


RE: BNSF Proposed Abandonment in McKinley County , NM
Joshua Wayland to: Morell, Karl

09/19/2012 08:58 AM

Hi Karl,

I wanted to follow up with you on the meeting that was to take place on September 10 regarding BNSF's proposed abandonment in McKinley County, NM. Were any any representatives of the Navajo Nation in attendance?

I am also looking for some clarification of BNSF's statement in its letter to the New Mexico Environment Department that the proposed abandonment would not result in a land disturbance greater than one acre and would therefore not require a Construction General Permit under the National Pollutant Discharge Elimination System. Does this estimate include only staging areas, or the entire length of the right-of-way that would be affected by salvage activities.

Thanks for your help,

Josh Wayland
Office of Environmental Analysis
Surface Transportation Board

Phone: (202) 245-0330

Fax: (202) 245-0454

"Morell, Karl"

[Josh, there are two segments that traverse the...](#)

09/11/2012 10:22:12 AM

From: "Morell, Karl" <kmorell@balljanik.com>
To: <Joshua.Wayland@stb.dot.gov>
Cc: "Sims, John A" <John.Sims@bnsf.com>
Date: 09/11/2012 10:22 AM
Subject: RE: BNSF Proposed Abandonment in McKinley County, NM

Josh, there are two segments that traverse the Navajo Nation Reservation: between MP 16.15 and MP 15.67 and between MP 19.61 and MP 19.30. There was a meeting yesterday hosted by the New Mexico Economic Development Department concerning this abandonment and the Navajo Nation was invited to attend. I will call you after I get more details about the meeting.

Karl

Karl Morell
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._____.-----Original Message-----

From: Joshua.Wayland@stb.dot.gov [mailto:Joshua.Wayland@stb.dot.gov]

Sent: Monday, September 10, 2012 11:40 AM

To: Morell, Karl

Subject: BNSF Proposed Abandonment in McKinley County, NM

Mr. Morell,

The Surface Transportation Board, Office of Environmental Analysis (OEA) is currently reviewing the Environmental and Historic Reports submitted by BNSF Railway Company in support of its Notice of Exemption for the abandonment of a section of rail line in McKinley County, New Mexico (STB Docket No. AB 6 Sub-No. 485X). In our review, it appears that a portion of the line proposed for abandonment may be located within the New Mexico portion of the Navajo Nation Reservation. If this is the case, then it will be necessary to consult with the tribal authority, including the Tribal Historical Preservation Officer, before abandonment authority can be granted. The portion of the line in question comprises approximately .15 miles extending from Milepost 19.45 to Milepost 19.61, at the northernmost

terminus of the line. I am requesting that you consult with your client,

BNSF Railway Company, to determine whether this portion of the line does indeed cross the boundary of the Navajo Nation and report back your determination to OEA as soon as possible. I can be reached by email, mail, or at the contact numbers list below. Thank you for your time and cooperation.

Sincerely,

Josh Wayland
Office of Environmental Analysis
Surface Transportation Board

Phone: (202) 245-0330

Fax: (202) 245-0454