

Karl Morell & Associates  
440 1<sup>st</sup> Street, NW, Suite 440  
Washington, DC 20001  
(202) 595-9045  
[karlm@karlmorell.com](mailto:karlm@karlmorell.com)

244336

ENTERED  
Office of Proceedings  
September 14, 2017  
Part of  
Public Record

September 14, 2017

E-FILED

Ms. Victoria Rutson, Esq.  
Environmental Analysis Chief  
Surface Transportation Board  
395 E Street, SW, Room 1106  
Washington, DC 20423

Re: STB Docket No. AB 6 (Sub-No. 497X), BNSF Railway  
Company -- Abandonment Exemption -- In Sterns County,  
Minnesota

Dear Ms. Rutson:

Attached for filing is a copy of BNSF Railway Company's ("BNSF")  
Environmental and Historic Reports prepared pursuant to 49 C.F.R.  
§§1105.7 and 1105.8.

BNSF anticipates filing shortly a Notice of Exemption seeking  
authority to abandon the 1.75-mile rail line.

Sincerely,



Karl Morell

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

|                              |   |                        |
|------------------------------|---|------------------------|
| <b>BNSF RAILWAY COMPANY</b>  | ) |                        |
| <b>ABANDONMENT EXEMPTION</b> | ) | <b>DOCKET NO. AB 6</b> |
| <b>IN STERNS COUNTY,</b>     | ) | <b>(SUB-NO. 497X)</b>  |
| <b>MINNESOTA</b>             |   |                        |

---

**ENVIRONMENTAL AND HISTORIC REPORTS**

---

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

**Jill Rugema**  
Assistant General Attorney  
BNSF Railway Company  
2500 Lou Menk Drive, AOB-3  
Fort Worth, Texas 76131-2828

**Karl Morell**  
Karl Morell & Associates  
Suite 440  
440 1<sup>st</sup> Street, N.W.  
Washington, D.C. 20001  
(202) 595-9045

**Service Date:** September 14, 2017

## **ENVIRONMENTAL REPORT**

### **(49 C.F.R. § 1105.7)**

***(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 Railway Company (“BNSF”) proposes to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 to the end of the line at Milepost 1.75 in St. Cloud, Starns County, Minnesota (the “Line”). A map of the project area is attached as **Exhibit A**.

BNSF's salvage process as it relates to this project is as follows:

The proposed abandonment will include the removal of track materials such as rails, ties, and two (2) bridges. The railroad right-of-way, ballast and culverts will remain in place. If any portion of the Line is railbanked, the bridges on any railbanked segment of the Line will not be removed.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts, ballast and right-of-way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right-of-way and not to place fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should not be disrupted.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and is generally bid on the open market. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis (“OEA”) and imposed by the Surface Transportation Board (“STB”) in the final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

The two former customers on the Line are Quad Graphics and Northern Metal Recycling (“NMR”). Quad Graphics, the primary customer on the Line, received its final shipment in June 2014 and has since closed the plant. NMR has a 600-foot industry spur located along the Line near Milepost 0.0 which it has not used since July 2015. NMR indicates they will not be affected by the abandonment. They will continue to be served from an industry spur located off the mainline near Milepost 74. The Line east of MP 1.75 has been abandoned (black line on map). (see **Exhibit A**) . No traffic has traveled over the Line since July

2015. There is no overhead traffic on the portion of the Line included in the proposed abandonment. Therefore, the proposed abandonment will have no impact on rail freight operations and maintenance practices on the Line.

The only alternative to abandonment is to decline to pursue abandonment of the Line and forgo the opportunity costs from salvaging the Line.

**(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.**

No passenger or freight traffic will be diverted to other transportation systems as a result of the proposed abandonment. The two former customers on the Line are Quad Graphics and Northern Metal Recycling (“NMR”). Quad Graphics, the primary customer on the Line, received its final shipment in June 2014 and has since closed the plant. NMR has a 600-foot industry spur located along the Line near Milepost 0.0 which it has not been used since July 2015. NMR indicates they will not be affected by the abandonment. They will continue to be served from an industry spur located off the mainline near Milepost 74. The Line east of MP 1.75 has been abandoned (black line on map). (see **Exhibit A**). No traffic has traveled over the Line since July 2015. There is no overhead traffic on the subject line.

**(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 action should be consistent with existing land use plans. Abandoning this line removes BNSF’s common carrier obligation on right of way BNSF is no

longer using. This line has been out of service since July 2015, there are no known business prospects, and the proposed abandonment will prevent expenditures associated with maintaining multiple crossings on a line that is out of service. On July 10, 2017, BNSF contacted the Minnesota Department of Administration. As of the date of this Environmental Report, Minnesota Department of Administration has not responded to our inquiry. A copy of the letter is attached as **Exhibit B**.

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

BNSF understands that the proposed abandonment will have no adverse effect on prime agriculture land. BNSF sent a letter to the Natural Resources Conservation Service, USDA Office. As of the date of this Environmental Report, Minnesota NRCS State Office has not responded to our inquiry. A copy of the letter is attached as **Exhibit C**. BNSF also sent a letter to the Minnesota Department of Natural Resources. As of the date of this Environmental Report, Minnesota Department of Natural Resources has not responded to our inquiry. A copy of the letter is attached as **Exhibit D**.

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

BNSF understands that the proposed abandonment is not located within a designated coastal zone. Minnesota does not have a state coastal zone management approved program.

***(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. § 10905 and explain why.***

The proposed abandonment may be suitable for alternative public use. There are a total of 18.60 acres, of which 0.02 is reversionary

**(4) Energy**

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

The proposed abandonment will have no effect on the transportation of energy resources.

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

The proposed abandonment will have no adverse effect on the movement or recovery of recyclable commodities.

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

The proposed action will not result in an increase or decrease in overall energy efficiency because no traffic has traveled over the 1.75 miles of Line Segment 219 since July 2015 and the line east of MP 1.75 has been abandoned (see black line on map) (see **Exhibit A** ). There is no overhead traffic on the subject line.

**(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.***

The proposed abandonment will not result in a diversion of rail to motor carriage.

**(5) Air**

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

**(A) an increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of the line affected by the proposal, or**

**(B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or**

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

The proposed action will not result in meeting or exceeding the specified thresholds for increased rail or truck traffic as outlined in (i) (A), (B) or (C) above.

**(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 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,**

**(B) an increase in rail yard activity of at least 20 percent (measured by carload activity), or**

**(C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 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 a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.**

The proposed action will not result in meeting or exceeding the specified thresholds identified in (ii) (A), (B) or (C) above.

**(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; or**
- (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 these receptors if the thresholds are surpassed.**

Not applicable.

**(7) Safety**

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

BNSF expects that this abandonment will have no adverse effect on health or public safety. There are seven (7) active public at-grade crossings and one (1) active private at-grade crossing, and two (2) bridges on the Line.

- (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 an accidental release of hazardous materials.**

The abandonment will not result in the transportation of hazardous materials.

- (iii) If there are any known hazardous waste sites or sites where there have been known hazardous material 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 sites 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.***

BNSF expects that the proposed abandonment will have no adverse effect on endangered or threatened species or areas designated as a critical habitat. BNSF contacted the U.S. Fish and Wildlife Service, (“USFWS”), in reference to this proposed abandonment. As of the date of this Environmental Report, the USFWS has not replied to BNSF’s inquiry. A copy of letter is attached as **Exhibit E**.

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

BNSF expects that no wildlife sanctuaries or refuges, National or State parks or forests will be adversely affected by the proposed abandonment. On July 10, 2017, BNSF contacted the BLM, Eastern State Office (MN) (“BLM”). As of the date of this Environmental Report, the BLM has not replied to BNSF’s inquiry. A copy of letter is attached as **Exhibit F**.

On July 10, 2017, BNSF contacted the U.S. National Park Service, (“National Park Service”). As of the date of this Environmental Report, the National Park Service has not replied to BNSF’s inquiry. A copy of the letter is attached as **Exhibit G**.

(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.***

On July 10, 2017, BNSF sent a letter to the Minnesota Department of Natural Resources, Division of Waters. As of the date of this Environmental Report, the

agency has not replied to BNSF's inquiry. A copy of the letter is attached as **Exhibit H**.

On July 10, 2017, BNSF also contacted the U.S. EPA Region 5 regarding the proposed abandonment. As of the date of this Environmental Report, the U.S. EPA Region 5 has not replied to BNSF's inquiry. A copy of the letter is attached as **Exhibit I**.

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

BNSF understands that no designated wetlands or 100-year flood plains will be adversely affected by the proposed abandonment. BNSF contacted the U.S. Department of the Army, St. Paul District, Corps of Engineers in reference to the proposed abandonment. On August 7, 2017 we received a response from LeeAnn Glomski, Senior Project Manager to our letter, stating "the purpose of this letter is to inform you that based on available information a Department of the Army (DA) permit may not be required for your proposed activity. A copy of the letter is attached as **Exhibit J**.

*(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).*

On July 10, 2017, BNSF sent a letter to the Minnesota Department of Natural Resources. As of the date of this Environmental Report, the agency has not replied to BNSF's inquiry. A copy of the letter is attached as **Exhibit D**.

