

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS
2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820
FACSIMILE: (202) 663-7849

243022

CRYSTAL M. ZORBAUGH

(202) 663-7831 (Direct Dial)

E-Mail: czorbaugh@bakerandmiller.com

May 5, 2017

ENTERED

Office of Proceedings

May 5, 2017

Part of

Public Record

BY HAND DELIVERY

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

Re: Norfolk Southern Railway Company – Abandonment Exemption – Between
Mansfield and Bloomington, IL, In McLean, Dewitt and Piatt Counties, Illinois,
AB-290 (Sub-No. 393X)

Dear Ms. Brown:

Enclosed are an original and eleven copies of a Verified Notice of Exemption (“Notice”) by Norfolk Southern Railway Company to abandon rail service over approximately 30.40 miles of rail line extending from milepost UM 47.9 to milepost UM 78.3 (referred to herein as the “Line”). The Line traverses United States Postal Zip Code territories 61701, 61704, 61705, 61736, 61752, 61842, and 61854. There are no customers served on the Line, which has been out of service for more than two years

Please acknowledge receipt and filing of this Notice by date-stamping the enclosed eleventh copy and returning it to the courier for return to me. This submission also includes an electronic copy of the entire filing and a separate electronic file of a draft Federal Register notice. Finally, pursuant to 49 C.F.R. § 1002.2(f)(21)(ii), I have enclosed a filing fee check in the amount of \$4,000.00. If there are any questions about this matter, please contact me directly, either by telephone: 202-663-7831 or by e-mail: czorbaugh@bakerandmiller.com or William A. Mullins, who can be reached at (202) 663-7823 or by e-mail at wmullins@bakerandmiller.com.

FILED

May 5, 2017

SURFACE

TRANSPORTATION BOARD

Sincerely,



Crystal M. Zorbaugh

Attorney for Norfolk Southern Railway Company

Enclosures

cc: Greg E. Summy, Laura Hoag, LaWada Poarch

FEE RECEIVED

May 5, 2017

SURFACE

TRANSPORTATION BOARD



**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-290 (Sub-No. 393X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
BETWEEN MANSFIELD AND BLOOMINGTON, IL,
IN MCLEAN, DEWITT AND PIATT COUNTIES, IL**

VERIFIED NOTICE OF EXEMPT ABANDONMENT



**Greg E. Summy
General Solicitor
NORFOLK SOUTHERN CORPORATION
Three Commercial Place
Norfolk, Virginia 23510
Tel: (757) 533-4890
Fax: (757) 533-4872**

**William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW
Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849**

**Attorneys for Norfolk Southern
Railway Company**

May 5, 2017

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-290 (Sub-No. 393X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
BETWEEN MANSFIELD AND BLOOMINGTON, IL,
IN MCLEAN, DEWITT AND PIATT COUNTIES, IL**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

Norfolk Southern Railway Company (“NSR”) hereby submits a verified notice of exemption (“Notice”) pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances of Service and Trackage Rights) for NSR to abandon approximately 30.40 miles of rail line extending from milepost UM 47.9 to milepost UM 78.3 (referred to herein as the “Line”). The Line traverses United States Postal Zip Code territories 61701, 61704, 61705, 61736, 61752, 61842, and 61854. There are no customers served on the Line, which has been out of service for more than two years.¹

In accordance with the requirements of 49 C.F.R. §§ 1152.50(b) and (d), NSR provides the following information in support of the Notice.

Certification: 49 C.F.R. § 1152.50(b)

Pursuant to the exemption provisions at 49 C.F.R. part 1152, subpart F, NSR certifies that the Line satisfies the criteria for abandonment. See Certification of G.R. Comstock, General Manager Northern Region for Norfolk Southern Railway Company (Exhibit A). During the past

¹ In 2004, NSR filed for and received authority to discontinue operations over the Line. See Norfolk Southern Railway Company – Discontinuance of Service Exemption – In McLean, Dewitt, and Piatt Counties, IL, AB-290 (Sub-No. 249X) (STB served Feb. 11, 2004).

two years, NSR has provided no local or overhead common carrier service over the Line, nor has it received any requests for common carrier service over it. Furthermore, no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line is pending with the Surface Transportation Board ("Board") or with any U.S. District Court nor has such a complaint been decided in favor of complainant during the past two years.

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

The proposed abandonment will be consummated on or after June 24, 2017 (50 days after filing the Notice).

Additional Information Required: 49 C.F.R. §§ 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

Exact name of applicant (49 C.F.R. § 1152.22(a)(1)):

Norfolk Southern Railway Company

Whether applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

NSR is a Class I common carrier by railroad subject to the Board's jurisdiction under 49 U.S.C. Subtitle IV, chapter 105.

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

NSR hereby invokes the Board's two-year-out-of-service class exemption procedures to abandon approximately 30.40 miles of rail line extending from milepost UM 47.9 to milepost UM 78.3 (referred to herein as the "Line"). The Line traverses United States Postal Zip Code territories 61701, 61704, 61705, 61736, 61752, 61842, and 61854. There are no customers served on the Line, which has been out of service for more than two years.

Map (49 C.F.R. § 1152.22(a)(4)):

A detailed map showing the location of the Line is attached hereto as Exhibit B.

Applicant's representative (49 C.F.R. § 1152.22(a)(7)):

NSR's representatives to whom correspondence regarding this proceeding should be sent is as follows:

William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW, Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849

USPS ZIP codes (49 C.F.R. § 1152.22(a)(8)):

The Line is located in United States Postal Zip Code territories 61701, 61704, 61705, 61736, 61752, 61842, and 61854.

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

The railroad has fee simple interest title to parts of the right-of-way underlying the Line proposed for abandonment. Thus, NSR may have a corridor available for redeployment for alternative public use(s). The Line does not contain federally-granted right-of-way. As appropriate, NSR is willing promptly to make available any information in its possession to anyone so requesting it.

Labor Protection

Because the Line has been inactive for over two years, no railroad employees will be adversely affected by exercise of abandonment authority. Nevertheless, the interests of NSR employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions set forth in Oregon Short Line R. Co – Abandonment – Goshen, 360 I.C.C. 91 (1979).

Certifications

Attached hereto as Exhibit C are Certificates of Service and Publication certifying compliance with the advance notice and newspaper publication requirements set forth at 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as part of Exhibit D is a certificate of compliance with the advance notice requirements for Environmental and Historic Reports ("E&HR") as set forth at 49 C.F.R. § 1105.11.

Environmental and Historic Report

As is reflected in the certificate of compliance with the provisions of 49 C.F.R. § 1105.11 (see Exhibit D), NSR has prepared a combined E&HR in anticipation of the proposed abandonment of the Line that conforms to the requirements of 49 C.F.R. §§ 1105.7 and 1105.8. A copy of the E&HR is attached hereto as Attachment 1 to Exhibit D (§ 1105.11 certification).

Respectfully submitted,

Greg E. Summy
General Solicitor
NORFOLK SOUTHERN CORPORATION
Three Commercial Place
Norfolk, Virginia 23510
Tel: (757) 533-4890
Fax: (757) 533-4872

May 5, 2017



William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW
Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849

Attorneys for Norfolk Southern Railway Company

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-290 (Sub-No. 393X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
BETWEEN MANSFIELD AND BLOOMINGTON, IL,
IN MCLEAN, DEWITT AND PIATT COUNTIES, IL**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT A

NSR CERTIFICATION

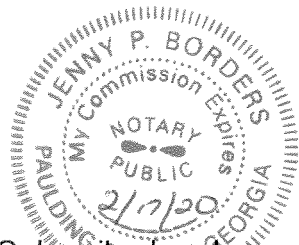
CERTIFICATION

STATE OF GEORGIA:

SS:

CITY OF ATLANTA:

G. R. Comstock makes oath and says that he is General Manager Northern Region for Norfolk Southern Railway Company; that the rail line between Mileposts UM 47.9 and UM 78.3, over which service is to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that 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 before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.



Subscribed and sworn to before me
this 20th day of March, 2017.

Jenny P. Borders
Notary Public

Gugory F. Comstock
G. R. Comstock

My commission expires:

2/17/2020

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-290 (Sub-No. 393X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
BETWEEN MANSFIELD AND BLOOMINGTON, IL,
IN MCLEAN, DEWITT AND PIATT COUNTIES, IL**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT B

MAP

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-290 (Sub-No. 393X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
BETWEEN MANSFIELD AND BLOOMINGTON, IL,
IN MCLEAN, DEWITT AND PIATT COUNTIES, IL**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT C

CERTIFICATES OF SERVICE/PUBLICATION

Certificate of Service of Advance Notice

49 C.F.R. § 1152.50(d)(1) – Notice

I certify that, on April 20, 2017, in keeping with 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with written notice of the intent of Norfolk Southern Railway Company to invoke the Board's notice of exemption procedures to abandon approximately 30.4 miles of rail line in McLean, Dewitt, and Piatt Counties, IL. I also certify that the rail line does not contain federally granted rights-of-way.

Public Service Commission, et al.

Illinois Commerce Commission
Attn: Railroad Bureau
527 E Capitol Ave.
Springfield, IL 62701

Illinois Department of Transportation
Attn: Deanna Smith
Bureau of Planning Room 311
2300 S. Dirksen Parkway
Springfield, IL 62764

Department of Defense (Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program)

David Dorfman
Headquarters Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA
Railroads for National Defense Program
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

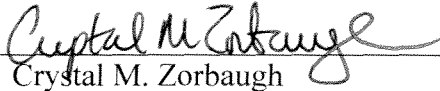
The National Park Service, Recreation Resources Assistance Division

Stephan Nofield
National Park Service
Rivers & Trails Conservation Program
1201 Eye Street, NW, 9th Floor (Org. Code 2220)
Washington, D.C. 20005

U.S. Department of Agriculture, Chief of the Forest Service

Thomas L. Tidwell, Chief
Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20024

May 5, 2017

A handwritten signature in cursive script, reading "Crystal M. Zorbaugh", written over a horizontal line.

