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KARI.MORILL



219320

May 17, 2007

The Honorable Vernon Williams
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

Re: STB Docket No. AB-1011X, Northern Lines Railway, LLC –
Discontinuance of Service Exemption – In Stearns County,
Minnesota

Dear Secretary Williams:

Attached for filing are the original and ten copies of a Notice of Exemption under 49 C.F.R. 1152.50. Also attached is a check covering the \$3,200 filing fee.

Northern Lines Railway, LLC ("NLR") consulted with the Section of Environmental Analysis ("SEA") and was informed by SEA that they had no objection to NLR's use in this proceeding of the Environmental and Historic Reports filed by BNSF Railway Company in STB Docket No. AB-6 (Sub-No. 455X).

Please time and date stamp the extra copy of the Notice of Exemption and return it with our messenger.

If you have any questions, please call me.

Sincerely,

Karl Morell

FILED

MAY 17 2007

ENCLOSURES
Enclosures 10/10

ENTERED
Office of Proceedings

MAY 17 2007

Part of
Public Record
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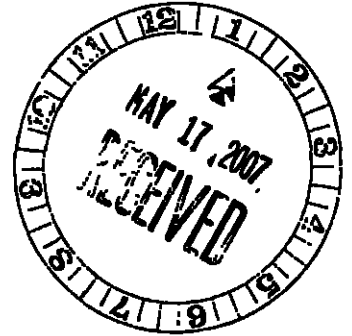
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB DOCKET NO. AB-1011X

NORTHERN LINES RAILWAY, LLC
-- DISCONTINUANCE OF SERVICE EXEMPTION --
IN STEARNS COUNTY, MINNESOTA

NOTICE OF EXEMPTION



Karl Morell
Of Counsel
Ball Janik LLP
1455 F St., N.W.
Suite 225
Washington, D.C. 20005
(202) 638-3307

Attorney for:
NORTHERN LINES RAILWAY, LLC

Dated: May 17, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB DOCKET NO. AB-1011X

**NORTHERN LINES RAILWAY, LLC
-- DISCONTINUANCE OF SERVICE EXEMPTION --
IN STEARNS COUNTY, MINNESOTA**

NOTICE OF EXEMPTION

Northern Lines Railway, LLC ("NLR") files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 to discontinue service over the 0.77-mile rail line located between Milepost 16.21 and Milepost 16.98, near Cold Spring in Stearns County Minnesota (the "Line").

1. Proposed consummation date.

The proposed consummation date is July 6, 2007.

2. Certification required by 49 C.F.R. § 1152.50(b).

The required certification is attached hereto as Exhibit A.

3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

- (a) General.

- (1) Exact name of applicant.

Northern Lines Railway, LLC

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

NLR is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought.

NLR seeks to use the class exemption at 49 C.F.R. § 1152.50 to discontinue its lease operations over the 0.77-mile rail line located between Milepost 16.21 and Milepost 16.98 near Cold Spring in Stearns County, Minnesota.¹ There has been no local or overhead traffic on the Line in over two years. The Line is stub-ended and not capable of handling overhead traffic. BNSF Railway Company ("BNSF"), the owner of the Line, is seeking to abandon the Line in STB Docket No. AB-6 (Sub-No. 455X), *BNSF Railway Company – Abandonment Exemption – In Stearns County, MN*, Notice of Exemption filed April 17, 2007. While BNSF is seeking to abandon its rail line located between Milepost 16.21 and Milepost 17.00, NLR's lease only extends to Milepost 16.98. Therefore, NLR is not seeking to discontinue service over the 0.02-mile end segment beyond Milepost 16.98.

(4) Map.

A Map depicting the trackage covered by the proposed discontinuance is attached as Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent.

Karl Morell
Ball Janik LLP
1455 F St., N.W., Suite 225
Washington, DC 20005
(202) 638-3307

¹ NLR leased the Line and began operations in April 2005. See STB Finance Docket No. 34627, *Northern Lines Railway, LLC – Lease and Operation Exemption – The Burlington Northern And Santa Fe Railway Company* (not printed), served January 6, 2005.

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

The Line traverses ZIP Code 56320.

- (e) Rural and community impact.
- (4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and 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 right-of-way may be suitable for use for other public purposes.

Based on information in BNSF's possession, the Line does not contain federally granted rights-of-way. Any documentation in NLR's possession will be made available promptly to those requesting it.

4. The level of labor protection.

The interests of railroad employees who may be adversely affected by the proposed discontinuance will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. – Abandonment – Goshen*, 360 I.C.C. 91 (1979).

5. Certification.

Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.12 are attached as Exhibit C.

6. Environmental Report.

The Environmental Report containing information required by 49 C.F.R. § 1105.7(e) was prepared by BNSF and is contained in the Notice of Exemption filed April 17,

2007 in STB Docket No. AB-6 (Sub-No. 455X) proceeding. A copy of that Report and the Board's Environmental Assessment is attached as Exhibit D.

7. Historic Report.

The Historic Report containing information required by 49 C.F.R. § 1105.8(d) was prepared by BNSF and is contained in the Notice of Exemption filed April 17, 2007 in STB Docket No. AB-6 (Sub-No. 455X) proceeding. A copy of that Report is attached as Exhibit D.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karl Morell". The signature is fluid and cursive, with the first name "Karl" being more prominent than the last name "Morell".

Karl Morell
Of Counsel
Ball Janik LLP
1455 F St., N.W., Suite 225
Washington, D C. 20005
(202) 638-3307

Attorney for:
NORTHERN LINES RAILWAY, LLC

Dated: May 17, 2007

EXHIBIT A

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

STATE OF MINNESOTA)
) ss.
COUNTY OF STEARNS)

I, Daniel Rickel, being duly sworn depose and state that I am President of Northern Lines Railway, LLC ("NLR"), that I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief

I hereby certify that no local traffic has been handled to or from any customer over the rail line located between Milepost 16.21 and Milepost 16.98, near Cold Spring in Stearns County, Minnesota (the "Line") for at least two (2) years prior to the date hereof. Also, no overhead traffic has been handled on the Line for at least two (2) years prior to the date hereof. 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.

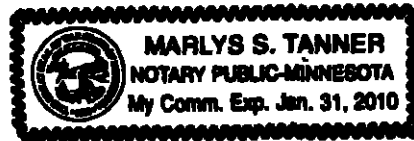
The foregoing certification is made on behalf of NLR by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.


Daniel Rickel

SUBSCRIBED AND SWORN TO before me this 15 day of May, 2007.

