

220060

**SIDNEY STRICKLAND AND ASSOCIATES, PLLC**

3050 K ST. N W , SUITE 101  
WASHINGTON, DC 20007-5108  
TELEPHONE: 202-338-1325  
FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR  
SIDNEY.STRICKLAND@STRICKLANDPLLCCOM

August 16, 2007

Vernon A Williams, Secretary  
Surface Transportation Board  
395 E Street, S W  
Washington, DC 20423

ENTERED  
Office of Proceedings

AUG 16 2007

Part of  
Public Record



**Re: STB Docket No. AB-6 (Sub. No. 457X) BNSF Railway Company—  
Abandonment Exemption – in Stevens County, MN**

Dear Secretary Williams

Enclosed please find an original and ten (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 \$3,200 00 for the filing fee

Very truly yours,

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

**FEE RECEIVED**

AUG 16 2007

**SURFACE  
TRANSPORTATION BOARD**

**FILED**

AUG 13 2007

**SURFACE  
TRANSPORTATION BOARD**

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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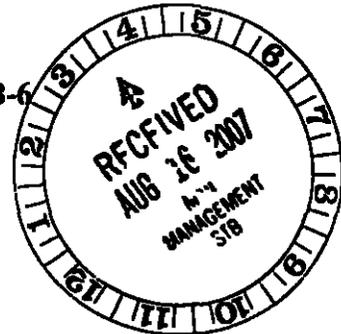
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Office of Proceedings

AUG 16 2007

Part of  
Public Record

BNSF RAILWAY COMPANY --  
ABANDONMENT EXEMPTION --  
IN STEVENS COUNTY, MN

DOCKET NO. AB-6  
(SUB. NO. 457X)



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

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

**FILED**

AUG 16 2007

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

**FEE RECEIVED**

AUG 16 2007

SURFACE  
TRANSPORTATION BOARD

Attorneys for BNSF Railway Company

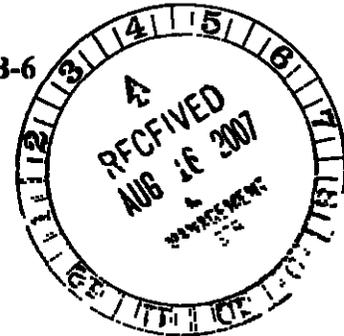
DATE FILED August 16, 2007

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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

**DOCKET NO. AB-6  
(SUB. NO. 457X)**



---

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

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BNSF RAILWAY COMPANY ("BNSF") ("Applicant") files this Verified Notice of Exemption under 49 C.F.R. 1152 Subpart F- Exempt Abandonments (49 C.F.R. 1152.50) for BNSF to abandon a rail line that extends between Milepost 86 00 and Milepost 86 65, in Morris, Stevens County, Minnesota (the "Line"), a total distance of 0 65 miles

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 August 16, 2007, which is October 5, 2007

**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)*

BNSI seeks to use the class exemption from Surface  
Transportation Board approval authorizing the abandonment of the  
Stevens County 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 Code 56267

- (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***

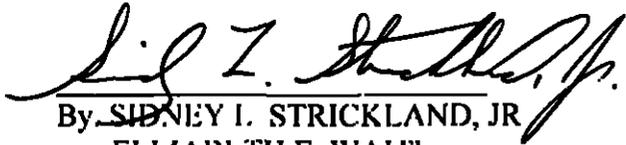
The required certifications are set forth in Appendix 3 to this Notice of Exemption.

**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  
Fort Worth, TX 76161-0057



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

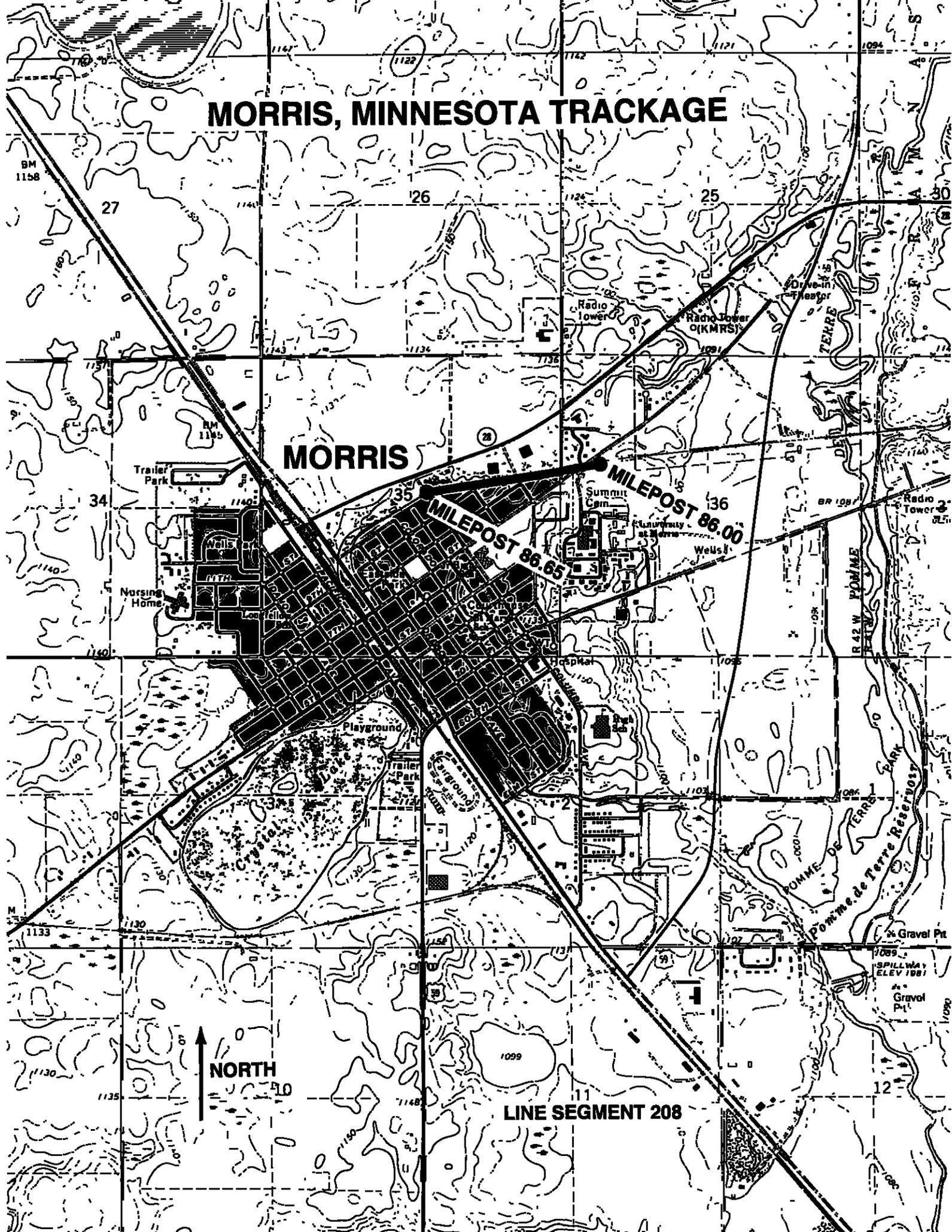
Attorneys for BNSF Railway Company

DATE FILED August 16, 2007

## **APPENDIX 1**

### ***Detailed Map of the Line***

# MORRIS, MINNESOTA TRACKAGE



NORTH

LINE SEGMENT 208

## **APPENDIX 2**

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

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

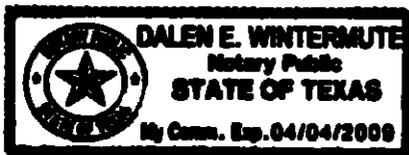
I, Susan Odom, being duly sworn depose and state that, as Manager, Network Strategy in the Network Development department of the BNSF Railway Company ("BNSF"), I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true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

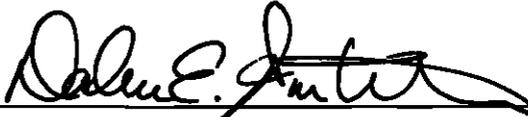
In accordance with 49 C F R § 1152 50(b), I hereby certify that, with respect to the line which is the subject of the Notice of Exemption filed in Docket No AB-6 (Sub-No. 457X), no local traffic has moved on the line for at least two (2) years prior to the date hereof Also, there is no overhead traffic 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