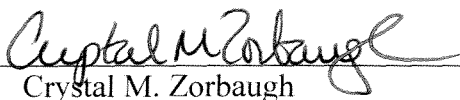
Crystal M. Zorbaugh
Attorney for Norfolk Southern Railway Company

Certificate of Newspaper Publication

49 C.F.R. § 1105.12 – Newspaper Notice

I certify that a “Notice of Intent to Abandon Rail Service” was published in a newspaper of general circulation in the city/county in which the rail line is located and in the form prescribed by the Board for abandonment notices of exemption (49 C.F.R. § 1105.12). The notice was published one time on April 22, 2017, in the Herald & Review and The Pantagraph, newspapers of general circulation in the following counties: McLean (The Pantagraph), Dewitt (The Pantagraph), and Piatt Counties, IL (Herald & Review). Attached are Affidavits of Publication and Tear Sheets from both newspapers.

May 5, 2017



Crystal M. Zorbaugh
Attorney for Norfolk Southern Railway Company

Pantagraph Publishing

The Pantagraph

301 WEST WASHINGTON ST. P.O. BOX 2907
BLOOMINGTON, ILLINOIS 61702-2907
PHONE 309-829-9000

Certificate of Publication

BAKER & MILLER PLLC
2401 Pennsylvania Ave.
NW Suite 300
Washington, DC 20037

ACCOUNT # 60129452
AD ORDER # 20880773
INVOICE DATE 4/22/2017
AMOUNT 271.44

DATES APPEARED

4/22/2017

STATE OF ILLINOIS,
COUNTY OF MCLEAN
CITY OF BLOOMINGTON

} SS:

The Pantagraph Publishing Co. hereby certifies that it is now and has been for more than one year continuously, d/b/a **The Pantagraph**, a daily secular newspaper of general circulation in said County, published in the City, County and State aforesaid, and further certifies that said newspaper has been continuously published at regular intervals of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that **The Pantagraph** is a newspaper as defined by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that a notice of which the annexed notice is a true copy, has been regularly published in said paper.

By



Date

4/24/17

Paste Tear Sheet Here

Copies of claims filed with the clerk must be mailed or delivered by the claimant to the representative and to his attorney within 10 days after it has been filed.
The Estate of Scott Foster
DATED: 4-19-2017
BY: Patrick B. McGrath,
DAVIES-MCGRATH LAW
OFFICE, P.C.
Patrick B. McGrath
Attorney for the Petitioners
1600 S. Fourth Ave.,
Suite 137
Morton, Illinois 61550
email@daviesmcgrath.com
(309) 266-6211

20880773
NOTICE OF INTENT TO ABANDON RAIL SERVICE
AB-290 (Sub-No. 393X)
Norfolk Southern Railway Company ("NSR") gives notice that on or about May 5, 2017, it intends to file with the Surface Transportation Board ("Board"), Washington, DC 20423, a Notice of Exemption pursuant to 49 C.F.R. Part 1152 Subpart F - Exempt Abandonments, permitting NSR to abandon approximately 30.40 miles of rail line extending from milepost UM 47.9 to milepost UM 78.3 (referred to herein as the "Line"). The Line traverses United States Postal Zip Code territories 61701, 61704, 61705, 61736, 61752, 61842, and 61854. There are no customers served on the Line, which has been out of service for over two years. The proceeding has been docketed as AB-290 (Sub-No. 393X).
The proposed action entails the abandonment of rail service over the Line. The Board's Office of Environmental Analysis ("OEA") generally will prepare an Environmental Assessment ("EA"), which normally will be available 25 days after the filing of the abandonment notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public. Such comments will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmen-

tal matters by writing to OE Surface Transportation Board, 395 E Street, SW, Washington D.C. 20423, or by calling the office at (202) 245-0295. Appropriate offers of financial assistance ("OFA") to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail/banking/trail 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 public use, and OFA) must be filed directly with the Board's Sector of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423. [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 C.F.R. § 1104.12(a)]. Questions regarding OFA, public use or trail use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0230. Copies of any comments or requests for specific Board action should be served on the applicant's representative: Crystal M. Zorbaugh, BAKER & MILLER PLLC, 2401 Pennsylvania Ave., N.W., Suite 300, Washington, DC 20037; phone: 202-663-7820; fax 202-663-7849.

Herald & Review

www.herald-review.com

601 E WILLIAM ST
DECATUR, IL 62523-1142
PHONE 800-453-2527

Certificate of Publication

BAKER & MILLER PLLC
2401 Pennsylvania Ave.
NW Suite 300
Washington, DC 20037

ACCOUNT # 60129452
AD ORDER # 20880783
INVOICE DATE 4/22/2017
AMOUNT 122.64

DATES APPEARED

4/22/2017

Paste Tear Sheet Here

STATE OF ILLINOIS,
COUNTY OF MACON
CITY OF DECATUR

} SS:

Lee Enterprises, Inc. hereby certifies that it is now and has been for more than one year continuously, d/b/a **Herald & Review**, a daily secular newspaper of general circulation in said County, printed and published in the City, County and State aforesaid, and further certifies that said newspaper has been continuously published at regular intervals of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that **Herald & Review** is a newspaper as defined by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that a notice of which the annexed notice is a true copy, has been regularly published in said paper.

By

Krista M. Lee

Date

4/24/17

20880783
NOTICE OF INTENT TO ABANDON RAIL SERVICE
AB-290 (Sub-No. 393X)
Norfolk Southern Railway Company ("NSR") gives notice that on or about May 5, 2017, it intends to file with the Surface Transportation Board ("Board"), Washington, DC 20423, a Notice of Exemption pursuant to 49 C.F.R. Part 1152 Subpart F - Exempt Abandonments, permitting NSR to abandon approximately 30.40 miles of rail line extending from milepost UM 47.9 to milepost UM 78.3 (referred to herein as the "Line"). The Line traverses United States Postal Zip Code territories 61701, 61704, 61705, 61736, 61752, 61842, and 61854. There are no customers served on the Line, which has been out of service for over two years. The proceedings, 395 E Street, S.W. Washington, DC 20423 [See AB-290 (Sub-No. 393X)].
The proposed action entails the abandonment of rail service over the Line. The Board's Office of Environmental Analysis ("OEA") generally will prepare an Environmental Assessment may be directed to the Board's ("EA"), which normally will be Office of Public Assistance available 25 days after the filing of the abandonment notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA comes available to the public. Such comments 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 OE Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423, or by calling the office at (202) 245-0295.
Appropriate offers of financial assistance ("OFA") to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trail 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, public use, and OFA) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, S.W. Washington, DC 20423 [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 C.F.R. 1104.12(a)]. Questions regarding OFA, public use or trail use should be directed to the Board's Office of Public Assistance, 395 E Street, S.W. Washington, DC 20423, and compliance at 202-245-0230. Copies of any comments or requests for specific Board action should be filed no later than 15 days after the EA comes available to the public. Such comments 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 OE Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423, or by calling the office at (202) 245-0295.
Applicant's representative:
Crystal M. Zorbaugh,
BAKER & MILLER PLLC,
2401 Pennsylvania Ave., N.W.,
Suite 300,
Washington, DC 20037;
phone: 202-663-7820;
fax 202-663-7849

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-290 (Sub-No. 393X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
BETWEEN MANSFIELD AND BLOOMINGTON, IL,
IN MCLEAN, DEWITT AND PIATT COUNTIES, IL**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT D

**CERTIFICATE OF COMPLIANCE WITH
ENVIRONMENTAL AND HISTORIC REPORT
REQUIREMENTS**

Environmental and Historic Report
Certificate of Service

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-290 (Sub-No. 393X) was mailed via first class mail on March 13, 2017 to the following parties:

Mayor Tari Renner
City of Bloomington
109 E. Olive Street
Bloomington, IL 61701

Mr. David A. Hales, City Manager
City of Bloomington
109 E. Olive Street
Bloomington, IL 61701

Mr. Bob Henderson, Manager
Village of Mansfield
105 S. Columbia Street
Mansfield, IL 61854

Mr. Bill Wasson, County Administrator
McLean County
115 E. Washington Street
Bloomington, IL 61701

Mr. Randy Jo Keith, County Board Chairman
Piatt County
2804 Shady Rest Road
Monticello, IL 61856

Illinois Department of Natural Resources
15676 State Highway 54
Clinton, IL 61727

Illinois Environmental Protection Agency
Region 4 Office
2125 South First Street
Champaign, IL 61820

Mr. Tom Melius, Regional Director
U.S. Fish and Wildlife Service
Midwest Region
5600 American Blvd., West, Suite 990
Bloomington, MN 55437

Mr. Ivan Dozier, State Conservationist
Illinois Natural Resources Conservation Service
United States Department of Agriculture
2118 W. Park Court
Champaign, IL 61821

Ms. Diane Tecic, Program Director
Illinois Department of Natural Resources
Coastal Management Program Office
106 N. LaSalle Street, Suite S-703
Chicago, IL 60601

United States Army Corps of Engineers
Chicago District
231 S LaSalle Street, Suite 1500
Chicago, IL 60604

Ms. Heidi Brown-McCreery, Director
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, IL 62701

Mr. Charlie Stockman
National Park Service
Rivers and Trails Conservation Program
1201 Eye Street NW 9th Floor
Washington, DC 20005

National Geodetic Survey
Geodetic Service Division
Room 9202 NGS/12
1315 East West Highway
Silver Spring, MD 20910

USEPA
Ariel Rios Building
1200 Pennsylvania Avenue NW
Mail Code 1101-A
Washington, DC 20460


Laura Hoag
March 13, 2017

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

AB-290 (Sub-No. 393X)

NORFOLK SOUTHERN RAILWAY COMPANY

PROPOSED ABANDONMENT

BETWEEN MILEPOST UM 47.9 AND MILEPOST UM 78.3

IN MANSFIELD AND BLOOMINGTON, ILLINOIS

Combined Environmental and Historic Report

Norfolk Southern Railway Company ("NSR") submits this Combined Environmental and Historic Report pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with its proposed abandonment of 30.40 miles of rail line between Milepost UM 47.9 and Milepost UM 78.3 in Mansfield and Bloomington, Illinois.

