reports does contain federally granted rights-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 of 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 approximately .58 miles of its line between BNSF Milepost 113.44 and Milepost 114.02 near Camp Ripley in Morrison County, Minnesota (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 this Line. The proposed abandonment may include removal of all rails and ties. There are no bridges on the Line and BNSF is aware of no 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 effect on existing transportation systems or patterns as there has been no local traffic on the Line for over two years.

(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 Minnesota Department of Transportation (“Mn/DOT”) indicates it “has purchased various segments of the rail corridor between Camp Ripley and Little Falls, Mn.” The Mn/DOT also states “one of the segments that was purchased is the subject of the proposed abandonment.” Furthermore, Mn/DOT indicates it “purchased this segment of rail corridor to enable expansion of Trunk Highway 371 into a divided 4-lane highway.” Finally, Mn/DOT asserts its “position that the proposed use of this corridor for expansion of an existing public highway constitutes an alternative public use.” See Exhibit B, letter from Robert R. Rickert, Rail Bank and Abandonment Coordinator, Minnesota Department of Transportation. Also, Morrison County indicates it “views the proposed action as consistent with local land use plans and alternate public plans involving a proposed recreational trail along this route.” It also views, “BNSF Railway Company’s abandonment of this segment of the railway as a significant step in the implementation of not only a 2005 Land Use Plan but also a Recreational Trails Plan that attempts to take advantage of any turn backs to the County along the recently constructed State Highway 371 which runs parallel to the .58 railroad miles BNSF would like to abandon.” Furthermore, Morrison County indicates its hope that the ownership be transferred to the Morrison County Rail Authority. Finally, Morrison County notes “the segment is also included in a proposed Army Compatible Use Buffer around the Camp Ripley National Guard training facility, is located in an aircraft approach area to the Camp Ripley runway... [and the] action limits inappropriate land use and

supports several of Camp Ripley's goals to protect from encroachment toward their boundary." See Exhibit C, letter from Chuck Forss, Water Plan Coordinator and Land Use Planner, Morrison County Commissioners, Morrison County, Minnesota.

(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 agricultural lands. The Natural Resources Conservation Service ("NRCS") (formerly known as the U.S. Soil Conservation Service) indicates: (1) because of the location and type of activity proposed, the project will not impact agricultural lands; (2) a Federal Farmland Policy Protection Act ("FPPA") site assessment/land evaluations will not be required; and (3) the wetland conservation provisions of the 1958 Food Security Act, as amended, are not applicable. The NRCS notes, however, that actions by a non-USDA participant third party (project sponsor) which impact agricultural wetlands owned or operated by USDA participants may jeopardize the owner/operators' USDA eligibility, and if such impacts are anticipated, the owner/operator should contact the county Farm Service Agency ("FSA") office to consider an application for a third party exemption. Finally, NRCS states the following agencies should be consulted as they may have federal or state wetlands, cultural resources, water quality, air quality or threatened and endangered species jurisdiction: Army Corps of Engineers, US Fish and Wildlife Service, Board of Water and Soil Resources, Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, State Historic Preservation Officer/State Archeologist. See Exhibit D, letter from William E. Lorenzen,

Environmental Review/Justice Coordinator, United States Department of Agriculture Natural Resources Conservation Service. BNSF is sending a copy of this Report to all the above-mentioned agencies.

(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 an 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 proposed abandonment will not be inconsistent with local or regional land use plans. As noted previously, Mn/DOT indicates it “has purchased various segments of the rail corridor between Camp Ripley and Little Falls, Mn.” The Mn/DOT also states “one of the segments that was purchased is the subject of the proposed abandonment.” Furthermore, Mn/DOT indicates it “purchased this segment of rail corridor to enable expansion of Trunk Highway 371 into a divided 4-lane highway.” Finally, Mn/DOT asserts its position that the proposed use of this corridor for expansion of an existing public highway constitutes an alternative public use. See Exhibit B, letter from Robert R. Rickert, Rail Bank and Abandonment Coordinator, Minnesota Department of Transportation. Also, Morrison County indicates it “views the proposed action as consistent with local land use plans and alternate public plans involving a proposed recreational trail along this route.” It also views “BNSF Railway Company’s abandonment of this segment of the railway as a significant step in the implementation of not only a 2005 Land Use Plan but also a Recreational Trails Plan...that attempts to take advantage of any turn backs to the County

along the recently constructed State Highway 371 which runs parallel to the .58 railroad miles BNSF would like to abandon.” Furthermore, Morrison County indicates its hope that the ownership be transferred to the Morrison County Rail Authority. Finally, Morrison County notes “the segment is also included in a proposed Army Compatible Use Buffer around the Camp Ripley National Guard training facility, is located in an aircraft approach area to the Camp Ripley runway...[and the] action limits inappropriate land use and supports several of Camp Ripley’s goals to protect from encroachment toward their boundary.” See Exhibit C, letter from Chuck Forss, Water Plan Coordinator and Land Use Planner, Morrison County Commissioners, Morrison County, Minnesota.

(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.

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

This abandonment will not adversely affect movement or recovery of recyclable commodities as there has been no local traffic on the Line for over two years.

(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.

(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.

(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.

(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.

(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 is one (1) public crossing and no private crossings on the Line. 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 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.

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

(8) Biological Resources:

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

The U.S. Fish and Wildlife Service ("Service") indicates it has "researched its ownerships in the vicinity of the proposed rail line abandonment" and has determined that it "does not own any lands or interests in land in the vicinity of the proposed rail line abandonment." The Service does "not have any concerns regarding real estate matters in the abandonment." See Exhibit E, letter from Patrick G. Carroll, Senior Realty Officer, Division of Realty, U.S. Fish and Wildlife Service.

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

The National Park Service (“NPS”) states it “has reviewed this project in relation to any possible conflicts with the Land and Water Conservation Fund and the Urban Park and Recreation Recovery programs and find there are none.” NPS indicates it has no additional comments at this time. See Exhibit F, letter from Robert Maydwell, Grants Management Assistant, Partnerships-Grants, National Park Service. Also, the Bureau of Land Management (“BLM”) states a search of its records shows there are no Federal lands administered by the BLM along the railroad line. The BLM cautions that “some of the original railroad line grants were limited fee rights-of-way” and may be subject to identified federal laws, such as the National Trails System Improvement Act. See Exhibit G, letter from Marcia Sieckman, Supervisor, Lands and Renewable Resources Team, Bureau of Land Management – Eastern States. Also, the Minnesota Department of Natural Resources (“MDNR”) indicates there are “no State, Department of Natural Resources management/ownership areas adjacent to the proposed line abandonment. See Exhibit H, letter from Teresa Thews, Real Estate Program Coordinator, Parks and Recreation Division, Minnesota Department of Natural Resources.

(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. The Environmental Protection Agency (“EPA”) responds to BNSF’s specific questions regarding Section 402 permits, National Pollutant Discharge Elimination System (“NPDES”), and

Section 404 of the Clean Water Act related concerns by stating that BNSF consult the Minnesota Pollution Control Agency ("MPCA") on these issues. The EPA indicates "the final disposition of crossties preserved with creosote is an issue of concern per the July 3, 1984 Rebuttable Presumption Against Registration under the Federal Insecticide, Fungicide, and Rodenticide Act," and that "if rail steel, electrical and signal housings, bridge work and other materials are to be removed from this site, recycling of these materials should be addressed and documented." See Exhibit I, letter from Kenneth A. Westlake, Chief, Region 5, United States Environmental Protection Agency. The MPCA offered several comments related to impacts to the area streams, rivers, and wetlands from erosion and storm runoff and suggested mitigation. Additionally, the MPCA states, "[w]e always recommend that a site erosion plan should be developed and incorporated into any construction effort that will prevent sediment runoff." The MPCA also suggests BNSF inspect for oil spills where there are any maintenance yards, switching areas, or other such facilities located in the project area, and if a release has been discovered, BNSF must comply with Minnesota Statute 115.061 and notify the MPCA. Additionally, the MPCA says, "[a]ny railroad ties and all other demolition debris that are removed from the abandoned line must be reused or disposed of in accordance with Minn. Rules 7035 for disposal of Solid Waste." Finally, the MPCA notes the Mississippi River adjacent to this project site is designated in Minn. Rule 7050 as an Outstanding Resource Value Waters, and the Mississippi River in this stretch is listed on the MPCA impaired waters list for Aquatic Consumption from mercury. See Exhibit J, letter from Lawrence S.

Zdon, Municipal Division, Stormwater and Wastewater Policy Section.

Minnesota Pollution Control Agency.

(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 U.S. Army Corps of Engineers ("Corps") states "the work proposed at the location is not within the regulatory jurisdiction of the Corps." The Corps also indicates that because "no work will be done in a navigable water of the United States, and no dredged or fill material, including that incidental to mechanical land clearing, will be discharged in any water of the United States, including wetlands... a Department of the Army permit is not required to do this work." See Exhibit K, letter from Leo Grabowski for Robert J. Whiting, Chief, Regulatory Branch, St. Paul District Corps of Engineers. Also, the EPA states the MPCA should be contacted regarding Section 404 issues. See Exhibit I, letter from Kenneth A. Westlake, Chief, NEPA Implementation Section, Region 5, Environmental Protection Agency. The MPCA recommends BNSF contact the St. Paul District Office of the Corps in regards to 404 permits. The MPCA also states that "under the State Wetland Conservation Act, if you drain or fill any wetland you should contact the local unit of government for a Wetland Replacement Approval." See Exhibit J, letter from Lawrence S. Zdon, Municipal Division, Stormwater and Wastewater Policy Section, Minnesota Pollution Control Agency.

BNSF believes the proposed abandonment will not affect any 100-year

flood plains. The Corps does not have any flood plain related comments. See Exhibit K, letter from Leo Grabowski for Robert J. Whiting, Chief, Regulatory Branch, St. Paul District Corps of Engineers. The MDNR comments on 100-year flood plains and states “the railroad segment in question is outside of the 100-year floodplain.” See Exhibit L, email from Steven Colvin, MDNR-Ecological Resources. The MPCA also comments on 100-year floodplains and states, “in regards to your inquiry if this project will affect any 100 year flood plain, I refer you to the local counties who regulate this activity.” That agency also recommends BNSF “first check the Federal Emergency Management Agency (“FEMA”) flood hazard mapping web. See Exhibit J, letter from Lawrence S. Zdon, Municipal Division, Stormwater and Wastewater Policy Section, Minnesota Pollution Control Agency. Finally, the Morrison County Public Works sent flood plains maps covering the area of the proposed abandonment. See Exhibit M, fax from Ross Norgren, Morrison County Public Works.

