

BEFORE THE
SURFACE TRANSPORTATION BOARD
~~Office of Proceedings~~



Abandonment of a line of Railroad
Between BNSF M.P. 20.31 near Albany,
Rock Island County, Illinois and M.P. 25.40
Near Albany, Whiteside County, Illinois

Part of
Public Record

Docket No. AB-6 (Sub-No. 435X)
Docket No. AB-987X

2/5/59
2/5/60

ENVIRONMENTAL REPORT

The following information is submitted to the Surface Transportation Board by The BNSF Railway Company (BNSF) and the Iowa, Chicago & Eastern Railroad Corporation (ICE) in accordance with the Board's reporting requirements as set forth in 49 C.F.R. § 1105.7 for the purpose of assisting the Board's preparation of an environmental document regarding BNSF's and ICE's Notices of Exemption for abandonment of BNSF's line between M.P. 20.31 to M.P. 25.40 near Albany, Illinois, a total distance of 5.09 miles. ICE is discontinuing its operating rights over the line BNSF is abandoning.

(1) Proposed action and Alternatives: Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

BNSF seeks to abandon and discontinue service of the line. ICE is discontinuing its operating rights over the line BNSF is abandoning. This may involve the removal of track materials, bridges and structures. A map of the line is attached as Exhibit A.

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

The proposed abandonment by BNSF and discontinuance of operating rights by ICE will have no affect on existing transportation systems or patterns as the line is out of service.

(3) Land Use:

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

BNSF believes that the proposed exemption will not be inconsistent with local or regional land use plans. The Whiteside County Board and the Rock Island County Board were notified by letters dated May 24, 2005 and June 22, 2005. See Exhibits B and C. As of the date of this report, the Whiteside County Board and the Rock Island Board have not responded directly to those inquiries.

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

The proposed exemption should have no effect on prime farmland. There are some soil types that are classified as Prime Farmland. The majority of the prime farmland soils are located between Illinois State Route #84 and the Mississippi River and are not adjacent to the cropland fields. These would not be considered prime farmland due to their location next to "Urban built-up areas". The only exception would be the 7516 Faxon soil type located northeast of Albany, which is next to a cropland field to the north, for approximately 1200 feet in length. This is the only

reach where 7516 Faxon would be considered “Prime Farmland”. See Exhibit D, letter from the Natural Resources Conservation Service.

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

N/A

(iv) If the proposed action is abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10906 and explain why.

The right-of-way is suitable for alternative public uses. The Village of Albany has a strong desire to file for a notice of interim trail use and rail bank the corridor for recreational use. See Exhibit E, letter from the Illinois Department of Natural Resources.

(4) Energy:

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

The proposed abandonment and discontinuance of operating rights will not have an affect on the transportation of energy resources.

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

This abandonment and discontinuance will not adversely affect movement or recovery of recyclable commodities as the line is out of service.

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

This abandonment and discontinuance will not result in an increase or decrease in overall energy efficiency as the line is out of service.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in the energy consumption and show the data and methodology used to arrive at the figure given.

There will be no diversions of traffic because the line is out of service.

(5) Air:

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

(A). An increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of the line effected by the proposed, or

No.

(B). An increase in rail yard activity of at least 100% (measured by carload activity), or

No.

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

The proposed action will not involve an increase in truck traffic of more than 10% or 50 vehicles a day on any affected road segment as the line is out of service.

(ii) If the proposed action affects a Class I or nonattainment area under the Clean Air Act, and will result in either:

(A) An increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three train a day on any segment of rail line, or

(B) An increase in rail yard activity of at least 20% (measured by carload activity), or

(C) An average increase in truck traffic or more than 10-% of the average daily traffic of 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by State implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505) or in a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

The proposed abandonment and discontinuance will not result in an increase of rail or truck traffic because the line is out of service.

(iii) If the transportation of ozone depleting materials (such as nitrogen oxide and from) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

The proposed abandonment and discontinuance will not affect the transportation of ozone depleting materials.

(6) Noise: If any of the thresholds identified in item (5)(c) of this section are surpassed, state whether the proposed action will cause:

(i) An incremental increase in noise levels of three decibels Ldn or more,

N/A

(ii) An increase to a noise level of 76 decibels Ldn or greater. If so, identify sensitive receptors (e.g. schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area and quantify the noise increase for those receptors if the thresholds are surpassed.

N/A

(7) Safety:

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

This abandonment and discontinuance should have no adverse effect on health or public safety. There are six public crossings and three private crossings. The removal of these crossings and the associated signs and structures will enhance public safety by eliminating distractions to vehicular traffic crossing the line. During salvage operations on the line, if any may be required, precautions will be taken to ensure public safety, and contractors will be required to satisfy all applicable health and safety laws and regulations.

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

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

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

There is no evidence of known hazardous waste site or sites where there have been known hazardous materials spills on the right-of-way.

(8) Biological resources:

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

BNSF and ICE believe that the proposed exemptions will not adversely affect endangered or threatened species or areas designated as critical habitat. The bald eagle (*Haliaeetus leucephalus*) is listed as wintering in Whiteside and Rock Island Counties. The Higgins eye pearlymussel (*Lampsilis higginsii*) is listed for the Mississippi River north of Lock and Dam 20, which includes Rock Island County, Illinois. In addition, it is known to exist from the Rock River downstream of the Steel Dam, Rock Island County, Illinois. Potentially, it may also occur in Whiteside County, Illinois upstream of Lock and Dam 22 on the Mississippi River. This species prefers sand/gravel substrates with a swift current and is most often found in the main channel border or an open, flowing side channel. The project lies within the range of the freshwater sheepnose (*Plethobasus cyphus*) and spectaclecase (*Cumberlandia monodonta*) mussels that are declining throughout their national range and are currently Federal Candidate species. At a minimum, project evaluations should contain delineations of whether or not sheepnose mussel habitat occurs within project boundaries. The eastern prairie fringed orchid (*Platanthera leucophaea*), the prairie bush clover (*Lespedeza leptostachya*), the Indiana bat (*Myotis sodalist*) are known to occur in Illinois, but the US Fish and Wildlife do not have any records of their occurrence in Whiteside and Rock Island Counties. See Exhibits F, letter from the US Fish and Wildlife. The Illinois Department of Natural Resources is of the opinion that no adverse impacts will occur to resources

in the area. See Exhibit G, letter from the Illinois Department of Natural Resources.

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

BNSF and ICE believe the proposed exemptions will not affect wildlife sanctuaries or refuges, National or State parks or forests. The major resource present in the project area is the Mississippi River-Cordova INAI site, which is adjacent to the railroad corridor along the river side. The Department of Natural Resources is of the opinion that no adverse impacts will occur to resources in the area. See Exhibit G, letter from the Illinois Department of Natural Resources. The proposed abandonment and discontinuance lie west of IL Route 84, which is recognized as a portion of the Great River Road and designated as both a National and State Scenic Byway. The portion of railroad right-of-way between milepost 20.31 and approximately milepost 22.0 is also included in a Levee District, since this portion of IL Route 84 is constructed upon a levee. The railroad right-of-way lies west of the recreation trail known as the Great River Trail, a 65 mile initiative of 11 cities and villages, 4 townships and 3 counties, including Albany, Illinois. Currently the trail is constructed on a portion of IL Route 84 right-of-way, utilizes Merridosia Road to the Albany Mounds State Historic Site, then local roads leading north of town. The Great River Trail is also an identified segment in the Grand Illinois Trail, a 500 mile trail initiative facilitated by the Illinois Department of Natural Resources and involving some 95 Federal, State

and Local jurisdictions. The right-of-way lies adjacent to the U.S. Fish & Wildlife Upper Mississippi River National Wildlife and Fish Refuge. Portions of the existing railroad right-of-way which serve as drainage on either side of the elevated rail line between milepost 20.31 and approximately 22.5 are clearly wetland areas and are intermittently submerged. See Exhibit E, letter from the Illinois Department of Natural Resources. There are no federal lands administered by the Bureau of Land Management along the subject railroad line. See Exhibit H, letter from the Bureau of Land Management.

(9) Water:

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

BNSF and ICE believe that the proposed exemptions will be consistent with applicable Federal, State or local water quality standards. The Illinois EPA was notified by a letters dated May 24, 2005. See Exhibits I and J. As of the date of this report, the Illinois EPA has not responded directly to the inquiry. BNSF will provide the Board copies of any response it may receive.

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

BNSF and ICE believe that the proposed exemptions will not require a Section 404 permit. The U.S. Army Corps of Engineers was notified by a letter dated May 24, 2005. See Exhibit K. As of the date of

this report, the U.S. Army Corps of Engineers has not responded directly to the inquiry. BNSF will provide the Board copies of any response it may receive.

BNSF believes that the proposed exemption will not affect any 100-year floodplains. The right-of-way is located in a Zone A FEMA flood zone. See Exhibit L, letter from the Whiteside County Planning and Zoning.

(iii) State whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).

BNSF and ICE believe that Section 402 permits will not be required for the proposed action. The Illinois EPA was notified by a letters dated May 24, 2005. See Exhibits I and J. As of the date of this report, the Illinois EPA has not responded directly to the inquiry. BNSF will provide the Board copies of any response it may receive.

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

Any salvage operations that may result will be in accordance with BNSF's general practice of requiring its private contractors to comply with all federal, state and local laws and regulations pertaining to the environment, including, but not limited to noise, air quality, water quality, and items of archaeological significance. The project itself should mitigate the environmental effects of reinstating active rail operations.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Michael Smith', with a long horizontal flourish extending to the right.

Michael Smith
Freeborn & Peters
311 S. Wacker Dr. Suite 3000
Chicago, Illinois 60606-6677
Phone: (312) 360-6724
Fax: (312) 360-6598

Date: November 16, 2005

BEFORE THE
SURFACE TRANSPORTATION BOARD

Abandonment of a line of Railroad
Between BNSF M.P. 20.31 near Albany,
Rock Island County, Illinois and M.P. 25.40
Near Albany, Whiteside County, Illinois

Docket No. AB-6 (Sub-No. 435X)
Docket No. AB-987X

HISTORICAL REPORT

The following is submitted to the Surface Transportation Board by BNSF Railway Company (BNSF) and the Iowa, Chicago & Eastern Railroad Corporation (ICE) in accordance with the Board's reporting requirements set forth in 49 C.F.R. § 1105.8 for the purpose of assisting the Board's environmental and historical assessment regarding BNSF's Notice of Exemption to abandon its line of railroad between M.P. 20.31 near Albany, Rock Island County, Illinois and M.P. 25.40 near Albany, Whiteside County, Illinois, a total distance of 5.09 miles. ICE is discontinuing its operating rights over the line BNSF is abandoning.

(1) A U.S.G.S. topographic map (or alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of the railroad structures that are 50 years old or older and are part of the proposed action;

One copy of a U.S.G.S. Topographical map has been provided to the Illinois Historic Preservation Agency and one copy is being provided to the Surface Transportation Board's Section of the Environmental Analysis upon filing of this Report.

(2) A written description of the right-of-way (including approximate widths, to the extent known) and the topography and urban and/or rural characteristics of the surrounding area:

The right-of-way is generally 100 feet wide. The line goes through the village of Albany, Illinois which had a year 2000 population of 895. The right-of-way is both rural and urban. Albany is the only station on the line. Albany is located in Whiteside County, Illinois which had a year 2000 population of 60,653. The adjoining real estate is located on a bluff overlooking the Mississippi River.

(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;

There are two bridges that are 50 years or older in the immediate area of the abandonment. See Exhibit M.

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

The dates of construction of the bridges are included with the photographs. See Exhibit M.

