

SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399



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

July 17, 2006

217069

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. 431X) BNSF Railway Company—
Abandonment and Discontinuance Exemption – in Knox and Fulton
Counties, IL**

Dear Secretary Williams:

Enclosed please find an original and 10 copies of the 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 \$3,100.00 for the filing fee.

Very truly yours,

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

ENTERED
Office of Proceedings

JUL 17 2006

Part of
Public Record

FILED

JUL 17 2006

**SURFACE
TRANSPORTATION BOARD**

FEE RECEIVED

JUL 17 2006

**SURFACE
TRANSPORTATION BOARD**

217069



BEFORE THE
SURFACE TRANSPORTATION BOARD

BNSF RAILWAY COMPANY --
ABANDONMENT AND
DISCONTINUANCE EXEMPTION --
IN KNOX AND FULTON COUNTIES, IL

DOCKET NO. AB-6
(SUB. NO. 431X)

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

FILED

JUL 17 2006

SURFACE
TRANSPORTATION BOARD

By: SIDNEY L. STRICKLAND, JR
ELIZABETH E. WAITE
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W.,
Suite 101
Washington, DC 20007
(202) 338-1325

ENTERED
Office of Proceedings

JUL 17 2006

Part of
Public Record

Attorneys for BNSF Railway Company

FEE RECEIVED

JUL 17 2006

SURFACE
TRANSPORTATION BOARD

DATE FILED: July 17, 2006

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT AND
DISCONTINUANCE EXEMPTION --
IN KNOX AND FULTON COUNTIES, IL**

**DOCKET NO. AB-6
(SUB. NO. 431X)**

**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 and Discontinuances 49 C.F.R. 1152.50) for BNSF to discontinue rail service of 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 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 July 17, 2006, which is September 5, 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 and discontinuance of the Knox and Fulton Counties 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) 338-1325

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 Codes

61572 and 61531.

- (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, there are no federally granted rights-of-way within the corridor. 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.*

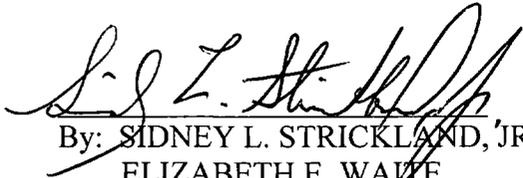
The required certifications are set forth in Appendix 3 to this Notice of Exemption.

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
Forth Worth, TX 76161-0057



By: SIDNEY L. STRICKLAND, JR
ELIZABETH E. WAITE
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W.,
Suite 101
Washington, DC 20007
(202) 338-1325

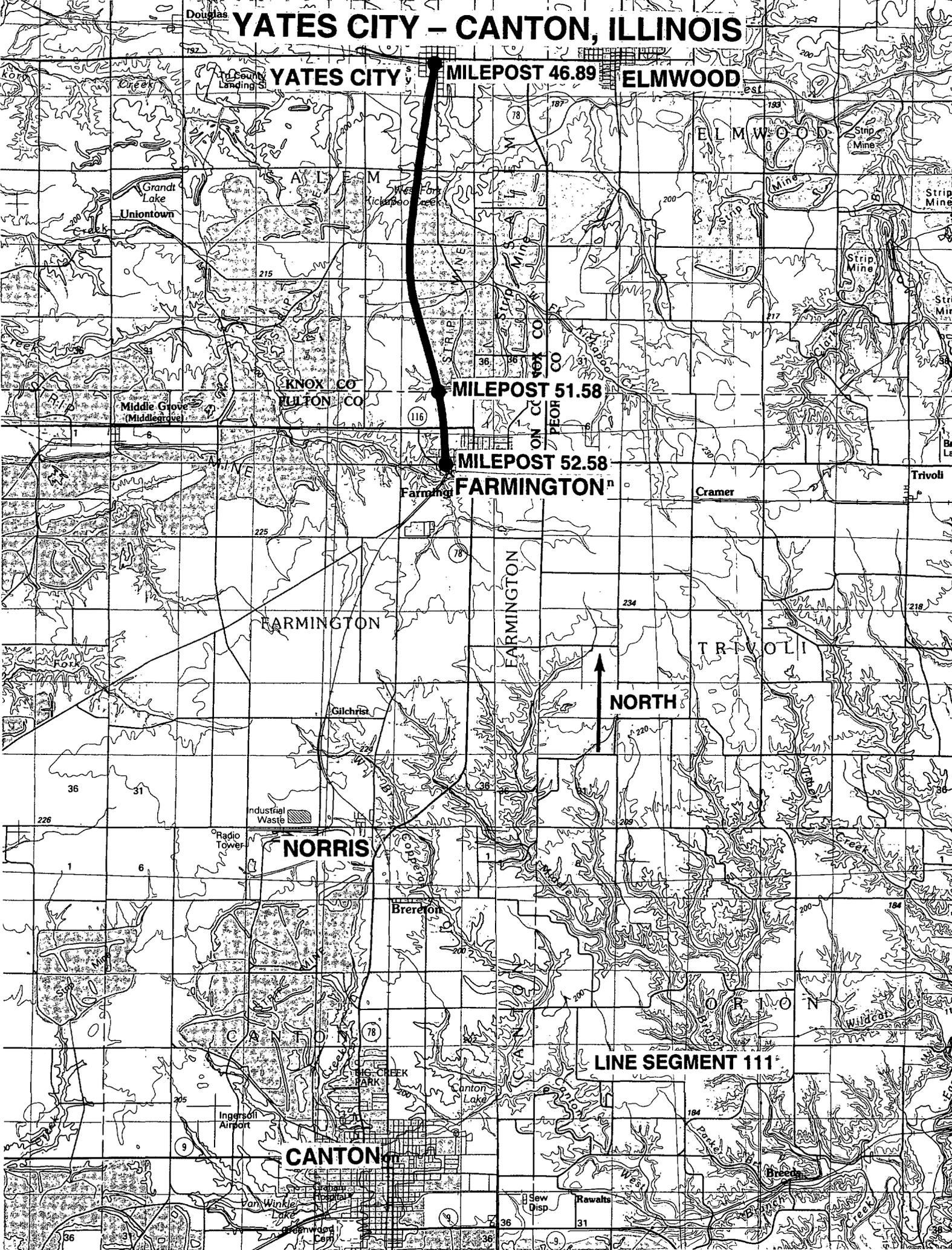
Attorneys for BNSF Railway Company

DATE FILED: July 17, 2006

APPENDIX 1

Detailed Map of the Line

YATES CITY - CANTON, ILLINOIS



YATES CITY

MILEPOST 46.89

ELMWOOD

MILEPOST 51.58

MILEPOST 52.58

FARMINGTON

FARMINGTON

FARMINGTON

TRIVOLI

NORTH

NORRIS

CANTON

LINE SEGMENT 111

APPENDIX 2

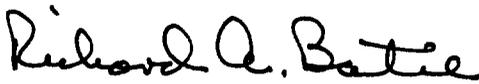
Certifications Required in 49 C.F.R. § 1152.50(b)

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

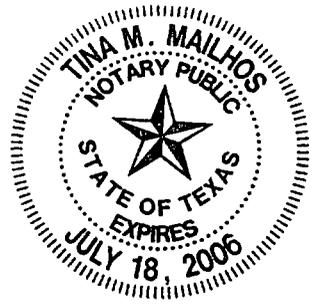
I, Richard A. Batie, being duly sworn depose and state that as Manager, Network Development in the Network Development department of the BNSF Railway Company ("BNSF"), I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein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

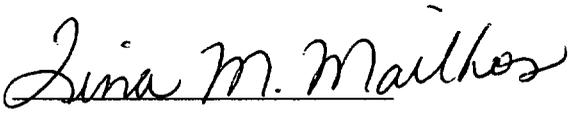
In accordance with 49 C.F.R. § 1152.50(b), I hereby certify that, with respect to the line which is the subject of the Notice of Exemption filed in Docket No. AB-6 (Sub-No. 431X), no local traffic has moved on the line for at least two (2) years prior to the date hereof. Also, there is no overhead traffic 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 11 day of July, 2006.





APPENDIX 3

*Certification that Applicant Has 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. 431X) was mailed via first class mail on July 6, 2006 to the following parties:

Illinois Commerce Commission
527 East Capitol Ave.
Springfield, IL 62701

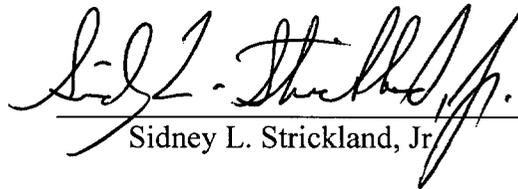
Military Traffic Management Control
Attn: Railroads for National Defense
720 Thimble Shoals Boulevard, #130
Newport News, VA 23606-2574

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

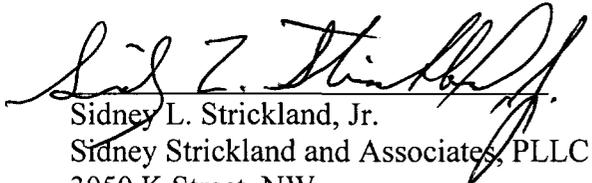
Jeff Harpring, P.E.
Rail Safety and Project Engineer
Illinois Department of Transportation
2300 S. Dirksen Parkway
Springfield, IL 62764

Dated July 17, 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 Knox and Fulton Counties, Illinois: *The Peoria Star Journal*. Publication of the notice was accomplished on July 10, 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) 338-1325
Fax: (202) 672-5499

Certificate of Publication

STATE OF ILLINOIS,

SS

County of Peoria.

The Peoria Journal Star, Inc. (which is incorporated and doing business under and by virtue of the Laws of the State of Illinois) HEREBY CERTIFIES that it is the printer and publisher of the Journal Star, which is a public secular newspaper of general circulation printed and published daily in the City of Peoria, County of Peoria and State of Illinois, and that said newspaper has been regularly published in said City for at least one (1) year prior to the first publication of the notice hereto attached.

Said Corporation further certifies that the said notice entitled:

"**STB Docket No. AB-6 (Sub. No. 431X) NOTICE OF INTENT TODISCONTINUE**" hereto attached has been published **1** time(s) in the Peoria Journal Star, on the following respective dates:

The 10th day of July 2006 A.D.,

IN WITNESS WHEREOF, the said Corporation has caused this Certificate to be signed in its name on its behalf by **Judy Little** this **10th** day of **July** A.D., **2006**.

The Peoria Journal Star, Inc.

By:

Judy Little

Legal Notice

STB Docket No. AB-6 (Sub. No. 431X)

NOTICE OF INTENT TO DISCONTINUE AND

ABANDON RAIL SERVICE

NSF RAILWAY COMPANY

or about July 17, 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 discontinuance of rail service of 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.38, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles through United States Postal Service ZIP Codes 61572 and 61531. The proceeding will be docketed STB Docket No. AB-6 (Sub. No. 431X).

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 202-565-1545.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public 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 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Sidney Strickland, Sidney Strickland and Associates, PLLC, 3050 K Street, Suite 101, Washington, DC, 20007-5108.

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 June 26, 2006, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

United States Department of Agriculture
Natural Resources Conservation Service
2118 W. Park Court
Champaign, IL 61821

Kim D. Smail
Natural Resources Conservation Service
15381 N. State Hwy. 100
Lewiston, IL 61542

Ronald A. Hall
Natural Resource Conservation Service
233 S. Soangetaha Road
Galesburg, IL 61401

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

Alan Keller
Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Springfield, IL 62702

Bruce Yurdin
Illinois Environmental Protection Agency
Watershed Management Section
1021 North Grand Avenue East
Springfield, IL 62702

Illinois Department of Natural Resources
Office of Water Resources
One Natural Resources Way
Springfield, IL 62702-1271

George Bellovics
Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Region 1 Office
2317 East Lincolnway, Suite A
Sterling, IL 61081

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

U.S. Army Corps of Engineers
Rock Island District
Clocktower Building
Rodman Ave.
Rock Island, IL 61299

Robyn Thorson, Regional Director
Big River Region
U.S. Fish and Wildlife Service
1 Federal Drive
BHW Federal Building
Fort Snelling, MN 55111

Marcia Sieckman
U.S. Bureau of Land Management Eastern States
Milwaukee Field Office
626 E. Wisconsin Ave.
Suite 200
Milwaukee, WI 53202

Illinois Department of Natural Resources
Office of Land Management and Education
One Natural Resources Way
Springfield, IL 62702-1271

William C. Kuhn
Fulton County Engineer
Fulton County Highway Dept.
430 E. Oak
Canton, IL 61520

Randy Rumler, Fulton County Clerk
100 North Main Street
Lewiston, IL 61542-1409

Fulton County Board
P.O. Box 226
Lewiston, IL 61542

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

U.S. Environmental Protection Agency
1 Interstate Bank Tower at Fountain Place
1445 Ross Avenue, 12th Fl.
Dallas, TX 75202

Knox County Board
200 S. Cherry St.
Galesburg, IL 61401-4912

Scott G. Erickson, Knox County Clerk
200 S. Cherry St.
Galesburg, IL 61401-4912

Duane J. Ratermann
Knox County Highway Dept.
1214 U.S. Hwy 150E
Knoxville, IL 61448

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

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

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

Peter Swenson
Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

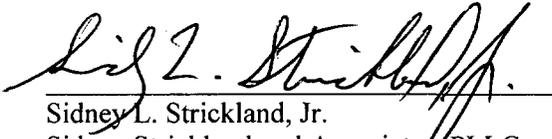
Robert Maydwell
National Park Service
Midwest Region
1709 Jackson St.
Omaha, NE 68102

Office of the Governor
State of Illinois
207 Statehouse
Springfield, IL 62706

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

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

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 AND
DISCONTINUANCE EXEMPTION --
IN KNOX AND FULTON COUNTIES, IL**

**DOCKET NO. AB-6
(SUB. NO. 431X)**

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.
ELIZABETH E. WAITE
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W.,
Suite 101
Washington, DC 20007
(202) 338-1325

Attorneys for BNSF Railway Company

DATED: June 26, 2006

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT AND
DISCONTINUANCE EXEMPTION --
IN KNOX AND FULTON COUNTIES, IL**

**DOCKET NO. AB-6
(SUB. NO. 431X)**

**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 not 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 of Exemption for 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 seeking authority to discontinue rail service of 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles (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 discontinue service on this Line from Milepost 46.89 to Milepost 51.58, and to abandon this Line from Milepost 51.58 to Milepost 52.58.

The proposed abandonment may include removal of all rails and ties. There are no bridges on the Line and BNSF is aware of no other 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 and there is no overhead traffic to be rerouted.

(3) Land Use:

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

The proposed abandonment should not be inconsistent with local or regional land use plans. The Illinois Department of Transportation (“IDOT”) states, “other than the attached comments from Fulton County, we are not aware of any proposed projects on this line.” See Exhibit B, electronic mail correspondence with attachment from Jeff Harpring, P.E., Rail Safety and Project Engineer, Bureau of Local Roads and Streets, Illinois Department of Transportation.

The IDOT further indicates it coordinated with and contacted Fulton County, Knox County, the City of Farmington, and the Village of Yates City. Knox County, the City of Farmington, and the Village of Yates City had no comments. See Exhibit C, email correspondence from Leonard LaSalle, Illinois Department of Transportation.

Also, William C. Kuhn, Fulton County Engineer, responded to the IDOT’s consultations, and comments, “Fulton County intends to support a planning concept whereby IDNR [Illinois Department of Natural Resources] is the lead agency to accomplish a railbanking of this corridor.” Mr. Kuhn further indicates, “The cities of Norris and Farmington have previously approved resolutions in this matter. IDNR has stated their willingness to spearhead the process based on support of local government. I hope Knox County and Yates City concur.” See

Exhibit C, email correspondence from William C. Kuhn, Fulton County Engineer.