(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. The MPCA states, “if this project will disturb one (1) or more acres of land, the owner is required to apply to the MPCA for coverage under a Clean Water Act Section 402 General National Pollutant Discharge Elimination System Permit (NPDES)”, but makes no comment as to the applicability of that Section. See Exhibit J, letter from Lawrence S. Zdon, Municipal Division, Stormwater and Wastewater Policy Section, Minnesota Pollution Control Agency. Furthermore,

the EPA indicates that the final disposition of crossties preserved with creosote is an issue of concern per the July 3, 1984 Rebuttable Presumption Against Registration under the Federal Insecticide, Fungicide, and Rodenticide Act, which states that wood treated with creosote should be buried in a non-hazardous waste landfill unless otherwise required by the State of Minnesota. The EPA also states that if rail steel, electrical and signal housings, bridge work and other materials are to be removed from this site, recycling of these materials should be addressed and documented. See Exhibit I, letter from Kenneth A. Westlake, Chief, Region 5, United States 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 this Report as Exhibit A.

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

The Line is approximately 0.58 miles long and is located about ½ - ¾ mile north of the main gate into Camp Ripley, a military installation operated by the Minnesota National Guard. The trackage is located approximately 15 miles south of Brainerd which had a 2000 population of 13,178, and approximately 14 miles north of Little Falls which had a 2000 population of 7,719. The right-of-way is primarily 150 feet wide.

There are 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;*

There are no railroad structures on the property that are 50 years old or older.

(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;

N/A

(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 Northern Pacific Railway ("NP") in 1880. In 1970, the NP merged with other railroads to become part of the Burlington Northern Railroad ("BN"). In 1995, BN merged with the Atchison, Topeka and Santa Fe Railway Company to become The Burlington Northern and Santa Fe Railway (BNSF). In 2005, BNSF changed its name to BNSF Railway. The entire line was acquired by an Act of Congress.

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

Documents in BNSF's possession concerning this abandonment may include alignment maps showing the right-of-way and/or station maps. Such documents are too large for practical reproduction in this report, but can be furnished upon request, if they are available.

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

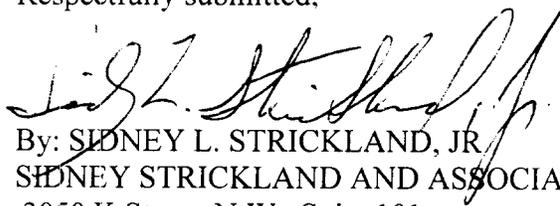
The Minnesota State Historic Preservation Office ("SHPO") has

reviewed the project and finds that "this rail line, the Northern Pacific Brainerd Branch Line (MO-LFT-003), has been determined to meet the criteria of the National Register of Historic Places." See Exhibit N, letter from Dennis A. Gimmestad, Government Programs & Compliance Officer, Minnesota State Historic Preservation Office.

(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.

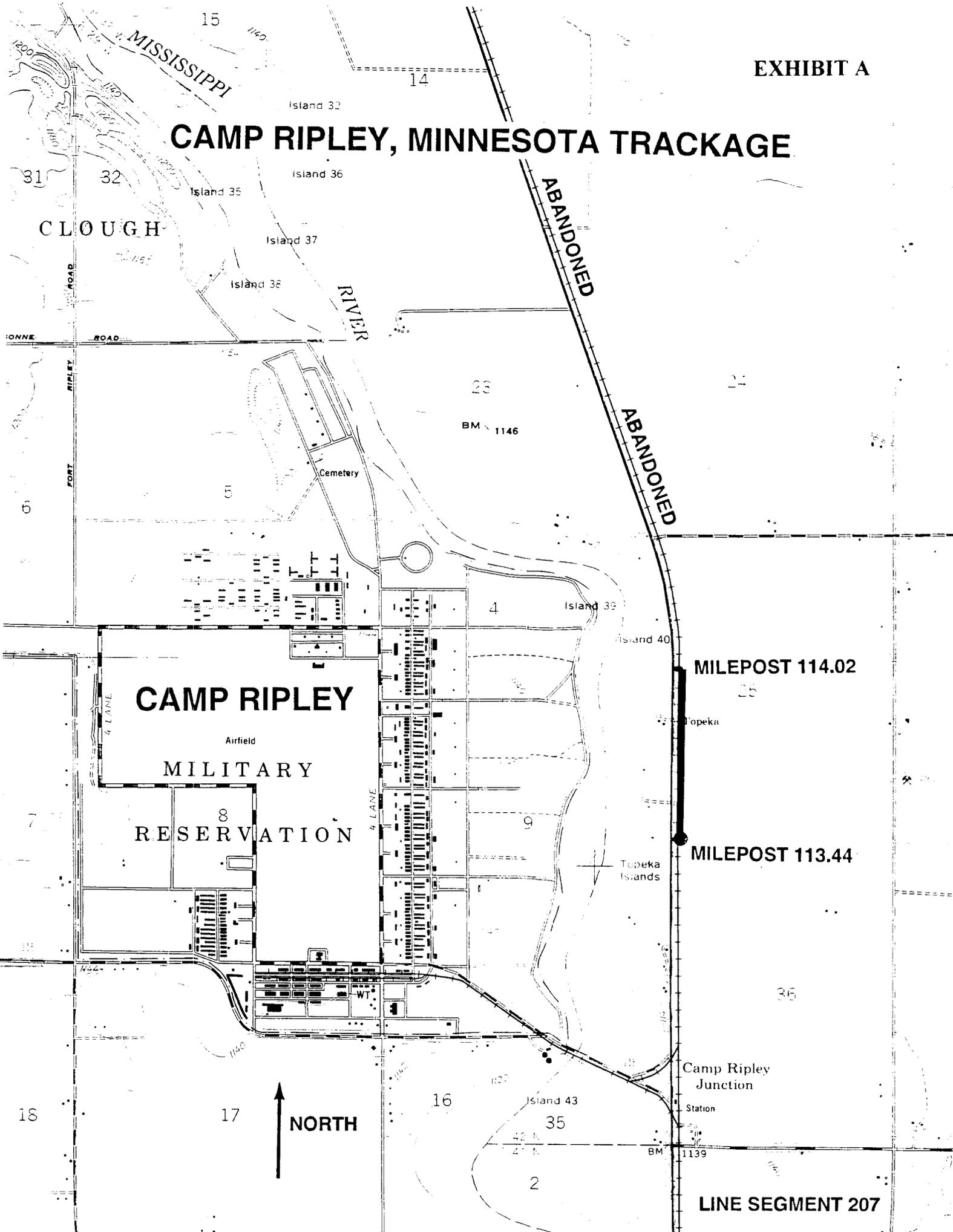
There are no known prior subsurface ground disturbance or fill, environmental conditions that might affect the archeological recovery of resources and the surrounding terrain.

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

DATED: March 6, 2006

CAMP RIPLEY, MINNESOTA TRACKAGE



CAMP RIPLEY
MILITARY
RESERVATION

Airfield

Cemetery

ABANDONED

ABANDONED

MILEPOST 114.02

MILEPOST 113.44

Camp Ripley
Junction
Station

LINE SEGMENT 207

NORTH





Minnesota Department of Transportation

Office of Freight and Commercial Vehicle Operations

Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55120-4152

Tel: 651/405-6060
Fax: 651/405-6082

EXHIBIT B

December 30, 2005

Mr. Sidney L. Strickland, Jr.
Sidney Strickland & Assoc's. PLLC
3050 K St. N.W. Suite 101
Washington, D.C. 20007-5108

***Re: STB Docket No. AB6 (Sub. No. 438X) BNSF Railway Co.- Abandonment
Exemption- in Morrison County, MN***

Dear Sir:

The Minnesota Department of Transportation (Mn/DOT) has purchased various segments of the rail corridor between Camp Ripley and Little Falls, Mn. One of the segments that was purchased is the subject of the proposed abandonment, referenced above.

Mn/DOT purchased this segment of rail corridor to enable expansion of Trunk Highway 371 into a divided 4-lane highway. It is Mn/DOT's position that the proposed use of this corridor for expansion of an existing public highway constitutes an alternative public use.

If you have any questions, please feel free to contact me at the telephone number listed below.

Sincerely,

Robert R. Rickert
Rail Bank and Abandonment Coordinator
(651) 406-4812

Cc: Jamie Hukriede-District 3



MORRISON COUNTY

"HOME OF LINDBERGH"

Planning and Zoning

CHUCK FORSS
Water Plan Coordinator
Land Use Planner

213 First Avenue S.E.
Little Falls, Minnesota 56345-3196
Telephone 320-632-0172
Fax 320-632-0174

20 December 2005

EXHIBIT C

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

RE: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company Abandonment Exemption in Morrison County, MN

Dear Mr. Strickland

Regarding your December 6th 2005 letter. Morrison County provides this response.

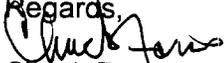
We view your proposed action as consistent with local land use plans and alternate public plans involving a proposed recreational trail along this route.

We view BNSF Railway Company's abandonment of this segment of the railway as a significant step in the implementation of not only a 2005 Land Use Plan but also a Recreational Trails Plan that attempts to take advantage of any turn backs to the County along the recently constructed State Highway 371 which runs parallel to the .58 railroad miles BNSF would like to abandon. Our hope is that the ownership be transferred to the Morrison County Rail Authority.

This segment is also included in a proposed Army Compatible Use Buffer around the Camp Ripley National Guard training facility and is located in an aircraft approach area to the Camp Ripley runway. This action limits inappropriate land use and supports several of Camp Ripley's goals to protect from encroachment toward their boundary.

I have included copies of the appropriate sections from our land use and trails plan to support the Environmental Report, and mapping showing the conceptual trails route along the abandon rail bed.

