

EI-18208

LAW OFFICES

JOHN H. BROADLEY & ASSOCIATES, P.C.

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April 27, 2010

JOHN H. BROADLEY

Victoria Rutson
Section Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, D.C. 20423

Re: STB Docket AB 295 (Sub-No. 7X), The Indiana Rail Road Company—
Abandonment Exemption—Martin and Lawrence Counties, Indiana

Dear Ms. Rutson:

In its March 26, 2010 decision granting The Indiana Rail Road Company's ("INRD's") Petition for Exemption in the captioned proceeding, the Board imposed several conditions, including the following:

INRD shall: . . .

(3)(a) retain its interest in and take no steps to alter the historic integrity of all historic properties, including sites, buildings, structures, and objects within the project right-of-way that are eligible for listing or are listed in the National Register until the section 106 process of the NHPA, 16 U.S.C. 470f, has been completed;

(b) report back to SEA regarding any consultations with the SHPO and the public; and

(c) not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the section 106 process has been completed and the Board has removed this condition;

INRD believes the section 106 process has been completed and the concerns of the Indiana SHPO have been satisfied as follows:

1. On December 18, 2009 the Indiana SHPO sent a letter to INRD outlining his concerns and requirements. On January 22, 2010, INRD responded to the SHPO's letter of

December 18, 2009. A copy of the SHPO's letter and INRD's response is attached hereto as Exhibit 1. As you will see, INRD answered all of the SHPO's questions and agreed to his conditions.

2. On February 23, 2010, the SHPO wrote to INRD stating that "[b]ased on the information provided to our office, we do not believe the characteristics that qualify the previously identified historic properties for inclusion in the National Register will be diminished as a result of this project with the following [four] conditions:" On April 8, 2010 INRD wrote to the SHPO agreeing to all of the conditions, though requesting a modification of one—a condition that the tunnel on the line in Martin County "must be avoided by all project activities. Rails and ties must remain intact." The condition requested by the SHPO will complicate the recovery of ties from the line as discussed in INRD's letter and seems unrelated to the preservation of the tunnel. A copy of the SHPO's letter of February 23 and INRD's April 8, 2010 reply is attached as Exhibit 2.

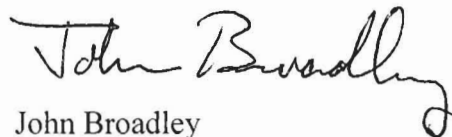
The Indiana SHPO is still considering INRD's request for relief from the condition precluding removal of rail and ties from the tunnel. INRD has agreed to comply with the SHPO's condition if the SHPO decides not to modify it. If the SHPO agrees to modify it, INRD will comply with the modified condition.

The Board's decision also requires INRD to "consult with and notify NGS at least thirty days prior to beginning salvage activities so that NGS may plan for the possible relocation of the geodetic station markers." INRD's contacts with NGS on this matter began in September 2009. I have attached as Exhibit 3 an exchange of correspondence between INRD and Mr. Simon Monroe of the National Geodetic Survey which confirms that no geodetic station markers will be affected by the salvage activities and that NGS is satisfied.

Based on the foregoing, INRD requests that the Board find that the Section 106 process has been completed and remove the condition against filing a consummation notice and commencing salvage operations. INRD will, of course, consult with the Bloomington office of the Fish and Wildlife Service before commencing salvage activities as the Board directed.

The construction season in the Midwest is getting underway and INRD needs to commence salvage of the rail and ties on the Crane-Bedford Line as soon as possible in order to use the salvaged materials to support its rail construction projects. Accordingly, we would like to request expedited action on this matter so that salvage activities can begin on May 10, 2010.

Yours very truly,

A handwritten signature in dark ink, appearing to read "John Broadley", with a stylized flourish at the end.

John Broadley

Enclosures

Exhibit 1



Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov



December 18, 2009

John H. Broadley
John H. Broadley & Associates, P.C.
Canal Square
1054 Thirty-First Street, N.W.
Washington, D.C. 20007

Federal Agency: Surface Transportation Board

Re: Additional information regarding the abandonment of a rail line from milepost 241.35 at Crane to milepost 262.5 in Bedford and abandonment of the Bedford Industrial Track from milepost 0.00 to milepost 1.65 (Docket No. AB 295 [Sub-No. 7X]; DHPA #7321)

Dear Mr. Broadley:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated November 6, 2009 and received on November 12, 2009 for the above indicated project from Crane to Bedford, Martin and Lawrence counties, Indiana.

We have received the combined environmental and historic report for the abandonment of the old Chicago, Milwaukee, St. Paul and Pacific Railroad line between Crane and Bedford from the Indiana Railroad Company. Based on the information provided to our office, we have noted the following historic properties within the probable area of potential effects which we believe may be eligible for inclusion in the National Register of Historic Places:

Furst-Kerber Cut Stone Co., 921 O Street, Bedford, Lawrence Co., Site #093-038-27077
Williams Milling Company, SR 450, Williams, Lawrence Co., Site #093-680-46013
Lawrence County Bridge No. 126, c.1913, carrying CR 450 over Crooked Creek
Bedford Foundry & Machine Co., 1108 5th Street, Bedford, Lawrence Co., Site #093-038-27004
Archaeological site 12Lr275, Lawrence County
Archaeological site 12Lr457, Lawrence County
Archaeological site 12Mn693 (19th century tunnel), Martin County

In addition, we have noted the following properties within the probable area of potential effects, and we believe that they meet the criteria of eligibility for inclusion in the National Register of Historic Places due to their historical and architectural significance:

Indiana Limestone Co. Office/ McGrath Mill, 957 J Street (Site #093-038-27017) is significant for its association with the limestone industry in Bedford.

Monon Railroad Depot on I Street (Site #093-038-27083) is significant for its association with railroad transportation in Lawrence County.

Furthermore, we have noted the following property listed in the Indiana Register of Historic Sites and Structures within the probable area of potential effects:

Milwaukee Railroad Depot, J Street, Bedford (Site #093-038-27082) listed August 1, 1998.

Based on the information provided to our office, it was not clear whether the proposed project may cause effects on the characteristics of the above identified historic properties that qualify them for inclusion in or eligibility for the National Register (*see* 36 C.F.R. § 800.16[i]). To enable us to provide views on the effects 36 C.F.R. § 800.4(d)(2) for your agency, please provide the following information:

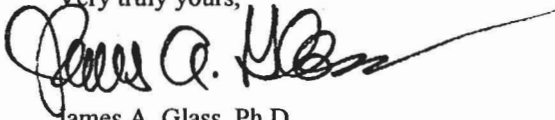
- 1) Please provide photographs of the above identified historic properties (excluding archaeological sites 12Lr275 and 12Lr457) from the railroad right-of-way and a description of the work to be performed within the vicinity of these structures.
- 2) We noted that brick pavers and other landscape features exist within the project area adjacent to the Milwaukee Railroad Depot. Will these materials be disturbed, altered or removed as part of the abandonment and salvage operation?
- 3) If access routes and staging areas will be needed for this project, please provide a description of the proposed activities and the locations.
- 4) Is the ballast going to be removed from the railroad line, or is the potential ground disturbance going to be limited to the areas of modern disturbance? Are the rails, ties, or any part of the tunnel going to be removed, or will the tunnel be avoided in its entirety?
- 5) The proposed project area is in a region associated with the historic limestone industry of Indiana. We would recommend providing detailed historic documentation that would help facilitate review of the potential impact on historic resources. We would also recommend consulting the historic Sanborn maps to identify possible unrecorded historic resources. These resources as well as the above mentioned resources could be associated with a historic district.