Furthermore, Fulton County indicates that “railbanking this railroad corridor would preserve greenways, allow for recreational/transportation uses, provide a utility corridor for local governments, and maintain the route for future use as a railway;...has potential to promote tourism, stimulate economic development, provide alternative transportation options, support municipal services and improve the quality of life for communities along and near the corridor; and...the railroad corridor is an asset to the central Illinois region, passing through 2 counties and multiple urban areas.” Fulton County further states it has made the following resolutions:

1. The Fulton County Board supports the efforts of the Illinois Department of Natural Resources to negotiate a rail-banking agreement with the Burlington Northern & Santa Fe for the right-of-way from Yates City to Farmington, IL.
2. The Fulton County Board supports the Department of Natural Resources Trails Division serving as the overall negotiator and securing the interests of the Burlington Northern & Santa Fe Railroad right-of-way.
3. The Fulton County Board supports the Illinois Department of Natural Resources working jointly with local governments for future recreational trail development and public use of the corridor.
4. The Fulton County Board directs the County Engineer to include this concept as part of the Fulton County Greenways and Trails Plan.

See Exhibit B, attachment to email correspondence from Jeff Harpring, P.E., Rail Safety and Project Engineer, Bureau of Local Roads and Streets, Illinois Department of Transportation.

Finally, the Illinois Department of Natural Resources (“IDNR”) indicates:

As indicated in Exhibit C, the proposed abandonment is highly regarded as a potential rail-trail conversion between Yates City and Canton.

Regardless of the amended filing, local interest in Canton, Farmington and Yates City exists to support this position. The Department of Natural Resources supports these local interests and will assist them in obtaining an Interim Use Certificate to “Railbank” the abandoned portion of the corridor.

Given the nature of the right of way, and inherent geography of the area, the Department would strongly oppose removal of any bridges or structures. In essence, this practice divides the right of way into short linear, unconnected segments which are vulnerable to adverse possession by adjacent landowners, as well as being in diametric deference to Railbanking opportunities.

The IDNR also indicates it “supports salvage of rails and ties and other non-structural railroad materials which provide a value to BNSF in its abandonment process, and will work with their needs should the opportunity for Interim Use be granted by the Surface Transportation Board and BNSF.” See Exhibit D, letter from George S. Bellovics, Landscape Architect, Illinois Department of Natural Resources.

(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, “The abandonment of rail service on the 1 mile of railroad line between Milepost 51.58 and 52.58 near Farmington in Fulton County will have no effect on prime agricultural lands for Fulton County in that area. See Exhibit E, letter from Kim D. Snail, District Conservationist, Natural Resources Conservation Service.

NRCS further indicates that “much of the rail line is located on prime agricultural lands,” but reiterates that it does “not see any effect that the proposed

work will have on prime agricultural land nearby.” See Exhibit F, letter from Ronald A. Hall, District Conservationist, Knox County, Natural Resource Conservation Service.

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

N/A

(iv) If the proposed action is 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.

The proposed abandonment may be suitable for alternative public use. The IDOT states, “other than the attached comments from Fulton County, we are not aware of any proposed projects on this line.” See Exhibit B, electronic mail correspondence with attachment from Jeff Harpring, P.E., Rail Safety and Project Engineer, Bureau of Local Roads and Streets, Illinois Department of Transportation.

The IDOT further indicates it coordinated with and contacted Fulton County, Knox County, the City of Farmington, and the Village of Yates City. Knox County, the City of Farmington, and the Village of Yates City had no comments. See Exhibit C, email correspondence from Leonard LaSalle, Illinois Department of Transportation.

Also, as stated above, William C. Kuhn, Fulton County Engineer, responded to the IDOT’s consultations, and comments, “Fulton County intends to support a planning concept whereby IDNR is the lead agency to accomplish a railbanking of this corridor.” Mr. Kuhn further indicates, “The cities of Norris and Farmington have previously approved resolutions in this matter. IDNR has

stated their willingness to spearhead the process based on support of local government. I hope Knox County and Yates City concur.” See Exhibit C, email correspondence from William C. Kuhn, Fulton County Engineer.

Furthermore, as stated above, Fulton County supports railbanking the corridor and has made several resolutions regarding possible railbanking and trails use. See Exhibit B, attachment to email correspondence from Jeff Harpring, P.E., Rail Safety and Project Engineer, Bureau of Local Roads and Streets, Illinois Department of Transportation.

Finally, as stated above, the IDNR indicates the proposed abandonment is highly regarded as a potential rail-trail conversion between Yates City and Canton, and strong support for interim use and railbanking exists. The IDNR also indicates it would strongly oppose removal of any bridges or structures and it supports salvage of rails and ties and other non-structural railroad materials. See Exhibit D, letter from George S. Bellovics, Landscape Architect, Illinois Department of Natural Resources.

(4) Energy:

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

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

(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 and there is no overhead traffic to be rerouted.

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

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

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

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

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

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

(5) Air:

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

(A) An increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of the line effected by the proposed, or

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

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

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

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

rerouted.

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

(A) An increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains 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 the 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 trains a day threshold in this item shall apply.

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

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

(iii) If the transportation of ozone depleting materials (such as nitrogen oxide and Freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

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

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

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

N/A

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

N/A

(7) Safety:

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

This abandonment should have no adverse effect on health or public safety. There are four (4) public crossings and two (2) private crossings on the portion of the Line proposed for discontinuance (Yates City at Milepost 46.89- near Farmington at Milepost 51.58). There are three (3) public crossings and one (1) private crossing on the portion of the Line proposed for abandonment (Farmington Milepost 51.58-Milepost 52.58). 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 (“FWS”) indicates per a phone call from Lynwood Maclean, Region 3 Federal Permits and Projects Coordinator, that the FWS does not have any concerns with the proposed abandonment and discontinuance. Mr. Maclean can be contacted at (612) 713-5330.

(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 G, letter from Robert Maydwell, Grants Management Assistant, Partnerships-Grants, National Park Service.

Also, the Bureau of Land Management (“BLM”) indicates 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 H, letter from Marcia Sieckman, Supervisor, Lands and Renewable Resources Team, Bureau of Land Management – Eastern States.

Also, the IDNR states, “As indicated in Exhibit A, the proposed

abandonment is in proximity to IDNR Conservation Areas, e.g. Double T, and within 35 miles of Banner Marsh and Rice Lake State Conservation Area and Fish & Wildlife Area respectively, but is not adjacent to public land holdings held by the State of Illinois. The proposed abandonment does lie adjacent to indicated wetlands or stream areas considered to be wetlands, however, given the nature of the existing railroad, would not pose a threat when abandoned. The proposed abandonment does not lie adjacent to any wildlife sanctuaries or refuges, National or State Parks or Forest.” See Exhibit D, letter from George S. Bellovics, Landscape Architect, Illinois Department of Natural Resources.

Finally, as noted previously, the FWS indicates per a phone call from Lynwood Maclean that it does not have any concerns with the proposed abandonment and discontinuance.

(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.

The proposed exemption should 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 and National Pollutant Discharge Elimination System (“NPDES”), and Section 404 of the Clean Water Act related concerns by stating that BNSF consult the Illinois Environmental Protection Agency (“IEPA”) on these issues. The EPA also comments, “In the process of abandoning the rail line, none of the debris may be discarded along the right of way or left in streams, wetlands, or the banks of such waterways. During track and cross tie removal, appropriate measures must

be taken to prevent or control spills from fuels, lubricants or any other pollutants from entering the watercourses.” See Exhibit I, letter from Peter Swenson, Chief, NPDES Program Branch, Region 5, Environmental Protection Agency.

A second response from the EPA agrees with the above response, stating it “determined that there were no significant concerns meriting comment” provided that several items were addressed. Those items suggested several precautions that could be taken to protect the West Fork Kickapoo Creek, to prevent noise and air pollution, to remove cross-ties, and to remove recyclable materials. Finally, the EPA suggests that the Army Corps of Engineers (“Corps”), the Illinois Department of Natural Resources (“IDNR”), FWS, NRCS, and the local department of Transportation be contacted regarding the abandonment. See Exhibit J, Letter from Kenneth A. Westlake, Chief, NEPA Implementation Section, Office of Science, Ecosystems, and Communities, Region 5, U.S. Environmental Protection Agency. All the above mentioned agencies have been contacted in preparation of this Environmental Report.

Also, the IEPA indicates it, “has completed its review of the proposed abandonment of 4.69 miles of track in Knox County, Illinois.” The IEPA further indicates it “has determined that no permit is required pursuant to Section 402 of the Clean Water Act and/or the National Pollutant Discharge Elimination System.” See Exhibit K, letter from Alan Keller, Manager, Permit Section, Division of Water Pollution Control, Illinois Environmental Protection Agency. The IEPA also indicates “a Section 401 water quality certification is not required provided the Corps of Engineers does not require a Section 404 permit.” Finally,

the IEPA states, “a construction site activity permit would only be required when the construction activity disturbs one acre or more in an area.” See Exhibit L, letter from Alan Keller, Manager, Permit Section, Division of Water Pollution Control, Illinois Environmental Protection Agency. See also Exhibit M, letter from Bruce J. Yurdin, Manager, Watershed Management Section, Bureau of Water, Illinois Environmental Protection 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.

The proposed abandonment should not require a Section 404 permit. The U.S. Army Corps of Engineers (“Corps”) determined, “your project does not require a Department of the Army (DA) Section 404 permit.” The Corps also indicates, “No indication of discharge of dredged or fill material was found to occur in the waters of the United States (including wetlands).” Finally, the Corps states, “Although a DA permit will not be required for the project, this does not eliminate the requirement that you must still acquire other applicable Federal, state, and local permits.” See Exhibit N, letter from Gene W. Walsh, Project Manager, Enforcement Section, Rock Island District, Army Corps of Engineers.

Also, the IDNR states, “The proposed abandonment does lie adjacent to indicated wetlands or stream areas considered to be wetlands, however, given the nature of the existing railroad, would not pose a threat when abandoned.” See Exhibit D, letter from George S. Bellovics, Landscape Architect, Illinois Department of Natural Resources.

The proposed abandonment should not affect any 100-year flood plains.

The Corps does not have any flood plain related comments. See Exhibit N, letter from Gene W. Walsh, Project Manager, Enforcement Section, Rock Island District, Army Corps of Engineers. The Knox County Highway Department comments on 100-year flood plains and states, "It does not appear that the track in question is in a hundred year floodplain. See Exhibit O, letter from Duane J. Ratermann, P.E., County Engineer, Knox County Highway Department.

(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).

A Section 402 permit should not be required for the proposed action. As stated above, the EPA responds to BNSF's specific questions regarding Section 402 permits and National Pollutant Discharge Elimination System ("NPDES"), and Section 404 of the Clean Water Act related concerns by stating that BNSF should consult the Illinois Environmental Protection Agency ("IEPA") on these issues. See Exhibit I, letter from Peter Swenson, Chief, NPDES Program Branch, Region 5, Environmental Protection Agency. The EPA also comments it "determined that there were no significant concerns meriting comment" provided that several items were addressed. Those items were discussed in Section 9(i) above. See Exhibit J, Letter from Kenneth A. Westlake, Chief, NEPA Implementation Section, Office of Science, Ecosystems, and Communities, Region 5, U.S. Environmental Protection Agency.

Also, as stated above, the IEPA indicates that no permit is required pursuant to Section 402 of the Clean Water Act and/or the National Pollutant Discharge Elimination System." See Exhibit K, letter from Alan Keller,

Manager, Permit Section, Division of Water Pollution Control, Illinois

Environmental Protection Agency. See also Exhibit M, letter from Bruce J.

Yurdin, Manager, Watershed Management Section, Bureau of Water, Illinois

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 5.69 miles in length and goes from Yates City to Farmington, IL. The adjoining land is generally flat and used for agricultural purposes. Major crops in the area include corn and soybeans. The right-of-way varies from 50 to 160 feet in width.

In 2000, Yates City had a population of 725 and Farmington had a population of 2,601.

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

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

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 former Chicago Burlington and Quincy Railroad (CBQ) acquired the right-of-way between 1857 and 1861. Other extraneous partials were acquired into the first decade of the 20th century. In 1970, the CBQ merged into the Burlington Northern Railroad (BN). In 1995, BN merged with the Atchison, Topeka and Santa Fe Railway Company to form The Burlington Northern and Santa Fe Railway Company (BNSF). In 2005, BNSF changed its name to BNSF Railway Company.

(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 Illinois Historic Preservation Agency (IHPA) indicates it has

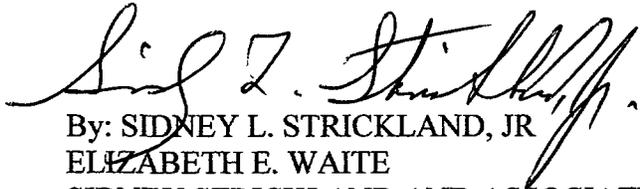
reviewed the project and found that “no historic properties are affected.”

Furthermore, IHPA has no objection to the proceeding. See Exhibit P, letter from Anne E. Haaker, Deputy State Historic Preservation Officer, Illinois Historic Preservation Agency.

(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
ELIZABETH E. WAITE
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W., Suite 101
Washington, DC 20007
(202) 338-1325
Attorneys for BNSF Railway Company

DATED: June 26, 2006

YATES CITY - CANTON, ILLINOIS

YATES CITY MILEPOST 46.89 ELMWOOD

EXHIBIT A

MILEPOST 51.58

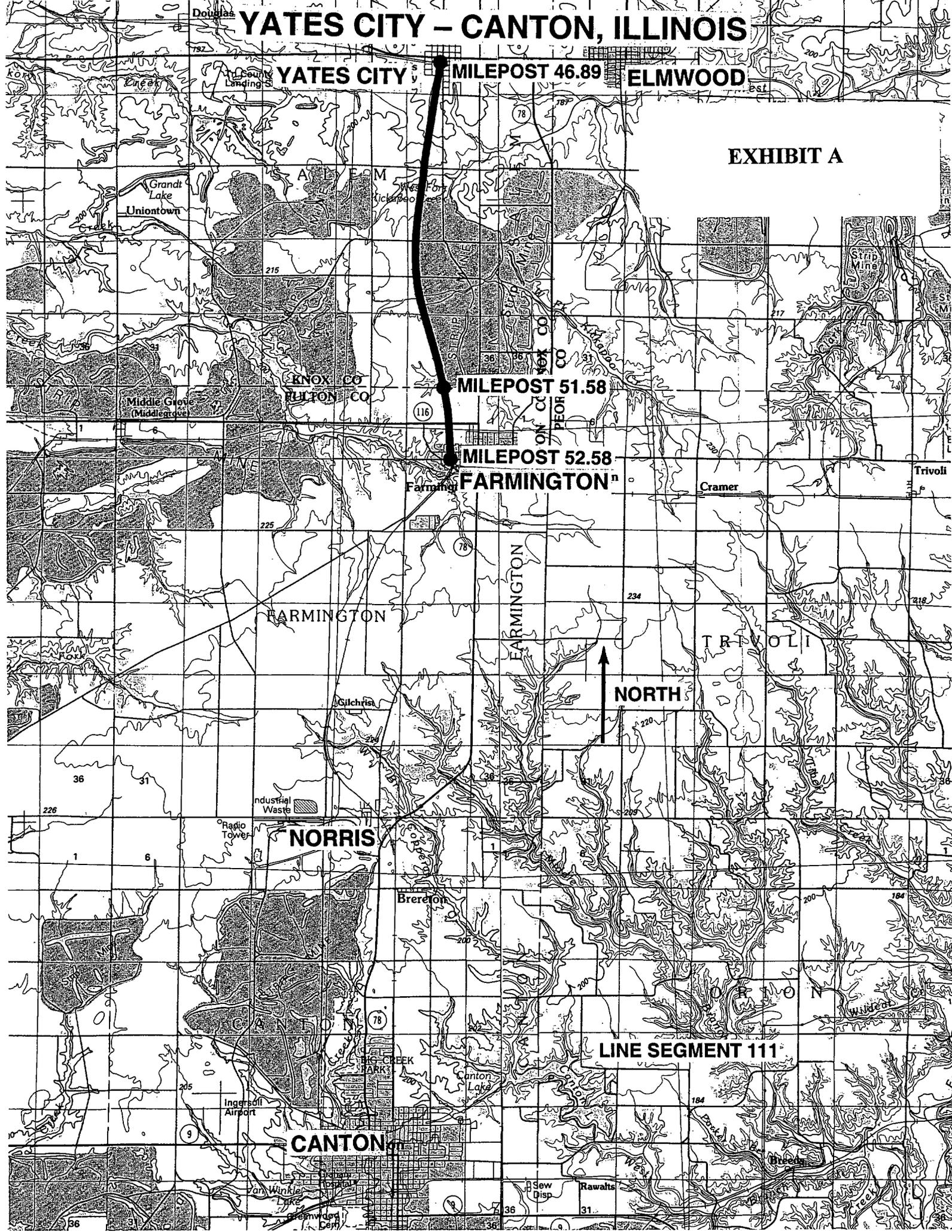
MILEPOST 52.58
FARMINGTON

NORTH

LINE SEGMENT 111

NORRIS

CANTON





Home Compose Address Book Options Logout

Username: Ian Thomas
(ian.thomas@stricklandplc.com)

Message

[Inbox \(12\)](#)

[Drafts](#)

[Deleted Items](#)

[Sent](#)

[Delete](#)

[Delete permanently](#)

[Move to](#)

[Deleted Items](#)

[Go](#)

From: "Harpring, Jeff L" <HARRPINGJL@dot.il.gov>

To: ian.thomas@stricklandplc.com

Subject: Proposed RR abandonment in Knox/ Fulton Co.

