

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

301183
ENTERED
Office of Proceedings
October 15, 2020
Part of
Public Record

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

October 15, 2020

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company – Abandonment
Exemption – In Jefferson County, Illinois

Docket No. AB-33 (Sub-No. 337X)
Union Pacific Railroad Company – Abandonment
Exemption - In Jefferson County, Illinois

Dear Ms. Brown:

Attached for filing in the above-captioned proceedings is the **Verified Joint Notice of Exemption of Illinois Central Railroad Company and Union Pacific Railroad Company Pursuant to 49 C.F.R. § 1152.50**, dated October 15, 2020. The appropriate filing fees for the Notice have been tendered electronically via Pay.gov.

If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter. Kind regards.

Respectfully submitted,



Thomas J. Litwiler
Attorney for Illinois Central Railroad Company

FEE RECEIVED
October 15, 2020
SURFACE
TRANSPORTATION BOARD

FILED
October 15, 2020
SURFACE
TRANSPORTATION BOARD

TJL:tl

Attachment

cc: Jeremy M. Berman, Esq.

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (SUB-NO. 191X)

ILLINOIS CENTRAL RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN JEFFERSON COUNTY, ILLINOIS

DOCKET NO. AB-33 (SUB-NO. 337X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN JEFFERSON COUNTY, ILLINOIS

**VERIFIED JOINT NOTICE OF EXEMPTION OF
ILLINOIS CENTRAL RAILROAD COMPANY
AND UNION PACIFIC RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50**

Jeremy M. Berman
General Attorney
Union Pacific Railroad Company
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179
(402) 544-4735

**ATTORNEY FOR UNION PACIFIC
RAILROAD COMPANY**

Thomas J. Litwiler
Bradon J. Smith
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208
(312) 252-1500

**ATTORNEYS FOR ILLINOIS
CENTRAL RAILROAD COMPANY**

Dated: October 15, 2020

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (SUB-NO. 191X)

ILLINOIS CENTRAL RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN JEFFERSON COUNTY, ILLINOIS

DOCKET NO. AB-33 (SUB-NO. 337X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN JEFFERSON COUNTY, ILLINOIS

**VERIFIED JOINT NOTICE OF EXEMPTION OF
ILLINOIS CENTRAL RAILROAD COMPANY
AND UNION PACIFIC RAILROAD COMPANY
PURSUANT TO 49 C.F.R. § 1152.50**

Illinois Central Railroad Company (“IC”) and Union Pacific Railroad Company (“UP”) (collectively, “the Railroads”) hereby submit this notice of exemption pursuant to 49 C.F.R. § 1152.50 to abandon approximately 100 feet of jointly-owned railroad line extending from Milepost 10.53 to Milepost 10.55 at the railroad bridge overpass (“the Bridge”) of State Route 148 (County Road 600E) south of the Village of Waltonville in Jefferson County, Illinois (“the Bridge Track”). After abandonment, the Bridge Track will be salvaged and the Bridge will be removed to permit the Illinois Department of Transportation (“IDOT”) to undertake a road-improvement project on State Route 148 at this location. A map showing the Bridge Track and surrounding area is attached hereto as Exhibit A.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), the Railroads submit the following information:

General Corporate Information: 49 C.F.R. § 1152.22(a)(1) - (2)

IC is a Class I common carrier by rail which owns and operates approximately 2,550 miles of rail line in six Midwestern and South Central states. IC is a wholly-owned indirect subsidiary of Canadian National Railway Company. *See Canadian Nat'l Ry. Co. – Control – Illinois Central Corp.*, 4 S.T.B. 122 (1999).

The complete name and address of IC is:

Illinois Central Railroad Company
17641 South Ashland Avenue
Homewood, Illinois 60430-1345

UP is a Class I common carrier by rail which owns or operates approximately 32,200 miles of rail line in 23 states in the western two-thirds of the United States.

The complete name and address of UP is:

Union Pacific Railroad Company
1400 Douglas Street
Omaha, Nebraska 68179

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. § 1152.50(b), the Railroads seek to abandon their jointly-owned line of railroad extending from Milepost 10.53 to Milepost 10.55 at the railroad bridge overpass of State Route 148 (County Road 600E) south of the Village of Waltonville, a distance of approximately 100 feet in Jefferson County, Illinois. No rail freight service has been provided on the Bridge Track or on the Railroads' adjacent rail lines in many years.

The Bridge Track is a portion of rail line known as the "Lead Track" that was constructed to access coal mines known as "Orient No. 3" and "Orient No. 6" from the Railroads' mainlines, which are west of the mines. The IC mainline lies furthest to the west, at

Bois, Illinois and the UP mainline is east thereof near Scheller, Illinois. East of Scheller, the Railroads jointly own the Lead Track.¹

The Lead Track was extended from its former connection to the CB&Q east across the CB&Q (now BNSF) main line to Orient No. 6 in 1966. *Illinois Central R. Co. Operation In Jeff. County Ill.*, 238 I.C.C. 586 (1967). East of the Bridge Track, rail line also extends south to the “Rend Lake” mine; this southern extension² connects separately to the BNSF mainline. See *Burlington Northern Railroad Company – Connector Track Construction – Near Waltonville in Jefferson County, IL*, Docket No. FD 31599 (Sub-No. 2) (ICC served June 26, 1990).³ Thus, the Lead Track east of the Bridge accessing Orient No. 6 and the southern extension to the Rend Lake mine retain connections to the national rail network via BNSF. West of the Bridge the Lead Track remains connected to the national rail network at the aforementioned junctions in Bois and Scheller.

All of the referenced coal mines and the rail lines serving them are currently inactive. IDOT has sought removal of the Bridge to undertake a road-improvement project on State Route 148, and a proceeding is currently pending at the Illinois Commerce Commission to

¹ Service via the Lead Track to Orient No. 3 (just west of the Bridge) was historically provided by IC, Missouri Pacific Railroad Company (“MP,” UP’s predecessor) and Chicago, Burlington, and Quincy Railroad Company (“CB&Q”). See *Illinois Central R. Co. Operation In Jeff. County Ill.*, 238 I.C.C. 586, 587 n.1 (1967) (citing *Illinois Central R. Co. Construction*, 371 I.C.C. 811 (1949)). The CB&Q main line (now BNSF Railway Company (“BNSF”)) parallels State Route 147 just east of the Bridge. Burlington Northern Railroad Company, a CB&Q successor and BNSF predecessor, conveyed its interest in the Lead Track to the Railroads in 1984. The Orient No. 3 mine has been closed since prior to 1987.

² The southern extension belongs solely to IC.

³ BNSF holds related trackage rights on a portion of the southern extension. *Burlington Northern Railroad Company – Trackage Rights Exemption – Illinois Central Railroad Company*, Docket No. FD 31599 (ICC served Mar. 22, 1990).

address the Bridge's removal.⁴ The parties have agreed to seek abandonment authority for the Bridge Track at the Surface Transportation Board to accommodate the proceedings at the Illinois Commerce Commission. As indicated above, after abandonment of the Bridge Track, the inactive rail line east of the Bridge Track will remain accessible via the existing connection with BNSF's nearby rail line, while the inactive rail line west of the Bridge Track will remain connected to the UP and IC mainlines at Scheller and Bois, Illinois, respectively.

Map: 49 C.F.R. § 1152.22(a)(4)

A map showing the location of the Bridge Track and its relation to other rail lines, highways and geographic features in the area is attached hereto as Exhibit A.

Applicants' Representatives: 49 C.F.R. § 1152.22(a)(7)

IC's representative to whom correspondence regarding this abandonment should be sent is:

Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, IL 60606-3208
312-252-1508

UP's representative to whom correspondence regarding this abandonment should be sent is:

Jeremy M. Berman
General Attorney
Union Pacific Railroad Company
1400 Douglas Street, Stop 1580
Omaha, NE 68179
(402) 544-4735

⁴ Docket No. T16-0099, *State of Illinois, Department of Transportation v. BNSF Railway Company and Illinois Central Railroad Company* (Ill.C.C.).

ZIP Codes Traversed: 49 C.F.R. §1152.22(a)(8)

The Bridge Track traverses United States Postal Service ZIP Codes 62894 and 62833.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

The Railroads certify that no local traffic has moved over the Bridge Track for at least two years and that any former overhead traffic on the Bridge Track could be rerouted over other lines. The Railroads further certify that no formal complaint by a user of rail service on the Bridge Track (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years. See Certification and Verification of Brian Buchanan and Certification and Verification of Olin H. Dirks, attached hereto as Exhibits B-1 and B-2, respectively.

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

The Railroads intend to consummate abandonment of the Bridge Track on or shortly after December 4, 2020.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

The Bridge Track is not suitable for any other public purpose. Abandonment is being undertaken to accommodate IDOT's interest in removal of the Bridge to improve roadway clearances on State Route 148. Based on information in the Railroads' possession, the Bridge Track does not appear to contain any federally granted right of way, particularly given that the Bridge currently occupies aerial space above State Route 148.

Notice Requirements: 49 C.F.R. §§ 1152.50(d)(1), 1105.11, 1105.12

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written prefiling notice of the proposed abandonment, that the Environmental/Historic Report accompanying this Notice as Exhibit D has been served on the agencies designated in 49 C.F.R. § 1105.7(b) in accordance with 49 C.F.R. § 1105.11, and that the publication requirement of 49 C.F.R. § 1105.12 has been satisfied is attached hereto as Exhibit C.

Labor Protection: 49 C.F.R. § 1152.50(d)(2)

The appropriate level of labor protection for the transaction proposed herein is that set forth in *Oregon Short Line R. Co. -- Abandonment -- Goshen*, 360 I.C.C. 91 (1979). No IC or UP employees will be adversely affected by the proposed abandonment.

Environmental and Historic Preservation Data: 49 C.F.R. § 1105

A combined Environmental/Historic Report prepared in compliance with the requirements and specifications of 49 C.F.R. §§ 1105.7 and 1107.8 is attached hereto as Exhibit D. The Report concludes that the proposed abandonment, if implemented, will not significantly affect the quality of the human environment, the conservation of energy resources, or historic resources.