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

The right-of-way was acquired by The Mississippi Railroad Company. The Mississippi Railroad Company was a predecessor of the Chicago Milwaukee St Paul & Pacific Railroad (CMSTP&P). The CMSTP&P sold its interest in the trackage to the SOO Line Railroad (SOO) which in turn was acquired by the Canadian Pacific Railroad (CP). In 1995, The Burlington Northern & Santa Fe Railway (Burlington Northern & Santa Fe) acquired this trackage. In January 2005 Burlington Northern & Santa Fe changed its name to BNSF Railway Company.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is to be historic;

Documents in BNSF's possession concerning this abandonment may include alignment maps showing the right-of-way and/or station maps. Such documents are too large for practical reproduction in this report, but can be furnished upon request, if they are available.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. § 60.4), and whether there is a likelihood of archaeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);

To the best of BNSF's knowledge, the proposed abandonment should have no appreciable effects on any known sites or properties listed, or eligible for listing in the National Register of Historic Places. The Illinois Historic Preservation Agency was notified by a letter dated August 16, 2005. See Exhibit N. As of the date of this report, the Illinois Historic Preservation Agency has not responded directly to the inquiry. BNSF will provide the Board copies of any response it may receive.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archaeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

BNSF is not aware of any known prior subsurface ground disturbance or fill or any other environmental conditions (naturally occurring or man-made) that might affect the recovery of archaeological resources.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael Smith', with a long horizontal flourish extending to the right.

Michael Smith
Freeborn & Peters
311 S. Wacker Dr. Suite 3000
Chicago, Illinois 60606-6677
Phone: (312) 360-6724
Fax: (312) 360-6598

Date: November 16, 2005

A

MILEPOST 25.40

MILEPOST 20.31



B

Freeborn & Peters LLP

May 24, 2005

Tony Arduini
Whiteside County Board Chairman
200 East Knox Street
County Courthouse
Morrison, IL 61270-2809

Re: The BNSF Railway Company Abandonment of Albany, Illinois

Dear Mr. Arduini:

Attorneys at Law

111 South Wacker Drive
Suite 3000
Chicago, Illinois
60606-6677
Tel 312.360.6000

Brian Nettles
Paralegal
Direct 312.360.6336
Fax 312.360.6596
bnettl@freebornpeters.com

BNSF plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 5.09 miles of railroad line between M.P. 20.31 to M.P. 25.40 in and near Albany, Illinois.

As part of the environmental report BNSF needs to know whether or not the proposed action is consistent with local land use plans and if there are any alternate public uses for the corridor such as a recreational trail.

The proposed abandonment may require the removal of the track materials such as the rails and ties but the roadbed will be left intact.

For your reference I have enclosed a map of the above referenced railroad line. If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me at (312) 360-6336.

Thank you in advance for your cooperation.

Sincerely,



Brian Nettles

/bn
Enclosure

Chicago

Springfield

C

June 22, 2005

Freeborn & Peters LLP

Rock Island County Board
210-15 Street
Rock Island, IL 61201-8612

Re: The BNSF Railway Company Abandonment of Albany, Illinois

Dear Sir or Madam:

Attorneys at Law

South Wacker Drive
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Chicago, Illinois
312-667-7777
312.360.6000

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Legal
312.360.6336
312.360.6596
bnettl@freebornpeters.com

BNSF plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 5.09 miles of railroad line between M.P. 20.31 to M.P. 25.40 in and near Albany, Illinois.

As part of the environmental report BNSF needs to know whether or not the proposed action is consistent with local land use plans and if there are any alternate public uses for the corridor such as a recreational trail.

The proposed abandonment may require the removal of the track materials such as the rails, ties, bridges and railroad structures but the roadbed will be left intact.

For your reference I have enclosed a map of the above referenced railroad line. If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me at (312) 360-6336.

Thank you in advance for your cooperation.

Sincerely,



Brian Nettles

/bn
Enclosure

Chicago

Springfield

D

United States Department of Agriculture



Field Operations Area 4
16255 Liberty Street
Morrison, Illinois 61270

Phone: (815) 772-2124 ext. 3 Fax: (815) 772-7973

May 27, 2005

Brian Nettles
Freeborn & Peters LLP
311 South Wacker Drive
Suite 3000
Chicago, IL 60606-6677

Dear Brian,

Enclosed are USDA soil maps of both Rock Island and Whiteside Counties that cover Railroad M.P. 20.31 to M.P. 25.40 near Albany, Illinois.

I have highlighted in yellow the soil types that are classified as Prime Farmland. Those soil types include:

Whiteside County:

- 7073 Ross loam, rarely flooded
- 7516 Faxon silty clay loam, rarely flooded
- 8404 Titus silty clay loam, occasionally flooded (where drained)

Rock Island County:

- 763A Joslin silt loam, 0 to 2% slopes
- 764A Coyne fine sandy loam, 0 to 2% slopes
- 961A Burkhardt – Saude complex, 0 to 2% slopes
- 8404A Titus silty clay loam, occasionally flooded (where drained)

The majority of the prime farmland soils are located between Illinois State Route #84 and the Mississippi River, and are not adjacent to cropland fields. These would not be considered prime farmland due to their location next to "Urban built-up areas". The only exception would be the 7516 Faxon soil type located northeast of Albany, which is next to a cropland field to the north, for approximately 1200 feet in length. This is the only reach where 7516 Faxon would be considered "Prime Farmland".

Sincerely,

Mark R. Kaiser
District Conservationist

cc: correspondence file

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Ave. Avenue SW, Washington D.C. 20250-8410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Freeborn & Peters LLP

May 24, 2005

Natural Resources Conservation Service
Morrison Service Center
16255 Liberty St
Morrison, IL 61270-9654

Re: The BNSF Railway Company Abandonment of Albany, Illinois

Dear Sir or Madam:

Attorneys at Law

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BNSF plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 5.09 miles of railroad line between M.P. 20.31 to M.P. 25.40 in and near Albany, Illinois.

As part of the environmental report BNSF needs to know whether or not the proposed abandonment will have any effect on prime agricultural lands.

The proposed abandonment may require the removal of the track materials such as the rails and ties but the roadbed will be left intact.

Please provide this information by June 24, 2005. Thank you for your cooperation.

For your reference I have enclosed a map of the above referenced railroad line. If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me at (312) 360-6336.

Thank you in advance for your cooperation.

Sincerely,



Brian Nettles

/bn
Enclosure

Chicago

Springfield

ALBANY, ILLINOIS TRACKAGE

MILEPOST 25.40

MILEPOST 20.31

ALBANY

Camanche

ALBANY

CORDOVA

NORTH

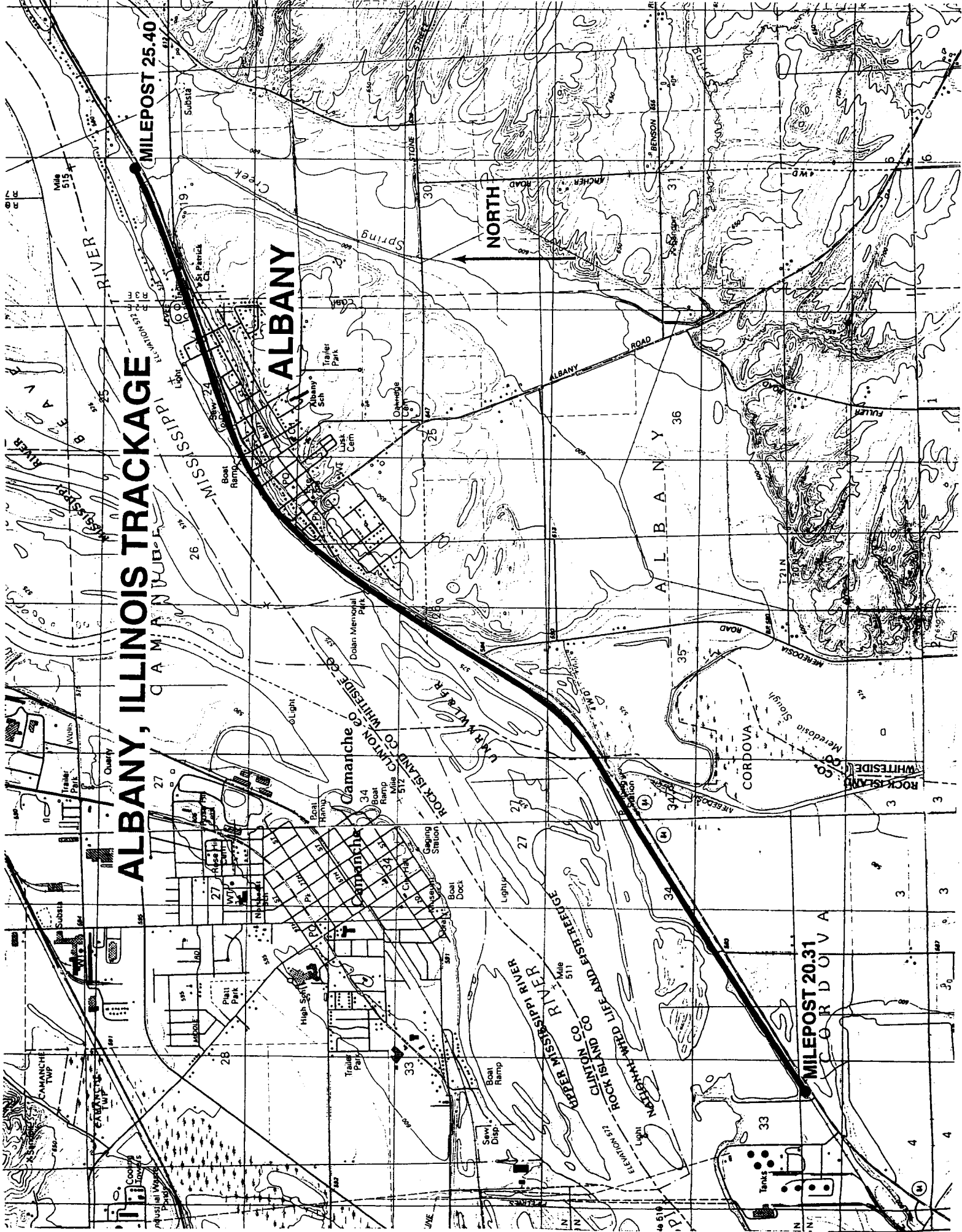


TABLE 5.--PRIME FARMLAND

(Only the soils considered prime farmland are listed. Urban or built-up areas of the soils listed are not considered prime farmland. If a soil is prime farmland only under certain conditions, the conditions are specified in parentheses after the soil name)