My Commission Expires: January 31, 2010


Notary Public



COLD SPRING, MINNESOTA TRackage

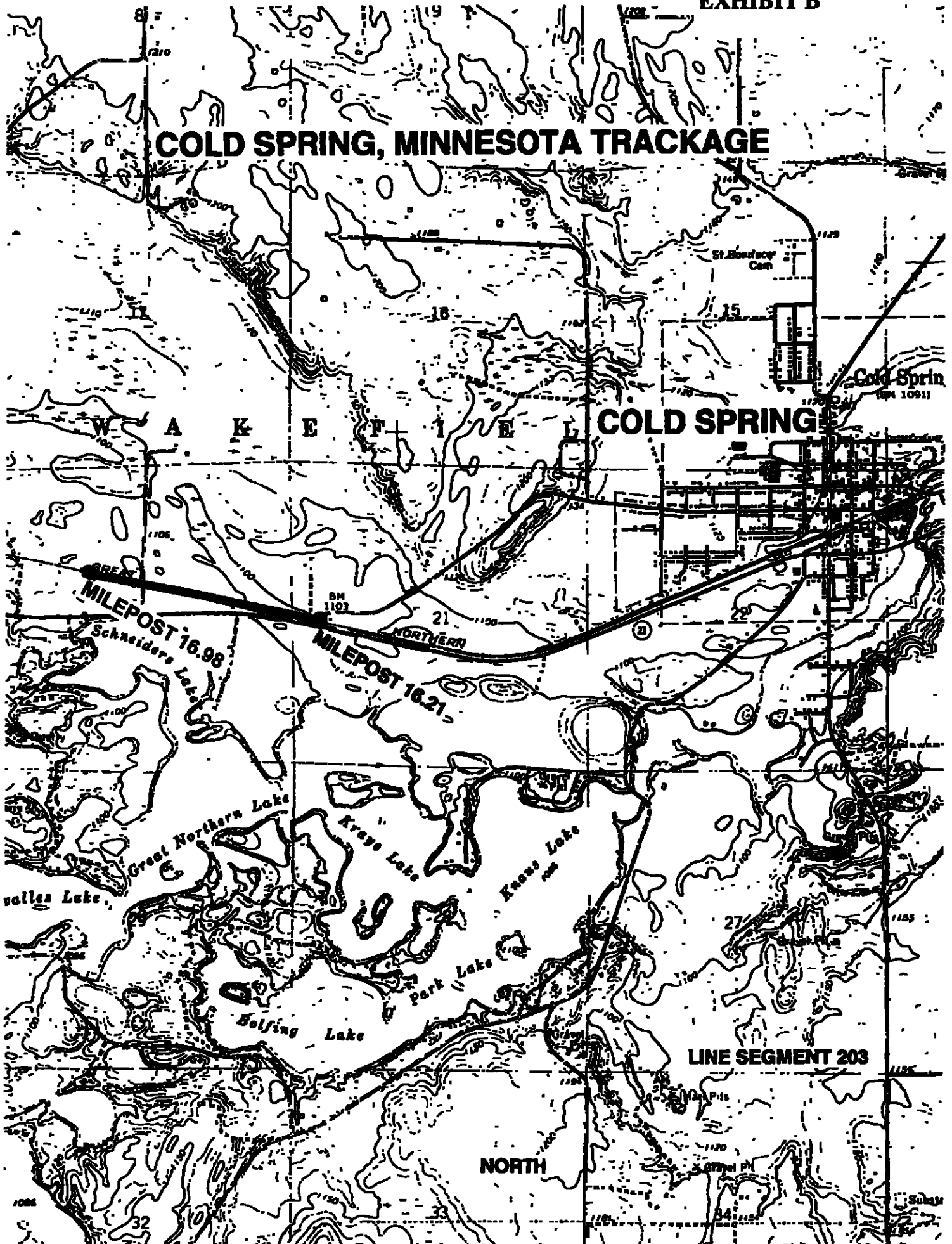


EXHIBIT C

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50(d)(1), the undersigned hereby certifies that notice of the proposed discontinuance of lease operations in STB Docket No. AB-1011X was mailed via first class mail on May 4, 2007 to the following parties:

State Public Service Commission

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

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

Military Traffic Management Command

MTMCTEA
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, VA 23606-2574

National Park Service

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

National Park Service
1709 Jackson Street
Omaha, NE 68102

U.S. Department of Agriculture

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

Dated: May 17, 2007


Karl Morell

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed discontinuance of lease operations in STB Docket No. AB-1011X was published on May 12, 2007 in the Melrose Beacon, a newspaper of general circulation in Stearns County, Minnesota as required by 49 C.F.R. § 1105.12.

Dated: May 17, 2007


Karl Morell

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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

**DOCKET NO. AB-6
(SUB. NO. 455X)**

ENVIRONMENTAL AND HISTORIC REPORTS

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

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

Attorneys for BNSF Railway Company

DATED: March 21, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY –
ABANDONMENT EXEMPTION –
IN STEARNS COUNTY, MN**

**DOCKET NO. AB-6
(SUB. NO. 455X)**

**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 N.W., Washington, DC 20423-0001. There is information in the Applicant’s files to indicate that the rail line covered by these Reports does not contain a federally granted right-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 0.79 miles of railroad line between Milepost 16.21 and Milepost 17.00, near Cold Spring in Stearns 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 the Line. The proposed abandonment may include the removal of the rails and ties, including any bridges, structures and crossings. BNSF bids its salvage packages out to independent contractors. The winning bidder will start work with the removal of the rails and metal parts of the track structure. Next, the wooden ties will be removed and separated into second-hand ties, landscape quality ties and scrap ties (which are disposed of at an appropriate site). The bridges and crossings as well as any other structures will be removed last. Culverts and the rail line embankment will stay intact so as not to alter the prevailing waterflows along the line. Any bridge pilings will be pulled out, cut off at ground level or broken off at or below the mud line. Steel bridges are dismantled and removed. If there are concrete abutments or piers involved, they may be left intact. BNSF salvage contractors are not permitted to place fills

or other material in water bodies, including inland waterways. Contractors are also required to limit their activities to the width of the right-of-way. When the salvage process is complete, waterflows in the area should not be disrupted. In this instance, there are no bridges on the Line and BNSF is not aware of any other structures. A map of the Line is attached as Exhibit A.

(2) Transportation System: Describe the effect of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

The proposed abandonment will have no effect on existing transportation systems or patterns as there has been no local traffic on the Line for over two years and there is no overhead traffic to be rerouted.

(3) Land Use:

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

The proposed abandonment should not be inconsistent with local or regional land use plans. The City of Cold Spring ("City") indicates the proposed action is consistent with its land use plans and it supports the proposed abandonment. The City further indicates it has been involved in the effort to establish the 12.2 mile "Rocori Trail" and it is the City's expectation that the railroad corridor will become part of a recreational trail. Finally, the City states "the corridor represents a critical link in a system that is part of a master plan for the 'Glacial Lakes State Trail.'" See Exhibit B, letter dated November 20, 2006, from Doug Schmitz, Mayor, City of Cold Spring.

Also, the Rocori Trail Committee ("Committee") indicates it supports the

abandonment, "with the expectation that that [sic] short piece of corridor will become part of a recreational trail." The Committee is a group of citizen volunteers working together with state and local government officials to establish the Rocori Trail mentioned above. Additionally, the Committee indicates the railroad corridor proposed for abandonment represents a "critical link in a system that is part of the master plan for the 'Glacial Lakes State Trail,' initially adopted in 1993." Finally, the Committee states that the "State of Minnesota is working ambitiously to complete a paved trail that will run from the city of Willmar all the way to the corridor proposed for abandonment, a distance in excess of 40 miles." See Exhibit C, letter dated November 20, 2006, from Larry J. Lahr, Chairman, Rocori Trail Committee, and City of Cold Spring City Administrator.

Stearns County Parks ("County") indicates it supports the proposed abandonment. The County also indicates it is studying the feasibility of constructing a pedestrian/bicycle trail that would connect to the Rocori Trails. Finally, the County indicates the Stearns County Comprehensive Plan supports the development of trails on abandoned railroad corridors. See Exhibit D, letter dated November 1, 2006, from Pete Theismann, Operations Coordinator, Stearns County Parks.

Finally, the Minnesota Department of Transportation ("MnDOT") indicates it, along with the Minnesota Department of Natural Resources ("MDNR"), is requesting the STB issue a Public Use Condition as well as an Interim Trail Use Condition rather than outright abandonment for the subject line. See Exhibit E, letter to the STB, dated November 27, 2006, from Robert R. Rickert, State Rail

**Bank Program Manager, Office of Freight and Commercial Vehicle Operations,
Minnesota Department of Transportation.**

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

The proposed abandonment should have no effect on prime agricultural lands. The Natural Resources Conservation Service ("NRCS") (formerly known as the U.S. Soil Conservation Service) indicates the project will not impact agricultural lands, and a Federal Farmland Policy Act (FPPA) site assessment/land evaluations will not be required. NRCS also indicates since the project sponsors are not USDA program benefit recipients, the wetland conservation provisions of the 1985 Food Security Act, as amended, are not applicable. Finally, NRCS notes that should any impacts by a non-USDA participant third party on agricultural wetlands owned or operated by USDA participants be anticipated, the owner/operator should contact the Beltrami County Farm Service Agency (FSA) Office to consider an application for a third party exemption. See Exhibit F, letter dated November 2, 2006, 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.

As noted above, the City indicates it supports the proposed abandonment

and expects that the railroad corridor will become part a recreational trail. See Exhibit B, letter dated November 20, 2006, from Doug Schmitz, Mayor, City of Cold Spring.

Also, as mentioned above, the Committee indicates it supports the abandonment and has the expectation that the corridor will become part of a recreational trail. See Exhibit C, letter dated November 20, 2006, from Larry J. Lahr, Chairman, Rocori Trail Committee, and City of Cold Spring City Administrator.

Additionally, as stated above, the County indicates it supports the abandonment and is studying the feasibility of constructing a pedestrian/bicycle trail that would connect to the Rocori Trails. See Exhibit D, letter dated November 1, 2006, from Pete Theismann, Operations Coordinator, Stearns County Parks.

Finally, as mentioned above, the MDOT indicates it, along with the MDNR, is requesting the STB issue a Public Use Condition as well as an Interim Trail Use Condition rather than outright abandonment for the subject line. See Exhibit E, letter to the STB, dated November 27, 2006, from Robert R. Rickert, State Rail Bank Program Manager, Office of Freight and Commercial Vehicle Operations, Minnesota Department of Transportation.

(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 reinstitution 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 is one (1) public crossing and no private crossings on the Line. During salvage operations, if any may be required, precautions will be taken to ensure public safety, and contractors will be required to satisfy all applicable health and safety laws and regulations.

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

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

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

There are no known hazardous waste site or sites where there have been known hazardous 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 rail line abandonment." FWS further indicates it "do[es] not have any concerns regarding real estate matters in the abandonment." See Exhibit G, letter dated October 30, 2006, from Patrick G. Carroll, Division of Realty, U.S. 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 National Park Service ("Service") reviewed the project and determined the project poses no conflicts with the Land and Water Conservation Fund and the Urban Park and Recreation Recovery programs. The Service has no additional comments. See Exhibit H, letter dated November 3, 2006, from Robert Maydwell, Grants Management Assistant, Midwest Region, National Park Service, U.S. Department of Agriculture. In a separate response, the Service indicates it has no comment on the proposed abandonment. See Exhibit I, correspondence postmarked November 8, 2006, from the Regional Environmental Coordinator, Midwest Regional Office, 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. The BLM also indicates,

however, 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. See Exhibit J, letter dated November 20, 2006, from Marcia Sieckman, Supervisor, Lands and Renewable Resources Team, 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. BNSF notified the Minnesota Pollution Control Agency ("MPCA") by letter dated October 24, 2006. See Exhibit K, letter to Lawrence Zdon, Minnesota Pollution Control Agency. As of the date of this report, the MPCA has not responded. BNSF will provide the Board copies of any response it may receive.