It is our understanding that part of this project travels through Crane Naval Weapons Support Center. Please coordinate with this agency regarding the Section 106 procedures.

Once the indicated information is received, the Indiana SHPO will resume identification and evaluation procedures for this project. Please keep in mind that additional information may be requested in the future.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #7321.

Very truly yours,



James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG:CWS:CLD:cld

cc: David C. Navecky, Environmental Protection Specialist, Surface Transportation Board
emc: Nancy Albertson, Cultural Resource Program Manager
Norm West, EPA Chicago Office

LAW OFFICES

JOHN H. BROADLEY & ASSOCIATES, P.C.

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INTERNET
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January 22, 2010

JOHN H. BROADLEY

James A. Glass, PhD
Deputy State Historic Preservation Officer
Indiana Department of Natural Resources
Division of Historic Preservation & Archaeology
402 West Washington Street W274
Indianapolis, IN 46204-2739

Re: Docket No. AB 295 (Sub-No. 7X), The Indiana Rail Road Company—
Abandonment Exemption—Martin and Lawrence Counties, IN. Your reference
DPHA #7321

Dear Mr. Glass:

This is in response to your letter to me of December 18, 2009 requesting additional information regarding The Indiana Rail Road Company's ("INRD") proposed abandonment of its line between Crane and Bedford, IN now pending before the Surface Transportation Board in the above noted docket. In response to your letter we have done additional work to document structures and address your specific points and questions as follows:

1. Please provide photographs of the above identified historic properties (excluding archaeological sites 12Lr275 and 12Lr457 from the railroad right-of-way and a description of the work to be performed within the vicinity of these structures.

I have attached as Exhibit A eight sets of photographs. The photographs are of eight of the nine structures you identified in your letter. Most of the structures are photographed from the right-of-way and I have tried to include photographs that give several perspectives of the structure (approaching from the west, face-on, departing to the east) except where there wasn't much point e.g. the two portals of the tunnel. Each set of photographs is preceded by an e-mail describing what is being photographed and identifying the photograph numbers of the photographs provided in hard copy. I have also enclosed a CD with all the photographs referenced in the e-mails.

The structures we have photographed are as follows:

Furst-Kerber Cut Stone Co., 921 O Street, Bedford, site #093-038-27077: The work to be performed near this site would be the removal of rail, ties, and ballast.

Williams Milling Company, SR 450, Williams, Lawrence Co., site #093-680-46013: The work to be performed near this site would be the removal of rail, ties, ballast and the road crossing.

Bedford Foundry and Machine Co. 1108 5th Street, Bedford, site #093-038-27004: The work to be performed near this site would be the removal of rail and ties and the road crossing.

Archaeological site 12Mn693 (19th century tunnel), Martin County: The work to be performed in the tunnel would be the removal of rail and ties.

Indiana Limestone Co. Office/McGrath Mill, 957 J Street, Bedford site #093-038-27017: It is unlikely any work will be performed on the right-of-way near to this site. At most rail and ties would be removed.

Monon Railroad Depot, I Street, Bedford, IN site #093-038-27083: The work to be performed near this site will be the removal of rail and ties from the line that is separated from the depot by the abandoned (and apparently salvaged) line of the Monon railroad.

Milwaukee Road Depot, J Street, Bedford, IN site #093-038-27082: The work to be performed near this site will involve the removal of rail and ties on the line to be abandoned which is parallel to but a considerable distance from the track that is directly in front of the station. See photograph 9477. The track that is immediately in front of the station is not part of the abandonment and will not be disturbed. The portion of the line to be abandoned that is close to the station is the Bedford Industrial Track. As we noted in our Petition for Exemption, it is unlikely that the ballast will be removed from this track, although the rail and the ties are likely to be removed for scrap.

Lawrence County Bridge No. 126, c.1913 carrying CR 400S over Crooked Creek appears to have been removed some time ago and replaced with an alternative crossing. Our investigation of this issue is documented in the e-mail thread attached as Exhibit B.

2. We noted that brick pavers and other landscape features exist within the project area adjacent to the Milwaukee Railroad Depot. Will these materials be disturbed, altered or removed as part of the abandonment and salvage operation?

No, the brick pavers will not be disturbed.

3. If access routes and staging areas will be needed for this project, please provide a description of the proposed activities and the locations.

Rail will be removed from the main line by a rail train which will operate over the line to the north. Thus, all of the main line rail will be removed over the existing and unabandoned railroad. Ties, OTM and ballast will be removed from the main line by truck which will access the railroad right-of-way from public and private road crossings (assuming agreement with private land owners to use a private crossing). INRD does not know which of the 29 road crossings the contractor will use. I have attached as Exhibit C INRD's Invitation for Bids for removal of the rail, ties and OTM which provides more detail of the work to be done in salvaging the materials from the line, and as Exhibit D a description of the L.B. Foster's description of the rail removal and redistribution process for the Crane to Bedford project. L.B. Foster submitted this as part of its bid on the job.

Rail and ties removed from the Bedford Industrial Track will be assembled at INRD owned property on the Bedford Industrial Track. Contractors will access the Bedford Industrial track from the numerous road crossings in the area.

4. Is the ballast going to be removed from the railroad line, or is the potential ground disturbance going to be limited to the areas of modern disturbance? Are the rails, ties or any part of the tunnel going to be removed or will the tunnel be avoided in its entirety?

The rail, ties and OTM will be removed from the main line. Rail, ties and OTM will be removed from the tunnel and from ballast deck bridges.

Ballast may be removed from most of the main line but will not be removed from the tunnel or from ballast deck bridges. INRD is offering the salvage contractor the opportunity to take the ballast as outlined in the invitation to bid. Only rail and ties will be removed from the Bedford Industrial Track.

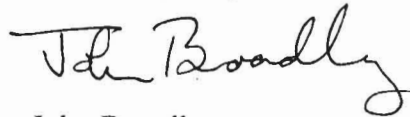
5. The proposed project area is in a region associated with the historic limestone industry of Indiana. We would recommend providing detailed historic documentation that would help facilitate review of the proposed impact on historic resources. We would also recommend consulting the historic Sanborn maps to identify possible unrecorded historic resources. These resources as well as the above mentioned resources could be associated with a historic district.

INRD does not have detailed (or in fact any) historic documentation of the limestone industry of Indiana. INRD has not been able to locate copies of the Sanborn maps to identify possible unrecorded historic resources. INRD has checked libraries in Bedford and Bloomington for this purpose but has been unsuccessful. Sanborn maps of Bedford, IN are not available on-line through the Library of Congress. See <http://www.loc.gov/rr/geogmap/sanborn/city.php?City=Bedford&State=Indiana>.

James A. Glass, PhD
January 22, 2010
Page No. 4

We hope this additional submission provides you the necessary information to complete your evaluation in the near future. Should you have any further questions, please don't hesitate to call me.