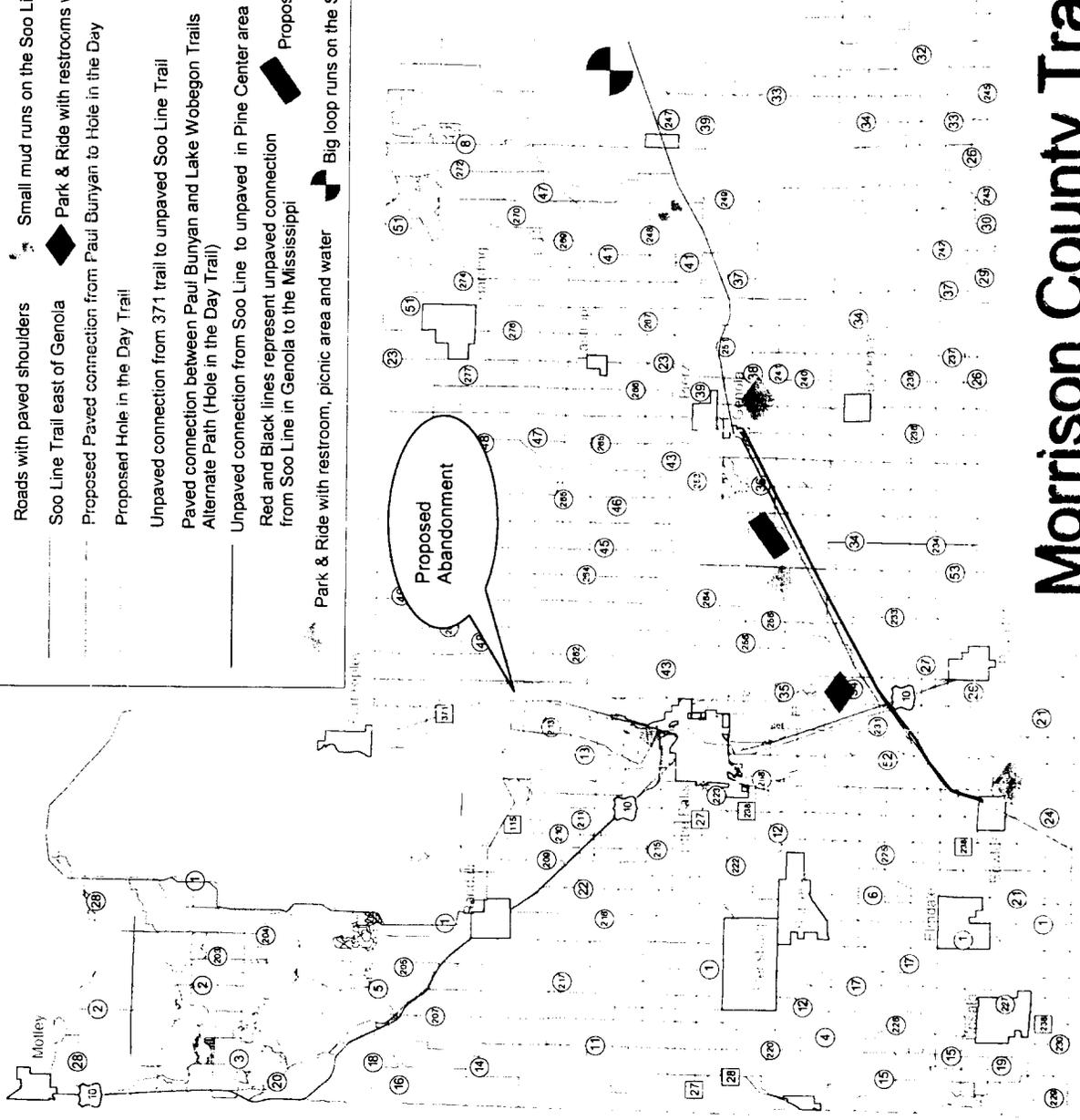
If you have questions you can contact me as above.

Regards,

Chuck Forss

- Roads with paved shoulders
- Soo Line Trail east of Genola
- Proposed Paved connection from Paul Bunyan to Hole in the Day
- Proposed Hole in the Day Trail
- Unpaved connection from 371 trail to unpaved Soo Line Trail
- Paved connection between Paul Bunyan and Lake Wobegon Trails Alternate Path (Hole in the Day Trail)
- Unpaved connection from Soo Line to unpaved in Pine Center area
- Red and Black lines represent unpaved connection from Soo Line in Genola to the Mississippi
- Park & Ride with restroom, picnic area and water
- Small mud runs on the Soo Line Trail
- Park & Ride with restrooms water only
- Proposed Hole in the Day Trail
- Proposed Hole in the Day Trail
- Big loop runs on the Soo Line Trail



"No.....I'm sorry but you can't do that with your land"
 2003-2013
 Comprehensive Plan Rewrite



Morrison County Trails Plan

Note: Underlined-Italic Areas

3.3 Future Developments

Since 1931, Camp Ripley has been meeting the operational and training needs of an increasing number and variety of military units. Current developments around the world require the Camp's facilities to be capable of supporting an increasing number and variety of training exercises year-round. Most recently, with the increased emphasis on the National Guard's role supporting the War on Terror combined with new training standards by the Secretary of Defense has necessitated improvements to the Camp's facilities. For these reasons, Camp Ripley's Master Plan has been updated and outlines numerous projects within both the cantonment area and training area of Camp Ripley.

Camp Ripley continues to work on a complete facelift of existing facilities. Many of the utility services have been upgraded including the sanitary sewer system, storm sewer system, underground electrical wiring, wastewater treatment plant, and the water treatment plant and distribution system. Continuing projects include upgrading training area facilities, communication and automation infrastructure, adequate education facilities, and support facilities for existing aviation training.

Camp Ripley had an economic impact of \$148 million to the surrounding communities in 2003. With increased potential for development around Camp Ripley, land use conflicts, because of the noise, dust and smoke, will become more predominant. This potential conflict has prompted the Department of Military Affairs to develop a program known as the Army Compatible Use Buffer (ACUB).

The Minnesota Department of Military Affairs is attempting to minimize the impacts that military training has on surrounding landowners through ACUB. The program consists of a process whereby the Minnesota Department of Military Affairs becomes involved in local land use planning programs to address potential conflicts with present and future incompatible land uses. *In addition, Camp Ripley has identified priority areas adjacent to the Military Reservation to help focus on the ACUB Program. Landowners within the area may be eligible to participate in a voluntary program to protect their lands from development, and thereby minimizing the public from Camp's noise, smoke, and dust.* Furthermore, the program could ensure Camp Ripley's viability as a military training site into the future. Compatible land uses such as agriculture, forestry, and recreation will be encouraged in this voluntary program, which will also serve to protect the rural character of the area.

Note: Goal CR 2, Objective 5

3.6 Camp Ripley

Goal CR1: Support Camp Ripley in its efforts to remain a viable National Guard Training Center

Goal CR2: Within areas of close proximity to Camp Ripley, promote land uses that are compatible with Camp's operation

Objectives:

1. When considering new residential subdivisions or other residential uses more intensive than a single family dwelling parcel in agricultural/forestry zones impacted by Camp Ripley's operation, the focus should be on the potential impacts to the Camp's operation and its impact on new residential developments.

Task Leaders: Morrison County Planning & Zoning, Landowners and Developers

Estimated Costs: Minimal

Timeline: Ongoing beginning 2005

Resources: Planning & Zoning Department Staff

2. Review new residential subdivisions so as not to subject residents to impacts such as noise or similar land use conflicts from Camp Ripley's operation.

Task Leaders: Morrison County Planning & Zoning, Landowners and Developers

Estimated Costs: \$5,000

Timeline: Ongoing beginning 2005

Resources: Planning & Zoning Department Staff

3. Encourage Townships adjacent to Camp Ripley to be consistent with the County's Comprehensive Plan as it relates to new residential subdivisions in areas impacted by Camp Ripley's operations within their local Comprehensive Plan.

Task Leaders: Morrison County Planning & Zoning, Landowners and Developers

Estimated Costs: \$10,000

Timeline: Ongoing beginning 2005

Resources: Planning & Zoning Department Staff

4. Review the Land Use Ordinance and develop noise standards for new residential subdivisions in areas impacted by Camp Ripley operations.

Task Leaders: Morrison County Planning & Zoning, Landowners and Developers

Estimated Costs: \$30,000
Timeline: Ongoing beginning 2005
Resources: Planning & Zoning Department Staff

5. Encourage the development of Agriculture, Recreational and Forestry uses in the areas impacted by Camp Ripley Operations.

Task Leaders: Morrison County Planning & Zoning, Landowners and Developers
Estimated Costs: \$3,000
Timeline: Ongoing beginning 2005
Resources: Planning & Zoning Department Staff



Natural Resources Conservation Service
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

Phone: (651) 602-7900
FAX: (651) 602-7914

File Code: 190-15-13

January 3, 2006

IN REPLY

REFER TO: STB Docket No. AB-6 (Sub.No. 438X) BNSF Railway Company-Abandonment Exemption-
Morrison County, MN

Sidney Strickland
Strickland & Assoc, PLLC
3050 K St. N.W., Suite 101
Washington, DC 2007-5108

Dear Mr. Strickland:

The Natural Resources Conservation Service (NRCS) has reviewed the above referenced project. The project sponsors are not USDA program benefit recipients, thus the wetland conservation provisions of the 1985 Food Security act, as amended are not applicable. It should be noted, however, that actions by a non-USDA participant third party (project sponsor) which impact agricultural wetlands owned or operated by USDA participants, may jeopardize the owner/operators USDA eligibility. If such impacts are anticipated, the owner/operator should contact the county Farm Service Agency (FSA) office to consider an application for a third party exemption.

The following agencies may have federal or state wetlands, cultural resources, water quality, air quality or threatened and endangered species jurisdiction in the proposed project, and should be consulted.

- Army Corps of Engineers (USACOE) – Clean Water Act
- US Fish and Wildlife Service (FWS) – Endangered Species Act
- Board of Water and Soil Resources (BWSR) - Minnesota Wetlands Conservation Act
- Minnesota Department of Natural Resources (MDNR)
- Minnesota Pollution Control Agency (MPCA)
- State Historic Preservation Officer/State Archaeologist (SHPO)

Finally, because of the location and type of activity proposed, this project will not impact agricultural lands, and a Federal Farmland Policy Protection Act (FPPA) site assessment/land evaluations will not be required.

Sincerely

A handwritten signature in black ink, appearing to read "William E. Lorenzen", written over a horizontal line.

WILLIAM E. LORENZEN
Environmental Review/Justice Coordinator



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

EXHIBIT E

IN REPLY REFER TO:

FWS/NWRS-RE - General
Railroad Abandonments

December 15, 2005

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

Dear Mr. Strickland:

Thank you for the opportunity to comment on the proposed abandonment of service on 0.58 miles of railroad line between Milepost 113.44 and Milepost 114.02, near Camp Ripley in Morrison County, Minnesota; STB Docket No. AB-6 (Sub-No. 438X).

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

Sincerely,

Patrick G. Carroll
Senior Realty Officer
Division of Realty



United States Department of the Interior

National Park Service

Midwest Region
601 Riverfront Drive
Omaha Nebraska 68102-4226



650.2(MWR-P/G)

EXHIBIT F

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

DEC 27 2005

Dear Mr. Strickland:

This is in response to your December 6, 2005 request that the National Park Service (NPS) respond to STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Abandonment Exemption in Morrison County, Minnesota.

We have reviewed this project in relation to any possible conflicts with the Land and Water Conservation Fund and the Urban Park and Recreation Recovery programs and find there are none. Accordingly, we have no additional comments at this time.

You may contact me at (402) 661-1546 if you have questions or need more information.