(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 will not require a Section 404 permit. The U.S. Army Corps of Engineers ("CORPS") indicates that "a Department of the Army permit is not required...provided that no dredged or fill material is discharged in any water of the United States, including wetlands." See Exhibit L, letter dated December 19, 2006, from Robert J. Whiting, Chief, Regulatory Branch, St. Paul District, U.S. Army Corps of Engineers, Department of the

Army.

In regard to designated wetlands, the Corps indicates that floodplain information can be obtained by contacting the City of Cold Spring. See Exhibit L, letter dated December 19, 2006, from Robert J. Whiting, Chief, Regulatory Branch, St. Paul District, U.S. Army Corps of Engineers, Department of the Army.

The proposed abandonment should not affect any 100-year flood plains. The City provided maps depicting floodplain locations in the vicinity of the proposed abandonment. See Exhibit M, electronic correspondence dated February 8, 2007, from Paul Hoeschen, Public Works Director, City of Cold Spring. The MDNR also provided FIRM and Floodway maps depicting the area of the proposed abandonment. See Exhibit N, electronic correspondence dated November 13, 2006, from Steven Colvin, DNR—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 may not be required for the proposed action. BNSF notified the U.S. Environmental Protection Agency ("EPA") by letter dated October 24, 2006. See Exhibit O, letter to Kenneth Westlake, Chief, Region 5, U.S. Environmental Protection Agency. As of the date of this report, the EPA has not responded. BNSF will provide the Board copies of any response it may receive.

Also, as stated above, BNSF notified the MPCA by letter dated October 24, 2006. See Exhibit K, letter to Lawrence Zdon, Minnesota Pollution Control

Agency. As of the date of this report, the MPCA has not responded. BNSF will provide the Board copies of any response it may receive.

(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;***

Beginning at milepost 16.21 and ending at milepost 17.00, the Cold Spring, Minnesota trackage is approximately 0.79 miles in length and is approximately 100 feet wide. It is located in a rural area west of the town of Cold Spring which is in the St. Cloud metro area. In 2000, the City of Cold Spring had a census population of 2,975. Land adjoining the right-of-way is flat, has an elevation of approximately 1,100 feet, and is used primarily for agricultural purposes.

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

- (4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;***

N/A

- (5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;***

The right-of-way was acquired by fee simple title in 1885 by the St. Paul, Minneapolis and Manitoba Railway Company ("STPMM") without the use of federal railroad grants. STPMM was sold in 1907 to the Great Northern Railway Company ("GN"). In 1970, GN merged with the Northern Pacific 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 ("BNRR") in 1981. BNRR merged with The Atchison, Topeka and Santa Fe Railway Company in 1996 to become The Burlington 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 ("MHS") indicates that it is not aware of any structures, buildings, or archaeological sites that are listed on or eligible for listing on the National Register of Historic Places. MHS further indicates the rail line has not been evaluated for National Register eligibility, and an evaluation should be completed. See Exhibit P, letter dated November 28, 2006, from Britta L. Bloomberg, Deputy State Historic Preservation Officer, Minnesota Historical Society. In a second letter, MHS reiterates the above stated information. See Exhibit Q, letter dated January 24, 2007, from Dennis A. Gimmestad, Government Programs & Compliance 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,

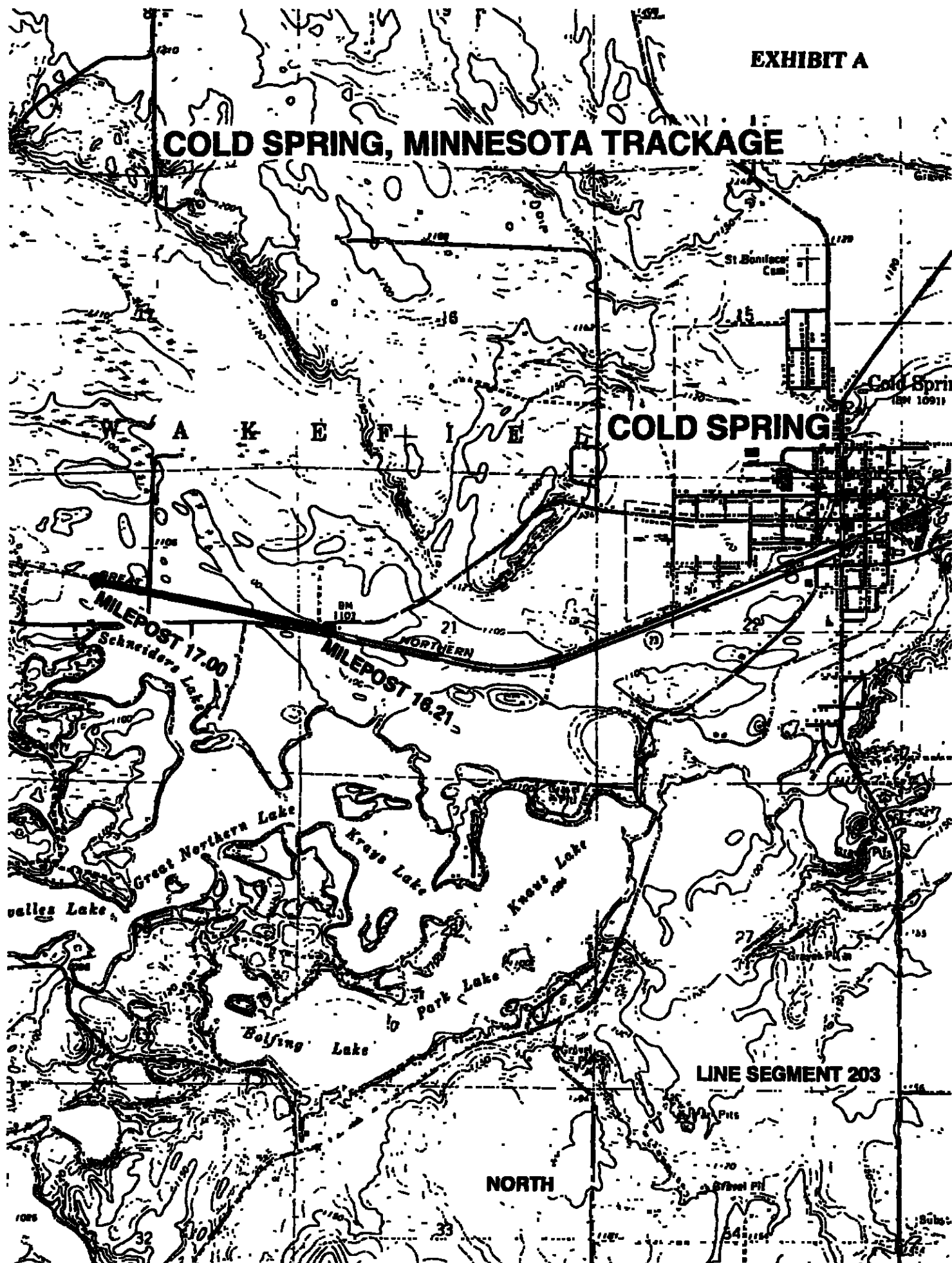


By: SIDNEY L. STRICKLAND, JR.
ELIZABETH E. WAITE
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W., Suite 101
Washington, DC 20007
(202) 338-1325
Attorneys for BNSF Railway Company

DATED: March 21, 2007

EXHIBIT A

COLD SPRING, MINNESOTA TRACKAGE



City of



27 RED RIVER AVENUE SOUTH
COLD SPRING, MINNESOTA 56320

TELEPHONE: 320/685-3853
FAX: 320/685-8551
www.coldspring.govoffice.com

Mayor:
Doug Schmitz

Councillors:
Dale Glinthir
Mike Kathman
Fran Ramler
Jim Stauber

Larry J. Lehr
City Administrator

November 20, 2006

EXHIBIT B

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

Re: STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Company—Abandonment
Exemption—in Stearns County, MN

Dear Mr. Strickland:

On behalf of the City Council and citizens of the city of Cold Spring, I would like to assert our support for the proposed abandonment referenced above. The City has been very actively involved in the effort to establish the 12.2 mile "Rocori Trail" between the communities of Richmond and Rockville.

It is the City's expectation that this .79 mile piece of corridor will become part of a recreational trail for walkers, bikers, in-line skaters, and the like. This corridor represents a critical link in a system that is part of the master plan for the "Glacial Lakes State Trail."

The "Rocori Trail Committee" has worked for several years to complete this segment, while similar efforts continue on the Glacial Lakes State Trail west of the abandonment, and east of here to connect to other regional trails.

The proposed action is certainly consistent with our land use plans, and we hope that you continue to process the abandonment to further this alternate use, that has received such broad support. Please contact me if you have any questions. (320) 685-8866. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Doug Schmitz'. The signature is written over a horizontal line and is positioned to the right of the word 'Sincerely,'.