March 13, 2017

ENVIRONMENTAL REPORT

49 CFR 1105.7(e)(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.

RESPONSE: NSR proposes to abandon 30.40 miles of rail line between Mileposts UM 47.9 and UM 78.3 (the "Line") in Mansfield and Bloomington, Illinois.

There are no customers served on the Line to be abandoned.

Following abandonment, the Line's rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed will remain as is, and existing drainage systems will remain intact. When the rail and track material are removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be permitted. Accordingly, NSR believes that no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations, or they will be disposed of in accordance with applicable federal and state laws and regulations.

The alternative to abandonment is to not abandon the Line and retain the track in place. This alternative is not satisfactory. The railroad would continue to incur opportunity and other holding costs that would need to be covered by non-existent

shippers were the Line to be retained.

A map depicting the Line is attached as **Appendix A**. An example of the railroad's letter to federal, state and local government agencies along with a list of the consulting agencies NSR has contacted is attached as **Appendix B**. Comments received as a result of NSR's written requests for feedback can be found in

Appendix C.

49 CFR 1105.7(e)(2) Transportation system.

Describe the effects 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.

RESPONSE: Effects of the proposed action on regional or local transportation systems and patterns would be negligible. There is no rail freight or passenger traffic originating or terminating on the Line.

49 CFR 1105.7(e)(3) Land use.

(i) Based on consultation with local and/or regional planning agencies and/or a 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.

RESPONSE: An outline of future land use plans has been requested from the Cities, Counties, and Village, which were asked to comment on the consistency of the proposed abandonment with existing land use plans. The Cities, Counties, and Village support the proposed abandonment. A copy of the Cities, Counties, and Village response letters are attached as part of **Appendix C**.

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

RESPONSE: Consultation was requested from The United States Department of Agriculture Natural Resources Conservation Service ("USDA NRCS"). The USDA NRCS states there is no impact on prime or important farmlands by this project. A copy of the USDA NRCS response letter is attached as part of **Appendix C**.

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

RESPONSE: Consultation was requested from the Illinois Department of Natural Resources, Coastal Management Program Office ("IL CMPO") and it commented the proposed project falls outside the boundaries of IL CMPO and does not require a federal consistency determination. A copy of the IL CMPO response letter is attached as part of **Appendix C**.

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

RESPONSE: The railroad has fee simple interest title to parts of the right-of-way underlying the Line proposed for abandonment; thus, NSR may have a corridor available for redeployment for alternative public use(s).

49 CFR 1105.7(e)(4) Energy.

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

RESPONSE: Development and transportation of energy resources will not be affected by the abandonment.

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

RESPONSE: Movement or recovery of recyclable commodities will not be affected by the abandonment. There is no rail freight or passenger traffic originating or terminating on the Line.

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

RESPONSE: The proposed action will not result in any material impact in overall energy efficiency.

*(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 energy consumption and show the data and methodology used to arrive at the figure given.*

RESPONSE: The diversion of traffic to motor carriers will not exceed the thresholds set forth at 49 CFR §1105.7(e)(4) as no diversions will occur. Accordingly, there is no need to produce data on diverted traffic or to quantify the net change in energy consumption.

49 CFR 1105.7(e)(5) Air.

*(i) If the proposed action will result in either:
(A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or
(B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or
(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.*

RESPONSE: The above thresholds will not be exceeded.

*(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 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,
(B) An increase in rail yard activity of at least 20 percent (measured by carload activity), or
(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.*

RESPONSE: The above thresholds will not be exceeded.

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

RESPONSE: Not applicable.

49 CFR 1105.7(e)(6) Noise.

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

- (i) An incremental increase in noise levels of three decibels Ldn or more; or*
- (ii) An increase to a noise level of 65 decibels Ldn or greater.*

If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

RESPONSE: The above thresholds will not be exceeded.

49 CFR 1105.7(e)(7) Safety.

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

RESPONSE: Abandonment of the Line will have no adverse impact on public health and safety.

(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 an accidental release of hazardous materials.

RESPONSE: Not applicable.

(iii) If there are any known hazardous waste sites 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.

RESPONSE: The railroad has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way or in adjacent areas.

49 CFR 1105.7(e)(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.

RESPONSE: The railroad has requested input from the U.S. Fish and Wildlife Service ("USFWS") to ascertain any impacts to surrounding habitats and species. USFWS' website determined there are no critical habitats within the project area. A copy of the USFWS official species list is attached as part of **Appendix C**.

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

RESPONSE: The Line does not appear to pass through state parks or forests, national parks or forests, or wildlife sanctuaries. No adverse effects on wildlife sanctuaries, national parks or forests, or state parks or forests are anticipated.

49 CFR 1105.7(e)(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.

RESPONSE: The railroad does not intend to remove or alter the contour of the roadbed underlying the Line to be abandoned by way of excavation or other ground-disturbance activity. Accordingly, no soils will be disturbed as a result of the proposed abandonment, and no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. There are no plans to undertake in-stream work, or dredge and/or use any fill materials in connection

with the proposed abandonment, so, for this reason also, the proposed abandonment will not result in water quality impacts. Consultation has been requested from the regional Environmental Protection Agency office ("EPA Region 4"). No comments have been received.

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

RESPONSE: The geometry of the roadbed will not be altered and no in-stream work is contemplated. No discernible effects on either 100-year flood plains or adjacent wetlands are expected in connection with the proposed abandonment. Consultation was requested from the U.S. Army Corps of Engineers ("USACE"). No comments have been received.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.

RESPONSE: The railroad does not plan to remove or alter the roadbed underlying the Line to be abandoned, to undertake in-stream work or to dredge or use any fill materials. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. The railroad anticipates that the abandonment will not affect water quality and that additional permitting under Section 402 will not be required. Nevertheless, NSR has requested input from EPA Region 4 office and Illinois Department of Natural Resources, Office of Water Resources. No comments have been received.

49 CFR 1105.7(e)(10) Proposed Mitigation.

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

RESPONSE: Abandonment of the involved Line is not expected to produce adverse environmental impacts for the reasons set forth above. Only minimal physical activity may occur as a result of the proposed abandonment, such as removal of rail, ties, and other railroad appurtenances. The railroad will undertake all reasonable mitigation associated with these activities as directed by the Board to assure the abandonment does not produce adverse environmental impacts.

HISTORIC REPORT

49 CFR 1105.8(d)

PROPOSED ACTION AND ALTERNATIVES

Norfolk Southern Railway ("NSR") proposes to abandon 30.40 miles of rail line between Mileposts UM 47.9 and UM 78.3 (the "Line") in Mansfield and Bloomington, Illinois. There are no customers served on the Line to be abandoned.

Following abandonment, the rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed will remain as is and existing drainage systems will remain intact. When the rail and track material are removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be permitted. Accordingly, NSR believes that no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations, or they will be disposed of in accordance with applicable federal and state laws and regulations. The alternative to abandonment is to not abandon the Line and retain the track in place. This alternative is not satisfactory. The railroad would continue to incur opportunity and other holding costs that would need to be covered by non-existent shippers were the Line to be retained.

A map depicting the Line proposed for abandonment is attached in **Appendix A**.

ADDITIONAL INFORMATION

- (1) **U.S.G.S. Topographic Map** – Map was furnished to the Illinois Historic Preservation Agency.
- (2) **Written Description of Right of Way** – The right-of-way width ranges from 50 feet to 100 feet along the main track centerline. Pursuant to Surface Transportation Board policy, the railroad's right-of-way will constitute the Area of Potential Effect ("APE") for this undertaking.
- (3) **Photographs** – There are no structures on the Line.
- (4) **Date of Construction of Structures** – Not applicable.
- (5) **History of Operations and Changes Contemplated** – The Line is between Mileposts UM 47.9 and UM 78.3 in Mansfield and Bloomington, Illinois.

In 1866, the Danville, Urbana, Bloomington, and Pekin Railroad ("DUBP") was incorporated and began construction of the Line between Danville and Pekin in 1867. In 1869, the DUBP merged with the Indianapolis, Crawfordsville and Danville Railroad to form the Indianapolis, Bloomington and Western Railway which extended the Line to Indianapolis. In 1869, the Line was opened for traffic. In 1879, the Indianapolis, Bloomington and Western Railway went into foreclosure and was reorganized as the Indiana, Bloomington and Western Railway ("IBW"). In 1881, the IBW merged with the Ohio, Indiana and Pacific Railway ("OI&P") with the resulting company keeping the IBW name. In 1887, the IBW went into foreclosure and was reorganized as the Ohio, Indiana and Western Railway ("OI&W") which went into foreclosure in 1889. In 1890, the Line between Pekin and the Illinois state line was sold to the Peoria and Eastern Railway which surrendered operation and control of the railroad to the Cleveland,

Cincinnati, Chicago and St. Louis Railway ("CCC&StL"). In 1906, the CCC&StL was acquired by the New York Central Railroad ("NYC"). In 1968, the NYC merged with the Pennsylvania Railroad to form Penn Central which went bankrupt in 1970. In 1976, portions of the Penn Central properties, including the Line, were included in the formation of the Consolidated Rail Corporation ("Conrail"). In 1998, Conrail sold the Line to NSR. In 2004, NSR was granted a Discontinuance of service for the Line by the Surface Transportation Board.

(6) **Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic** – Not applicable.

(7) **Opinion Regarding Criteria For Listing In The National Register Of Historic Places** – There are no structures on the Line or within the APE for this undertaking.

The railroad has no reason to believe that there is any likelihood of finding archaeological resources or historic properties on the Line for abandonment.