  
\_\_\_\_\_  
Susan Odom  
Manager, Network Strategy

Subscribed and sworn to before me the 13<sup>th</sup> day of August, 2007



  
\_\_\_\_\_

## **APPENDIX 3**

***Certifications 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 457X) was mailed via first class mail on August 6, 2007 to the following parties

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

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

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

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

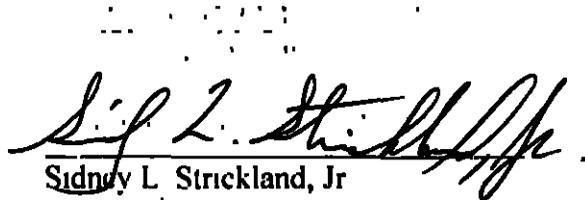
Robert J Rickert  
Rail Bank and Abandonment Coordinator  
Minnesota Department of Transportation  
395 John Ireland Boulevard  
St Paul, MN 55155-1899

Dated August 16, 2007

  
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 Stevens County, Minnesota: *Morris Sun Tribune*. Publication of the notice was accomplished on August 11, 2007. 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) 295-3854



# Legal Notices

## ADVIT OF PUBLICATION

**STD DOCKET NO AB-6**  
(Sub. No. 457X)  
**NOTICE OF INTENT TO**  
**ABANDON RAIL SERVICE**

**BNSF RAILWAY COMPANY (BNSF)** gives notice that on or about August 16, 2007 it intends to file with the Surface Transportation Board (the Board), Washington, DC, 20423, a notice of exemption under 49 CFR 1162 Subpart F—Exempt Abandonments permitting the abandonment of the 0.86 miles of railroad line between Milepost 88 00 and Milepost 88 85, in Morris, Stevens County, Minnesota. The rail line traverses through United States Postal Service Zip Code 56287. The proceeding will be docketed as STD Docket No AB-6 (Sub No 457X).

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 202-245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails

use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E Street, S.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 202-245-0230. Copies of any comments or requests for conditions should be served on the applicant's representative, Sidney Strickland, Sidney Strickland and Associates, PLLC, 3030 K Street, Suite 101, Washington, DC, 20007-6108, (202) 338 1325.

**STATE OF MINNESOTA }  
COUNTY OF STEVENS } ss.**

Susan M Dieter, being duly sworn, on oath says that he/she is publisher or authorized agent and employee of the publisher of the paper known as the Morris Sun Tribune, and has full knowledge of the facts which are stated below: (A) The newspaper has complied with the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statutes 331A.02, 331A.07, and applicable laws, as amended.

(B) The Printed STD Docket NO AB-6 (Sub.No.457X) Notice of Intent to Abandon Rail Service which is attached was cut from the columns of said newspaper, and was printed and published once a week, for 1 successive week(s), it was first published on Saturday, the 11<sup>th</sup> day of August, 2007 and was thereafter printed and published on every Saturday to and including Saturday, the 11<sup>th</sup> day of August, 2007 and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice.

Zpt., abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this 14<sup>th</sup> day of August 2007.

(Notarial Seal)

**Evelyn Marie Baas**  
Notary Public, Stevens County, Minnesota  
My Commission Expires 01-31-10

### RATE INFORMATION

- |     |  |   |
|-----|--|---|
| (1) | Lowest classified rate paid by commercial users for comparable space | <u>\$11.60/inch</u><br>(Line, word, or inch rate) |
| (2) | Maximum rate allowed by law for the above matter                     | <u>\$14.03/inch</u><br>(Line, word, or inch rate) |
| (3) | Rate actually charged for the above matter                           | <u>\$11.60/inch</u><br>(Line, word, or inch rate) |

**Morris Sun Tribune**  
Phone (320) 589-2525  
P O Box 470 Morris, MN 56267

**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 July 27, 2007, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies

William Lorenzen  
Environmental Review/Justice Coordinator  
USDA Natural Resources Conservation Service  
375 Jackson Street, Suite 600  
Saint Paul, MN 55101-1854

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

Robert J Whiting  
U S Army Engineer District, St Paul  
190 11th St East  
St Paul, MN 55101-1683

Patrick G Carroll  
Big River Region  
U S Fish and Wildlife Service  
1 Federal Drive  
BHW Federal Building  
Fort Snelling, MN 55111-4056

Marcia Sieckman  
U S Bureau of Land Management Eastern States  
Milwaukee Field Office  
626 E Wisconsin Ave  
Suite 200  
Milwaukee, WI 53202-4617

Charleen Grossman  
Planning and Zoning Administrator  
Ortonville City Offices  
315 Madison Avenue  
Ortonville, MN 56278

Margaret Kuchenreuther  
Chair, Morris Planning Commission  
City of Morris  
PO Box 438  
Morris MN 56267

Robert J Rickert  
Rail Bank and Abandonment Coordinator  
Minnesota Department of Transportation  
395 John Ireland Boulevard  
St Paul, MN 55155-1899

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

Kenneth Westlake, Chief  
U S Environmental Protection Agency, Region 5  
Metcalf Building  
Office of Strategic Environmental Analysis  
77 West Jackson Boulevard  
Mailcode B-19J  
Chicago, IL 60604

Dennis A Gimmestad  
Government Programs & Compliance Officer  
Minnesota Historical Society  
345 W Kellogg Blvd  
St Paul, MN 55102-1906

Jim Thoreen  
County Coordinator  
P O Box 530  
400 Courthouse  
Morris, MN 56267

Mayor Sheldon Giese  
City of Morris  
PO Box 438  
Morris MN 56267

Lawrence Zdon  
Minnesota Pollution Control Agency  
520 Lafayette Road N  
St Paul, MN 55155-4194

Edward R Larson  
City Manager  
609 Oregon Avenue  
P O Box 438  
Morris, MN 56267

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

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

Ms Victoria Rutson  
Chief, SEA  
Surface Transportation Board  
395 E Street, S 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, P.L.C  
3050 K Street N W  
Suite 101  
Washington, D C 20007

## **APPENDIX 4**

### ***Environmental and Historic Reports***

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

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

**DOCKET NO. AB-6  
(SUB. NO. 457X)**

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**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 F. WAIGE  
SIDNEY STRICKLAND AND ASSOCIATES  
3050 K Street, N W ,  
Suite 101  
Washington, DC 20007  
(202) 338-1325

*Attorneys for BNSF Railway Company*

DATED July 27, 2007

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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

**DOCKET NO. AB-6  
(SUB. NO. 457X)**

**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), 395 E Street, S.W., Washington, DC 20423. There is information in the Applicant's files to indicate that the rail line covered by these Reports does not contain any 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 abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65, in Morris, Stevens County, Minnesota (the "Line")

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

BNSF seeks to abandon this Line. The abandonment of the 19-mile rail line from Starbuck to Morris, MN (Milepost 67.0 to Milepost 86.0) was effected on September 8, 1983. There were no customers on the remaining line between MP 86.0 and MP 87.15 where it connects with BNSF's mainline in Morris. This portion was used for car storage for a short time by local operations. As storage needs lessened pieces of track were removed on what was considered to be discontinued right of way between Milepost 86.0 and MP 86.65. This trackage has been gone for more than 20 years. The line between the mainline and Milepost 86.65 is still intact and continues to be used for storing track material. It is not BNSF's policy to remove track within the jurisdiction of the STB before going through a formal abandonment proceeding and BNSF has recently implemented internal and external procedures to ensure that future track removal

does not occur prior to receiving proper authority. However, this Line was salvaged prior to those certain measures being in place. 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:**

(1) 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 City of Morris ("City") indicates, via telephone conversation with Edward R. Larson, City Manager, that the City has no interest in alternative public uses for the railroad right-of-way at this time. Mr. Larson can be reached at 609 Oregon Avenue, P.O. Box 438, Morris, MN 56267, (320) 589-3141.

Also, Stevens County ("County") indicates the BNSF Line proposed for abandonment lies wholly within the City of Morris, and the County has no jurisdiction on the issue, and does not prepare or administer land use plans within the City. See Exhibit B, letter dated April 24, 2007, from Jim Thoreen, Zoning Administrator/County Coordinator, Stevens County, Minnesota.