BNSF also contacted the U.S. EPA Region 5 regarding the proposed abandonment.

As of the date of this Environmental Report, the agency has not replied to BNSF's inquiry. A copy of the letter is attached as **Exhibit I**.

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

BNSF expects that no adverse environmental impact will result from the proposed abandonment and, therefore, is aware of no need for any mitigating actions. BNSF will, of course, consult (as required) with any recipients of this Environmental Report regarding appropriate mitigation actions and will comply with those mitigation actions required by the Board.

## **HISTORIC REPORT**

### **(49 C.F.R. § 1105.8)**

***(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 Railway Company (“BNSF”) proposes to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 to the end of the line at Milepost 1.75 in St. Cloud, Starns County, Minnesota (the “Line”). A map of the project area is attached as **Exhibit A**.

BNSF's salvage process as it relates to this project is as follows:

The proposed abandonment will include the removal of track materials such as rails, ties, and two (2) bridges. The railroad right-of-way, ballast and culverts will remain in place. If any portion of the Line is railbanked, the bridges on any railbanked segment of the Line will not be removed.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right-of-way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into rail cars and shipped by BNSF to an EPA-approved disposal site.

The culverts, ballast and right-of-way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right-of-way and not to place fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should not be disrupted.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and is generally bid on the open market. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis (“OEA”) and imposed by the Surface Transportation Board (“STB”) in the final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

The two former customers on the Line are Quad Graphics and Northern Metal Recycling (“NMR”). Quad Graphics, the primary customer on the Line, received its final shipment in June 2014 and has since closed the plant. NMR has a 600-foot industry spur located along the Line near Milepost 0.0 which it has not been used since July 2015. NMR indicates they will not be affected by the abandonment. They will continue to be served from an industry spur located off the mainline near Milepost 74. The Line east of MP 1.75 has been abandoned (black line on map). (see **Exhibit A**). No traffic has traveled over the Line

since July 2015. There is no overhead traffic on the portion of the Line proposed for abandonment. Therefore, the proposed abandonment will have no impact on rail freight operations and maintenance practices on the Line.

The only alternative to abandonment is to decline to pursue abandonment of the Line and forgo the opportunity costs from salvaging the Line.

## **HISTORIC REPORT**

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 subject Line extends approximately 1.75 miles of Line Segment 219 between Milepost 0.0 to the end of the line at Milepost 1.75 in St. Cloud, Starns County, Minnesota. The urban right-of-way is generally 100 feet wide, 50 feet on each side of the track. There are no federally granted rights of way involved.

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 two bridges on the Line. They are as follows:

- 1) Milepost 1.35 – 52’ long, 12’ high, ballast deck timber pile bridge built in 1934.
- 2) Milepost 1.54 – 72’ long, 16’ high, reinforced concrete trestle bridge, built in 1916.

If any portion of the Line is railbanked, the bridges on any railbanked segment of the Line will not be removed. See **Exhibit M**, attached photographs.

**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.***

There are two bridges on the Line. They are as follows:

- 1) Milepost 1.35 – 52’ long, 12’ high, ballast deck timber pile bridge, built in 1934.
- 2) Milepost 1.54 – 72’ long, 16’ high, reinforced concrete trestle bridge, built in 1916.

If any portion of the Line is railbanked, the bridges on any railbanked segment of the Line will not be removed. See **Exhibit M**, attached photographs.

**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 land for this line was acquired by the Minneapolis St. Cloud Railroad in May of 1882. This line was then purchased by the St. Paul, Minneapolis and Manitoba Railway Company and opened and operated on 12/07/1882. In 1889 the line came under control by Great Northern Railway. St. Paul, Minneapolis and Manitoba Railway Company was sold to Great Northern Railway Company on November 1, 1907, which was then merged to The Burlington Northern Railway. The Burlington Northern Railroad Company merged with The Atchison, Topeka and Santa Fe Railway Company in 1996 to become The Burlington Northern and Santa Fe Railway Company, which changed its name to BNSF Railway Company in 2005.

BNSF does not know the exact date the rails were laid down. The Minneapolis St. Cloud Railroad acquired the land in May of 1882 and St. Paul Minneapolis & Manitoba Railway built the line and it operated on December of 1882. The line was laid sometime between May and December of 1882.

**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. These 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).***

BNSF contacted the Minnesota Historical Society in reference to the proposed abandonment. On August 15, 2017, Sarah J. Beimers, Manager, Government Programs and Compliance, responded to our letter, stating “Thank you for the opportunity to comment on the above project. Information received in our office on July 18, 2017 has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer (“SHPO”) by Section 106 of the National Historic Preservation act of 1966 and implementing federal regulations at 36 CFR 800. Your submittal states that the BNSF Railway Company will be preparing a historic report for this project. We look forward to reviewing this report and the supporting documentation regarding the federal agency’s determination of effect for this project pursuant to 36 CFR 800.5(d)(1).” A copy of the letter is attached as **Exhibit K**.

On July 10, 2017, BNSF also contacted Communication and Outreach Branch, NOAA, N/NGS 12, National Geodetic Survey, SSMC3 in reference to the proposed abandonment. On August 14, 2017, Simon Monroe, responded to our letter, stating “Approximately 00 geodetic survey marks may be located in the area described.” A copy of the e-mail is attached as **Exhibit L**.

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.***

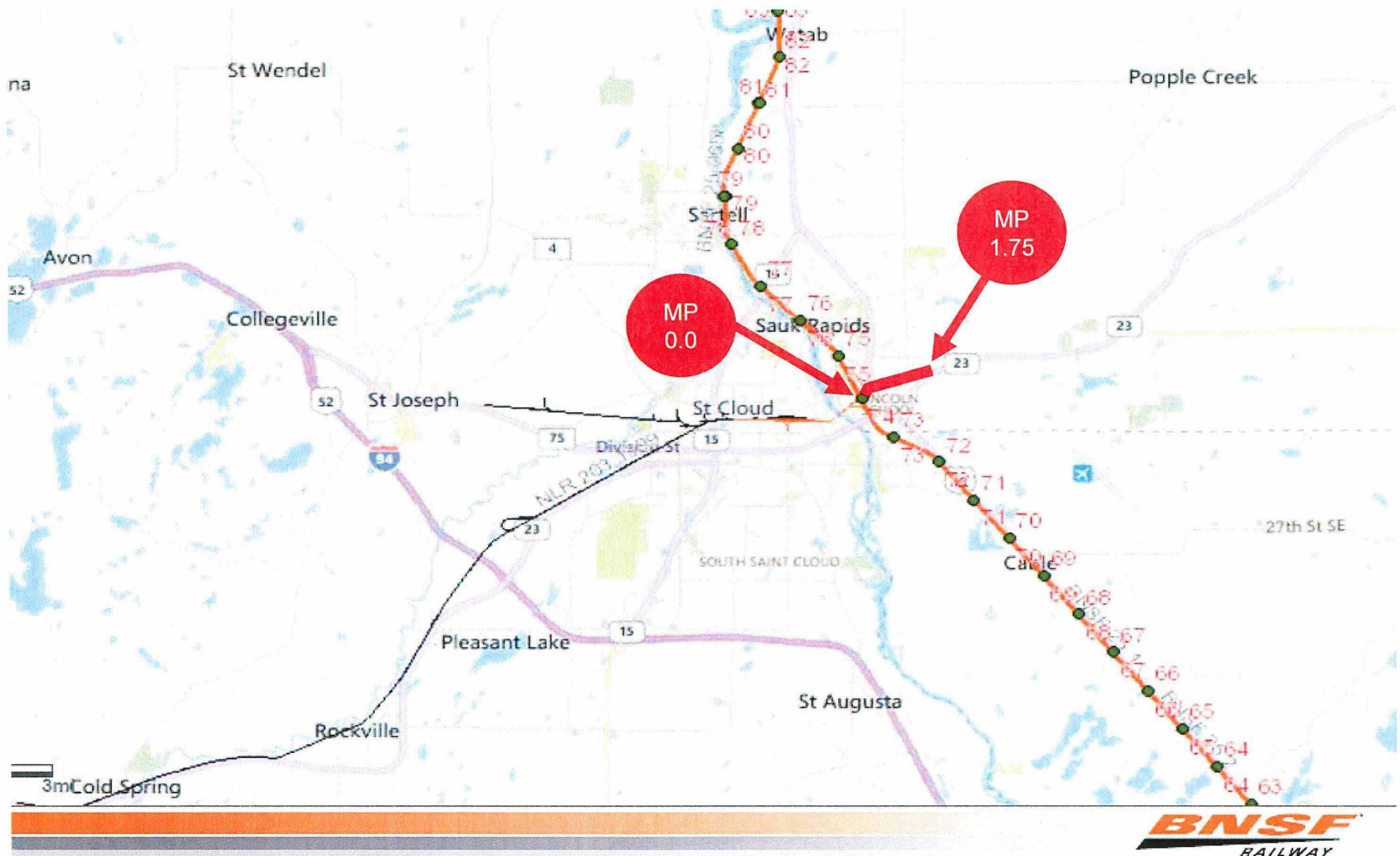
The Line was disturbed during original construction by cuts and fill and any archaeological resources that may have been located in the proposed project area would have been affected at that time. Our records do not indicate any environmental conditions that might affect the archaeological recovery of resources.