Map symbol	Soil name
36B	Tama silt loam, 2 to 5 percent slopes
41	Muscatine silt loam
61	Atterberry silt loam (where drained)
68	Sable silt loam (where drained)
69	Milford silty clay loam (where drained)
81	Littleton silt loam
87A	Dickinson loam, 0 to 2 percent slopes
87B2	Dickinson sandy loam, 2 to 7 percent slopes, eroded
104	Virgil silt loam (where drained)
152	Drummer silt loam (where drained)
171B	Catlin silt loam, 1 to 5 percent slopes
172	Hoopeston sandy loam
175B2	Lamont loam, 2 to 7 percent slopes, eroded
198	Elburn silt loam
200	Orio loam (where drained)
201	Gilford loam (where drained)
206	Thorp silt loam (where drained)
261	Niota silt loam (where drained)
262	Denrock silt loam
268B	Mt. Carroll silt loam, 2 to 5 percent slopes
274B	Seaton silt loam, 2 to 5 percent slopes
275	Joy silt loam
277B	Port Byron silt loam, 2 to 5 percent slopes
279B	Rozetta silt loam, 2 to 5 percent slopes
280B	Fayette silt loam, 2 to 5 percent slopes
386B	Downs silt loam, 2 to 5 percent slopes
411B	Ashdale silt loam, 2 to 7 percent slopes
412B	Ogle silt loam, 2 to 5 percent slopes
430A	Raddle silt loam, 0 to 2 percent slopes
430B	Raddle silt loam, 2 to 5 percent slopes
447	Canisteo loam, sandy substratum (where drained)
485B	Richwood silt loam, 2 to 5 percent slopes
486B	Bertrand silt loam, 2 to 5 percent slopes
509B	Whalan loam, 1 to 5 percent slopes
562B	Port Byron silt loam, sandy substratum, 1 to 5 percent slopes
564A	Waukegan silt loam, 0 to 2 percent slopes
564B	Waukegan silt loam, 2 to 5 percent slopes
565B	Tell silt loam, 2 to 5 percent slopes
575	Joy silt loam, sandy substratum
647	Lawler loam
727	Waukes loam
763	Joslin silt loam
767	Prophetstown silt loam (where drained)
770	Udolpho loam (where drained)
772	Marshan loam (where drained)
3076	Otter silt loam, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3077	Huntsville silt loam, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
3107	Sawmill silty clay loam, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3302	Ambraw silty clay loam, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3321A	Du Page silt loam, frequently flooded, 0 to 3 percent slopes (where protected from flooding or not frequently flooded during the growing season)
3333	Wakeland silt loam, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
3400	Calco silty clay loam, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)

TABLE 5.--PRIME FARMLAND--Continued

Map symbol	Soil name
3404	Titus silty clay loam, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3415	Orion silt loam, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
3428	Coffeen silt loam, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
3451	Lawson silt loam, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
3452	Riley loam, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
7070	Beaucoup silty clay loam, rarely flooded (where drained)
7073	Ross loam, rarely flooded
7076	Otter silt loam, rarely flooded (where drained)
7082	Millington clay loam, rarely flooded (where drained)
7107	Sawmill silty clay loam, rarely flooded (where drained)
7302	Ambraw clay loam, rarely flooded (where drained)
7404	Titus silty clay loam, OCCAS. flooded (where drained)
7428	Coffeen silt loam, rarely flooded
7452	Riley loam, rarely flooded
7516	Faxon silty clay loam, rarely flooded (where drained)
7603	Blackoar silt loam, rarely flooded (where drained)
7682	Medway loam, rarely flooded
8107+	Sawmill silt loam, overwash, occasionally flooded (where drained)
8125	Selma loam, occasionally flooded (where drained)
8153	Pella silty clay loam, occasionally flooded (where drained)
8201	Gilford loam, occasionally flooded (where drained)

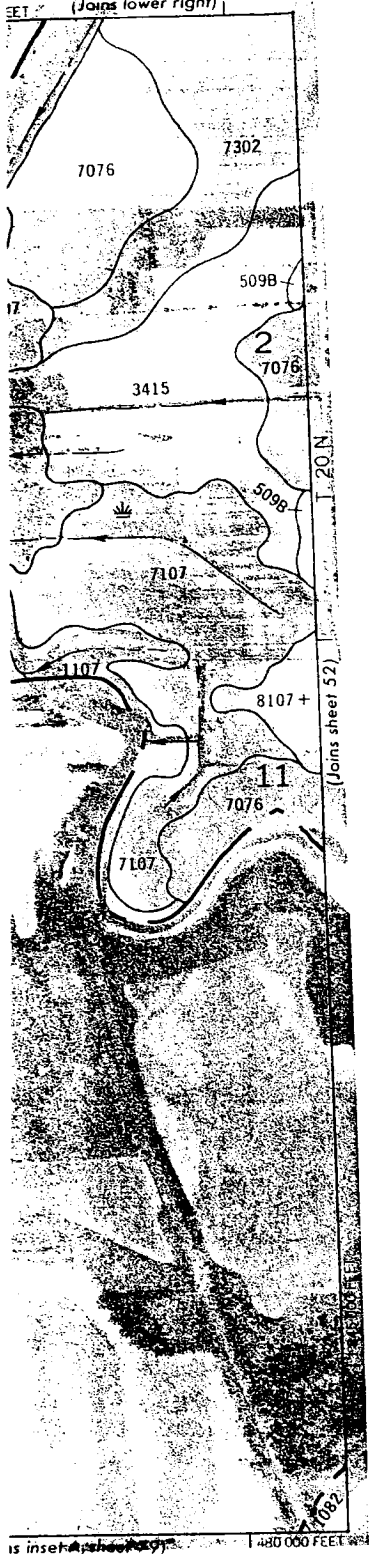
SOIL MAP OF WHITESIDE COUNTY, ILLINOIS -



INSET A

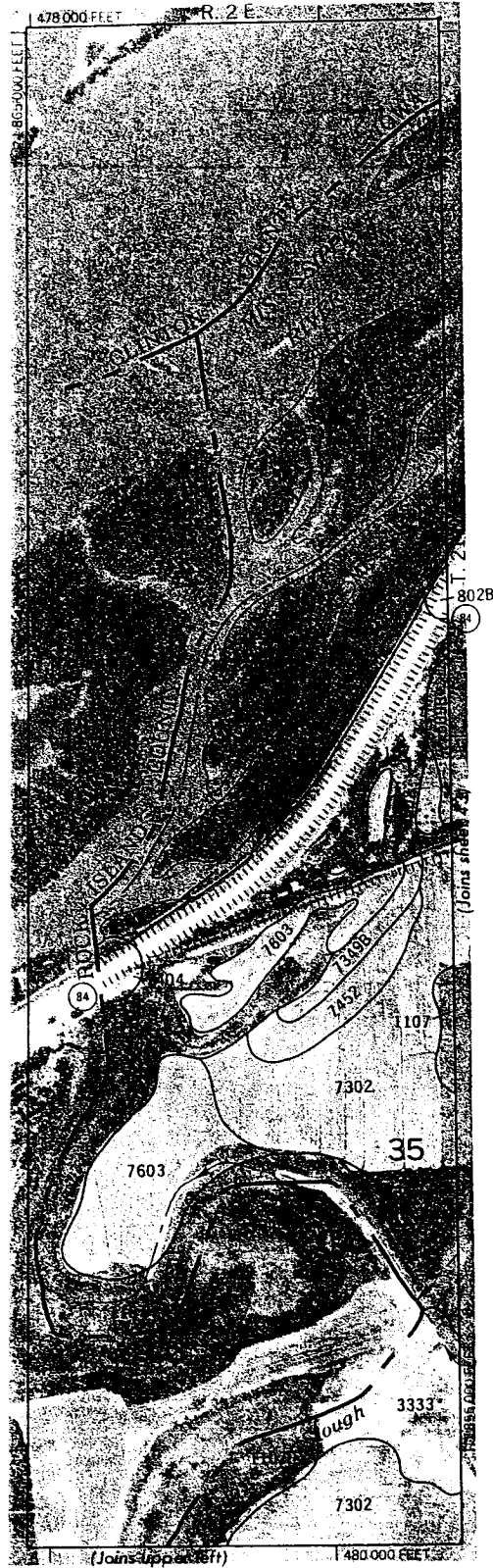
R. 2 E

(Joins lower right)

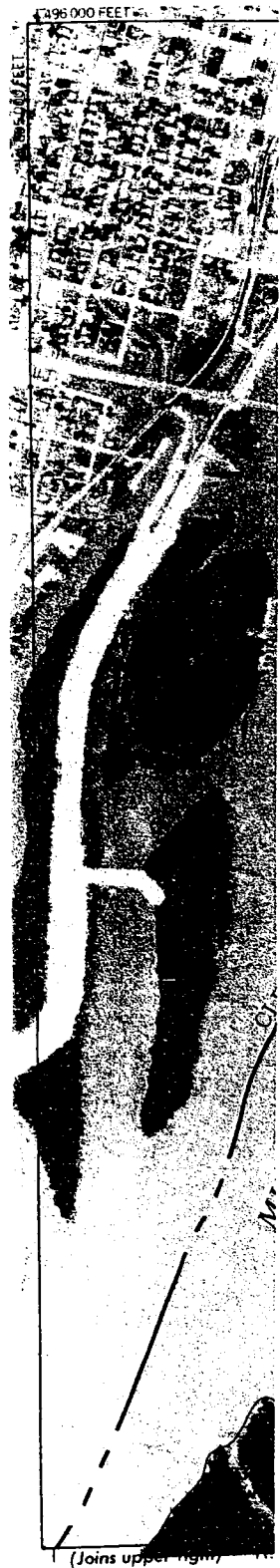


1000 AND 500 FOOT GRID TICKS

INSET B



1000 AND 500 FOOT GRID TICKS



1000 AND 500 FOOT GRID TICKS

Rock Island County

Table 7.--Prime Farmland

(Only the soils considered prime farmland are listed. Urban or built-up areas of the soils listed are not considered prime farmland. If a soil is prime farmland only under certain conditions, the conditions are specified in parentheses after the soil name)

Map symbol	Soil name
45A	Denny silt loam, 0 to 2 percent slopes (where drained)
51A	Muscataine silt loam, 0 to 2 percent slopes
61A	Atterberry silt loam, 0 to 2 percent slopes (where drained)
68A	Sable silty clay loam, 0 to 2 percent slopes (where drained)
86B	Oasco silt loam, 2 to 5 percent slopes
87A	Dickinson sandy loam, 0 to 2 percent slopes
87C2	Dickinson sandy loam, 5 to 10 percent slopes, eroded
172A	Hoopeston sandy loam, 0 to 2 percent slopes
212B	Thebes silt loam, 2 to 5 percent slopes
261A	Miota silt loam, 0 to 2 percent slopes (where drained)
274B	Seaton silt loam, 2 to 5 percent slopes
274B2	Seaton silt loam, 2 to 5 percent slopes, eroded
275A	Joy silt loam, 0 to 2 percent slopes
278A	Stronghurst silt loam, 0 to 2 percent slopes (where drained)
279A	Rozetta silt loam, 0 to 2 percent slopes
279B	Rozetta silt loam, 2 to 5 percent slopes
280B	Fayette silt loam, 2 to 5 percent slopes
280B2	Fayette silt loam, 2 to 5 percent slopes, eroded
317A	Milledale silty clay loam, 0 to 2 percent slopes (where drained)
430A	Raddle silt loam, 0 to 2 percent slopes
430B	Raddle silt loam, 2 to 5 percent slopes
525A	Joslin loam, bedrock substratum, 0 to 2 percent slopes
570B	Martinsville silt loam, 2 to 5 percent slopes
647A	Lawler loam, 0 to 2 percent slopes
671A	Biggsville silt loam, 0 to 2 percent slopes
671B	Biggsville silt loam, 2 to 5 percent slopes
675A	Greenbush silt loam, 0 to 2 percent slopes
675B	Greenbush silt loam, 2 to 5 percent slopes
705A	Buckhart silt loam, 0 to 2 percent slopes
727A	Waukee loam, 0 to 2 percent slopes
763A	Joslin silt loam, 0 to 2 percent slopes
763B	Joslin silt loam, 2 to 5 percent slopes
764A	Coyne fine sandy loam, 0 to 2 percent slopes
774A	Saude loam, 0 to 2 percent slopes
961A	Burkhardt-Saude complex, 0 to 2 percent slopes
3074A	Radford silt loam, 0 to 2 percent slopes, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
3076A	Otter silt loam, 0 to 2 percent slopes, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3082A	Millington silt loam, 0 to 2 percent slopes, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3083A	Wabash silty clay, 0 to 2 percent slopes, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3107A	Sawmill silty clay loam, 0 to 2 percent slopes, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3239A	Dorchester silt loam, 0 to 2 percent slopes, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3400A	Calco silty clay loam, 0 to 2 percent slopes, frequently flooded (where drained and either protected from flooding or not frequently flooded during the growing season)
3415A	Orion silt loam, 0 to 2 percent slopes, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
3428A	Coffeen silt loam, 0 to 2 percent slopes, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
3451A	Lawson silt loam, 0 to 2 percent slopes, frequently flooded (where protected from flooding or not frequently flooded during the growing season)
7076A	Otter silt loam, 0 to 2 percent slopes, rarely flooded (where drained)
7083A	Wabash silty clay, 0 to 2 percent slopes, rarely flooded (where drained)
7107A	Sawmill silty clay loam, 0 to 2 percent slopes, rarely flooded (where drained)