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

The proposed abandonment should have no effect on prime agricultural lands. The Natural Resources Conservation Service ("NRCS") indicates because the project sponsors are not USDA program benefit recipients, the wetland conservation provisions of the 1985 Food Security Act are not applicable. NRCS further indicates if any actions by a non-USDA participant third party which impact agricultural wetlands owned or operated by USDA participants are anticipated, BNSI should contact the Stevens County Farm Service Agency to consider an application for a third party exemption. Finally, NRCS states "[B]ecause of the location and type of activity proposed, this project will not impact agricultural lands, and a Federal Farmland Policy Protection Act (FPPA) site assessment/land evaluation will not be required." See Exhibit C, letter dated April 2, 2007, from William E. Lorenzen, Environmental Review/Justice Coordinator, Natural Resources Conservation Service, U S Department of Agriculture.

(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 should be suitable for alternative public use. As indicated above, the City of Morris indicates, via telephone conversation with Edward R. Larson, City Manager, that the City has no interest in alternative public

uses for the railroad right-of-way at this time Mr Larson can be reached at 609 Oregon Avenue, P O Box 438, Morris, MN 56267, (320) 589-3141

Also, as mentioned above, Stevens County indicates it has no jurisdiction on the issue See Exhibit B, letter dated April 24, 2007, from Jim Thoreen, Zoning Administrator/County Coordinator, Stevens County, Minnesota

**(4) Energy:**

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

There are no known recoverable energy resources along the Line There has been no local traffic on the Line for over two years 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 of more than 10% of the average daily traffic of 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505) or in a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply

The action will not result in meeting or exceeding the specified thresholds. Moreover, the proposed abandonment will not result in an increase of rail or truck traffic as there has been no local traffic on the Line for over two years and 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 no public crossings and no private crossings on the Line. During salvage operations, if any may be required, precautions will be taken to ensure public safety, and contractors will be required to satisfy all applicable health and

safety laws and regulations

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

The abandonment will not result in the transportation of hazardous materials

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

There is no known hazardous waste site or sites where there have been known hazardous materials spills on the right-of-way

**(8) Biological Resources:**

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

The U S Fish and Wildlife Service ("FWS") indicates it does not own any lands or interests in land in the vicinity of the proposed abandonment. FWS further indicates it does not have any concerns regarding real estate matters in the abandonment. See Exhibit D, letter dated April 6, 2007, from Patrick G Carroll, Senior Realty Officer, Division of Realty, Fish and Wildlife Service, U S Department of the Interior

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

The proposed abandonment should not affect any wildlife sanctuaries or refuges, or National or State parks or forests. The National Park Service ("NPS") indicates it reviewed the project and found no conflicts with the Land and Water

Conservation Fund or the Urban Park and Recreation Recovery programs NPS had no additional comments See Exhibit E, letter dated May 3, 2007, from Robert Maydwell, Grants Management Assistant, Partnerships-Grants, Midwest Region, National Park Service, U S Department of the Interior

The Bureau of Land Management (“BLM”) indicates there are no Federal lands administered by the BLM along the railroad line BLM further indicates 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 and the National Trails System Improvement Act Finally, BLM indicates it does not have information on the location of wildlife refuges, state or national parks, or state or national forests See Exhibit F, letter dated April 4, 2007, from Marcia Sieckmen, Supervisor, Natural Resources Team, Milwaukee Field Office, Bureau of Land Management-Eastern States, U S Department of the Interior

**(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 Minnesota Pollution Control Agency (“MPCA”) indicates “[B]ased on the submitted proposal that this line has already been removed and salvaged and that no additional construction work is proposed [MPCA] does not anticipate that there will be any actions that may be inconsistent with state water quality standards and that there will be no action requiring issuance of any 402/NPDES permits ” See Exhibit G, letter dated July 3, 2007, from Lawrence S Zdon, Municipal Division, Stormwater Section,

Minnesota Pollution Control Agency

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

The proposed abandonment should not require a Section 404 permit. BNSF notified the U.S. Army Corps of Engineers ("CORPS") by letter dated March 26, 2007. See Exhibit H. As of the date of this report, the Corps has not responded. BNSF will provide the Board copies of any response it receives.

The proposed abandonment should not affect any 100-year flood plains. The City of Morris indicates the abandonment will not affect any 100-year floodplains. See Exhibit I, letter dated April 9, 2007, from Edward R. Larson, City Manager, City of Morris, Minnesota.

Also, the Minnesota Department of Natural Resources ("MDNR") indicates there is no FEMA mapped floodplain for area of the BNSF abandonment in Morris, Stevens County, Minnesota. See Exhibit J, electronic correspondence dated April 13, 2007, from Steven Colvin, Department of Natural Resources-Ecological Services.

(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 permit under Section 402 of the Clean Water Act ("CWA") should not be required for the proposed action. BNSF notified the U.S. Environmental Protection Agency ("EPA") by letter dated March 26, 2007. See Exhibit K. As of the date of this report, the EPA has not responded. BNSF will provide the

Board copies of any response it receives

Also, as mentioned above, the MPCA indicates the proposed action should not require issuance of any 402/NPDES permits. See Exhibit G, letter dated July 3, 2007, from Lawrence S. Zdon, Municipal Division, Stormwater Section, Minnesota Pollution Control 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.*

Morris, Minnesota is the seat of Stevens County. The U S 2000 census shows a population of 5,068 for this community named after Charles F. Morris, chief engineer of The Saint Paul and Pacific Railroad Company, predecessor to the St. Paul, Minneapolis and Manitoba Company. Morris is located 165 miles northwest of Minneapolis/St. Paul and 100 miles southeast of Fargo, North Dakota.

The landscape is largely agricultural beyond the city's 4.53-square-mile limits. The Line proposed for abandonment passes through a residential neighborhood on the south, and light industrial property on the north, with the University of Minnesota at Morris lying just beyond to the east.

- (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.*

Little Falls and Dakota Railroad Company ("LF&D"), established in 1879 as a branch subsidiary of the Northern Pacific Railway Company ("NP"), completed construction of the 88-mile line from Little Falls to Morris in the latter half of 1882. Partial funding was provided through state grants and county bonds, however, no federal grants were involved. The right-of-way is generally 100 feet wide.

The LF&D line intersected the north-south main line of the St. Paul, Minneapolis and Manitoba Company ("St. PM&M") in Morris and joined the St. PM&M line that extended westerly to Brown's Valley. A joint use agreement between the companies was made for the line between Morris and Brown's Valley.

The mortgage for the section of line proposed for abandonment was released and title was transferred to NP on December 19, 1901. In 1970, NP merged with Great Northern Railway Company, Pacific Coast Railroad Company, and Chicago, Burlington & Quincy Railroad Company to become Burlington Northern Inc. The latter changed its name to Burlington Northern Railroad Company in 1981 ("BNRR"). BNRR merged with The Atchison, Topeka and Santa Fe Railway Company in 1996 to become The Burlington Northern and

Santa Fe Railway Company, which name was changed to BNSF Railway Company in January, 2005

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

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

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

The Minnesota Historical Society ("SHPO") indicates the rail line as a whole is eligible for the National Register of Historic Places. See Exhibit L, letter dated April 19, 2007, from Dennis A. Gimmetstad, Government Programs & Compliance Officer, Minnesota Historical Society.

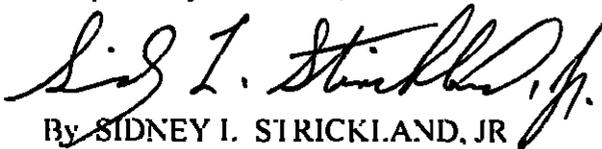
By subsequent correspondence, SHPO indicates it received updated information from BNSF indicating the Line does not contain any buildings or structures. As such, SHPO continues "[O]ur [previous] letter indicated that this line meets national Register criteria. Generally, abandonment without protective measures constitutes an adverse effect. We have no recommended mitigation for this abandonment." See Exhibit M, letter dated June 14, 2007, from Britta L.