9. ***Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (i.e. prehistoric or native American).***

If any additional information is requested, BNSF will promptly supply the necessary information.

# EXHIBIT A

# St. Cloud, MN Proposed Abandonment



# EXHIBIT B



Peggy Sue Munroe, Paralegal

BNSF Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039  
2500 Lou Menk Drive, AOB-3-172  
Fort Worth, TX 76131-2828  
817-352-6224 Direct  
Peggy.munroe@bnsf.com

July 10, 2017

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

***Re: STB Docket No. AB 6 (Sub-No. 497X); BNSF Railway Company –Abandonment  
Exemption – in St. Cloud, Sterns County, Minnesota***

BNSF Railway Company ("BNSF") anticipates filing in about 30 days a Notice of Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and Milepost 1.75 in St. Cloud, Sterns County, Minnesota.

As part of the environmental report, BNSF is required to contact you to determine if the proposed abandonment is consistent with existing land use plans. If applicable, please describe any inconsistencies.

Your assessment and comments are respectfully requested. For your reference maps of the subject railroad line are enclosed. Please provide your response to me at the address above, if at all possible, by July 25, 2017. You may contact me by email or telephone with any questions or concerns. Thank you in advance for your time and contribution.

Thank you in advance for your time and contribution.

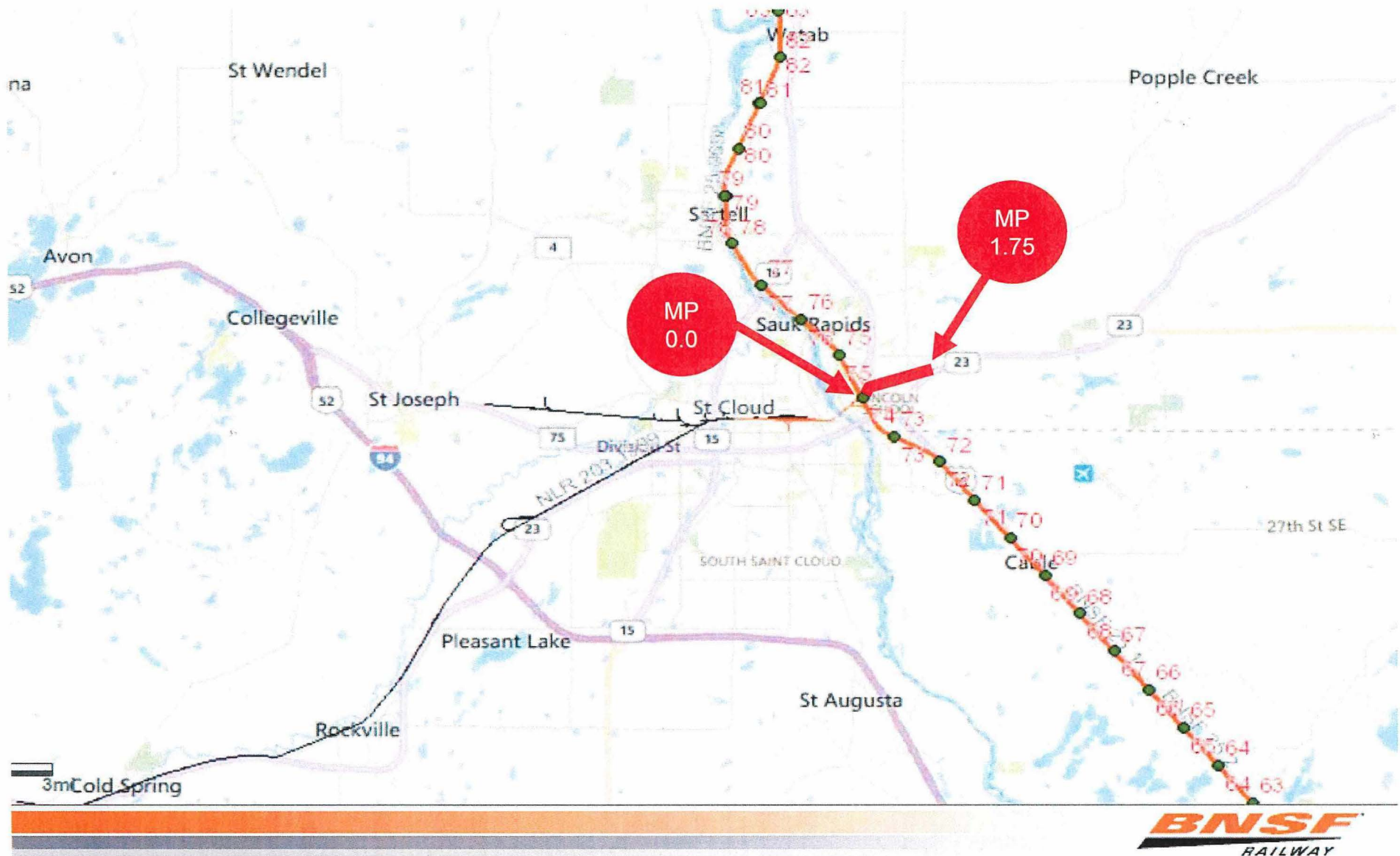
Sincerely,

Peggy Sue Munroe  
Paralegal

Enclosure as stated

cc via email: Karl Morell – Karl Morell & Associates – [karlm@karlmorell.com](mailto:karlm@karlmorell.com)  
John Sims – BNSF – [john.sims@bnsf.com](mailto:john.sims@bnsf.com)

# St. Cloud, MN Proposed Abandonment



# EXHIBIT C



Peggy Sue Munroe, Paralegal

BNSF Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039  
2500 Lou Menk Drive, AOB-3-172  
Fort Worth, TX 76131-2828  
817-352-6224 Direct  
Peggy.munroe@bnsf.com

July 10, 2017

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

***Re: STB Docket No. AB 6 (Sub-No. 497X); BNSF Railway Company – Abandonment  
Exemption – in St. Cloud, Sterns County, Minnesota***

BNSF Railway Company ("BNSF") anticipates filing in about 30 days a Notice of Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and Milepost 1.75 in St. Cloud, Sterns County, Minnesota.

As part of the environmental report, BNSF needs to know whether or not the proposed abandonment will have any effect on prime agricultural lands. Your assessment and comments are respectfully requested.

For your reference a map of the subject railroad line is enclosed. Information on BNSF's salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping, and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of

fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if possible, by July 25, 2017. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,