The Report was originally prepared and circulated solely in the name of IC. The Railroads subsequently became aware that UP held an indivisible joint interest in the Bridge Track, and the Report as attached hereto reflects the IC-UP joint ownership. That conforming revision does not alter or affect the substance of the environmental and historic review or the conclusions that are outlined in the Report. Nonetheless, given UP's ownership interest and the time that has elapsed since the Report was initially circulated, the Railroads have re-served the

Report on the various reviewing agencies as reflected on Exhibit C. The Report as attached also incorporates comments that were received after initial circulation of the Report; those instances are noted in the Report.

Respectfully submitted,

By: /s/Jeremy M. Berman
Jeremy M. Berman
General Attorney
Union Pacific Railroad Company
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179
(402) 544-4735

**ATTORNEY FOR UNION PACIFIC
RAILROAD COMPANY**

Dated: October 15, 2020

By: Thomas J. Litwiler
Thomas J. Litwiler
Bradon J. Smith
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208
(312) 252-1500

**ATTORNEYS FOR ILLINOIS
CENTRAL RAILROAD COMPANY**

Home ▾ National Rail Network Map

EXHIBIT A

Details

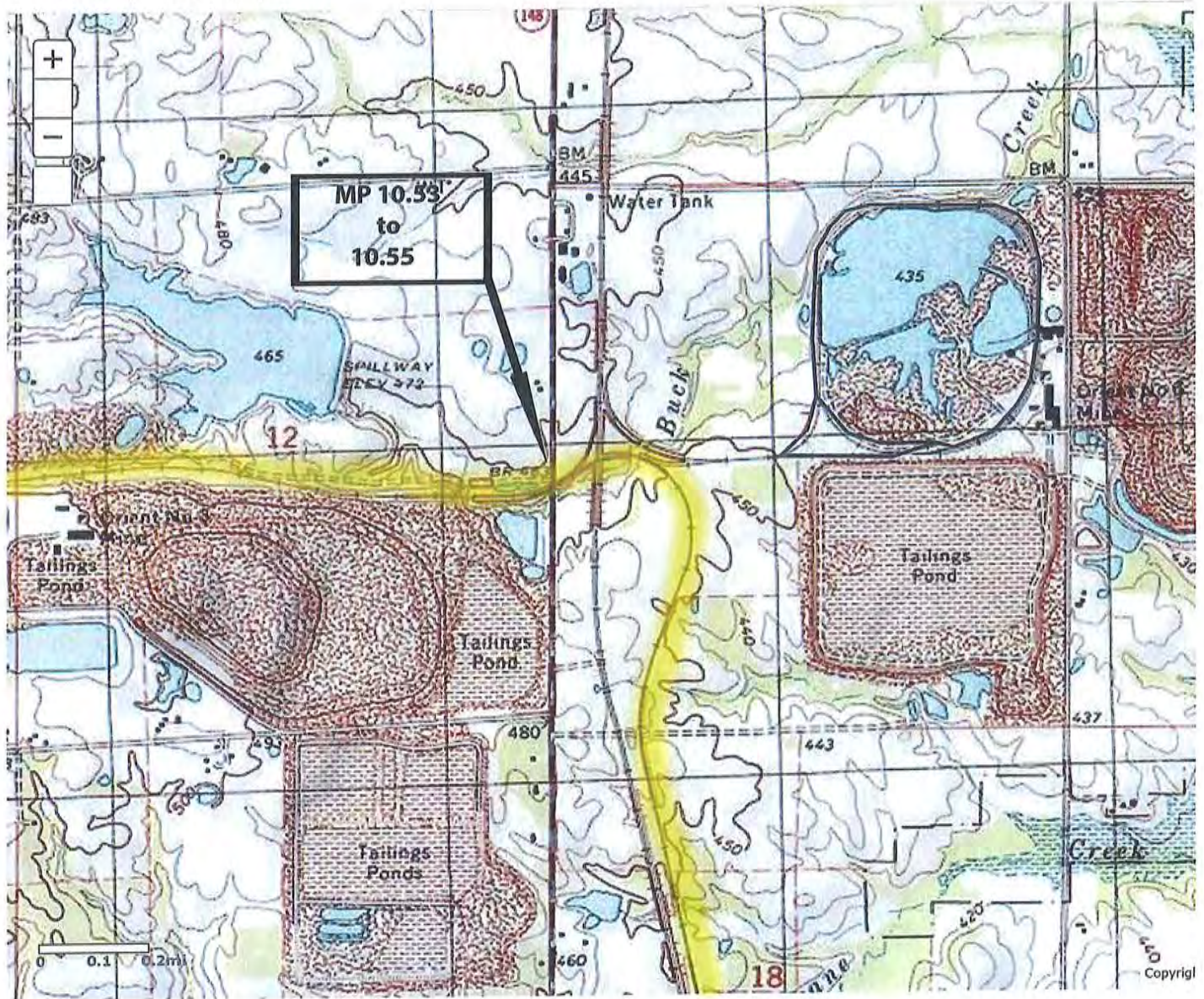
Basemap

Share

Print

Measure

Waltonville, IL



Docket No. AB-43 (Sub-No. 191X)
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Docket No. AB-33 (Sub-No. 337X)
Union Pacific Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

VERIFICATION

Brian R. Buchanan verifies under penalty of perjury that he is Manager of Corporate Development of Illinois Central Railroad Company ("IC") and that:

1) No local traffic has moved over IC's rail line jointly-owned with Union Pacific Railroad Company extending from Milepost 10.53 to Milepost 10.55 at the railroad bridge overpass of State Route 148 (County Road 600E) south of the Village of Waltonville in Jefferson County, Illinois for at least two years; any overhead traffic formerly handled on the line can be rerouted over other lines; and 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 Board or any U.S. District Court or has been decided in favor of such complainant during the last two years; and

2) He has read the foregoing Notice of Exemption and knows the facts asserted therein with respect to IC, and the same are true as stated.


Brian R. Buchanan

Dated: October 15, 2020

VERIFICATION

State of Nebraska)
) SS:
County of Douglas)

Olin H. Dirks, being duly sworn, deposes and says that he is Manger – Commercial and Interline Strategy for Union Pacific Railroad Company (“UP”) and that:

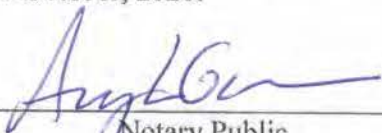
1) No local traffic has moved over UP’s rail line jointly-owned with Illinois Central Railroad Company extending from Milepost 10.53 to Milepost 10.55 at the railroad bridge overpass of State Route 148 (County Road 600E) south of the Village of Waltonville in Jefferson County, Illinois for at least two years; any overhead traffic formerly handled on the line can be rerouted over other lines; and 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 Board or any U.S. District Court or has been decided in favor of such complainant during the last two years; and

2) He has read the foregoing Notice of Exemption and knows the facts asserted therein with respect to UP, and the same are true as stated.



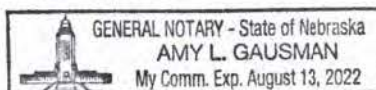
Olin H. Dirks

SUBSCRIBED AND SWORN TO
before me this 6th day
of October, 2020.



Notary Public

My Commission expires:



CERTIFICATE OF SERVICE AND PUBLICATION

I hereby certify that:

(1) On September 4, 2020, written notice in the form attached hereto as Attachment 1 and containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies designated in that subsection:

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Mr. David P. Dorfman, P.E.
Railroads for National Defense Program Manager
Military Surface Deployment & Distribution Command
Attn: SDTE-SA
1 Soldier Way, Bldg. 1900W
Scott AFB, IL 62225-5006

Mr. David J. Thomson
Program Manager
Rivers, Trails & Conservation Assistance Program
National Park Service
601 Riverfront Drive
Omaha, NE 68102-4226

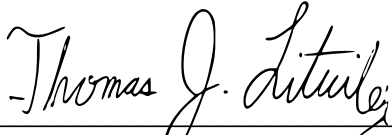
Ms. Victoria C. Christiansen
Chief of the Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250-1111

(2) On August 29, 2020, a Notice of Intent to Abandon as specified in 49 C.F.R. § 1105.12 was published in the following newspaper of general circulation for the county in which the rail line to be abandoned in this proceeding is located, as follows:

Jefferson County	-	<i>The Mt. Vernon Morning Sentinel</i> 1808 Broadway Street Mt. Vernon, IL 62864
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An affidavit of publication from *The Morning Sentinel* is attached hereto as Attachment 2.

(3) The Railroads have consulted with all appropriate agencies in preparing the Environmental/Historic Report attached as Exhibit D to the foregoing Verified Joint Notice of Exemption, and pursuant to the notice requirements of 49 C.F.R. §§ 1105.7(b), 1105.8(c) and 1105.11, on April 4, 2018 and October 15, 2020, a copy of the Environmental/ Historic Report was served by first class mail, postage prepaid, on the parties listed on Attachment 3 hereto, under cover of letters in the form attached hereto as Attachments 4 and 5.



Thomas J. Litwiler


Dated: October 15, 2020

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

September 4, 2020

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company – Abandonment
Exemption – In Jefferson County, Ill.

Docket No. AB-33 (Sub-No. 337X)
Union Pacific Railroad Company – Abandonment
Exemption – In Jefferson County, Ill.

Ladies and Gentlemen:

On or about September 14, 2020, Illinois Central Railroad Company (“IC”) and Union Pacific Railroad Company (“UP”) expect to file with the Surface Transportation Board (“STB”) a joint notice of exemption to abandon a jointly-owned segment of railroad extending from Milepost 10.53 to Milepost 10.55 at the railroad bridge overpass of State Route 148 (County Road 600E) south of the Village of Waltonville in Jefferson County, Illinois (the “Bridge Track”). The Bridge Track traverses United States Postal Service ZIP Codes 62894 and 62833. The proceeding will be docketed as STB Docket No. AB-43 (Sub-No. 191X) and STB Docket No. AB-33 (Sub-No. 337X). The IC/UP notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for at least the previous two years and as to which any overhead traffic can be rerouted.

We are notifying you of the proposed abandonment in accordance with the requirements of 49 C.F.R. § 1152.50(d)(1). As also required by that regulation, IC/UP state that, based on information in their possession, the line does not contain any federally granted rights-of-way. Any documentation in the railroads’ possession will be made available promptly to those requesting it.