Table 7.--Prime Farmland--Continued

Map symbol	Soil name
7239A	Dorchester silt loam, 0 to 2 percent slopes, rarely flooded
7304A	Landes fine sandy loam, 0 to 2 percent slopes, rarely flooded
7415A	Orion silt loam, 0 to 2 percent slopes, rarely flooded
7428A	Coffeen silt loam, 0 to 2 percent slopes, rarely flooded
7451A	Lawson silt loam, 0 to 2 percent slopes, rarely flooded
7654A	Moline silty clay, 0 to 2 percent slopes, rarely flooded (where drained)
8107+	Sawmill silt loam, 0 to 2 percent slopes, occasionally flooded, overwash (where drained)
8302A	Ambraw loam, 0 to 2 percent slopes, occasionally flooded (where drained)
8400A	Calco silty clay loam, 0 to 2 percent slopes, occasionally flooded (where drained)
8404A	Titus silty clay loam, 0 to 2 percent slopes, occasionally flooded (where drained)

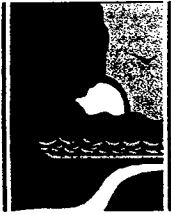
Rock Island County
Soils Map



Rock Island County Soils Map



E



Illinois
Department of
Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271

<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

June 28, 2005

Mr. Brian Nettles, Paralegal
Freeborn & Peters LLP
Attorneys at Law
311 South Wacker Drive, Suite 3000
Chicago, IL 60606-6677

RE: The BNSF Railway Company Abandonment of Albany, Illinois

Dear Mr. Nettles:

Thank you for your letter of May 24, 2005 indicating intentions of Burlington Norther Sante Fe Railway Company to abandon their portion of railway traversing Albany, Illinois.

Attached is a graphic which serves to provide answers to specific questions contained in your letter. Additionally, the Department offers the following information:

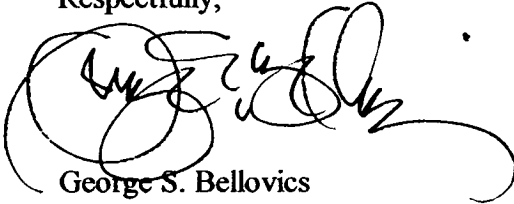
- ☐ As indicated, the proposed abandonment lies west of IL Route 84. IL Route 84 is recognized as a portion of The Great River Road and designated as both a National and State Scenic Byway.
- ☐ The portion of railroad right of way between milepost 20.31 and approximately milepost 22.0 is also included in a Levee District, since this portion of IL Route 84 is constructed upon a levee.
- ☐ As indicated on the graphic, the railroad right of way lies west of the recreation trail known as the Great River Trail, a 65 mile initiative of 11 cities and villages, 4 townships and 3 counties, including Albany, Illinois. Currently the trail is constructed on a portion of IL Route 84 right of way, utilizes Merridosia Road to the Albany Mounds State Historic Site, then local roads leading north of town. The Great River Trail is also an identified segment in the Grand Illinois Trail, a 500 mile trail initiative facilitated by the Illinois Department of Natural Resources and involving some 95 Federal, State and Local jurisdictions. (Brochure included.)
- ☐ The railroad right of way lies adjacent to the U.S. Fish & Wildlife Upper Mississippi River National Wildlife and Fish Refuge. Portions of the existing railroad right of way which serve as drainage on either side of the elevated rail line between milepost 20.31 and approximately 22.5 are clearly wetland areas and intermitted submerged.

- ☐ The Village of Albany and the Department of Natural Resources has over the past four years had multiple contact with Burlington Northern Santa Fe through the office of Richard Batie for the purpose of inquiry regarding potential abandonment. The Village of Albany has a strong desire to file for an Interim Use Certificate and rail bank the corridor for recreational use. The Department of Natural Resources supports the Village of Albany in their desire and will provide technical assistance as well as grant assistance toward this end.

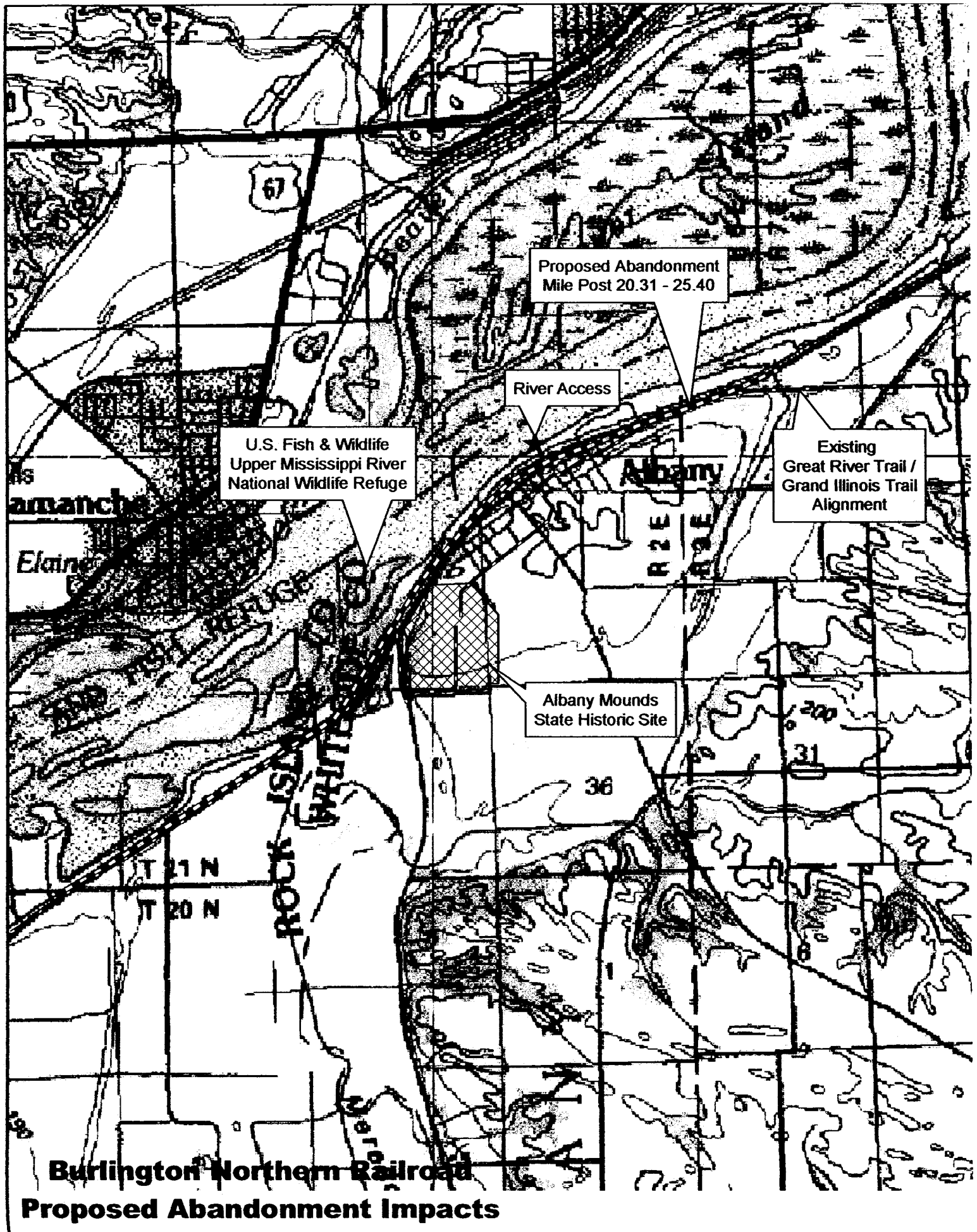
Should you have further questions or concerns, please contact me at 815-625-2968.

The Department appreciates this opportunity to provide input regarding the proposed abandonment.

Respectfully,



George S. Bellovics
Landscape Architect
Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Division of Planning
Region I Office
2317 East Lincolnway, Suite A
Sterling, IL 61081
815-625-2968
815-625-0706 (fax)
gbellovics@dnrmail.state.il.us



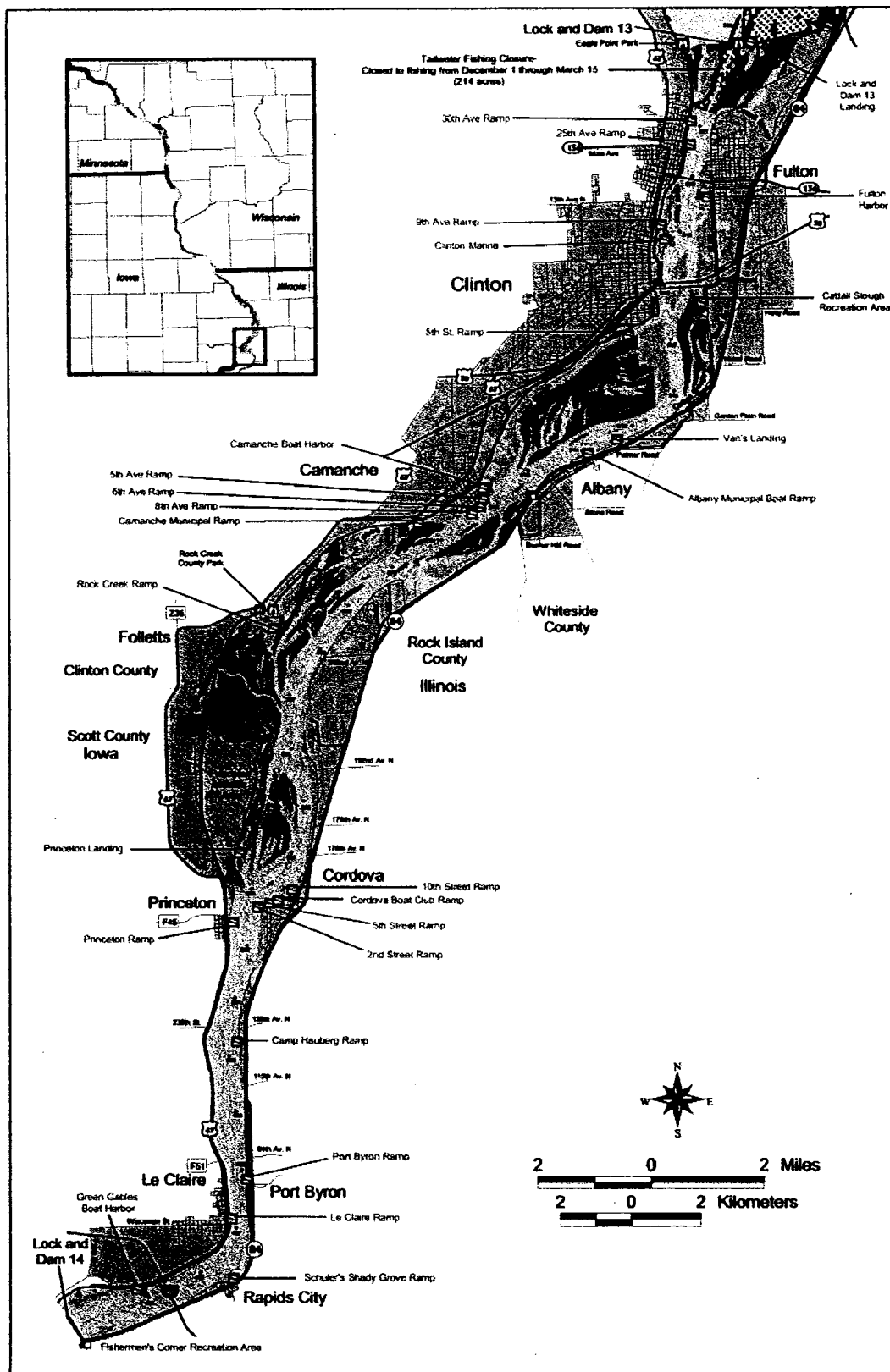


Figure 12: Pool 14, Alternative A: No Action (Current Direction)