Sincerely,

Robert Maydwell
Grants Management Assistant
Partnerships- Grants

EXHIBIT G

White
Yellow
Green
Pink

2000(030)

December 13, 2005

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

Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company--Abandonment
Exemption in Morrison County, MN

Dear Mr. Strickland:

This is in response to your letter of December 6, 2005, to our office concerning the proposal by the BNSF Railway Company to abandon 0.58 miles of railroad line between Milepost 113.44 and Milepost 114.02 near Camp Ripley in Morrison County, Minnesota

A search of our records shows there are no Federal lands administered by the Bureau of Land Management along the railroad line. However, please be aware that some of the original railroad grants were limited fee rights-of-way and may be subject to the Railroad Right-of-Way Forfeiture and Abandonment Act of March 8, 1922, 43 U.S.C. § 912 (the 1922 Abandonment Act), and the National Trails System Improvement Act of October 4, 1988, Public Law 100-470, 16 U.S.C. § 1248 (c) - (f).

Thank you for giving us the opportunity to comment on this proposal. Our office does not have information on the existence of endangered or threatened species, the location of wildlife sanctuaries or refuges, or areas designated as critical habitat adjacent or near the line. You must contact the Fish and Wildlife Service to obtain this information. If you require additional information, please contact me at (414) 297-4402.

Sincerely,

(ORG.SGD.) MARCIA SIECKMAN

Marcia Sieckman
Supervisor, Lands and Renewable Resources Team

bc: MFO

030:MSieckman:jlg:12/13/05:general.rr_resp12.12.05.Morrison.MN

Liz Waite

EXHIBIT H

From: Teresa Thews [teresa.thews@dnr.state.mn.us]
Sent: Thursday, December 15, 2005 6:09 PM
To: liz.waite@stricklandpllc.com
Subject: Abandonment Exemption - BNSF Railway in Morrison County

STB Docket No. AB-6 - Adjacent to Camp Ripley

Hello Liz - I had stated on the phone, there are no State, Department of Natural Resources management/ownership areas adjacent to the proposed line abandonment.

I will pass on your notice to Laurie Martinson, Director of DNR -Trails and Waterways, in case there is future recreation trail interest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONS 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 21 2005

EXHIBIT I

REPLY TO THE ATTENTION OF

B-19J

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

Re: Comments on a Proposed Rail Line Abandonment by the Burlington Northern Santa Fe Railway Company in Morrison County, MN

Dear Mr. Strickland:

The U.S. Environmental Protection Agency (U.S. EPA)-Region 5 received your December 6, 2005 inquiry letter concerning the BNSF Railway Company proposed 0.58 mile rail line abandonment in Morrison County, Minnesota. This letter of comment is provided under the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

In response to your specific questions regarding Section 402 permits plus National Pollutant Discharge Elimination System (NPDES) and Section 404 of the Clean Water Act related concerns, please consult the Minnesota Pollution Control Agency (MNPCA) on these issues. You can contact the Customer Assistance Center of the MNPCA at (651)-296-2274 or:

Minnesota Pollution Control Agency
520 LaFayette Road N.
St. Paul, MN 55755 .

- The final disposition of crossties preserved with creosote is an issue of concern per the July 3, 1984 Rebuttable Presumption Against Registration under the Federal Insecticide, Fungicide, and Rodenticide Act, which states that wood treated with creosote should be buried in a non-hazardous waste landfill unless otherwise required by the State of Minnesota.
- If rail steel, electrical and signal housings, bridge work and other materials are to be removed from this site, recycling of these materials should be addressed and documented.

Other environmental resource information for this site is available on two U.S. EPA websites: 1) the Envirofacts Data Warehouse, <http://www.epa.gov/enviro/> and 2) Surf Your Watershed, <http://www.epa.gov/surf>. We encourage your use of these resources when assessing this project's impacts and preparing your Surface Transportation Board (STB) Application.

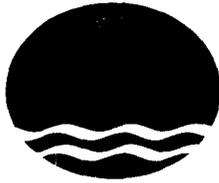
Thank you for the opportunity to provide scoping comments on this project. Should you have further questions of us, please contact me or Norm West, of my staff, at (312)-353-5692 or by e-mail at west.norman@epa.gov. Please, address all future correspondence regarding rail line abandonment to my attention.

Sincerely,



Kenneth A. Westlake, Chief
NEPA Implementation Section

cc: David Navecky, Surface Transportation Board



Minnesota Pollution Control Agency

February 1, 2006

EXHIBIT J

3050 Mr. Sidney Strickland
Sidney Strickland and Associates, PLLC
350 K Street Northwest, Suite 101
Washington, DC 20007-5108

RE: Request for Water Quality Standards
Burlington Northern Santa Fe Railroad
STB Docket No. AB-6 (Sub.No. 438X)
Abandonment from Mile Post 113.44 to Mile Post 114.02
Morrison County, Minnesota

Dear Mr. Strickland:

Thank you for your notification that Burlington Northern Santa Fe Railroad is planning to abandon the above referenced segment of rail line. Your letter requested information whether this proposed abandonment is consistent with applicable federal, state or local water quality standards. I can only specifically address the water quality issue from the state level and I offer other contacts for the other issues. Your letter indicated action may include removal of bridges and removal of track materials but did not indicate any construction or other actions of physical alteration of the site.

The Mississippi River adjacent to this project site is designated in our water quality standards Minn. Rule 7050

(<http://www.revisor.leg.state.mn.us/bin/getpub.php?pubtype=RULECHAP&year=current&chapter=7050>) as an Outstanding Resource Value Waters (ORVW) from Lake Itasca to the southerly boundary of Morrison County that are included in the Mississippi Headwaters Board comprehensive plan dated February 12, 1981. The Minnesota Pollution Control Agency (MPCA) recognizes that the maintenance of existing high quality in some waters of outstanding resource value to the state is essential to their function as exceptional recreational, cultural, aesthetic, or scientific resources. To preserve the value of these special waters, the agency will prohibit or stringently control new or expanded discharges from either point or nonpoint sources to outstanding resource value waters. In addition the Mississippi River in this stretch is listed on the MPCA impaired waters list for Aquatic Consumption from mercury.

It does not appear that your abandonment proposal project would adversely impact any specific water quality standards if the following considerations are incorporated into the project:

1. Possible impacts to the area streams, rivers and wetlands from erosion and storm water runoff should be avoided where possible or mitigated as much as possible to lessen any potential adverse impact. Mulching, seeding, and/or sodding should be done to establish permanent ground cover and to stabilize soils disturbed by construction activities in the vicinity of surface water, (lakes, streams, wetlands, and drainage ways) and implemented without the use of fertilizers containing phosphorus.
2. We always recommend that a site erosion plan should be developed and incorporated into any construction effort that will prevent sediment runoff by actions such as: 1) keeping exposed soil to a minimum; 2) using sediment barriers such as straw bales and fabric barriers in all drainage channels; 3) constructing a runoff collection ditch and sediment pond if appropriate; 4) mulching and seeding appropriate areas after construction. The erosion control systems must be properly installed, regularly inspected, and sufficiently maintained

Mr. Sidney Strickland

Page 2

February 1, 2006

in order to prevent sediments at the project site from eroding into waters of the state. In addition to developing an erosion plan as suggested for any projects, specifically if this project will disturb one (1) or more acres of land, the owner is required to apply to the MPCA for coverage under a Clean Water Act Section 402 General National Pollutant Discharge Elimination System Permit (NPDES) that specifically requires development of a Stormwater Pollution Prevention Plan (SWPPP) that must include the incorporation of Best Management Practices (BMP) to control erosion and sediment during construction, and a storm water management plan to manage pollutants in storm water runoff from the site that will occur after construction is complete. The permit requires that these BMP be prepared for the project and incorporated into the plans and specifications prior to the start of construction. Additional information and application forms for the Construction Stormwater NPDES Permit can be found on the MPCA web site (<http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>).

3. If there are any maintenance yards, switching areas or other such facilities located in the project area we would recommend that a thorough inspection and evaluation of those areas for any possible oil spills should be conducted. In the past the MPCA has encountered soils contaminated with petroleum, PAHs, polychlorinated biphenyls (PCBs) at other railroad sites such as these. After you conduct this evaluation, if a release has been discovered you must comply with Minnesota Statute 115.061 and notify the MPCA.
4. Any railroad ties and all other demolition debris that are removed from the abandon line must be reused or disposed of in accordance with Minn. Rules 7035 for disposal of Solid Waste. We encourage you to explore reuse opportunities for any material removed during the project.

In regards to your inquiry if this project will affect any 100 year flood plain, I refer you to the local counties who regulate this activity. We recommend you first check the Federal Emergency Management Agency (FEMA) flood hazard mapping web site at http://www.fema.gov/fhm/mh_main.shtm for the availability of flood mapping in the area of concern and also contact the local county authorities (http://www.dnr.state.mn.us/permits/water/water_permit_contacts.html) for specific regulatory requirements if the flood plain will be affected by your project.

If the project construction changes to subsequently include the placement fill material into any waters including wetlands, we recommend you contact the St. Paul District Office of the Army Corps of Engineers at (651) 290-5366 for further information if a Clean Water Act Section 404 permit would be required for this action. Our Agency is responsible for completing a Clean Water Act Section 401 Water Quality Certification on any federal permits such as the section 404 permit. Therefore, if the Corps of Engineers determines a 404 permit is required for this action, only then would a 401 Water Quality Certification from our agency be required. In addition, under the Minnesota State Wetland Conservation Act, if you drain or fill any wetland you should contact the local unit of government for a Wetland Replacement Plan approval. You may find these local contacts at the Minnesota Board of Water and Soil Resources web site at <http://www.bwsr.state.mn.us/directories/WCA.pdf> .

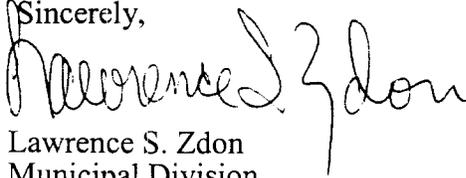
Mr. Sidney Strickland

Page 3

February 1, 2006

If you have any questions regarding our comments, please contact me at (651) 297-8219 or by e-mail at lawrence.zdon@pca.state.mn.us.

Sincerely,

A handwritten signature in black ink that reads "Lawrence S. Zdon". The signature is written in a cursive style with a large, stylized "Z" and "d".

Lawrence S. Zdon
Municipal Division
Stormwater and Wastewater Policy Section

LZ:wgp



DEPARTMENT OF THE ARMY

St. Paul District Corps of Engineers

190 Fifth Street East

St. Paul, Minnesota 55101-1683

January 30, 2006

EXHIBIT K

REPLY TO
ATTENTION OF
Operations
Regulatory (2006-495-LAG)

Mr. Sidney Strickland
Sidney Strickland and Associates
3050 K St. NW
Suite 101
Washington, DC 20007-5108

Dear Mr. Strickland:

We have reviewed information about a project by the BNSF Railroad Company to abandon 0.58 miles of rail line. The project site is in Sec. 25, T. 42N., R. 32W., Morrison County, Minnesota.