Yours very truly,

A handwritten signature in black ink, appearing to read "John Broadley". The signature is fluid and cursive, with the first name "John" and last name "Broadley" clearly distinguishable.

John Broadley

Cc: Victoria Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board

Exhibit A

(Photographs of Structures)

John Broadley

From: Chris Rund [chris.rund@inrd.com]
Sent: Tuesday, January 19, 2010 11:57 AM
To: jbbroadley@verizon.net
Cc: Peter Ray
Subject: Photos for DNR: Furst-Kerber Cut Stone Co.
Attachments: ZIMG_9466.jpg; ZIMG_9467.jpg; ZIMG_9468.jpg; ZIMG_9469.jpg; ZIMG_9470.jpg

Furst-Kerber Cut Stone Co., 921 O St., Bedford, site #093-038-27077

Chris Rund
Director of Public Relations and Communications
The Indiana Rail Road Company
101 W Ohio St., Ste. 1600
Indianapolis, IN 46204
(317) 616-3464

9497



27-98



0246



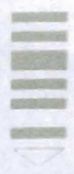
John Broadley

From: Chris Rund [chris.rund@inrd.com]
Sent: Tuesday, January 19, 2010 11:59 AM
To: jbbroadley@verizon.net
Cc: Peter Ray
Subject: Photos for DNR: Williams Milling Co.
Attachments: ZIMG_9458.jpg; ZIMG_9459.jpg; ZIMG_9460.jpg; ZIMG_9461.jpg; ZIMG_9462.jpg; ZIMG_9463.jpg

Williams Milling Co., SR 450, Williams, site #093-680-46013

Chris Rund
Director of Public Relations and Communications
The Indiana Rail Road Company
101 W Ohio St., Ste. 1600
Indianapolis, IN 46204
(317) 616-3464

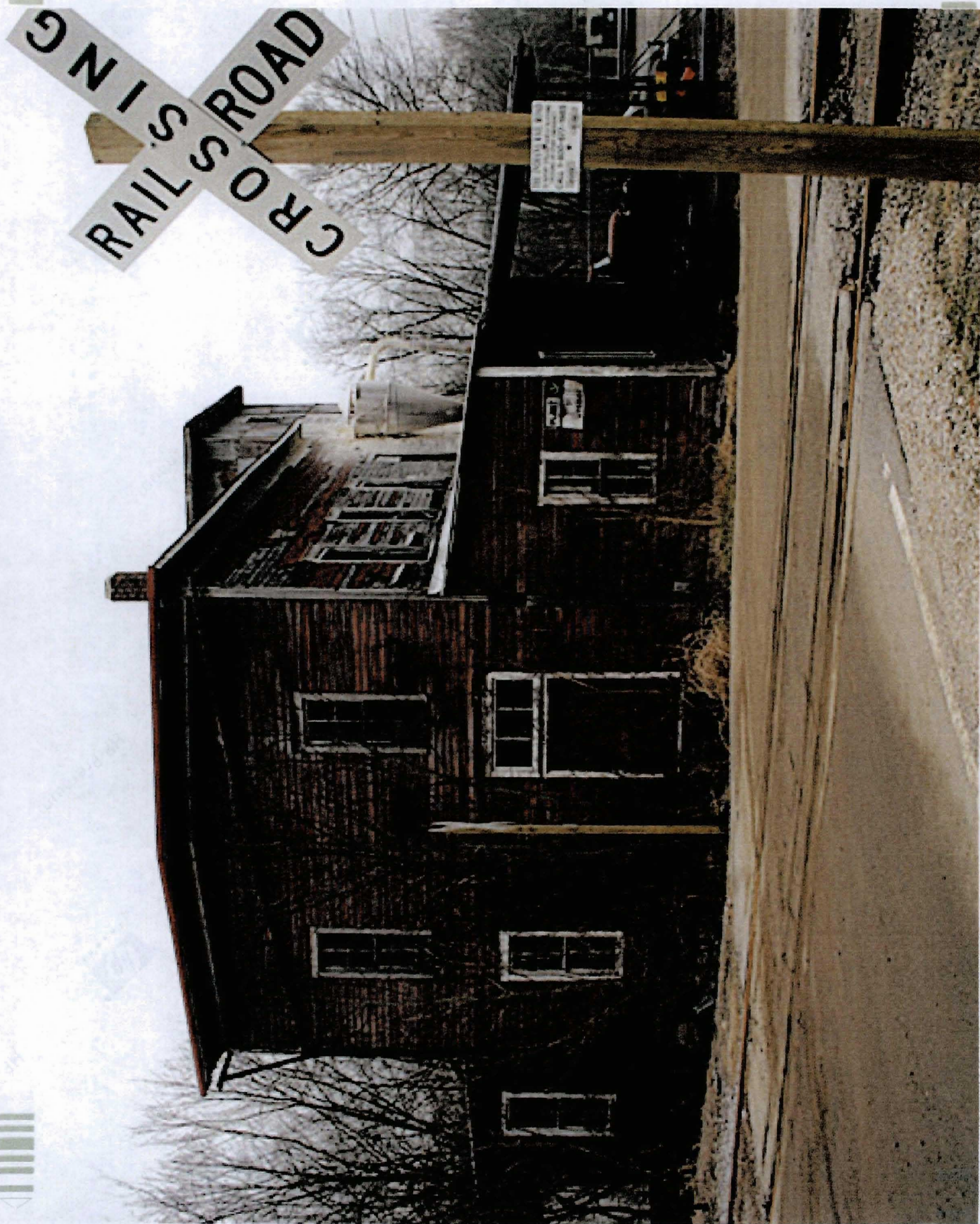
9450



1-469



9462



John Broadley

From: Chris Rund [chris.rund@inrd.com]
Sent: Tuesday, January 19, 2010 12:03 PM
To: jbbroadley@verizon.net
Cc: Peter Ray
Subject: Photos for DNR: Bedford Foundry & Machine Co.
Attachments: ZIMG_9480.jpg, ZIMG_9481.jpg, ZIMG_9482.jpg, ZIMG_9483.jpg, ZIMG_9484.jpg

Bedford Foundry & Machine Co., 1108 5th St., Bedford, site #093-038-27004

Chris Rund
Director of Public Relations and Communications
The Indiana Rail Road Company
101 W Ohio St., Ste. 1600
Indianapolis, IN 46204
(317) 616-3464

9480



9482



9484



John Broadley

From: Chris Rund [chris.rund@inrd.com]
Sent: Tuesday, January 19, 2010 12:10 PM
To: jbbroadley@verizon.net
Subject: Photos for DNR: Indiana Springs Tunnel, north portal
Attachments: ZIMG_9448.jpg; ZIMG_9449.jpg; ZIMG_9450.jpg; ZIMG_9453.jpg

Indian Springs Tunnel, Archaeological site 12Mn693 (John, I presume that our tunnel is the one referenced as the "archeological site.")