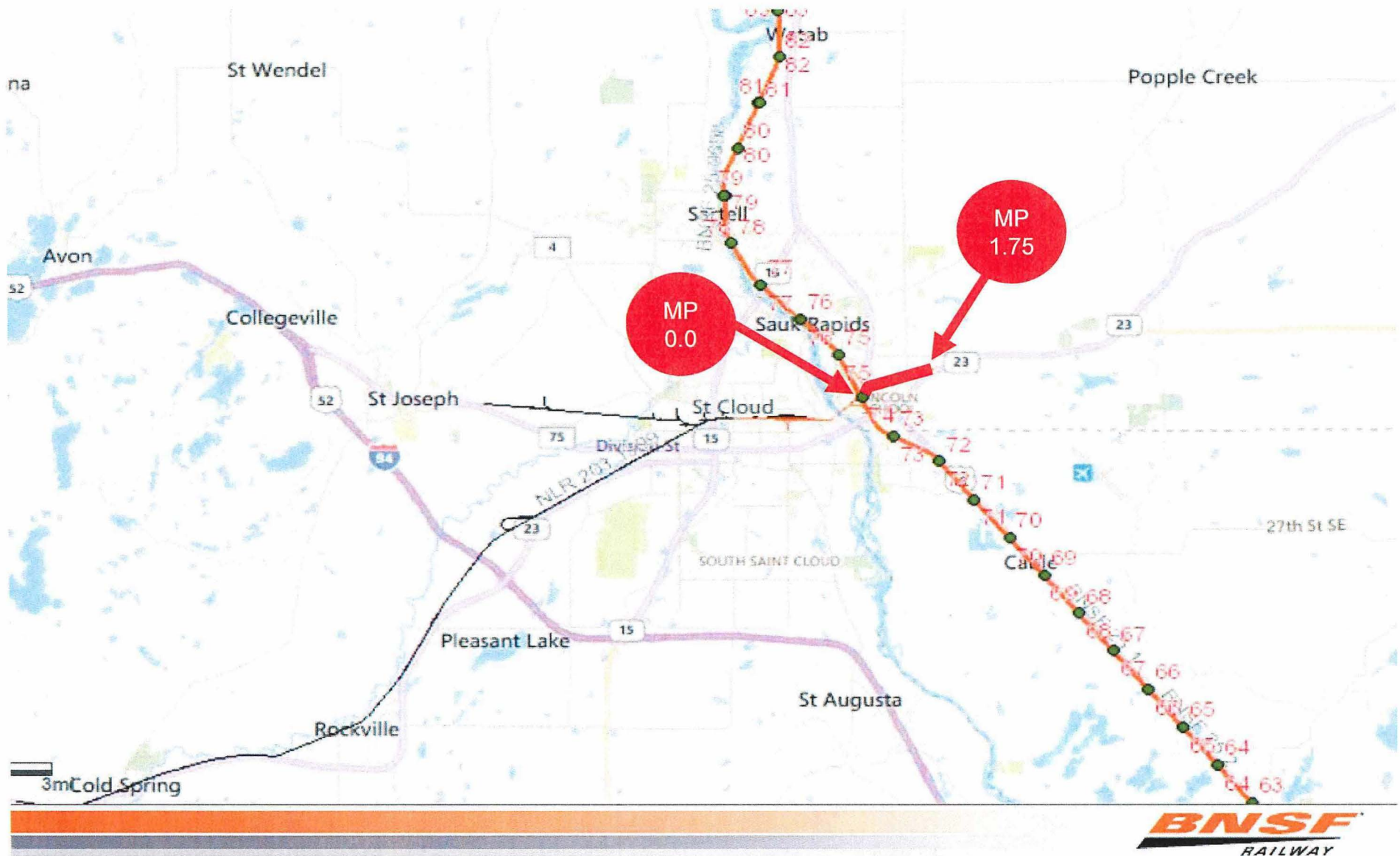


Peggy Sue Munroe  
Paralegal

Enclosure as stated

cc via email: Karl Morell – Karl Morell & Associates – [karlm@karlmorell.com](mailto:karlm@karlmorell.com)  
John Sims – BNSF – [john.sims@bnsf.com](mailto:john.sims@bnsf.com)

# St. Cloud, MN Proposed Abandonment



# EXHIBIT D



Peggy Sue Munroe, Paralegal

BNSF Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039  
2500 Lou Menk Drive, AOB-3-172  
Fort Worth, TX 76131-2828  
817-352-6224 Direct  
Peggy.munroe@bnsf.com

July 10, 2017

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

***Re: STB Docket No. AB 6 (Sub-No. 497X); BNSF Railway Company –Abandonment  
Exemption – in St. Cloud, Sterns County, Minnesota***

BNSF Railway Company ("BNSF") anticipates filing in about 30 days a Notice of Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and Milepost 1.75 in St. Cloud, Sterns County, Minnesota.

As part of the requisite environmental report, BNSF needs to know: 1) whether or not this action will be consistent with Federal, State or local water quality standards, and 2) whether or not Section 402 and/or National Pollutant Discharge Elimination System ("NPDES") permits are required for performance of the salvage activity described below. Please note: **BNSF anticipates the proposed abandonment will disturb no more than one (2) acre of land.**

For your reference I have enclosed a map of the subject railroad line. Following is information on BNSF's salvage process as it relates to this project that should also be of use:

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping, and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to

limit their activities to the width of the right of way and to avoid the placement of fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if possible, by July 25, 2017. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,

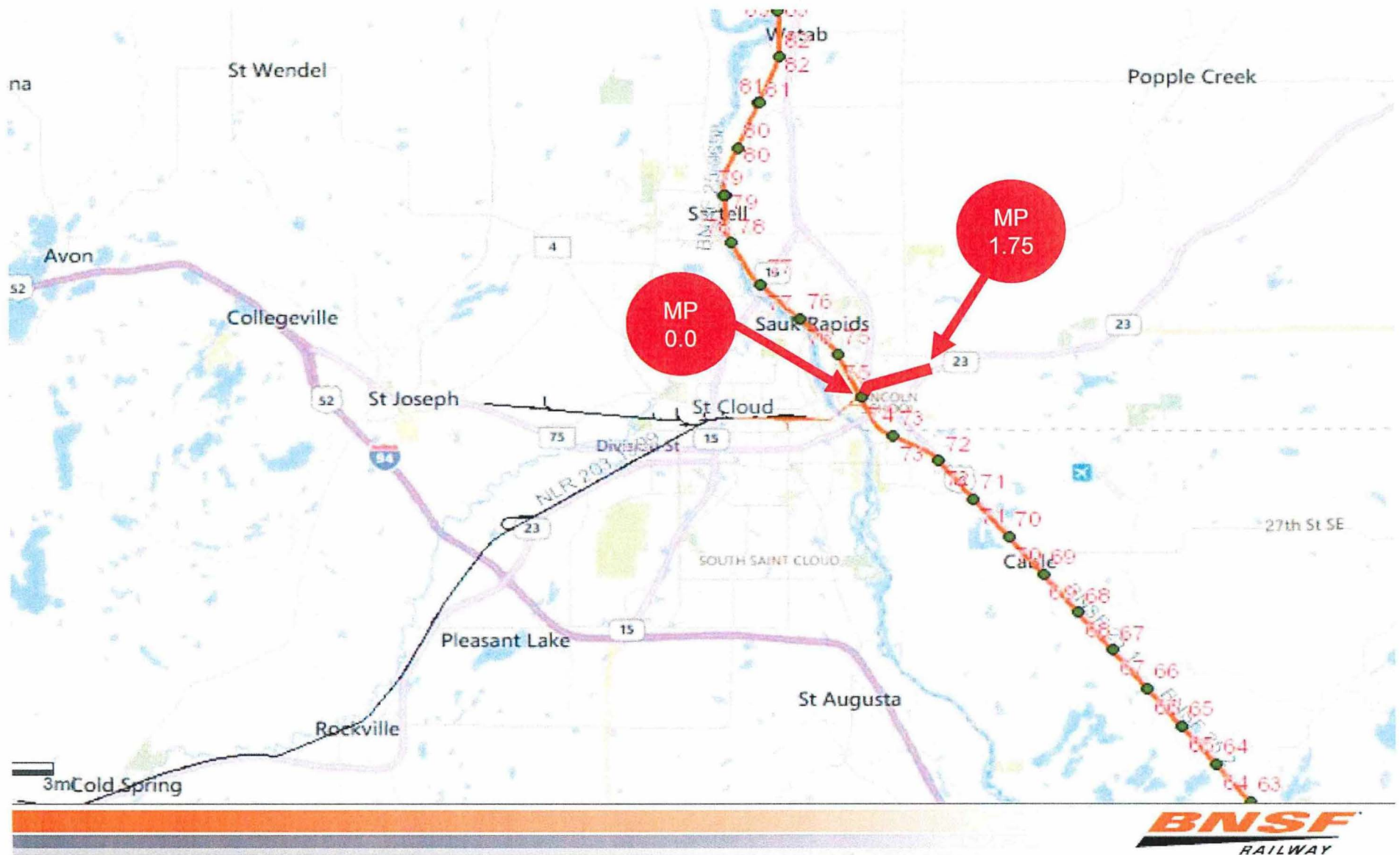


Peggy Sue Munroe  
Paralegal

Enclosure as stated

cc via email: Karl Morell – Karl Morell & Associates – [karlm@karlmorell.com](mailto:karlm@karlmorell.com)  
John Sims – BNSF – [john.sims@bnsf.com](mailto:john.sims@bnsf.com)

# St. Cloud, MN Proposed Abandonment



# EXHIBIT E



Peggy Sue Munroe, Paralegal

BNSF Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039  
2500 Lou Menk Drive, AOB-3-172  
Fort Worth, TX 76131-2828  
817-352-6224 Direct  
Peggy.munroe@bnsf.com

July 10, 2017

U.S. Fish and Wildlife Service  
One Federal Drive  
BHW Federal Building  
Fort Snelling, MN 55111-4056

***Re: STB Docket No. AB 6 (Sub-No. 497X); BNSF Railway Company –Abandonment  
Exemption – in St. Cloud, Sterns County, Minnesota***

BNSF Railway Company ("BNSF") anticipates filing in about 30 days a Notice of Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and Milepost 1.75 in St. Cloud, Sterns County, Minnesota.

As part of the environmental report, BNSF needs to know whether or not the proposed abandonment will have any effect on prime agricultural lands. Your assessment and comments are respectfully requested.