Bloomberg, Deputy State Historic Preservation Officer. Minnesota Historical  
Society

*(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, or any environmental conditions that might affect the archeological recovery of resources and the surrounding terrain

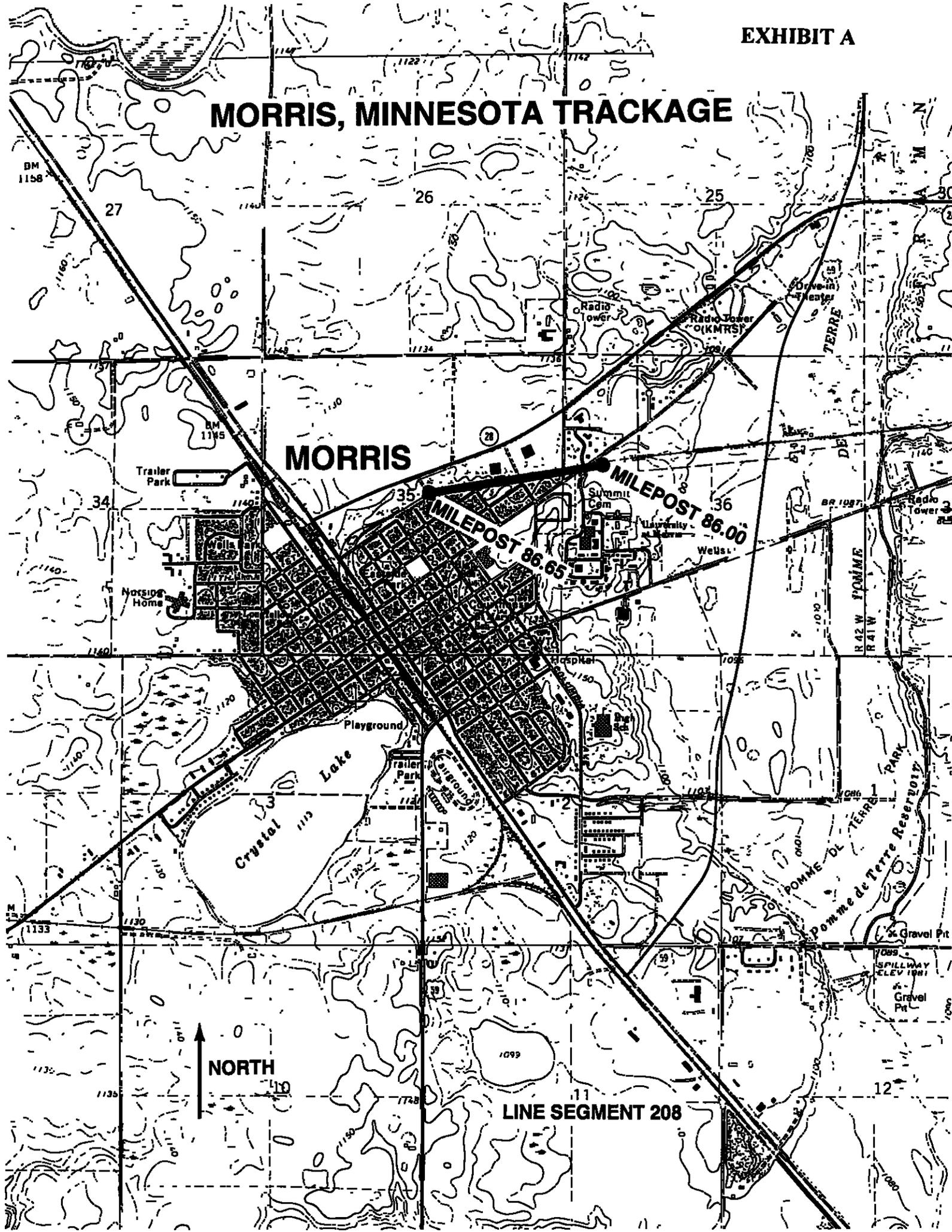
Respectfully submitted,



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

DATED July 27, 2007

# MORRIS, MINNESOTA TRACKAGE

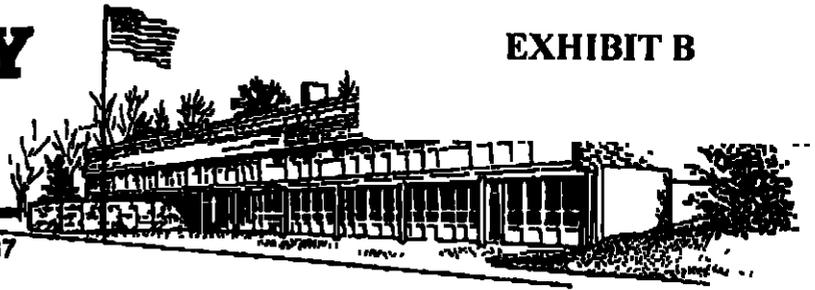


LINE SEGMENT 208

APR 24 2007 11:02 AM 42 STEVENS COUNTY

# STEVENS COUNTY COURT HOUSE

EXHIBIT B



STEVENS COUNTY • MORRIS, MINNESOTA 56267

BOARD OF COMMISSIONERS  
Box 530  
Morris, MN 56267  
(320) 589-7417  
FAX (320) 589 2036

Paul Watzke	.. . . .	.....	. 1st District
Herb Kloos	.... .	.....	. 2nd District
Neal Hofland	. ...	.....	. 3rd District
Larry Sayre	. . . . .	.....	. 4th District
Don Munsterman	. . . . .	.....	. 5th District

April 24, 2007

Mr. Sidney Strickland, Jr  
3050 K Street N.W. Suite 101  
Washington, D C. 20007-5108

VIA FACSIMILE (202-295-3854)

Dear Mr. Strickland:

RE: STB Docket No. AB-6 (Sub. No 457X) BNSF Railway

In response to your letter of March 26, 2007 I offer this perspective as the Stevens County Zoning Administrator. The segment of BNSF line proposed for abandonment lies wholly within the City of Morris, MN. The City is the zoning authority within its municipal boundaries, thus, Stevens County has no jurisdiction regarding this issue as we do not prepare or administer land use plans within the City

Sincerely yours,

A handwritten signature in black ink that reads "Jim Thoreen". The signature is written in a cursive, flowing style.

Jim Thoreen  
Zoning Administrator/County Coordinator



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

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

April 2, 2007

IN REPLY  
REFER TO STB Docket No AB-6(Sub-No 457X)  
BNSF Railway Company-Abandonment Exemption-Stevens County, MN

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

Dear Mr Strickland

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

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

Sincerely

A handwritten signature in black ink, appearing to read "William E. Lorenzen", with a long horizontal line extending to the right.

WILLIAM E LORENZEN  
Environmental Review/Justice Coordinator



# United States Department of the Interior

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

IN REPLY REFER TO

FWS/NWRS-RE - General  
Railroad Abandonments

April 6, 2007

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

Thank you for the opportunity to comment on the proposed abandonment of 0 65 miles of railroad line between Milepost 86 00 and Milepost 86 65, near Morris, in Stevens County, Minnesota, STB Docket No AB-6 (Sub No 457X) BNSF Railway Company

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

Sincerely,

**For** Patrick G Carroll  
Senior Realty Officer  
Division of Realty



# United States Department of the Interior

National Park Service

Midwest Region  
601 Riverfront Drive  
Omaha Nebraska 68102-4226



650 2(MWR-P/G)

**EXHIBIT E**

**MAY 3 2007**

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 March 26, 2007. request that the National Park Service respond to STB Docket No AB-6 (Sub. No 457X) BNSF Railway Company Abandonment Exemption in Stevens County, Minnesota

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

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

Sincerely,

  
Robert Maydwell  
Grants Management Assistant  
Partnerships- Grants

**TAKE PRIDE<sup>®</sup>  
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 4, 2007

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

RE STB Docket No AB-6 (Sub. No. 457X) BNSF Railway Company – Abandonment  
Exemption – in Stevens County, MN

Dear Mr Strickland

This is in response to your letter of March 26, 2007, to our office concerning the proposal by the Burlington Northern and Santa Fe Railway Company (BNSF) to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65, near Morris in Stevens County, Minnesota.

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

Thank you for giving us the opportunity to comment on this proposal. Our office does not have information on the 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, Natural Resources Team



# Minnesota Pollution Control Agency

520 Lafayette Road North | St Paul, MN 55155-4194 | 651-296-6300 | 800-675-3843 | 651-282-5332 TTY | [www.pca.state.mn.us](http://www.pca.state.mn.us)

July 3, 2007

**EXHIBIT G**

Sidney Strickland  
Sidney Strickland & Associates, PLLC  
3050 K Street NW, Suite 101  
Washington, DC 20007-5108

RE Request for Water Quality Standards  
Burlington Northern Santa Fe Railroad  
STB Docket No AB-6 (Sub No 457X)  
Abandonment from Mile Post 86 00 – 86 65  
Stevens County, Minnesota

Dear Mr Strickland

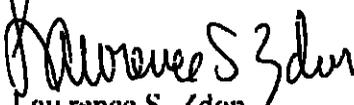
Thank you for your notification that Burlington Northern Santa Fe Railroad is planning to abandon the above referenced segment of rail line. Your letter requested information whether this proposed abandonment is consistent with applicable federal, state or local water quality standards and whether or not Section 402 and/or National Pollutant Discharge Elimination System (NPDES) permits are required as a result of the proposed abandonment. Your letter indicated that the rail line tracks were removed on what was considered to be discontinued right of way and that the trackage has been gone for more than 20 years. The notice did not indicate that any further construction/demolition/removal would take place as part of the formal abandonment proceedings.