Date: 02-May-06 11:19 AM

Attachments: RR_Abandonment.pdf

[Reply](#)

[Reply To All](#)

[Forward](#)

[InLine Text](#)

[Next](#)

[>](#)

[Previous](#)

[|](#)

[Close](#)

Ian, other than the attached comments from Fulton County, we are not aware of any proposed projects on this line.

<<RR_Abandonment.pdf>>

Jeff Harpring, P. E.
Rail Safety and Project Engineer
Bureau of Local Roads and Streets
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, Illinois 62764

[Add Folder](#)

[Edit Folder](#)

Search

Search all folders

Search Inbox

[Go](#)

[Go](#)

[Advanced Search](#)

**RESOLUTION OF THE FULTON COUNTY BOARD SUPPORTING THE
RAILBANKING OF BURLINGTON NORTHERN & SANTE FE
RIGHT OF WAY FROM YATES CITY TO FARMINGTON, IL**

WHEREAS, indications are that Burlington Northern & Sante Fe will file for abandonment of the railroad right-of-way running from Yates City to Farmington, IL and,

WHEREAS, Railbanking this railroad corridor would preserve greenways, allow for recreational/transportation uses, provide a utility corridor for local governments, and maintain the route for future use as a railway; and

WHEREAS, the railbanking of this corridor has potential to promote tourism, stimulate economic development, provide alternative transportation options, support municipal services and improve the quality of life for communities along and near the corridor; and

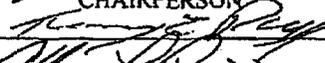
WHEREAS, the railroad corridor is an asset to the central Illinois region, passing through 2 counties and multiple urban areas; now, therefore,

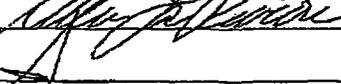
BE IT RESOLVED by the Fulton County Board as follows:

- 1) The Fulton County Board supports the efforts of the Illinois Department of Natural Resources to negotiate a rail-banking agreement with the Burlington Northern & Sante Fe for the right-of-way from Yates City to Farmington, IL.
- 2) The Fulton County Board supports the Department of Natural Resources Trails Division serving as the overall negotiator and securing the interests of the Burlington Northern & Sante Fe Railroad right-of-way.
- 3) The Fulton County Board supports the Illinois Department of Natural Resources working jointly with local governments for future recreational trail development and public use of the corridor.
- 4) The Fulton County Board directs the County Engineer to include this concept as part of the Fulton County Greenways and Trails Plan.

All of which is respectfully submitted,

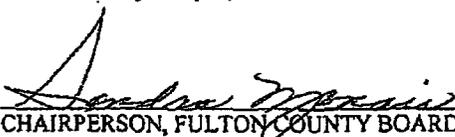


CHAIRPERSON




Public Works and Highways Committee

ADOPTED by the Fulton County Board this 11th day of April, 2006.



CHAIRPERSON, FULTON COUNTY BOARD

ATTEST:


County Clerk and Ex-Officio Clerk of the
Fulton County Board



Home Compose Address Book Options Logout

Username: **Ian Thomas**
(ian.thomas@stricklandpllc.com)

Message

Inbox (11)

Drafts

Deleted Items

Sent

Delete

Delete permanently

Go

From: Sidney Strickland <sidney.strickland@stricklandpllc.com>

To: "Sims John A" <John.Sims@bnsf.com>, "Batie Richard A" <Richard.Batie@bnsf.com>, 'Liz Waite' <liz.waite@stricklandpllc.com>, 'Carlton' <Carlton.Curry@stricklandpllc.com>, Ian Thomas <Ian.Thomas@stricklandpllc.com>

Subject: FW: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company - Abandonment and Discontinuance - in Knox and Fulton Counties, IL

Date: 11-Apr-06 08:05 PM

Attachments:

Reply

Reply All

Forward

InLine Text

Next

Close

FYI

-----Original Message-----

From: LaSalle, Leonard S [mailto:LaSalleLS@dot.il.gov]

Sent: Tuesday, April 11, 2006 4:57 PM

To: Sidney.Strickland@stricklandpllc.com

Cc: Park, Ken L; Alharithi, Riad

Subject: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company - Abandonment and Discontinuance - in Knox and Fulton Counties, IL

Mr. Strickland,

Your letter of March 17, 2006 was coordinated with the local agencies of Fulton County, Knox County, city of Farmington and the village of Yates City. The list of people contacted is below;

Fulton County – William Kuhn, County Engineer

Knox County – Duane Ratermann, County Engineer

City of Farmington – Roger Woodcock, Director of Public Works

Village of Yates City – Boyd Bewley, Director of Public Works

Following are the responses we have received to date:

Fulton County:

Gentlemen

Fulton County intends to support a planning concept whereby IDNR is the lead agency to accomplish a railbanking of this corridor. The Fulton County Board will hear a resolution for approval April 11th on this matter. I anticipate their approval.

The cities of Norris and Farmington have previously approved resolutions in this matter. IDNR has stated their willingness to spearhead the process based on support of local government. I hope Knox County and Yates City concur.

William C. Kuhn

Fulton County Engineer

430 East Oak Street

Canton, IL 61520

(309) 647-0351

fultonch@sbcglobal.net

Also;

Scot,

I have a resolution in support of adding this abandonment to Fulton Counties Greenways & Trails plan. Resolution goes to the Board on April 11, 2006.

Tonya

Knox County:

Telephone call on April 7, 2006 from Duane Ratermann, Knox County Engineer – No comments

City of Farmington:

No comment received; note that the Fulton County response indicates that a resolution from Farmington was previously approved supporting the Rail Banking.

Village of Yates City:

No comments received

L. Scot LaSalle

D4 Local Roads Engineer

(309) 671-3690

Add Folder

Edit Folder

Search

Search all folders

Go

Search Inbox

Go

Advanced Search





**Illinois Department of
Natural Resources**

One Natural Resources Way • Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Joel Brunsvold, Director

April 18, 2006

Ms. Liz Waite, Attorney at Law
Sidney Strickland and Associates, PLLC
3050 K Street N.W., Suite 101
Washington, D.C. 20007-5108

Re: BNSF Railway Company Abandonment between Yates City at Milepost 47.80 and Canton at Milepost 63.91, AB-6-431X

Dear Ms. Waite:

Thank you for your letter of March 17, 2006 for notice indicating your amendment for intent to abandon the Burlington Northern Sante Fe railroad line between Yates City and Canton.

Attached for your review are exhibits which I previously provided you as well as the following information in support of the those exhibits. Since pertinent information had not changed in the period between your correspondence, our responses remain the same.

- As indicated in Exhibit A, the proposed abandonment is in proximity to IDNR Conservation Areas, e.g. Double T, and within 35 miles of Banner Marsh and Rice Lake State Conservation Area and Fish & Wildlife Area respectively, but is not adjacent to public land holdings held by the State of Illinois.
- The proposed abandonment does lie adjacent to indicated wetlands or stream areas considered to be wetlands, however, given the nature of the existing railroad, would not pose a threat when abandoned.
- The proposed abandonment does not lie adjacent to any wildlife sanctuaries or refuges, National or State Parks or Forests.
- Exhibit B, sheets 1-3 and supplemental wetland maps show the proposed abandonment in context with existing topography and depicts many watered areas indicative of previous surface mining operations as well as existing forested areas shown in light green.
- As indicated in Exhibit C, the proposed abandonment is highly regarded as a potential rail-trail conversion between Yates City and Canton. Regardless of the amended filing, local interest in Canton, Farmington and Yates City exists to support this position. The Department of Natural Resources supports these local interests and will assist them in obtaining an Interim Use Certificate to "Railbank" the abandoned portion of the corridor.

- A potential abandonment of Rail America's Mapleton to LaHarpe rail line was reversed by the Surface Transportation Board in 2004, and continues to be monitored for future abandonment consideration by local jurisdictions. An embargoed Union Pacific rail line extending from Bellvue through Hanna City was investigated for potential abandonment by local jurisdictions in the past two years and continues to be monitored for future abandonment. In both cases, strong support for Interim Use / "Railbanking" exists and will be pursued if the opportunity should arise.

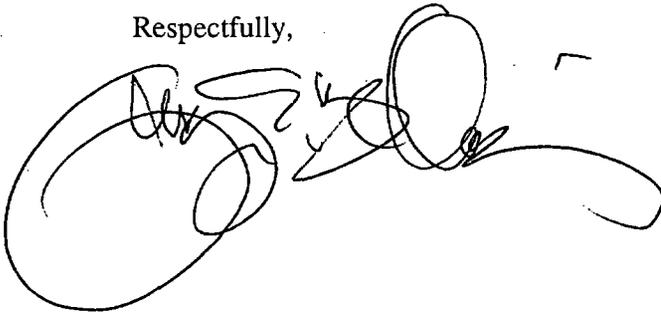
- Given the nature of the right of way, and inherent geography of the area, the Department would strongly oppose removal of any bridges or structures. In essence, this practice divides the right of way into short linear, unconnected segments which are vulnerable to adverse possession by adjacent landowners, as well as being in diametric deference to Railbanking opportunities.

The Department supports salvage of rails and ties and other non-structural railroad materials which provide a value to BNSF in its abandonment process, and will work with their needs should the opportunity for Interim Use be granted by the Surface Transportation Board and BNSF.

Should you have further questions or concerns, please contact me at 815-625-2968.

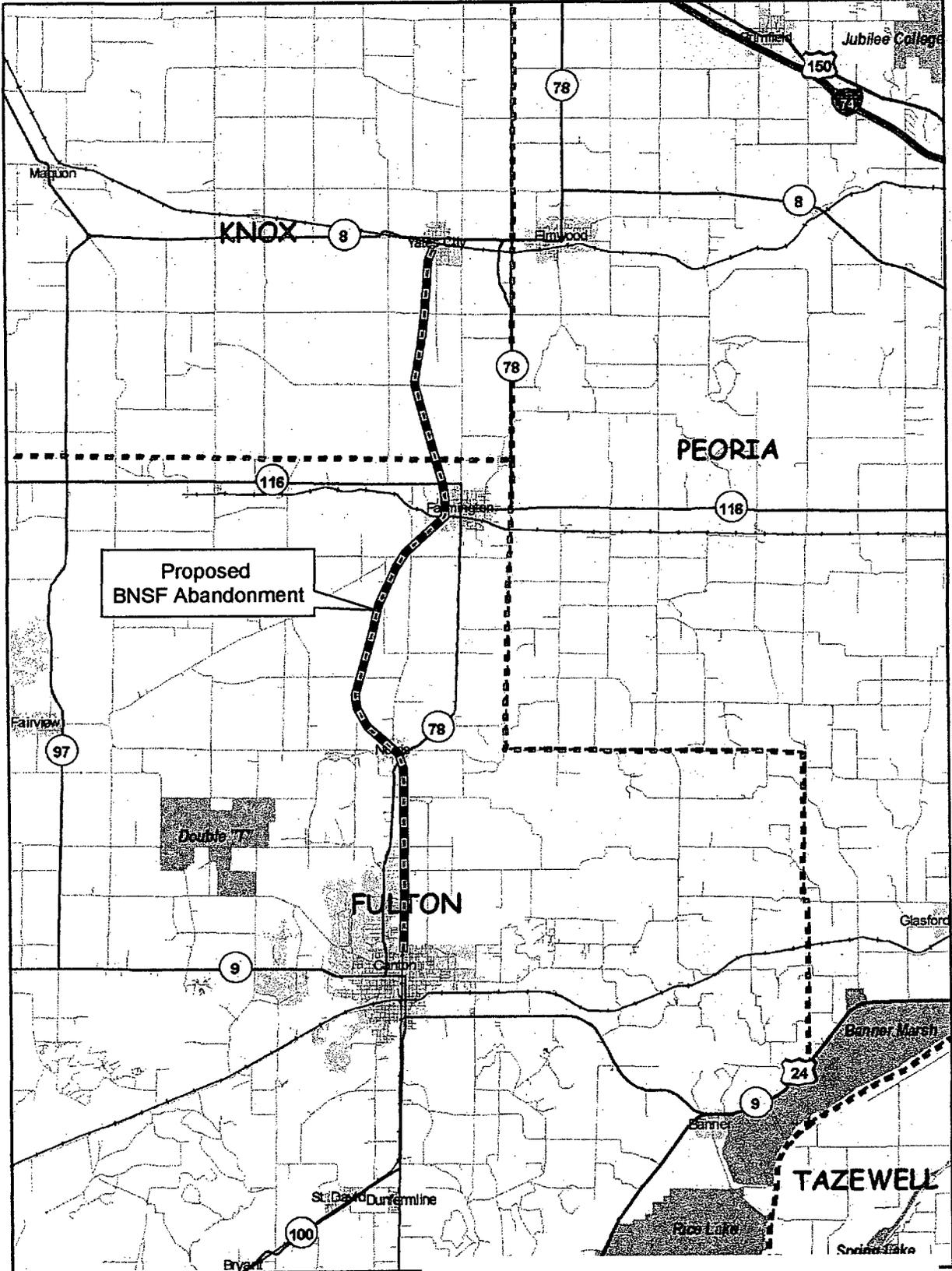
The Department of Natural Resources appreciates this opportunity to provide input regarding the proposed abandonment.

Respectfully,

A handwritten signature in black ink, appearing to read "George S. Bellovics", written over a large, loopy scribble.