For your reference a map of the subject railroad line is enclosed. Information on BNSF's salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping, and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of

fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if possible, by July 25, 2017. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,

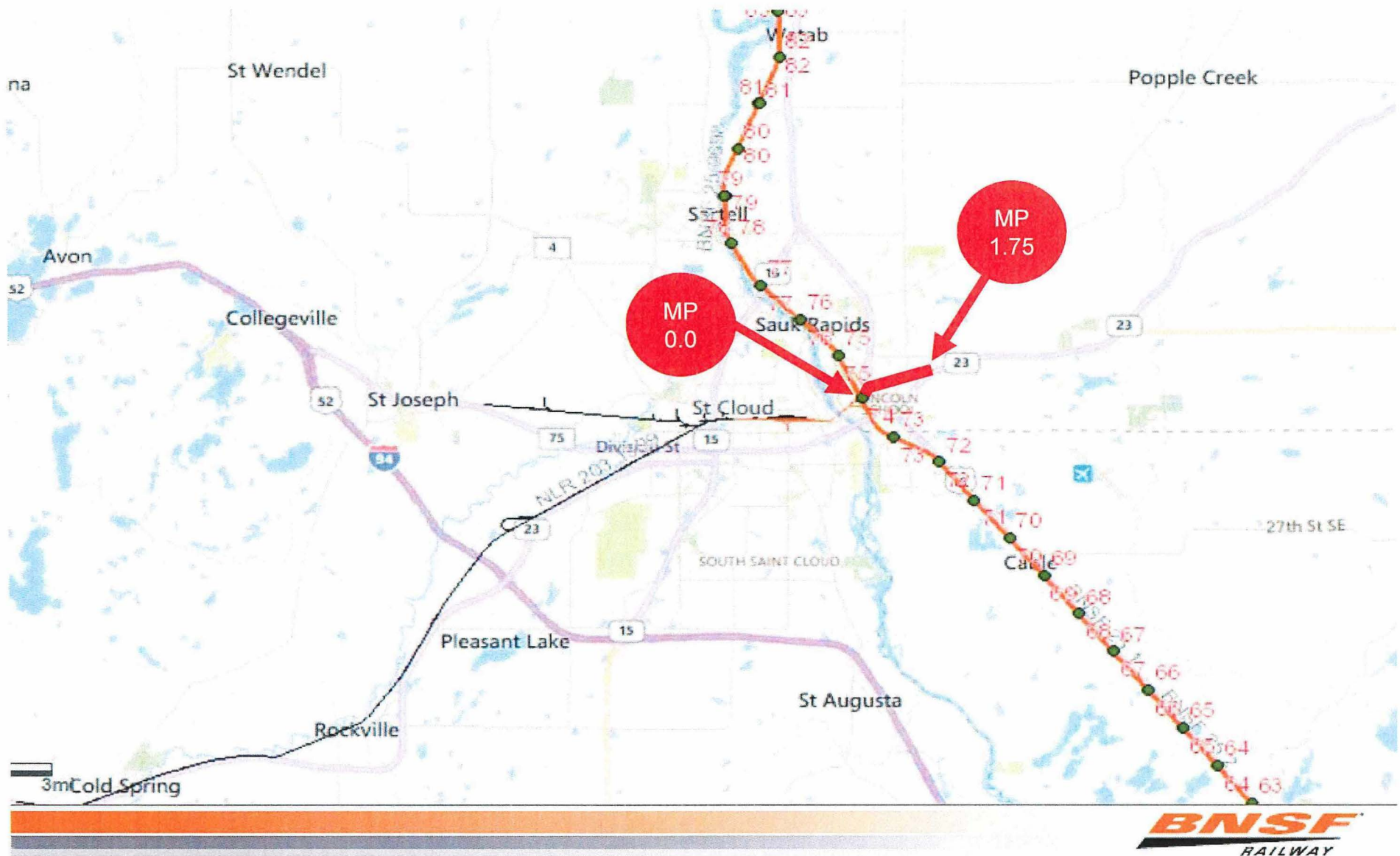


Peggy Sue Munroe  
Paralegal

Enclosure as stated

cc via email: Karl Morell – Karl Morell & Associates – [karlm@karlmorell.com](mailto:karlm@karlmorell.com)  
John Sims – BNSF – [john.sims@bnsf.com](mailto:john.sims@bnsf.com)

# St. Cloud, MN Proposed Abandonment



# EXHIBIT F



Peggy Sue Munroe, Paralegal

BNSF Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039  
2500 Lou Menk Drive, AOB-3-172  
Fort Worth, TX 76131-2828  
817-352-6224 Direct  
Peggy.munroe@bnsf.com

July 10, 2017

BLM – Eastern States Office (MN)  
20 M Street SE, Suite 950  
Washington, DC 20003

***Re: STB Docket No. AB 6 (Sub-No. 497X); BNSF Railway Company –Abandonment  
Exemption – in St. Cloud, Sterns County, Minnesota***

BNSF Railway Company ("BNSF") anticipates filing in about 30 days a Notice of Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and Milepost 1.75 in St. Cloud, Sterns County, Minnesota.

As part of the environmental report, BNSF needs to know: 1) whether or not there are any endangered or threatened species, wildlife sanctuaries or refuges, or areas designated as critical habitat adjacent to or near the line, and 2) if so, what effects the proposed action may have on same.

For your reference I have enclosed a map of the subject railroad line. Information on BNSF's salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping, and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of

fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if possible, by July 25, 2017. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,

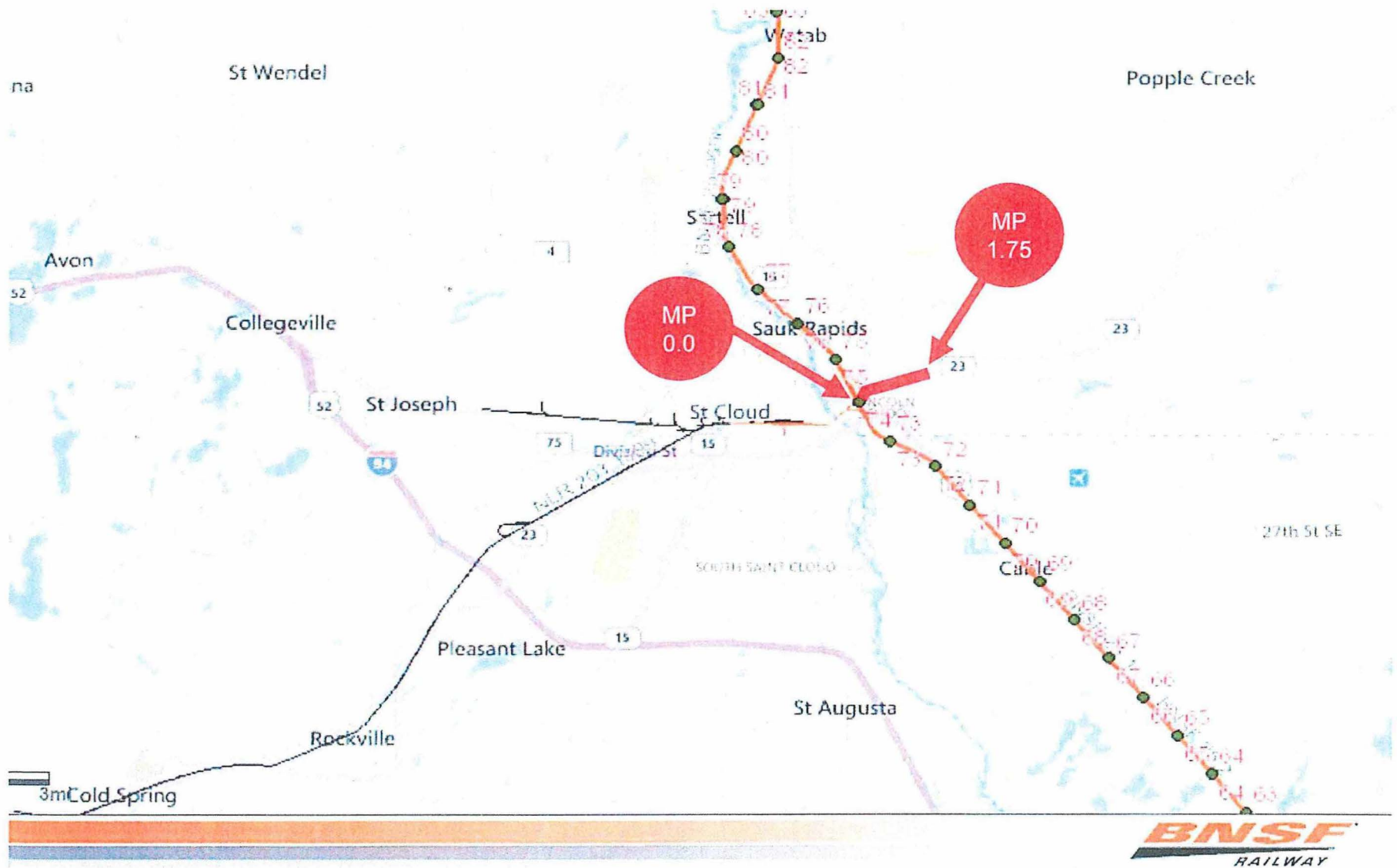


Peggy Sue Munroe  
Paralegal

Enclosure as stated

cc via email: Karl Morell – Karl Morell & Associates – [karlm@karlmorell.com](mailto:karlm@karlmorell.com)  
John Sims – BNSF – [john.sims@bnsf.com](mailto:john.sims@bnsf.com)

# St. Cloud, MN Proposed Abandonment



# EXHIBIT G



Peggy Sue Munroe, Paralegal

BNSF Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039  
2500 Lou Menk Drive, AOB-3-172  
Fort Worth, TX 76131-2828  
817-352-6224 Direct  
Peggy.munroe@bnsf.com

July 10, 2017

U.S. National Park Service  
Attn: Cam Sholly, Regional Director  
601 Riverfront Drive  
Omaha, NE 68102-4226

***Re: STB Docket No. AB 6 (Sub-No. 497X); BNSF Railway Company –Abandonment  
Exemption – in St. Cloud, Sterns County, Minnesota***

BNSF Railway Company ("BNSF") anticipates filing in about 30 days a Notice of Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and Milepost 1.75 in St. Cloud, Sterns County, Minnesota.