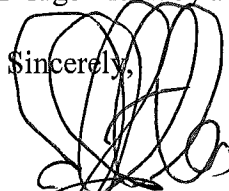
If you have any questions about the notice of exemption that IC and UP plan soon to file or need additional information regarding the proposed abandonment, please contact me at (312) 252-1508 or the Surface Transportation Board, 395 E Street, SW Washington, DC 20423-0001, (202) 245-0230.

FLETCHER & SIPPEL LLC

Illinois Commerce Commission
September 4, 2020
Page 2

This notice supersedes prior letters to you dated May 14, 2018 and February 29, 2019 and reflects the joint ownership of the Bridge Track by IC and UP.

Sincerely,

A handwritten signature in black ink, appearing to read 'TJL', written over the word 'Sincerely,'.

Thomas J. Litwiler
Attorney for Illinois Central
Railroad Company

TJL:tl

cc: Jeremy M. Berman, UP

Rail Abandonment Notice

Affidavit of Publication

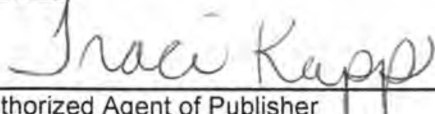
STATE OF ILLINOIS }
COUNTIES OF MARION & } SS
JEFFERSON }

John Perrine, being duly sworn, says:

That he is the Publisher of the Centralia & Mt. Vernon Morning Sentinels, daily newspapers of general circulation, printed and published in Centralia & Mt. Vernon, Marion & Jefferson Counties, Illinois; that the publications, a copy of which is attached hereto, was published in the said newspapers on the following dates:
August 29, 2020

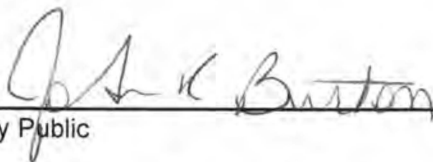
That said newspapers were regularly issued and circulated on those dates.

SIGNED:



Authorized Agent of Publisher

Subscribed to and sworn to me this 29th day of August 2020.



Notary Public



00027282 00144900

Fletcher & Sippel, LLC
29 N. Wacker Drive,
Suite 920
Chicago, IL 60606

NOTICE

Illinois Central Railroad Company (IC) and Union Pacific Railroad Company (UP) give notice that on or after September 8, 2020, they intend to file with the Surface Transportation Board, Washington, DC 20423, a joint notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments, permitting the abandonment of 0.02 miles of jointly-owned rail line between milepost 10.53 and milepost 10.55 (a railroad bridge overpass over State Route 148 (County Road 600 E)) near the Village of Waltonville, traversing United States Postal Service ZIP Codes 62894 and 62833 in Jefferson County, Illinois. The proceeding will be docketed as Nos. AB-43 (Sub-No. 191X) and AB-33 (Sub-No. 337X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice for exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to OEA, Surface Transportation Board, Washington, DC 20423 or by calling OEA at 202-245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Proceedings, 395 E Street, S.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representatives [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0238. Copies of any comments or requests for conditions should be served on the applicants' representatives: Fletcher & Sippel LLC, Attention: Bradon J. Smith, 29 North Wacker Drive, Suite 800, Chicago, IL 60606; and Jeremy M. Berman, General Attorney, Union Pacific Railroad Company, 1400 Douglas Street, Stop 1580, Omaha, NE 68179.

This notice replaces a prior notice published on February 13, 2018 and reflects the joint ownership of the subject rail line by IC and UP.

CONSULTING AGENCIES

U.S. Army Corps of Engineers
Mississippi Valley Division
1222 Spruce Street
St. Louis, MO 63103-2822

US EPA Region 5
Attention: Cathy Stepp
Ralph Metcalfe Federal Building
77 West Jackson Blvd.
Chicago, IL 60604-3590

Bob Ratcliffe
Division Chief
Conservation and Outdoor Recreation
National Park Service
Department of Interior
1849 C Street, N.W.
Washington, D.C. 20240

National Park Service
Midwest Region
Attn: Dr. Herbert C. Frost, Regional Director
601 Riverfront Drive
Omaha, NE 68102-4226

National Geodetic Survey Information Services
Simon.Monroe@noaa.gov
c/o Mr. David M. Kennedy
Office of Ocean and Coastal Resource Management
NOAA Ocean Service
1305 East-West Highway
Silver Springs, MD 20910

U.S. Fish & Wildlife Service - Region 3
5600 American Blvd. West
Bloomington, MN 55437-1458

Illinois Department of Transportation
Hanley Building
2300 S. Dirksen Parkway
Springfield, IL 62764

Illinois Department of Natural Resources
Coastal Management Program Office
160 N. LaSalle Street, Suite S-703
Chicago, IL 60601

Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62794-9276

Illinois State Clearinghouse
Office of the Governor
State of Illinois 207-Statehouse
Springfield, IL 62706

Natural Resources Conservation Service USDA
2118 West Park Court
Champaign, IL 61821

Ms. Suzy Tate
County Administrator
100 South 10th Street
County Courthouse
Mt. Vernon, IL 62864

Greater Egypt Regional Planning &
Development Commission
3000 West DeYoung Street
Suite 800B-3
Marion, IL 62959

Illinois State Historic Preservation Office
Old State Capitol Building, 2nd Floor
One Old State Capitol Plaza
Springfield, Illinois 62701

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
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www.fletcher-sippel.com

BRADON J. SMITH
(312) 252-1516
bsmith@fletcher-sippel.com

April 4, 2018

U.S. Army Corps of Engineers
Mississippi Valley Division
1222 Spruce Street
St. Louis, Missouri 63103-2822

Re: Docket No. AB 43 (Sub-No. 191X),
Illinois Central Railroad Company -- Abandonment Exemption --
In Jefferson County, Illinois

Dear Sir or Madam:

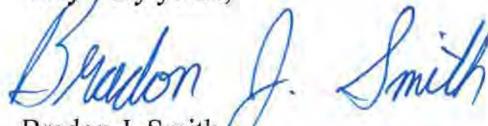
On April 25, 2018, we expect to file with the Surface Transportation Board a notice of exemption seeking authority to abandon a line of railroad south of Waltonville, Illinois. Attached is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.¹

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC, telephone (202) 245-0291 and refer to the above Docket No. AB-43 (Sub-No. 191X). Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned representative who may be contacted by telephone at (312) 252-1516 or by mail at Bradon J. Smith, c/o Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, Illinois 60606-2832.

Thank you for your assistance.

Very truly yours,



Bradon J. Smith
Counsel for Illinois Central Railroad Company

BJS:dg
Enclosure

¹ Illinois Central originally solicited input on January 16, 2018; an improved map was circulated on January 19, 2018.

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

October 15, 2020

U.S. Army Corps of Engineers
Mississippi Valley Division
1222 Spruce Street
St. Louis, Missouri 63103-2822

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company – Abandonment
Exemption – In Jefferson County, Illinois

Docket No. AB-33 (Sub-No. 337X)
Union Pacific Railroad Company – Abandonment
Exemption - In Jefferson County, Illinois

Dear Sir or Madam:

On October 15, 2020, the Illinois Central Railroad Company (“IC”) and the Union Pacific Railroad Company (“UP”) (collectively, the “Railroads”) jointly filed with the Surface Transportation Board a notice of exemption for authority to abandon a line of railroad south of Waltonville, Illinois. Attached is an Environmental and Historic Report (the “Report”) describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.¹

The Report was originally prepared and circulated solely in the name of IC on or about April 4, 2018. The Railroads subsequently became aware that UP held an indivisible joint interest in the Bridge Track, and the Report as attached hereto reflects the IC-UP joint ownership. That conforming revision does not alter or affect the substance of the environmental and historic review or the conclusions that are outlined in the Report. The Report as attached also incorporates comments that were received after initial circulation of the Report; those instances are noted in the Report.

You are receiving the report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC,

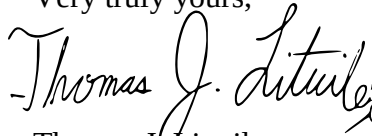
¹ Illinois Central originally solicited input on January 16, 2018; an improved map was circulated on January 19, 2018.

telephone (202) 245-0291 and refer to the above captioned-dockets. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned representative who may be contacted by telephone at (312) 252-1516 or by mail at Thomas J. Litwiler, c/o Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, Illinois 60606-2832.

Thank you for your assistance.

Very truly yours,


Thomas J. Litwiler 

Attorney for the Illinois Central Railroad Company

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-43 (SUB-NO. 191X)

ILLINOIS CENTRAL RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN JEFFERSON COUNTY, ILLINOIS

DOCKET NO. AB-33 (SUB-NO. 337X)

UNION PACIFIC RAILROAD COMPANY
-- ABANDONMENT EXEMPTION --
IN JEFFERSON COUNTY, ILLINOIS

ENVIRONMENTAL AND HISTORIC REPORT

Illinois Central Railroad Company (“IC”) and Union Pacific Railroad Company (“UP”) (collectively, the “Railroads”) submit this Environmental and Historic Report (“the Report”) in satisfaction of 49 C.F.R. §§ 1105.7 and 1105.8.¹ Supporting correspondence is attached. As described in this Report, the proposed abandonment action will not significantly impact the quality of the human environment or affect the conservation of energy resources.²

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. Proposed Action and Alternatives. The Railroads seek to abandon 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the railroad bridge

¹ Agency consultation on a substantially-similar draft of this Report was previously solicited on April 4, 2018. After consultation was solicited, the Railroads determined UP had an indivisible ownership share in the line subject to this abandonment exemption, necessitating a joint filing.

overpass (“the Bridge”) of State Route 148 (County Road 600E) south of the Village of Waltonville in Jefferson County, Illinois (“the Bridge Track”). After abandonment, track will be salvaged and the Bridge will be removed to permit the Illinois Department of Transportation (“I-DOT”) to undertake a road-improvement project on State Route 148 at this location.

There have been no rail shipments of any kind on the Bridge Track or the adjoining rail lines in well over two years, and no reasonable prospect for the development of new rail traffic exists. The inactive rail line east of the Bridge Track will remain accessible via an existing connection with a nearby BNSF Railway Company rail line, while the inactive rail line west of the Bridge Track will remain connected to the IC mainline near Bois, Illinois.