George S. Bellovics
Landscape Architect
Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Division of Planning
Region 1 Office
2317 East Lincolnway, Suite A
Sterling, IL 61081
815-625-2968
815-625-0706 fax
george.bellovics@illinois.gov

Canton to Yates City Area



0 0.6 1.2 1.8 2.4 Miles

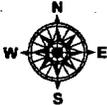
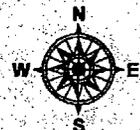
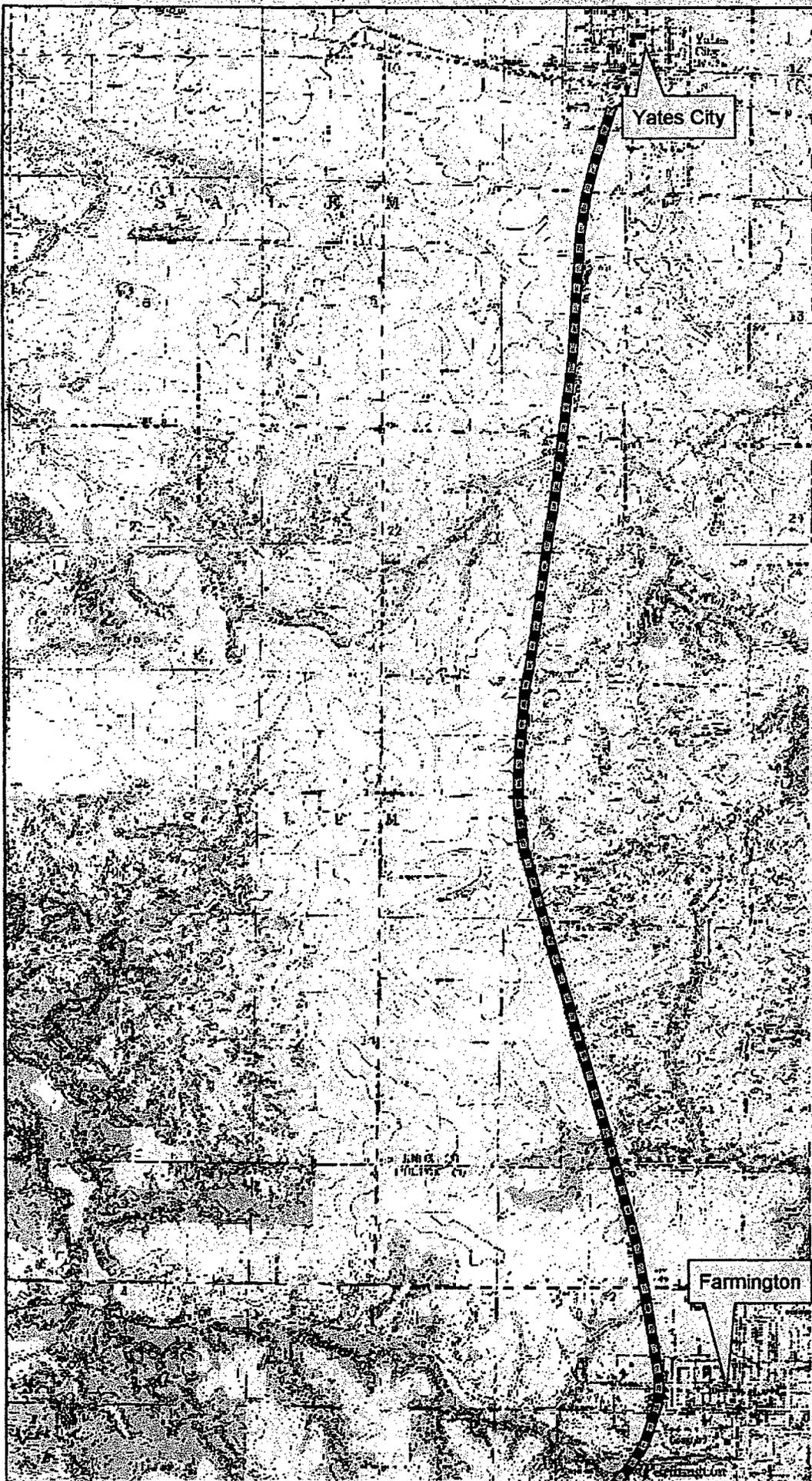
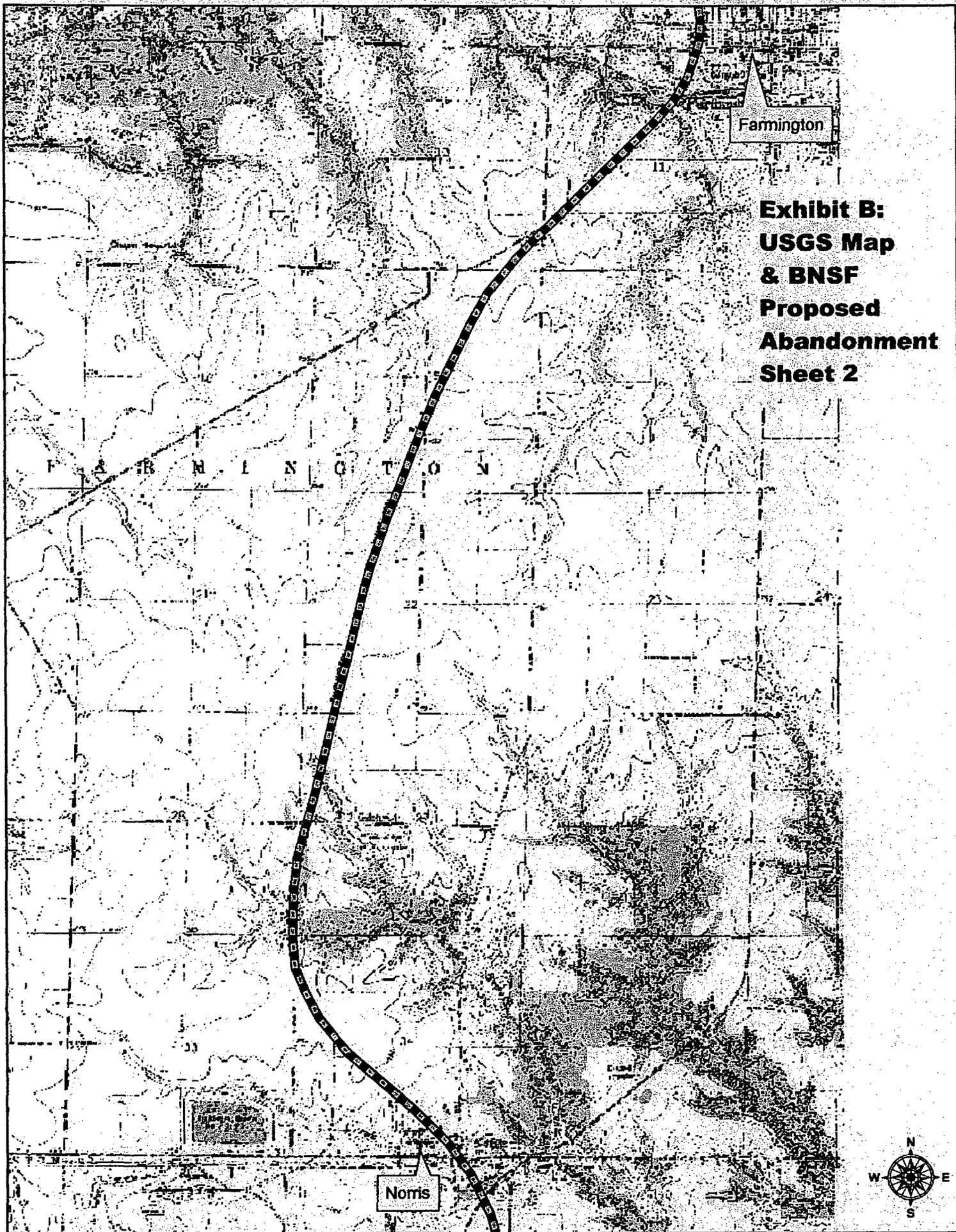


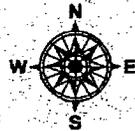
Exhibit A-2
Public Lands / Natural History Elements
Supplement

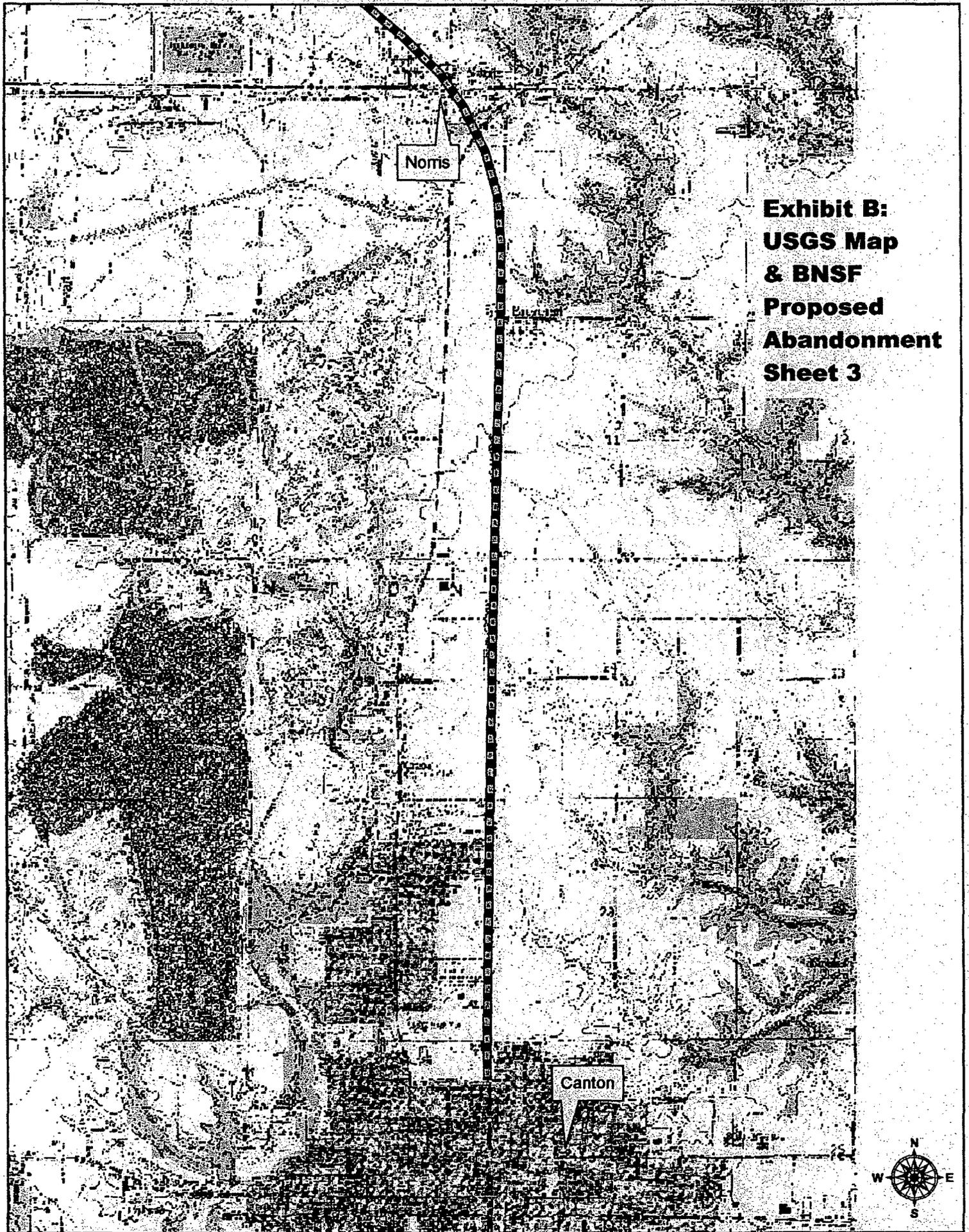
**Exhibit B:
USGS Map
& BNSF
Proposed
Abandonment
Sheet 1**





**Exhibit B:
USGS Map
& BNSF
Proposed
Abandonment
Sheet 2**

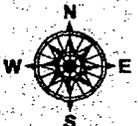




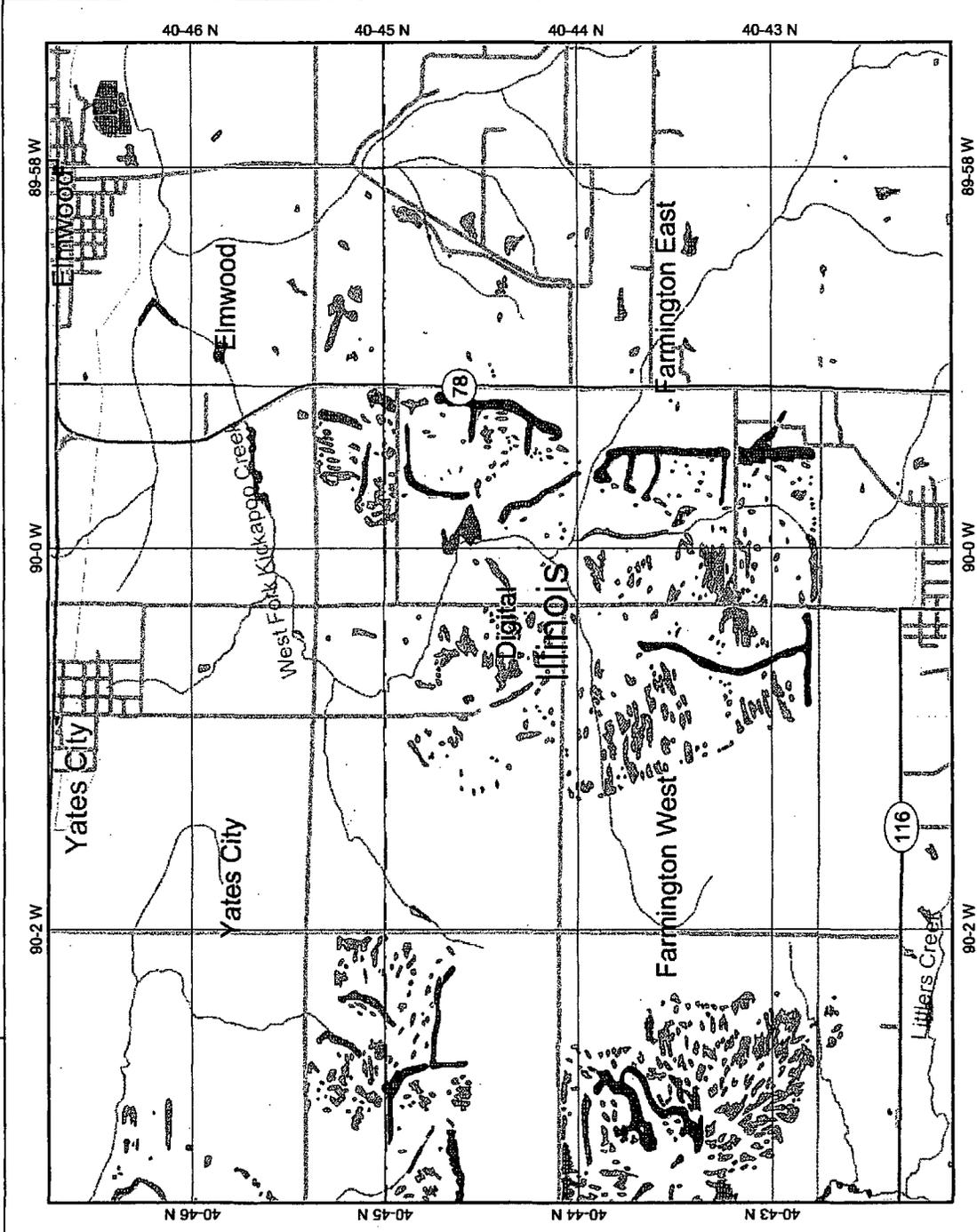
**Exhibit B:
USGS Map
& BNSF
Proposed
Abandonment
Sheet 3**