F



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Rock Island Field Office
4469 48th Avenue Court
Rock Island, Illinois 61201
Phone: (309) 793-5800 Fax: (309) 793-5804



IN REPLY REFER
TO:

FWS/RIFO

June 28, 2005

Mr. Brian Nettles
Freeborn & Peters LLP
311 South Wacker Drive
Suite 3000
Chicago, Illinois 60606-6677

Dear Mr. Nettles:

This is in response to your letter of May 24, 2005, requesting endangered species information for the abandonment of 5.09 miles of railroad line between M.P. 20.31 to M.P. 25.40 in and near Albany, Rock Island and Whiteside Counties, Illinois. It is our understanding the proposed action may require the removal of track materials such as rails and ties, but the railbed will be left in tact.

To facilitate compliance with Section 7(c) of the Endangered Species Act of 1973, as amended, Federal action agencies are required to obtain from the Fish and Wildlife Service information concerning any species, listed or proposed to be listed, which may be present in the area of a proposed action.

Enclosed is a species list, including habitat requirements, of species that may occur in the above counties. Pursuant to Section 7 of the Endangered Species Act of 1973, as revised, it is the responsibility of the Federal action agency (agency), that licenses, permits, or funds the proposed activity, to use the species list and habitat descriptions we have provided to determine if any listed threatened or endangered species or designated critical habitats are present. If suitable habitat is found in the project area, surveys may be needed to determine if listed species are present, and this field office should be contacted for further assistance.

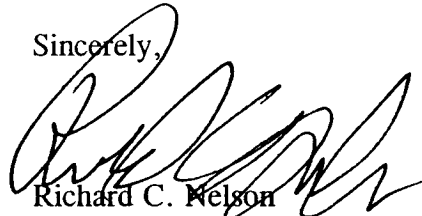
These comments provide technical assistance only and do not constitute the report of the Secretary of the Interior on the project within the meaning of Section 2(b) of the Fish and Wildlife Coordination Act, do not fulfill the requirements under Section 7 of the Endangered Species Act, nor do they represent the review comments of the U.S. Department of the Interior on any forthcoming environmental statement.

Mr. Brian Nettles

2

If you have any questions regarding our comments, please contact Kristen Lundh of my staff at (309) 793-5800 ext. 215.

Sincerely,



Richard C. Nelson
Field Supervisor

Enclosure

S:\Office Users\Kristen\Technical Assistance\Section 7
\2005\Illinois\Rock Island + Freeborn 6-28-05 (RR).doc

Habitat Descriptions for Federal Threatened and Endangered Species in Whiteside and Rock Island Counties, Illinois

The **eastern prairie fringed orchid** (*Platanthera leucophaea*) is listed as threatened and considered to potentially occur statewide in Illinois based on its historical records and habitat distribution, but we are unaware of any record for Whiteside or Rock Island Counties. It occupies mesic to wet grassland habitats. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage, or removal of this species from Federal land or any other lands in knowing violation of State law or regulation, including State criminal trespass law. Growth of the prairie fringed orchid begins in May and flowering occurs in July. This species should be searched for whenever wet prairie remnants or other wet meadows are encountered.

The **prairie bush clover** (*Lespedeza leptostachya*) is listed as threatened and considered to potentially occur statewide in Illinois based on its historical records and habitat distribution, but we are unaware of any record for Whiteside or Rock Island Counties. It occupies dry to mesic prairies with gravelly soil. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage, or removal of this species from Federal land or any other lands in knowing violation of State law or regulation, including State criminal trespass law. This species should be searched for whenever prairie remnants are encountered.

The endangered **Indiana bat** (*Myotis sodalis*) is known to occur in several Illinois counties, but we are unaware of any record for Whiteside or Rock Island Counties. **Potential habitat for this species occurs statewide, therefore, Indiana bats are considered to potentially occur in any area with forested habitat.**

Indiana bats migrate seasonally between winter hibernacula and summer roosting habitats. Winter hibernacula include caves and abandoned mines. Females form nursery colonies under the loose bark of trees (dead or alive) and/or cavities, where each female gives birth to a single young in June or early July. A single colony may utilize a number of roost trees during the summer, typically a primary roost tree and several alternates. The species or size of tree does not appear to influence whether Indiana bats utilize a tree for roosting provided the appropriate bark structure is present.

During the summer, the Indiana bat frequents the corridors of small streams with riparian woods as well as mature upland forests. It forages for insects along stream corridors, within the canopy of floodplain and upland forests, over clearings with early successional vegetation (old fields), along the borders of croplands, along wooded fencerows, over farm ponds, and in pastures.

Suitable summer habitat in Illinois is considered to have the following characteristics within a ½ mile radius of a project site:

- 1) forest cover of 15% or greater;

- 2) permanent water;
- 3) one or more of the following tree species: shagbark and shellbark hickory that may be dead or alive, and dead bitternut hickory, American elm, slippery elm, eastern cottonwood, silver maple, white oak, red oak, post oak, and shingle oak with slabs or plates of loose bark;
- 4) potential roost trees with 10% or more peeling or loose bark

If the project site contains any habitat that fits the above description, it may be necessary to conduct a survey to determine whether the bat is present. In addition, search for this species should be made prior to any cave-impacting activities. If habitat is present or Indiana bats are known to be present, they must not be harmed, harassed, or disturbed when present, and this field office should be contacted for further assistance.

The threatened **bald eagle** (*Haliaeetus leucocephalus*) is listed as wintering in Whiteside and Rock Island Counties. During the winter, this species feeds on fish in the open water areas created by dam tailwaters, the warm water effluents of power plants, and municipal and industrial discharges, or in power plant cooling ponds. The more severe the winter, the greater the ice coverage and the more concentrated the eagles become. They roost at night in groups in large trees adjacent to the river in areas that are protected from the harsh winter elements. They perch in large shoreline trees to rest or feed on fish. There is no critical habitat designated for this species. The eagle may not be harassed, harmed, or disturbed when present nor may nest trees be cleared.

The endangered **Higgins eye pearlymussel** (*Lampsilis higginsii*) is listed for the Mississippi River north of Lock and Dam 20 which includes Jo Daviess, Henderson, and Rock Island Counties, Illinois and Allamakee, Clayton, Clinton, Des Moines, Dubuque, Jackson, Lee, Louisa, Muscatine, and Scott Counties, Iowa. In addition, it is known from the Rock River downstream of the Steel Dam, Rock Island County, Illinois. Potentially, it may also occur in Adams, Carroll, Hancock, Pike and Whiteside Counties, Illinois upstream of Lock and Dam 22 on the Mississippi River. This species prefers sand/gravel substrates with a swift current and is most often found in the main channel border or an open, flowing side channel.

While there is no designated critical habitat, the Higgins eye Recovery Team has designated habitats **essential** to the recovery of the species. These areas include Allamakee County, Iowa (river miles 655.8-658.4R); Harper's Slough area, Allamakee County, Iowa (river mile 639-641.4R); Marquette-McGregor area, Clayton County, Iowa (river mile 634-636); McMillan Island area, Clayton County, Iowa (river mile 616.4-619.1R); Cordova, Rock Island County, Illinois (river mile 503-505.5L); and Sylvan Slough, Rock Island, Illinois (river mile 485.5-486L).

The State of Illinois has also designated certain mussel refuge areas that contain this species. Their regulations would affect the commercial harvest of mussels on these refuges. If project is located near a known Higgins eye mussel bed, it may be necessary to conduct a survey to determine the presence of the species.

The project lies within the range of the freshwater **sheepnose** (*Plethobasus cyphus*) and **spectaclecase** (*Cumberlandia monodonta*) **mussels** that are declining throughout their national range and are currently Federal Candidate species. Significant declines relative to their historical distribution and their small isolated remaining populations continue to be threatened due to habitat loss and degradation. We encourage early project coordination to avoid potential impacts to this mussel and its habitat.

The Federal candidate **spectaclecase mussel** is primarily a large river species occurring most often in riverine microhabitats sheltered from main currents. Substrates include mud to boulders in shallow riffles and shoals with slow to swift currents. Occurrences tend to be aggregated especially under slabs and bedrock shelves protected from the current. The spectaclecase mussel seldom moves and when found in streams, occurs mainly in flow refuges with little sediment turbidity.

The **sheepnose mussel** is primarily a larger-stream species occurring mainly in shallow shoal habitats with moderate to swift currents over coarse sand and gravel but includes mud, cobble, and boulders as well. This includes larger rivers with deep runs, while those specimens found in streams occur mainly in stable flow refuges with little sediment turbidity.

At a minimum, project evaluations should contain delineations of whether or not sheepnose mussel habitat occurs within project boundaries. In cases where the species is known to occur or potential habitat is rated moderate to high, surveys may be necessary. Please contact this office for further information should this species or their habitat be suspected.

G



Illinois Department of Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Joel Brunsvold, Director

June 6, 2005

Freeborn & Peters LLP
Brian Nettles
311 South Wacker Drive
Chicago, Illinois 60606-6677

RE: CBNSF Railway Co.
Abandonment of Albany, IL.

Dear Mr. Nettles:

The Department of Natural Resources has reviewed the materials of the proposed project referenced above and has the following comments.

Based on the information provided, the abandonment of the railroad would involve the removal of the rails and ties but the roadbed will be left in tact. Based on this description of limited construction, the Department of Natural Resources is of the opinion that no adverse impacts will occur to resources in the area.

