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Office of Proceedings
April 5, 2019
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Public Record

April 5, 2019

VIA E-FILING

Ms. Victoria Rutson, Esq.
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

**Re: STB Docket No. AB 6 (Sub-No. 498X), BNSF Railway Company--
Abandonment Exemption--In Pawnee County, Oklahoma**

Dear Ms. Rutson:

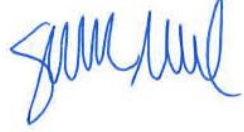
On or about April 5, 2019, we expect to be filing with the Surface Transportation Board ("STB") a Verified Notice of Exemption for BNSF Railway Company ("BNSF") to abandon an approximately 0.74-mile rail line on Line Segment 1047 (formerly 7401), track 5403 between milepost 6.47 and milepost 7.21 in Pawnee County, Oklahoma.

Attached for filing is a copy of BNSF's Environmental and Historic Reports prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8. The Environmental and Historic Reports were mailed via first class mail to the parties required under §§ 1105.7 and 1105.8(c) on February 11, 2019.

April 5, 2019
Page 2

Please contact me with any questions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sarah B. Nural', with a stylized, cursive script.

Sarah B. Nural

Attorney for BNSF Railway Company

Enclosure

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 6 (Sub-No. 498X)

BNSF RAILWAY COMPANY—ABANDONMENT EXEMPTION—
IN PAWNEE COUNTY, OKLAHOMA

ENVIRONMENTAL REPORT
(49 C.F.R. § 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.

BNSF Railway Company (“BNSF”) proposes to abandon 0.74 miles of Line Segment 1047 (formerly 7401), track 5403 between milepost 6.47 and milepost 7.21 in Pawnee County, Oklahoma (the “Line”). Maps of the proposed area are attached as Exhibit A.

Information on BNSF’s salvage process as it relates to this project is included below:

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts)

are removed. Next the wooden ties are raised from among the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts, ballast and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board (“STB” or “Board”) in its final decision. Completed work is independently inspected by a BNSF roadmaster (or

equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

In 1973, the Atchison, Topeka and Santa Fe Railway (“ATSF”) abandoned Line Segment 7401 from MP 0.00 to MP 6.47 and from MP 7.21 to MP 8.40 in *Atchison, Topeka & Santa Fe Ry. Co. Abandonment between Esau Junction & Pawnee, Pawnee Co., Okla.*, FD 27221 (ICC served March 2, 1973). See Exhibit A. MP 6.47 to MP 7.21 of that line was excluded from the 1973 abandonment. There has been no traffic on this portion of the line since prior to 2008. In addition, there is no overhead traffic on the portion of the line that is proposed to be abandoned. Therefore, the proposed abandonment will have no impact on rail freight operations on the Line.

(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.

No passenger or freight traffic will be diverted to other transportation systems as a result of the proposed abandonment. No traffic has traveled over the Line since prior to 2008, and there is no overhead traffic on the Line.

(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.**

The proposed action should be consistent with existing land use plans.

Abandoning the Line removes BNSF's common carrier obligation on right of way BNSF is no longer using. The Line has been out of service since at least 2008, and there are no known business prospects. On November 30, 2018, BNSF sent letters to the county commissioners of Pawnee County and the mayor of the City of Pawnee regarding the proposed abandonment. As of the date of this Environmental Report, neither the county commissioners nor the mayor has responded to our inquiry.

Copies of the letters are attached as Exhibit B.

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

BNSF understands that the proposed abandonment will have no adverse effect on prime agriculture land. On November 30, 2018, BNSF sent a letter to the Pawnee Field Service Center of the U.S. Department of Agriculture's Natural Resources Conservation Service ("NRCS") regarding the proposed abandonment. As of the date of this Environmental Report, the NRCS has not responded to our inquiry. A copy of the letter is attached as Exhibit C.

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

BNSF understands that the proposed abandonment is not located within a

designated coastal zone. Oklahoma does not have a state coastal zone management approved program.

- (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. 10905 and explain why.**

The proposed abandonment may be suitable for alternative public use. On November 30, 2018, BNSF sent letters to the county commissioners of Pawnee County and the mayor of the City of Pawnee regarding the proposed abandonment. As of the date of this Environmental Report, neither the county commissioners nor the mayor has responded to our inquiry. Copies of the letters are attached as Exhibit B.

(4) Energy.

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

The proposed abandonment will have no effect on the transportation of energy resources.

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

The proposed abandonment will have no adverse effect on the movement or recovery of recyclable commodities.

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

The proposed abandonment will not result in an increase or decrease in overall energy efficiency because no traffic has traveled over the Line since prior to

2008, and the lines east of MP 6.47 and west of MP 7.21 have been abandoned.

There is no overhead traffic on the Line.

- (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.**

The proposed abandonment will not result in a diversion of rail to motor carriage.

(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.**

The proposed abandonment will not result in meeting or exceeding the specified thresholds for increased rail or truck traffic as outlined in (i)(A), (B), or (C) above.

- (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.

The proposed abandonment will not result in meeting or exceeding the specified thresholds for increased rail or truck traffic as outlined in (ii)(A), (B), or (C) above.

- (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.

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

- (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.

This provision is not applicable to the proposed abandonment.

(7) **Safety.**

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

BNSF expects that the proposed abandonment will have no adverse effect on public health and safety. On November 30, 2018, BNSF sent letters to the county commissioners of Pawnee County and the mayor of the City of Pawnee regarding the proposed abandonment. As of the date of this Environmental Report, neither the county commissioners nor the mayor has responded to our inquiry. Copies of the letters are attached as Exhibit B.

There are four public at-grade crossings on the Line.

- (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.

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

- (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.**

There is a remediation site, adjacent to the subject track, that is jointly managed by Phillips 66 and BNSF. Petroleum hydrocarbons, above the Oklahoma Department of Environmental Quality's ("DEQ") Tier 2a screening levels, are present in the area. BNSF is in the process of deed-restricting the area with contamination above DEQ's screening levels, and DEQ has agreed that no further action will be necessary.

(8) Biological resources.

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

BNSF expects that the proposed abandonment will have no adverse effect on endangered or threatened species or areas designated as a critical habitat. On November 30, 2018, BNSF sent a letter to the U.S. Fish and Wildlife Service ("USFWS") regarding the proposed abandonment. As of the date of this Environmental Report, the USFWS has not replied to BNSF's inquiry. A copy of the letter is attached as Exhibit D.

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

BNSF expects that no wildlife sanctuaries or refuges, National or State parks or forests will be affected by the proposed abandonment.

On November 30, 2018, BNSF sent a letter to the Oklahoma Field Office of the Bureau of Land Management (“BLM”) regarding the proposed abandonment. In a response dated December 12, 2018, BLM stated that no BLM interests would be affected by this project. A copy of the BNSF’s letter, which includes the BLM’s response, is attached as Exhibit E.

Also on November 30, 2018, BNSF sent a letter to the Intermountain Regional Office of the U.S. National Park Service (“NPS”). As of the date of the Environmental Report, the NPS has not responded to BNSF’s inquiry. A copy of the letter is attached as Exhibit F.

(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.**

Based on consultation with DEQ’s Water Quality Division, BNSF believes the proposed abandonment is consistent with applicable water quality standards. On November 30, 2018, BNSF sent a letter to DEQ regarding the proposed abandonment. On December 18, 2018, DEQ responded by email, stating that “no environmental concerns under DEQ jurisdiction are anticipated.” After receiving the Environmental and Historic Reports, DEQ sent an email on February 27, 2019

stating that it had no additional comments. A copy of the letter to DEQ and DEQ's responses are attached as Exhibit G.

On November 30, 2018, BNSF also sent a letter to Region 6 of the U.S. Environmental Protection Agency ("EPA") regarding the proposed action. As of the date of this Environmental Report, EPA has not replied to BNSF's inquiry. A copy of the letter is attached as Exhibit H.

- (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.**

BNSF understands that the proposed abandonment will not require any permits under section 404 of the Clean Water Act and that no designated wetlands or 100-year flood plains will be adversely affected. On November 30, 2018, BNSF sent a letter to the Tulsa District of the U.S. Army Corps of Engineers ("Corps") regarding the proposed abandonment. On January 16, 2019, the Corps responded and stated that the proposed abandonment is not subject to regulation pursuant to Section 404 of the Clean Water Act. A copy of BNSF's letter and the Corps' response are attached as Exhibit I.

- (iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required.)**

On November 30, 2018, BNSF sent letters to DEQ and EPA regarding the proposed abandonment. As explained above, DEQ stated that it does not anticipate

any environmental concerns under DEQ's jurisdiction to arise in connection with the proposed abandonment. As of the date of this Environmental Report, EPA has not responded to BNSF's inquiry. A copy of the letter to DEQ and DEQ's responses are attached as Exhibit G, and a copy of the letter to EPA is attached as Exhibit H.

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

BNSF expects that no adverse environmental impact will result from the proposed abandonment and, therefore, is not aware of any need for mitigating actions. BNSF will consult, as required, with any recipients of this Environmental Report regarding appropriate mitigation actions and will comply with those mitigation actions required by the Board.

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

§ 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.

BNSF Railway Company (“BNSF”) proposes to abandon 0.74 miles of Line Segment 1047 (formerly 7401), track 5403 between milepost 6.47 and milepost 7.21 in Pawnee County, Oklahoma (the “Line”). Maps of the proposed area are attached as Exhibit A.

Information on BNSF’s salvage process as it relates to this project is included below:

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from among the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping and (3)

scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts, ballast and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board (“STB” or “Board”) in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

In 1973, the Atchison, Topeka and Santa Fe Railway (“ATSF”) abandoned Line Segment 7401 from MP 0.00 to MP 6.47 and from MP 7.21 to MP 8.40 in *Atchison, Topeka & Santa Fe Ry. Co. Abandonment between Esau Junction &*

Pawnee, Pawnee Co., Okla., FD 27221 (ICC served March 2, 1973). See Exhibit A.