Noris

Canton



Yates City - Farmington



Map center: 40° 44' 24" N, 90° 0' 24" W



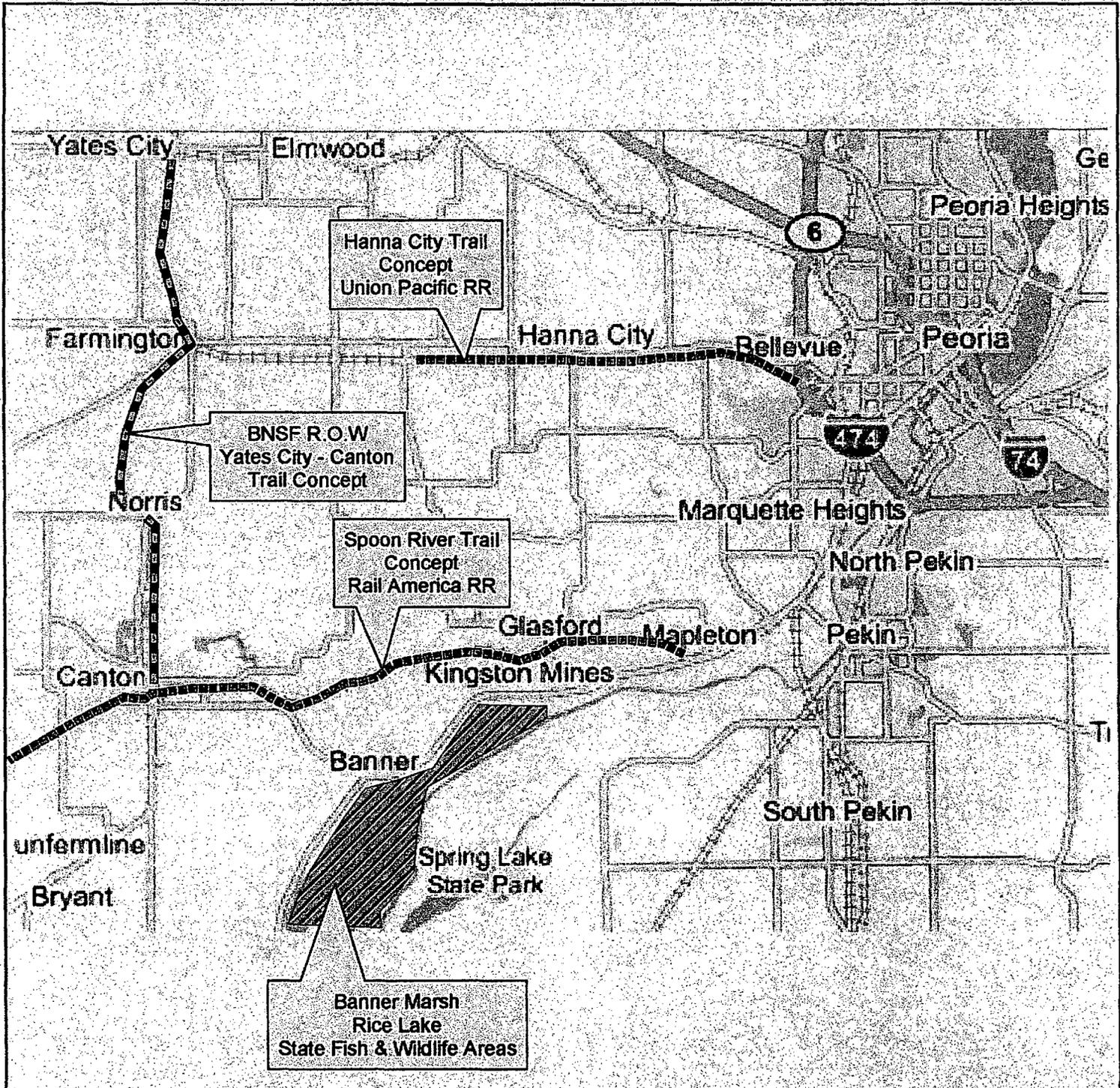
Legend

- Interstate
- Major Roads
- Other Road
- Interstate
- State highway
- US highway
- Roads
- Cities
- USGS Quad Index 24K
- Lower 48 Wetland Polygons
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Strub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine
- Lower 48 Available Wetland Data
- Non-Digital
- Digital
- No Data
- Scan
- NHD Waterbodies
- NHD Streams
- Canadian Waterbodies
- Counties 100K
- Urban Areas 300K
- States 100K
- South America
- North America

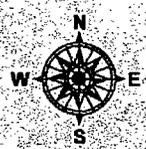


Scale: 1:80,801

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



**Exhibit C:
 BNSF Proposed
 Abandonment
 & Potential
 Rail/Trail
 Conversion Concepts**





Natural Resources Conservation Service
15381 N. State Hwy. 100
Lewistown, IL. 61542
Phone: (309) 547-2215 ext. 3
Fax: (309) 547-3439

3/30/2006

Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K St. N.W., Suite 101
Washington, DC: 20007-5180

Dear Mr. Strickland,

I received your letter and information covering modification of the plans of the STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company---Abandonment and Discontinuance Exemption---in Knox and Fulton Counties, IL.

The abandonment of rail service on the 1 mile of railroad line between Milepost 51.58 and 52.58 near Farmington in Fulton County will have no effect on prime agricultural lands for Fulton County in that area.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Smail".

Kim D. Smail
District Conservationist

CC: Robert McLeese, SSS USDA, NRCS Champaign IL.

SIDNEY STRICKLAND AND ASSOCIATES, PLLC

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

RECEIVED

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

**STATE OFFICE
ILLINOIS**

March 17, 2006

United States Department of Agriculture
Natural Resources Conservation Service
2118 W. Park Court
Champaign, IL 61821

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—
Abandonment and Discontinuance Exemption—in Knox and Fulton Counties, IL***

Dear Sir or Madam:

On September 20, 2005, you received a letter informing you that BNSF Railway Company ("BNSF") planned on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 16.11 miles of railroad line between Milepost 47.80, at Yates City in Knox County, and Milepost 63.91, at Canton in Fulton County, Illinois.

BNSF has modified its plans. BNSF now plans on filing a Notice of Exemption with the STB seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles.

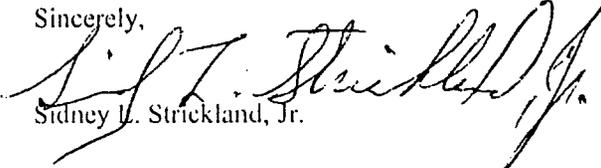
The proposed abandonment may require removal of bridges and structures and the removal of track materials such as rails and ties but the roadbed will be left intact. There is one bridge and one tunnel located along the portion of the line proposed for discontinuance of service. The discontinuance will have no effect on the above mentioned structures because BNSF will continue to utilize this segment of the line to store railcars.

As part of the environmental report, BNSF needs to know whether or not the proposed abandonment will have any effect on prime agricultural lands.

For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by April 14, 2006. If you have any questions, please do not hesitate to contact me at (202) 295-4024.

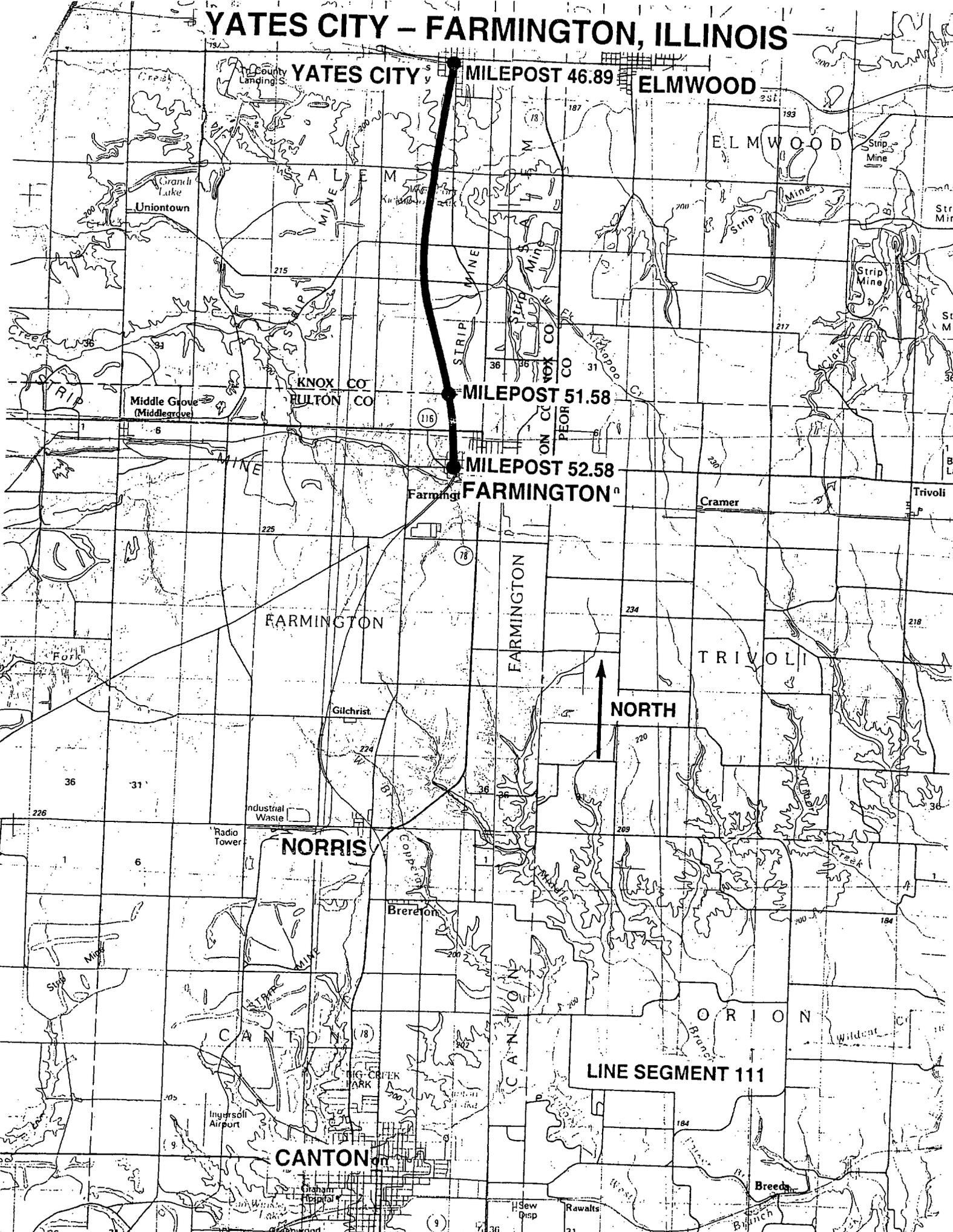
Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/cew

YATES CITY - FARMINGTON, ILLINOIS



YATES CITY

MILEPOST 46.89

ELMWOOD

MIDDLE GROVE (Middlegrove)

MILEPOST 51.58

MILEPOST 52.58

FARMINGTON

FARMINGTON

FARMINGTON

TRIVOLI

NORTH

NORRIS

LINE SEGMENT 111

CANTON



Natural Resources Conservation Service
233 S. Soangetaha Road
Galesburg, IL 61401
Phone: (309)342-5714
Fax: (309)342-2259

Mr. Sidney Strickland
Sidney Strickland and Associates, PLLC
3050 K Street N.W. Suite 101
Washington, DC 2007-5108

April 11, 2006

RE: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company – Abandonment and Discontinuance Exemption – in Knox and Fulton Counties, IL

Dear Mr. Strickland,

This letter is in reply to your request for comments regarding the effect that a proposed railroad abandonment will have on prime agricultural lands in Knox County.

Last year I submitted comments regarding this original request (see copy attached dated September 30, 2005). Since there has been no significant change in the proposed actions, I am resubmitting my original letter to serve as comments from this office for your new letter dated March 17, 2006.

As before, please feel free to contact me if you have any further questions regarding this matter at (309) 342-5714, extension 3.

Sincerely,

A handwritten signature in cursive script that reads "Ronald A. Hall".

Ronald A. Hall
District Conservationist
Knox County

CC: Bob McCleese, State Soil Scientist, USDA, NRCS, Champaign, IL
Robert Dean, ASTC-4 USDA, NRCS, Galesburg, IL



Natural Resources Conservation Service
233 S. Soangetaha Road
Galesburg, IL 61401
Phone: (309)-342-5714
Fax: (309)342-2259

Mr. Sidney Strickland
Sidney Strickland and Associates, PLLC
3050 K St. N.W. Suite 101
Washington, DC, 2007-5108

September 30, 2005

RE: BNSF Railway Company Abandonment between Yates City at Milepost 4780 and Canton at Milepost 63.9, AB-6-431X

Dear Mr. Strickland,

This letter is in reply to your request regarding whether or not the proposed abandonment of a railroad line south of Yates City in Knox County will have any effect on prime agricultural lands in the vicinity of the abandonment. Your original request and map are attached for reference.

Upon review of the area, I have found that most of the rail line in question runs through prime agricultural land, particularly at the northern most reach of the area just south of Yates City. Farther south, near the County line, prime agricultural land is immediately west of the rail line, while much of the land immediately east of the rail line has been strip mined.

While much of the rail line is located on prime agricultural lands, I do not see any effect that the proposed work will have on the prime agricultural land nearby.

Please feel free to contact me if you have any further questions regarding this matter at (309)342-5714.

Sincerely,

A handwritten signature in cursive script that reads "Ronald A. Hall".

Ronald A. Hall
District Conservationist
Knox County

Cc: Bob McCleese, State Soil Scientist, USDA, NRCS, Champaign, IL
Robert Dean, ASTC, USDA, NRCS, Galesburg, IL



United States Department of the Interior

National Park Service

Midwest Region
601 Riverfront Drive
Omaha Nebraska 68102-4226



650.2(MWR-P/G)

EXHIBIT G

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

APR 25 2006

Dear Mr. Strickland:

This is in response to your March 17, 2006, request that the National Park Service respond to STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company Abandonment and Discontinuance in Knox and Fulton Counties, Illinois.

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 Maxwell
Grants Management Assistant
Partnerships- Grants

**TAKE PRIDE[®]
IN AMERICA**



United States Department of the Interior

National Park Service

Midwest Region
601 Riverfront Drive
Omaha Nebraska 68102-4226



650.2(MWR-P/G)

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

APR 18 2006

Dear Mr. Strickland:

This is in response to your March 17, 2006, request that the National Park Service respond to STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company Abandonment and Discontinuance in Knox and Fulton Counties, Illinois.

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

TAKE PRIDE[®]
IN AMERICA 

United States Department of the Interior



Bureau of Land Management-Eastern States
Milwaukee Field Office
626 E. Wisconsin Avenue, Suite 200
Milwaukee, Wisconsin 53202-4617



IN REPLY REFER TO:
2000 (030)

April 19, 2006

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

RE: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company –Abandonment and
Discontinuance – in Knox and Fulton Counties, IL

Dear Mr. Strickland:

This is in response to your letter of March 17, 2006, to our office concerning the proposal by the Burlington Northern and Santa Fe Railway Company (BNSF) to abandon 1 mile of railroad line between Milepost 51.58, and Milepost 52.58, near Farmington in Fulton County, Illinois.

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 location of wildlife refuges, state or national parks, state or national forests in the immediate vicinity. You must contact the Fish and Wildlife Service, National Park Service, National Forest Service and State offices to obtain this information. If you require additional information, please contact me at (414) 297-4402.

Sincerely,

Marcia Sieckman
Supervisor
Lands and Renewable Resources Team



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

EXHIBIT I

REPLY TO THE ATTENTION OF:

WN-16J

APR 20 2006

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

Dear Mr. Strickland:

This is in response to your letter of March 17, 2006, regarding STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company –Abandonment and Discontinuance- in Knox and Fulton Counties, IL which was forwarded to us by the addressee.