As part of the environmental report, BNSF needs to know: 1) whether or not there are any wildlife sanctuaries or National or State parks or forests adjacent to or near the line, and 2) if so, what effects the proposed action may have on same.

For your reference I have enclosed a map of the subject railroad line. Information on BNSF's salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping, and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of

fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if possible, by July 25, 2017. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,

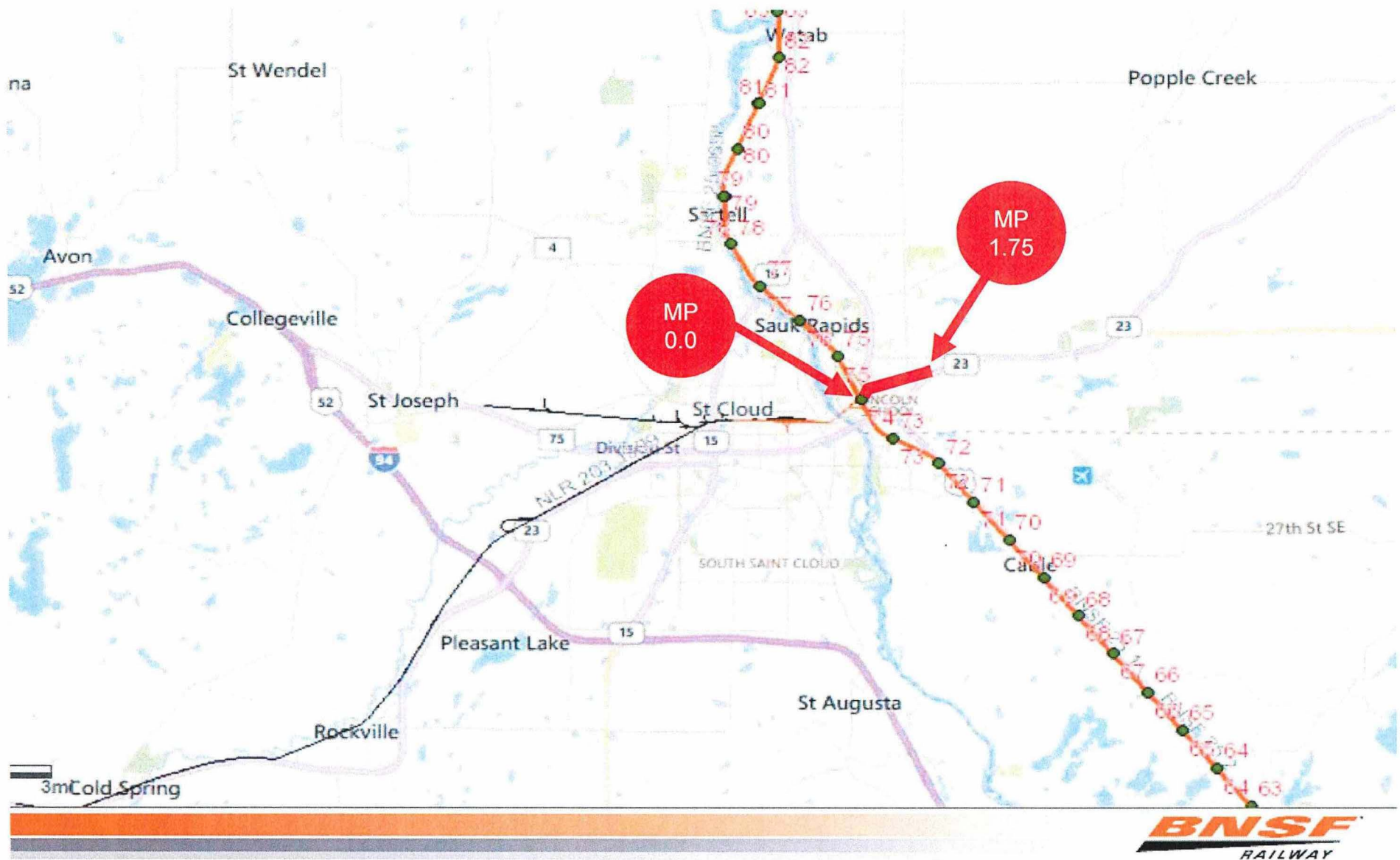


Peggy Sue Munroe  
Paralegal

Enclosure as stated

cc via email: Karl Morell – Karl Morell & Associates – [karlm@karlmorell.com](mailto:karlm@karlmorell.com)  
John Sims – BNSF – [john.sims@bnsf.com](mailto:john.sims@bnsf.com)

# St. Cloud, MN Proposed Abandonment



# EXHIBIT H



Peggy Sue Munroe, Paralegal

BNSF Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039  
2500 Lou Menk Drive, AOB-3-172  
Fort Worth, TX 76131-2828  
817-352-6224 Direct  
Peggy.munroe@bnsf.com

July 10, 2017

Minnesota Department of Natural Resources, Division of Waters  
1568 Highway 2  
Two Harbors, MN 55616

***Re: STB Docket No. AB 6 (Sub-No. 497X); BNSF Railway Company – Abandonment  
Exemption – in St. Cloud, Sterns County, Minnesota***

BNSF Railway Company ("BNSF") anticipates filing in about 30 days a Notice of Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and Milepost 1.75 in St. Cloud, Sterns County, Minnesota.

As part of the environmental report, BNSF needs to know whether or not the proposed abandonment will have any effect on prime agricultural lands. Your assessment and comments are respectfully requested.

For your reference a map of the subject railroad line is enclosed. Information on BNSF's salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping, and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of fills or other material in water bodies, including inland waterways. When the

salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if possible, by July 25, 2017. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,

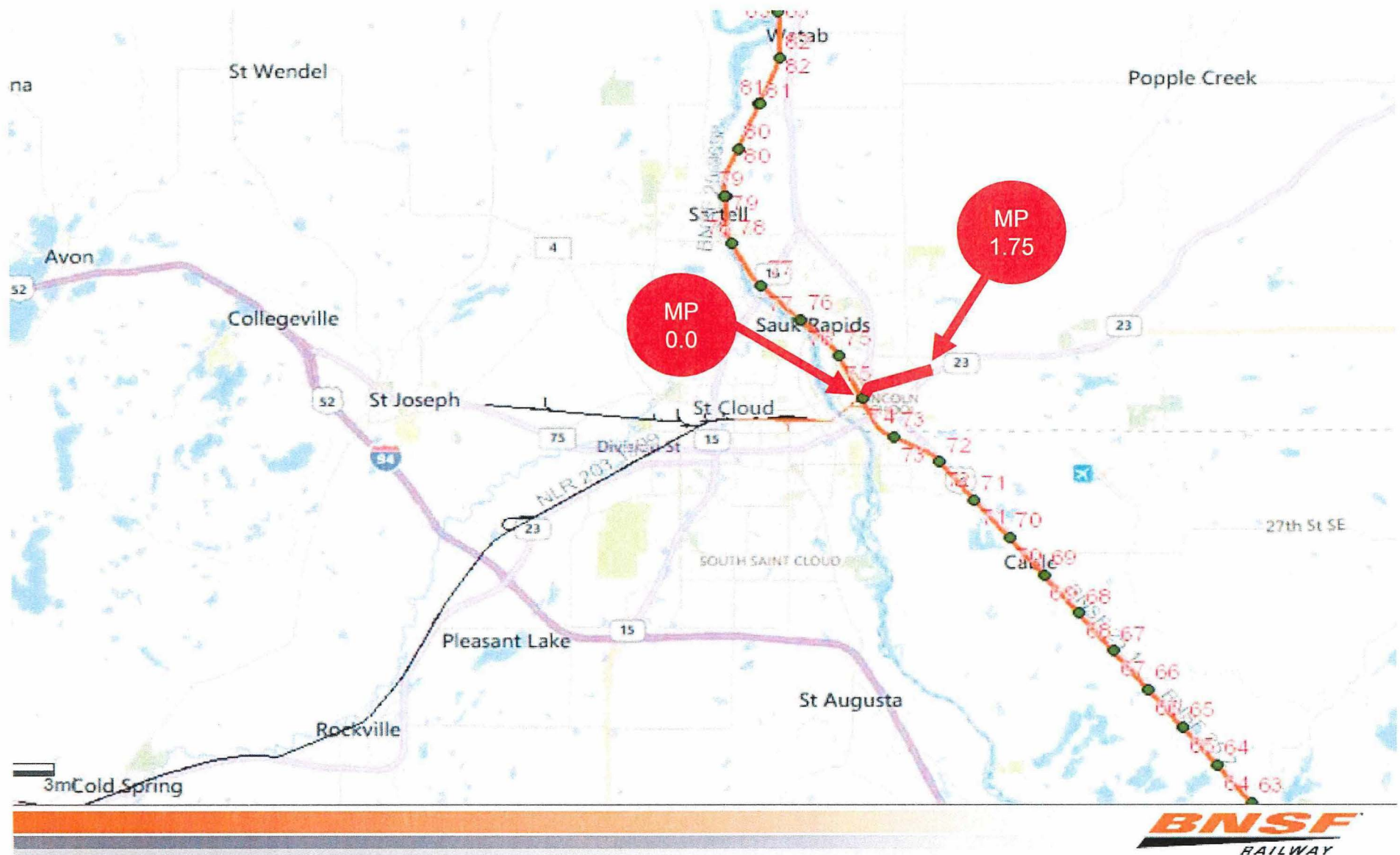


Peggy Sue Munroe  
Paralegal

Enclosure as stated

cc via email: Karl Morell – Karl Morell & Associates – [karlm@karlmorell.com](mailto:karlm@karlmorell.com)  
John Sims – BNSF – [john.sims@bnsf.com](mailto:john.sims@bnsf.com)