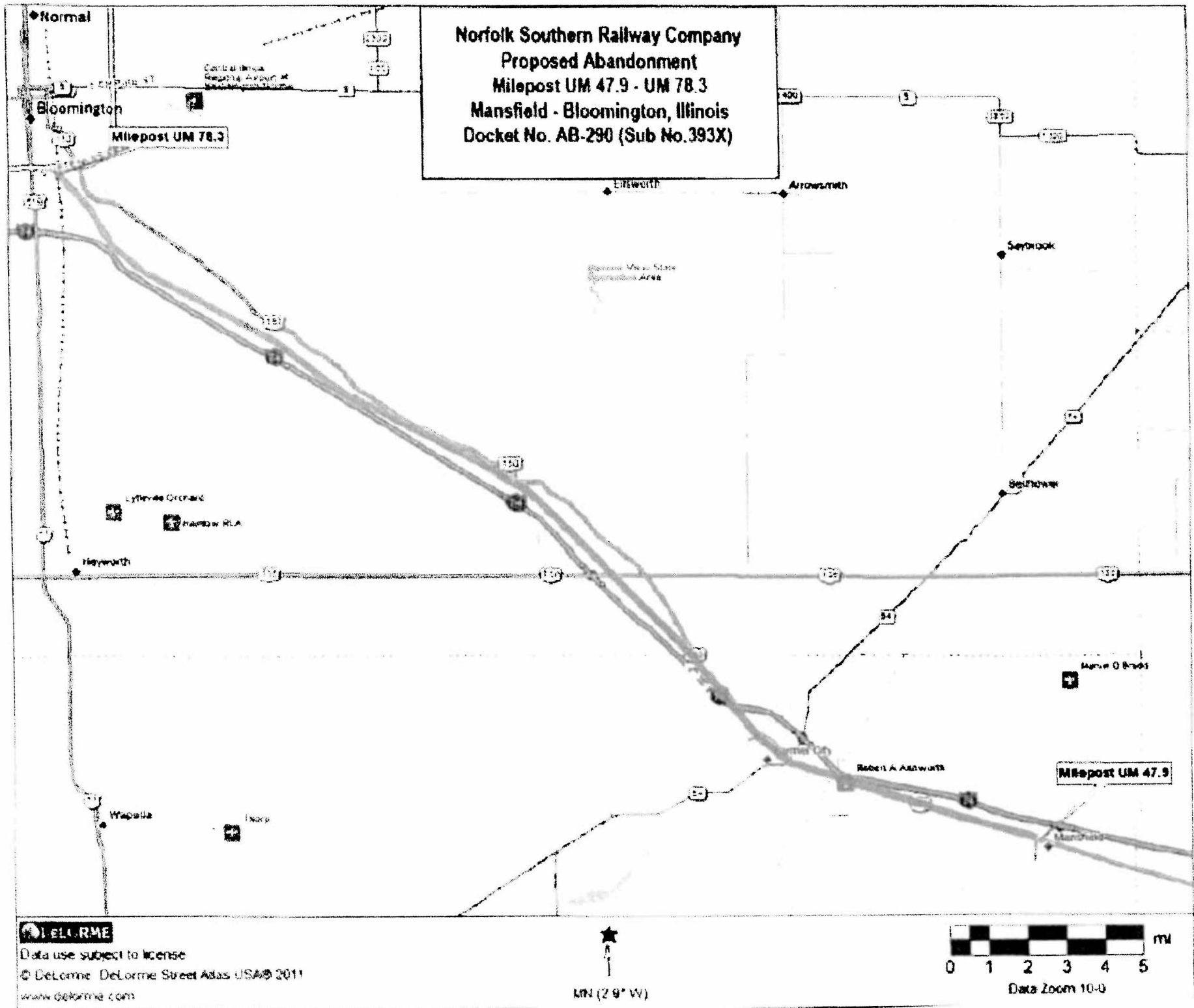
(8) **Subsurface Ground Conditions That Might Affect Archaeological Recovery**

The railroad is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover, abandonment of the Line and salvage of material from its surface will not affect any potential archaeological resources. The subsurface of the right-of-way was initially disturbed in the construction of the Line by grading and filling. Abandonment and salvage of the Line will not result in activities below the surface, or below the level of initial disturbance.

(9) **Follow-Up Information** – Additional information will be provided as appropriate.

APPENDIX A

Site Map



APPENDIX B

Agency Letter



Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510-9207

March 13, 2017

RE: Docket No. AB-290 (Sub-No. 393X), Norfolk Southern Railway Company
Abandonment – in Mansfield and Bloomington, IL

Dear Sir/Madam:

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon the segment of rail line between Milepost UM 47.9 and Milepost UM 78.3, a distance of 30.40 miles located in Mansfield and Bloomington, Illinois.

Enclosed is a Combined Environmental and Historic Report (Report) which describes the proposed abandonment and other pertinent information. A map of the proposed track abandonment can be found in **Appendix A** of this report. **Appendix B** of this report lists the various agencies receiving it. **Appendix C** of this report lists the various agency responses.

The railroad does not anticipate adverse environmental impacts; however, if you identify any adverse environmental effects, please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in the Report and sent to the Surface Transportation Board (STB).

This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think 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) by telephone at (202) 245-0245 or by mail to:

Surface Transportation Board
395 E Street, S.W., Room 1106
Washington DC 20423-0001

Please refer to the above Docket when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, NSR must receive your comments within three weeks. Please provide information to LaWada Poarch by email at LaWada.Poarch@nscorp.com or by mail to:

LaWada Poarch
Abandonments Coordinator
Norfolk Southern Corporation
Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510
(757) 629-2803

Sincerely,

A handwritten signature in cursive script that reads "Laura Hoag".

Laura Hoag
Director Strategic Planning
Norfolk Southern Railway Company

Attachment

APPENDIX C

Agency Responses



McLean County

OFFICE OF THE ADMINISTRATOR

(309) 888-5110 FAX 888-5111

115 E. Washington St., Room 401 P.O. Box 2400 Bloomington, IL 61702-2400

January 27, 2017

Ms. LaWada Poarch, Abandonments Coordinator
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

Dear Ms. Poarch:

We are in your receipt of a memo dated January 6, 2017 regarding Norfolk Southern Railway Company (NF & S) considering the abandonment of 30.40 miles of rail line between Milepost UM 47.9 and Milepost 78.3 in Mansfield and Bloomington, Illinois.

Please be advised that McLean County intends to work with the Illinois Department of Natural Resources and other local governmental units to file a Statement of Financial Responsibility in efforts to obtain a Certificate of Interim Use for the entire corridor NF & S is seeking to abandon. During 2001, local governments received and responded to a request for environmental information for purposes of **preparing environmental reports for the proposed abandonment of a line segment of Norfolk Southern line between Mansfield and Bloomington, Illinois.** In communications, McLean County and other governmental units responded to NF & S, providing information concerning **the designation of this right-of-way (ROW) in the McLean County Greenways & Trails Plan and the McLean County Comprehensive Plan** as a priority greenway, with interim use projected for recreational purposes and maintenance for future transportation/public use. Additionally, McLean County expressed concerns over land use problems which have previously been associated with abandoned railroad ROW, when divided into small parcels.

The provisions establishing this ROW as a priority greenway continue to appear in the McLean County Greenways & Trails Plan and Comprehensive Plan documents. The concerns with respect to an abandonment with subsequent sale of small parcels and related land use problems has not diminished. Therefore, such abandonment is only consistent with long range plans if the ROW is maintained as a greenway corridor for public use and future transportation utilization.

After the initial response by local governments to the request for information, between August of 2003 and February of 2004, the County Boards of McLean (see attachment), Dewitt, Piatt Counties and the municipal bodies of the City of Bloomington, Village of Downs, City of LeRoy, Farmer City and Village of Mansfield all approved resolutions of support for rail banking the Railroad ROW for public use and the Illinois Department of Natural Resources acting as the overall negotiator in securing the interests of the Norfolk and Southern Railroad ROW. This is the current position of McLean County.

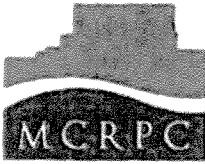
Should you need additional information or assistance, please feel free to contact me at (309)888-5110 or bill.wasson@mcleancountyil.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "W. R. Wasson", is written over a horizontal line.

William R.(Bill) Wasson
County Administrator

www.mcleancountyil.gov



MCLEAN COUNTY REGIONAL PLANNING COMMISSION

115 E. Washington St., M103 • Bloomington, IL 61701-4089
Phone: 309-828-4331 • Fax: 309-827-4773 • www.mcplan.org

February 2, 2017

Ms. LaWada Poarch, Abandonments Coordinator
Strategic Planning – 12th floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

Dear Ms. Poarch,

We are writing to express our support for McLean County to work with the Illinois Department of Natural Resources (IDNR) to negotiate a railbanking agreement for the entire 30.40-mile corridor between Milepost 47.9 and Milepost 78.3 in Mansfield and Bloomington, Illinois. Please find attached a resolution to that effect, adopted February 1, 2017 by the McLean County Regional Planning Commission (MCRPC).

A trail along this right-of-way has long been supported in our community. The McLean County Regional Greenways Plan, prepared by MCRPC and adopted by the City of Bloomington, Town of Normal, and McLean County, identifies the corridor as a Priority 1 Greenway. (See Map 4.2 from the Regional Greenways Plan, attached; the proposed trail along the ROW is labeled "69T.") The Plan notes: "This high-priority greenway would benefit not just the Bloomington-Normal area but also Downs, LeRoy as well as rural residents... It also has the potential for creating interregional connections with other areas of Central Illinois, including Champaign-Urbana... Considerable interest has been expressed by local governments for the acquisition of the right-of-way if and when it becomes available" (p. 61). The corridor is also highlighted as a proposed trail in the McLean County Regional Comprehensive Plan.