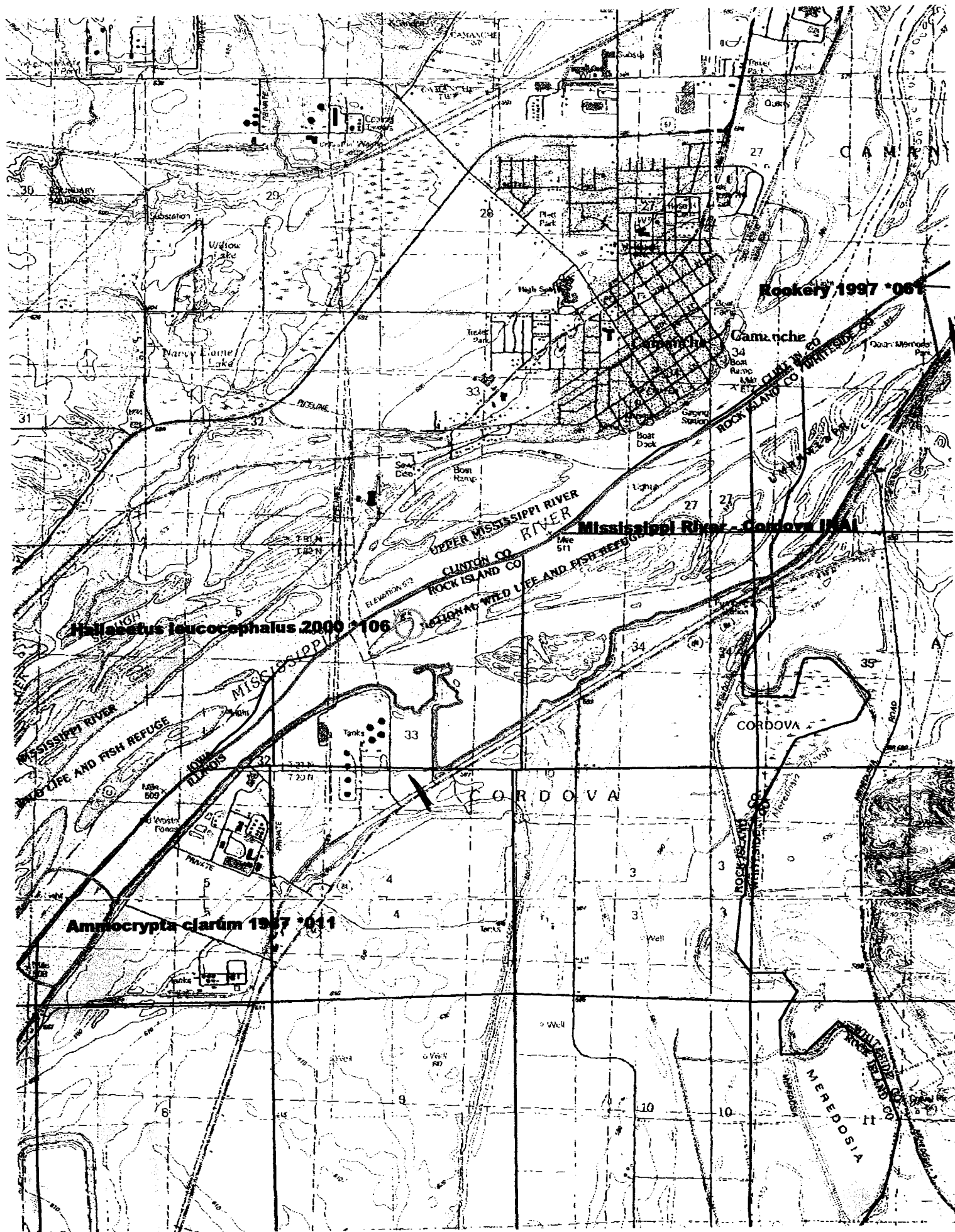
The major resource present in the project area is the Mississippi River-Cordova INAI site, which is adjacent to the railroad corridor along the river side. A color map is attached to show this area of resource concern in relation to the project. Should the scope of the project change, then further evaluation would be needed.

If you have any questions on the above, please contact me at 217-785-5500.

Sincerely,

Steve Hamer

Transportation Review Program
Division of Natural Resource Review and Coordination



Rookery 1997 *001

Mississippi River - Cordova INAI

Haliaeetus leucocapillus 2000 *106

Anniocrypta clarum 1967 *011

H



United States Department of the Interior

Bureau of Land Management-Eastern States

Milwaukee Field Office
626 E. Wisconsin Avenue, Suite 200
Milwaukee, Wisconsin 53202-4617



IN REPLY REFER TO:
2000 (030)

June 29, 2005

Mr. Brian Nettles
Freeborn & Peters, Attorneys at Law
311 South Wacker Drive, Suite 3000
Chicago, Illinois 60606-6677

Dear Mr. Nettles:

This is in response to your letter of June 22, 2005, to our office concerning the proposal by the Burlington Northern and Santa Fe Railway Company (BNSF) to abandon 5.09 miles of railroad line between M.P. 20.31 to M.P. 25.40 in and near Albany, Illinois.

A search of our records shows there are no Federal lands administered by the Bureau of Land Management along the subject railroad line. However, please be aware that some of the original railroad grants were limited fee rights-of-way and may be subject to the Railroad Right-of-Way Forfeiture and Abandonment Act of March 8, 1922, 43 U.S.C. § 912 (the 1922 Abandonment Act), and the National Trails System Improvement Act of October 4, 1988, Public Law 100-470, 16 U.S.C. § 1248 (c) - (f).

Thank you for giving us the opportunity to comment on this proposal. Our office does not have information on the location of wildlife refuges, state or national parks, state or national forests in the immediate vicinity. You must contact the Fish and Wildlife Service, National Park Service, National Forest Service and State offices to obtain this information. If you require additional information regarding this matter, please contact me at (414) 297-4402.

Sincerely,

Marcia Sieckman
Acting Team Lead Natural Resources

I

Freeborn & Peters LLP

May 24, 2005

Marilyn Davenport
Illinois EPA
Office of Small Business - #38
1021 North Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

Re: The BNSF Railway Company Abandonment of Albany, Illinois

Attorneys at Law

11 South Wacker Drive
Suite 3000
Chicago, Illinois
312.360.6677
312.360.6000

Brian Nettles
Legal
Direct 312.360.6336
Fax 312.360.6596
bnettl@freebornpeters.com

Chicago

Springfield

Dear Ms. Davenport:

BNSF plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 5.09 miles of railroad line between M.P. 20.31 to M.P. 25.40 in and near Albany, Illinois.

As part of the environmental report BNSF needs to know whether or not this action will be consistent, with Federal, State or local water quality standards. Also, please state whether or not Section 402 and/or NPDES permits are required as a result of the proposed abandonment.

The proposed abandonment may require the removal of the track materials such as the rails and ties but the roadbed will be left intact. No placement of dredge or fill material in any inland waterways is anticipated to result from abandonment and/or salvage.

For your reference I have enclosed a map of the above referenced railroad line. If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me at (312) 360-6336.

Thank you in advance for your cooperation.

Sincerely,



Brian Nettles

/bn
Enclosure

J

Freeborn & Peters LLP

May 24, 2005

Illinois EPA
Bureau of Water
P.O. Box 19276
Springfield, IL 62794-9276

Re: The BNSF Railway Company Abandonment of Albany, Illinois

Dear Sir or Madam:

Attorneys at Law

11 South Wacker Drive
Suite 3000
Chicago, Illinois
0606-6677
Tel 312.360.6000

Brian Nettles
Attorney at Law
Direct 312.360.6336
Fax 312.360.6596
bnettl@freebornpeters.com

Chicago

Springfield

BNSF plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 5.09 miles of railroad line between M.P. 20.31 to M.P. 25.40 in and near Albany, Illinois.

As part of the environmental report BNSF needs to know whether or not this action will be consistent, with Federal, State or local water quality standards. Also, please state whether or not Section 402 and/or NPDES permits are required as a result of the proposed abandonment.

The proposed abandonment may require the removal of the track materials such as the rails and ties but the roadbed will be left intact. No placement of dredge or fill material in any inland waterways is anticipated to result from abandonment and/or salvage.

For your reference I have enclosed a map of the above referenced railroad line. If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me at (312) 360-6336.

Thank you in advance for your cooperation.

Sincerely,



Brian Nettles

/bn
Enclosure

K

Freeborn & Peters LLP

May 24, 2005

U.S. Army Corps of Engineers
Rock Island District
Clock Tower Building
P.O. Box 2004
Rock Island IL, 61204-2004

Re: The BNSF Railway Company Abandonment of Albany, Illinois

Dear Sir or Madam:

Attorneys at Law

11 South Wacker Drive
Suite 3000
Chicago, Illinois
606-6677
Tel 312.360.6000

Brian Nettles
Attorney at Law
Direct 312.360.6336
Fax 312.360.6596
bnettl@freebornpeters.com

BNSF plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 5.09 miles of railroad line between M.P. 20.31 to M.P. 25.40 in and near Albany, Illinois.

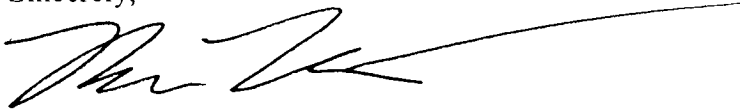
As part of the environmental report BNSF needs to know whether or not 404 permits are required as a result of the proposed abandonment.

The proposed abandonment may require the removal of the track materials such as the rails and ties but the roadbed will be left intact. No placement of dredge or fill material in any inland waterways is anticipated to result from abandonment and/or salvage.

For your reference I have enclosed a map of the above referenced railroad line. If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me at (312) 360-6336.

Thank you in advance for your cooperation.

Sincerely,



Brian Nettles

/bn
Enclosure

*Chicago
Springfield*

L

Whiteside County Planning and Zoning

E. Stuart Richter, CFM
Administrator
srichter@whiteside.org

Heather Lindstrom
Secretary
hlindstrom@whiteside.org

June 2, 2005

Mr. Brian Nettles
Freeborn and Peters LLP
311 South Wacker Drive
Suite 3000
Chicago, IL 60606-6677

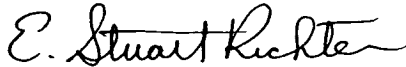
Re: BNSF Railway property and floodplain.

Dear Mr. Nettles,

Attached you will find four maps showing the BNSF property location and floodplains outside of Albany, IL, in Whiteside County. Two are black and white as requested. Two have had color added to make them clearer.

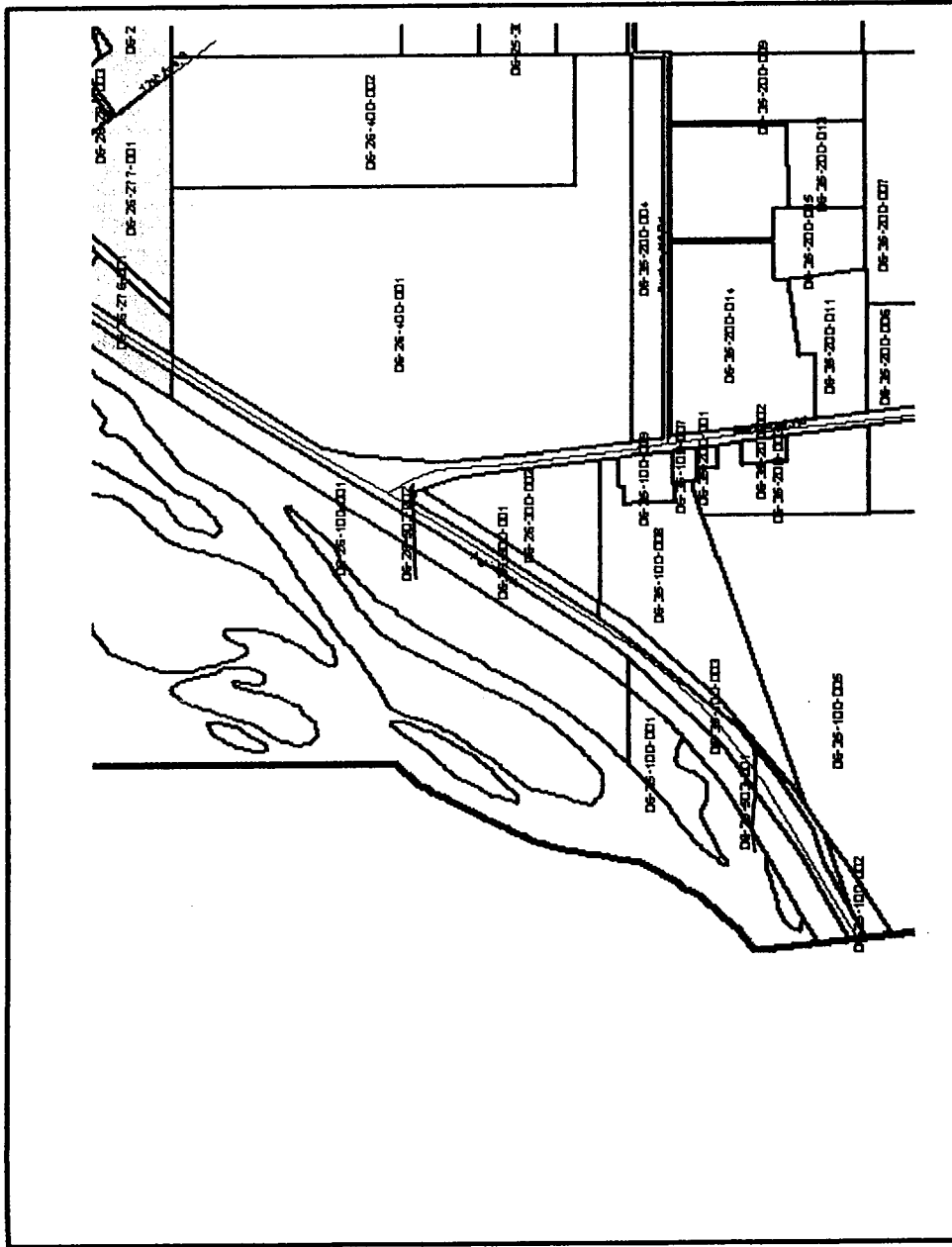
Please let me know if this does not meet your needs.