# St. Cloud, MN Proposed Abandonment



# EXHIBIT I



Peggy Sue Munroe, Paralegal

BNSF Railway Company  
P.O. Box 961039  
Fort Worth, TX 76161-0039  
2500 Lou Menk Drive, AOB-3-172  
Fort Worth, TX 76131-2828  
817-352-6224 Direct

Peggy.munroe@bnsf.com

July 10, 2017

U.S. EPA 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. 497X); BNSF Railway Company –Abandonment  
Exemption – in St. Cloud, Sterns County, Minnesota***

BNSF Railway Company ("BNSF") anticipates filing in about 30 days a Notice of Exemption seeking Surface Transportation Board ("STB") authority in the above-referenced docket to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and Milepost 1.75 in St. Cloud, Sterns County, Minnesota.

As part of the requisite environmental report, BNSF needs to know: 1) whether or not this action will be consistent with Federal, State or local water quality standards, and 2) whether or not Section 402 and/or National Pollutant Discharge Elimination System ("NPDES") permits are required for performance of the salvage activity described below. Please note: **BNSF anticipates the proposed abandonment will disturb no more than one (2) acre of land.**

For your reference I have enclosed a map of the subject railroad line. Following is information on BNSF's salvage process as it relates to this project that should also be of use:

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping, and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above, if possible, by July 25, 2017. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,

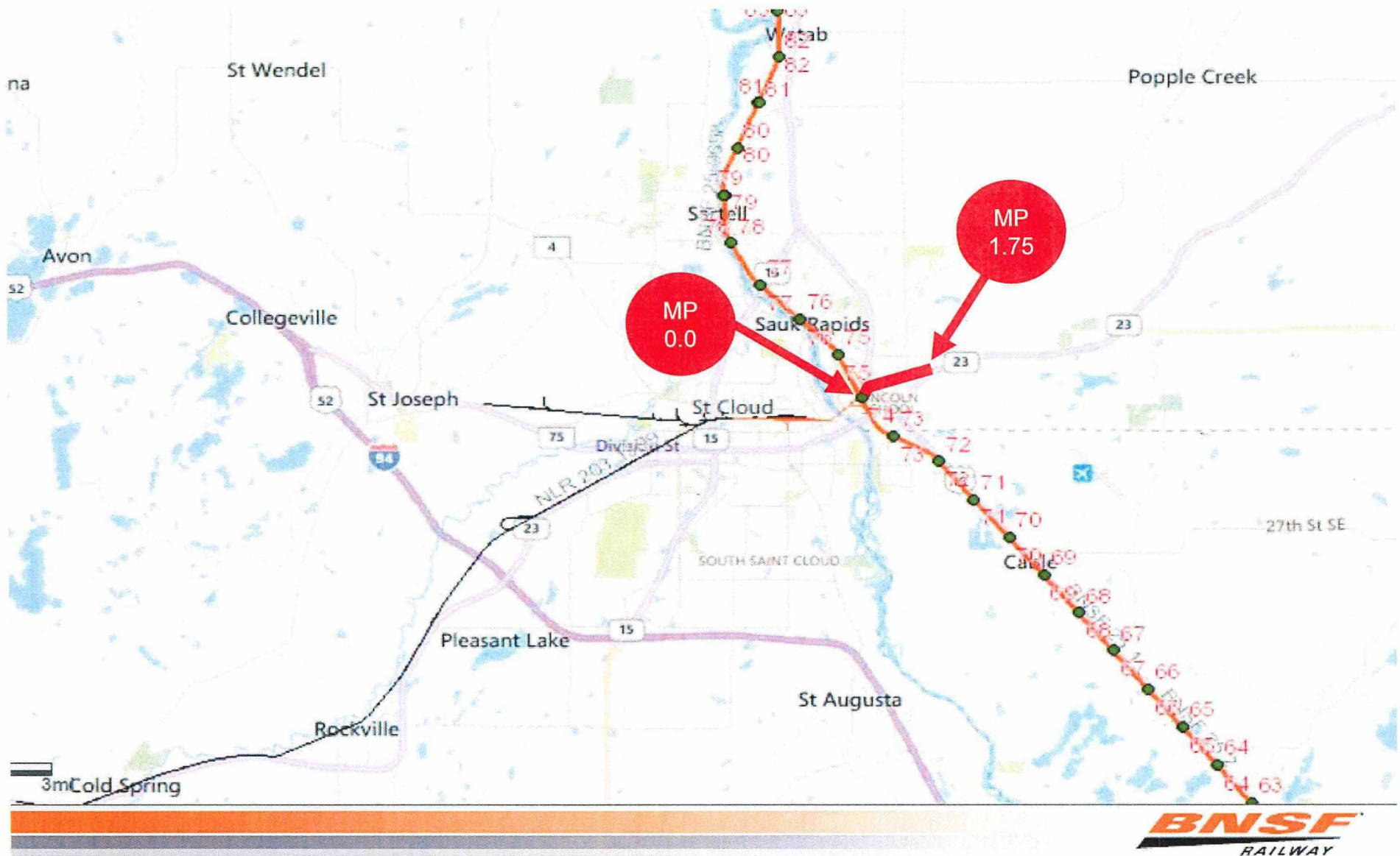


Peggy Sue Munroe  
Paralegal

Enclosure as stated

cc via email: Karl Morell – Karl Morell & Associates – [karlm@karlmorell.com](mailto:karlm@karlmorell.com)  
John Sims – BNSF – [john.sims@bnsf.com](mailto:john.sims@bnsf.com)

# St. Cloud, MN Proposed Abandonment



# EXHIBIT J



DEPARTMENT OF THE ARMY  
ST. PAUL DISTRICT, CORPS OF ENGINEERS  
180 FIFTH STREET EAST, SUITE 700  
ST. PAUL, MN 55101-1678

AUG 07 2017

REPLY TO ATTENTION OF  
REGULATORY BRANCH

Regulatory File No. 2017-02526-LMG

BNSF Railway  
c/o Ms. Peggy Sue Munroe  
2500 Lou Menk Drive, AOB-3  
Fort Worth, Texas 76131

Dear Ms. Munroe:

We have received your letter dated 7/17/2017. The purpose of this letter is to inform you that based on available information a Department of the Army (DA) permit may not be required for your proposed activity. This letter also provides general information regarding the U.S. Army Corps of Engineers (Corps) regulatory program.

If the proposal involves activity in navigable waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 10 prohibits the construction, excavation, or deposition of materials in, over, or under navigable waters of the United States, or any work that would affect the course, location, condition, or capacity of those waters, unless the work has been authorized by a Department of the Army permit.

If the proposal involves discharge of dredged or fill material into waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). CWA Section 301(a) prohibits discharges of dredged or fill material into waters of the United States, unless the work has been authorized by a Department of the Army permit under Section 404. Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.

The Corps evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

If the proposal requires a Section 404 permit application, the Guidelines specifically require that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences" (40 CFR § 230.10(a)). Time and money spent on the proposal prior to applying for a Section 404 permit cannot be factored into the Corps' decision whether there is a less damaging practicable alternative to the proposal.

# EXHIBIT K

**STATE HISTORIC PRESERVATION OFFICE**

August 15, 2017

Ms. Peggy Sue Munroe  
BNSF Railway Company  
PO Box 961039  
Forth Worth, TX 76161-0039

RE: STB Docket No. AB 6 (Sub-No. 497X)  
BNSF Railway Company to abandon 1.75 miles of Line Segment 219 between Milepost 0.0 and  
Milepost 1.75  
St. Cloud, Benton County  
SHPO Number: 2017-2586

Dear Ms. Munroe:

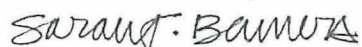
Thank you for the opportunity to comment on the above project. Information received in our office on 18 July 2017 has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by Section 106 of the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800.

Pursuant to 36 CFR 800.4-5 it is the Federal agency's responsibility to determine the area of potential effect (APE) for the federal undertaking, to identify and evaluate historic properties that may be affected by the proposed federal undertaking, and to assess adverse effects to historic properties, if any.

Your submittal states that the BNSF Railway Company will be preparing a historic report for this project. We look forward to reviewing this report and the supporting documentation regarding the federal agency's determination of effect for this project pursuant to 36 CFR 800.4(d)(1).