Based on the information submitted in the letter, the decision as to the need for permits under Section 502 of the Clean Water Act should be determined by the Illinois Environmental Protection Agency, the delegated National Pollutant Discharge Elimination System authority for the State of Illinois. Requests for determinations in that State should be sent to:

Toby Frevert, P.E., Manager
Division of Water Pollution Control
Bureau of Water
Illinois Environmental Protection Agency
10210 North Grand Avenue East
Springfield, Illinois 52794-9276

By copy of this letter, we are forwarding your request for a determination as to needs for permits to the Illinois Environmental Protection Agency

In the process of abandoning the rail line, none of the debris may be discarded along the

right of way or left in streams or wetlands, or the banks of such waterways. During track and cross tie removal, appropriate measures must be taken to prevent or control spills from fuels, lubricants or any other pollutants from entering any watercourses.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Peter Swenson". The signature is written in a cursive style with a large initial "P".

Peter Swenson, Chief
NPDES Program Branch

cc: Toby Frevert, IEPA



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

EXHIBIT J

MAY 01 2006

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: STB Docket No. AB-6 (Sub. No. 431X) BNSF Abandonment and Discontinuance in
Knox and Fulton Counties, Illinois**

Dear Mr. Strickland:

The U.S. Environmental Protection Agency (US EPA) has received the letter dated March 17, 2006 concerning a proposed abandonment of 5.69 miles of rail line segment located between Yates City and Farmington, in Knox and Fulton Counties, Illinois. Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act, U.S. EPA reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements, but we also have the discretion to review and comment on other environmental documents prepared under NEPA if resources and interest permit.

We did not undertake a detailed review of the project you sent to this office. However, the document was given a cursory review, and we determined that there were no significant concerns meriting comment provided the following items are addressed.

Permits related to the Clean Water Act Sections 401 floodplain, 402 runoff and 404 wetlands are addressed with the Army Corps of Engineers (ACE) and the Illinois Department of Natural Resources (IDNR). The IDNR and local officials can address the state and local water quality standards applicable to this abandonment.

This proposal should specify what precautions will be taken to assure protection of the West Fork Kickapoo Creek at the several crossing points during construction, which go beyond the general "best practice". These would include no staging or piling of materials in runoff areas, and avoiding incidental spills, dumping, discarding debris and damage to area flora.

Attention should be given to machinery maintenance to minimize noise and air pollution. Considerations of wildlife, habitats and endangered or threatened species should be addressed to the U.S. Fish and Wildlife Service and the IDNR.

Questions regarding soil and natural resource conservation and agricultural lands should be addressed to the U.S. Department of Agriculture's Natural Resource Conservation Service.

Future land use for this property should be discussed. If this abandonment is one of a connected series, cumulative impacts should be addressed appropriately in your report. It is our impression that abandonment of the southernmost one mile segment and storage along the remaining segment could have such direct and indirect impacts.

Consideration should be given to the many strip mine sites along this right of way (ROW). We recommend discussing potential redevelopments or future uses of this ROW in relationship to these sites as connected and cumulative concerns.

Conditions for all at-grade crossings are to be negotiated with the appropriate state, county and local Departments of Transportation,

Final disposition of crossties preserved with creosote is addressed, since it 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 Illinois or unless the State permits landscaping reuses.

Recycling of materials such as rail steel, electrical and signal housings, bridge work and other materials, which are to be removed from this site, should be addressed and documented.

We specifically request your Surface Transportation Board Report (Report) address several issues of environmental concern. If this short segment of rail line is to be abandoned, what will be done with the land, who will maintain culverts and such right-of-way related structures and how will invasive species of flora be controlled? Are contiguous sections of track going to also be abandoned, creating a cumulative impact in this area?

Additional environmental resources can be found at U.S. EPA websites: 1) the Envirofacts Data Warehouse, <http://www.epa.gov/enviro> and 2) Surf your watershed, <http://www.epa.gov/surf>

Thank you for providing information on this project and allowing our input at this early stage. We reserve the right to reconsider undertaking further review if significant new data on the project is made available by the sponsoring agency or other interested parties. Feel free to contact me or my staff member Norm West, at 312-353-5692 or at west.norman@epa.gov, should any further questions regarding this project arise. Please address all future correspondence regarding rail line abandonment to my attention.

Sincerely,



Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Science, Ecosystems, and Communities

Cc: Vicki Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 – (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217-782-0610

MAY 03 2006

EXHIBIT K

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

Re: STB Docket No. AB-6 (Sub, No. 431X) BNSF Railway Company

Dear Mr. Strickland:

The Agency has completed its review of the proposed abandonment of 4.69 miles of track in Knox County, Illinois, which Permit Section Received on April 18, 2006. Based on that review the Agency has determined that no permit is required pursuant to Section 402 of the Clean Water Act and/or the National Pollutant Discharge Elimination System.

Should you have any questions or comments regarding this letter or its contents please contact Jeff Hutton at the above phone number and address.

Sincerely,

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

SAK:JCH:\j\docs\miscdocs\hutton\stormwater letters\Strickland.doc

CC: Records
Peoria Regional Office



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-0610

MAY 22 2006

EXHIBIT L

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

Re: BNSF Railway Company
Knox and Fulton Counties, Illinois

Dear Mr. Strickland:

Thank you for your letter, dated March 17, 2006, requesting determination for need of a water quality certification and need for a stormwater permit for demolition activities. A Section 401 water quality certification is not required provided the Corps of Engineers does not require a Section 404 permit. A construction site activity stormwater permit would only be required when the construction activity disturbs one acre or more in area.

We thank you for your efforts to comply with the Illinois Environmental Protection Act and the regulations promulgated under the Act. Should you have any need for further assistance please contact Richard E. Pinneo at the indicated address or telephone number.

Sincerely,

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control

SAK:REP:06051802.bah

cc: Records Unit
Peoria Regional Office



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

217/782-0610

TO: Design Engineers

SUBJECT: Sanitary Sewer Connection Projects

Thank you for your recent application. Along with a copy of your permit, you will find a copy of the new FTP application for Sanitary Sewer Connections. The Agency will be using this new schedule in order to provide you, your client and the Agency timely reviews for sanitary sewer connection projects so that projects may be constructed sooner. The Agency is proposing a design engineer certification for compliance with the design criteria specified in the Illinois Recommended Standards for Sewage Works. For sanitary sewer connection projects which qualify for the FTP application process, Schedule FTP is completed and submitted in lieu of Schedule A/B. The Agency will rely on the design engineer's certification and may not review all of the technical aspects of the project. The success of this process depends upon you as the design engineer and the Agency also. It will take some time to evaluate the success or failure of this process, but we hope to maintain a dialogue with the consulting engineers on successes or issues with the process. The Agency may want to audit various projects and inquire about technical aspects of various projects. The above dialogue and audits may evolve into expanding the process for small sanitary sewer extensions or abandoning the FTP process altogether. Let's work together in this new process and evaluate the process in time.

Thanks for your cooperation.

Very Truly Yours,

Alan Keller, P.E.
Manager, Permit Section
Division of Water Pollution Control.

SAK:J/miscdocs/05122101.daa

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

Instructions for Fast Track Service Connection Permit Application

This application form is applicable only for service connection projects and is not applicable for construction permit application of any publicly owned or regulated sanitary sewer extension. Application form WPC-PS-1 must also be completed and submitted with all appropriate signatures along with Schedule FTP. Do Not Submit Detailed Plans and Specification for Projects which Qualify for the Fast Track Permit.

When the schedule item is not applicable to your project, write "not applicable" or "N/A".

1. The name of the project must be the same as the project name on Form WPC-PS-1.
2. The certification by the design engineer is required to certify Schedule FTP was completed by or under the direction of the design engineer and that there are no deviations from the requirements of the Illinois Recommended Standards for Sewage Works.
3. Commencing July 1, 2003, Section 12.2 of the Environmental Protection Act (415 ILCS 5/12.2, as amended by P.A. 93-32) requires the Agency to collect a fee for certain applications for the installation of sanitary sewer connections and extensions which serve domestic sewage sources or industrial wastewater.

Please send the appropriate fee, as specified in Schedule FTP by certified or cashiers check made out to: "Treasurer, State of Illinois, Environmental Protection Permit and Inspection Fund" with the applicant's Federal Employee Identification Number (FEIN) appearing on the face of the check and submit along with this schedule. Any fee remitted to the Agency shall not be refunded at any time or for any reason, either in whole or in part.

4. Submit the appropriate maps pursuant to Sections 4A. and 4C. in order for the Agency to verify the project is within a facility planning area boundary and ensure no portion of the project is a sanitary sewer extension which may serve additional projects.
5. Complete the checklist shown in this section. In order for this project to qualify for the Fast Track Permit all items in this section must be checked "True." If any item in this Section is checked "False" the project does not qualify for the Fast Track Permit. You must therefore submit Schedules WPC-PS-1 and A/B for your project.
6. Complete the checklist shown in this Section. These items may require additional considerations by the consulting engineers or permittee of the project.
7. The following design criteria should be used in estimating the population equivalent of a residential building:

Efficiency or Studio Apartment	= 1	person
1 Bedroom Apartment	= 1.5	persons
2 Bedroom Apartment	= 3	persons
3 Bedroom Apartment	= 3	persons
Single Family Home	= 3.5	persons
Mobile Home	= 2.25	persons

Commonly used quantities of sewage flows from miscellaneous type facilities are listed in Appendix B, Table No. 2 of the Illinois Recommended Standards for Sewage Works.

7.D. Total of Items 7B and 7C.

If the population equivalent for the project cannot be estimated from Appendix A or Appendix B of the Illinois Recommended Standards for Sewage Works, attach the appropriate calculations or water use records to justify the population equivalent loading for the project.

8. Indicate the number of connections, pipe size(s), pipe length and manhole(s) for the project. The values provided should coincide with plan view map provided pursuant to Section 4C.
9. Indicate the type (sanitary or combined), size and location of the downstream sewer to which this project will be connected.

Illinois Environmental Protection Agency
 Permit Section, Division of Water Pollution Control
 P.O. Box 19276
 Springfield, Illinois 62794-9276

Schedule FTP - Fast Track Service Connection Permit Application

1. Name of Project _____

2. Certificate by Design Engineer

I hereby certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief such information is true, complete and accurate. The plans were prepared by me or under my direction and there is no deviation from the requirements of the Illinois Recommended Standards for Sewage Works.

Engineer _____
 Name Registration Number Seal

Firm _____

Address _____

_____ Phone Number _____

Signature _____

3. A. Commencing July 1, 2003, Section 12.2 of the Environmental Protection Act (415 ILCS 5/12.2, as amended by P.A. 93-32) requires the Agency to collect a fee for certain applications for the installation of sanitary sewer connections and extensions. Except for conditions listed below, the following fee schedule shall apply:

Fee Dollars	Population Equivalents
100	1
400	2-20
800	21-100
1200	101-499
2400	500 or more

Please send the appropriate fee; certified or cashiers checks made out to: "Treasurer, State of Illinois, Environmental Protection Permit and Inspection Fund" with the applicant's Federal Employee Identification Number (FEIN) appearing on the face of the check. Any fee remitted to the Agency shall not be refunded at any time or for any reason, either in whole or in part.

The Sewer Permit fee does not apply to:

1. Any Department, Agency or Unit of State Government
2. Any unit of local government where all of the following conditions are:
 - a) The cost of the installation or extension is paid wholly from monies of the unit of local government, grants or loans, federal grants or loans, or any combinations thereof;
 - b) The unit of local government is not given monies, reimbursed or paid, either in whole or in part, by another person except for state grants or loans or federal grants or loans;

I/We _____ hereby certify that subsections 2a and 2b have been met.
 (Signature of Unit of Government)

Submit a certified copy of budget item or council minutes if project is funded by unit of local government pursuant to Subsection B(1) and B(2) above.

- B. For any sanitary sewer connection that serves an industrial wastewater source, a \$1000 fee shall be required for any industrial wastewater source that does not require pretreatment of the wastewater prior to discharge to the publicly owned treatment works or publicly regulated treatment works.

4. Project Location and Service Area: Submit map(s) of the service area that includes the following:

- A. A 8 ½ x 11 inch detailed location map or USGS map showing the project with respect to major roadways.
- B. The proposed sewer layout and project location.

Township _____ Section _____ Range _____

- C. Submit 8 ½ x 11 inch detailed sanitary sewer connection plan view map.

5. Minimum Requirements:

	True	False	N/A
A. The applicant will construct, own and operate the service connection(s), no additional waste load or connections will be added in future and the sewer connection will not be extended in future.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. The project is being constructed entirely within the Facilities Planning Area (F.P.A.).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Non domestic liquid waste is not produced inside the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. A separate sanitary service connection is provided for each building and each service connection discharges directly to an existing publicly owned or publicly regulated sanitary sewer.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. The design is in accordance with Illinois Recommended Standards for Sewage Works (No deviation allowed).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Minimum size of the service sewer is 4 inches in diameter and is not less than the diameter of the plumbing pipe from the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Minimum slope of the service sewer is 1%.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Minimum cover over the service sewer is 3 feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Straight line alignment is maintained on service connection, otherwise cleanouts or manholes are provided at points of change in alignment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Service sewer is at least 10 feet horizontally separated from the water main or water service.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
K. Service sewer crossing the water main or water service is laid with sewer below the water line and the crown of the sewer a minimum 18 inches below the invert of the water line.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
L. Flexible pipe to be installed in accordance with ASTM 2321-00 using Class IA or 1B or II or III (circle one or more) embedment material and same material to be used from 4 inches below the pipe to at least 6 inches above the pipe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. Bedding Class A or B or C (circle one) as described in ASTM C12 to be used for rigid pipe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N. Illinois Historical Preservation Agency (IHPA) approval obtained and submitted with this application.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For IEPA Use Only:

	Yes	No
Application is complete?	<input type="checkbox"/>	<input type="checkbox"/>
The project qualifies for a FTP?	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

Special Conditions:

- 34 Wetlands
- 36 NPDES Storm Water Permit
- 213 IDOT (flood plain, delete 34)

Review Engineer Signature

Unit Manager Signature



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 – (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-3362

EXHIBIT M

APR 26 2006

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

Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company (Knox and Fulton Counties)
Discontinue/Abandon rail line between milepost 46.89 and milepost 52.58

Dear Mr. Strickland:

Thank you for your letters of March 17, 2006 concerning the proposal by BNSF Railway Company to discontinue rail service on 4.69 miles of track between milepost 46.89, near Yates City and milepost 51.58, near Farmington, in Knox County and to abandon one mile of railroad line between milepost 51.58 and milepost 52.58, near Farmington in Fulton County.

The U.S. Army Corps of Engineers administers the Section 404 permit program for dredge and fill activities in waters of the United States. Each Section 404 permit issued by the Corps of Engineers requires a Section 401 water quality certification. The Illinois EPA is responsible for administering the Section 401 water quality certification program. You should verify with the U.S. Army Corps of Engineers whether a Section 404 permit is required for this project.

The Illinois EPA administers a NPDES Stormwater program. Should the project result in the disturbance of one or more acres of soil, you must apply for a NPDES Stormwater permit prior to construction. If you have questions regarding this NPDES Stormwater permit requirement, please contact the Permit Section of the Division of Water Pollution Control at (217) 782-0610.

Should you have any questions or comments regarding the content of this letter, please contact James Allison at the above telephone number and address.