Chris Rund
Director of Public Relations and Communications
The Indiana Rail Road Company
101 W Ohio St., Ste. 1600
Indianapolis, IN 46204
(317) 616-3464

9448



9453



John Broadley

From: Chris Rund [chris.rund@inrd.com]
Sent: Tuesday, January 19, 2010 12:12 PM
To: jbbroadley@verizon.net
Cc: Peter Ray
Subject: Photos for DNR: Indian Springs Tunnel: south portal
Attachments: ZIMG_9454.jpg; ZIMG_9455.jpg; ZIMG_9456.jpg; ZIMG_9457.jpg

Indian Springs Tunnel, Archaeological site 12Mn693

Chris Rund
Director of Public Relations and Communications
The Indiana Rail Road Company
101 W Ohio St., Ste. 1600
Indianapolis, IN 46204
(317) 616-3464



9454

John Broadley

From: Chris Rund [chris.rund@inrd.com]
Sent: Tuesday, January 19, 2010 12:17 PM
To: jbbroadley@verizon.net
Cc: Peter Ray
Subject: Photos for DNR: Indiana Limestone Co. Office/McGrath Mill
Attachments: ZIMG_9485.jpg; ZIMG_9486.jpg; ZIMG_9487.jpg; ZIMG_9488.jpg

Indiana Limestone Co., / McGrath Mill, 957 J St., Bedford, site #093-038-27017

Chris Rund
Director of Public Relations and Communications
The Indiana Rail Road Company
101 W Ohio St., Ste. 1600
Indianapolis, IN 46204
(317) 616-3464

9485



John Broadley

From: Chris Rund [chris.rund@inrd.com]
Sent: Tuesday, January 19, 2010 12:21 PM
To: jrbroadley@verizon.net
Cc: Peter Ray
Subject: Photos for DNR: Monon Railroad Depot
Attachments: ZIMG_9471.jpg; ZIMG_9472.jpg; ZIMG_9473.jpg; ZIMG_9474.jpg

Monon Railroad Depot, I St., Bedford, site #093-038-27083

Chris Rund
Director of Public Relations and Communications
The Indiana Rail Road Company
101 W Ohio St., Ste. 1600
Indianapolis, IN 46204
(317) 616-3464

9471



9474



John Broadley

From: Chris Rund [chris.rund@inrd.com]
Sent: Tuesday, January 19, 2010 12:24 PM
To: jbbroadley@verizon.net
Cc: Peter Ray
Subject: Photos for DNR: Milwaukee Depot
Attachments: ZIMG_9475.jpg; ZIMG_9476.jpg; ZIMG_9477.jpg

Milwaukee Road Depot, J St., Bedford, site #093-038-27082

Chris Rund
Director of Public Relations and Communications
The Indiana Rail Road Company
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Indianapolis, IN 46204
(317) 616-3464

9477



9475



Exhibit B

(E-mail thread regarding Lawrence County Bridge No. 126)

John Broadley

From: John Broadley [jbroadley@verizon.net]
Sent: Thursday, January 21, 2010 1:33 PM
To: 'Chris Rund'; 'Slider, Chad'
Cc: 'Peter Ray'; 'John Rickoff'
Subject: RE: Photos for DNR: Lawrence County Bridge No. 126 (DHPA #7321)

All:

It looks to me as if the bridge is question was removed some time ago. The description Chad quotes from the Cooper book certainly sounds like the 1913 vintage iron truss bridge the county engineer says is gone. The location looks about right too.

Unless anyone has information to the contrary, I will simply attach this e-mail thread to our response to the Glass letter of December 18 to close out the matter of the bridge.

John Broadley

John Broadley
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From: Chris Rund [mailto:chris.rund@inrd.com]
Sent: Thursday, January 21, 2010 12:10 PM
To: John Broadley; Slider, Chad
Cc: Peter Ray; John Rickoff
Subject: RE: Photos for DNR: Lawrence County Bridge No. 126 (DHPA #7321)

All:

During my conversation with the Lawrence County Engineer yesterday, he mentioned that there was formerly an iron truss bridge in this area that would have been from the approximate time period (1913), but the bridge no longer exists.

Attached are two aerial photos of the area, known as the "slough," where Crooked Creek converges with the White River, about 0.5 miles east of the town of Williams. The first photo is from April 1998; the second from March 2005. Both photos show County Rd.

400 S. crossing the Crooked Creek slough on a causeway, rather than a bridge.

I have left a voice mail with the County Engineer to follow up on this issue. Please advise on what further investigation we need to do.
Thanks.

Chris Rund
The Indiana Rail Road Company
101 W Ohio St., Ste. 1600
Indianapolis, IN 46204
(317) 616-3464

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

From: John Broadley [<mailto:jbroadley@verizon.net>]
Sent: Wed 1/20/2010 10:42 AM
To: 'Slider, Chad'
Cc: Chris Rund; Peter Ray; John Rickoff
Subject: RE: Photos for DNR: Lawrence County Bridge No. 126 (DHPA #7321)

Chad:

Thanks. We will get right on it and have something to you by Monday.

jhb

John Broadley

John H. Broadley & Associates, P.C.

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From: Slider, Chad [<mailto:CSlider@dnr.IN.gov>]
Sent: Wednesday, January 20, 2010 10:02 AM
To: John Broadley
Subject: RE: Photos for DNR: Lawrence County Bridge No. 126 (DHPA #7321)

It appears that CR 450 is incorrect. According to our information, it is Lawrence County Bridge No. 126, c.1913, carrying CR 400 S over Crooked Creek (Per Jim Cooper's book, Iron Monuments to Distant Posterity, pg. 159, Bridge #126, CR 400S or #34, Crooked Cr., Pratt pony truss, c.1913). Looking at the USGS map, it should be located approximately 1/2 east of the town of Williams in Spice Valley Township, Lawrence County.

I believe that the photos you have attached are of the Williams Covered Bridge, CR 11, southwest of Williams, listed on the National Register November 9, 1981.

Chad Slider

Structures Reviewer

Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology

402 W. Washington St., Rm W274

Indianapolis, Indiana 46204-2739

317-234-5366

From: John Broadley [<mailto:jbroadley@verizon.net>]
Sent: Tuesday, January 19, 2010 4:36 PM
To: Slider, Chad
Subject: FW: Photos for DNR: Lawrence County Bridge No. 126

Chad:

See below the explanation of the problem given by Chris Rund who is getting the photos. Could you explain more which bridge you have in mind.

jhb

John Broadley

John H. Broadley & Associates, P.C.

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From: Chris Rund [<mailto:chris.rund@inrd.com>]

Sent: Tuesday, January 19, 2010 3:27 PM

To: jbroadley@verizon.net

Cc: Peter Ray

Subject: Photos for DNR: Lawrence County Bridge No. 126

John,

The info given in the DNR letter for this bridge doesn't quite square up. They say that the bridge (ca. 1913) carries County Rd. 450 over Crooked Creek. However, I can't discern any convergence of our railroad, County Rd. 450 and Crooked Creek. There IS, however, a State Rd. 450 that runs along the railroad at Crooked Creek, but the only bridge at that location carries the railroad over the highway.

A couple of miles to the west of this location is the large covered bridge (built in 1884, according to the markings on the structure) that spans the White River. (You may recall this bridge from our hi-rail trip.) I elected to photograph that structure, as it's the only obvious historical landmark in the area, although it seems to have nothing to do with Crooked Creek. I called the county engineer's office today and inquired as to the location of their bridge no. 126, and the assistant who answered the phone told me that she believed it was the covered bridge, but I should contact the engineer to verify that. I left a voice mail for him and will follow up when he returns to the office.