We look forward to continuing consultation on this project. Please feel free to contact me if you have any questions regarding our review. I can be reached at (651) 259-3456 or by e-mail at [sarah.beimers@mnhs.org](mailto:sarah.beimers@mnhs.org).

Sincerely,



Sarah J. Beimers, Manager  
Government Programs and Compliance

# EXHIBIT L

## Munroe, Peggy Sue

---

**From:** Simon Monroe <simon.monroe@noaa.gov>  
**Sent:** Monday, August 14, 2017 11:15 AM  
**To:** Munroe, Peggy Sue  
**Cc:** Sims, John A; karlm@karlmorell.com; SURFACE TRANSPORTATION BOARD; Christine Gallagher; Simon Monroe  
**Subject:** NGS Response, STB Docket AB-06 (SUB NO. 497X)

EXTERNAL EMAIL

Thank you for sharing your railroad abandonment environmental report for

ST. CLOUD, Sterns County, MINNESOTA.

Approximately 00 geodetic survey marks may be located in the area described. These marks may or may not be disturbed.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall

consult with the National Geodetic Survey (NGS) at least 90 days prior to

beginning salvage activities that will disturb, or destroy any geodetic station

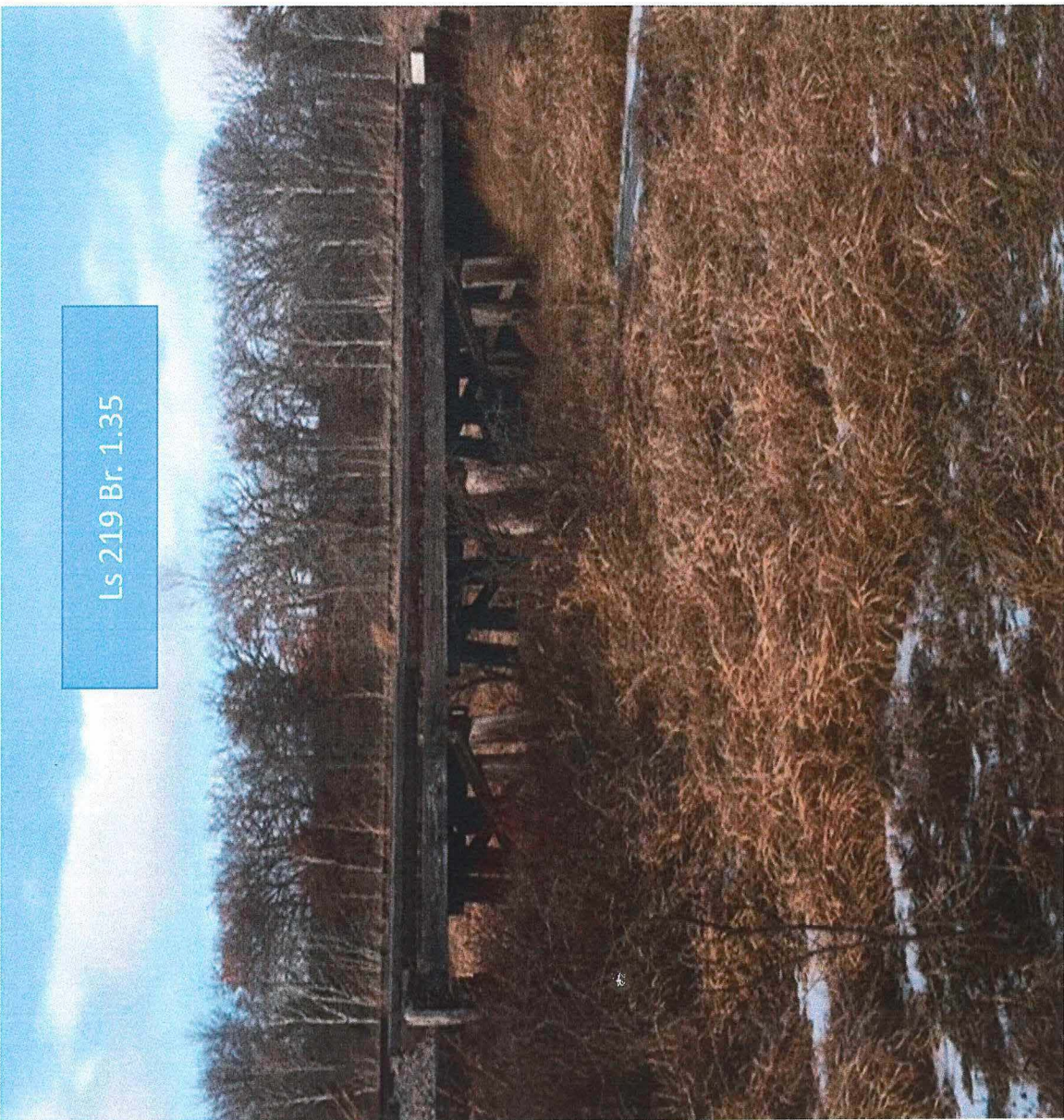
marks are described on the attached file. Additional advice is provided at

<http://geodesy.noaa.gov/marks/railroads/>

|---|-----|---|-----|  
-|-----|-----|-----|---|-----

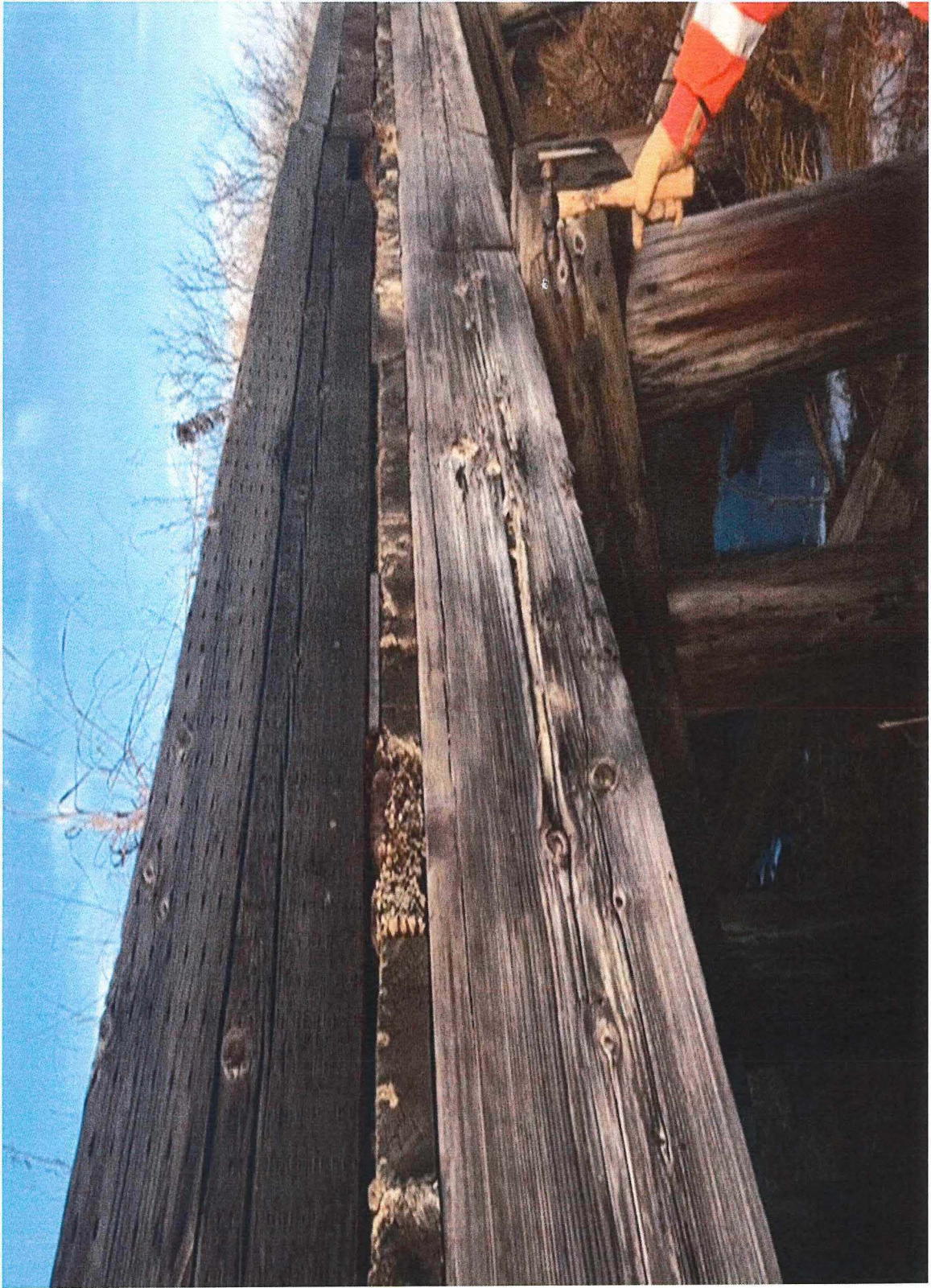
No Stations Found.

# EXHIBIT M



Ls 219 Br. 1.35







LS 219 Br.1.54