In 2003, when Norfolk Southern last proposed abandoning this segment, MCRPC (along with a number of other governmental units) expressed support for IDNR to act as the overall negotiator in securing a railbanking agreement, recognizing the potential to promote tourism, economic development, sustainable transportation, and overall quality of life. Through the attached resolution, MCRPC reaffirms this position.

Please contact Bill Wasson at bill.wasson@mcleancountyil.gov, or me at vpinnamaraju@mcplan.org, if you have any questions or require any additional information.

Sincerely,

Vasudha Pinnamaraju
Executive Director, McLean County Regional Planning Commission

MCRPC is the leader for planning tomorrow's McLean County

Mary Jefferson, Chairman • Michael Buragas, Vice Chair • Joseph Cleary • Michael Gorman • Mary Kramp
Glen Ludwig • Carl Olson • Linda Olson • Carl Teichman • Tyler Wrezinski • Mark Wylie

RESOLUTION OF THE McLEAN COUNTY REGIONAL PLANNING COMMISSION
SUPPORTING THE RAILBANKING OF NORFOLK & SOUTHERN RAILROAD
RIGHT-OF-WAY FROM MANSFIELD, IL TO BLOOMINGTON, IL

WHEREAS, indications are that Norfolk & Southern Railroad will file for abandonment of the railroad right-of-way running from Mansfield, IL to Bloomington, IL in the year 2017; and

WHEREAS, railbanking this railroad corridor preserves greenways, allows for recreational/transportation uses, provides a utility corridor for local governments, and maintains the route for future use as a railway; and

WHEREAS, the railbanking of this corridor has potential to promote tourism, stimulate economic development, provide alternative transportation options, support municipal services and improve the quality of life for communities along and near the corridor; and

WHEREAS, the railroad corridor is an asset to the central Illinois region, passing through three counties and five municipalities; and

WHEREAS, the railroad corridor is identified in the McLean County Regional Greenways Plan as a high priority for greenway and trail development; now, therefore,

BE IT RESOLVED by the McLEAN COUNTY REGIONAL PLANNING COMMISSION as follows:

- 1) The McLean County Regional Planning Commission supports the efforts of the Illinois Department of Natural Resources to negotiate a rail-banking agreement with the Norfolk & Southern Railroad for the right-of-way from Mansfield, IL to Bloomington, IL.
- 2) The McLean County Regional Planning Commission supports the Department of Natural Resources Greenways and Trails Division serving as the overall negotiator and securing the interests of the Norfolk & Southern Railroad right-of-way.
- 3) The McLean County Regional Planning Commission supports the Illinois Department of Natural Resources working jointly with local governments for future recreational trail development and public use of the corridor.

ADOPTED by the McLEAN COUNTY REGIONAL PLANNING COMMISSION this 1st day of February, 2017.

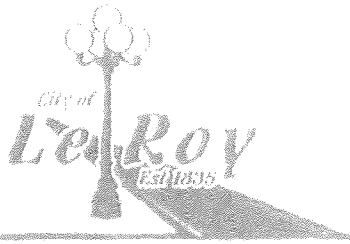
APPROVED.



Mary Jefferson

02/01/2017

Chairman



Creating Our Past by Investing in Our Future

Ms. LaWada Poarch, Abandonments Coordinator
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

Dear Ms. Poarch:

We are in your receipt of a memo dated January 6, 2017 regarding Norfolk Southern Railway Company (NF & S) considering the abandonment of 30.40 miles of rail line between Milepost UM 47.9 and Milepost 78.3 in Mansfield and Bloomington, Illinois.

Please be advised that the City of Le Roy intends to work with the Illinois Department of Natural Resources and other local governmental units to file a Statement of Financial Responsibility in efforts to obtain a Certificate of Interim Use for the entire corridor NF & S is seeking to abandon. During 2001, local governments received and responded to a request for environmental information for purposes of **preparing environmental reports for the proposed abandonment of a line segment of Norfolk Southern line between Mansfield and Bloomington, Illinois.** In communications the City of Le Roy and other governmental units responded to NF & S, providing information concerning **the designation of this right-of-way (ROW) in the McLean County Greenways & Trails Plan and the McLean County Comprehensive Plan** as a priority greenway, with interim use projected for recreational purposes and maintenance for future transportation/public use. Additionally the City of Le Roy expressed concerns over land use problems which have previously been associated with abandoned railroad ROW, when divided into small parcels.

The provisions establishing this ROW as a priority greenway continue to appear in the McLean County Greenways & Trails Plan and the McLean County Comprehensive Plan documents. The concerns with respect to an abandonment with subsequent sale of small parcels and related land use problems has not diminished. Therefore, such abandonment is only consistent with long range plans if the ROW is maintained as a greenway corridor for public use and future transportation utilization.

After the initial response by local governments to the request for information, between August of 2003 and February of 2004, the County Boards of McLean, Dewitt, Piatt Counties and the municipal bodies of the City of Bloomington, Village of Downs, City of LeRoy, Farmer City and Village of Mansfield all approved resolutions of support for rail banking the Railroad ROW for public use and the Illinois Department of Natural Resources acting as the overall negotiator in securing the interests of the Norfolk and Southern Railroad ROW. This is the current position of McLean County.

Should you need additional information or assistance, please feel free to contact me at 309-962-3031 or djenkins@leroy.org

Sincerely,

Dave Jenkins
City Administrator
City of Le Roy, IL

City of Le Roy, County of McLean
State of Illinois

RESOLUTION NO. 03-09-01-91

RESOLUTION OF THE CITY OF LE ROY SUPPORTING THE RAILBANKING
OF THE NORFOLK & SOUTHERN RIGHT-OF WAY FROM MANSFIELD,
ILLINOIS TO BLOOMINGTON, ILLINOIS

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 2ND DAY
OF SEPTEMBER, 2003.

PRESENTED:	SEPTEMBER 2 , 2003
PASSED:	SEPTEMBER 2 , 2003
APPROVED:	SEPTEMBER 2 , 2003
RECORDED:	SEPTEMBER 2 , 2003
PUBLISHED:	SEPTEMBER 2 , 2003

In pamphlet form

Voting "aye" (6)
Voting "nay" (0)

The undersigned being the duly qualified and elected City Clerk of the City of Le Roy does hereby certify that this document constitutes the publication in pamphlet form, in connection with the pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned resolution and that such resolution was presented, passed, approved, recorded and published as above stated.

(SEAL)



City Clerk of the City of Le Roy,
McLean County, Illinois

Dated: September 2, 2003

RESOLUTION NO. 03-09-01-91

**RESOLUTION OF THE CITY OF LE ROY SUPPORTING THE RAILBANKING
OF THE NORFOLK & SOUTHERN RIGHT-OF-WAY FROM MANSFIELD,
ILLINOIS TO BLOOMINGTON, ILLINOIS**

WHEREAS, indication are that Norfolk and Southern Railroad will file for abandonment of the railroad right of way running from Mansfield, IL to Bloomington, IL in the year 2003; and

WHEREAS, Railbanking this railroad corridor would preserves greenways, allows for recreational/transportation uses, provides a utility corridor for local governments, and maintains the route for future use as a railway; and

WHEREAS, the railbanking of this corridor has potential to promote tourism, stimulate economic development, provide alternative transportation options, support municipal services and improve the quality of life for communities along and near the corridor; and

WHEREAS, the railroad corridor is an asset to the central Illinois region, passing through three (3) counties and five (5) municipalities; now, therefore,

BE IT RESOLVED by the City Of LeRoy as follows:

- 1.) The City Of LeRoy supports the efforts of the Illinois Department of Natural Resources to negotiate a rail-banking agreement with the Norfolk and Southern Railroad for the right-of-way from Mansfield, IL to Bloomington, IL.
- 2.) The City Of LeRoy supports the Department of Natural Resources Trails Division serving as the overall negotiator and securing the interests of the Norfolk and Southern Railroad right-of-way.
- 3.) The City Of LeRoy supports the Illinois Department of Natural Resources working jointly with local governments for future recreational trail development and public use of the corridor.

PASSED by the City Council of the City of Le Roy, Illinois upon the motion by Jerry Henson, seconded by Theresa O'Hare,
By a roll call vote on the 1st day of October, 2001, as follows:

ALDERMEN ELECTED 8 ALDERMEN PRESENT 6

Voting Aye:

John Haney, Butch Cook, Jerry Henson, Chad Farischon, Theresa O'Hare, Dawn Thompson

Voting Nay:

None

Absent:

Dave McClelland and Gary Koerner

Abstain:

None

Other:

None

and deposited and filed in the office of the City Clerk in said municipality on the 2nd day of September, 2003.



Sue Marcum, City Clerk of the City
of Le Roy, McLean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 2nd day of
September, 2003.



Robert Rice, Mayor of the City of
Le Roy, McLean County, Illinois

ATTEST

(SEAL)



Sue Marcum, City Clerk of the City of Le Roy,

STATE OF ILLINOIS)
) ss:
COUNTY OF MCLEAN)

I, Sue Marcum, do hereby certify that I am the duly qualified and elected City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of a resolution entitled:

**RESOLUTION OF THE CITY OF LE ROY SUPPORTING THE RAILBANKING
OF THE NORFOLK & SOUTHERN RIGHT-OF-WAY FROM MANSFIELD,
ILLINOIS TO BLOOMINGTON, ILLINOIS**

I do further certify said resolution was adopted by the City Council of the City of Le Roy at a regular meeting on the 2nd day of September, 2003, and prior to the making of this certificate the said resolution was spread at length upon the permanent records of said city where it now appears and remains as a faithful record of said resolution in the record books.

Dated this 2nd day of September, 2003.



City Clerk

(SEAL)

CERTIFICATE

I, Sue Marcum, certify that I am the duly elected and acting municipal clerk of the City of Le Roy, McLean County, Illinois.