Doug Schmitz
Mayor

cc: City Council Members



ROCORI TRAIL COMMITTEE

27 RED RIVER AVENUE SOUTH
COLD SPRING, MN 56320
FAX: (320) 685-8551
PHONE: (320) 685-3653
E-MAIL: L.Lahr@ColdSpring.GovOffice.com

November 20, 2006

EXHIBIT C

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

Re: STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Company—Abandonment Exemption—in Stearns County, MN

Dear Mr. Strickland:

The purpose of this letter is to respond to your letter dated October 24, 2006 regarding the proposed abandonment referenced above. The "Rocori Trail Committee" is a group of citizen volunteers together with state & local government officials working to establish a 12.2 mile recreational trail between the communities of Richmond (through Cold Spring) and Rockville.

The Committee discussed your letter and the proposed abandonment at their most recent meeting, and asked that I respond on the Committee's behalf. The Committee unanimously supported the abandonment, with the expectation that that short piece of corridor will become part of a recreational trail for walkers, bikers, in-line skaters, and the like. Even though it is only .79 miles in length, this corridor represents a critical link in a system that is part of the master plan for the "Glacial Lakes State Trail", initially adopted in 1993.

The State of Minnesota is working ambitiously to complete a paved trail that will run from the city of Willmar all the way to the corridor proposed for abandonment, a distance in excess of 40 miles. Additionally, a feasibility study will be presented tomorrow night by Stearns County that would pick up from the easterly terminus of the Rocori Trail, and bring it a number of miles through the cities of Waite Park and St. Cloud. From that point, this system would connect to other regional trails. I've enclosed a map (from the Glacial Lakes State Trail master plan) to illustrate the intentions of local government officials in this region. The point being, that it is hoped that this .79 mile segment will some day soon be part of a system of recreational trails that is, *literally*, hundreds of miles long.

Thank you for the opportunity to provide input. Please do not hesitate to contact me if you have any questions (320.685.3653).

Sincerely,

Larry J. Lahr
Chairman

cc: Rocori Trail Committee Members

Enclosure

Glacial Lakes State Trail - Regional Map Amendment to the Master Plan, May 2006

Project Legend

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Abstract

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DRAFT

Construction
2008 in Review

Ordering by e-mail:
info@pccr.com



SECRET





**Stearns County Parks • 1802 Co. Rd. 137
Waite Park, MN 56387 • 320/255-6172 • Fax 320/255-6177**

EXHIBIT D

November 1, 2006

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

***Re: STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Company-Abandonment
Exemption – in Stearns County, MN***

Dear Mr. Strickland,

This letter is in support of BNSF's proposed abandonment of .79 miles of railroad line between milepost 16.21 and milepost 17.00 between Richmond and Cold Spring in Stearns County Minnesota.

The local communities Richmond, Cold Spring and Rockville have formed the ROCORI Trail Committee to construct pedestrian/bicycle trails between the communities. There plans call for the construction of a pedestrian/bicycle trail on the .79 of a mile that is proposed for abandonment.

Stearns County is currently studying the feasibility of constructing a pedestrian/bicycle trail that would connect to the ROCORI Trails. The Stearns County Comprehensive Plan supports the development of trails on abandoned railroad corridors.

Thank you for your time and consideration.

Sincerely,

**Pete Theismann
Operations Coordinator**



Minnesota Department of Transportation

Office of Freight and Commercial Vehicle Operations
Mail Stop 420
395 John Ireland Boulevard
St. Paul, MN 55155-1899

Tel: 651/215-6330
Fax: 651/215-8684

EXHIBIT E

November 22, 2006

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



Re: STB Docket No. AB-6 (Sub-No.455X) *BNSF Railway*
--Abandonment Exemption--in Stearns County, MN
Petition for Public Use and Interim Trail Use Condition

ENTERED
Office of Proceedings
NOV 27 2006
Part of
Public Record

Dear Mr. Williams:

Enclosed for filing are the original petition and ten (10) copies for the above-described exemption.

These petitions have been sent to you via certified U.S. Mail as an acknowledgement of receipt.

By my signature below, I certify service upon Jake DeBoever, BNSF Railway Co. P.O. Box 961039, Ft. Worth, TX 76161-0039

Respectfully submitted,

Robert R. Rickert
State Rail Bank Program Manager

Cc: Jake DeBoever-attorney for BNSF Railway *sent via certified U.S. Mail*
Jamie Hukriede- Mn/DOT District 3 ROW Engineer *sent via e-mail*
Dan Collins- Mn/DNR Regional Manager *sent via e-mail*



Minnesota Department of Transportation

Office of Freight and Commercial Vehicle Operations
Mail Stop 420
395 John Ireland Boulevard
St. Paul, MN 55155-1899

Tel: 651/215-6330
Fax: 651/215-9684

November 22, 2006

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



Re: STB Docket No. AB-6 (Sub-No.455X) *BNSF Railway*
--Abandonment Exemption--in Stearns County, MN

ENTERED
Office of Proceedings

NOV 27 2006

Part of
Public Record

Dear Mr. Williams:

This request is filed on behalf of the Minnesota Department of Transportation and Minnesota Department of Natural Resources, which are state agencies interested in transportation and natural resources hereinafter referred to as "proponent".

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between MP 16.21 to MP 17.00 near Cold Spring in Stearns County Minnesota.

Proponent asks the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than tracks, ties and signal equipment, except for public use on reasonable terms. Justification for this condition is: the rail corridor in question would allow the realignment of Minnesota Trunk Highway 23 and custodial exchange of property for the continuation of the state's Glacial Lakes Trail.
2. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to conduct title searches, negotiate the terms of sale with the railroad and conduct at least one public hearing regarding the proposed acquisition.

STATEMENT OF WILLINGNESS TO ASSUME

FINANCIAL RESPONSIBILITY

Under section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d) and 49 CFR 1152.29, the State of Minnesota is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of and for the payment of any and all taxes that maybe levied or assessed against the right-of-way owned and operated by BNSF Railway Company.

The Property, a part thereof, known as the St. Cloud to Willmar line, extends from railroad milepost 16.21 to railroad milepost 17.00, a distance of .79 mile in Stearns County Minnesota. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No.AB-6 (Sub-No. 455X).

A map depicting the right-of-way is attached.

The State of Minnesota acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon the BNSF Railway Company, P.O. Box 961039, Ft. Worth, TX 76161-0039 via certified U.S. Mail, this 22nd day of November 2006.

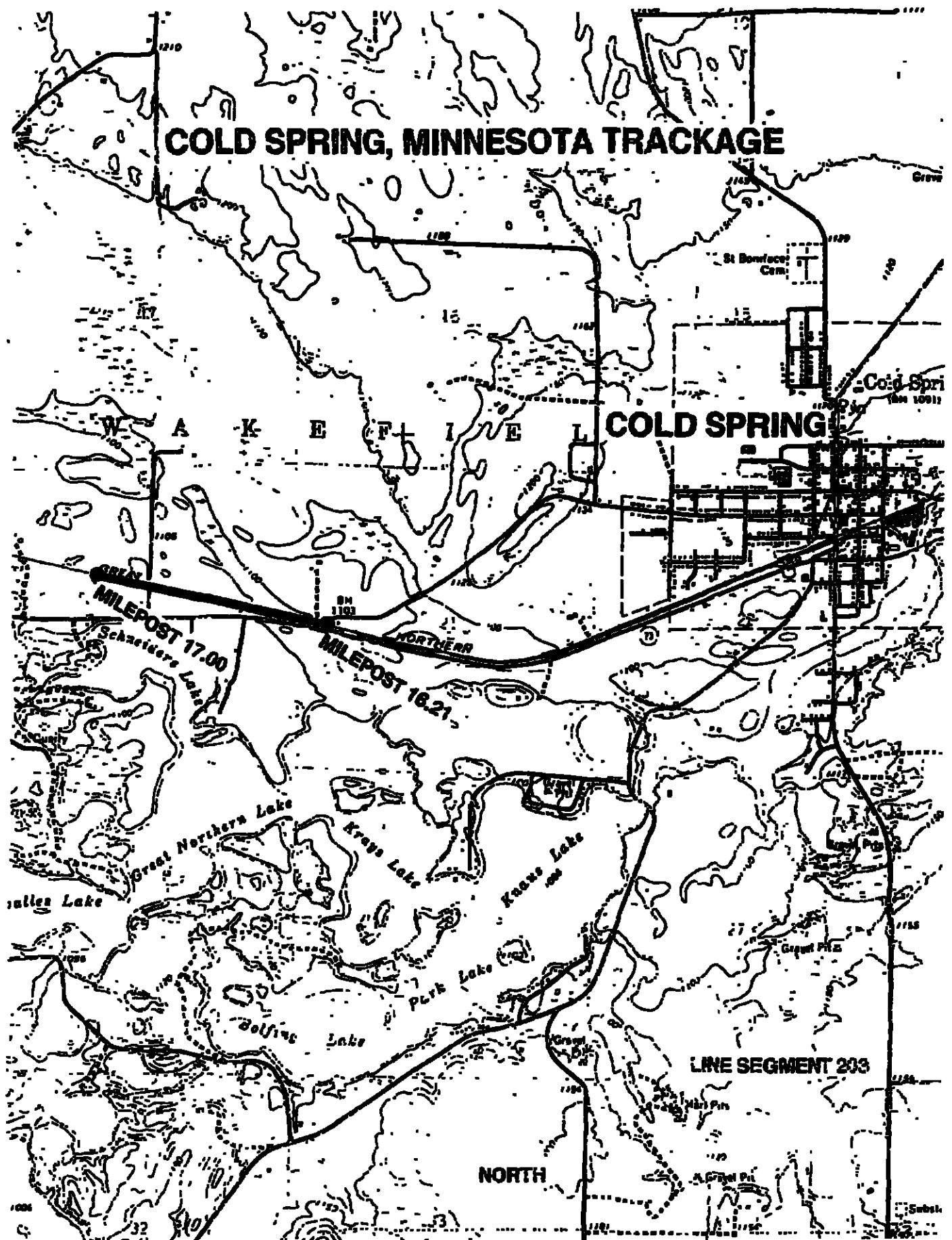
Respectfully submitted,



Robert R. Rickert
State Rail Bank Program Manager

Cc: Jake DeBoever-attorney for BNSF Railway *sent via certified U.S. Mail*
Jamie Hukriede- Mn/DOT District 3 ROW Engineer *sent via e-mail*
Dan Collins- Mn/DNR Regional Manager *sent via e-mail*