No reasonable alternatives to the proposed abandonment are available or have been considered. The only alternative is retention of the Bridge in its current, unused state, which would have no environmental impact but would not accommodate I-DOT’s intended road improvement project on State Route 148.

A map showing the location of the Bridge Track is attached hereto as Appendix A.

2. Transportation System. The Railroads do not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment, except to permit I-DOT road-improvement project. No rail service is currently provided over the Bridge Track. Accordingly, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment.

² See generally 49 C.F.R. § 1105.5 (incorporating “significant” standard of 40 C.F.R. § 1508.27).

IC has contacted I-DOT, as attached here in Appendix B. No response has been received to date, although I-DOT is working closely with the Railroads on this project and is supportive of abandonment.

3. Land Use.

(i) The Railroads do not foresee any inconsistency with regional and/or local land use plans, but IC has requested input from the Jefferson County Board and the Greater Egypt Regional Planning and Development Commission. Appendices C and D.

(ii) The proposed abandonment consists entirely of trackage on a bridge overpass over a state highway and does not involve any prime agricultural land. The Natural Resource Conservation Service (“NRCS”) has been contacted. Appendix E. IC has received no comments to date.

(iii) The Illinois Department of Natural Resources–Coastal Management Program (“DNR Coastal Management Program”) has determined the proposed project site is not within a Coastal Zone and accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. Appendix F.

(iv) The Railroads are not aware of any alternative public use under 49 U.S.C. § 10905 for which the right-of-way of the Bridge Track would be suitable; the Bridge Track is a mere 100 feet long and wholly over a state highway.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities have moved over the Bridge Track in at least two years, and the Railroads foresee little or no possibility that such on-line traffic would develop in the future. The Bridge Track connects to trackage that served

several out-of-service coal mines that have not been active in many years. That trackage will remain in place and will be accessible via an alternate connection with a nearby BNSF Railway Company rail line.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on the Bridge Track for many years (if ever), and the Railroads foresee little or no possibility that any on-line recyclable commodity traffic would develop in the future.

(iii) The proposed abandonment will not result in an increase or decrease in overall energy efficiency. No rail freight traffic currently moves to or from points on the Bridge Track, and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable. The abandonment of the Bridge Track will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5. Air.

(i) Not applicable. The proposed abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. The Railroads do not believe that Jefferson County, Illinois is a Class I or Nonattainment Area under the Clean Air Act. In any event, the abandonment of the Bridge Track will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. This is an abandonment of a line on which there have been no customers for at least two years and there is no overhead traffic on the line which could not be rerouted over other lines.

6. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R. § 1105.7(e)(5)(i) will be exceeded as a result of the proposed abandonment.

7. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. Salvage operations will be coordinated with the I-DOT road-improvement project to assure public safety.

(ii) Not applicable. To the Railroads' knowledge, no hazardous commodities were handled on the Bridge Track. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) There are no known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way of the Bridge Track.

8. Biological Resources.

(i) No critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, and the Railroads do not believe that any endangered or threatened species are present in the area or would be adversely affected. IC has requested comments from the U.S. Fish and Wildlife Service. Appendix G. After clarification with regard

to investigations previously undertaken by I-DOT, the U.S. Fish and Wildlife Service has advised that there would be no effect on endangered or threatened species.³

(ii) There are no wildlife sanctuaries, refuges, National or State parks or forests in the vicinity of the Bridge Track, and thus abandonment will not affect any such protected areas. IC has contacted and requested comments from the National Park Service, as set forth in Appendix H. No response has been received to date.

9. Water.

(i) The Bridge Track does not traverse any bodies of water and is elevated at the crossing of State Route 148. The Railroads do not believe abandonment will have any effect on water quality. IC has solicited comments from Region 5 of the U.S. Environmental Protection Agency and the Illinois Environmental Protection Agency to determine whether the proposed abandonment is consistent with applicable federal, state and local water quality standards. Appendices I and J. No responses have been received to date.

(ii) The Railroads are unaware of any wetlands or 100-year floodplain that would be affected by the proposed abandonment of the Bridge Track, and does not believe that abandonment requires permits under Section 404 of the Clean Water Act. The Army Corps of Engineers has been contacted and determined that no permit is required.⁴ Appendix K.

(iii) The Railroads do not anticipate the discharge of any pollutants in relation to its proposed abandonment. Additionally, no material will be disposed of into waterways as part of the abandonment. Accordingly, the Railroads conclude that no permits under Section 402 of the Clean Water Act are required.

³ Correspondence was received from the U.S. Fish and Wildlife Service after distribution of the Environmental and Historic Report for interested agency review under § 1105.7 (c).

* * * * *

In addition to the agencies referenced above, IC also has contacted and requested comments from the Illinois State Clearinghouse. Appendix L. To date no response has been received. In addition, IC contacted NOAA/National Geodetic Survey, which has indicated that there are no survey markers in the vicinity of the Bridge Track. Appendix M.

HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. Map. A map of the Bridge Track is attached hereto as Appendix A.
2. Description of Line. The Bridge Track is approximately 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the railroad bridge overpass of State Route 148 (County Road 600E) south of the Village of Waltonville in Jefferson County, Illinois. The area around the Line has a generally flat topography, and is rural. The width of the right of way is coextensive with the width of the Bridge.
3. Photographs. Photographs of the Bridge—the only structure located on the Bridge Track—are attached as Appendix N.
4. Information on Structures. The Bridge consists of a main deck plate girder span on wooden piers, with two short approach spans, and was constructed in 1966. The structure is non-descript in nature and character.
5. History of Operations. The Bridge Track was constructed in 1966 as part of an extension of an existing mine spur to reach an additional coal mine to the southeast. See Illinois Central R. Co. Operation in Jeff. County, Ill., 328 I.C.C. 586 (1967). Mining activity in the area has ceased, and the Bridge Track has not been active for many years.

⁴ Correspondence from the Army Corps of Engineers was received after circulation of the Environmental and Historic Report for interested agency review under § 1105.7 (c).

6. Engineering Documents. The Railroads will provide copies of any documents in their respective possession.

7. Historic Criteria. Based on readily available information in its possession, the Railroads do not believe that any site or structure listed in or meeting the criteria for listing in the Register of Historic Places is located on the Bridge Track will be affected by the abandonment. The Bridge is not unique in character or noteworthy in its style or material of construction. The Railroads also believe no culturally significant locations, archaeological sites or unique land forms will be affected by the abandonment. IC has consulted with the Illinois Department of Natural Resources, Historic Preservation Division, acting as the state historic preservation office, which has confirmed that no historic properties will be affected. Appendix O.

8. Ground Disturbances. Based on readily available information in its possession, the Railroads do not believe that there are archaeological resources in the area. Substantial ground disturbance occurred when the Bridge Track was constructed on an elevated alignment over State Route 148 in 1966. Access to the Bridge Track is generally good.

Home ▾ National Rail Network Map

APPENDIX A

Details

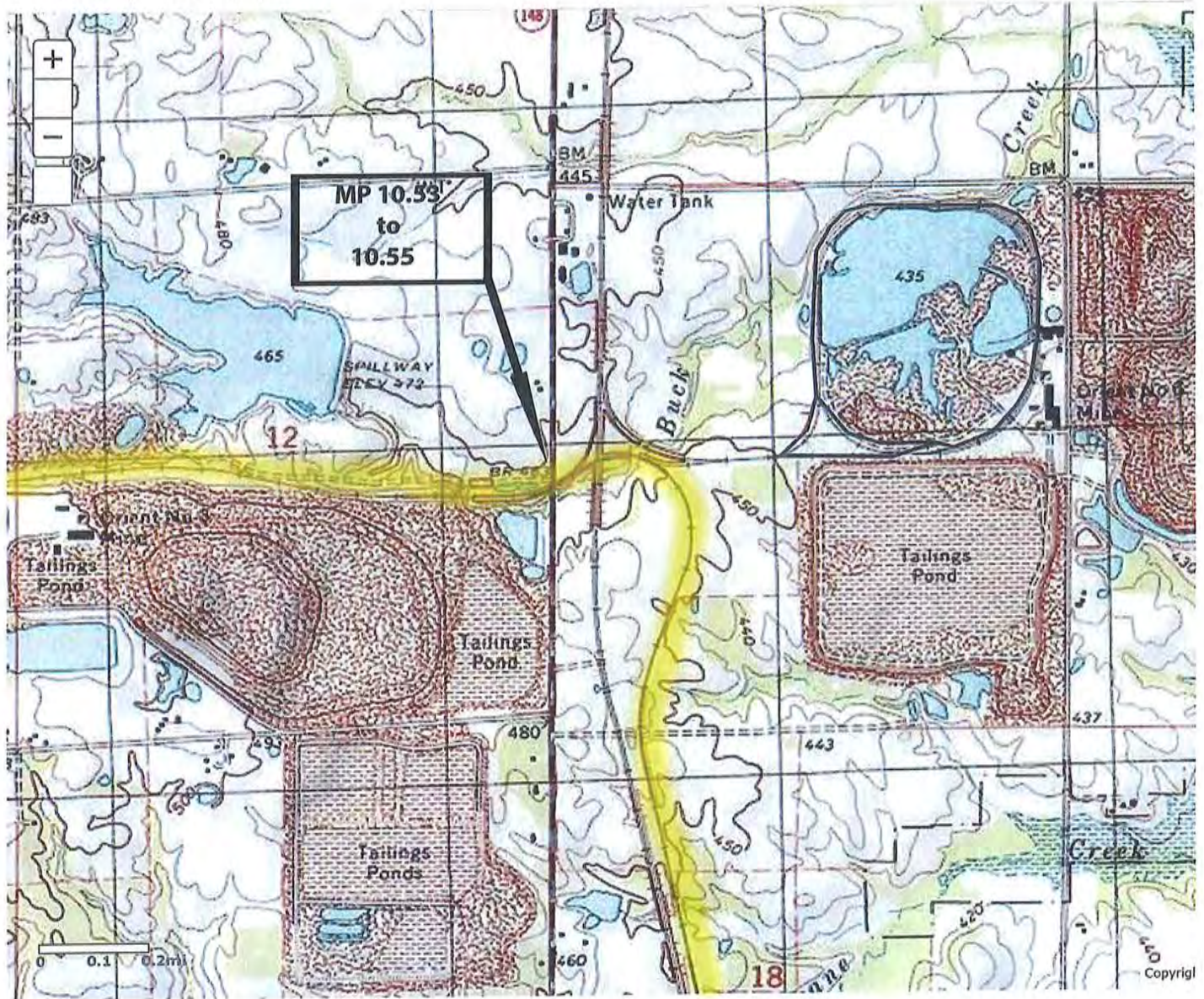
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Waltonville, IL



Docket No. AB-43 (Sub-No. 191X)
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Docket No. AB-33 (Sub-No. 337X)
Union Pacific Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

Illinois Department of Transportation
Hanley Building
2300 S. Dirksen Parkway
Springfield, IL 62764

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Dear Sir or Madam:

On or shortly after February 26, 2018, Illinois Central Railroad Company ("IC") expects to file a notice of exemption with the Surface Transportation Board ("STB") to abandon approximately 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the bridge overpass of State Route 148 (County Road 600 E) south of Waltonville, Jefferson County, Illinois. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years and over which any overhead traffic can be rerouted. No rail traffic of any kind has moved over the subject rail line in many years. A map showing the location of the subject rail line is attached for your reference. After abandonment, the rail bridge over State Route 148 will be removed in connection with an Illinois Department of Transportation road-widening project.