Sincerely,



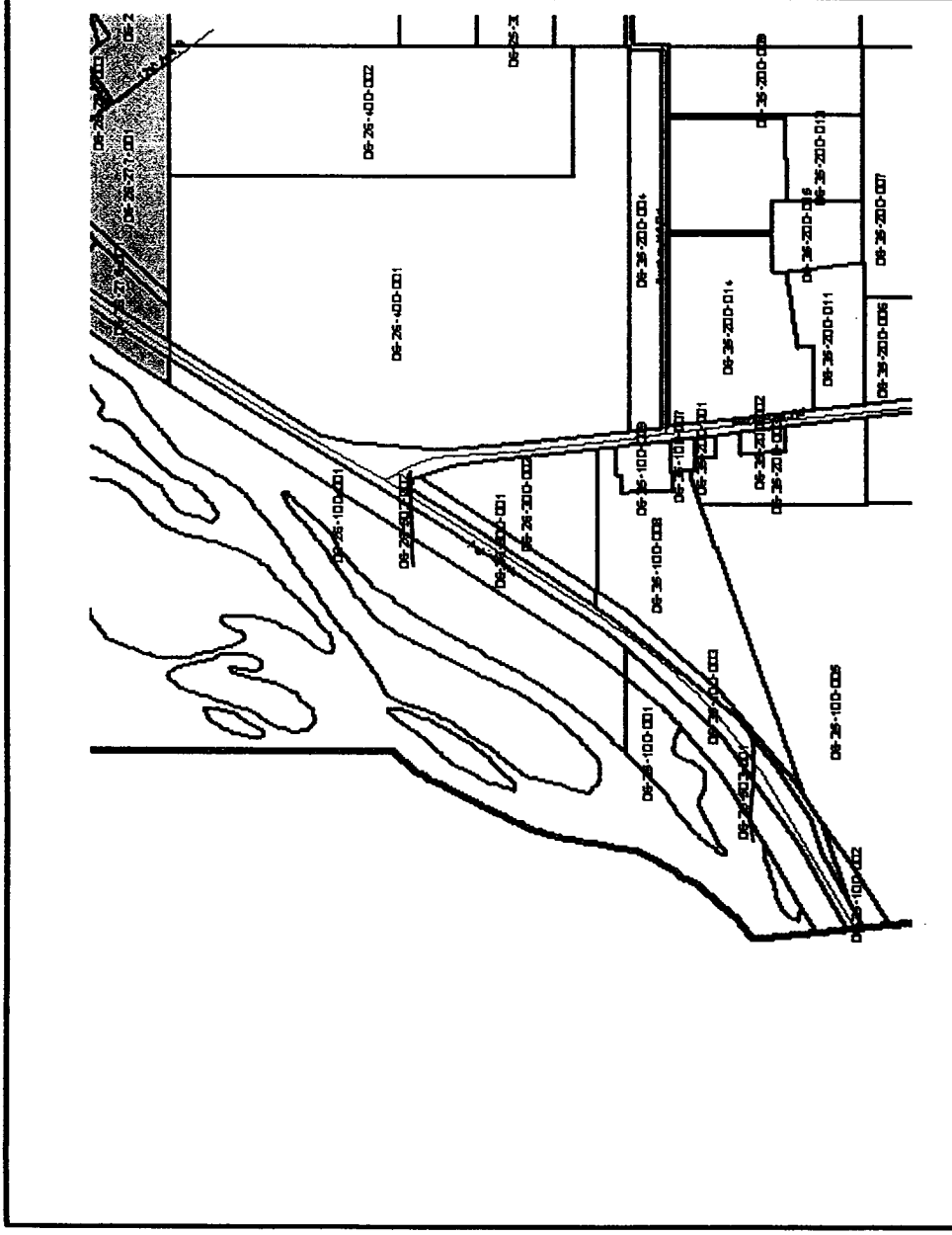
E. Stuart Richter, CFM
Planning and Zoning Administrator

BNSF Railway Property (583)



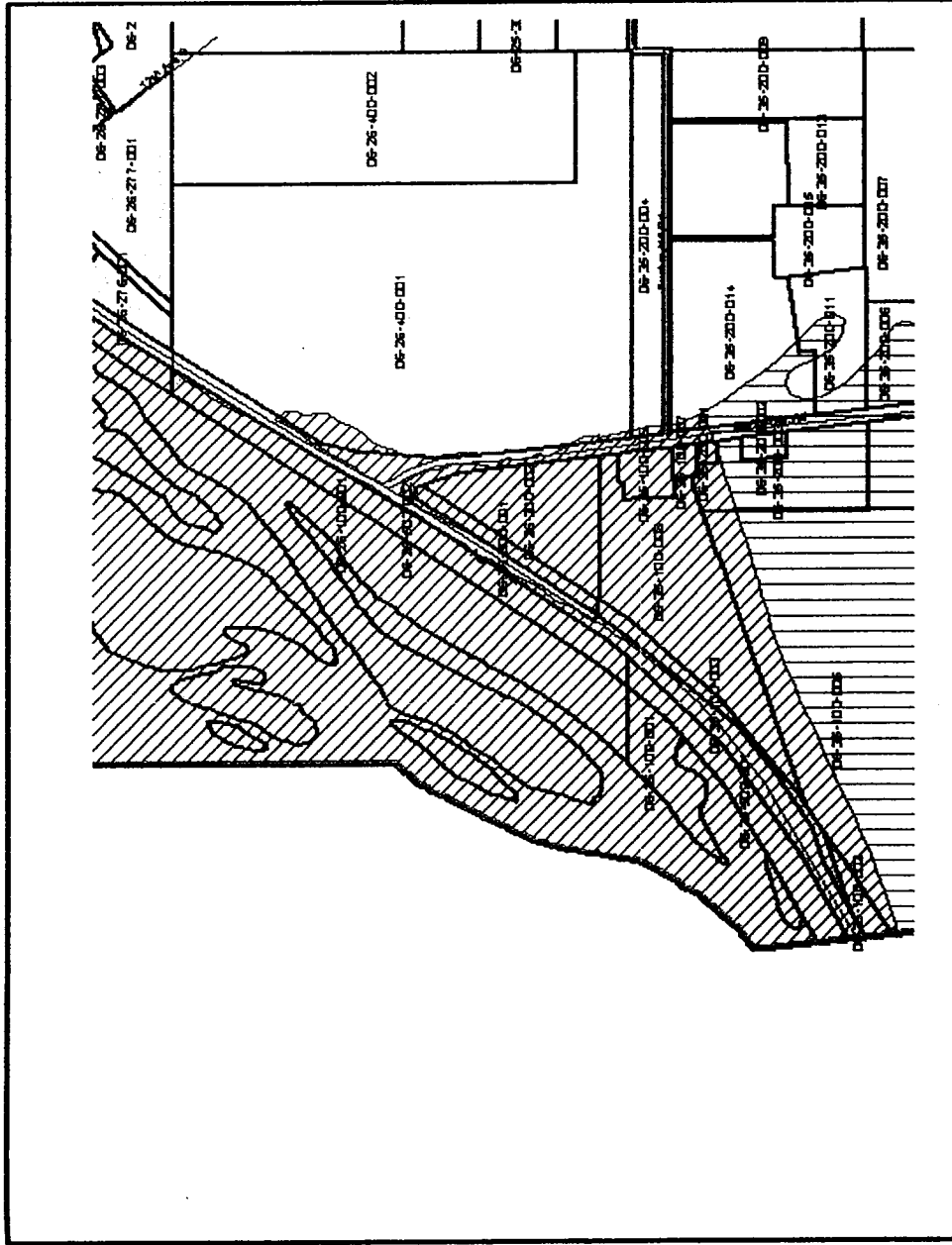
Townships (PLS_TWP)
Roads_02222005 (Local_Name)
Parcels_4_22_05 (PARCELID)
City_Limits (NAME)

BNSF Railway Property (583)



Townships (PLS_TWP)
Roads_02222005 (Local_Name)
Parcels_4_22_05 (PARCELID)
City_Limits (NAME)

BNSF Railway Property in Flood



FEMA Flood (ZONE_)



ZONE A

ZONE B

Townships (PLS_TWP)