COLD SPRING, MINNESOTA TRACKAGE





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

Phone: (651) 802-7900
FAX: (651) 802-7914

File Code: 190-15-13

November 2, 2006

IN REPLY

REFER TO: STB Docket No. AB-6(Sub-No.455X)
BNSF Railway Company Abandonment Exemption, Stearns 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 Beltrami 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 evaluations will not be required.

Sincerely

A handwritten signature in black ink, appearing to read "William E. Lorenzen".

WILLIAM E. LORENZEN
Environmental Review/Justice Coordinator



IN REPLY REFER TO:

United States Department of the Interior

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

EXHIBIT G

FWS/NWRS-RE – General

October 30, 2006

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

Dear Mr. Strickland:

Thank you for the opportunity to comment on the proposed abandonment of the rail line near Cold Spring in Stearns County, Milepost 16.21 to Milepost 17.00; STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Company – Abandonment Exemption – in Stearns County, MN.

We have researched our ownership 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,

A handwritten signature in black ink, reading "Patrick G. Carroll", is positioned above the typed name.

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 H

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

NOV 03 2006

Dear Mr. Strickland:

This is in response to your October 24, 2006, request that the National Park Service respond to STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Company Abandonment Exemption in Stearns 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
IN AMERICA**

Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102

EXHIBIT I

Strickland and Assoc., PLLC
1100 N.W. Suite 101
Washington, DC 20002-5108

Re: Docket AB-6 (Sub 455X) BNSF Railway Co. - Abandonment Exemption - Stearns Co. MN

We have received your letter of October 24, 2006 concerning the above referenced project.

- ☒ We have no comment on your proposed action
- ☒ Please address any further correspondence about this project or any project to the following address

Regional Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102

Due to limited staff and the number of requests we receive for early coordination, we ask that companies/agencies assume we will have no comments on projects if they have not heard from us within 30 days of our receipt of the request.

Thank you,

Regional Environmental Coordinator

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 (036)**

November 20, 2006

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

**RE: STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Company – Abandonment
Exemption – in Stearns County, MN**

Dear Mr. Strickland:

This is in response to your letter of October 24, 2006, to our office concerning the proposal by the Burlington Northern and Santa Fe Railway Company (BNSF) to abandon 0.79 miles of railroad line between Milepost 16.21, and Milepost 17.00, near Cold Spring in Stearns 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, Lands and Renewable Resources Team**

SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-872-5399

EXHIBIT K

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

October 24, 2006

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

**Re: STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Company—Abandonment
Exemption – In Stearns County, MN**

Dear Mr. Zdon:

BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority in the above docket to abandon 0.79 miles of railroad line between Milepost 16.21 and Milepost 17.00, near Cold Spring in Stearns County, Minnesota.

The proposed abandonment may include the removal of the rails and ties, including any bridges, structures and crossings. BNSF bids its salvage packages out to independent contractors. The winning bidder will start work with the removal of the rails and metal parts of the track structure. Next the wooden ties are removed and separated into second hand ties, landscape quality ties and scrap ties (which are disposed of at an appropriate site). The bridges and crossings as well as any other structures are removed last. Culverts and the rail line embankment stay intact so as not to alter the prevailing waterflows along the line. Any bridge pilings are pulled out, cut off at ground level or broken off at or below the mud line. Steel bridges are dismantled and removed. If there are concrete abutments or piers involved, they may be left intact. BNSF salvage contractors are required not to place fills or other material in water bodies, including inland waterways. Contractors are also required to limit their activities to the width of the right-of-way. When the salvage process is complete, waterflows in the area should not be disrupted.

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

For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by November 21, 2006. 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/cal

STB Docket No. AB-6 (Sub. No. 455X)



DEPARTMENT OF THE ARMY
St. Paul District Corps of Engineers
180 Fifth Street East
St. Paul, Minnesota 55101-1683

EXHIBIT L

DEC 19 2006

REPLY TO
ATTENTION OF
Operations
Regulatory (2006-6856-BRC)

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

Dear Mr. Strickland:

The St. Paul District, Corps of Engineers has reviewed the information you submitted regarding the BNSF Railway Company project which involves removing bridges and other structures in conjunction with the abandonment of a 0.79-mile long segment of railroad near Cold Spring. The project is located in Section 20 and 21, Township 123 North, Range 30 West, Stearns County, Minnesota.

You have indicated that abandonment and salvage operations are not anticipated to result in the placement of dredged or fill material in any waterways. Therefore, a Department of the Army permit is not required to do this work, provided that no dredged or fill material is discharged in any water of the United States, including wetlands.

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

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

Information pertaining to the 100-year floodplain can be obtained by contacting the City of Cold Spring at (320) 685-3653. If you have any questions, contact Ben Cox in our St. Paul District office at (651) 290-5377. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Maria T. Valenzuela

Robert J. Whiting
for Chief, Regulatory Branch



Username: Liz Walte
(liz.walte@stricklandpllc.com)

Message

Abstract

Attachments:RR_Flood.pdf 2705460260B !if

Forward -
Inline Text

Subjects Enrolled

五

**Y&R: THE
SUBJECT OF THE**

Here are a couple of maps that will hopefully help them out. One is a map I created that has the floodplain overlay.

on the USGS quad map, the other is a tif file of the FIRM maps from FEMA

Let me know if you need anything else.

The floodplain data on the RR_Flood pdf is from the DNR and is NOT the official 100 year floodplain, but it is a good representation of it for planning purposes

Jeff

From: Cold Spring Public Works [mailto:cspublicworks@clearwire.net]
Sent: Wednesday, February 07, 2007 9:25 AM
To: Rasmussen, Jeff H
Subject: flood

Greetings,

Call about floodplain info.