In accordance with the STB's environmental regulations, 49 C.F.R. § 1105, IC is advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional and/or local use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year old flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land, and soil and natural resource conservation;

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Illinois Department of Transportation

January 16, 2018

Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the limited nature of the proposed action, we foresee no adverse environmental effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We request a written response as soon as possible so that we may include it in the Environmental/Historic Report which will be prepared in connection with this abandonment in accordance with 49 C.F.R. § 1105.7. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

A copy of the Environmental/Historic Report will be forwarded to you at least twenty days before IC's notice of exemption is filed at the STB. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1516. Thank you for your assistance.

Very truly yours,



Bradon J. Smith

Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

APPENDIX C

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

Ms. Suzy Tate
County Administrator
100 South 10th Street
County Courthouse
Mt. Vernon, IL 62864

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Dear Ms. Tate:

On or shortly after February 26, 2018, Illinois Central Railroad Company ("IC") expects to file a notice of exemption with the Surface Transportation Board ("STB") to abandon approximately 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the bridge overpass of State Route 148 (County Road 600 E) south of Waltonville, Jefferson County, Illinois. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years and over which any overhead traffic can be rerouted. No rail traffic of any kind has moved over the subject rail line in many years. A map showing the location of the subject rail line is attached for your reference. After abandonment, the rail bridge over State Route 148 will be removed in connection with an Illinois Department of Transportation road-widening project.

In accordance with the STB's environmental regulations, 49 C.F.R. § 1105, IC is advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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FLETCHER & SIPPEL LLC

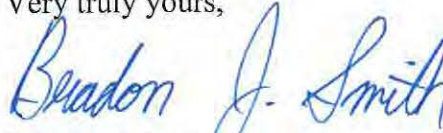
Ms. Suzy Tate
January 16, 2018
Page 2

9. Prime agricultural land, and soil and natural resource conservation;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the limited nature of the proposed action, we foresee no adverse environmental effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We request a written response as soon as possible so that we may include it in the Environmental/Historic Report which will be prepared in connection with this abandonment in accordance with 49 C.F.R. § 1105.7. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

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Very truly yours,



Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

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Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

Greater Egypt Regional Planning &
Development Commission
3000 West DeYoung Street
Suite 800B-3
Marion, IL 62959

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

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In accordance with the STB's environmental regulations, 49 C.F.R. § 1105, IC is advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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FLETCHER & SIPPEL LLC

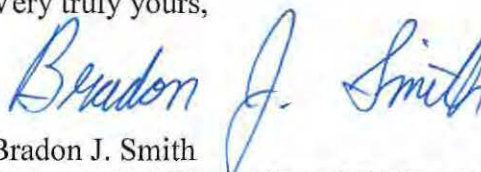
Greater Egypt Regional Planning &
Development Commission
January 16, 2018
Page 2

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Very truly yours,



Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure

FLETCHER & SIPPEL LLC

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29 North Wacker Drive
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www.fletcher-sippel.com

January 16, 2018

Natural Resources Conservation Service USDA
2118 West Park Court
Champaign, IL 61821

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

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FLETCHER & SIPPEL LLC

Natural Resources Conservation Service USDA

January 16, 2018

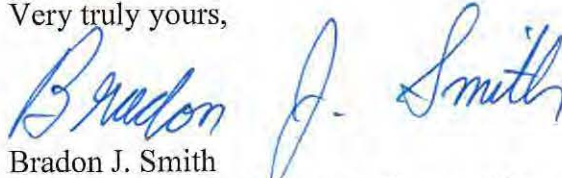
Page 2

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Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure

FLETCHER & SIPPEL LLC

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29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

APPENDIX F

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

Illinois Department of Natural Resources
Coastal Management Program Office
160 N. LaSalle Street, Suite S-703
Chicago, IL 60601

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

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FLETCHER & SIPPEL LLC

Illinois Department of Natural Resources

January 16, 2018

Page 2

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Very truly yours,



Bradon J. Smith

Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure



Bruce Rauner, Governor

Wayne A. Rosenthal, Illinois Department of Natural Resources Director

160 N. LaSalle St., Suite S-703 • Chicago, Illinois 60601 • 312-814-1405 • www.dnr.illinois.gov/cmp

February 8, 2018

Brandon Smith
Fletcher & Sippel, LLC
29 N. Wacker Drive, Suite 920
Chicago, IL 60606-2832

RE: IFC2018004 Docket No. AB-43 (Sub-No. 191X) Illinois Central Railroad Company track abandonment in Jefferson County, Illinois

Dear Mr. Smith.

Thank you for the letter dated January 16, 2018 concerning the above referenced project. After reviewing the information submitted it has been determined that the proposed project site is outside the boundaries of the Illinois Department of Natural Resources, Coastal Management Program and therefore, will not require a Federal Consistency Determination.

If you have any questions, feel free to contact me at 312 793-5947 or james.casey@illinois.gov.

Sincerely,

A handwritten signature in black ink that reads "James P. Casey".

James P. Casey
IDNR/CMP

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

U.S. Fish & Wildlife Service - Region 3
American Blvd. West
Bloomington, MN 55437-1458

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Dear Sir or Madam:

On or shortly after February 26, 2018, Illinois Central Railroad Company ("IC") expects to file a notice of exemption with the Surface Transportation Board ("STB") to abandon approximately 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the bridge overpass of State Route 148 (County Road 600 E) south of Waltonville, Jefferson County, Illinois. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years and over which any overhead traffic can be rerouted. No rail traffic of any kind has moved over the subject rail line in many years. A map showing the location of the subject rail line is attached for your reference. After abandonment, the rail bridge over State Route 148 will be removed in connection with an Illinois Department of Transportation road-widening project.

In accordance with the STB's environmental regulations, 49 C.F.R. § 1105, IC is advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional and/or local use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year old flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land, and soil and natural resource conservation;
10. Existing or potential safety hazards;

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U.S. Fish & Wildlife Service – Region 3

January 16, 2018

Page 2

11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the limited nature of the proposed action, we foresee no adverse environmental effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We request a written response as soon as possible so that we may include it in the Environmental/Historic Report which will be prepared in connection with this abandonment in accordance with 49 C.F.R. § 1105.7. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

A copy of the Environmental/Historic Report will be forwarded to you at least twenty days before IC's notice of exemption is filed at the STB. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1516. Thank you for your assistance.

Very truly yours,



Bradon J. Smith

Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Marion Ecological Services Sub-Office

Marion Illinois Sub-office

8588 Route 148

Marion, IL 62959-5822

Phone: (618) 997-3344 Fax: (618) 997-8961

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>



IPaC record locator: 143-8833118

July 10, 2017

Subject: Consistency letter for the '20589 IL 148 RR Bridge Removal' project under the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **20589 IL 148 RR Bridge Removal** (Proposed Action) may rely on the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*). Based on the information you provided (Project Description repeated below), the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the threatened Northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species.**

If the Proposed Action may affect any other federally-listed or proposed species or designated critical habitat, additional consultation between the lead Federal action agency and this Office is required. Please advise the lead Federal action agency for the Proposed Action accordingly.

The following species may occur in your project area and **are not** covered by this determination:

- Piping Plover, (*Charadrius melodus*) (Endangered)

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

20589 IL 148 RR Bridge Removal

Description

The proposed project will remove an abandoned railroad overpass over IL 148 approximately one mile south of Waltonville. The total length of the project is 0.2 miles. there will be an unknown amount of ROW or easements needed. There will be no in stream work and no tree removal.

Determination Key Result

Based on your answers provided, this project will have no effect on the endangered Indiana bat and/or the threatened Northern long-eared bat. No consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for these two species.

Qualification Interview

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

Yes

2. Is the project within the range of the Northern long-eared bat^[1] (NLEB)?

[1] See [Northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, property inspections, planning and technical studies, property sales, property easements, and equipment purchases)

No

5. Are *all* project activities completely within the existing road/rail surface^[1] (e.g., road line painting)?

[1] Road surface is defined as the driving surface and shoulders (may be pavement, gravel, etc.) and rail surface is defined as the edge of the rail ballast.

No

6. Are *all* project activities limited to the maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?

No

7. Are *all* project activities limited to wetland or stream protection activities associated with compensatory wetland mitigation?

No

8. Will the project raise the road profile **above the tree canopy** within 1,000 feet of known summer habitat (based on documented roosts and/or captures)?

No

9. Does the project include percussives or other activities (not including the removal of trees) that will increase noise levels above existing traffic/background levels?