MP 6.47 to MP 7.21 of the line was excluded from the 1973 abandonment. There has been no traffic on this portion of the line since prior to 2008. In addition, there is no overhead traffic on the portion of the line that is proposed to be abandoned.

Therefore, the proposed abandonment will have no impact on rail freight operations on the Line.

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

The required topographic map is attached to this Historic Report as Exhibit A.

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

The Line consists of approximately 0.74 miles of Line Segment 1047 (formerly 7401), track 5403, between milepost 6.47 and milepost 7.21, in Pawnee County, Oklahoma, on the edge of the City of Pawnee. The right-of-way is 100 feet to 200 feet wide through this area of track.

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

There are no railroad structures on the property that are 50 years old or older.

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

There are no railroad structures on the property that are 50 years old or older.

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

The Eastern Oklahoma Railway Company originally acquired and operated the Line and surrounding track. The Eastern Oklahoma Railway Company acquired the majority of the property on March 3, 1899 through a grant from the U.S. Government. An additional parcel was acquired on June 27, 1900 via warranty deed from the Pawnee Milling Company. We do not know when the actual tracks were placed through the area. The Eastern Oklahoma Railway Company operated over the Line until the ATSF acquired the property on June 20, 1907. The Burlington Northern Railroad Company merged with the ATSF in 1996 to become The Burlington Northern and Santa Fe Railway Company, which changed its name to BNSF Railway Company in 2005.

There has been no traffic on this portion of the line since prior to 2008.

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

Documents in BNSF's possession concerning this abandonment may include alignment maps showing the right-of-way and/or station maps. These documents

are too large for practical reproduction in this report but can be supplied upon request, if they are available.

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

On November 30, 2018, BNSF sent letters to the Oklahoma Archeological Survey, the Oklahoma Historical Society (the State Historic Preservation Office), and the Communications and Outreach Branch, NOAA, N/NGS12 National Geodetic Survey, SSMC3 #9340 (“NOAA”) regarding the proposed abandonment.

On December 4, 2018, Candace Parker and Kary Stackelbeck with the Oklahoma Archeological Survey responded. They stated that they crosschecked the proposed abandonment with state site files containing approximately 26,500 archaeological sites and found no sites occurring within the proposed abandonment area. They further reported that, based on the topographic and hydrologic setting, no archeological materials are likely to be encountered, and that therefore, an archaeological field inspection is not necessary. After receiving the Environmental and Historic Reports, the Oklahoma Archeological Survey sent a letter on March 13, 2019 stating that it had no new comments. BNSF’s letter and the Oklahoma Archeological Survey’s responses are attached as Exhibit J.

In addition, on December 11, 2018, Lynda Ozan with the Oklahoma Historical Society responded. Ms. Ozan informed BNSF that, based on a review of the Oklahoma Landmarks Inventory and other resources, the Oklahoma Historical Society found that no historic properties will be affected by the proposed abandonment. BNSF's letter and the Oklahoma Historical Society's response are attached as Exhibit K.

On February 15, 2019, NOAA responded. NOAA stated that approximately two geodetic survey marks are located in the area described. If these marks will be disturbed by the abandonment, BNSF will consult with the National Geodetic Survey at least 90 days prior to beginning salvage activities that will disturb or destroy the geodetic station marks. BNSF's letter and NOAA's response are attached as Exhibit L.

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

The Line was disturbed during original construction by cuts and fill, and any archaeological resources that may have been located in the proposed abandonment area would have been affected at that time. In addition, petroleum hydrocarbons are present in a remediation site that is adjacent to the subject track.

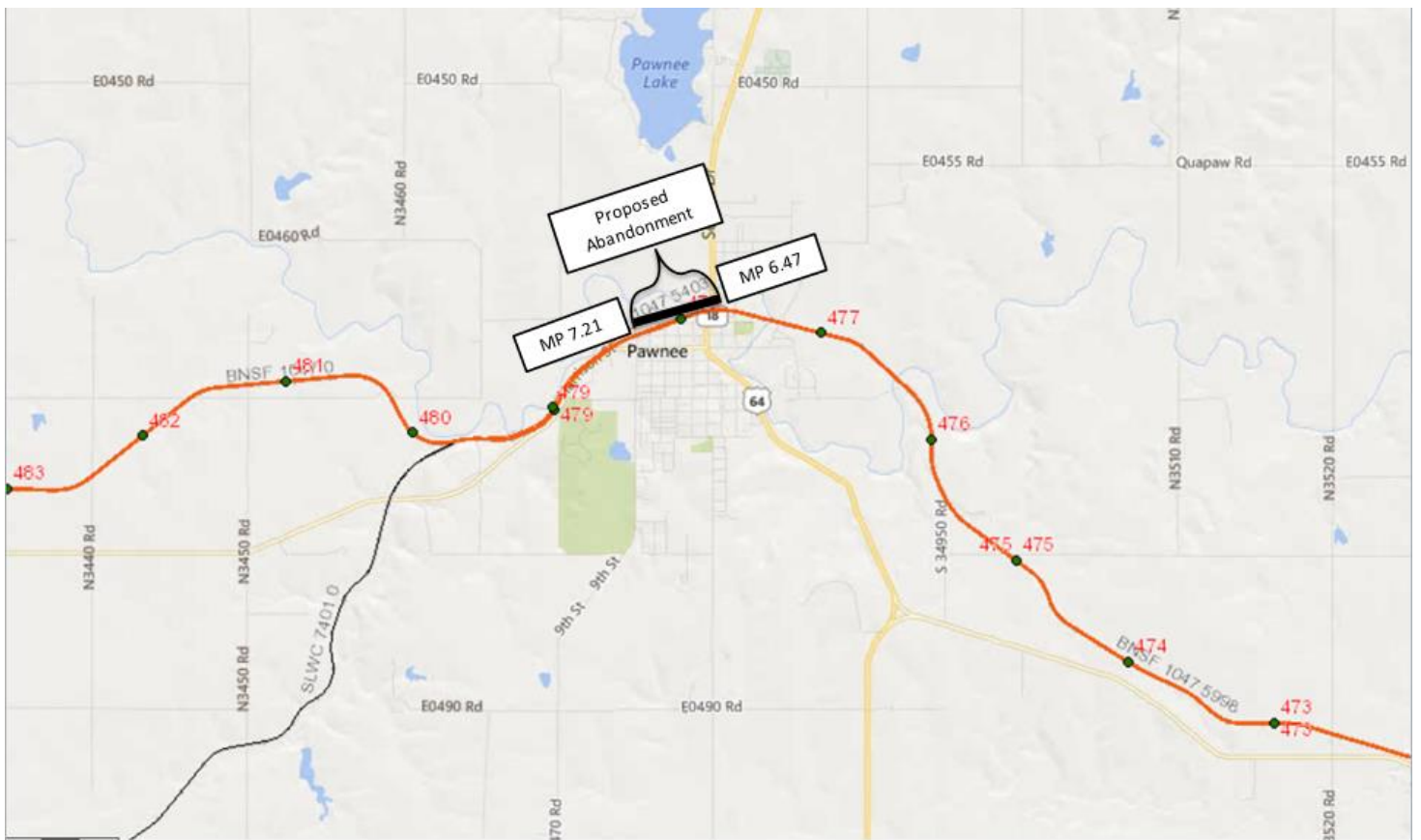
- (9) Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specified nonrailroad owned properties or**

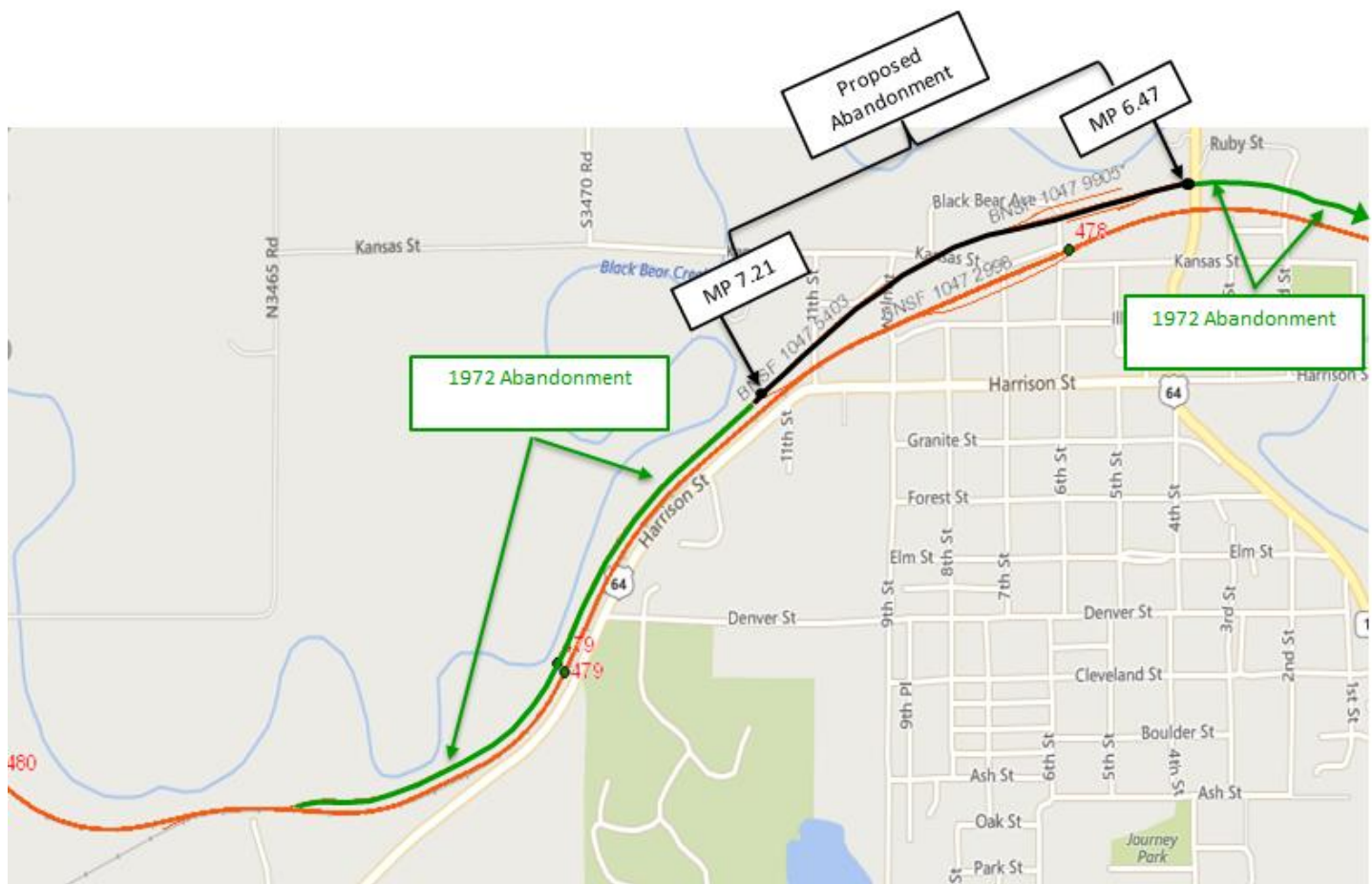
groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (i.e., prehistoric or native American).