Thanks,

Paul Hoeschen
Public Works Director
Ph (320) 685-3524

Add Folder

Edit Folder

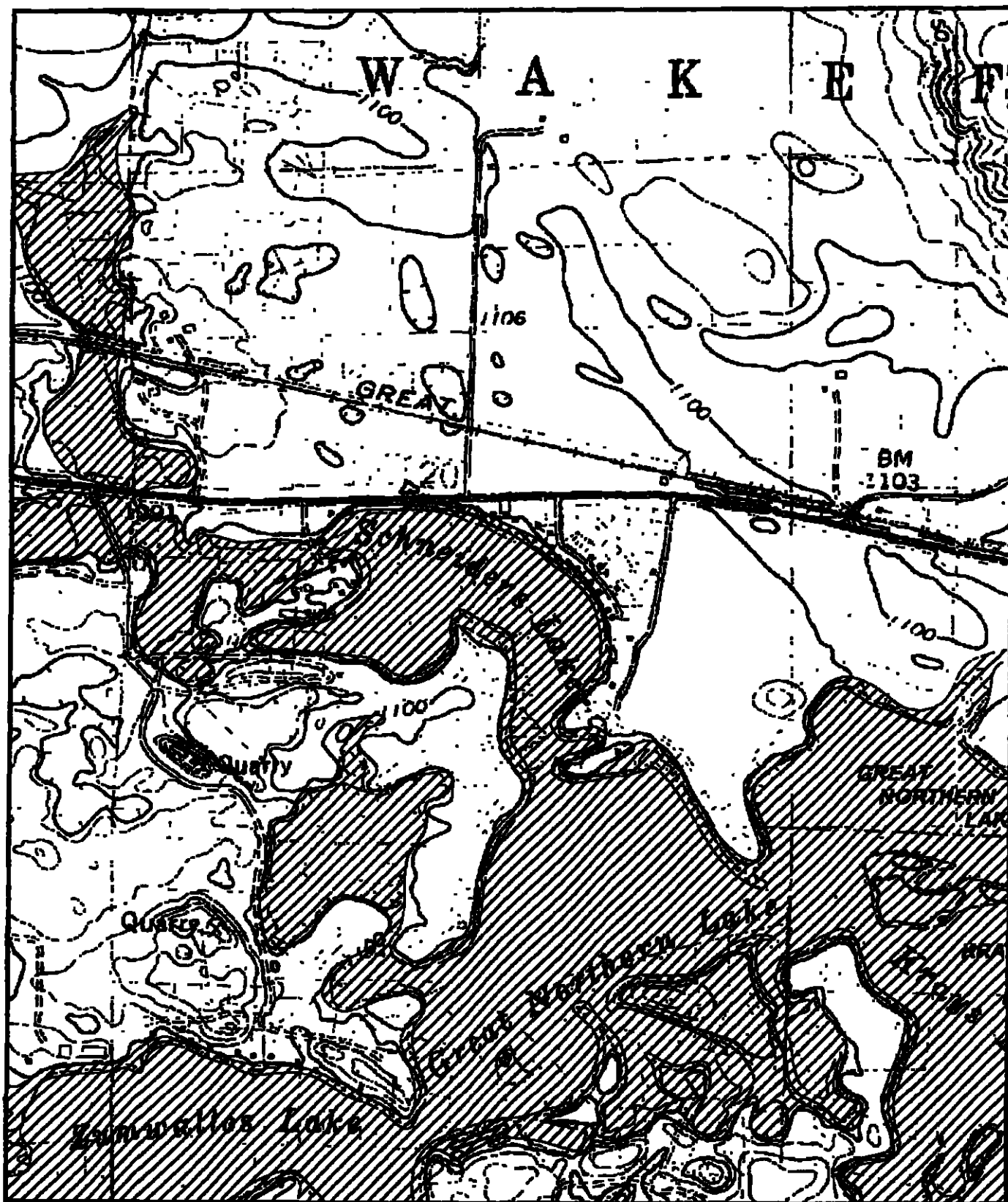
Search all folders

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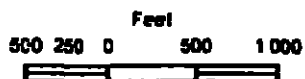
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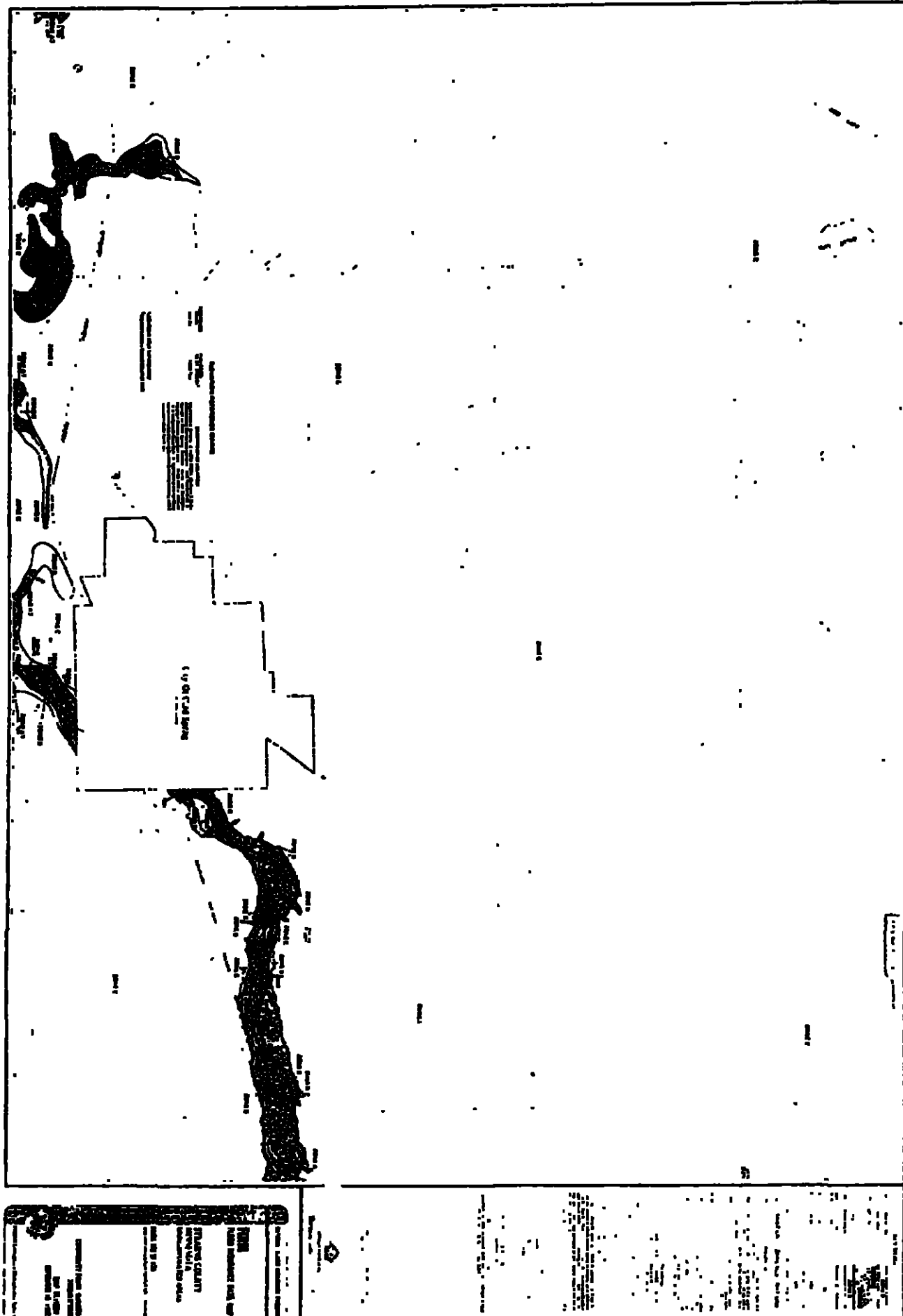
Go



Legend

 100 Year Floodplain





C. A. Curry

EXHIBIT N

From: Steve Colvin [Steve.Colvin@dnr.state.mn.us]
Sent: Monday, November 13, 2006 1:49 PM
To: sidney.strickland@stricklandplc.com
Subject: STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Abandonment



RR-ColdSpring-AB-BRR-ColdSpring-AB-6
-FM270546026... -FM270546026...

Attached please find the FIRM and Floodway maps in the area of the
BNSF abandonment in Cold Spring, Stearns County, Minnesota.

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



APPROXIMATE SCALE



ELEVATION
IN FEET
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REFERENCE
MARK
RM 24°

"LOCATED IN AREA NOT INC
National Geodetic Vertical D

BURLINGTON

NORTHERN

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ZONE C
1610

ZONE C

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

STEARNS COUNTY,
MINNESOTA
UNINCORPORATED AREAS

PANEL 288 OF 425
SEE MAP SHEET FOR PANELS NOT SHOWN

COMMUNITY-PANEL NUMBER
270646 0280 B

MAP REVISED:
SEPTEMBER 16, 1980



Federal Emergency Management Agency

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



APPROXIMATE SCALE
1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FLOODWAY FLOOD BOUNDARY AND FLOODWAY MAP

STEARNS COUNTY,
MINNESOTA
UNINCORPORATED AREAS

PANEL 208 OF 425

THIS MAP INDICATES FLOOD BOUNDARY AND FLOODWAY

COMMUNITY-PANEL NUMBER
270543 0200

MAP REVISED:
SEPTEMBER 16, 1988



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using E-JIT Co-1-10. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.fema.gov.

REFERENCE
MARK
RM 24"