I further certify that on September 2, 2003, the Corporate Authorities of such municipality passed and approved **Resolution No. 03-09-01-91** entitled:

**RESOLUTION OF THE CITY OF LE ROY SUPPORTING THE
RAILBANKING OF THE NORFOLK & SOUTHERN RIGHT-OF-WAY FROM
MANSFIELD, ILLINOIS TO BLOOMINGTON, ILLINOIS.**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Resolution No. 03-09-01-91**, including the Resolution and a cover sheet there of was prepared, and a copy of such Resolution was posted at the municipal building, commencing on **September 2 , 2003** and continuing for at least ten days thereafter. Copies of such Resolution were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 2nd day of September, 2003.

(SEAL)


Municipal Clerk



Village of Downs

211 S. Seminary, PO Box 18

Downs, IL 61736-0018

Voice/Fax: 309-378-3221

Email: Info@VillageOfDowns.org

Website: www.VillageOfDowns.org

Mayor, Village Board and Clerk

President/Mayor	Public Safety/Services/ President Pro	Public Works	Streets	Building	Finance	Parks/Youth Center/Food Pantry	Clerk
Mike James	Maureen Roach	Toby Twyford	Danny Lush	Mary Goveia	Sarah Gassaway	Margaret Keylin	Julie James

February 5, 2017

Ms. LaWada Poarch, Abandonments Coordinator
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

Dear Ms. Poarch:

We are in your receipt of a memo dated January 6, 2017 regarding Norfolk Southern Railway Company (NF & S) considering the abandonment of 30.40 miles of rail line between Milepost UM 47.9 and Milepost 78.3 in Mansfield and Bloomington, Illinois.

Please be advised that Village of Downs intends to work with the Illinois Department of Natural Resources and other local governmental units to file a Statement of Financial Responsibility in efforts to obtain a Certificate of Interim Use for the entire corridor NF & S is seeking to abandon. During 2001, local governments received and responded to a request for environmental information for purposes of **preparing environmental reports for the proposed abandonment of a line segment of Norfolk Southern line between Mansfield and Bloomington, Illinois.** In communications, the Village of Downs and other governmental units responded to NF & S, providing information concerning the **designation of this right-of-way (ROW) in the Village of Downs Strategic Plan, McLean County Greenways & Trails Planning and Comprehensive Plan** as a priority greenway, with interim use projected for recreational purposes, public utilities and maintenance for future transportation/public use. Additionally, the Village of Downs expressed concerns over land use problems which have previously been associated with abandoned railroad ROW, when divided into small parcels.

The provisions establishing this ROW as a priority greenway continue to appear in the Village of Downs Strategic Plan and McLean County Greenways & Trails Plans and Comprehensive Plan. The concerns with respect to an abandonment with subsequent sale of small parcels and related land use problems has not diminished. Therefore, such abandonment is only consistent with long range plans if the ROW is maintained as a greenway corridor for public use and future transportation utilization.

After the initial response by local governments to the request for information, between August of 2003 and February of 2004, the County Boards of McLean, Dewitt, Piatt Counties and the municipal bodies of the City of Bloomington, Village of Downs, City of LeRoy, Farmer City and Village of Mansfield all approved resolutions of support for rail banking the Railroad ROW for public use and the Illinois Department of Natural Resources acting as the overall negotiator in securing the interests of the Norfolk and Southern Railroad ROW. This is the current position of the Village of Downs.

Should you need additional information or assistance, please feel free to contact me at Mayor@VillageOfDowns.org, 309-830-7374 or 211 S. Seminary St, PO Box 18, Downs, IL 61736.

Sincerely,


Michael James, Village President
Village of Downs, IL

Cc: Village Board of Trustees,
Village Clerk

Police Chief
Josh Dingler

Public Works Superintendent
Kevin Whitehouse

Other Positions and Committee Chairs
Treasurer/Budget Officer/TIF Administrator
Julie Bakewell

Zoning Enforcement
Lyndall Cuba

Zoning Board Chairperson
Linda Bowman

R03-01

**RESOLUTION OF THE VILLAGE OF DOWNS SUPPORTING THE
RAILBANKING OF NORFOLK & SOUTHERN RIGHT-OF-WAY FROM
MANSFIELD, IL TO BLOOMINGTON, IL**

WHEREAS, indications are that Norfolk & Southern Railroad will file for abandonment of the railroad right-of-way running from Mansfield, IL to Bloomington, IL in the year 2003; and

WHEREAS, Railbanking this railroad corridor would preserve greenways, allow for recreational/transportation uses, provide a utility corridor for local governments, and maintain the route for future use as a railway; and

WHEREAS, Railbanking of this corridor has potential to promote tourism, stimulate economic development, provide alternative transportation options, support municipal services and improve the quality of life for communities along and near the corridor; and

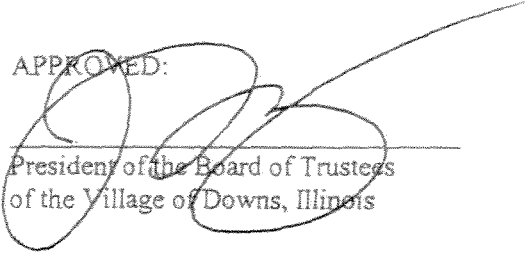
WHEREAS, the railroad corridor is an asset to the central Illinois region, passing through three counties and five municipalities; now, therefore,

BE IT RESOLVED by the Village of Downs as follows:

1. The Village of Downs supports the efforts of the Illinois Department of Natural Resources to negotiate a rail-banking agreement with the Norfolk & Southern Railroad for the right-of-way from Mansfield, IL to Bloomington, IL.
2. The Village of Downs supports the Department of Natural Resources Trails Division serving as the overall negotiator and securing the interests of the Norfolk & Southern Railroad right-of-way.
3. The Village of Downs supports the Illinois Department of Natural Resources working jointly with local governments for future recreational trail development and public use of the corridor.

ADOPTED by the Village of Downs this 4th day of September, 2003.

APPROVED:



President of the Board of Trustees
of the Village of Downs, Illinois

ATTEST:



Village Clerk



6 February 2017

Ms. LaWada Poarch, Abandonments Coordinator
Strategic Planning – 12th Floor
Norfolk Southern Corporation 3
Commercial Place
Norfolk, VA 23510

Dear Ms. Poarch:

The City of Bloomington has been contacted by McLean County regarding Norfolk Southern Railway Company (NF & S) considering the abandonment of 30.40 miles of rail line between Milepost UM 47.9 and Milepost 78.3 in Mansfield and Bloomington, Illinois.

Please be advised that the City of Bloomington intends to work with McLean County (with McLean County being the lead), the Illinois Department of Natural Resources and other local governmental units to file a Statement of Financial Responsibility in efforts to obtain a Certificate of Interim Use for the entire corridor NF & S is seeking to abandon. During 2001, local governments received and responded to a request for environmental information for purposes of **preparing environmental reports for the proposed abandonment of a line segment of Norfolk Southern line between Mansfield and Bloomington, Illinois.** In communications, McLean County and other governmental units responded to NF & S, providing information concerning **the designation of this right-of-way (ROW) in the McLean County Greenways & Trails Plan and the McLean County Comprehensive Plan** as a priority greenway, with interim use projected for recreational purposes and maintenance for future transportation/public use. Additionally, McLean County expressed concerns over land use problems which have previously been associated with abandoned railroad ROW, when divided into small parcels.

The provisions establishing this ROW as a priority greenway continue to appear in the McLean County Greenways & Trails Plan and Comprehensive Plan documents. The concerns with respect to an abandonment with subsequent sale of small parcels and related land use problems has not diminished. Therefore, such abandonment is only consistent with long range plans if the ROW is maintained as a greenway corridor for public use and future transportation utilization.

The City of Bloomington supports the McLean County Greenways & Trail Plan and McLean County Comprehensive Plan.

Sincerely,

Jay Tetzloff
Director of Parks, Recreation and Cultural Arts / Miller Park Zoo
City of Bloomington, IL
jtetzloff@cityblm.org

CITY OF FARMER CITY

CITY HALL (309) 928-2842 105 S. MAIN P.O. BOX 49 FARMER CITY, ILLINOIS 61842-0049



Ms. LaWada, Abandements Coordinator
Strategic Planning -12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

Dear Ms. Poarch:

We are in your receipt of a memo dated January 6, 2017 regarding Norfolk Southern Railway Company (NF&S) considering the abandonment of 30.40 miles of rail line between Milepost UM 47.9 and Milepost 78.3 in Mansfield and Bloomington, Illinois.

Please be advised that Farmer City intends to work with the Illinois Department of Natural Resources and other local governmental units to file a Statement of Financial Responsibility in efforts to obtain a Certificate of Interim Use for the entire corridor NF&S is seeking to abandon. During 2001, local governments received and responded to a request for environmental information for purposes of preparing environmental reports for the proposed abandonment of a line segment of Norfolk Southern line between Mansfield and Bloomington, Illinois. In communications, Farmer City and other governmental units responded to NF&S providing information concerning the designation of this right-of-way (ROW) in the Farmer City Planning documents as a priority greenway, with interim use projected for recreational purposes and maintenance for future transportation/public use. Additionally, Farmer City expressed concerns over land use problems which have previously been associated with abandoned railroad ROW, when divided into small parcels.

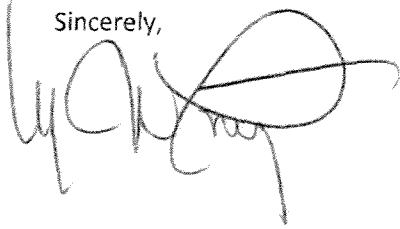
The provisions establishing this ROW as a priority greenway continue to appear in the Farmer City Greenway Plan Documents. The concerns with respect to an abandonment with subsequent sale of small parcels and related land use problems has not diminished. Therefore, such abandonment is only consistent with long range plans if the ROW is maintained as a greenway corridor for public use and future transportation utilization.