In the meantime, I'm attaching the photos I have.

Cheers,

Chris Rund

Director of Public Relations and Communications

The Indiana Rail Road Company

101 W Ohio St., Ste. 1600

Indianapolis, IN 46204

(317) 616-3464

Exhibit C

(Track Retirement Invitation to Bid September 16, 2009)

THE INDIANA RAIL ROAD COMPANY, INC.

TRACK RETIREMENT BID

September 16, 2009

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Two projects (A and B) to be awarded separately.

APPENDIX A

DESCRIPTION OF PROPERTY

CRANE TO BEDFORD, INDIANA

M.P. 241.35 TO M.P 262.10

INRD Contact: Mark Pfeiffer

Office: 812-514-9992

Cell: 812-972-8437

Completion Date: March 15, 2010

RAIL

Approximately 109,560 track feet (20.75 track miles) of 132#, 131#, 112# and 115# continuous welded rail; 26% -132#, 34%-131#, 10% -112# and 3 0%-115#. All rail will be retained by the Carrier. Contractor will be responsible to furnish and load rail on CWR train and redistribute at other locations on the Carrier's system.

Contractor is expected to furnish a train with a minimum capacity of 80,000 linear feet of rail in minimum lengths of 1,400 linear feet along with the required buffer cars and power car(s) and any other equipment required to perform the work along with all the labor required to pick the rail, ties and OTM up, repairing the grade crossings, properly disposing of all the scrap materials. CARRIER shall provide reasonable work train service that will include a locomotive and crew to move the train based upon an agreed to schedule that is to be provided by the Contractor.

Generally these shall be the locations where the materials are to be placed (they are subject to change should conditions dictate).

8.4 track miles of 112#/115# rail to be unloaded at the following locations –

- Indianapolis Subdivision, mile pole 92.0 to 94.7, 2.7 track miles, 5-1/2" base tie plates to be stockpiled in the material yard at Bloomfield, IN.
- Indianapolis Subdivision, mile pole 83.0 to 85.0, 2.0 track miles, 5-1/2" base tie plates to be stockpiled in the material yard at Bloomfield, IN.
- Indianapolis Subdivision, mile pole 70.0 to 72.7, 2.7 track miles, 5-1/2" base tie plates to be stockpiled in the material yard at Bloomfield, IN.
- Indianapolis Subdivision, mile pole 2.8 to 3.8, 1.0 track mile, 5-1/2" base tie plates to be stockpiled in the material yard at Indianapolis, IN.

7.65 track miles of 131# rail to be unloaded at the following locations –

- Chicago Subdivision, mile pole 179.8 to 181.5, 1.7 track miles, 6 inch base tie plates to be stockpiled in the material yard at Terra Haute, IN.
- Indianapolis Subdivision, mile pole 95.3 to 100.2, 4.9 track miles, 6 inch base tie plates to be stockpiled in the material yard at Dugger, IN.

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- Indianapolis Subdivision, mile pole 100.65 to 101.7, 1.05 track miles, 6 inch base tie plates to be stockpiled in the material yard at Dugger, IN.
- 4.6 track miles of 132# rail to be unloaded at the following locations –*
- Midland Subdivision, between Dugger and Jasonville, 4.6 track miles, 6 inch base tie plates to be stockpiled in the material yard at Dugger, IN.

The locations of the rail being picked up does not necessary match up with the areas that the rail is to be unloaded at, it may be necessary to make more than one trip to each of the areas to be unloaded at to match up with the rail as it is picked up.

A six (6) to eight (8) hour work window shall be provided to the contractor for the unloading of the rail along the mainline.

Contractor shall furnish and utilize rail rollers if rail has to be moved in excess of 2,800 feet along the ground.

Contractor shall be provided a copy of the CARRIER's track charts for its use in locating the loading and unloading sites.

Contractor shall provide a brief write up on how this project is being approached and how they expect the work to flow including number of men, types of equipment along with the handling of the rail train.

ROAD CROSSINGS

There are twenty-nine (29) road crossings in this area; 18 public and 11 private. (See attached road crossing list). Crossings will have the entire track structure removed and the roadway surface replaced with either asphalt where the existing approaches are asphalt and aggregate (INDOT type #53 aggregate) for roadways with aggregate approaches.

The existing grade crossing surfaces are to be removed and properly disposed off Carrier property by the Contractor.

The removal of the track structure will result in a substantial void being created, the Contractor smooth and compact the resulting surface and shall furnish, place and compact the INDOT type #53 aggregate through the entire limits of the grade crossing and roadway shoulders in a maximum six (6) inch compacted lifts to either the top of roadway surfaced for those roadways that are constructed of aggregate or up to four inches of the top of roadway surface for asphalt grade crossings where the remaining material placed is compacted INDOT approved "hot mix" asphalt.

Special care shall be taken at all the paved grade crossings so as to properly compact the paving material not leaving any potential of water ponding.

THE INDIANA RAIL ROAD COMPANY, INC.

TRACK RETIREMENT BID

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Contractor is to manage and coordinate the temporary closing of the roadways to perform the work with the local school buses and emergency vehicles working with the local township/county engineers or commissioners minimizing the duration the crossings will be closed.

Contractor shall be responsible for any and all detours that may be required and the signage that may be associated with the grade crossing work.

Contractor shall work with Mr. Brian Hall, INRD Signal Manager 317 616-3479 when approaching work in and around any grade crossings that have protection devices such as flashing lights and gates. Prefer a minimum of five days notice prior to working any site affected with lights and gates.

The local road authorities will remove and or adjust any of the grade crossing approach pavement markings, advance crossing signs and cross bucks.

BRIDGES and CULVERTS

There are forty-one (41) bridges along this route.

Contractor is to remove the rail, tie plate and OTM from the structure and handle as described herein.

Contractor shall comply with all FRA fall protection guidelines when working on or adjacent to a bridge.

Ballast deck bridges are to have the cross ties removed and properly handled as described herein. Open timber deck bridges are to have the timbers left in place. All bridge walkways are to remain.

Contractor shall place a rail barricade at each end of each bridge to reduce trespassing.

Contractor shall place a "No Trespassing" sign at each end of each structure to be placed along the centerline of the old track set behind the rail barricade.

All culverts will remain.

TUNNEL

The structure is approximately 1,200 feet in length and is to remain in place following the removal of the rail, cross ties and OTM.

BALLAST

Ballast is to remain in place, if the Contractor has a market for some or all of the ballast Carrier shall entertain the sale of the material by the Contractor and will accept a bid line item for the credit to the Carrier.

THE INDIANA RAIL ROAD COMPANY, INC.

TRACK RETIREMENT BID

September 16, 2009

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CROSS TIES

All cross ties not being retained by the Carrier shall be properly disposed of off the abandonment limits and INRD property. There are approximately 69,046 cross ties in the abandonment limits INRD anticipates retaining 50% of these cross ties. Contractor will be responsible for transporting and neatly stockpiling these salvaged cross ties in locations to be designated by Carrier to the following material yards.

- 10,000 salvageable cross ties to Indianapolis, IN
- 12,250 +/- salvageable cross ties to Jasonville, IN
- 12,250 +/- salvageable cross ties to Hoosier Siding in Linton, IN.