Sincerely,

Bruce J. Yurdin
Manager, Watershed Management Section
Bureau of Water

BJY:JRA:



REPLY TO
ATTENTION OF

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

EXHIBIT N

<http://www.mvr.usace.army.mil>

April 11, 2006

Operations Division

SUBJECT: CEMVR-OD-P-2006-480

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

Dear Mr. Strickland:

Our office reviewed all information provided to us concerning the proposed abandonment and discontinuance of 5.69 miles of railroad line in Knox and Fulton Counties, Illinois.

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

You are advised that this determination for your project is valid for five years from the date of this letter. If the project is not completed within this five-year period or your project plans change, you should contact our office for another determination. The placement of dredged and/or fill materials into waters of U.S. (including wetlands and streams) will require DA authorization.

This letter contains an approved jurisdictional determination for the subject site. If you object to this jurisdictional determination, you may request an administrative appeal under Corps regulations found at 33 CFR Part 331. Enclosed is a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this approved jurisdictional determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the following address:

Ms. Elizabeth S. Guynes
U.S. Army Corps of Engineers
Mississippi Valley Division
ATTEN: CEMVD-PD-KM
Post Office Box 80
Vicksburg, Mississippi 39181-0080

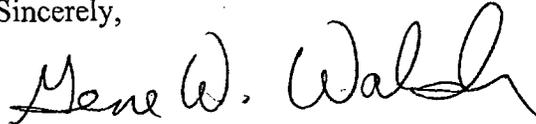
In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by June 9, 2006.

It is not necessary to submit an RFA form to the Division Office if you do not object to the approved jurisdictional determination contained in this letter.

Although a DA permit will not be required for the project, this does not eliminate the requirement that you must still acquire other applicable Federal, state, and local permits.

Should you have any questions, please contact our Regulatory Branch by letter, or telephone me at 309/794-5674.

Sincerely,

A handwritten signature in black ink that reads "Gene W. Walsh". The signature is written in a cursive style with a large, prominent "W".

Gene W. Walsh
Project Manager
Enforcement Section

Enclosures

Copies Furnished: (w/o enclosures)

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

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

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

JURISDICTIONAL DETERMINATION
U.S. Army Corps of Engineers

Revised 8/13/04

DISTRICT OFFICE: Rock Island District
FILE NUMBER: 2006-480A

PROJECT LOCATION INFORMATION:

State: Illinois
County: Knox
Center coordinates of site (latitude/longitude): UTM Coordinates: 4513107 (Northing) 751509 (Easting)
Approximate size of area (parcel) reviewed, including uplands: 2500 acres.
Name of nearest waterway: West Fork Kickapoo Creek
Name of watershed: Illinois River

JURISDICTIONAL DETERMINATION

Completed: Desktop determination Date: April 11, 2006
Site visit(s) Date(s):

Jurisdictional Determination (JD):

Preliminary JD - Based on available information, *there appear to be* (or) *there appear to be no* "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331).
Check all that apply:

There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: acres.

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 10 acres.

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.
 Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

(2) The presence of interstate waters including interstate wetlands¹.

(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(iii) which are or could be used for industrial purposes by industries in interstate commerce.

(4) Impoundments of waters otherwise defined as waters of the US.

(5) The presence of a tributary to a water identified in (1) - (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). *If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:* The unnamed streams flows into West Fork Kickapoo Creek which flows into Kickapoo Creek which flows into the Illinois River. The Illinois River is designated a federally navigable waterway.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

- Ordinary High Water Mark indicated by:
- clear, natural line impressed on the bank
 - the presence of litter and debris
 - changes in the character of soil
 - destruction of terrestrial vegetation
 - shelving
 - other:
- High Tide Line indicated by:
- oil or scum line along shore objects
 - fine shell or debris deposits (foreshore)
 - physical markings/characteristics
 - tidal gages
 - other:

- Mean High Water Mark indicated by:
- survey to available datum; physical markings; vegetation lines/changes in vegetation types.

- Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:

Basis For Not Asserting Jurisdiction:

- The reviewed area consists entirely of uplands.
- Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
- Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
- The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:
- Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
 - Artificially irrigated areas, which would revert to upland if the irrigation ceased.
 - Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.
 - Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
 - Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
 - Isolated, intrastate wetland with no nexus to interstate commerce.
 - Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
 - Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
 - Other (explain):

DATA REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):

- Maps, plans, plots or plat submitted by or on behalf of the applicant.
- Data sheets prepared/submitted by or on behalf of the applicant.
- This office concurs with the delineation report, dated _____, prepared by (company):
 - This office does not concur with the delineation report, dated _____, prepared by (company):
- Data sheets prepared by the Corps.
- Corps' navigable waters' studies:
- U.S. Geological Survey Hydrologic Atlas:
- U.S. Geological Survey 7.5 Minute Topographic maps: Farmington West, IL
- U.S. Geological Survey 7.5 Minute Historic quadrangles:
- U.S. Geological Survey 15 Minute Historic quadrangles:
- USDA Natural Resources Conservation Service Soil Survey:
- National wetlands inventory maps: Farmington West, IL
- State/Local wetland inventory maps:
- FEMA/FIRM maps (Map Name & Date):
- 100-year Floodplain Elevation is: _____ (NGVD)
- Aerial Photographs (Name & Date):
- Other photographs (Date):
- Advanced Identification Wetland maps:
- Site visit/determination conducted on:
- Applicable/supporting case law:
- Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION
U.S. Army Corps of Engineers

Revised 8/13/04

DISTRICT OFFICE: Rock Island District
FILE NUMBER: 2006-480B

PROJECT LOCATION INFORMATION:

State: Illinois
County: Knox
Center coordinates of site (latitude/longitude): UTM Coordinates: 4515846 (Northing) 751609 (Easting)
Approximate size of area (parcel) reviewed, including uplands: 640 acres.
Name of nearest waterway: West Fork Kickapoo Creek
Name of watershed: Illinois River

JURISDICTIONAL DETERMINATION

Completed: Desktop determination Date: April 11, 2006
Site visit(s) Date(s):

Jurisdictional Determination (JD):

- Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
- Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331).
Check all that apply:
- There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: acres.
- There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 1 acres.
- There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.
 Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

- A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":**
- The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
- B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":**
- (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
- (2) The presence of interstate waters including interstate wetlands¹.
- (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
- (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
- (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
- (5) The presence of a tributary to a water identified in (1) - (4) above.
- (6) The presence of territorial seas.
- (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). *If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:* The unnamed streams flows into West Fork Kickapoo Creek which flows into Kickapoo Creek which flows into the Illinois River. The Illinois River is designated a federally navigable waterway.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

- Ordinary High Water Mark indicated by:
- clear, natural line impressed on the bank
 - the presence of litter and debris
 - changes in the character of soil
 - destruction of terrestrial vegetation
 - shelving
 - other:
- High Tide Line indicated by:
- oil or scum line along shore objects
 - fine shell or debris deposits (foreshore)
 - physical markings/characteristics
 - tidal gages
 - other:

- Mean High Water Mark indicated by:
- survey to available datum; physical markings; vegetation lines/changes in vegetation types.

- Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:

Basis For Not Asserting Jurisdiction:

- The reviewed area consists entirely of uplands.
- Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
- Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
- The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:
- Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
 - Artificially irrigated areas, which would revert to upland if the irrigation ceased.
 - Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.
 - Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
 - Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
 - Isolated, intrastate wetland with no nexus to interstate commerce.
 - Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
 - Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
 - Other (explain):

DATA REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):

- Maps, plans, plots or plat submitted by or on behalf of the applicant.
- Data sheets prepared/submitted by or on behalf of the applicant.
- This office concurs with the delineation report, dated _____, prepared by (company):
 - This office does not concur with the delineation report, dated _____, prepared by (company):
- Data sheets prepared by the Corps.
- Corps' navigable waters' studies:
- U.S. Geological Survey Hydrologic Atlas:
 - U.S. Geological Survey 7.5 Minute Topographic maps: Yates City, IL
 - U.S. Geological Survey 7.5 Minute Historic quadrangles:
 - U.S. Geological Survey 15 Minute Historic quadrangles:
 - USDA Natural Resources Conservation Service Soil Survey:
 - National wetlands inventory maps: Yates City, IL
 - State/Local wetland inventory maps:
 - FEMA/FIRM maps (Map Name & Date):
 - 100-year Floodplain Elevation is: _____ (NGVD)
 - Aerial Photographs (Name & Date):
 - Other photographs (Date):
 - Advanced Identification Wetland maps:
 - Site visit/determination conducted on:
 - Applicable/supporting case law:
 - Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

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

Applicant: BNSF Railway Company		File Numbers: 2006-480	Date: 04/11/06
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

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

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

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

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

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

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

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

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

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

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

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

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

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

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

Gene Walsh
US Army Corps of Engineers District, Rock Island
ATTN: Regulatory Branch
Clock Tower Building
Post Office Box 2004
Rock Island, Illinois 61204-2004

Telephone: 309/794-5674

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

Elizabeth S. Guynes
U.S. Army Corps of Engineers Division,
Mississippi Valley
ATTN: CEMVD-PD-KM
P.O. Box 80
Vicksburg, Mississippi 39181-0080

Telephone: 601/634-5820
Fax : 601/634-7073

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

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

Knox County Highway Department

1214 U.S. Route 150 East
Knoxville, IL 61448
Telephone: 309-289-2514
Fax: 309-289-4512
Email: countyhighway@bbwave.net

Duane J. Ratermann, P.E.
County Engineer

March 28, 2006

EXHIBIT O

Mr. Sidney L Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K St. N.W., Suite 101
Washington, DC 20007-5399

RE: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company
Abandonment and Discontinuance-Knox County, IL

Dear Mr. Strickland:

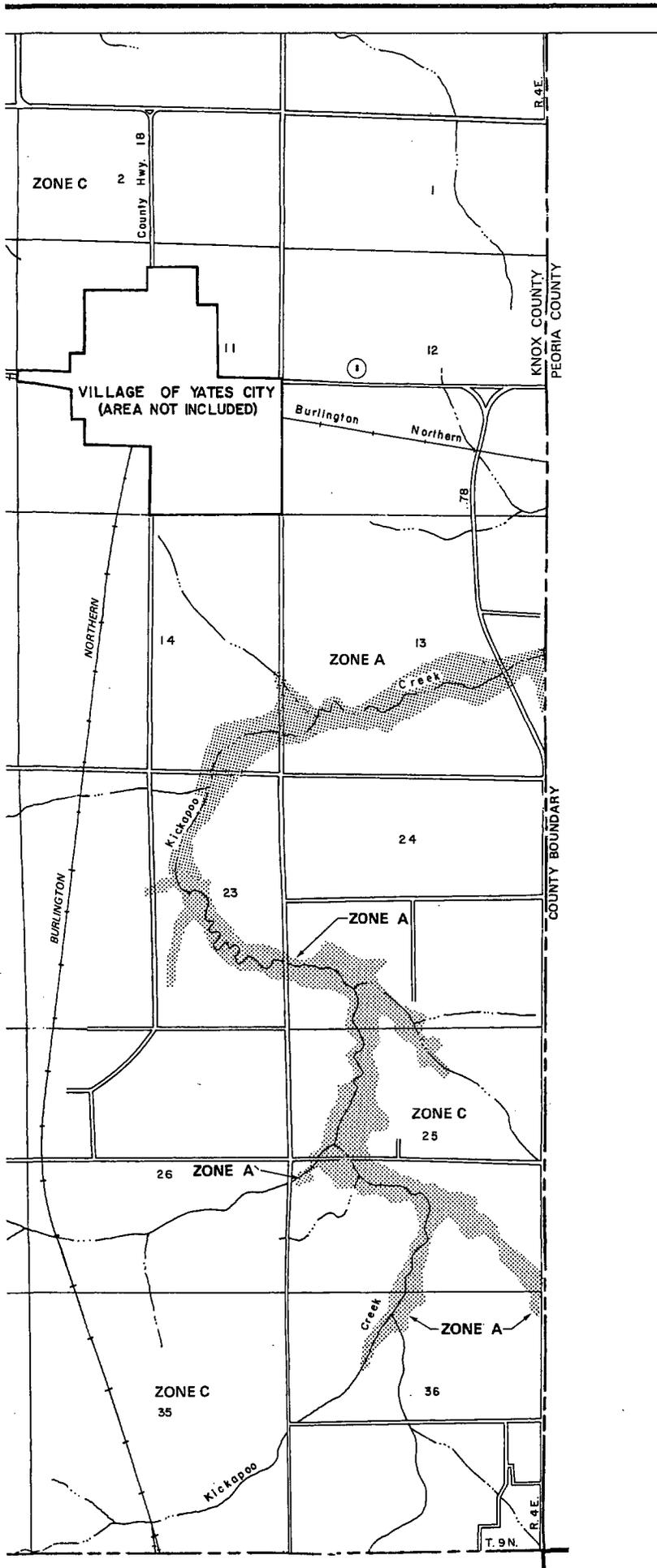
I have received your letter dated March 17, 2006 regarding the proposed abandonment of a section of track owned by BNSF Railway Company, between Yates City and Farmington. I am furnishing you a copy of the Flood Insurance Rate Map for that portion of Knox County. It does not appear that the track in question is in a 100 year flood plain.

If you have any questions please give me a call.

Sincerely,



Duane J. Ratermann, P.E.
County Engineer



KEY TO MAP

ZONE C

ZONE A

ZONE C

Zone Designations*

Base Flood Elevation Line With Elevation In Feet** 513

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

Elevation Reference Mark RM7x

Zone D Boundary

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.

INITIAL IDENTIFICATION:

FEBRUARY 3, 1978

FLOOD HAZARD BOUNDARY MAP REVISIONS:

FLOOD INSURANCE RATE MAP EFFECTIVE: AUGUST 24, 1984

FLOOD INSURANCE RATE MAP REVISIONS:

To determine if flood insurance is available in this community, contact your insurance agent, or call the National Flood Insurance Program, at (800) 638-6620.



APPROXIMATE SCALE





**Illinois Historic
Preservation Agency**

EXHIBIT P

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • Teletypewriter Only (217) 524-7128

Voice (217) 782-4836

www.illinois-history.gov

Various Counties

Yates City and Farmington

Discontinue Rail Service and Abandonment

Discontinue Milepost 46.89 to 51.58; Abandon Milepost 51.58 to 52.58, Yates City and Farmington

STB-AB-6 (Sub. No. 431X)

IHPA Log #006032306

May 20, 2006

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

Dear Mr. Strickland:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you have any further questions, please contact me at 217/785-5027.