Based on the submitted proposal that this line has already been removed and salvaged and that no additional construction work is proposed on this line as part of these formal abandonment proceedings, the Minnesota Pollution Control Agency (MPCA) does not anticipate that there will be any actions that may be inconsistent with state water quality standards and that there will be no action requiring the issuance of any 402/NPDES permits.

If this proposal changes or is modified to include new construction/demolition or removal of any other rail road features or landscape modification, we recommend you contact the MPCA for a re-determination of these requirements.

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

Sincerely,

  
Lawrence S Zdon  
Municipal Division  
Stormwater Section

L7 ah

# SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101  
WASHINGTON, DC 20007-5108  
TELEPHONE: 202-338-1325  
FAX: 202-295-3854

EXHIBIT H

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

March 26, 2007

Robert J Whiting  
U S Army Engineer District, St. Paul  
190 Fifth St East  
St Paul, MN 55101-1683

*Re: STB Docket No. AB-6 (Sub. No. 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, MN*

Dear Mr Whiting

BNSF Railway Company ("BNSF") plans to file with the United States Surface Transportation Board ("STB") a Notice of Exemption seeking authority in the above-referenced docket to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65, near Morris, in Stevens County, Minnesota ("the Line")

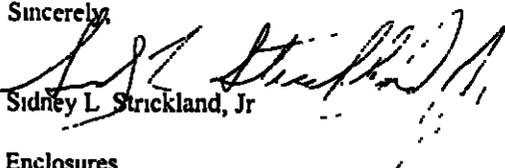
The abandonment of the 19-mile rail line from Starbuck to Morris, MN (MP 67 to MP 86) was effected on September 8, 1983. There were no customers on the remaining line between MP 86 and MP 87.15 where it connects with BNSF's mainline in Morris. This portion was used for car storage for a short time by local operations. As storage needs lessened, pieces of track were removed on what was considered to be discontinued right of way between MP 86 and MP 86.65. This trackage has been gone for more than 20 years. The line between the mainline and MP 86.65 is still intact and continues to be used for storing track material. It is not BNSF's policy to remove track within the jurisdiction of the STB before going through a formal abandonment proceeding and BNSF has recently implemented internal and external procedures to ensure that future track removal does not occur prior to receiving proper authority. However, this Line was salvaged prior to those certain measures being in place.

As part of the environmental report BNSF is preparing as part of its Notice of Exemption with the STB, BNSF must inquire with you as to whether or not Section 404 permits are required as a result of the proposed abandonment. BNSF also needs to know if the proposed abandonment will affect any 100-year floodplains or any designated wetlands. If so, please furnish 8½ by 11 black and white maps in the area of each designated floodplain if they are available.

For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by April 25, 2007. If you have any questions, do not hesitate to contact me at (202) 338-1325.

Thank you in advance for your cooperation.

Sincerely,

  
Sidney L. Strickland, Jr.

Enclosures  
SLS/cac



**CITY OF MORRIS** 2★0★0★4  
All-America City Finalist

609 Oregon Avenue • P O Box 438 • Morris, MN 56267 • 320-589-3141 • Fax 320-589-3111 • email cityhall@ci morris mn us

April 9, 2007

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

RE STB Docket No AB-6 Sub No 457X  
BNSF Railway Company – Abandonment Exemption in Stevens County, MN

Dear Mr Strickland

Please be advised that the abandonment of railroad line between milepost 86 00 and milepost 86 65 near Morris in Stevens County, Minnesota will not affect any 100-year floodplains

If you are in need of any further information on this matter, please feel free to contact me

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward R. Larson'.

Edward R Larson  
City Manager

sla

**C. A. Curry**

---

**EXHIBIT J**

**From:** Steve Colvin [Steve Colvin@dnr.state.mn.us]  
**Sent:** Friday, April 13, 2007 10:25 AM  
**To:** sidney.strckland@strcklandplc.com  
**Subject:** Stevens County, MN abandonment



Stevens County  
Strckland.pdf

Attached please find the FIRM and Floodway maps in the area of the BNSF abandonment in Morris, Stevens County, Minnesota (STB Docket No. AB-6 (Suc. No. 457X)). This shows that the whole area by Morris is on a FEMA floodplain panel that is not printed. When the panels are not printed, it means that there is no FEMA mapped floodplain on that whole panel.

Steve Colvin  
DNR - Ecological Services  
500 Lafayette Rd  
St. Paul, MN 55155-4025  
(651) 259-5082