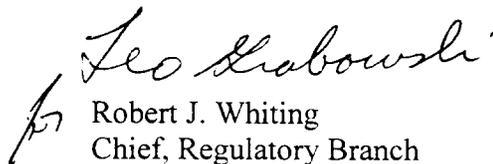
The work proposed at the location stated is not within the regulatory jurisdiction of the Corps of Engineers. No work will be done in a navigable water of the United States, and no dredged or fill material, including that incidental to mechanical land clearing, will be discharged in any water of the United States, including wetlands. Therefore, a Department of the Army permit is not required to do this work.

This letter is valid only for the project referenced above. If any change in design, location, or purpose is contemplated, contact this office to avoid doing work that may be in violation of Federal law. PLEASE NOTE THAT THIS CONFIRMATION LETTER DOES NOT ELIMINATE THE NEED FOR STATE, LOCAL, OR OTHER AUTHORIZATIONS, SUCH AS THOSE OF THE DEPARTMENT OF NATURAL RESOURCES OR COUNTY.

The decision regarding this action is based on information found in the administrative record which documents the District's decision-making process, the basis for the decision, and the final decision.

If you have any questions, contact Leo Grabowski in our Brainerd office at (218) 829-8402. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


Robert J. Whiting
Chief, Regulatory Branch



Home Compose Address Book Options Logout

Username: **Liz Waite**
(liz.waite@stricklandplc.com)

Inbox (20)

Drafts

Deleted Items

Sent

Scheduled

Delete

Delete permanently

From: Steve Colvin <steve.colvin@dhr.state.mn.us>

To: liz.waite@stricklandplc.com

Subject: STB Docket No. AB-6 (Sub. No. 438X) BNSF RR Morrison County MN

Date: 18-Jan-06 08:47 AM

Attachments: BNSF RR Morrison.pdf

Move to

Deleted Items

Go

Reply

Reply To All

Forward

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Previous

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Liz,

The attached file contains scans from the FEMA map for the area or Morrison County that you requested. The railroad segment in question is outside of the 100-year floodplain.

I sent a copy of your letter to Rick Newquist at our state Pollution Control Agency so that they could respond to your question about water quality standards and NPDES permitting. Rick's phone number is (651) 296-7780.

Steven Colvin
DNR - Ecological Services
500 Lafayette Rd.
St. Paul, MN 55155-4025
(651) 259-5082
(651) 297-1500 fax
steve.colvin@state.mn.us

Add Folder

Edit Folder

Search all folders

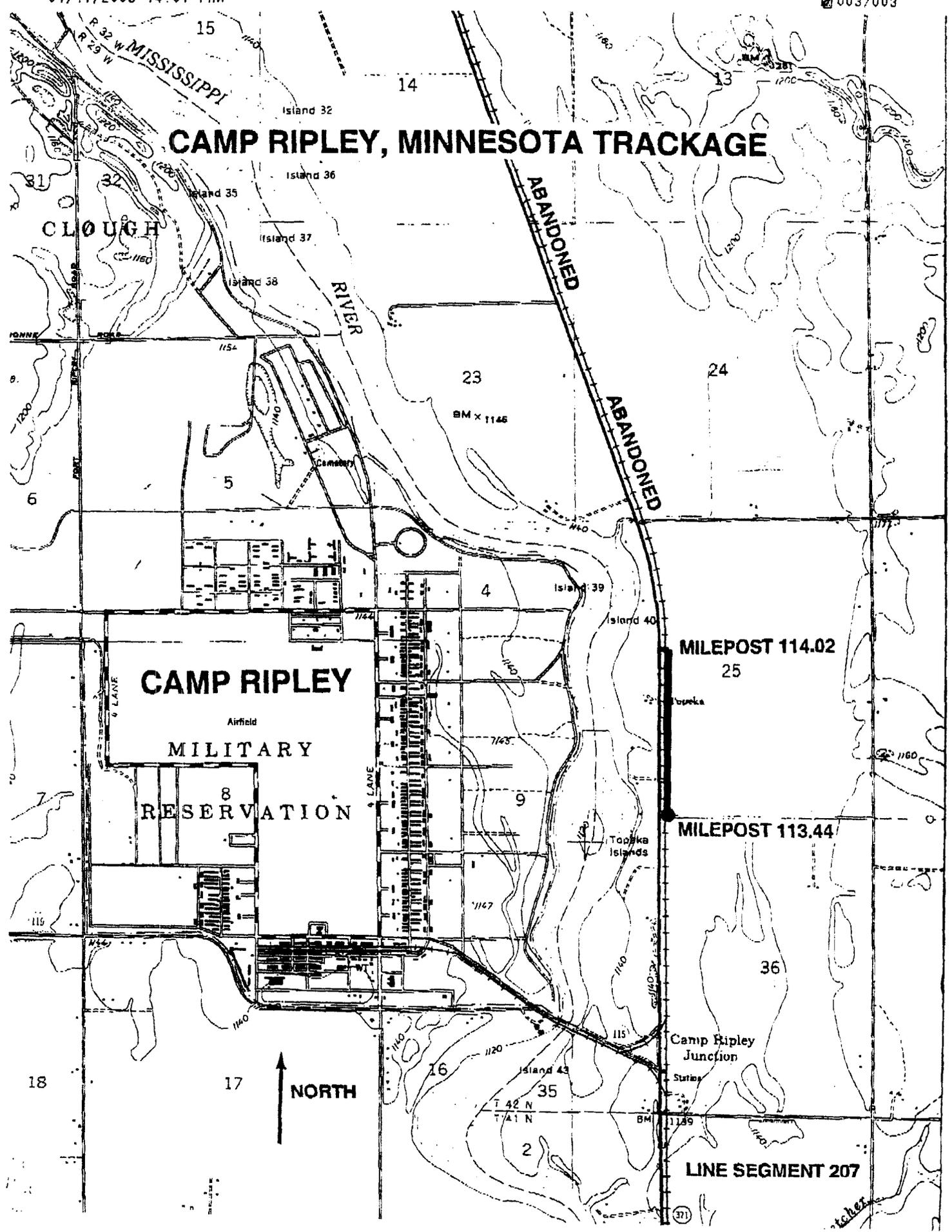
Go

Search Inbox

Go

Advanced Search

CAMP RIPLEY, MINNESOTA TRACKAGE



CAMP RIPLEY
 Airfield
MILITARY RESERVATION

MILEPOST 114.02

MILEPOST 113.44

Camp Ripley Junction

LINE SEGMENT 207

NORTH

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

December 6, 2005

Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4040

*Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN*

Dear Sir or Madam:

BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority in the above docket to abandon 0.58 miles of railroad line between Milepost 113.44 and Milepost 114.02, near Camp Ripley in Morrison County, Minnesota.

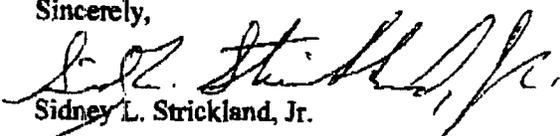
The proposed abandonment may require removal of bridges and structures and the removal of track materials such as rails and ties but the roadbed will be left intact. No placement of dredge or fill material in any inland waterways is anticipated to result from abandonment and/or salvage.

As part of the environmental report, BNSF needs to know whether or not this action will be consistent with Federal, State or local water quality standards. Also, please state whether or not Section 402 and/or National Pollutant Discharge Elimination System ("NPDES") are required as a result of the proposed abandonment. BNSF also needs to know if the proposed abandonment will affect any 100-year floodplains. If so, please furnish 8½ by 11 black and white maps in the area of each designated floodplain if they are available.

For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by January 6, 2006. If you have any questions, do not hesitate to contact me at (202) 295-4024.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew



KEY TO MAP

- 500-Year Flood Boundary
- 100-Year Flood Boundary
- Zone Designations* With Date of Identification e.g., 12/2/74
- 100-Year Flood Boundary
- 500-Year Flood Boundary
- Base Flood Elevation Line With Elevation In Feet**

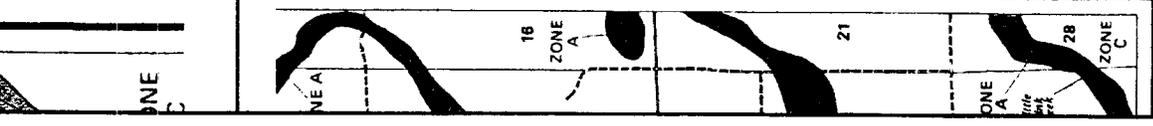
Base Flood Elevation In Feet Where Uniform Within Zone** (EL 987)

Elevation Reference Mark RM7 X

River Mile • M1.5

*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

COUNTY OF MORRISON,
MINNESOTA
(UNINCORPORATED AREAS)

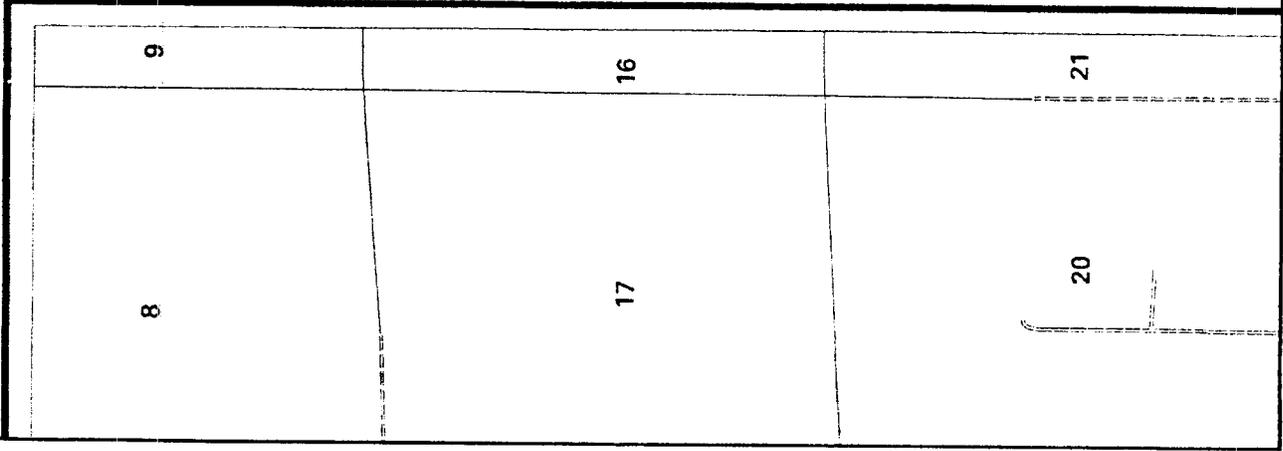
PANEL 200 OF 450
SEE MAP INDEX FOR PANELS NOT PRINTED

COMMUNITY-PANEL NUMBER
270617 0200 B

EFFECTIVE DATE:
JUNE 15, 1981

federal emergency management agency
federal insurance administration

This is an official copy of a portion of the above referenced flood map. It was extracted using F.M.I. On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on this title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.nisac.fema.gov.





APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

COUNTY OF
MORRISON,
MINNESOTA
(UNINCORPORATED AREAS)

PANEL 200 OF 450
SEE MAP INDEX FOR PANELS NOT PRINTED

COMMUNITY PANEL NUMBER
270617 0200 B

EFFECTIVE DATE:
JUNE 15, 1981



federal emergency management agency
federal insurance administration



This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.msc.fema.gov.

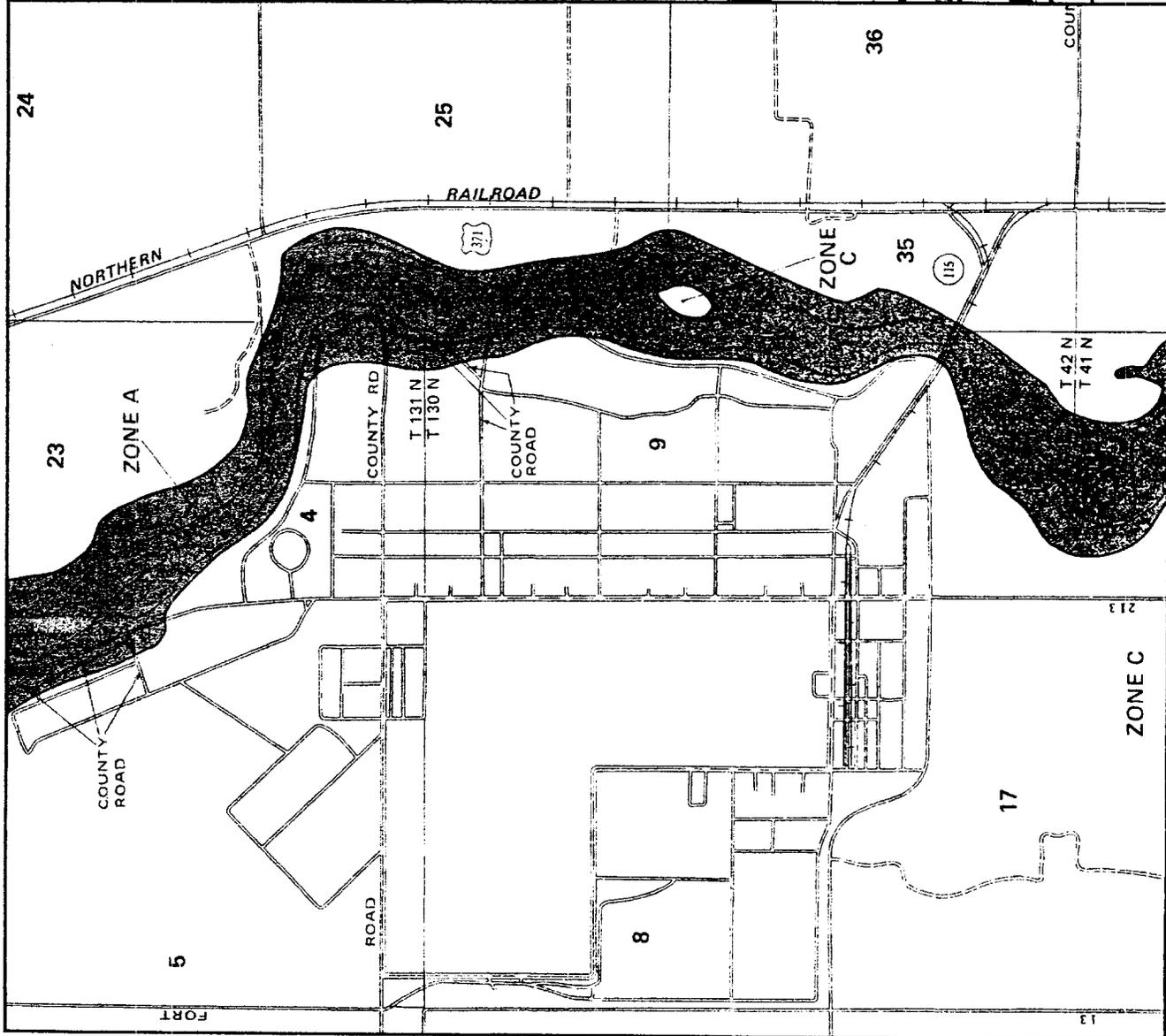


EXHIBIT M



MORRISON COUNTY

"HOME OF LINDBERGH"

Highway Engineer
Public Works Director
STEVEN C. BACKOWSKI

Public Works Department
215 Southeast 1st Avenue
Little Falls, Minnesota 56345
Phone: 320/632-0120
Fax: 320/632-9510
E-Mail: steveb@co.morrison.mn.us