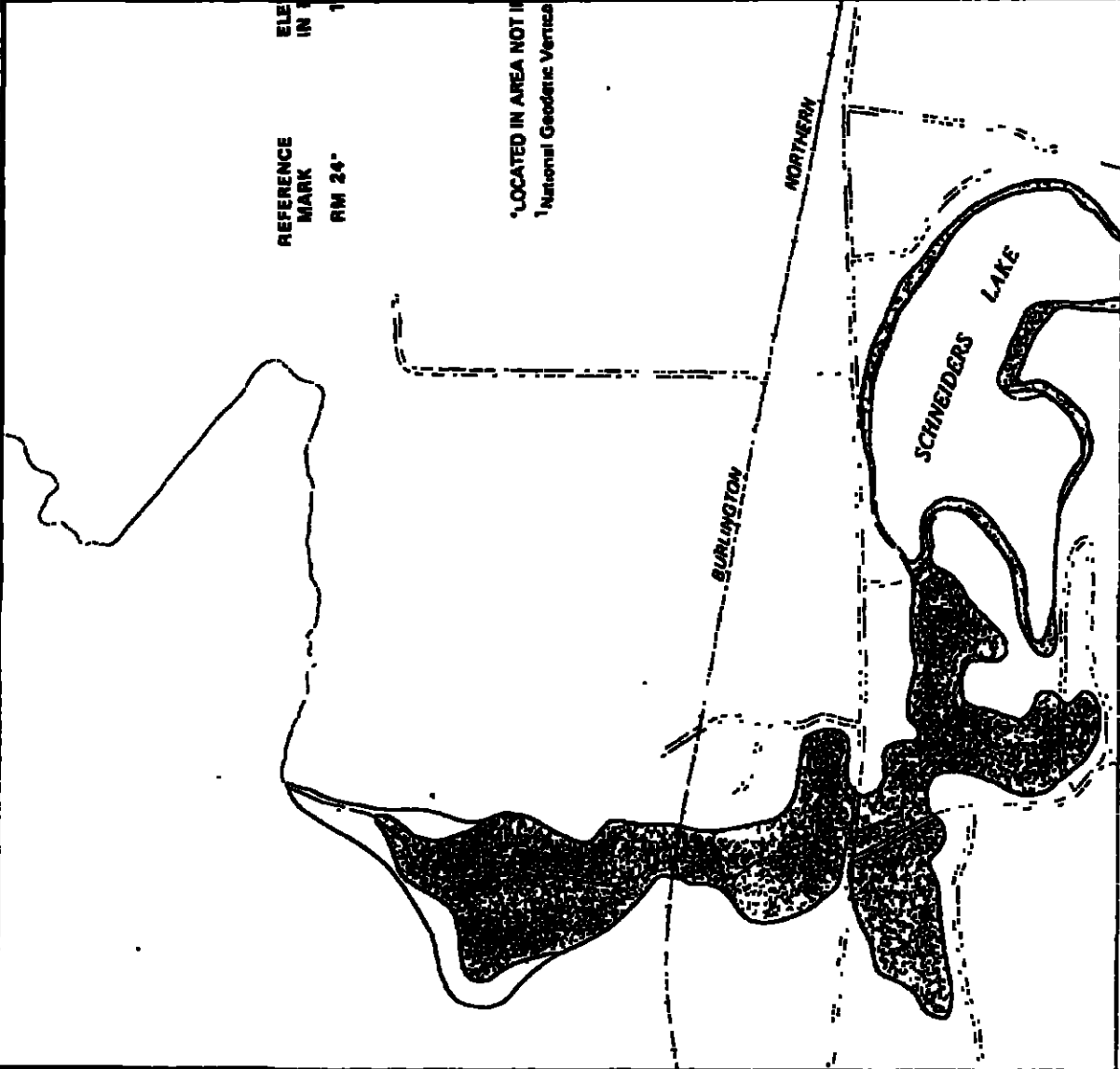
ELE
IN 1

*LOCATED IN AREA NOT IN
1 National Geographic Vertical

BURLINGTON

NORTHERN

SCHNEIDERS
LAKE



SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-6399

EXHIBIT O

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

October 24, 2006

Kenneth Westlake, Chief
U.S. Environmental Protection Agency
Region 5
Metcalf Building
Office of Strategic Environmental Analysis
77 West Jackson Boulevard
Mailcode: B-191
Chicago, IL 60604

**Re: STB Docket No. AB-6 (Sub. No. 455X) BNSF Railway Company—Abandonment
Exemption — In Stearns County, MN**

Dear Mr. Westlake:

BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority in the above docket to abandon 0.79 miles of railroad line between Milepost 16.21 and Milepost 17.00, near Cold Spring in Stearns County, Minnesota.

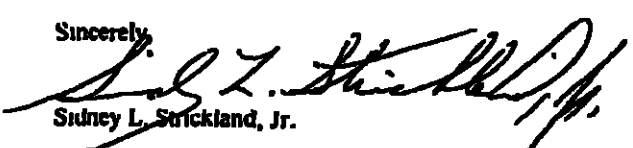
The proposed abandonment may include the removal of the rails and ties, including any bridges, structures and crossings. BNSF bids its salvage packages out to independent contractors. The winning bidder will start work with the removal of the rails and metal parts of the track structure. Next the wooden ties are removed and separated into second hand ties, landscape quality ties and scrap ties (which are disposed of at an appropriate site). The bridges and crossings as well as any other structures are removed last. Culverts and the rail line embankment stay intact so as not to alter the prevailing waterflows along the line. Any bridge pilings are pulled out, cut off at ground level or broken off at or below the mud line. Steel bridges are dismantled and removed. If there are concrete abutments or piers involved, they may be left intact. BNSF salvage contractors are required not to place fills or other material in water bodies, including inland waterways. Contractors are also required to limit their activities to the width of the right-of-way. When the salvage process is complete, waterflows in the area should not be disrupted.

As part of the environmental report, BNSF needs to know whether or not this action will be consistent with Federal, State or local water quality standards. Also, please state whether or not Section 402 and/or National Pollutant Discharge Elimination System ("NPDES") 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 November 21, 2006. 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

STB Docket No. AB-6 (Sub. No. 455X)



EXHIBIT P

**MINNESOTA HISTORICAL SOCIETY
State Historic Preservation Office**

November 28, 2006

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

Re: STB Docket No. AB-6 (Sub. No. 455X)
BNSF Railway Company to abandon .79 miles of railroad line between milepost 16.21 and
milepost 17 near Cold Spring
Wakefield Twp., Stearns County
SHPO Number: 2007-0351

Dear Mr. Strickland:

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

This rail line has not been evaluated for National Register eligibility; such an evaluation needs to be completed. Otherwise, we are not aware of any structures, buildings, or archaeological sites that are listed on or eligible for listing on the National Register of Historic Places.

Contact Dennis Gimmestad at 651-205-4205 with questions or concerns.

Sincerely,

Britta L. Bloomberg
Deputy State Historic Preservation Officer



EXHIBIT Q

MINNESOTA HISTORICAL SOCIETY

State Historic Preservation Office

January 24, 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. 455X) BNSF Railway Company
Abandonment of .79 miles of rail line between milepost 16.21 and milepost
17 near Cold Spring
Wakefield Twp., Stearns County
SHPO Number: 2007-0351**

Dear Mr. Strickland:

Thank you for your letter of 12 December 2006 regarding the above referenced project.

As we indicated in our letter of 28 November 2006, this rail line has not been evaluated for National Register eligibility; such an evaluation needs to be completed. Otherwise, we are not aware of any structures, buildings, or archaeological sites that are listed on or eligible for listing on the National Register of Historic Places.

Contact us at 651-259-3455 with questions or concerns.

Sincerely,

**Dennis A. Gimmetstad
Government Programs & Compliance Officer**

CERTIFICATION PURSUANT TO 49 C.F.R. 1185.7(e) and 8(c)

BNSF Railway Company ("BNSF"), by and through its authorized representative, Sidney L. Strickland, Jr., certifies that on March 21, 2007, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

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

**Doug Schmitz, Mayor
27 Red River Avenue South
Cold Spring, MN 56320**

**Larry J. Lahr, Chairman
Rocori Trail Committee
27 Red River Avenue South
Cold Spring, MN 56320**

**Pete Theismann
Stearns County Parks
1802 Co. Rd. 137
Waite Park, MN 56387**

**Robert R. Rickert
Minnesota Department of Transportation
Office of Freight and Commercial Vehicle
Operations
Mail Stop 420
395 John Ireland Boulevard
St. Paul, MN 55155-1899**

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

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

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

**Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102**

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

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

**Robert J. Whiting
Department of the Army
St. Paul District Corps of Engineers
190 Fifth Street East
St. Paul, MN 55101-1683**

**Paul Hoeschen
Public Works Director
27 Red River Avenue South
Cold Spring, MN 56320**

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

**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**

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

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

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

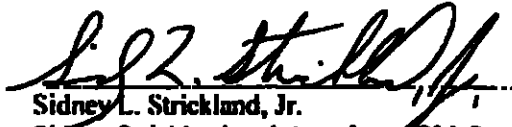
**Britta L. Bloomberg
Minnesota Historical Society
345 W. Kellogg Blvd.
St. Paul, MN 55102-1906**

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

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

**Stearns County Commissioners
705 Courthouse Square
St. Cloud, MN 56303-4701**

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


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

37941
SEA

SERVICE DATE – MAY 11, 2007

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-6 (Sub-No. 455X)

**BNSF Railway Company – Abandonment Exemption –
in Stearns County, MN**

BACKGROUND

In this proceeding, the BNSF Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a line of railroad in Stearns County, Minnesota. The rail line proposed for abandonment extends 0.79 miles from milepost 16.21 to milepost 17.00 near Cold Springs (the Line). A map depicting the Line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

BNSF submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. BNSF served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)].¹ The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

According to BNSF, no local traffic has moved over the Line for at least two years, and there is no overhead traffic to be rerouted. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

¹ The railroad's environmental and historic reports are available for viewing on the Board's website at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB-6 (Sub-No. 455X).

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

As part of the proposed abandonment, BNSF states that it would salvage all rail and rail ties from the Line. There are no bridges or other structures on the Line proposed for abandonment. According to BNSF, salvage activities would begin with the removal of the rails and metal parts of the track structure. Thereafter, wooden ties would be removed and separated into second hand ties, landscape quality ties, and scrap ties; any scrap ties would be disposed of at an appropriate site. Culverts and rail embankments located along the Line would remain intact to maintain the existing water conveyance within the right-of-way. BNSF further indicates that any concrete abutments and piers would be left intact, and that contractors would not be allowed to place fills or other material into waterbodies, including inland waterways.

BNSF indicates that there is one public crossing and no private crossings on the Line. During salvage operations, BNSF states that precautions would be taken to ensure public safety, and contractors would be required to satisfy all applicable health and safety laws and regulations. BNSF is not aware of any hazardous waste sites or sites where there have been hazardous material spills on the right-of-way.