Yes

10. Is there any suitable summer habitat^[1] for Indiana Bat or NLEB within the project area? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

No

11. Does the project include any ground disturbing activities?

Yes

12. Is the project located within a karst area?

No

13. Will the project include any type of activity that could impact a **known** hibernaculum^[1], or impact a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a **known** hibernaculum?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

14. Does the project include any activities **within** 0.5 miles of an Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

15. Does the project include any activities **greater than** 300 feet from existing road/rail surfaces?

No

16. Does the project include slash pile burning?

No

17. Does the project include any bridge removal and/or replacement activities?

Yes

18. Does the project include any bridge maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

No

19. Has a Bridge Assessment^[1] for use by bats been conducted within the last 12 months^[2]?

[1] See User Guide Appendix D for [bridge/abandoned structure assessment guidance](#)

[2] Assessments must be completed a maximum of 1 year prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

■ *Bat Bridge Assessment.pdf*

<https://ecos.fws.gov/ipac/project/I5UDBA7ELVFEVNIJ55NOL75FME/projectDocun>

20. Did the bridge assessment detect bats or sign of bat roosting in/under the bridge?

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

21. Will the bridge related activities make the bridge no longer suitable for roosting?

Yes

22. Does the project include the removal and/or replacement of any structures other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

23. Does the project include maintenance activities of any structures other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

24. Will the project involve the use of **temporary** lighting during the construction/maintenance activities?

No

25. Will the project install new (or replace existing) **permanent** lighting?

No

Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on April 03, 2017. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [revised programmatic biological opinion for transportation projects dated December 15, 2016](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

U.S. Fish & Wildlife Service Contact List

Determination key office contact information

Assistant Director-Ecological Services

5275 Leesburg Pike, Ms: Es
Falls Church, VA 22041-3803
(703) 358-2171

Offices with jurisdiction over project area

Marion Ecological Services Sub-Office

Marion Illinois Sub-office
8588 Route 148
Marion, IL 62959-5822
(618) 997-3344

From: [Mangan, Matthew](#)
To: [Kessinger, Kimberly](#)
Cc: [Bradon J. Smith](#); [Heidi Woeber](#); [Elizabeth Rigby](#)
Subject: Re: [External] Fwd: IL Central Railroad Co - Abandonment
Date: Friday, April 13, 2018 10:57:22 AM

Bradon,

Based on the information provided by Kim, this consultation is completed and no further consultation with our office is necessary.

Thanks,

Matt Mangan
Fish and Wildlife Biologist
Ecological Services
Southern Illinois Sub-Office
4503 West DeYoung Street Suite 102 (Shipping)
8588 Route 148 (mailing)
Marion, IL 62959
618-998-5945
618-364-5389 Cell
618-997-8961 Fax
matthew_mangan@fws.gov

On Fri, Apr 13, 2018 at 10:09 AM, Kessinger, Kimberly <Kimberly.Kessinger@illinois.gov> wrote:

Good Morning all,

The railroad bridge was inspected for bats and signs of bats in June of 2017. No bats or signs of bats were found. IDOT received a No effect concurrence letter because there is no tree removal associated with the project. I attached the bat bridge assessment, the NRR for the project and the No Effect determination letter.

If you need any additional information pertaining to this project, please feel free to ask.

Thanks!

Have a great weekend!

Kimberly Kessinger

Natural Resource Coordinator

IDOT Bureau of Design and Environment

Kimberly.Kessinger@illinois.gov

(217) 524-5277

From: Mangan, Matthew [mailto:matthew_mangan@fws.gov]
Sent: Tuesday, April 10, 2018 4:13 PM
To: bsmith@fletcher-sippel.com
Cc: Heidi Woeber <heidi_woeber@fws.gov>; Elizabeth Rigby <elizabeth_rigby@fws.gov>; Kessinger, Kimberly <Kimberly.Kessinger@illinois.gov>
Subject: [External] Fwd: IL Central Railroad Co - Abandonment

Bradon,

Our office received your letter regarding the proposed Illinois Central Railroad Company Abandonment Project in Jefferson County, Illinois, to facilitate an IDOT road improvement project. Although we have no objection to the proposed project, the bridge proposed to be removed could provide habitat for bats including federally listed bats. We recommend that you coordinate with the IDOT to have the bridge surveyed for bat use and that additional coordination with our agency occur following the results of the survey. I have included the species list the IDOT requested through our Information for Planning and Consultation project planning tool.

Matt Mangan

Fish and Wildlife Biologist

Ecological Services

Southern Illinois Sub-Office

4503 West DeYoung Street Suite 102 (Shipping)

8588 Route 148 (mailing)

Marion, IL 62959

618-998-5945

618-364-5389 Cell

618-997-8961 Fax

matthew_mangan@fws.gov

----- Forwarded message -----

From: **Rigby, Elizabeth** <elizabeth_rigby@fws.gov>

Date: Tue, Apr 10, 2018 at 3:05 PM

Subject: IL Central Railroad Co - Abandonment

To: Matthew Mangan <matthew_mangan@fws.gov>

Hi Matt - I received the attached letter today in the RO. Are you the right destination for it?

Thanks,

--

Beth Rigby

Assistant Regional Energy Coordinator

USFWS Ecological Services, Region 3

5600 American Blvd. West, Suite 990
Bloomington, MN 55437-1458

Office: (612) 713-5141

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

APPENDIX H

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

National Park Service
Department of Interior
1849 C Street, N.W.
Washington, D.C. 20240

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Dear Sir or Madam:

On or shortly after February 26, 2018, Illinois Central Railroad Company ("IC") expects to file a notice of exemption with the Surface Transportation Board ("STB") to abandon approximately 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the bridge overpass of State Route 148 (County Road 600 E) south of Waltonville, Jefferson County, Illinois. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years and over which any overhead traffic can be rerouted. No rail traffic of any kind has moved over the subject rail line in many years. A map showing the location of the subject rail line is attached for your reference. After abandonment, the rail bridge over State Route 148 will be removed in connection with an Illinois Department of Transportation road-widening project.

In accordance with the STB's environmental regulations, 49 C.F.R. § 1105, IC is advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional and/or local use plans;
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3. Energy consumption and efficiency;
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5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year old flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land, and soil and natural resource conservation;

FLETCHER & SIPPEL LLC

National Park Service

January 16, 2018

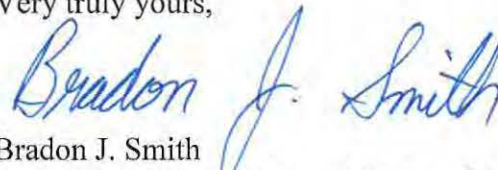
Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the limited nature of the proposed action, we foresee no adverse environmental effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We request a written response as soon as possible so that we may include it in the Environmental/Historic Report which will be prepared in connection with this abandonment in accordance with 49 C.F.R. § 1105.7. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

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Very truly yours,



Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

US EPA Region 5
Attention: Cathy Stepp
Ralph Metcalfe Federal Building
77 West Jackson Blvd.
Chicago, IL 60604-3590

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Dear Ms. Stepp:

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FLETCHER & SIPPEL LLC

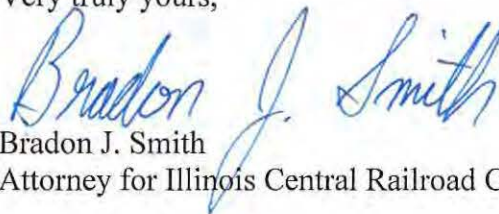
US EPA Region 5
Attn: Cathy Stepp
January 16, 2018
Page 2

9. Prime agricultural land, and soil and natural resource conservation;
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12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the limited nature of the proposed action, we foresee no adverse environmental effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We request a written response as soon as possible so that we may include it in the Environmental/Historic Report which will be prepared in connection with this abandonment in accordance with 49 C.F.R. § 1105.7. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

A copy of the Environmental/Historic Report will be forwarded to you at least twenty days before IC's notice of exemption is filed at the STB. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1516. Thank you for your assistance.

Very truly yours,



Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62794-9276

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Exemption -- In Jefferson County, Illinois

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FLETCHER & SIPPEL LLC

Illinois Environmental Protection Agency

January 16, 2018

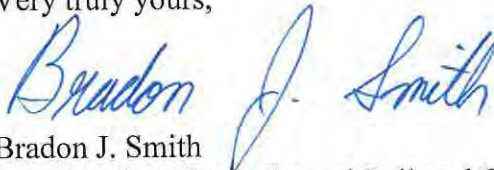
Page 2

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Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

APPENDIX K

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

U.S. Army Corps of Engineers
Mississippi Valley Division
1222 Spruce Street
St. Louis, MO 63103-2822

Re: **Docket No. AB-43 (Sub-No. 191X)**
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FLETCHER & SIPPEL LLC

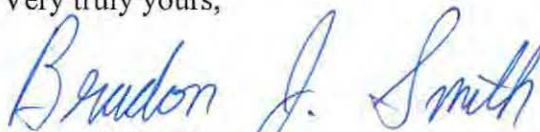
U.S. Army Corps of Engineers
January 16, 2018
Page 2

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Because of the limited nature of the proposed action, we foresee no adverse environmental effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We request a written response as soon as possible so that we may include it in the Environmental/Historic Report which will be prepared in connection with this abandonment in accordance with 49 C.F.R. § 1105.7. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

A copy of the Environmental/Historic Report will be forwarded to you at least twenty days before IC's notice of exemption is filed at the STB. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1516. Thank you for your assistance.

Very truly yours,



Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure



DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

REPLY TO
ATTENTION OF:

April 16, 2018

Regulatory Branch
File Number: MVS-2018-338

Mr. Brandon Smith
Fletcher and Sippel, LLC
29 North Wacker Drive, Suite 920
Chicago, Illinois 60606-2832

Dear Mr. Smith:

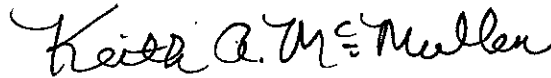
We have reviewed your letter and attached Environmental and Historic Report describing Illinois Central Railroad Company's proposed abandonment of their railway between milepost 10.53 and 10.55 at the railroad bridge overpass over Illinois Route 148 in Jefferson County, Illinois. Since the proposed project does not impact jurisdictional streams or wetlands, the work will not require authorization under Section 404 of the Clean Water Act. The subject activity is located in Section 12, Township 4 South, Range 1 East of the 3rd Principle Meridian, Jefferson County, Illinois. The approximate geographic coordinates of the site are 38.190144° north, - 89.040142° west.

Based upon our review of the U.S. Geological Survey 7.5-minute topographical map, the National Wetland Inventory maps, USDA's Web Soil Survey, aerial photos and the submitted project plans; we have determined that the project will not impact streams or wetlands. Since the project will not be completed within waters of the U.S., a Department of the Army permit **is not required** for the proposed work. If work may infringe on areas believed to be within jurisdictional waters, you are instructed to contact the Corps of Engineers Regulatory Branch for guidance.