# Federal Emergency Management Agency

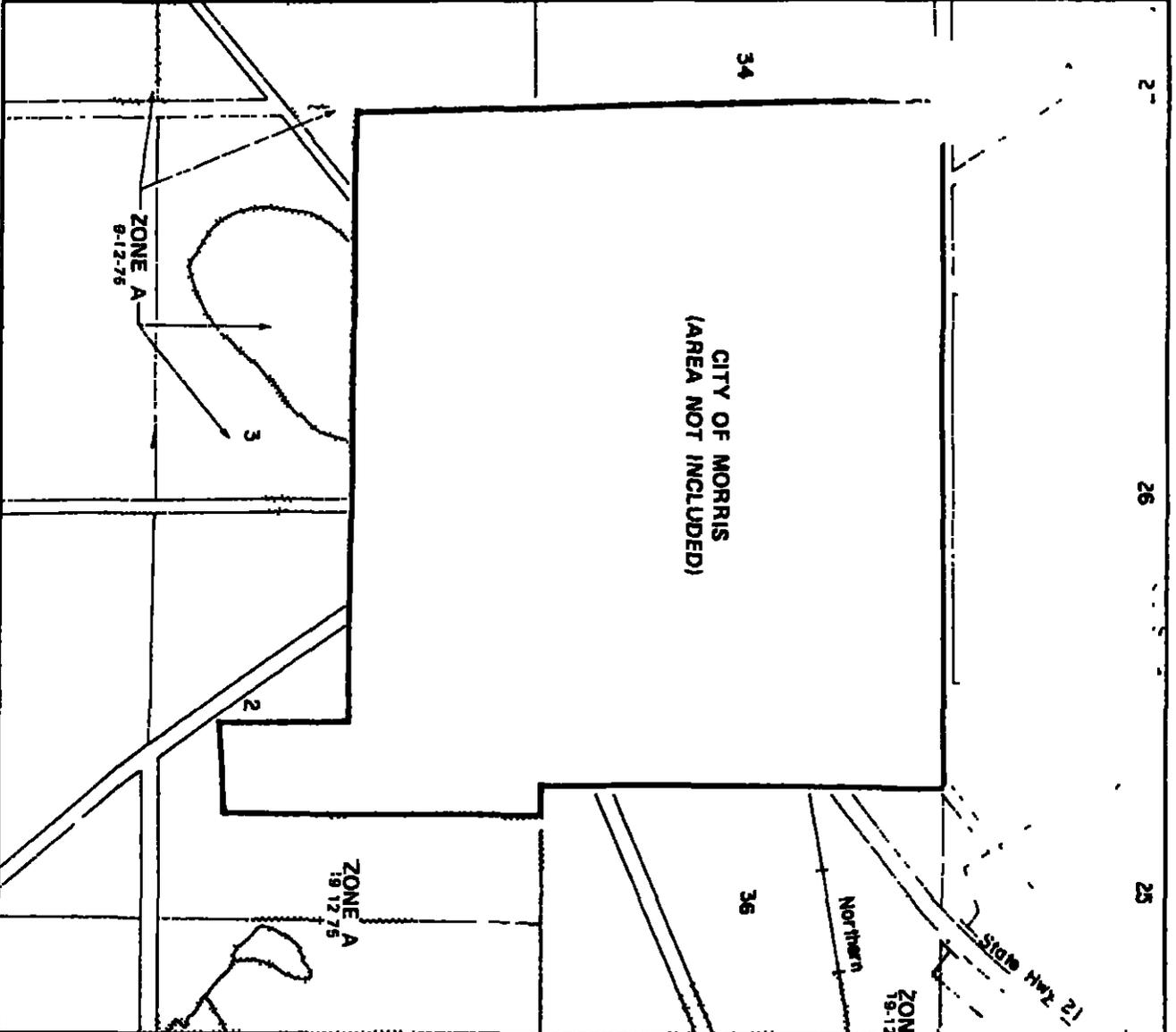
## Community Status Book Report

MINNESOTA

Report Level State

### Communities Participating in the National Flood Program

CID	Community Name	County	Initial FHBM Identified	Initial FIRM Identified	Current Effective Map	Regular or Emergency Date
270170#	MAPLE PLAIN, CITY OF	HENNEPIN COUNTY	05/03/74	09/02/04	09/02/04	08/22/84
270586#	MAPLEVIEW, CITY OF	MOWER COUNTY	04/18/75	05/15/84	05/15/84	05/15/84
270378C	MAPLEWOOD, CITY OF	RAMSEY COUNTY	05/17/74	08/05/86	08/05/86(M)	08/05/86
270509B	MARINE-ON ST CROIX, CITY OF	WASHINGTON COUNTY	03/15/74	09/27/85	09/27/85(M)	09/27/85
270638#	MARSHALL COUNTY*	MARSHALL COUNTY	03/27/81	07/18/83	10/16/87	07/18/83
270258#	MARSHALL, CITY OF	LYON COUNTY	11/02/73	09/30/77	12/21/79	09/30/77
270641	MARTIN COUNTY *	MARTIN COUNTY	05/20/77	09/01/88	09/01/88(L)	09/01/88
270053A	MAYER, CITY OF	CARVER COUNTY	11/23/73	04/16/76	05/29/02	05/29/02
270487#	MAZEPPA, CITY OF	WABASHA COUNTY	07/19/74	12/15/81	06/20/00	02/12/90
270616#	MC LEOD COUNTY *	MCLEOD COUNTY	06/03/77	02/04/81	08/18/92	02/04/81
270773	MCGREGOR, CITY OF	AITKIN COUNTY				08/12/97(E)
270588	MCINTOSH, CITY OF	POLK COUNTY	11/29/74		11/29/74	08/23/01(E)
270462#	MEDFORD, CITY OF	STEELE COUNTY	04/12/74	09/02/81	09/02/81	09/02/81
270690#	MEDICINE LAKE, CITY OF	HENNEPIN COUNTY	12/17/76	04/15/82	09/02/04	04/15/82
270171#	MEDINA, CITY OF	HENNEPIN COUNTY	06/28/74	09/03/80	09/02/04	09/03/80
270280#	MEEKER COUNTY *	MEEKER COUNTY	07/29/77	09/01/88	09/01/88(L)	09/01/88
270450#	MELROSE, CITY OF	STEARNS COUNTY	04/12/74	05/19/81	05/19/81	05/19/81
270493B	MENAHGA, CITY OF	WADENA COUNTY	04/12/74		01/30/76	03/28/97(E)
270110	MENDOTA HEIGHTS, CITY OF	DAKOTA COUNTY	11/23/73		(NSFHA)	06/22/84
270109	MENDOTA, CITY OF	DAKOTA COUNTY	02/08/74		(NSFHA)	04/15/85
270367A	MENTOR, CITY OF	POLK COUNTY	12/20/74		07/02/76	01/31/03(E)
270270#	MIDDLE RIVER, CITY OF	MARSHALL COUNTY	07/19/74	02/01/84	02/01/84	02/01/84
270741#	MIDWAY, TOWNSHIP OF	ST LOUIS COUNTY	12/20/74	02/19/92	02/19/92(M)	03/21/97
270111	MIESVILLE, CITY OF	DAKOTA COUNTY	07/19/74		(NSFHA)	12/21/78
270289#	MILACA, CITY OF	MILLE LACS COUNTY	05/10/74	05/05/81	05/05/81	05/05/81
270624#	MILLE LACS COUNTY *	MILLE LACS COUNTY	02/02/79	09/27/85	09/27/85(M)	09/27/85
270172#	MINNEAPOLIS, CITY OF	HENNEPIN COUNTY	03/22/74	01/18/81	09/02/04	02/18/81
270259#	MINNEOTA, CITY OF	LYON COUNTY	05/03/74	04/08/00	04/06/00	04/06/00
270529#	MINNESOTA CITY, CITY OF	WINONA COUNTY	08/02/74	07/19/82	07/19/82	07/19/82
270174#	MINNETONKA BEACH, CITY OF	HENNEPIN COUNTY	06/07/74	09/02/04	09/02/04	06/22/84
270173#	MINNETONKA, CITY OF	HENNEPIN COUNTY	08/23/74	05/19/81	09/02/04	05/19/81
270175#	MINNETRISTA, CITY OF	HENNEPIN COUNTY	01/13/78	09/27/85	09/02/04	09/27/85
275243A	MONTEVIDEO CITY OF	CHIPPEWA COUNTY		05/26/72	08/29/75	05/26/72
270541#	MONTECELLO, CITY OF	WRIGHT COUNTY	05/24/74	11/01/79	11/01/79	11/01/79
275244#	MOORHEAD, CITY OF	CLAY COUNTY	02/19/72	02/18/72	05/04/87	02/18/72
270045B	MOOSE LAKE, CITY OF	CARLTON COUNTY	05/17/74	09/18/85	09/18/85(M)	09/18/85
270216#	MORA, CITY OF	KANABEC COUNTY	04/12/74	09/01/77	09/01/77	09/01/77
270465	MORRIS, CITY OF	STEVENS COUNTY	05/10/74			05/15/97(E)
270617#	MORRISON COUNTY *	MORRISON COUNTY	04/21/78	06/01/81	06/15/81	06/15/81
270399#	MORTON, CITY OF	RENVILLE COUNTY	01/09/74	12/18/86	12/18/86	12/18/86
270300#	MOTLEY, CITY OF	CASS COUNTY/MORRISON COUNTY	08/02/74	06/19/89	06/19/89(M)	06/19/89
270178#	MOUND, CITY OF	HENNEPIN COUNTY	06/07/74	09/29/78	09/02/04	09/29/78
270379#	MOUNDS VIEW, CITY OF	RAMSEY COUNTY	05/03/74	03/02/83	03/02/83	03/02/83
270424#	MOUNTAIN IRON, CITY OF	ST LOUIS COUNTY	11/26/76		02/23/79	04/24/02(E)
270307#	MOWER COUNTY *	MOWER COUNTY	03/21/75	07/18/79	07/18/79	07/18/79
270473#	MURDOCK, CITY OF	SWIFT COUNTY	08/23/74	02/16/06	(NSFHA)	06/22/84
270845#	MURRAY COUNTY *	MURRAY COUNTY	11/05/78	05/03/90	05/03/90	05/03/90
270770	NEW AUBURN, CITY OF	SIBLEY COUNTY				03/26/97(E)
270380#	NEW BRIGHTON, CITY OF	RAMSEY COUNTY	05/31/74	09/01/78	09/01/78	09/01/78
270177#	NEW HOPE, CITY OF	HENNEPIN COUNTY	09/08/74	01/02/81	09/02/04	01/02/81



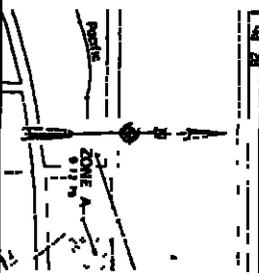
1000 0 2000 4000 6000 FEET  
 APPROXIMATE SCALE

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

19

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
 Federal Insurance Administration  
 STEVENS CO., MN  
 (UNINC. AREAS)

Issue Date  
 FEBRUARY 12, 1975





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## FEMA Issued Flood Maps

State MINNESOTA

County : STEVENS COUNTY

Community MORRIS,CTY/STEVENS CO

**Sorry there are no items to display for this State, County and Community.**

\* designates unincorporated areas

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FEMA Map Service Center P O Box 1038 Jessup, Maryland 20794 1038 Phone (800) 358-9516

# SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101  
WASHINGTON, DC 20007-5108  
TELEPHONE: 202-338-1325  
FAX: 202-295-3854