The City of Cold Springs (City) has indicated that the proposed abandonment is consistent with its land use plans. The City stated it has been involved in the effort to establish the 12.2 mile "Rocori Trail" and that it is the City's expectation that the railroad corridor would become part of the recreational facility. Additionally, the Rocori Trail Committee and the Stearns County Parks expressed interest in converting the right-of-way into a recreational trail.

The Natural Resources Conservation Service (NRCS) has indicated that the proposed abandonment would not impact agricultural lands, and a Federal Farmland Policy Protection Act site assessment is not required. However, NRCS noted that, if impacts to wetlands owned or operated by participants of the Wetlands Reserve Program are anticipated, BNSF should contact the county Farm Service Agency office (FSA) to consider an application for a third party exemption.² Accordingly, we recommend that a condition be imposed requiring BNSF to consult with the Beltrami County FSA office, the FSA office suggested by NRCS, prior to commencement of any salvage activities regarding potential impacts to wetlands owned or

² NRCS administers the Wetlands Reserve Program, which is a voluntary program to restore and protect wetlands on private property. See Natural Resources Conservation Service, Wetlands Reserve Program at www.nrcs.usda.gov/PROGRAMS/wrp/.

operated by participants of the Wetlands Reserve Program and to comply with its reasonable requirements.

The U.S. Fish and Wildlife Service, Division of Realty reviewed the proposed project and stated that it does not own any lands in the vicinity of the proposed abandonment, and it does not have any concerns regarding real estate matters.

The National Park Service reviewed the project and determined that the project poses no conflict with the Land and Water Conservation Fund and the Urban Park and Recreational Programs

The Bureau of Land Management (BLM) stated that there are no federal lands administered by BLM along the rail line. However, BLM indicated that some of the original railroad line grants were "limited fee" rights-of-way³ and may be subject to federal laws such as the National Trails System Improvement Act. SEA notes that BNSF has indicated that there are no federally granted rights-of-way within the rail corridor. No mitigation measures were recommended by BLM.

The U.S. Army Corps of Engineers (Corps) stated that the proposed abandonment would not likely require a permit from the Corps based on the information provided by BNSF. The City provided BNSF with maps depicting flood plain locations in the vicinity of the proposed abandonment. Based on the maps provided, it does not appear that the proposed abandonment would affect any 100-year flood plains

The U.S. Environmental Protection Agency's Region 5 Office (USEPA) has not submitted comments regarding this proposed abandonment. Accordingly, SEA will provide a copy of this EA to USEPA for its review and comment.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts. In addition to the parties on the Board's service list for this proceeding, SEA is providing a copy of this EA to the Beltrami County FSA and USEPA for their review and comment.

HISTORIC REVIEW

BNSF served the historic report on the Minnesota State Historic Preservation Officer (SHPO), pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that the proposed abandonment would not affect any known archaeological sites or historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register)

We have reviewed the report and the information provided by the SHPO and concur with the

³ As opposed to ownership in "fee simple," which allows unlimited control over a property.

SHPO's comments.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the Section 106 process of the National Historic Preservation Act at 36 CFR 800.5(c) and 36 CFR 800.8, we have determined that the proposed abandonment will not adversely affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public.

SEA conducted a search of the Native American Consultation Database at <http://www.nps.gov/nacd/> to identify Federally recognized tribes that may have ancestral connections to the project area. The database indicated that the following tribes may have an interest in the proposed abandonment: the Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin; the Bois Forte Band (Nett Lake) of the Minnesota Chippewa Tribe, Minnesota; Flandreau Santee Sioux Tribe of South Dakota; Fond du Lac Band of the Minnesota Chippewa Tribe, Minnesota; Grand Portage Band of the Minnesota Chippewa Tribe, Minnesota; Keweenaw Bay Indian Community, Michigan; Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin; Lac Vieux Desert Band of Lake Superior Chippewa Indians, Michigan; Leech Lake Band of the Minnesota Chippewa Tribe, Minnesota; Lower Sioux Indian Community in the State of Minnesota; Mille Lacs Band of the Minnesota Chippewa Tribe, Minnesota; Minnesota Chippewa Tribe, Minnesota; Prairie Island Indian Community in the State of Minnesota; Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin; Santee Sioux Nation, Nebraska; Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota; Sokaogon Chippewa Community, Wisconsin; Spirit Lake Tribe, North Dakota; St. Croix Chippewa Indians of Wisconsin; Upper Sioux Community, Minnesota; and White Earth Band of Minnesota Chippewa Tribe, Minnesota. Accordingly, SEA is sending a copy of this EA to these tribes for their review and comment.

CONDITIONS

We recommend that the following condition be imposed on any decision granting abandonment authority.

BNSF Railway Company shall consult with the Beltrami County Farm Service Agency Office prior to commencement of any salvage activities regarding potential impacts to wetlands owned or operated by U.S. Department of Agriculture participants and shall comply with its reasonable requirements

CONCLUSIONS

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, and if the recommended condition is imposed, abandonment of the Line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 245-0230, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423

COMMENTS

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Danielle Gosselin, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-6 (Sub-No. 455X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Danielle Gosselin, the environmental

contact for this case, by phone at (202) 245-0300, fax at (202) 245-0454, or e-mail at danielle.gosselin@stb.dot.gov.

Date made available to the public: May 11, 2007.

Comment due date: May 25, 2007.

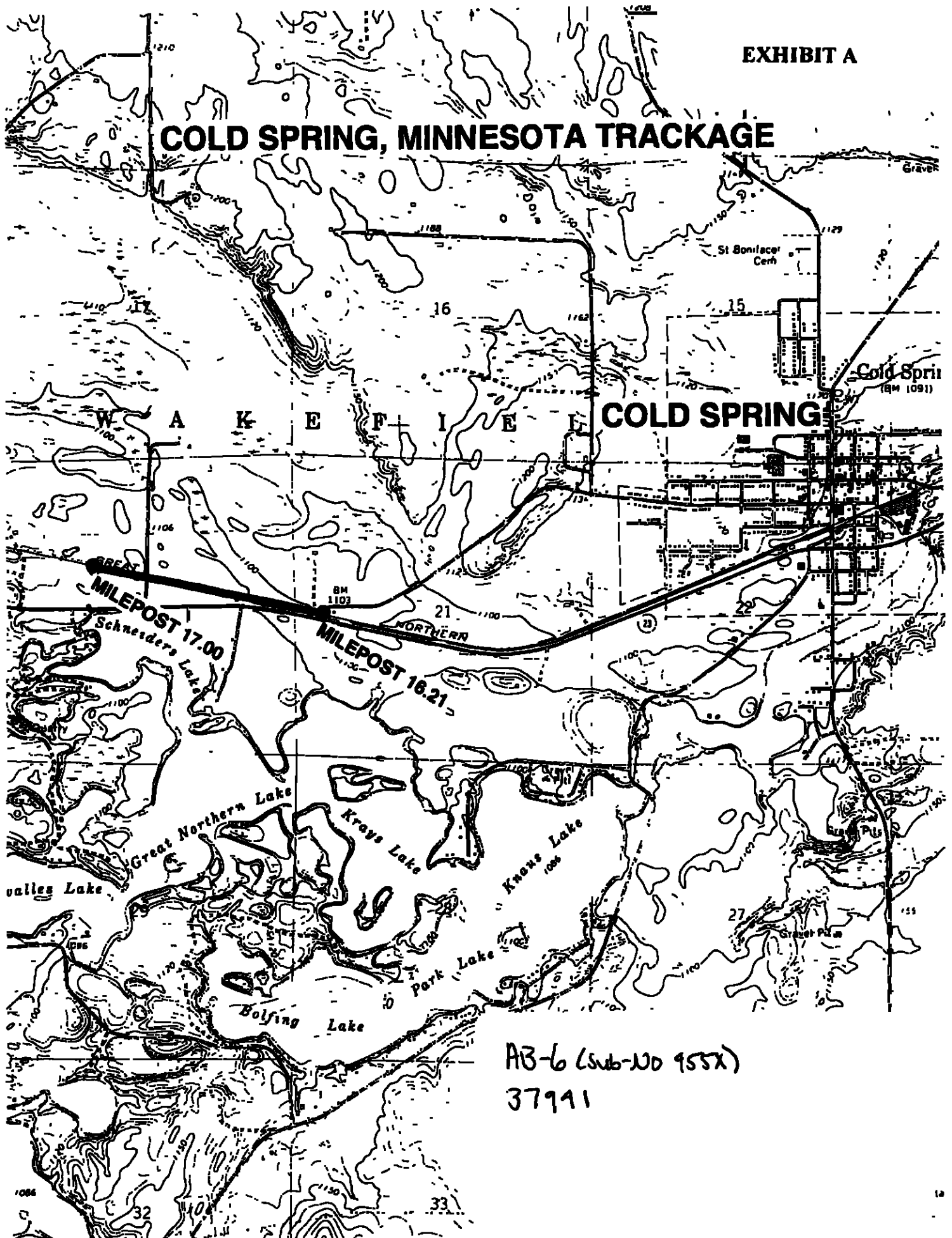
By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

**Vernon A. Williams
Secretary**

Attachment

EXHIBIT A

COLD SPRING, MINNESOTA TRACKAGE



AB-6 (Sub-NO 955X)

37941