TIE PLATES

All tie plates will be retained by the Carrier. Contractor will be responsible for transporting these tie plates to the locations identified above under the "RAIL" section of this document. .

OTM

All OTM (including spikes and rail anchors) will become the property of the Contractor and shall be disposed of properly. Contractor to provide a line item in the bid to purchase the OTM.

BID ITEMS –

Track dismantling crew, labor and equipment includes working over bridges and through tunnel and the loading, delivery and neatly stockpiling cross ties and tie plates at the locations identified above

Monthly Cost

Weekly Cost

Daily Cost

Rail Train loading crew, labor and equipment

Monthly Cost

Weekly Cost

Daily Cost

Rail Train unloading crew, labor and equipment

Monthly Cost

Weekly Cost

Daily Cost

Rail Train rental cost including power car, rail cars, buffer cars and equipment

Monthly Cost

Weekly Cost

Daily Cost

Material and other costs to work through the grade crossings, labor included in the dismantling crew above, cost to include all detours, signage, INDOT #53 aggregate and hot mix asphalt.

Per Crossing location

Cost to properly dispose of cross ties and grade crossing surfaces, will require a dump ticket

Per Load

Credit for sale of OTM, will require scale tickets

Net Ton

Credit for sale of ballast

Per Load

THE INDIANA RAIL ROAD COMPANY, INC.
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ROAD CROSSING LIST CRANE-BEDFORD, INDIANA

1.	Lincoln St	262.11
2.	M Street	262.06
3.	N Street	262.00
4.	R Street	261.70
5.	U Street	261.40
6.	Private	258.78
7.	Private	257.35
8.	Private	256.56
9.	Private	255.80
10.	Private	255.60
11.	Private	253.76
12.	Goose Lane -	252.89
13.	Private	252.58
14.	Private	252.32
15.	Private	251.89
16.	SR 450	251.53
17.	Private	251.25
18.	CR 100	248.44
19.	Private	247.98
20.	Low Gap	247.67 (CR99)
21.	Private	247.47
22.	CR115	246.05
23.	CR60	245.92 (Cale Rd)
24.	CR 109	245.16
25.	CR60	245.10
26.	Private	244.45
27.	Cale Rd	244.20
28.	CR 235	244.10
29.	Private	243.6
30.	Naval Base	
	South Xing -	239.20
31.	Naval Base	
	North Xing -	236.93

Exhibit D

**(L.B. Foster Brief Description of Rail Removal and
Redistribution Process)**

LB FOSTER

INRD - CRANE, IN TO BEDFORD, IN PROJECT

BRIEF DESCRIPTION OF RAIL REMOVAL AND REDISTRIBUTION PROCESS

1) PREP FOR CWR LOADING:

- a. We will knock all anchors & pull all anchor spikes, leaving all rail bearing spikes in place prior to loading each train
- b. No crossing or switches will be cut
- c. These cuts will be made as we proceed with the loading of the train

2) RAIL REMOVAL:

- a. Utilizing the work train (power & train crew supplied by INRD) we will pull a rail sled (behind our train & unloader car) to lift the rail, this will pull all remaining spikes
- b. We will then unhook from the sled, hook up to the rail we just lifted & pull the rail ahead with the train approx. 2,000 feet
- c. At this point we will proceed to push the train back under the rail, until it is in the proper place to make a reverse move
- d. Then we will back up to the sled, lift another 1,600 ft & do it again (& again) until the train is loaded
- e. We estimate 10 days for each train to load

3) RAIL UNLOADING:

- a. Utilizing INRD power & our train / unloader we will unload & distribute the rail where requested by the INRD
- b. We estimate 5 days for each train to unload

4) BACK END WORK TO CLEAN UP ALL REMAINING MATERIAL:

- a. Once the first train is loaded out we will begin setting all the OTM off to one side, just off the end of the ties
- b. The plates will be sorted from the spikes & anchors
- c. The ties will be set off to the opposite side of the road bed, sorted by INRD ties (which will be painted by the INRD) & the remaining LBF ties
- d. A road bed will be leveled down the track bed to accommodate trucks to haul out all remaining materials

5) TIE PLATE DISTRIBUTION:

- a. We will mag the tie plates into semi dumps & haul to the designated locations.

6) RAILROAD TIE DISTRIBUTION:

- a. Knuckleboom trucks will be utilized to pick up the INRD ties & haul to the designated locations
- b. The same equipment will load all remaining scrap ties in to commercial dumps for disposal at a landfill
- c. Dump receipts will be provided on all loads

7) REMAINING OTM:

- a. This will be mag'ed up & hauled off
- b. Scale tickets will be provided for credit

8) CROSSING REMOVAL & RESTORATION:

- a. This will occur next spring
- b. We will saw cut the road
- c. Excavate the crossing out of the track bed
- d. Replace all road materials, in kind, to the specifications of the governing authority
- e. Dispose of all crossing materials

9) BRIDGE BARRICADES & WAYSIDE SIGN REMOVAL & DISTRIBUTION:

- a. Cut rails to length & cement in the ground.
- b. Weld rail crossbar in place on both sides of all bridges
- c. Pull all signs with knuckleboom & chain
- d. Haul signs to designated locations

EQUIPMENT & PERSONNEL REQUIRED

1) PREP FOR CWR LOADING:

- a. Spike pullers
- b. Anchors knocker
- c. 6 - LBF people

2) RAIL REMOVAL:

- a. INRD power & crew
- b. LBF rail train & unloader
- c. Hydraulic excavator
- d. Hi-rail pick up
- e. 10 - LBF people

3) RAIL UNLOADING:

- a. INRD power
- b. LBF train & unloader
- c. 5 - LBF people on train
- d. INRD will provide all other necessary;
 - i. Crossing protection
 - ii. Backhoes (if needed)
 - iii. Hi-rail welding truck to remove & bring up chains

4) BACK END WORK TO CLEAN UP ALL REMAINING MATERIAL:

- a. Hydraulic excavators
- b. Knuckleboom trucks
- c. Semi dump trucks
- d. Dozer
- e. 7 - LBF people

- 5) TIE PLATE DISTRIBUTION:
 - a. Hydraulic excavators
 - b. Semi dumps
 - c. 3 – LBF people

- 6) RAILROAD TIE DISTRIBUTION:
 - a. Knuckleboom trucks
 - b. Semi dumps
 - c. 2 – LBF people

- 7) REMAINING OTM:
 - a. Hydraulic excavator
 - b. Semi dump
 - c. 2 – LBF people

- 8) CROSSING REMOVAL & RESTORATION:
 - a. Hydraulic excavator
 - b. Dump truck
 - c. Roller
 - d. 6 – LBF people

- 9) BRIDGE BARRICADES & WAYSIDE SIGN REMOVAL & DISTRIBUTION:
 - a. Hydraulic excavator
 - b. Skidsteer loader
 - c. Dump truck
 - d. Welder
 - e. 6 – LBF people

*** ESTIMATED START DATE = MID OCTOBER 2009

*** ESTIMATED COMPLETION DATE = JUNE 2010

Exhibit 2



Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director



February 23, 2010

John H. Broadley
John H. Broadley & Associates, P.C.
Canal Square
1054 Thirty-First Street, N.W.
Washington, D.C. 20007

Federal Agency: Surface Transportation Board

Re: Response to request for additional project information regarding the abandonment of a rail line from milepost 241.35 at Crane to milepost 262.5 in Bedford and abandonment of the Bedford Industrial Track from milepost 0.00 to milepost 1.65 (Docket No. AB 295 [Sub-No. 7X]; DHPA #7321)

Dear Mr. Broadley:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated January 22, 2010 and received on January 25, 2010 for the above indicated project from Crane to Bedford, Martin and Lawrence counties, Indiana.