FAX TRANSMITTAL SHEET

DATE: 1-25-06

TO: IAN THOMAS

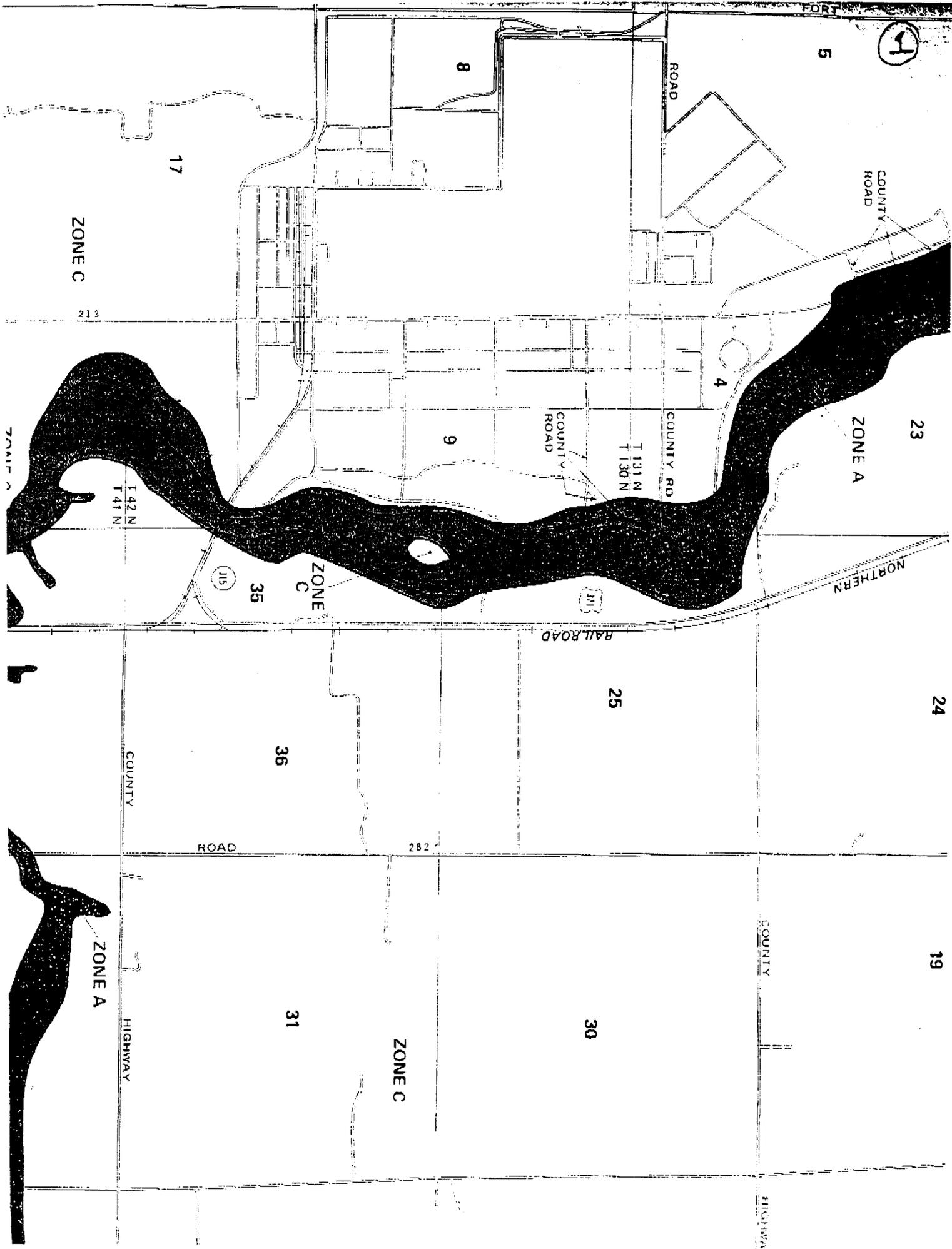
COMPANY: SIDNEY STRICKLAND AND ASSOCIATES, PLLC

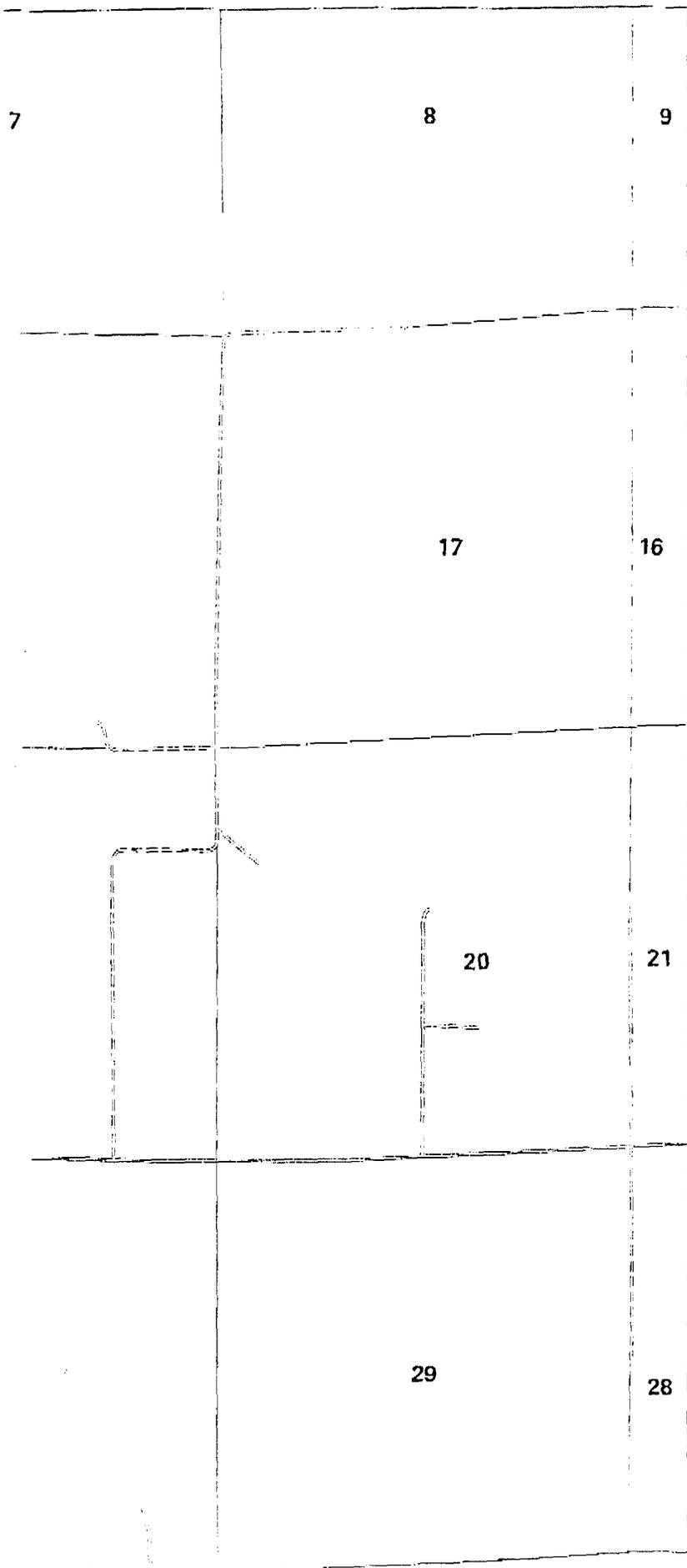
FROM: ROSS NARGREN

NUMBER OF COPIES (including cover sheet): 4

If you do not receive all copies or should there be a problem reading the material,
Please call 320-632-0121 immediately. Thank You

Fax Number: 320-632-9510





KEY TO MAP

(2)

- 500-Year Flood Boundary
- 100-Year Flood Boundary
- Zone Designations* With Date of Identification e.g., 12/2/74
- 100-Year Flood Boundary
- 500-Year Flood Boundary
- Base Flood Elevation Line With Elevation In Feet** 513
- Base Flood Elevation in Feet Where Uniform Within Zone** (EL 987)
- Elevation Reference Mark RM7
- River Mile *M1.5

**Referenced to the National Geodetic Vertical Datum of 1929

*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. [Medium shading]
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.

This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.

For adjoining map panels, see separately printed Index To Map Panels.

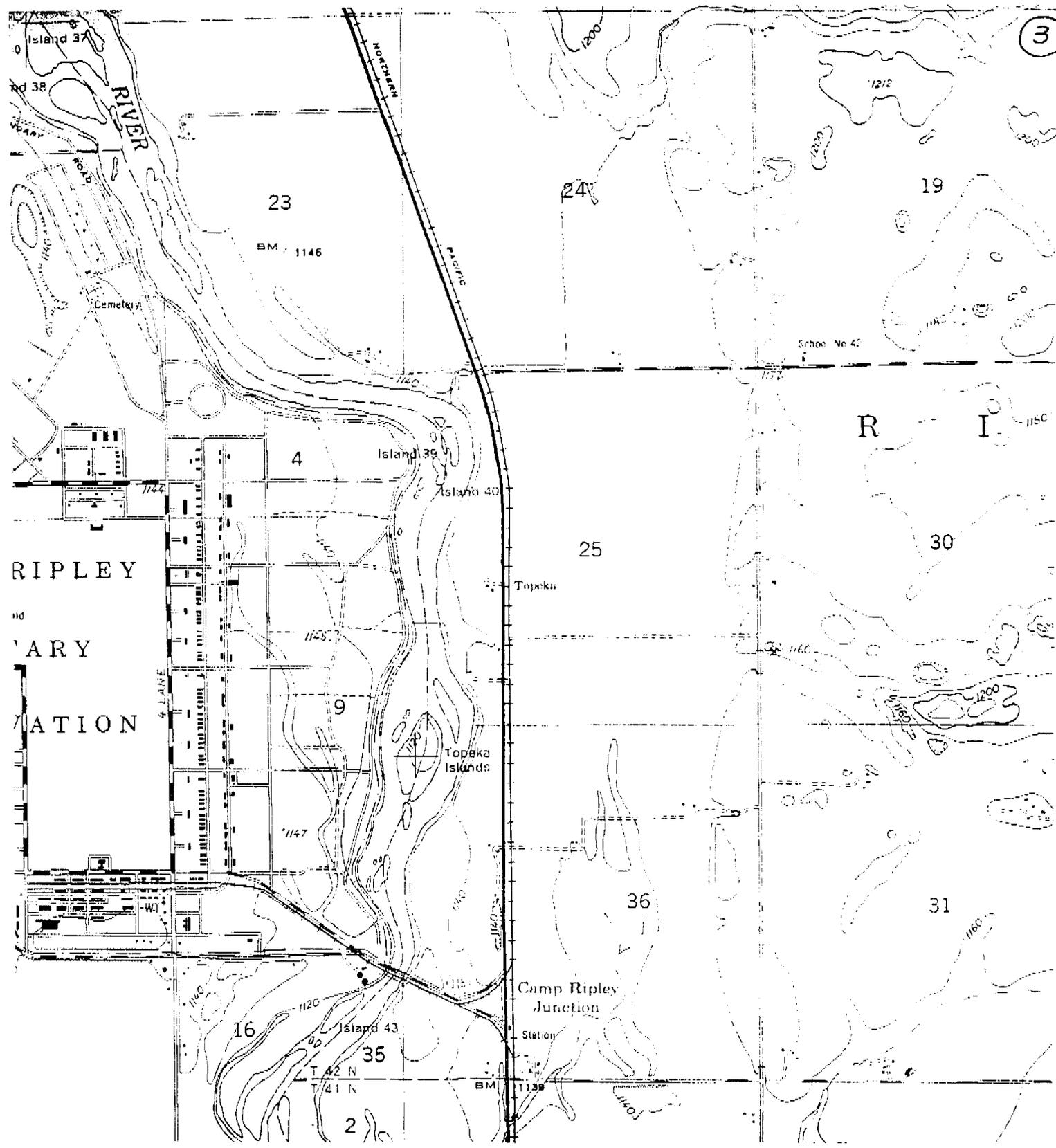




EXHIBIT N

MINNESOTA HISTORICAL SOCIETY

State Historic Preservation Office

January 10, 2006

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

Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company
Abandonment of .58 miles of railroad between milepost 113.44 and
milepost 114.02 near Camp Ripley
Morrison County
SHPO Number: 2006-0687

Dear Mr. Strickland:

Thank you for the opportunity to review and comment on the above project. It has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and the Procedures of the Advisory Council on Historic Preservation (36CFR800).

This rail line, the Northern Pacific Brainerd Branch Line (MO-LFT-003), has been determined to meet the criteria of the National Register of Historic Places.

Contact me at 651-205-4205 with questions or concerns.

Sincerely,

Dennis A. Gimmestad
Government Programs & Compliance Officer

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

BNSF Railway Company ("BNSF"), by and through its authorized representative, Sidney L. Strickland, Jr., certifies that on March 6, 2006, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

William E. Lorenzen
Environmental Review/Justice Coordinator
U.S. Department of Agriculture
Natural Resources Conservation Service
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

Dennis A. Gimmestad
Government Programs & Compliance Officer
Minnesota Historical Society
RE: Compliance #2006-0687
345 W. Kellogg Blvd.
St. Paul, MN 55102-1906

Robert J. Whiting, Chief, Regulatory Branch
U.S. Army Corps of Engineers
St. Paul District
190 Fifth St. East, Suite 401
St. Paul, MN 55101-1638

Patrick G. Carroll, Division of Realty
Fish and Wildlife Service
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

Teresa Thews
Parks and Recreation Division, Minnesota DNR
500 Lafayette Road
St. Paul, MN 55155-4040

Marcia Sieckman, Supervisor, Lands and Renewable
Resources Team
U.S. Bureau of Land Management
Milwaukee Field Office
626 E. Wisconsin Ave.
Suite 200
Milwaukee, WI 53202

Chuck Forss
Water Plan Coordinator
Land Use Planner
Morrison County Commissioners
County Courthouse
213 First Avenue S.E.
Little Falls, MN 56345-3196

Ross Norgren
Morrison County Public Works Department
213 Southeast 1st Avenue
Little Falls, MN 56345

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

Robert J. Rickert
Rail Bank and Abandonment Coordinator
Minnesota Department of Transportation
Office of Freight and Commercial Vehicle Operations
Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55120-4152

Robert Maydwell
National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

Kenneth A. Westlake, Chief
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Minnesota Department of Administration
200 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Springs, MD 20910-3282

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155

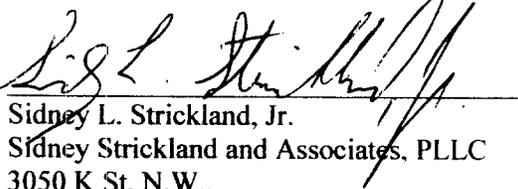
Lawrence S. Zdon
Municipal Division
Stormwater and Wastewater Policy Section
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Steven Colvin
DNR-Ecological Services
500 Lafayette Rd.
St. Paul, MN 55155-4025

Morrison County Commissioners
County Courthouse
213 SE First Ave
Little Falls, MN 56345

Courtland Nelson, Director
Parks and Recreation Division, Minnesota DNR
500 Lafayette Road
St. Paul, MN 55155-4040

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, PLLC
3050 K St. N.W.,
Suite 101
Washington, D.C. 20007

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

March 6, 2006

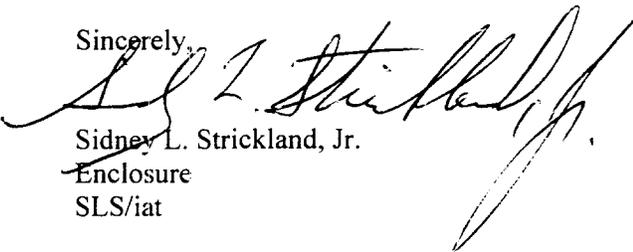
Ms. Victoria Ruston
Chief, SEA
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C., 20423-0001

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Ms. Ruston:

On or about March 27, 2006, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 0.58 miles of railroad line between Milepost 113.44 and Milepost 114.02, near Camp Ripley in Morrison County, Minnesota. 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/iat