This determination is applicable only to the permit program administered by the Corps of Engineers Regulatory Branch. It does not eliminate the need to obtain other federal, state or local approvals before beginning work. You are reminded that although your proposal does not need a Section 404 permit, based on your submitted plans, any revisions to your proposal may be subject to Section 404 and require subsequent authorization from this office.

If you have any questions, please contact me at (314) 331-8582. Please refer to file number **MVS-2018-338**. The St. Louis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to go to our Customer Service Survey found on our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

Sincerely,

A handwritten signature in black ink that reads "Keith A. McMullen". The signature is written in a cursive style with a large, stylized "K" and "M".

Keith McMullen
Illinois Section Chief
Regulatory Branch

Copies Furnished:

Altman, IDNR (OWR)
LeCrone, IEPA

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

Illinois State Clearinghouse
Office of the Governor
State of Illinois 207-Statehouse
Springfield, IL 62706

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Dear Sir or Madam:

On or shortly after February 26, 2018, Illinois Central Railroad Company ("IC") expects to file a notice of exemption with the Surface Transportation Board ("STB") to abandon approximately 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the bridge overpass of State Route 148 (County Road 600 E) south of Waltonville, Jefferson County, Illinois. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years and over which any overhead traffic can be rerouted. No rail traffic of any kind has moved over the subject rail line in many years. A map showing the location of the subject rail line is attached for your reference. After abandonment, the rail bridge over State Route 148 will be removed in connection with an Illinois Department of Transportation road-widening project.

In accordance with the STB's environmental regulations, 49 C.F.R. § 1105, IC is advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional and/or local use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year old flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land, and soil and natural resource conservation;

FLETCHER & SIPPEL LLC

Illinois State Clearinghouse

January 16, 2018

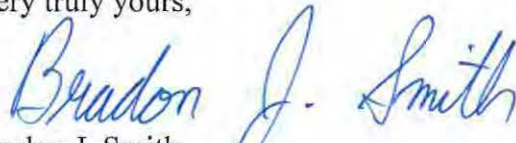
Page 2

10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the limited nature of the proposed action, we foresee no adverse environmental effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We request a written response as soon as possible so that we may include it in the Environmental/Historic Report which will be prepared in connection with this abandonment in accordance with 49 C.F.R. § 1105.7. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

A copy of the Environmental/Historic Report will be forwarded to you at least twenty days before IC's notice of exemption is filed at the STB. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1516. Thank you for your assistance.

Very truly yours,



Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 16, 2018

National Geodetic Survey Information Services
Simon.Monroe@noaa.gov
c/o Mr. David M. Kennedy
Office of Ocean and Coastal Resource Management
NOAA Ocean Service
1305 East-West Highway
Silver Springs, Maryland 20910

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Dear Mr. Kennedy:

On or shortly after February 26, 2018, Illinois Central Railroad Company ("IC") expects to file a notice of exemption with the Surface Transportation Board ("STB") to abandon approximately 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the bridge overpass of State Route 148 (County Road 600 E) south of Waltonville, Jefferson County, Illinois. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years and over which any overhead traffic can be rerouted. No rail traffic of any kind has moved over the subject rail line in many years. A map showing the location of the subject rail line is attached for your reference. After abandonment, the rail bridge over State Route 148 will be removed in connection with an Illinois Department of Transportation road-widening project.

In accordance with the STB's environmental regulations, 49 C.F.R. § 1105, IC is advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional and/or local use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year old flood plains;

FLETCHER & SIPPEL LLC

National Geodetic Survey Information Services

c/o Mr. David M. Kennedy

January 16, 2018

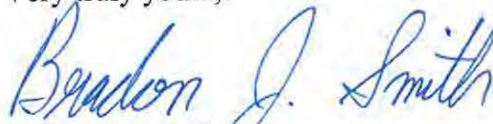
Page 2

7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Prime agricultural land, and soil and natural resource conservation;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the limited nature of the proposed action, we foresee no adverse environmental effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We request a written response as soon as possible so that we may include it in the Environmental/Historic Report which will be prepared in connection with this abandonment in accordance with 49 C.F.R. § 1105.7. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

A copy of the Environmental/Historic Report will be forwarded to you at least twenty days before IC's notice of exemption is filed at the STB. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1516. Thank you for your assistance.

Very truly yours,



Bradon J. Smith

Attorney for Illinois Central Railroad Company

BJS:dg

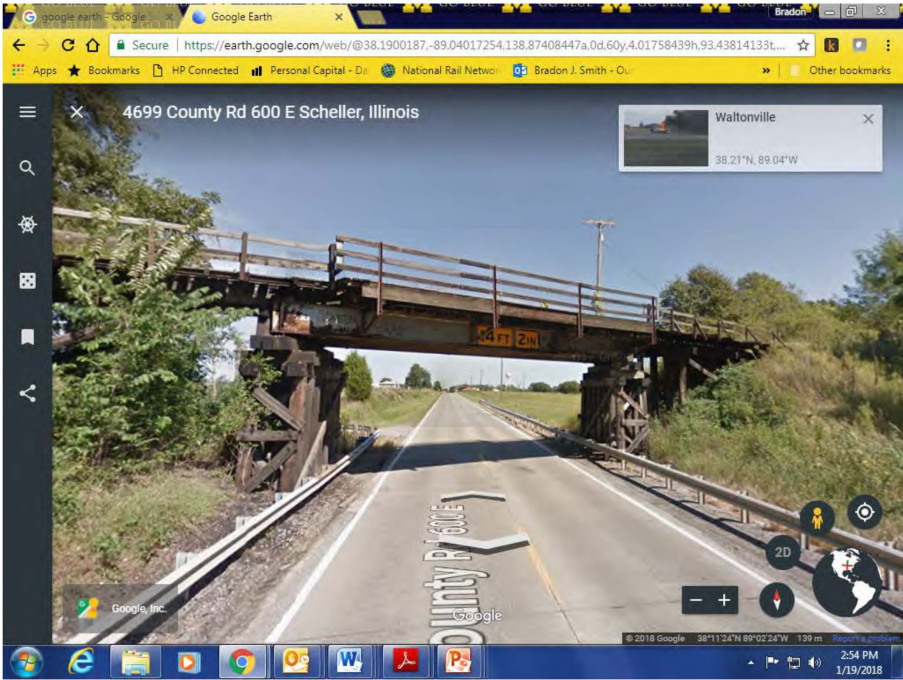
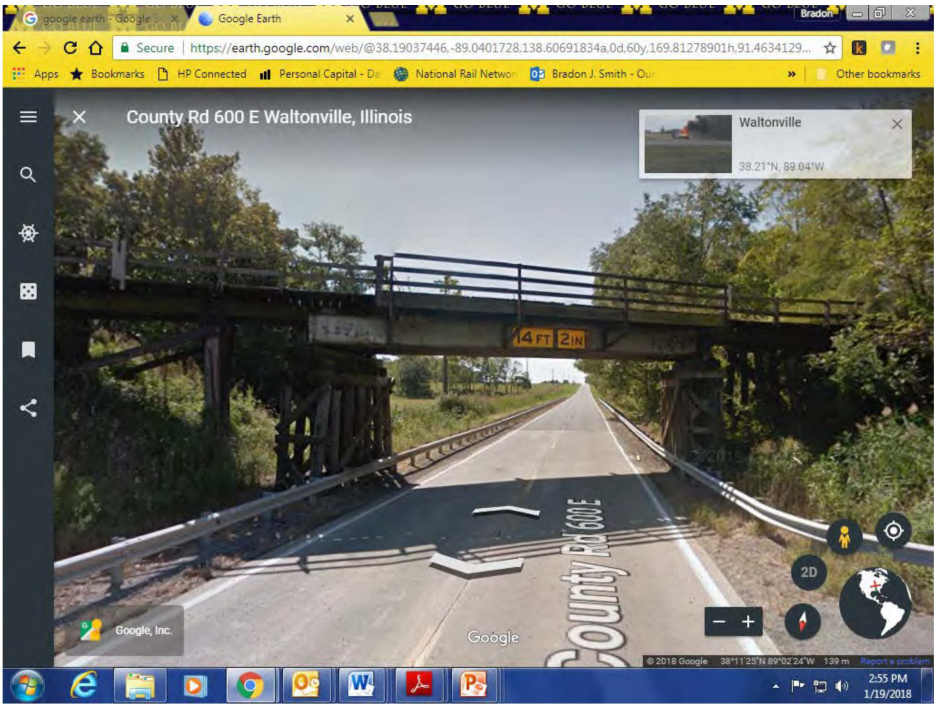
Enclosure

From: [Deborah Brooks - NOAA Federal](#)
To: [Bradon J. Smith](#)
Cc: [Surface Transportation Board](#); [Jackie Roller - NOAA Federal](#); [Christine Gallagher - NOAA Federal](#); [Brett Howe - NOAA Federal](#); [Deborah Brooks - NOAA Federal](#)
Subject: NGS Response, STB Docket AB-43 (SUB NO. 191X)
Date: Monday, February 26, 2018 1:41:42 PM

Thank you for sharing your proposed railroad abandonment for
Jefferson County, Illinois.

There are no geodetic survey marks located in the area described.

Additional advice is provided at <http://geodesy.noaa.gov/marks/railroads/>



FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

APPENDIX O

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

January 19, 2018

Ms. Rachel Leibovitz
Deputy State Historic Preservation Officer
Illinois Historic Preservation Office
1 Old State Capital Plaza
Springfield, IL 62701

Re: **Docket No. AB-43 (Sub-No. 191X)**
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois

Dear Ms. Leibovitz:

On or shortly after February 26, 2018 Illinois Central Railroad Company ("IC") expects to file a notice of exemption with the Surface Transportation Board ("STB") to abandon approximately 100 feet of railroad line extending from Milepost 10.53 to Milepost 10.55 at the railroad bridge overpass of State Route 148 (County Road 600 E) south of Waltonville, Jefferson County, Illinois ("the Bridge Track"). The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved during at least the previous two years. No rail traffic of any kind has moved over the subject rail line in many years (the branch primarily served a now-out-of-service mine). A map showing the location of the subject rail line is attached for your reference. After abandonment, the rail bridge over State Route 148 will be removed in connection with an Illinois Department of Transportation road-widening project.