If any additional information is requested, BNSF will promptly supply the necessary information.

EXHIBIT A

Maps of proposed abandonment:





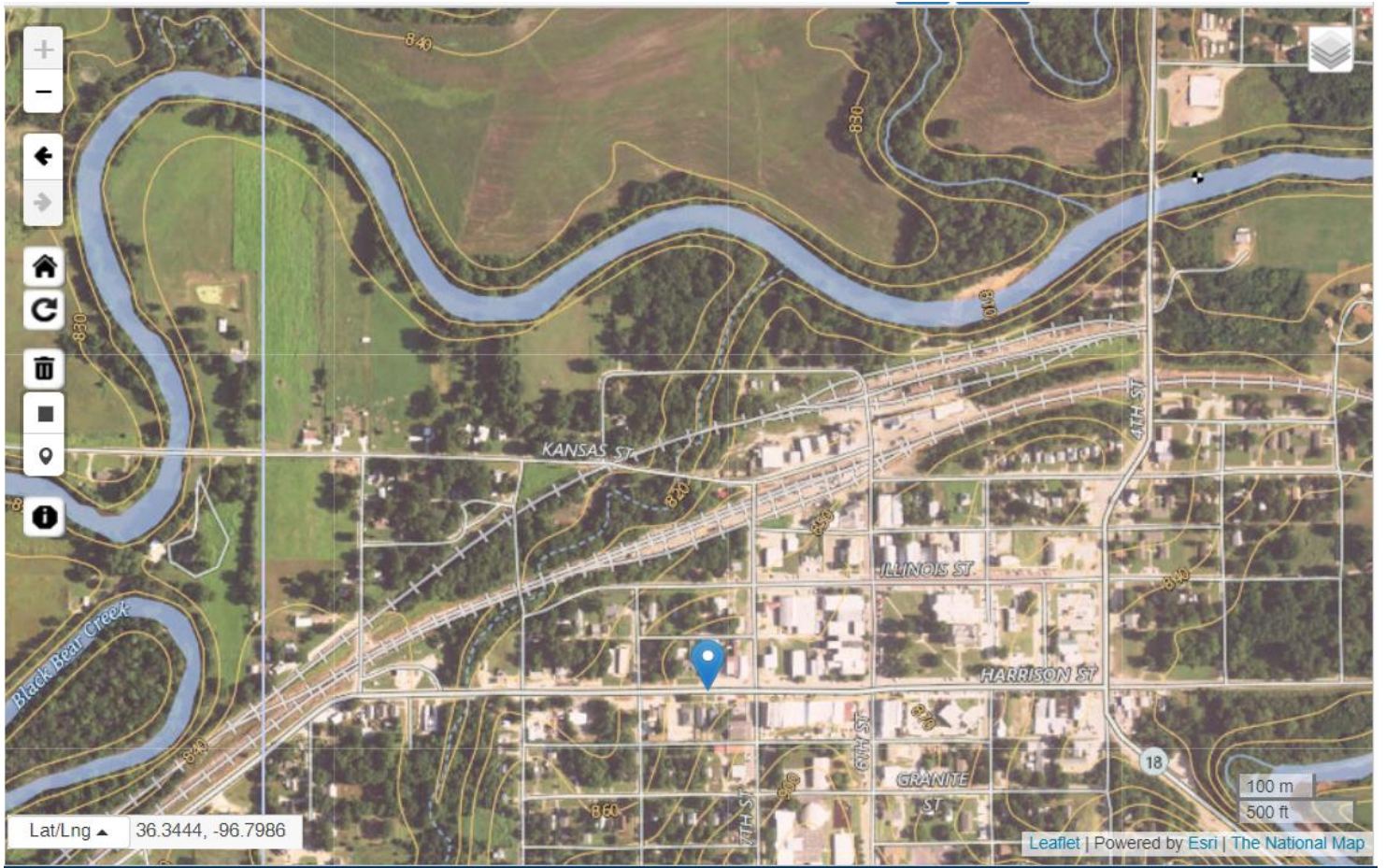


EXHIBIT B

Letters sent to the county commissioners of Pawnee County and the mayor of the City of Pawnee:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

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Washington, DC 20036-1795
202 429 3000 main
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November 30, 2018

Charlie Brown, County Commissioner
Jim McCormick, County Commissioner
Dale Carter, County Commissioner
Pawnee County
500 Harrison Street, Room 203
Pawnee, OK 74058

***Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma***

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

For your reference I have enclosed a map of the subject railroad line. As part of the requisite environmental report, BNSF needs to know whether the proposed action is consistent with existing land use plans. If applicable, please describe any inconsistencies.

Information on BNSF’s salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

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Please provide your assessment and comments to me at the address above by December 30, 2018. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

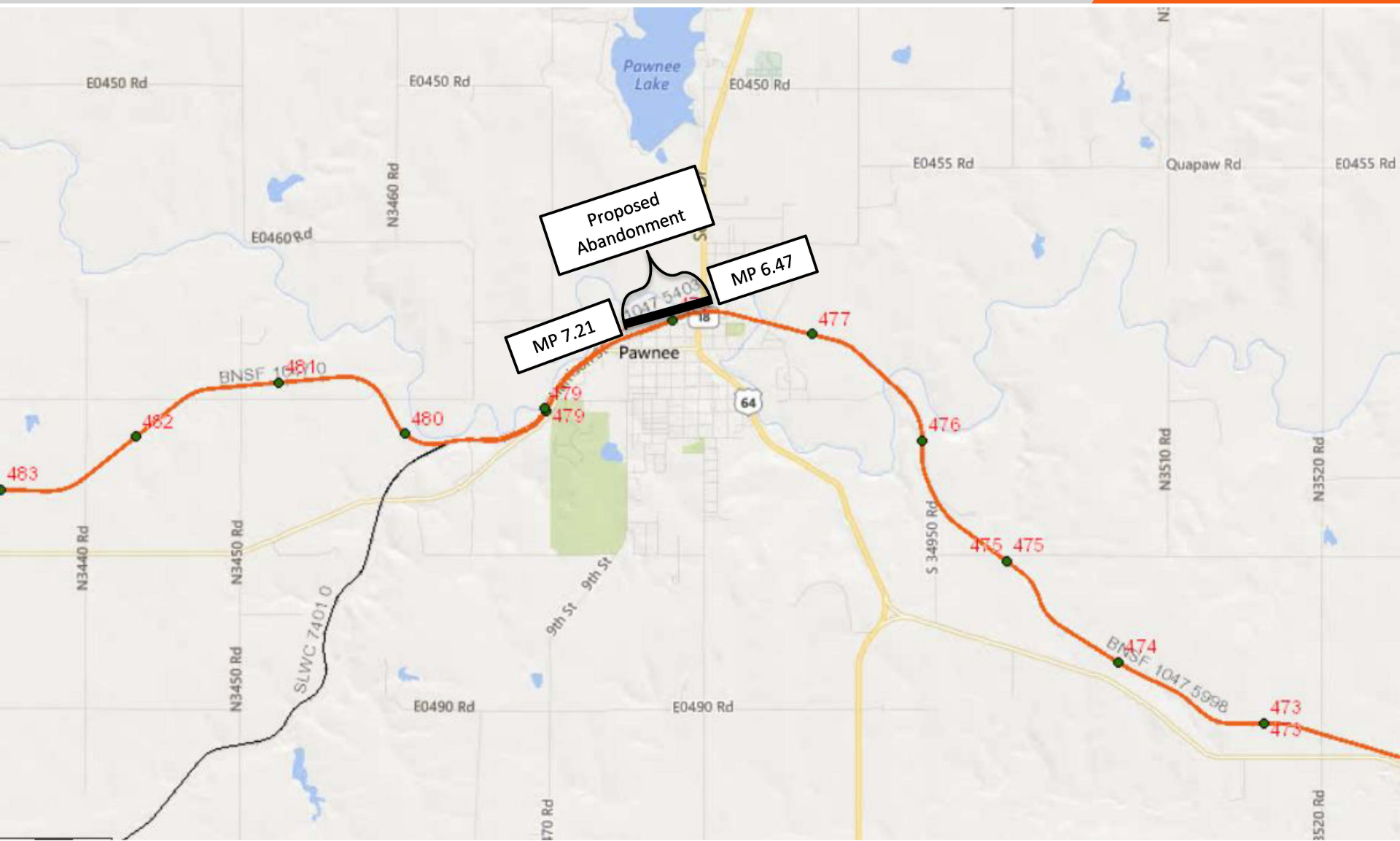
Sincerely,

A handwritten signature in black ink, appearing to read 'Peter W. Denton', with a stylized flourish at the end.