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

March 6, 2006

William E. Lorenzen, Environmental Review/Justice Coordinator
U.S. Department of Agriculture
Natural Resources Conservation Service
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Lorenzen:

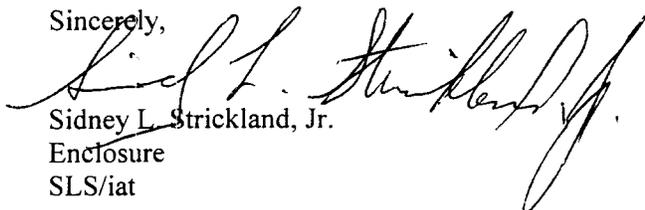
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Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.
Enclosure
SLS/iat

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

March 6, 2006

Dennis A. Gimmestad
Government Programs & Compliance Officer
Minnesota Historical Society
RE: Compliance #2006-0687
345 W. Kellogg Blvd.
St. Paul, MN 55102-1906

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Gimmestad:

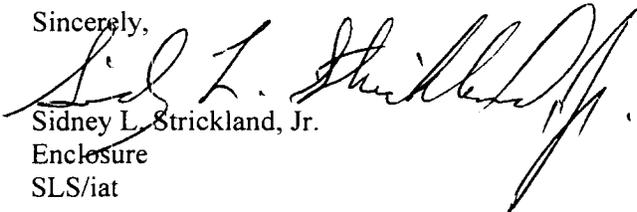
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Robert J. Whiting, Chief, Regulatory Branch
U.S. Army Corps of Engineers
St. Paul District
190 Fifth St. East, Suite 401
St. Paul, MN 55101-1638

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Whiting:

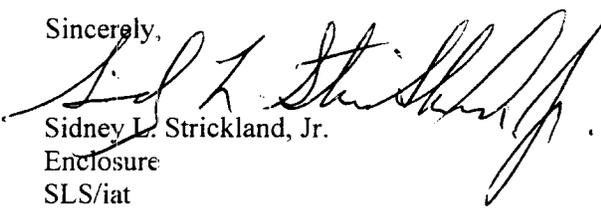
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Patrick G. Carroll, Division of Realty
Fish and Wildlife Service
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Carroll:

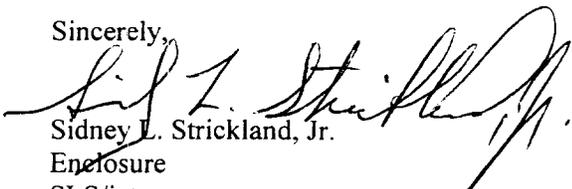
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Teresa Thews
Parks and Recreation Division, Minnesota DNR
500 Lafayette Road
St. Paul, MN 55155-4040

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Ms. Thews:

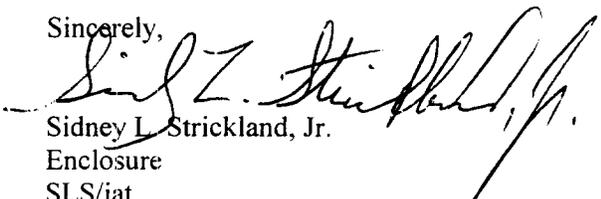
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Sidney L. Strickland, Jr.

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

March 6, 2006

Marcia Sieckman, Supervisor, Lands and Renewable Resources Team
U.S. Bureau of Land Management
Milwaukee Field Office
626 E. Wisconsin Ave.
Suite 200
Milwaukee, WI 53202

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Ms. Sieckman:

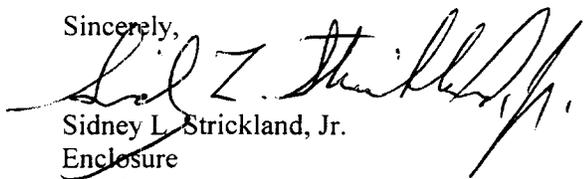
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Chuck Forss
Water Plan Coordinator
Land Use Planner
Morrison County Commissioners
County Courthouse
213 First Avenue S.E.
Little Falls, MN 56345-3196

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Forss:

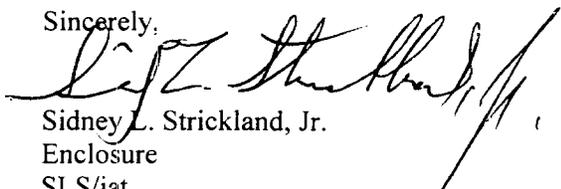
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLCCOM

March 6, 2006

Ross Norgren
Morrison County Public Works Department
213 Southeast 1st Avenue
Little Falls, MN 56345

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Norgren:

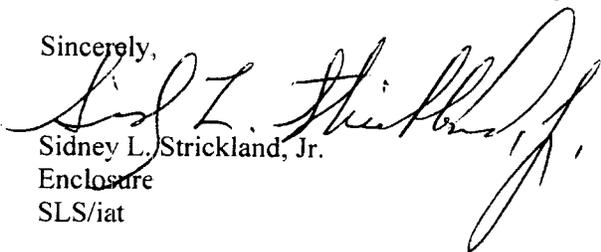
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Enclosure
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TELEPHONE: 202-295-4024
FAX: 202-672-5399

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

March 6, 2006

Robert J. Rickert
Rail Bank and Abandonment Coordinator
Minnesota Department of Transportation
Office of Freight and Commercial Vehicle Operations
Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55120-4152

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Rickert:

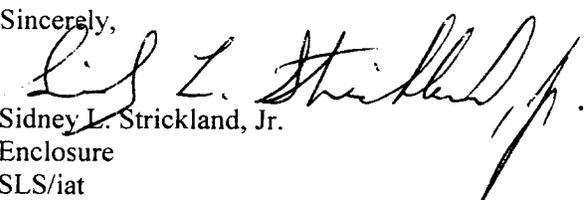
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Robert Maydwell
National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Maydwell:

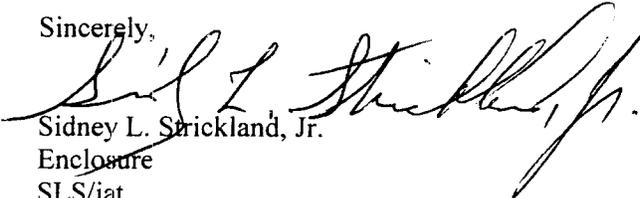
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Kenneth A. Westlake, Chief
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Westlake:

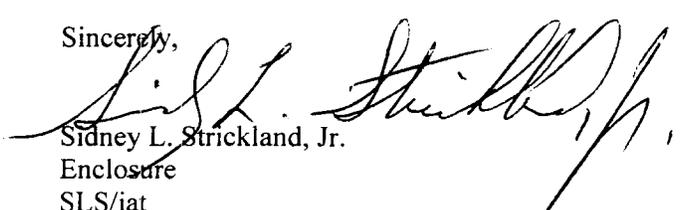
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Minnesota Department of Administration
200 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Sir or Madam:

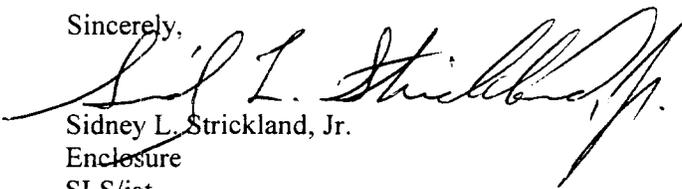
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SIDNEY L. STRICKLAND, JR.
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March 6, 2006

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Springs, MD 20910-3282

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

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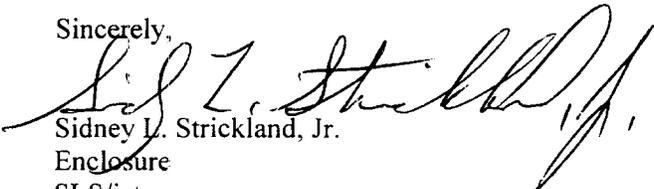
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Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/iat

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

March 6, 2006

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Sir or Madam:

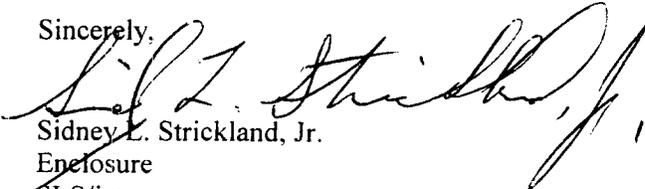
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Lawrence S. Zdon
Municipal Division
Stormwater and Wastewater Policy Section
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Zdon:

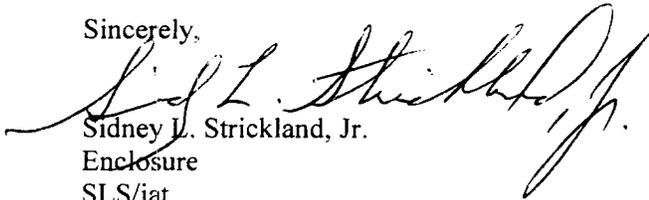
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Steven Colvin
DNR-Ecological Services
500 Lafayette Rd.
St. Paul, MN 55155-4025

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Colvin:

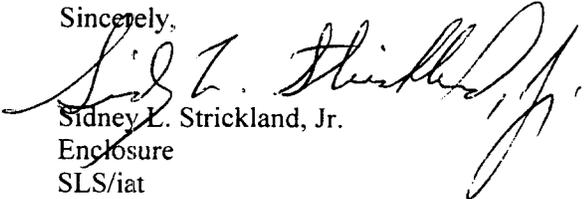
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SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

March 6, 2006

Morrison County Commissioners
County Courthouse
213 SE First Ave
Little Falls, MN 56345

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Sirs and Madams:

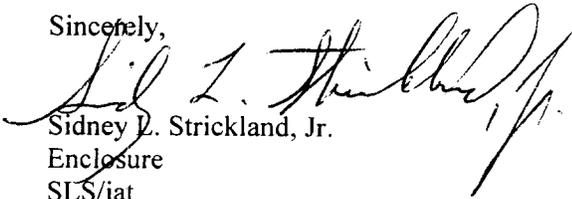
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SIDNEY L. STRICKLAND, JR.
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March 6, 2006

Courtland Nelson, Director
Parks and Recreation Division, Minnesota DNR
500 Lafayette Road
St. Paul, MN 55155-4040

***Re: STB Docket No. AB-6 (Sub. No. 438X) BNSF Railway Company—
Abandonment Exemption – in Morrison County, MN***

Dear Mr. Nelson:

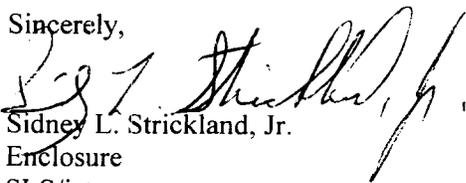
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