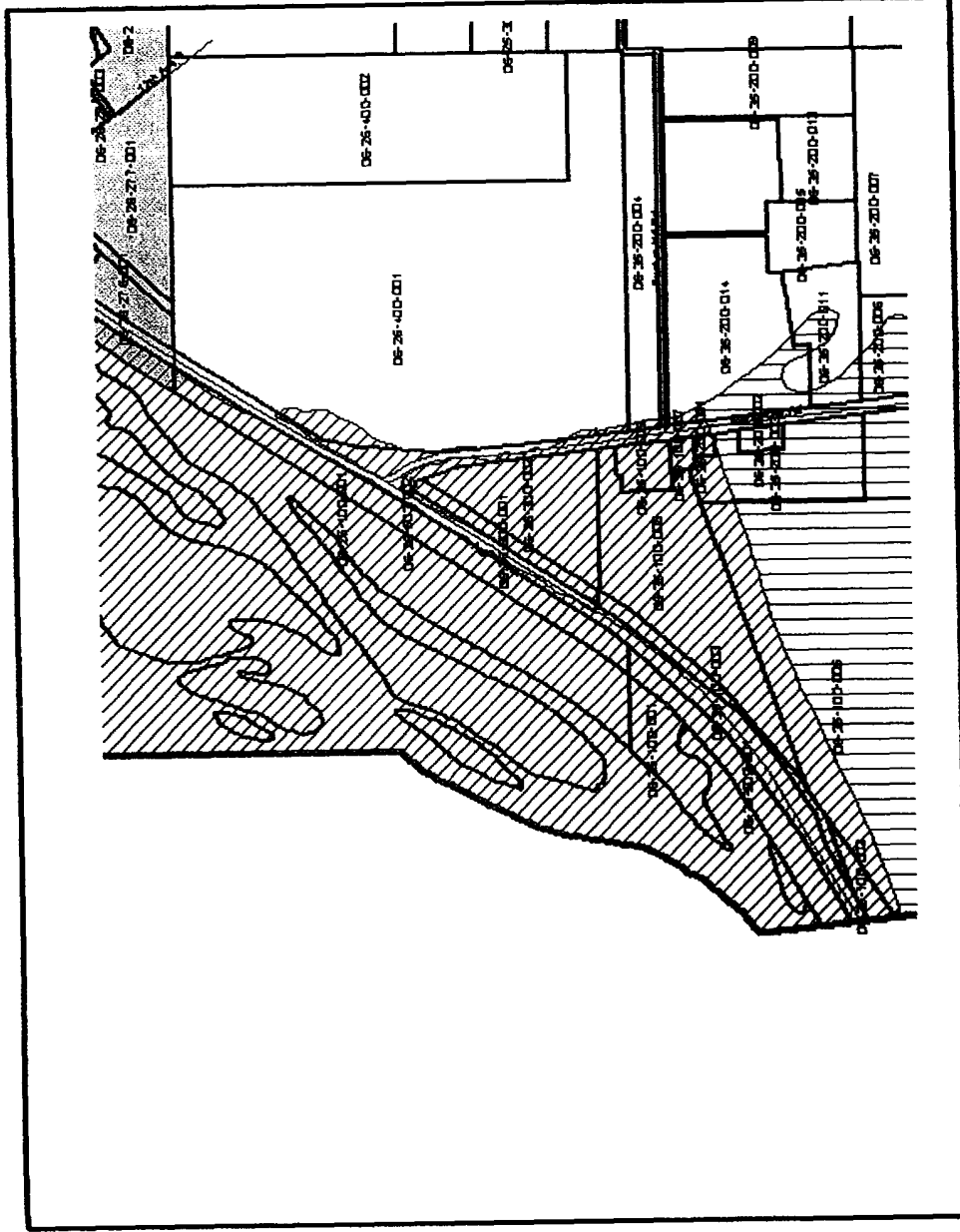
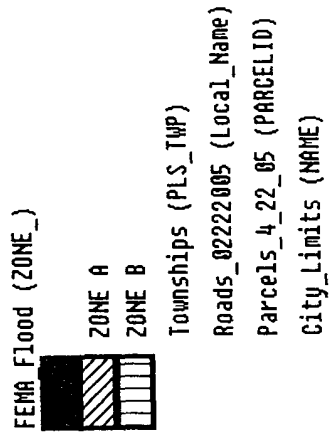
Roads_02222005 (Local_Name)

Parcels_4_22_05 (PARCELID)

City_Limits (NAME)



BNSF Railway Property in Flood



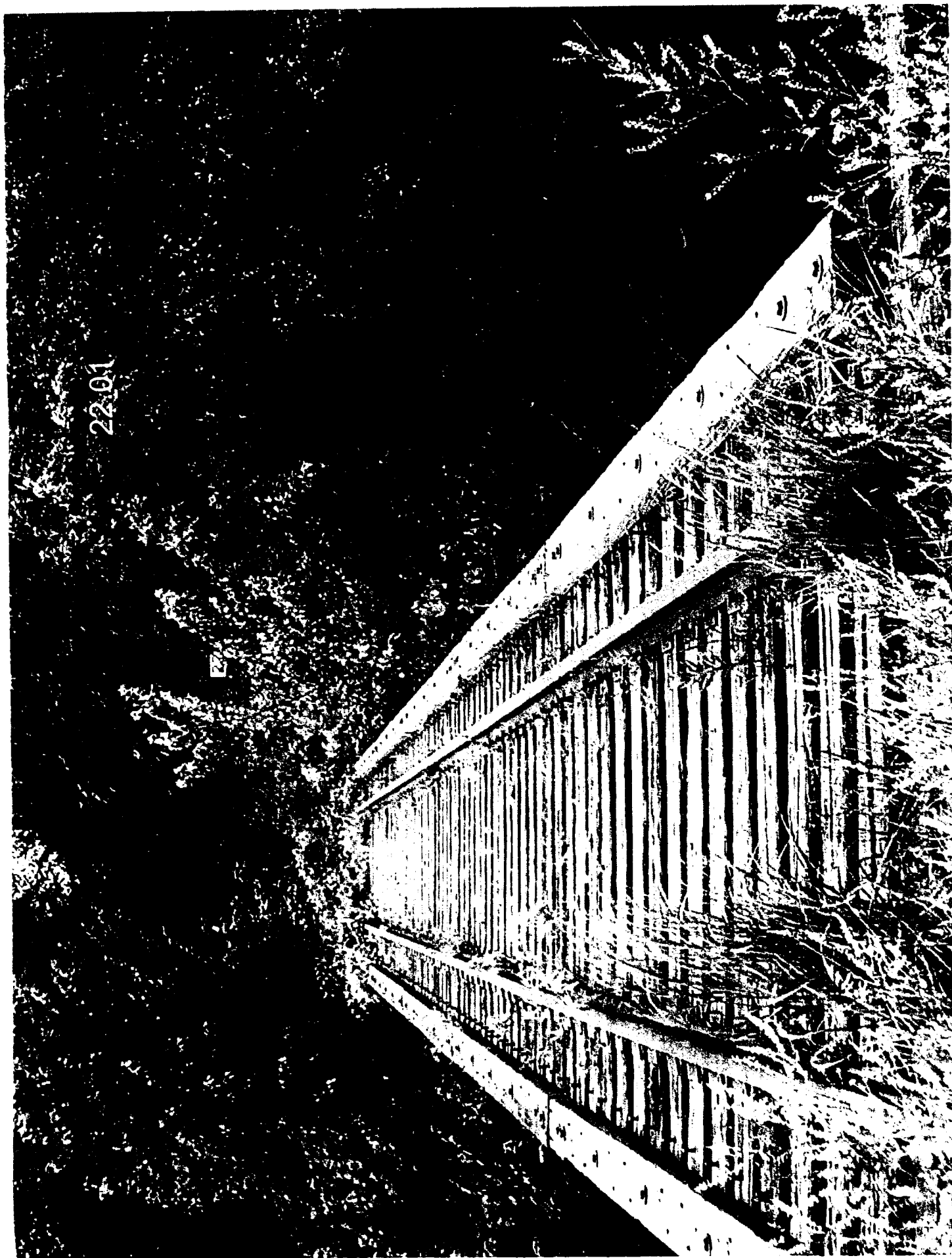
M

Abandonment Documentation (M.P. 20.31 to M.P. 25.40)

List of Bridges

Bridge: 22.01	Built: 1920 - 1930	Length: 80.0'	Height: 11.0'	Description: 5-16' OPT	Obstacle: Ditch
Bridge: 25.35	Built: 1920 - 1930	Length: 60.0'	Height: 0.0'	Description: 2-30 DPG	Obstacle: Creek

2201

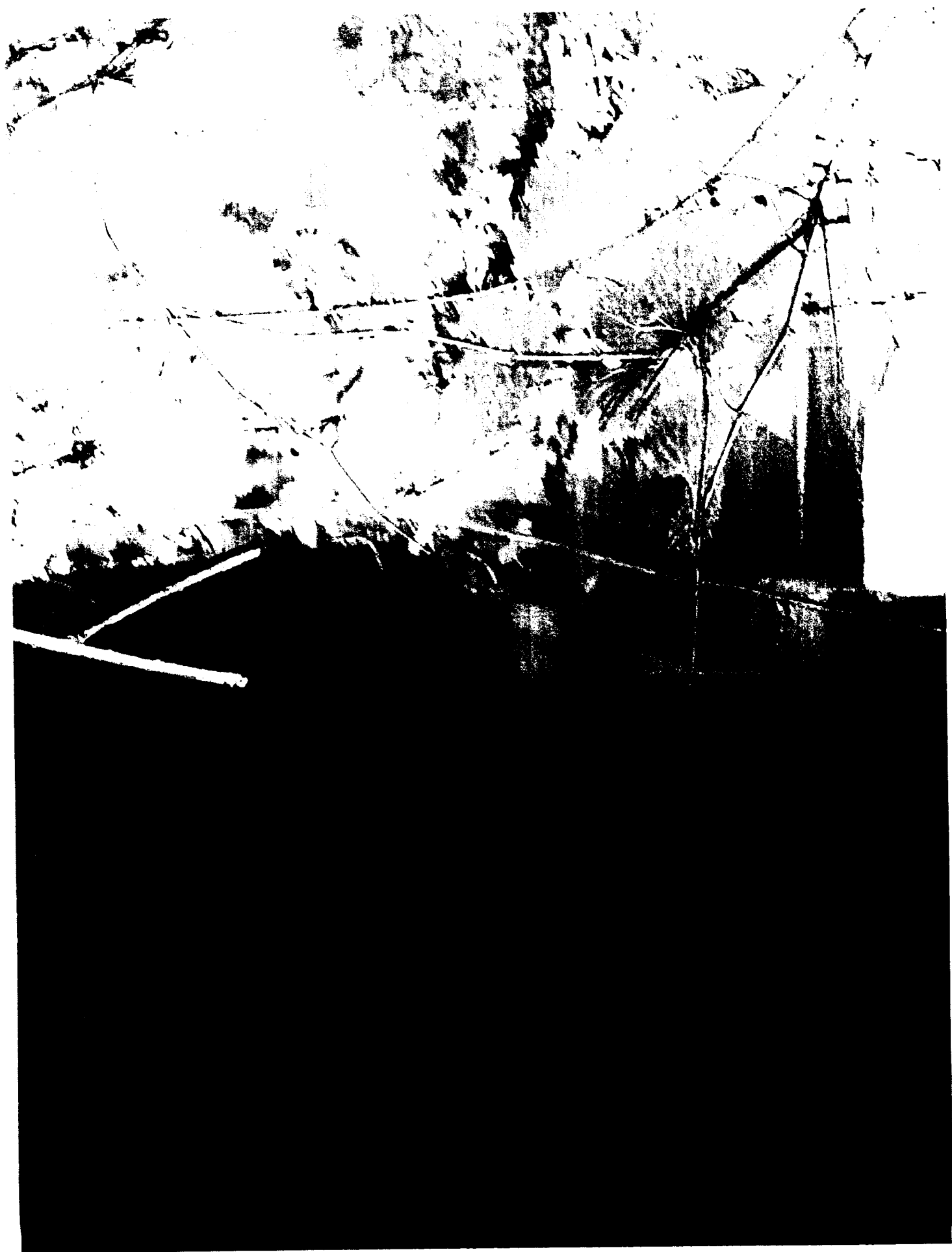














Top 25.35



25 35

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Freeborn & Peters LLP

August 16, 2005

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Re: *The BNSF Railway Company Abandonment in Albany, Illinois*

Dear Ms. Brooks:

BNSF plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 1.56 miles of railroad line between M.P. 20.31 and M.P. 25.40 in and near Albany, Illinois.

As part of the historic report required by the Surface Transportation Board, BNSF needs to know if there are any structures eligible for listing on the National Register of Historic Places and also if there are archaeological resources in the project area.

Enclosed are a map of the area and topographical maps of the area. Also enclosed are photographs of two bridges that are 50 years old or older along the proposed abandonment. If you have any questions, or if you would like to discuss this matter further, please do not hesitate to contact me at (312) 360-6336.

Your early response will be greatly appreciated.

Sincerely,



Brian Nettles

/bn
Enclosures

Chicago

Springfield