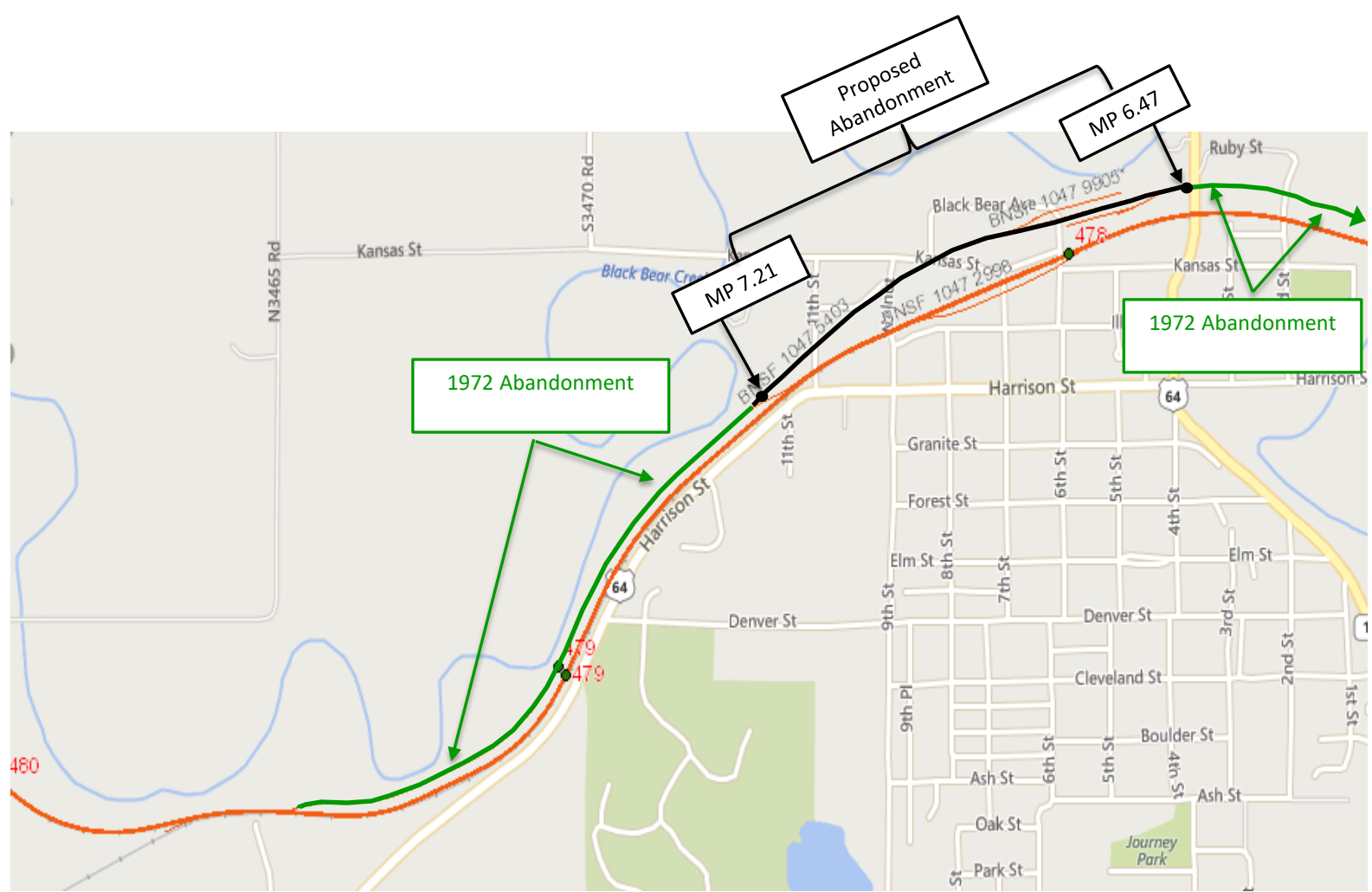
Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map



Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
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November 30, 2018

Brad Sewell, Mayor
City of Pawnee
510 Illinois Street
Pawnee, OK 74058

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Exemption—in Pawnee County, Oklahoma***

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The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from among the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts, ballast and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage

contractors are required to limit their activities to the width of the right of way and to avoid the placement of fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

Finally, road crossings are removed and remediated, then repaved with gravel, asphalt or concrete, as required by governing authority. Any signals are also dismantled and removed.

BNSF salvage work for abandonments is always performed by experienced rail material salvagers and, in general, it is awarded based on open market bidding. Each salvage contract includes detailed information on any environmental or historical conditions recommended by the Office of Environmental Analysis and imposed by the Surface Transportation Board in its final decision. Completed work is independently inspected by a BNSF roadmaster (or equal representative) to ensure compliance with BNSF standards of quality and all contractual obligations, including STB-imposed conditions, if applicable.

Please provide your assessment and comments to me at the address above by December 30, 2018. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

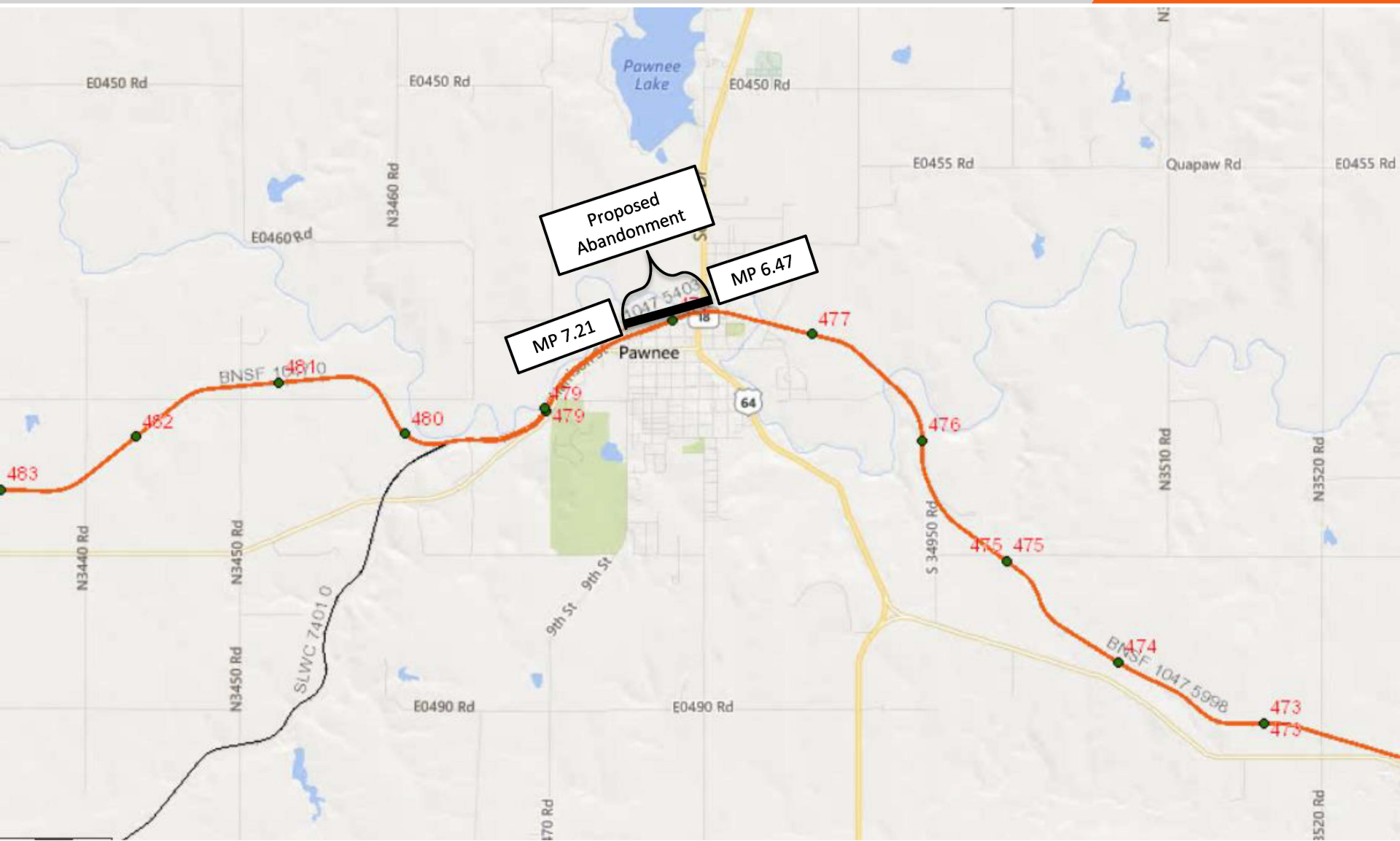
Sincerely,

A handwritten signature in black ink, appearing to read 'Peter W. Denton', with a stylized flourish at the end.

Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map

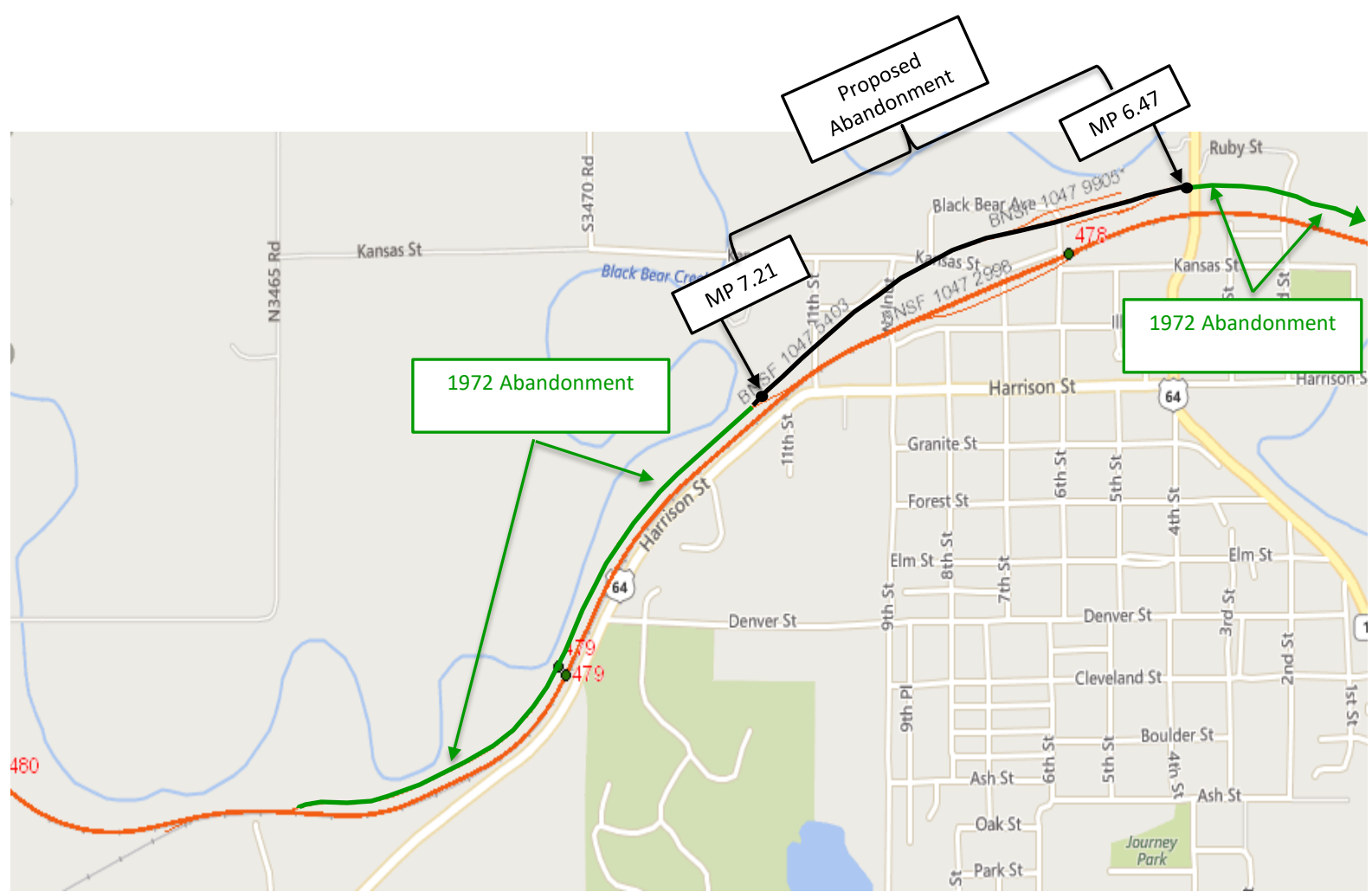


EXHIBIT C

Letter sent to the Pawnee Field Service Center, Natural Resources
Conservation Service, U.S. Department of Agriculture:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



November 30, 2018

Natural Resources Conservation Service
U.S. Department of Agriculture
Pawnee Field Service Center
701 5th Street
Pawnee, OK 74058

***Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma***

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

As part of the requisite environmental report, BNSF needs to know whether or not the proposed abandonment will have any effect on prime agricultural lands. Your assessment and comments are respectfully requested.

For your reference I have enclosed a map of the subject railroad line. Information on BNSF’s salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from among the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

The culverts, ballast and right of way will remain intact so as not to alter the prevailing waterflows along the line. In addition, BNSF salvage contractors are required to limit their activities to the width of the right of way and to avoid the placement of fills or other material in water bodies, including inland waterways. When the salvage process is complete, waterflows in the area should continue without disruption.

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Please provide your assessment and comments to me at the address above by December 30, 2018. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

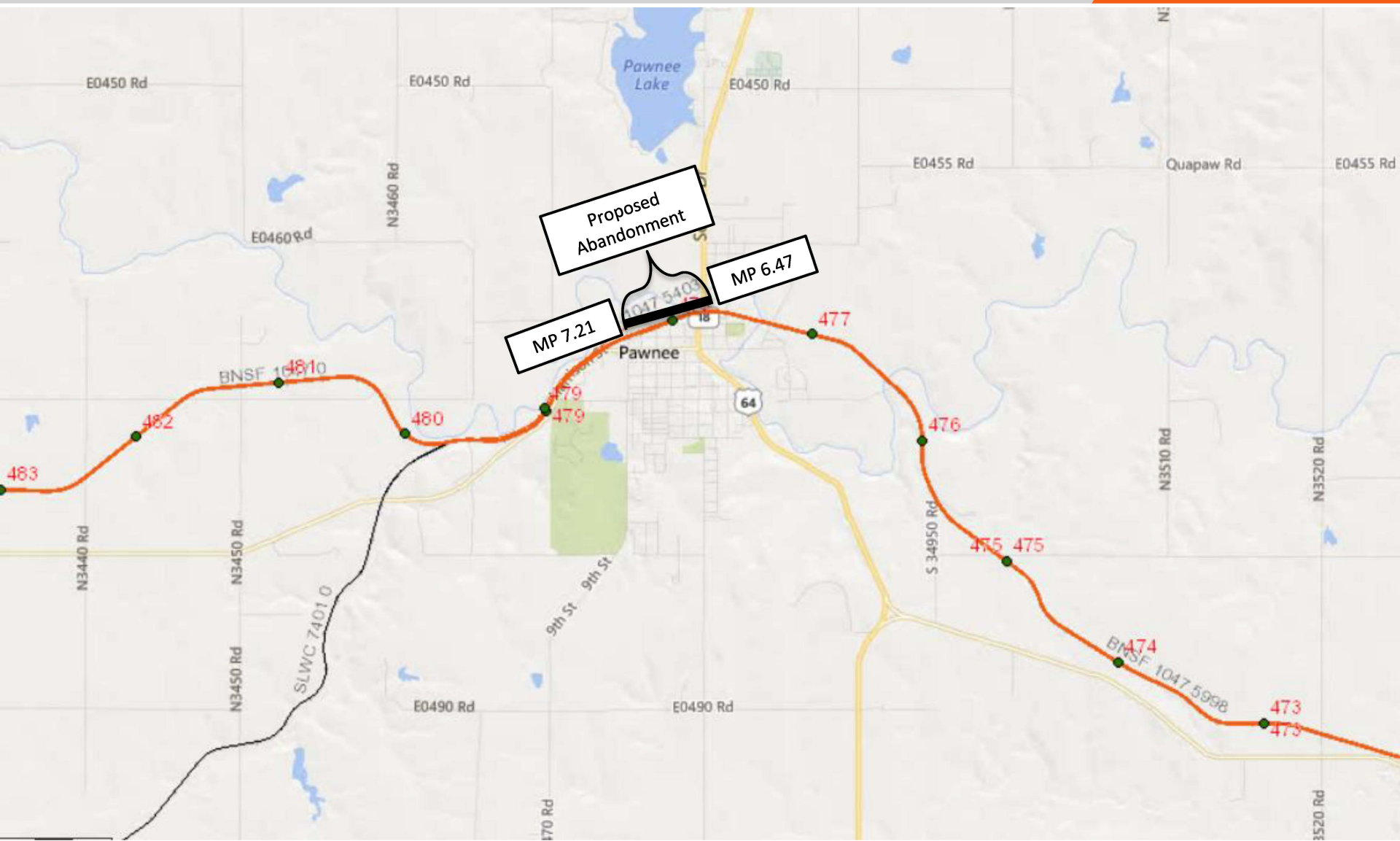
Sincerely,

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Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map