Sincerely,

Anne E. Haaker
Deputy State Historic
Preservation 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 June 26, 2006, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

United States Department of Agriculture
Natural Resources Conservation Service
2118 W. Park Court
Champaign, IL 61821

Kim D. Smail
Natural Resources Conservation Service
15381 N. State Hwy. 100
Lewiston, IL 61542

Ronald A. Hall
Natural Resource Conservation Service
233 S. Soangetaha Road
Galesburg, IL 61401

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

Alan Keller
Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Springfield, IL 62702

Bruce Yurdin
Illinois Environmental Protection Agency
Watershed Management Section
1021 North Grand Avenue East
Springfield, IL 62702

Illinois Department of Natural Resources
Office of Water Resources
One Natural Resources Way
Springfield, IL 62702-1271

George Bellovics
Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Region 1 Office
2317 East Lincolnway, Suite A
Sterling, IL 61081

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

U.S. Army Corps of Engineers
Rock Island District
Clocktower Building
Rodman Ave.
Rock Island, IL 61299

Robyn Thorson, Regional Director
Big River Region
U.S. Fish and Wildlife Service
1 Federal Drive
BHW Federal Building
Fort Snelling, MN 55111

Marcia Sieckman
U.S. Bureau of Land Management Eastern States
Milwaukee Field Office
626 E. Wisconsin Ave.
Suite 200
Milwaukee, WI 53202

Illinois Department of Natural Resources
Office of Land Management and Education
One Natural Resources Way
Springfield, IL 62702-1271

William C. Kuhn
Fulton County Engineer
Fulton County Highway Dept.
430 E. Oak
Canton, IL 61520

Randy Rumler, Fulton County Clerk
100 North Main Street
Lewiston, IL 61542-1409

Fulton County Board
P.O. Box 226
Lewiston, IL 61542

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

U.S. Environmental Protection Agency
1 Interstate Bank Tower at Fountain Place
1445 Ross Avenue, 12th Fl.
Dallas, TX 75202

Knox County Board
200 S. Cherry St.
Galesburg, IL 61401-4912

Scott G. Erickson, Knox County Clerk
200 S. Cherry St.
Galesburg, IL 61401-4912

Duane J. Ratermann
Knox County Highway Dept.
1214 U.S. Hwy 150E
Knoxville, IL 61448

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

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

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

Peter Swenson
Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

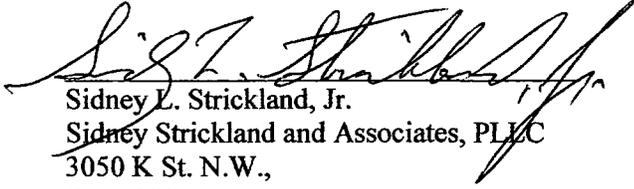
Robert Maydwell
National Park Service
Midwest Region
1709 Jackson St.
Omaha, NE 68102

Office of the Governor
State of Illinois
207 Statehouse
Springfield, IL 62706

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

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

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: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

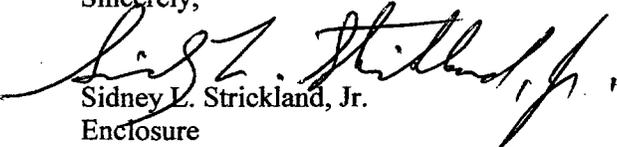
Ms. Victoria Rutson
Chief, SEA
Surface Transportation Board
1925 K Street, N.W.
Washington D.C. 20423-0001

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Ms. Rutson:

On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. 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/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 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. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

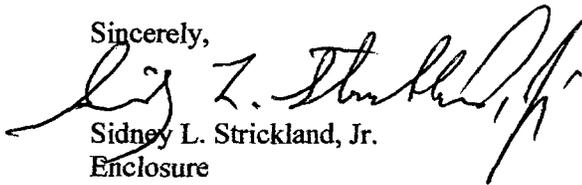
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.
Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Office of the Governor
State of Illinois
207 Statehouse
Springfield, IL 62706

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

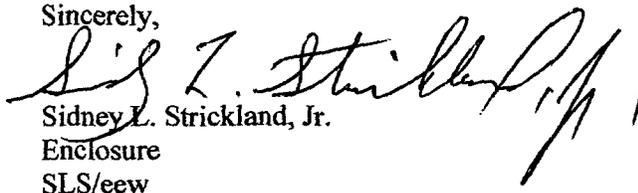
On or about July 17, 2006, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB's independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.
Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Robert Maydwell
National Park Service
Midwest Region
1709 Jackson St.
Omaha, NE 68102

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Maydwell:

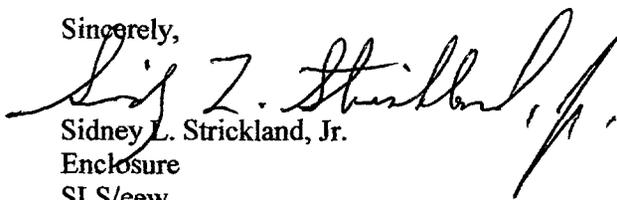
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Peter Swenson
Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Swanson:

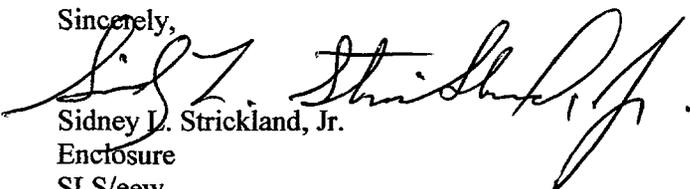
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

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

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Westlake:

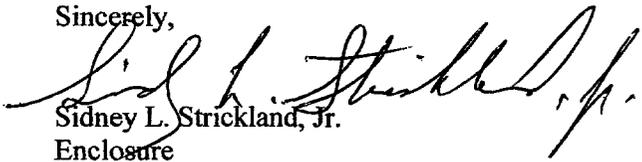
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

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

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. LaSalle:

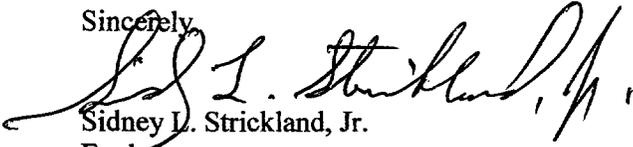
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

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

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Harpring:

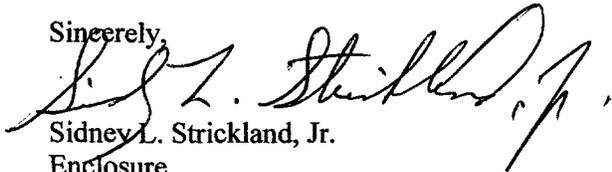
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Duane J. Ratermann
Knox County Highway Dept.
1214 U.S. Hwy 150E
Knoxville, IL 61448

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Raterman:

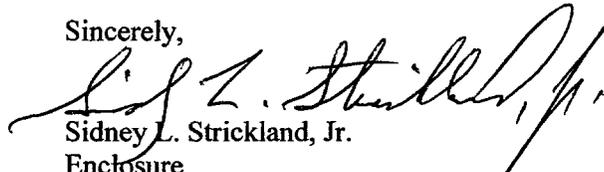
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Scott G. Erickson, Knox County Clerk
200 S. Cherry St.
Galesburg, IL 61401-4912

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Erickson:

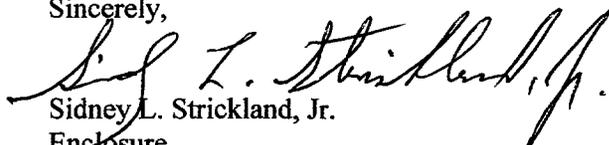
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Knox County Board
200 S. Cherry St.
Galesburg, IL 61401-4912

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

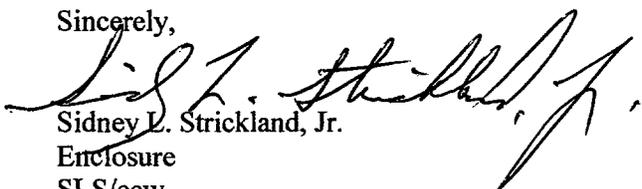
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

U.S. Environmental Protection Agency
1 Interstate Bank Tower at
Fountain Place
1445 Ross Avenue, 12th Fl.
Dallas, TX 75202

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

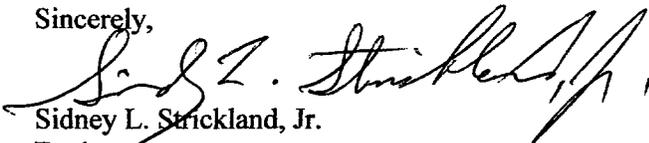
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure

SLS/eew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

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

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

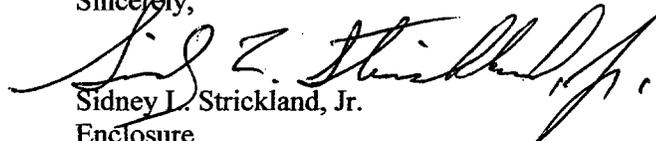
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure
SLS/eew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Fulton County Board
P.O. Box 226
Lewiston, IL 61542

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

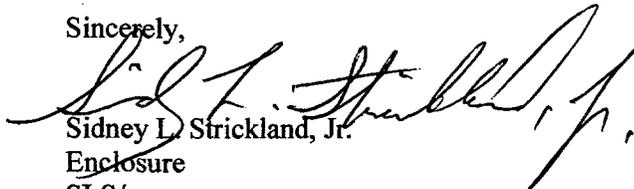
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Randy Rumler, Fulton County Clerk
100 North Main Street
Lewiston, IL
61542-1409

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Rumler:

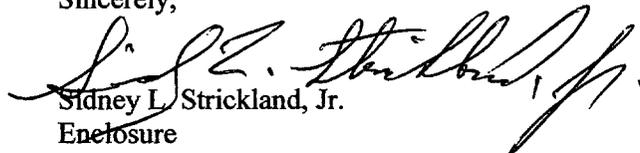
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.
Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

William C. Kuhn
Fulton County Engineer
Fulton County Highway Dept.
430 E. Oak
Canton, IL 61520

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Kuhn:

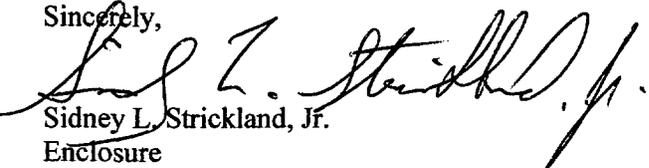
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Illinois Department of Natural Resources
Office of Land Management and Education
One Natural Resources Way
Springfield, IL 62702-1271

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Marcia Sieckman
U.S. Bureau of Land Management Eastern States
Milwaukee Field Office
626 E. Wisconsin Ave.
Suite 200
Milwaukee, WI 53202

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Ms. Sieckman:

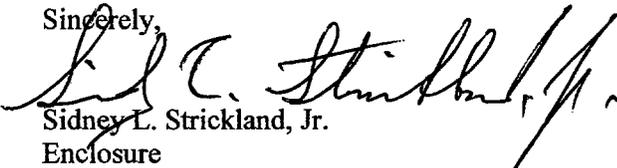
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.
Enclosure
SLS/eew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Robyn Thorson, Regional Director
Big River Region
U.S. Fish and Wildlife Service
1 Federal Drive
BHW Federal Building
Fort Snelling, MN 55111

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Ms. Thorson:

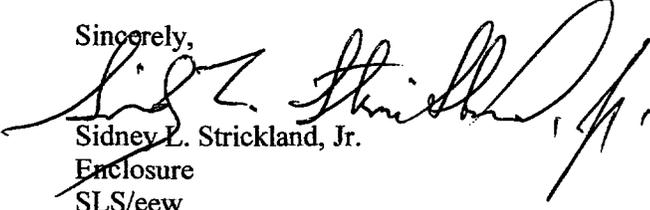
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

U.S. Army Corps of Engineers
Rock Island District
Clocktower Building
Rodman Ave.
Rock Island, IL 61299

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

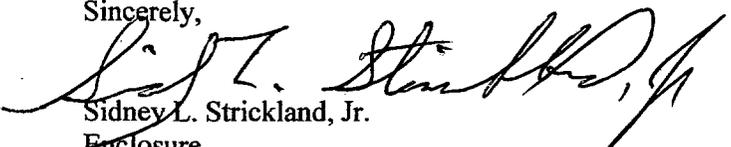
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/eew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

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

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Walsh:

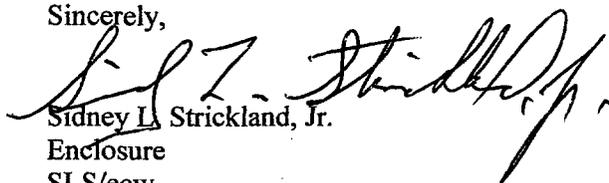
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.
Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

George Bellovics
Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Region 1 Office
2317 East Lincolnway, Suite A
Sterling, IL 61081

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Bellovics:

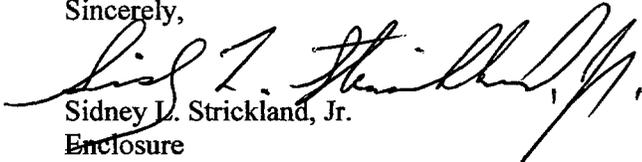
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Illinois Department of Natural Resources
Office of Water Resources
One Natural Resources Way
Springfield, IL 62702-1271

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

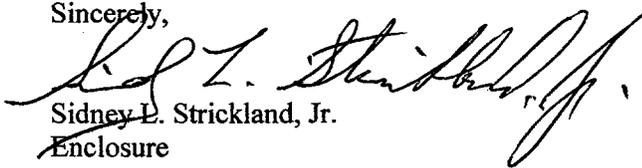
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Bruce Yurdin
Illinois Environmental Protection Agency
Watershed Management Section
1021 North Grand Avenue East
Springfield, IL 62702

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Yurdin:

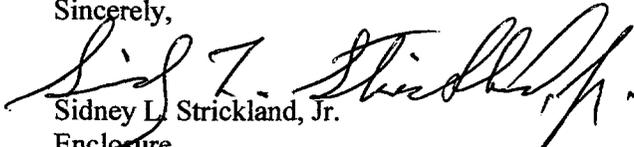
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure
SLS/eew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Alan Keller
Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Springfield, IL 62702

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Keller:

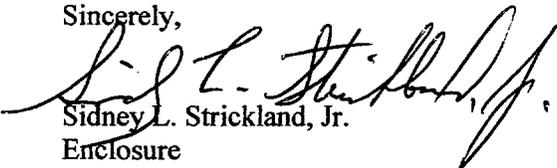
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/eww

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

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

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Ms. Haaker:

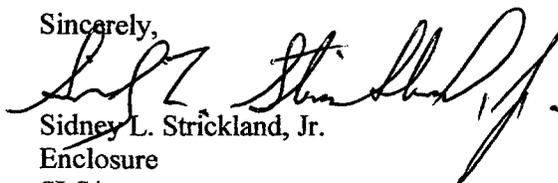
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Ronald A. Hall
Natural Resource Conservation Service
233 S. Soangetaha Road
Galesburg, IL 61401

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Mr. Hall:

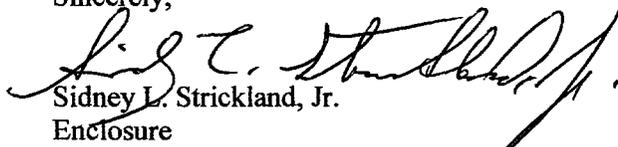
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/eew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

Kim D. Smail
Natural Resources Conservation Service
15381 N. State Hwy. 100
Lewiston, IL 61542

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Ms. Smail:

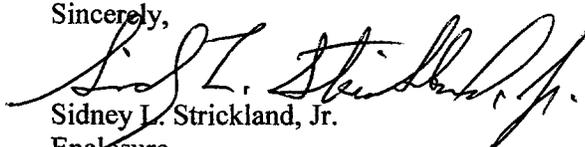
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

June 26, 2006

United States Department of Agriculture
Natural Resources Conservation Service
2118 W. Park Court
Champaign, IL 61821

***Re: STB Docket No. AB-6 (Sub. No. 431X) BNSF Railway Company—Abandonment
Exemption – in Knox and Fulton Counties, IL***

Dear Sir or Madam:

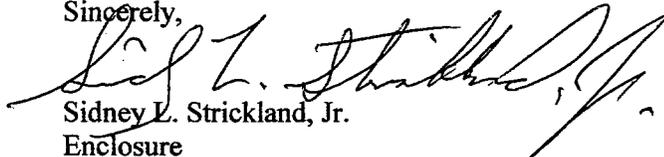
On or about July 17, 2006, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to discontinue rail service on 4.69 miles of track between Milepost 46.89, near Yates City, and Milepost 51.58, near Farmington, in Knox County, Illinois, and to abandon one (1) mile of railroad line between Milepost 51.58 and Milepost 52.58, near Farmington, in Fulton County, Illinois, a total distance of 5.69 miles. Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing these reports so that you may review the information that will form the basis for the STB’s independent environmental and historic analyses of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB’s environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-6 (Sub. No. 431X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure

SLS/ew