Thank you for submitting the requested information concerning the proposed abandonment and salvage of the old Chicago, Milwaukee, St. Paul and Pacific Railroad line between Crane and Bedford by the Indiana Railroad Company. Based on the information provided to our office, we do not believe the characteristics that qualify the previously identified historic properties for inclusion in the National Register will be diminished as a result of this project with the following conditions:

1. It is our understanding that the rail line (Monon Railroad) adjacent to the Monon Railroad Depot (#093-038-27083) is not part of this proposed abandonment and that this line will be left in its current condition.
2. The rail line (Bedford Industrial Track) adjacent to the Milwaukee Road Depot (#093-038-27082) must remain intact and its current condition.
3. Archaeological site 12Mn693 (19th century tunnel) in Martin County must be avoided by all project activities. Rails and ties must remain intact.
4. The rails and ties may be removed along the section of line through archaeological sites 12Lr275 and 12Lr457. However, the removal of the ballast may impact potentially undisturbed archaeological deposits underneath the rail line. We would advise using smaller, less invasive equipment that would minimize ground disturbance to any soil underneath the existing rail line.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

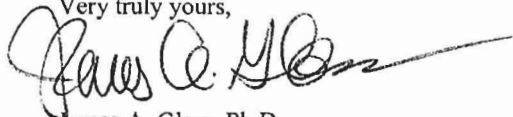
Upon completing its own identification and evaluation efforts, it would be appropriate for the Surface Transportation Board to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Refer to the following comments for guidance:

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- 1) If the Surface Transportation Board believes that a finding of "no adverse effect" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. § 800.11(e) to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.5[b-c] and 800.2[d][2]).
- 2) If, on the other hand, the Surface Transportation Board believes that a finding of "adverse effect" accurately reflects its assessment, then it shall provide notification to the Advisory Council on Historic Preservation by providing the documentation in 36 C.F.R. § 800.11(e) as stated in 36 C.F.R. § 800.6(a)(1). Additionally, the Surface Transportation Board may proceed to provide documentation of its finding as set forth in 36 C.F.R. § 800.11(e) to the Indiana SHPO, all consulting parties, and make the documentation available for public inspection and proceed to seek ways to avoid, reduce and mitigate effects as stated in 36 C.F.R. § 800.6 (a)(2-5).

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #7321.

Very truly yours,



James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG:CWS:CDW:cdw

cc: David C. Navecky, Environmental Protection Specialist, Surface Transportation Board
emc: Nancy Albertson, Cultural Resource Program Manager
Norm West, EPA Chicago Office
Angie Krieger, Hoosier National Forest

Ms. Karie Brudis
Assist. Director

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JOHN H. BROADLEY & ASSOCIATES, P.C.

CANAL SQUARE
1054 THIRTY-FIRST STREET, N.W.
WASHINGTON, D.C.
20007

(202) 333-6025
(301) 942-0676 FAX

INTERNET
JBROADLEY@ALUM.MIT.EDU

April 8, 2010

JOHN H. BROADLEY

James A. Glass, PhD
Deputy State Historic Preservation Officer
Indiana Department of Natural Resources
Division of Historic Preservation & Archaeology
402 West Washington Street W274
Indianapolis, IN 46204-2739

Re: Docket No. AB 295 (Sub-No. 7X), The Indiana Rail Road Company—
Abandonment Exemption—Martin and Lawrence Counties, IN. Your reference
DPHA #7321

Dear Mr. Glass:

This is in response to your letter of February 23, 2010 regarding the historic review process for the captioned abandonment. To address your specific concerns:

1. You are correct that the rail line of the Monon Railroad adjacent to the Monon Railroad Depot (#093-038-27083) is not part of the proposed abandonment and that that line will be left in its current condition.
2. The Indiana Rail Road Company ("INRD") agrees that the portion of the Bedford Industrial Track adjacent to the Milwaukee Road Depot (#093-038-27082) will remain intact and in its current condition.
3. INRD will not remove the ballast along the section of line going through archaeological sites 12Lr275 and 12Lr457.
4. Your request that the tunnel in Martin County (site 12Mn693) must be avoided by all project activities and that the rails and ties in the tunnel must be left intact puzzles us and presents significant problems for the following reasons:

The rails and ties in the tunnel were laid in the 1980's and are of a common type used throughout the US rail industry. They have no historic value or significance, nor are they significant to the structural integrity of the tunnel.

James A. Glass, PhD
April 8, 2010
Page No. 2

Moreover, leaving the rails and ties in place in the tunnel will greatly complicate the removal of ties and ballast from the portion of the line east of the tunnel. The usual practice is to remove the rails using a rail train which will work from the Bedford end of the line. Leaving rail and ties in the tunnel will not affect this operation. The next step is to remove the ties by putting them on trucks which will move along the ballasted right-of-way in a "one-way" operation. The trucks will enter the right-of-way at an entry point; drive to the location where ties are being loaded; pick up a load of ties; and continue driving in the same direction to the next exit point from the right-of-way. If the rails are left in the tunnel, it will not be possible to move trucks through the tunnel. This will prevent a one-way operation (all trucks moving in one direction) and will require that between the tunnel and Indian Springs trucks picking up ties must operate in both directions on the right-of-way and turn around at some point on the right-of-way. The same problem will arise west of the tunnel.

Please let me know whether you will modify your request that the rail and ties remain in place in the tunnel, or if there are any alternative steps INRD can take to protect the aspects of the tunnel you are seeking to protect. If you believe you cannot modify your request regarding the tunnel, INRD will comply your request.

Could you please confirm to me and to the Surface Transportation Board, Section of Environment, that INRD's January 22, 2010 response to your December 18, 2009 letter, and this response to your February 23, 2010 letter will comply with and complete the Section 106 process of the NHPA.

Yours very truly,



John Broadley

Cc: Victoria Rutson
Section of Environment
Surface Transportation Board

John Rickoff
Executive Vice President
The Indiana Rail Road Company

Peter Ray
Vice President Engineering
The Indiana Rail Road Company

Exhibit 3

John Broadley

From: Simon Monroe [Simon.Monroe@noaa.gov]
Sent: Wednesday, March 31, 2010 3:36 PM
To: John Broadley
Cc: Surface Transportation Board; Surveyorlady@yahoo.com; Gilbert Mitchell; Simon Monroe
Subject: [NGS Response, STB Docket AB-295 (SUB NO. 007X)]

Thank you for sharing your railroad abandonment environmental report for Bedford, Martin, and Lawrence County, INDIANA.

Approximately 02 geodetic survey marks may be located in the area described.