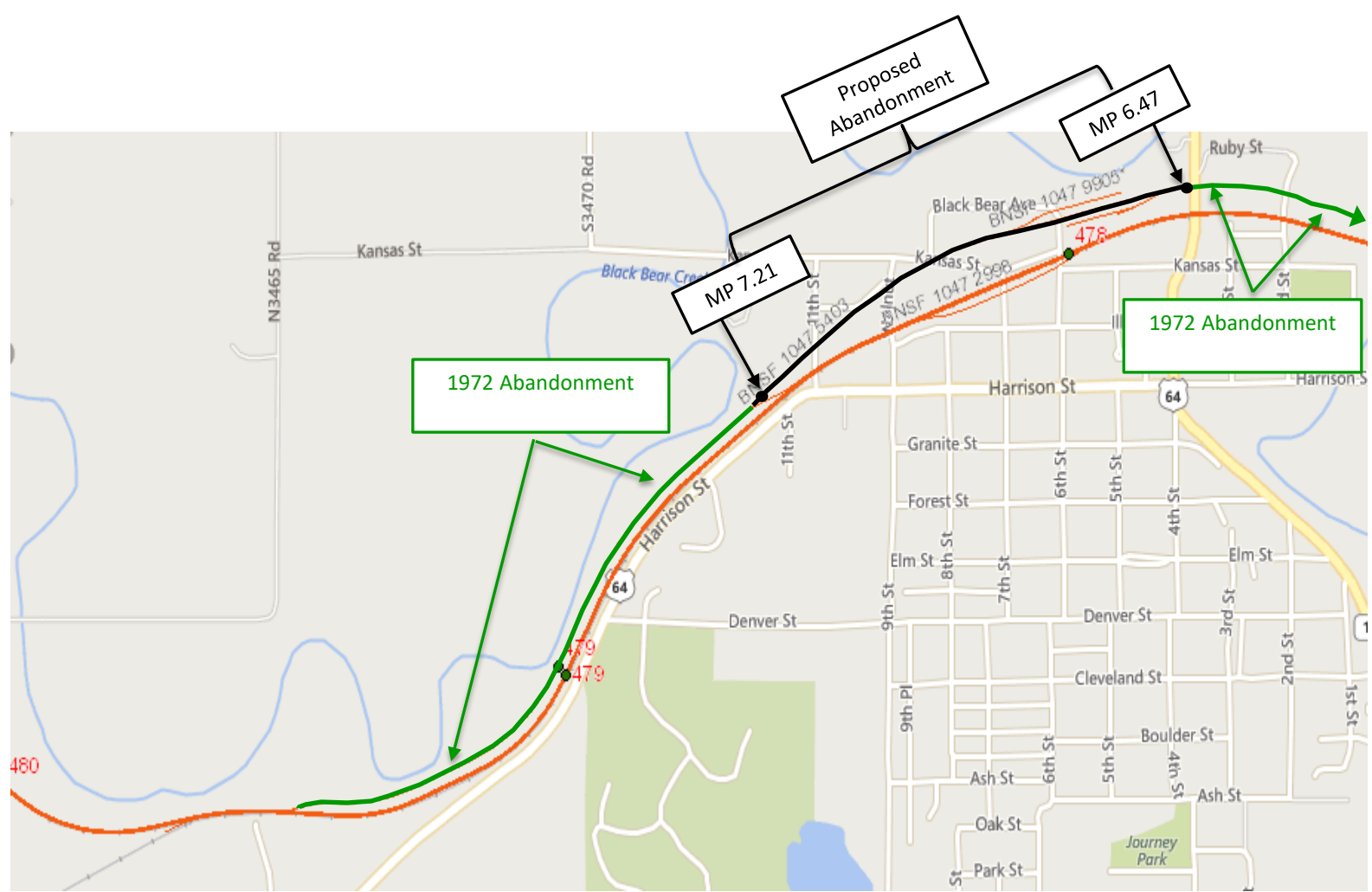


EXHIBIT D

Letter sent to the Southwest Region of the U.S. Fish and Wildlife Service:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



November 30, 2018

U.S. Fish and Wildlife Service
Southwest Region
P.O. Box 1306
Albuquerque, NM 87103-1306

***Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma***

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

As part of the requisite environmental report, BNSF needs to know: (1) whether or not there are any endangered or threatened species, wildlife sanctuaries or refuges, or areas designated as critical habitat adjacent to or near the line, and (2) if so, what effects the proposed action may have on same.

For your reference I have enclosed a map of the subject railroad line. Information on BNSF’s salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from among the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

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Please provide your assessment and comments to me at the address above by December 30, 2018. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

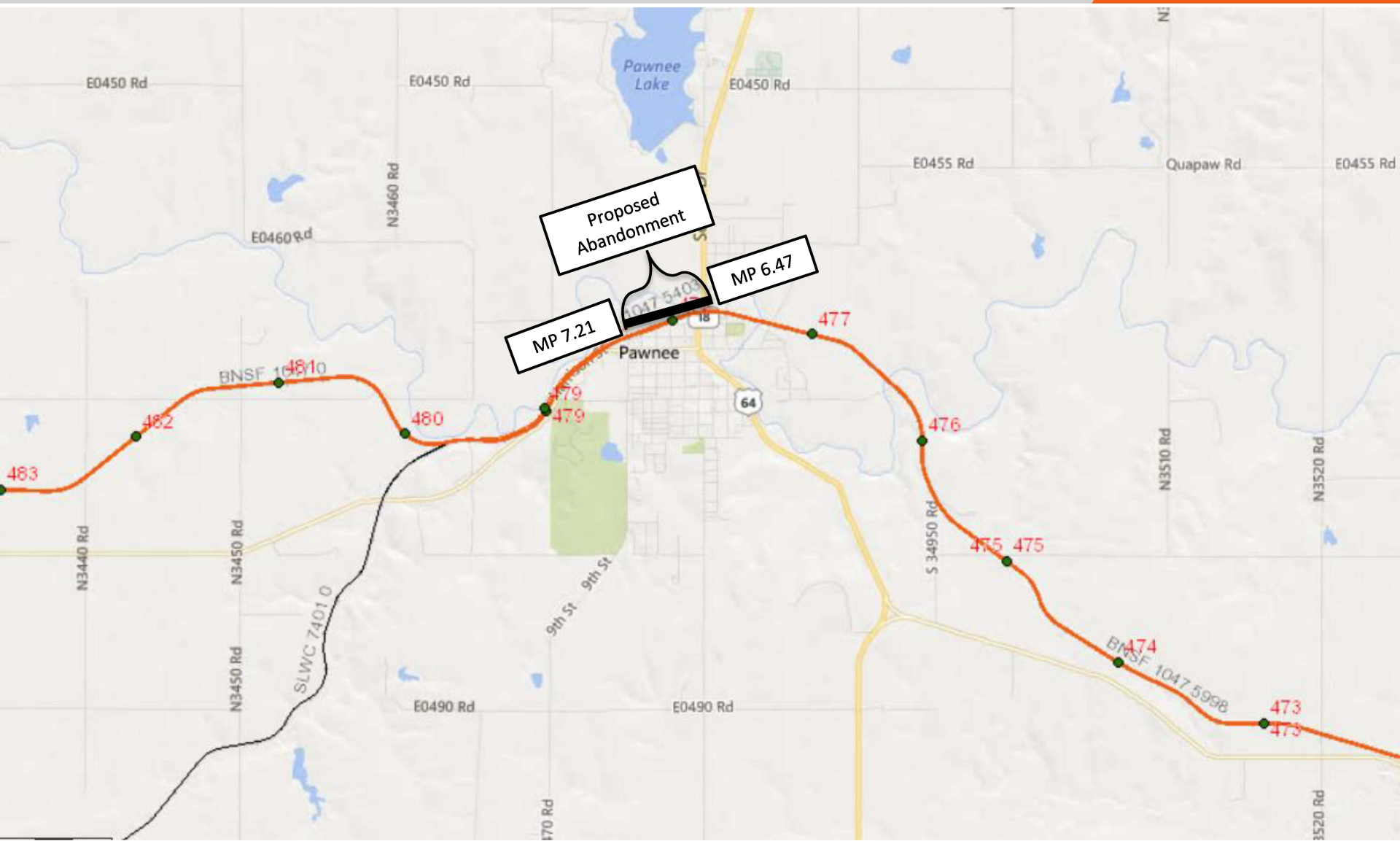
Sincerely,

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Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map

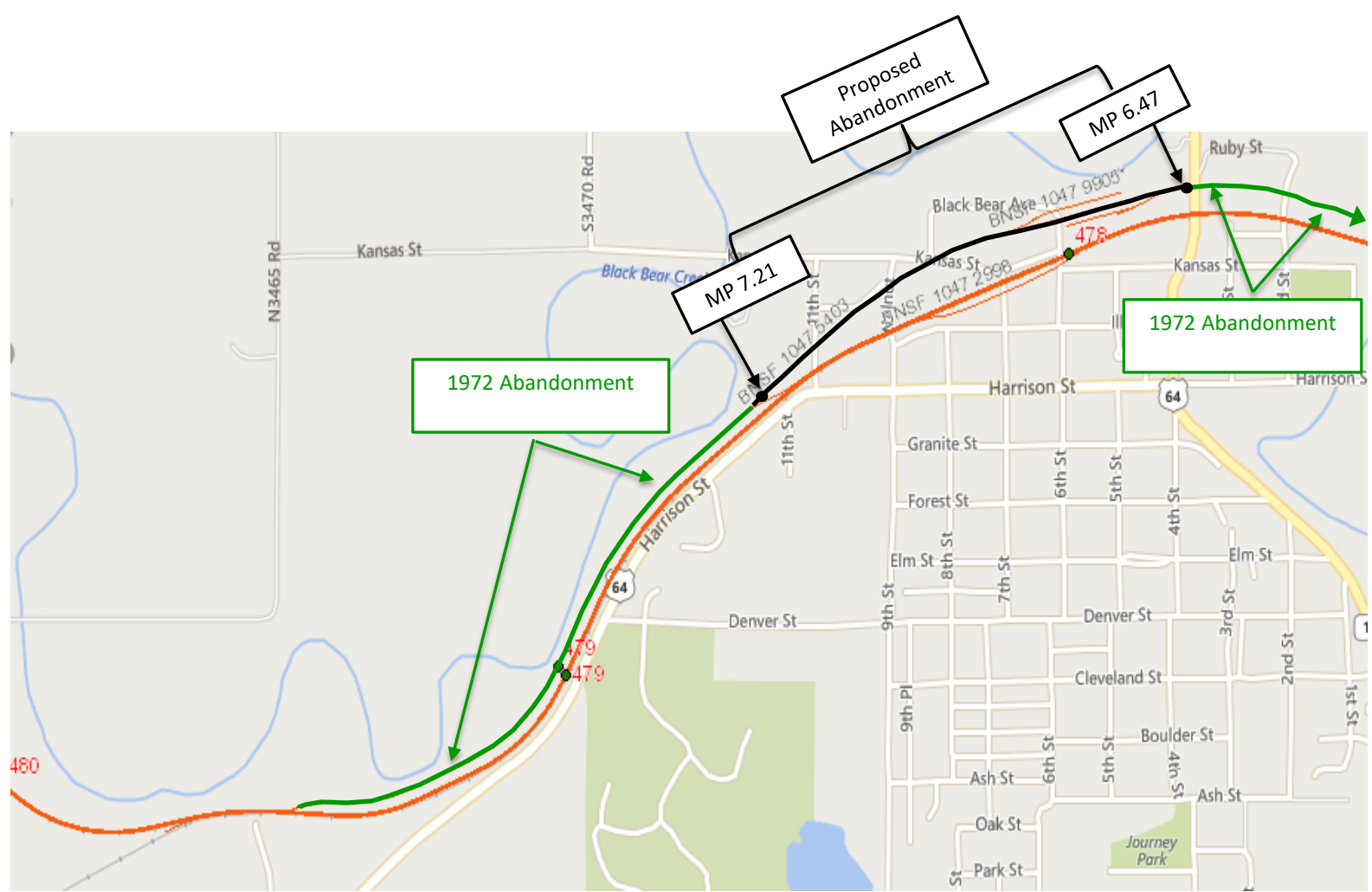


EXHIBIT E

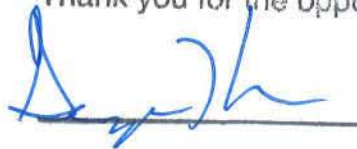
Letter sent to the Oklahoma Field Office of the Bureau of Land Management
and the response:

Peter W. Denton
202 429 6445
pdenton@step toe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.step toe.com

Step toe
STEP TOE & JOHNSON LLP

No BLM interests would be affected by this project.
Thank you for the opportunity to review.