After the initial response by local governments to the request for information, between August of 2003 and February of 2004, the County Boards of McLean, DeWitt, Piatt Counties and the municipal bodies of the City of Bloomington, Village of Downs, City of LeRoy, City of Farmer City and Village of Mansfield all

approved resolutions of support for rail banking the Railroad ROW for public use and the Illinois Department of Natural Resources acting as the overall negotiator in securing the interests of the Norfolk and Southern Railroad ROW. This is the current position of McLean County.

Should you need additional information or assistance, please feel free to contact me at 309-928-3412 or woliung@mchsi.com

Sincerely,

A handwritten signature in black ink, appearing to be "W. Liung", written over the word "Sincerely,".



United States Department of Agriculture

January 19, 2017

LaWada Poarch, Abandonments Coordinator
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

RE: Docket number AB-290 (Sub-No. 393X) Norfolk Southern Railway Company –
Abandonment - in Mansfield and Bloomington, Illinois

Dear Ms. Poarch:

We have reviewed the proposed project as requested.

Because the proposed track abandonment would be confined to an existing rail corridor in an urban area, it will have no impact on prime or important farmlands.

Sincerely,

IVAN N. DOZIER
State Conservationist

cc:

Laura Hoag, Director, Strategic Planning, Norfolk Southern Corporation, Norfolk, Virginia
Stewart Smith, Assistant State Conservationist, USDA-NRCS, Charleston, Illinois
Kent Bohnhoff, District Conservationist, USDA-NRCS, Decatur, Illinois
Eric McTaggart, District Conservationist, USDA-NRCS, Pontiac, Illinois
Tim Prescott, Resource Inventory Specialist, USDA-NRCS, Champaign, Illinois
Ron Collman, State Soil Scientist, USDA-NRCS, Champaign, Illinois

Natural Resources Conservation Service
2118 W. Park Court, Champaign, Illinois 61821
Voice (217) 353-6600 – FAX (217) 353-6602

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Bruce Rauner, Governor • Wayne A. Rosenthal, IDNR Director
Diane Tecic, Coastal Management Program Director

160 N. LaSalle Street, Suite S-703 • Chicago, Illinois 60601
www.dnr.illinois.gov/cmp

March 23, 2017

LaWada Poarch
Abandonments Coordinator
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

RE: IFC2017004; proposed rail line abandonment, Docket AB-290 (Sub-No. 393X)

Dear Ms. Poarch,

In response to the letter dated January 6, 2017 seeking comments on the above referenced rail line abandonment in the Mansfield and Bloomington, Illinois. The proposed project falls outside the boundaries of Illinois Coastal Management Program and therefore, does not require an Illinois Coastal Management Program Federal Consistency Determination.

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

Sincerely,

James P. Casey
Federal Consistency Coordinator



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Rock Island Ecological Services Field Office

ROCK ISLAND ECOLOGICAL SERVICES FIELD OFFICE, 1511 47TH
AVE

MOLINE, IL 61265

PHONE: (309)757-5800 FAX: (309)757-5807



Consultation Code: 03E18000-2017-SLI-0320

February 13, 2017

Event Code: 03E18000-2017-E-00516

Project Name: Mansfield to Bloomington, IL

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project "may affect" listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all wind energy projects and projects that include installing towers that use guy wires or are over 200 feet in height, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.) and Migratory Bird Treaty Act (16 U.S.C. 703 et seq), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Mansfield to Bloomington, IL

Endangered Species Act Species List

There are a total of 3 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Flowering Plants	Status	Has Critical Habitat	Condition(s)
Eastern Prairie Fringed orchid (<i>Platanthera leucophaea</i>) Population: Wherever found	Threatened		
Mammals			
Indiana bat (<i>Myotis sodalis</i>) Population: Wherever found	Endangered		
Northern long-eared Bat (<i>Myotis septentrionalis</i>) Population: Wherever found	Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: Mansfield to Bloomington, IL

Critical habitats that lie within your project area

There are no critical habitats within your project area.

STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION TRANSPORTATION BUREAU / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

April 27, 2017

Ann D. Begeman, Acting Chairman
Surface Transportation Board
Office of Environmental Analysis
395 E Street, SW
Washington, D.C. 20423-0001

RE: **Norfolk Southern Railway Company – Abandonment Exemption – Between Mansfield and Bloomington, IL, in McLean, DeWitt and Piatt Counties, Illinois, AB-290 (Sub-No. 393X)**

Dear Ms. Begeman:

The Illinois Commerce Commission Railroad Safety Section (ICC Staff) acknowledges receipt of Norfolk Southern Railway Company's (NS) letter and attachments, dated April 20, 2017, stating the company's intent to file a Notice of Exemption with the Surface Transportation Board (STB) in STB Docket AB-290 (Sub-No. 393X), on or about May 5, 2017.

This office has reviewed NS's letter and attachments, and offers the following comments:

1. In the Environmental Report 49 CFR 1105.7(e)(1) Proposed Action and Alternatives, NS states: *"Following abandonment, the Line's rail and track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed...the contractor will smooth the roadbed to a level surface."* **Response: ICC Staff notes that in addition to the track material removal and smoothing of the railroad bed, NS will need to remove a total of 38 public highway-rail grade crossings and 32 private grade crossings from various roadways, including removal and disposal of any remaining crossing surface material, track material, and warning devices/signage. NS will also need to arrange filling of the pavement void spaces to the satisfaction of the various highway agencies and private individuals. A list of the various crossings in the abandonment area is enclosed.**

The NS Strategic Management Group has assured ICC Staff that it is coordinating to accomplish the grade crossing removals to the satisfaction of the various highway agencies and land owners. As such, ICC Staff takes no exception to NS's proposed abandonment exemption.

Acting Chairman Ann D. Begeman
April 27, 2017
Page Two

NS will need to submit a Form 1 Notice to the ICC RSS before commencing the removal at any of the 38 public grade crossings, and then file a Form 2 Notice upon completion of the work and reopening of the public roadways.

I trust this information will be helpful. If you have any questions, or need additional information, please contact me at (217) 557-1285 or mstead@icc.illinois.gov.

Very truly yours,



Michael E. Stead
Rail Safety Program Administrator

Enclosure

cc: Crystal Zorbaugh, Counsel for NS
Jackie Corletto, NS
Herbert Smith, NS
Julianne Freeman, NS
Lawanda Poarch, NS
Frederick Schesny, NS
Stephen Klinger, NS
Ben McElroy, NS
McLean County Regional Planning Commission
McLean County Highway Department
Piatt County Highway Department
DeWitt County Highway Department
City of LeRoy
Village of Downs
City of Bloomington
City of Farmer City
Village of Mansfield
Blue Ridge Township, Piatt County
Santa Anna Township, DeWitt County
Empire Township, McLean County
Old Town Township, McLean County
Downs Township, McLean County
Bloomington City Township, McLean County
IDOT, Region 3, District 5
IDOT, Central Bureau of Local Roads
IDOT, Office of Chief Counsel

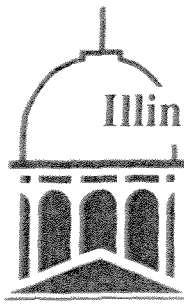
AT

PUBLIC CROSSINGS

	DOT#	XING TYPE CD	COUNTY	NEAR	CITY	TOWNSHIP	STREET	MILE	JURISDICTION	AADT	WARN DEVICE
1	543292Y	Pub-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	CR 1200 E	48.30	Township	175	Crossbucks
2	543294M	Pub-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	CR 1100 E	49.40	Township	75	Crossbucks
3	543296B	Pub-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	CR 1000 E	50.30	Township	125	Crossbucks
4	543298P	Pub-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	CR 900 E	51.40	Township	25	Crossbucks
5	543301V	Pub-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	CR 800 E	52.40	Township	100	Flash Lites (mast)
6	543303J	Pub-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	CR 700 E	53.20	Township	50	Crossbucks
7	543304R	Pub-Hwy-At Grade	De Witt	In	FARMER CITY	SANTA ANNA	INDIANA STREET	54.50	State	4,250	Gates
8	543305X	Pub-Hwy-At Grade	De Witt	In	FARMER CITY	SANTA ANNA	E HIGH STREET	54.80	Municipal	500	Flash Lites (mast)
9	543306E	Pub-Hwy-At Grade	De Witt	In	FARMER CITY	SANTA ANNA	E ALLEN STREET	54.90	Municipal	700	Flash Lites (mast)
10	543310U	Pub-Hwy-At Grade	De Witt	Near	FARMER CITY	SANTA ANNA	N JOHN STREET	55.60	Township	1,200	Flash Lites (mast)
11	543316K	Pub-Hwy-At Grade	De Witt	Near	FARMER CITY	SANTA ANNA	CR 1500 N	56.80	Township	29	Crossbucks
12	543319F	Pub-Hwy-At Grade	De Witt	Near	FARMER CITY	WEST	OLD PRINCIPAL RD	58.20	Township	125	Crossbucks
13	543323V	Pub-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	CR 2950 E	59.80	Township	79	Crossbucks
14	543325J	Pub-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	CR 150 N	60.30	Township	79	Crossbucks
15	543326R	Pub-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	ROUTE 136	61.00	State	1,450	Flash Lites (mast)
16	543327X	Pub-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	CR 2775 E	62.20	Township	29	Crossbucks
17	543329L	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	S EAST STREET	64.25	Municipal	409	Crossbucks
18	543340L	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	S CHESTNUT STREET	64.35	Municipal	5,900	Flash Lites (mast)
19	543341T	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	S MAIN STREET	64.40	Municipal	409	Crossbucks
20	543342A	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	W CEDAR STREET	64.45	Municipal	259	Flash Lites (mast)
21	543343G	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	S WEST STREET	64.55	Municipal	209	Crossbucks
22	543344N	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	W PINE STREET	64.59	Municipal	109	Crossbucks
23	543345V	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	N BUCK STREET	64.70	Municipal	209	Flash Lites (mast)
24	543346C	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	W CENTER STREET	64.74	Municipal	109	Flash Lites (mast)
25	543347J	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	N HEMLOCK STREET	64.90	Municipal	309	Crossbucks
26	543349X	Pub-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	N ALLEN STREET	64.90	Municipal	59	No W/D (flag req'd)
27	543351Y	Pub-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	CR 2450 E	66.20	Township	9	Crossbucks
28	543353M	Pub-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	CR 2375 E	67.30	Township	100	Crossbucks
29	543356H	Pub-Hwy-At Grade	McLean	Near	LE ROY	DOWNS	CR 2200 E	69.25	Township	100	Crossbucks
30	543361E	Pub-Hwy-At Grade	McLean	In	DOWNS	DOWNS	S SEMINARY STREET	71.10	County	5,200	Flash Lites (mast)
31	543363T	Pub-Hwy-At Grade	McLean	In	DOWNS	DOWNS	W MAIN STREET	71.29	Municipal	0	Flash Lites (mast)
32	543367V	Pub-Hwy-At Grade	McLean	Near	DOWNS	BLOOMINGTON	CR 1900 E	72.89	County	1,550	Flash Lites (mast)
33	543368C	Pub-Hwy-At Grade	McLean	Near	DOWNS	OLDTOWN	CR 850 N	73.06	Township	9	Crossbucks
34	543370D	Pub-Hwy-At Grade	McLean	Near	BLOOMINGTON	BLOOMINGTON	CR 1750 E	74.79	Township	400	Crossbucks
35	543371K	Pub-Hwy-At Grade	McLean	Near	BLOOMINGTON	BLOOMINGTON	CR 975 N	75.50	County	325	Crossbucks
36	543374F	Pub-Hwy-At Grade	McLean	Near	BLOOMINGTON	BLOOMINGTON	HARVEST HILL AVE	76.40	Township	150	Crossbucks
37	543377B	Pub-Hwy-At Grade	McLean	Near	BLOOMINGTON	BLOOMINGTON	WOODRIG ROAD	77.30	Township	2,450	Crossbucks
38	543378H	Pub-Hwy-At Grade	McLean	In	BLOOMINGTON	BLOOMINGTON	RHODES LANE	77.90	Municipal	5,400	Crossbucks