EXHIBIT K

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

March 26, 2007

Kenneth Westlake, Chief  
U S Environmental Protection Agency, Region 5  
Metcalf Building  
Office of Strategic Environmental Analysis  
77 West Jackson Boulevard  
Mailcode B-19J  
Chicago, IL 60604

*Re. STB Docket No. AB-6 (Sub. No. 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, MN*

Dear Mr Westlake

BNSF Railway Company ("BNSF") plans to file with the United States Surface Transportation Board ("STB") a Notice of Exemption seeking authority in the above-referenced docket to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65, near Morris, in Stevens County, Minnesota ("the Line")

The abandonment of the 19-mile rail line from Starbuck to Morris, MN (MP 67 to MP 86) was effected on September 8, 1983. There were no customers on the remaining line between MP 86 and MP 87.15 where it connects with BNSF's mainline in Morris. This portion was used for car storage for a short time by local operations. As storage needs lessened, pieces of track were removed on what was considered to be discontinued right of way between MP 86 and MP 86.65. This trackage has been gone for more than 20 years. The line between the mainline and MP 86.65 is still intact and continues to be used for storing track material. It is not BNSF's policy to remove track within the jurisdiction of the STB before going through a formal abandonment proceeding and BNSF has recently implemented internal and external procedures to ensure that future track removal does not occur prior to receiving proper authority. However, this Line was salvaged prior to those certain measures being in place.

As part of the environmental report BNSF is preparing as part of its Notice of Exemption with the STB, BNSF must inquire with you as to whether or not this action will be consistent with Federal, State or local water quality standards. Also, please state whether or not Section 402 and/or National Pollutant Discharge Elimination System ("NPDES") permits are required as a result of the proposed abandonment. For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by April 25, 2007. If you have any questions, do not hesitate to contact me at (202) 338-1325.

I thank you in advance for your cooperation.

Sincerely,

  
Sidney L. Strickland, Jr.

Enclosures  
SLS/cac



**EXHIBIT L**

**MINNESOTA HISTORICAL SOCIETY**

**State Historic Preservation Office**

April 19, 2007

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

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company  
Abandonment of 65 miles of rail line between milepost 86 00 and milepost  
86 65 near Morris  
Morris, Stevens County  
SHPO Number 2007-1574

Dear Mr Strickland

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

In our opinion, the rail line as a whole, historically known as the Little Falls and Dakota Line, is eligible for the National Register of Historic Places You have noted that there is one bridge located along this proposed abandonment and have indicated that more documentation (the Environmental and Historical Report) is forthcoming We would expect that the issue of the line's eligibility be addressed as part of this documentation

We look forward to reviewing the Environmental and Historical Report and to consulting further with you about the effects of this undertaking

Contact us at 651-259-3456 with questions or concerns

Sincerely,

Dennis A Gimmestad  
Government Programs & Compliance Officer



**EXHIBIT M**

**MINNESOTA HISTORICAL SOCIETY**

**State Historic Preservation Office**

June 14, 2007

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

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company  
Abandonment of 65 miles of rail line between milepost 86 00 and milepost  
86 65 near Morris, Stevens County  
SHPO Number 2007-1574

Dear Mr Strickland

We last wrote you regarding the above referenced proposal on 19 April 2007

Your earlier submittal indicated that the segment of line proposed for abandonment included one bridge You have now written us with an indication that this information was incorrect, and that the segment includes no bridges

Our letter indicated that this line meets National Register criteria Generally, abandonment without protective measures constitutes an adverse effect We have no recommended mitigation for this abandonment

Contact us at 651-259-3456 with questions or concerns

Sincerely,

A handwritten signature in black ink, appearing to read 'Britta L. Bloomberg'.

Britta L. Bloomberg  
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 July 27, 2007, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies

William Lorenzen  
Environmental Review/Justice Coordinator  
USDA Natural Resources Conservation Service  
375 Jackson Street, Suite 600  
Saint Paul, MN 55101-1854

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

Robert J. Whiting  
U S Army Engineer District, St Paul  
190 Fifth St East  
St Paul, MN 55101-1683

Patrick G. Carroll  
Big River Region  
U S Fish and Wildlife Service  
1 Federal Drive  
BHW Federal Building  
Fort Snelling, MN 55111-4056

Marcia Sieckman  
U S Bureau of Land Management Eastern States  
Milwaukee Field Office  
626 E Wisconsin Ave  
Suite 200  
Milwaukee, WI 53202-4617

Charleen Grossman  
Planning and Zoning Administrator  
Ortonville City Offices  
315 Madison Avenue  
Ortonville, MN 56278

Margaret Kuchenreuther  
Chair, Morris Planning Commission  
City of Morris  
PO Box 438  
Morris MN 56267

Robert J. Rickert  
Rail Bank and Abandonment Coordinator  
Minnesota Department of Transportation  
395 John Ireland Boulevard  
St Paul, MN 55155-1899

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

Kenneth Westlake, Chief  
U S Environmental Protection Agency, Region 5  
Metcalf Building  
Office of Strategic Environmental Analysis  
77 West Jackson Boulevard  
Mailcode B-19J  
Chicago, IL 60604

Dennis A Gimmestad  
Government Programs & Compliance Officer  
Minnesota Historical Society  
345 W Kellogg Blvd  
St Paul, MN 55102-1906

Jim Thoreen  
County Coordinator  
P O Box 530  
400 Courthouse  
Morris, MN 56267

Mayor Sheldon Grese  
City of Morris  
PO Box 438  
Morris MN 56267

Lawrence Zdon  
Minnesota Pollution Control Agency  
520 Lafayette Road N  
St Paul, MN 55155-4194

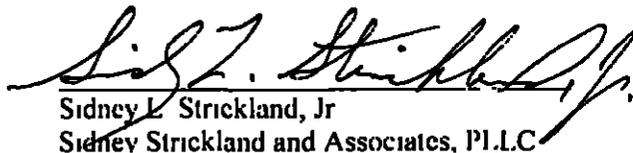
Edward R Larson  
City Manager  
609 Oregon Avenue  
P O Box 438  
Morris, MN 56267

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

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

Ms Victoria Rutson  
Chief, SEA  
Surface Transportation Board  
395 E Street, S W  
Washington D C 20423-0001

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



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

**SIDNEY STRICKLAND AND ASSOCIATES, PLLC**  
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SIDNEY L. STRICKLAND JR  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

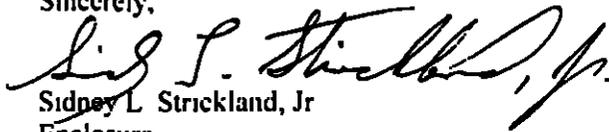
Ms Victoria Rutson  
Chief, SEA  
Surface Transportation Board  
395 F Street, S W  
Washington D C 20423-0001

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Ms Rutson

On or about August 16, 2007, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65 in Morris, Stevens County, Minnesota (the “Line”). Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

Sincerely,



Sidney L. Strickland, Jr  
Enclosure  
SLS/cac

**SIDNEY STRICKLAND AND ASSOCIATES, PLLC**  
**3050 K ST. N.W., SUITE 101**  
**WASHINGTON, DC 20007-5108**  
**TELEPHONE 202-338-1325**  
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SIDNEY STRICKLAND, JR.  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

William Lorenzen  
Environmental Review/Justice Coordinator  
USDA Natural Resources Conservation Service  
375 Jackson Street, Suite 600  
Saint Paul, MN 55101-1854

Re: STB Docket No. AB-6 (Sub No. 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr. Lorenzen:

On or about August 16, 2007, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65 in Morris, Stevens County, Minnesota (the “Line”). 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, 395 F Street, S.W., Washington, DC 20423-0001, Telephone (202) 245-0295, and refer to the above Docket No. AB-6 (Sub No. 457X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SLA (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/cac

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**3050 K ST. N.W., SUITE 101**  
**WASHINGTON, DC 20007-5108**  
**TELEPHONE: 202-338-1325**  
**FAX: 202-295-3854**

SIDNEY L. STRICKLAND, JR  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

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

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr Colvin

On or about August 16, 2007, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65 in Morris, Stevens County, Minnesota (the “Line”). 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.