12-12-18

November 30, 2018

Bureau of Land Management
Oklahoma Field Office
201 Stephenson Parkway
Suite 1200
Norman, OK 73072

**Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma**

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

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For your reference I have enclosed a map of the subject railroad line. Information on BNSF’s salvage process as it relates to this project is included below.

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Please provide your assessment and comments to me at the address above by December 30, 2018. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

Sincerely,



Peter W. Denton

Enclosure as stated

EXHIBIT F

Letter sent to the Intermountain Regional Office of the U.S. National Park
Service:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



November 30, 2018

Intermountain Regional Office
National Park Service
P.O. Box 25287
Denver, CO 80225-0287

***Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma***

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

As part of the requisite environmental report, BNSF needs to know: (1) whether wildlife sanctuaries or refuges, National or State parks or forests will be affected; and (2) if so, what effects the proposed action may have on same.

(1) whether the proposed action is consistent with applicable Federal, State or local water quality standards. If applicable, please describe any inconsistencies.

(2) whether or not permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) or permits under the National Pollutant Discharge Elimination System (“NPDES”) are required for performance of the salvage activity described below.

For your reference I have enclosed a map of the subject railroad line. Information on BNSF’s salvage process as it relates to this project is included below.

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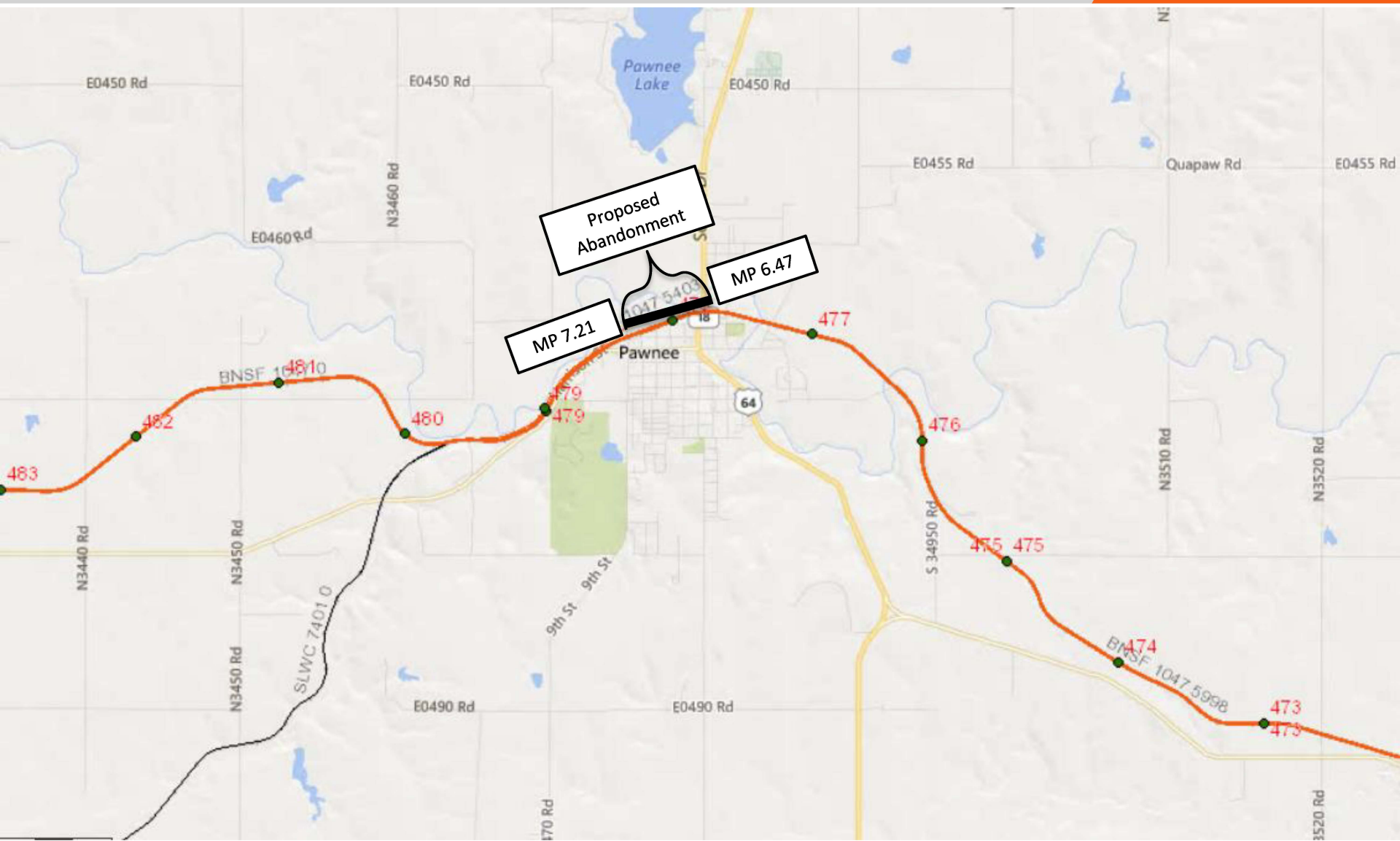
Sincerely,

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Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map

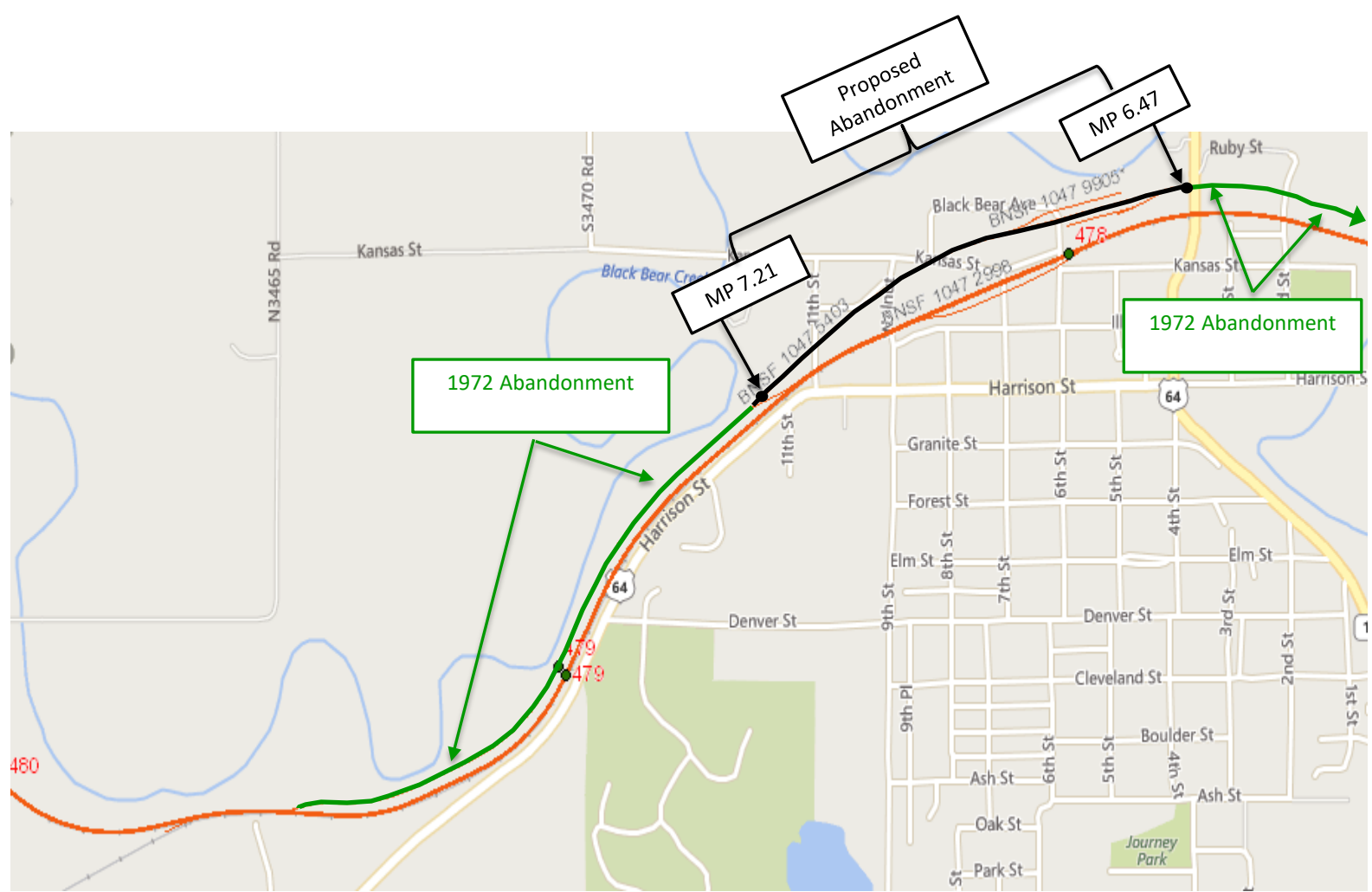


EXHIBIT G

Letter sent to the Water Quality Division of the Oklahoma Department of
Environmental Quality and the response:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



November 30, 2018

Oklahoma Department of Environmental Quality
Water Quality Division
P.O. Box 1677
Oklahoma City, OK 73101-1677

Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment Exemption—in Pawnee County, Oklahoma

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

As part of the requisite environmental report, BNSF needs to know:

- (1) whether the proposed action is consistent with applicable Federal, State or local water quality standards. If applicable, please describe any inconsistencies.
- (2) whether or not permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) or permits under the National Pollutant Discharge Elimination System (“NPDES”) are required for performance of the salvage activity described below.