PRIVATE CROSSINGS

	DOT#	XING TYPE CD	COUNTY	NEAR	CITY	TOWNSHIP	STREET	MILE	JURISDICTION	AADT	WARN DEVICE
1	543293F	Priv-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	PRIVATE ROAD	48.80			
2	543295U	Priv-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	PRIVATE ROAD	50.10			
3	543297H	Priv-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	PRIVATE ROAD	50.80			
4	543299W	Priv-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	PRIVATE ROAD	51.30			
5	543300N	Priv-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	PRIVATE ROAD	52.00			
6	543302C	Priv-Hwy-At Grade	Platt	Near	MANSFIELD	BLUE RIDGE	PRIVATE ROAD	52.70			
7	543312H	Priv-Hwy-At Grade	De Witt	Near	FARMER CITY	SANTA ANNA	PRIVATE ROAD	55.90			
8	543315D	Priv-Hwy-At Grade	De Witt	Near	FARMER CITY	SANTA ANNA	PRIVATE ROAD	56.60			
9	543317S	Priv-Hwy-At Grade	De Witt	Near	FARMER CITY	SANTA ANNA	PRIVATE ROAD	57.20			
10	543318Y	Priv-Hwy-At Grade	De Witt	Near	FARMER CITY	SANTA ANNA	PRIVATE ROAD	57.70			
11	543320A	Priv-Hwy-At Grade	McLean	Near	LE ROY	WEST	PRIVATE ROAD	58.68			
12	543321G	Priv-Hwy-At Grade	McLean	Near	LE ROY	WEST	PRIVATE ROAD	58.90			
13	543322N	Priv-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	PRIVATE ROAD	59.60			
14	543324C	Priv-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	PRIVATE ROAD	59.90			
15	543328E	Priv-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	PRIVATE ROAD	63.20			
16	543348R	Priv-Hwy-At Grade	McLean	In	LE ROY	EMPIRE	PRIVATE ROAD	64.90			
17	543350S	Priv-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	PRIVATE ROAD	65.40			
18	543352F	Priv-Hwy-At Grade	McLean	Near	LE ROY	EMPIRE	PRIVATE ROAD	66.60			
19	543354U	Priv-Hwy-At Grade	McLean	Near	LE ROY	DOWNS	PRIVATE ROAD	67.60			
20	543355B	Priv-Hwy-At Grade	McLean	Near	LE ROY	DOWNS	PRIVATE ROAD	68.92			
21	543357P	Priv-Hwy-At Grade	McLean	Near	DOWNS	DOWNS	PRIVATE ROAD	69.70			
22	543358W	Priv-Hwy-At Grade	McLean	Near	DOWNS	DOWNS	PRIVATE ROAD	69.90			
23	543359D	Priv-Hwy-At Grade	McLean	Near	DOWNS	DOWNS	PRIVATE ROAD	70.30			
24	543360X	Priv-Hwy-At Grade	McLean	Near	DOWNS	DOWNS	PRIVATE ROAD	70.70			
25	543362L	Priv-Hwy-At Grade	McLean	In	DOWNS	DOWNS	PRIVATE ROAD	71.20			
26	543365G	Priv-Hwy-At Grade	McLean	Near	DOWNS	DOWNS	PRIVATE ROAD	72.10			
27	543366N	Priv-Hwy-At Grade	McLean	Near	DOWNS	DOWNS	PRIVATE ROAD	72.20			
28	543369J	Priv-Hwy-At Grade	McLean	Near	DOWNS	DOWNS	PRIVATE ROAD	73.50			
29	543372S	Priv-Hwy-At Grade	McLean	Near	BLOOMINGTON	BLOOMINGTON	PRIVATE ROAD	75.90			
30	543373Y	Priv-Hwy-At Grade	McLean	Near	BLOOMINGTON	BLOOMINGTON	PRIVATE ROAD	76.20			
31	543375M	Priv-Hwy-At Grade	McLean	Near	BLOOMINGTON	BLOOMINGTON	PRIVATE ROAD	76.70			
32	543376U	Priv-Hwy-At Grade	McLean	Near	BLOOMINGTON	BLOOMINGTON	PRIVATE ROAD	77.00			



Illinois Historic Preservation Agency

1 Old State Capitol Plaza, Springfield, IL 62701-1512

FAX (217) 524-7525

www.illinoishistory.gov

Various Counties

Mansfield to Bloomington

Railway Abandonment, Norfolk Southern Railway Company

Norfolk Southern Railway between Milepost 47.9 in Mansfield and Milepost 78.3 in Bloomington

STB-AB-290 (Sub-No. 393X)

IHPA Log #027032017

April 13, 2017

LaWada Poarch

Norfolk Southern Corporation

Strategic Planning Department

Three Commercial Place

Norfolk, VA 23510-2191

Dear Ms. Poarch:

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 David Halpin, Cultural Resources Manager, at 217/785-4998.

Sincerely,

Rachel Leibowitz, Ph.D.

Deputy State Historic

Preservation Officer

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-290 (Sub-No. 393X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
BETWEEN MANSFIELD AND BLOOMINGTON, IL,
IN MCLEAN, DEWITT AND PIATT COUNTIES, IL**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

**DRAFT NOTICE OF EXEMPTION
[CAPTION SUMMARY]**

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[AB 290 (Sub-No. 393X)]

Norfolk Southern Railway Company – Abandonment Exemption – Between Mansfield and
Bloomington, IL, In McLean, Dewitt and Piatt Counties, Illinois

On May 5, 2017, Norfolk Southern Railway Company (“NSR”) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F–Exempt Abandonments to abandon approximately 30.40 miles of rail line extending from milepost UM 47.9 to milepost UM 78.3 (referred to herein as the “Line”). The Line traverses United States Postal Zip Code territories 61701, 61704, 61705, 61736, 61752, 61842, and 61854. The entirety of the Line is located in McLean, Dewitt, and Piatt Counties, IL.

NSR has certified that: (1) no local traffic has moved over the Line for at least 2 years; (2) that no overhead traffic has moved over the Line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board ("Board") or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 C.F.R. § 1105.7(c) (environmental report), 49 C.F.R. § 1105.11 (transmittal letter), 49 C.F.R. § 1105.12 (newspaper publication), and 49 C.F.R. § 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line Railroad – Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To

address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. § 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance ("OFA") has been received, this exemption will be effective on June __ 2017, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 C.F.R. § 1152.27(c)(2),³ and trail use/rail banking requests under 49 C.F.R. § 1152.29 must be filed by _____, 2017. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by _____, 2017, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to NSR's representative: Crystal M. Zorbaugh, Baker & Miller PLLC, 2401 Pennsylvania Ave., NW, Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void ab initio.

NSR has filed a combined Environmental and Historic Report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by _____, 2017. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available

² The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Serv. Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

³ Each OFA must be accompanied by the filing fee, which is currently set at \$1,700. See 49 C.F.R. § 1002.2(f)(25).

through the Federal Information Relay Service at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 C.F.R. § 1152.29(e)(2), NSR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by NSR's filing of a notice of consummation by _____, 2017, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at WWW.STB.DOT.GOV.

Decided: _____, 2017.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-290 (Sub-No. 393X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
BETWEEN MANSFIELD AND BLOOMINGTON, IL,
IN MCLEAN, DEWITT AND PIATT COUNTIES, IL**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

VERIFICATION

Verification

I, John Friedmann, Vice President for Norfolk Southern Railway Company ("NSR"), hereby verify under penalty of perjury that to the best of my knowledge the foregoing abandonment notice of exemption is true and correct. Further, I certify that I am qualified and authorized to make such verification on behalf of NSR in connection with this proceeding before the Surface Transportation Board.

Executed this twenty-seventh day of March, 2017.

A handwritten signature in dark ink, appearing to read 'John H. Friedmann', is written over a solid horizontal line.

John H. Friedmann
Vice President