In accordance with the Board's environmental and historic preservation regulations, 49 C.F.R. § 1105.8, we are advising you of the proposed abandonment of the Bridge Track so that you may determine whether this action will have any effect on any historic structures or sites. IC believes the aforementioned bridge is a railroad structure older than fifty years, but does not believe that the bridge is rare in character or of historic significance. Thus, abandonment should result in no adverse effect on any historically-significant structures. Pictures are included. IC is unaware of any historic sites involved in the proposed abandonment.

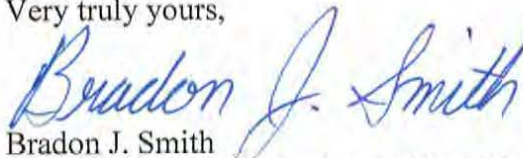
We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-43 (Sub-No. 191X) and be sent to the undersigned, as counsel for IC.

FLETCHER & SIPPEL LLC

Ms. Rachel Leibovitz
January 19, 2018
Page 2

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before IC's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1516. Thank you for your assistance on this matter.

Very truly yours,



Bradon J. Smith
Attorney for Illinois Central Railroad Company

BJS:dg

Attachment

Home ▾ National Rail Network Map

Details

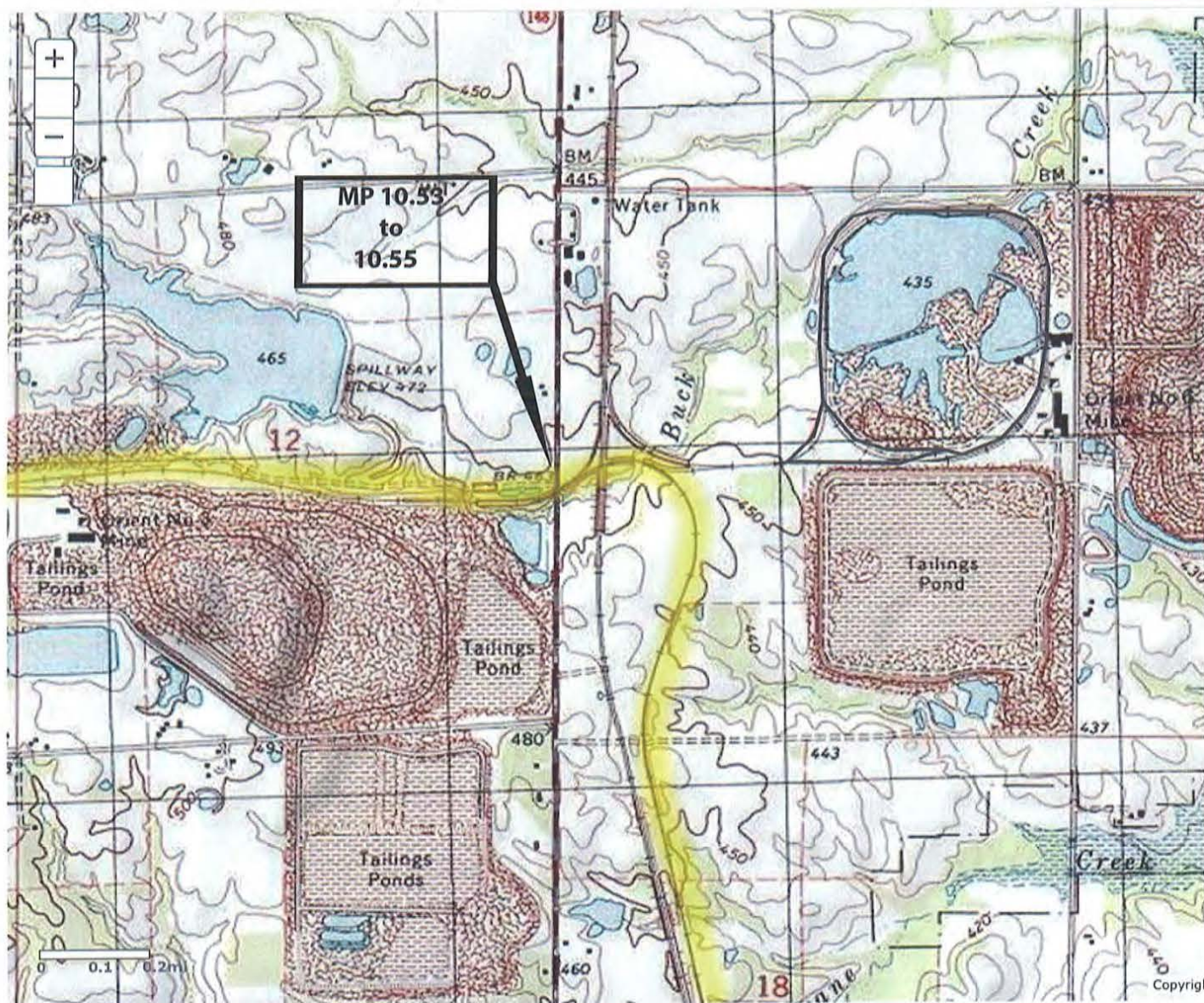
Basemap

Share

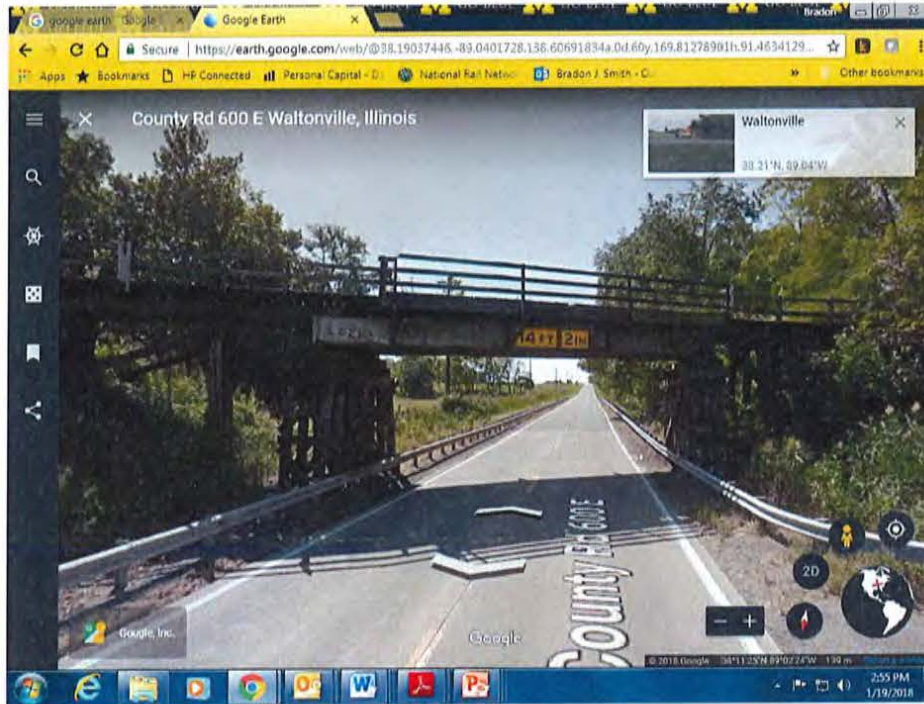
Print

Measure

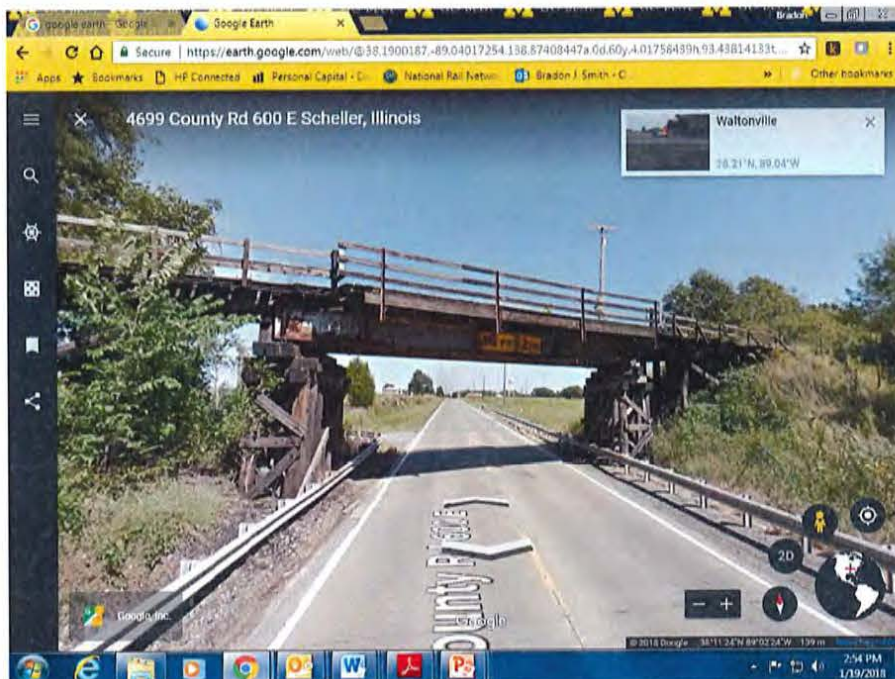
Waltonville, IL



Docket No. AB-43 (Sub-No. 191X)
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois



Docket No. AB-43 (Sub-No. 191X)
Illinois Central Railroad Company -- Abandonment
Exemption -- In Jefferson County, Illinois





Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Bruce Rauner, Governor
Wayne A. Rosenthal, Director

FAX (217) 524-7525

Jefferson County
Waltonville

Railway Abandonment, Illinois Central Railroad Company
Between Milepost 10.53 and Milepost 10.55 at the Railroad Bridge Overpass of State Route 148
STB-AB-43 (Sub-No. 191X)
SHPO Log #010012218

March 1, 2018

Brandon Smith
Fletcher and Sippel LLC
29 N. Wacker Dr., Suite 920
Chicago, IL 60606-2832

Dear Mr. Smith:

We have reviewed the documentation submitted for the referenced project in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you have any further questions, please contact me at 217/785-5031.

Sincerely,

Rachel Leibowitz, Ph.D.
Deputy State Historic
Preservation Officer

APPENDIX O