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I thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr  
Enclosure  
SLS/cac

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**3050 K ST. N.W., SUITE 101**  
**WASHINGTON, DC 20007-5108**  
**TELEPHONE. 202-338-1325**  
**FAX: 202-295-3854**

SIDNEY L. STRICKLAND, JR.  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Robert J Whiting  
U S Army Engineer District, St Paul  
190 Fifth St East  
St Paul, MN 55101-1683

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr Whiting

On or about August 16, 2007, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65 in Morris, Stevens County, Minnesota (the “Line”). 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.

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Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.  
Enclosure  
SLS/cac

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**3050 K ST. N.W., SUITE 101**  
**WASHINGTON, DC 20007-5108**  
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SIDNEY L. STRICKLAND, JR.  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Patrick G. Carroll  
Big River Region  
U S Fish and Wildlife Service  
1 Federal Drive  
BHW Federal Building  
Fort Snelling, MN 55111-4056

Re: STB Docket No. AB-6 (Sub No. 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr. Carroll:

On or about August 16, 2007, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65 in Morris, Stevens County, Minnesota (the "Line"). 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.

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I thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.  
Enclosure  
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SIDNEY L. STRICKLAND, JR.  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Marcia Sieckman  
U S Bureau of Land Management Eastern States  
Milwaukee Field Office  
626 E Wisconsin Ave  
Suite 200  
Milwaukee, WI 53202-4617

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Ms Sieckman

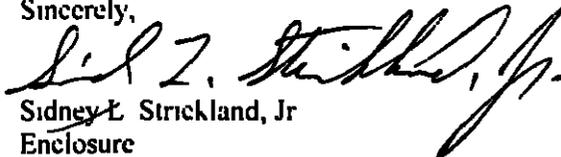
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Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.  
Enclosure  
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**3050 K ST. N.W., SUITE 101**  
**WASHINGTON, DC 20007-5108**  
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SIDNEY J. STRICKLAND, JR.  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Charleen Grossman  
Planning and Zoning Administrator  
Ortonville City Offices  
315 Madison Avenue  
Ortonville, MN 56278

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Ms Grossman

On or about August 16, 2007, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65 in Morris, Stevens County, Minnesota (the “Line”). 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.

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Thank you in advance for your cooperation.

Sincerely,

  
Sidney L. Strickland, Jr.

Enclosure  
SLS/cac

**SIDNEY STRICKLAND AND ASSOCIATES, PLLC**  
3050 K ST. N W., SUITE 101  
WASHINGTON, DC 20007-5108  
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FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Margaret Kuchenreuther  
Chair, Morris Planning Commission  
City of Morris  
PO Box 438  
Morris MN 56267

Re STB Docket No AB-6 (Sub No 457X) BNSI Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Ms Kuchenreuther

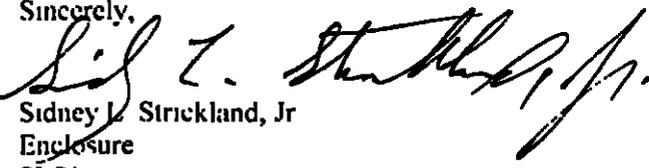
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Thank you in advance for your cooperation.

Sincerely,

  
Sidney L. Strickland, Jr  
Enclosure  
SLS/cac

**SIDNEY STRICKLAND AND ASSOCIATES, PLLC**  
3050 K ST. N.W., SUITE 101  
WASHINGTON, DC 20007-5108  
TELEPHONE: 202-338-1325  
FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR.  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Robert J. Rickert  
Rail Bank and Abandonment Coordinator  
Minnesota Department of Transportation  
395 John Ireland Boulevard  
St. Paul, MN 55155-1899

Re STB Docket No. AB-6 (Sub No. 457X) BNSF Railway Company -- Abandonment  
Exemption -- in Stevens County, Minnesota

Dear Mr. Rickert:

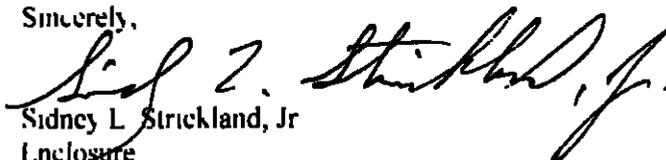
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SIDNEY L. STRICKLAND, JR.  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

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

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr Maydwell

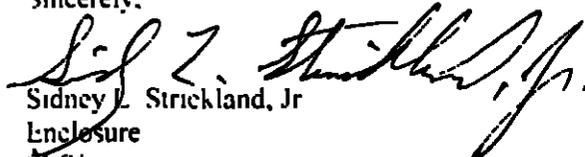
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SIDNEY L. STRICKLAND JR  
Sidney.Strickland@stricklandpllc.com

July 27, 2007

Kenneth Westlake, Chief  
U S Environmental Protection Agency, Region 5  
Metcalf Building  
Office of Strategic Environmental Analysis  
77 West Jackson Boulevard  
Mailcode B-19J  
Chicago, IL 60604

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr Westlake

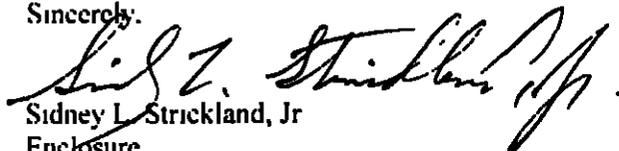
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Sidney L. Strickland, Jr  
Enclosure  
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SIDNEY L. STRICKLAND, JR  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Dennis A Gimmestad  
Government Programs & Compliance Officer  
Minnesota Historical Society  
345 W Kellogg Blvd  
St Paul, MN 55102-1906

Re STB Docket No AB-6 (Sub No 457X) BNSI Railway Company—Abandonment  
Exemption ~ in Stevens County, Minnesota

Dear Mr Gimmestad

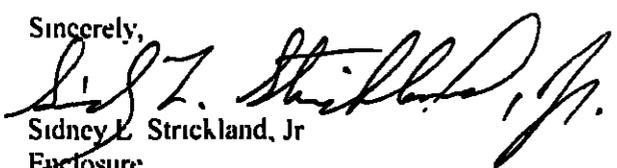
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Enclosure  
SLS/cac

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SIDNEY L. STRICKLAND, JR.  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Jim Thoreen  
County Coordinator  
P O Box 530  
400 Courthouse  
Morris, MN 56267

Re SIB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr Thoreen

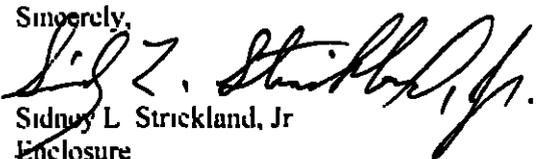
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Enclosure

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SIDNEY L. STRICKLAND, JR  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

Mayor Sheldon Giese  
City of Morris  
PO Box 438  
Morris MN 56267

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr Giese

On or about August 16, 2007, BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority to abandon 0.65 miles of railroad line between Milepost 86.00 and Milepost 86.65 in Morris, Stevens County, Minnesota (the “Line”). 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.

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SIDNEY L. STRICKLAND, JR  
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July 27, 2007

Lawrence Zdon  
Minnesota Pollution Control Agency  
520 Lafayette Road N  
St Paul, MN 55155-4194

Re S1B Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr Zdon

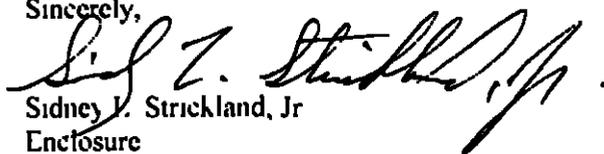
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SIDNEY I. STRICKLAND, JR  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

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 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Sir or Madam

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SIDNEY L. STRICKLAND, JR  
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July 27, 2007

Edward R Larson  
City Manager  
609 Oregon Avenue  
P O Box 438  
Morris, MN 56267

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
Exemption – in Stevens County, Minnesota

Dear Mr Larson

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SIDNEY L. STRICKLAND JR  
[Sidney.Strickland@stricklandpllc.com](mailto:Sidney.Strickland@stricklandpllc.com)

July 27, 2007

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

Re STB Docket No AB-6 (Sub No 457X) BNSF Railway Company—Abandonment  
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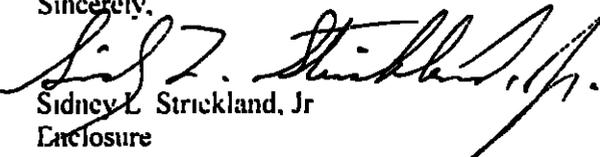
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