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/>

```
|----|-----|  
|----|-----|-----|-----|-----|-----|  
|....|JA0123|. 1|88/ADJUSTED|N385141.....|W0862926.....|C...|P 281  
|....|JA1470|. 1|88/ADJUSTED|N385138.....|W0863005.....|....|Q 281
```


John Broadley

From: John Broadley [jbroadley@verizon.net]
Sent: Tuesday, April 13, 2010 10:06 AM
To: 'simon@ngs.noaa.gov'; 'Simon Monroe'
Cc: 'John Rickoff'; 'Peter Ray'
Subject: Geodetic Survey Marks STB Docket AB-295 (Sub-No. 7X)
Attachments: Ltr.Monroe.100409.Geodetic Station Marks.pdf

Simon:

Attached is a letter notifying you that the two geodetic survey marks you identified as potentially impacted by The Indiana Rail Road's abandonment and salvage of materials from the Crane-Bedford Line will not be affected.

The first mark is in the center of Bedford and far removed from the right-of-way. The second mark is in the southeast quadrant formed by the railroad right of way and 16th Street in Bedford. We have made a careful inspection of the railroad right-of-way and the adjacent land and have not seen the mark either on the right of way or immediately adjacent to the right of way. As the salvage will not impact anything not located on the right of way, we do not believe there is any risk of disturbing the marker.

To be certain, we will revisit the area this week and attempt to find the marker itself to confirm what our investigation has shown to date. We will let you know if we are able to find the marker itself.

jhb

John Broadley
John H. Broadley & Associates, P.C.
1054 31st Street, NW Suite 540 <<<<<< **Please note new suite number.**
Washington, D.C. 20007
Tel. 202-333-6025
Fax 301-942-0676
Mobile 202-230-8395
E-mail jbroadley@alum.mit.edu

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(301) 942-0676 FAX

INTERNET
JBROADLEY@ALUM.MIT.EDU

April 13, 2010

JOHN H. BROADLEY

BY ELECTRONIC AND US MAIL

Simon Monroe
National Geodetic Survey
1315 East West Highway
Silver Spring, MD 20910

Re: STB Docket AB 295 (Sub-No. 7X), The Indiana Rail Road Company --
Abandonment Exemption - Martin and Lawrence Counties, Indiana

Dear Mr. Monroe:

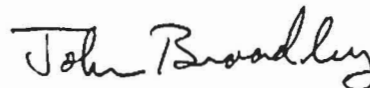
The Indiana Rail Road Company ("INRD") has reviewed the location of the geodetic station marks you provided in your e-mail of March 31, 2010, a copy of which I have attached.

This letter is to confirm that the abandonment of INRD's Crane-Bedford line that was exempted by the STB in its decision of March 26, 2010 and the removal of rail and ties from the right-of-way *will not affect either of the geodetic station marks noted on your e-mail.*

Mark No. JA0123 is in the center of Bedford far removed from the right-of-way. Mark No. JA1470 is, by its coordinates, in the southeast quadrant of the intersection of the railroad right-of-way with 16th Street in Bedford. We have made an inspection of the right-of-way and have not found the mark on or near the right-of-way. Accordingly, it will not be disturbed by the removal of the rail and ties or any ballast removal that may occur.

Should you have any further questions concerning this matter, please do not hesitate to call me at the above number.

Yours very truly,



John Broadley

Attachment

John Broadley

From: John Broadley [jbroadley@verizon.net]
Sent: Tuesday, April 13, 2010 12:46 PM
To: 'Simon Monroe'; 'simon@ngs.noaa.gov'
Cc: 'John Rickoff'; 'Peter Ray'
Subject: FW: Geodetic Survey Marks STB Docket AB-295 (Sub-No. 7X)

Simon:

The following is from Pete Ray, INRD's VP Engineering. They went back there today and looked beyond the right of way and its immediately adjacent land and didn't find the second mark.

Do you need anything more from us?

jhb

John Broadley
John H. Broadley & Associates, P.C.
1054 31st Street, NW Suite 540 <<<<<< Please note new suite number.
Washington, D.C. 20007
Tel. 202-333-6025
Fax 301-942-0676
Mobile 202-230-8395
E-mail jbroadley@alum.mit.edu

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From: Peter Ray [mailto:peter.ray@inrd.com]
Sent: Tuesday, April 13, 2010 11:58 AM
To: jbroadley@verizon.net
Subject: Re: Geodetic Survey Marks STB Docket AB-295 (Sub-No. 7X)

John, we inspected this area today thoroughly and found no evidence of a marker. All we found was a INDOT right of way marker.

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

From: John Broadley <jbroadley@verizon.net>
To: simon@ngs.noaa.gov <simon@ngs.noaa.gov>; 'Simon Monroe' <Simon.Monroe@noaa.gov>
Cc: John Rickoff; Peter Ray
Sent: Tue Apr 13 10:05:44 2010
Subject: Geodetic Survey Marks STB Docket AB-295 (Sub-No. 7X)

Simon:

Attached is a letter notifying you that the two geodetic survey marks you identified as potentially impacted by The Indiana Rail Road's abandonment and salvage of materials from the Crane-Bedford Line will not be affected.

The first mark is in the center of Bedford and far removed from the right-of-way. The second mark is in the southeast quadrant formed by the railroad right of way and 16th Street in Bedford. We have made a careful inspection of the railroad right-of-way and the adjacent land and have not seen the mark either on the right of way or immediately adjacent to the right of way. As the salvage will not impact anything not located on the right of way, we do not believe there is any risk of disturbing the marker.

To be certain, we will revisit the area this week and attempt to find the marker itself to confirm what our investigation has shown to date. We will let you know if we are able to find the marker itself.

jhb

John Broadley

John H. Broadley & Associates, P.C.

1054 31st Street, NW Suite 540 <<<<<< Please note new suite number.

Washington, D.C. 20007

Tel. 202-333-6025

Fax 301-942-0676

Mobile 202-230-8395

E-mail jbroadley@alum.mit.edu

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John Broadley

From: Simon Monroe [Simon.Monroe@noaa.gov]
Sent: Wednesday, April 14, 2010 11:33 AM
To: John Broadley
Subject: Re: FW: Geodetic Survey Marks STB Docket AB-295 (Sub-No. 7X)

John,
You are doing this the right way. Nothing else is needed.
Thank,
-Simon

John Broadley wrote:

> Simon:

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> The following is from Pete Ray, INRD's VP Engineering. They went back there today and looked beyond the right of way and its immediately adjacent land and didn't find the second mark.

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> Do you need anything more from us?

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> jhb

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> John Broadley

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> John H. Broadley & Associates, P.C.

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> From: Peter Ray [mailto:peter.ray@inrd.com]
> Sent: Tuesday, April 13, 2010 11:58 AM
> To: jbbroadley@verizon.net
> Subject: Re: Geodetic Survey Marks STB Docket AB-295 (Sub-No. 7X)

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> John, we inspected this area today thoroughly and found no evidence of a marker. All we found was a INDOT right of way marker.

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> ----- Original Message -----

> From: John Broadley <jbbroadley@verizon.net>
> To: simon@ngs.noaa.gov <simon@ngs.noaa.gov>; 'Simon Monroe' <Simon.Monroe@noaa.gov>
> Cc: John Rickoff; Peter Ray
> Sent: Tue Apr 13 10:05:44 2010
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> jhb
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