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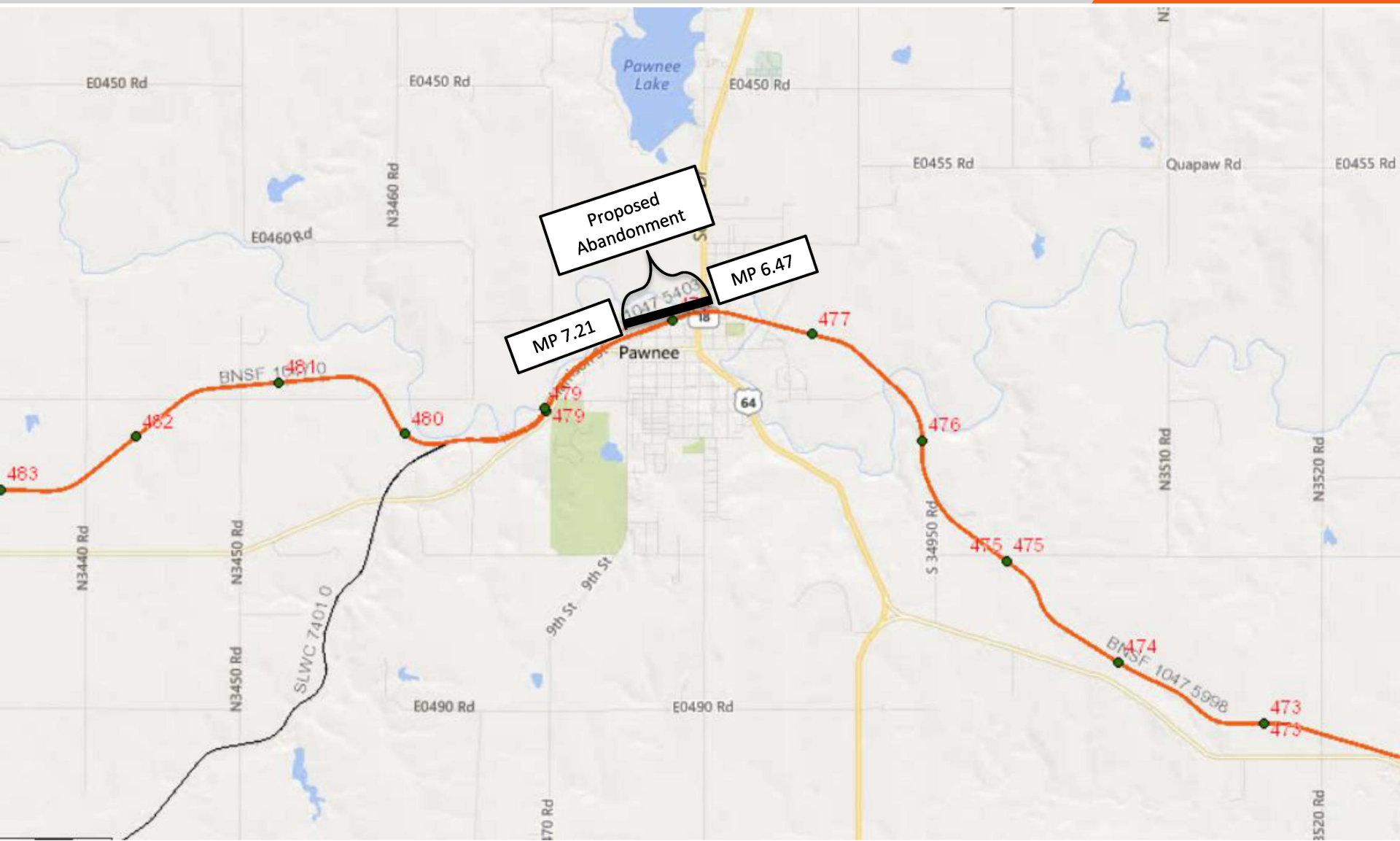
Sincerely,

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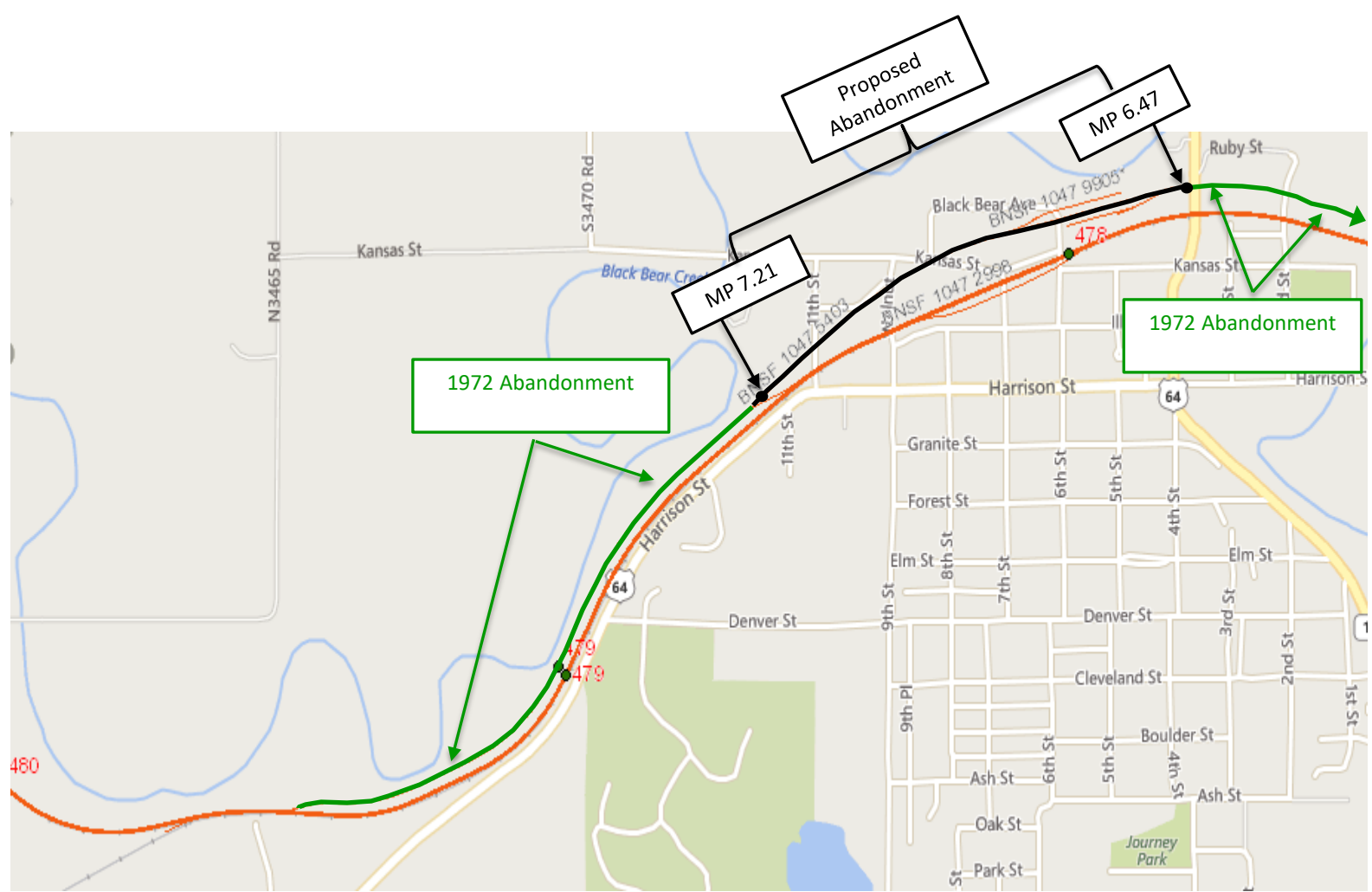
Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map



Nural, Sarah

From: Jon Roberts <Jon.Roberts@deq.ok.gov> on behalf of DEQ EnvReviews
<EnvReviews@deq.ok.gov>
Sent: Tuesday, December 18, 2018 9:33 AM
To: Denton, Peter
Subject: Environmental Review

Dear Mr. Denton:

In response to your request, we have completed an environmental review of air, land and water records for the project listed below. Additional recommendations to consider as you complete your projects may be found at <https://go.usa.gov/xnhCE>.

Project

Letter dated November 30, 2018 – STB Docket No. AB 6 (Sub No. 498X); BNSF Railway Abandonment, Pawnee County, OK

Comments

While no environmental concerns under DEQ jurisdiction are anticipated, please be aware of the following regulatory requirements.

A. Prior to beginning any construction activity disturbing more than one acre, you must submit an NOI and obtain authorization under OKR10, construction stormwater.

B. As you assess environmental risk posed by the project, please refer to DEQ Land Protection GIS data layers available for download at: <http://gisdata-deq.opendata.arcgis.com/>.

Future requests may be submitted electronically to EnvReviews@deq.ok.gov by attaching a single pdf file containing your request and any attachments.

If you have any questions or need clarification, please contact me.

Regards,

Jon A. Roberts, Senior Manager
Office of External Affairs
Oklahoma Department of Environmental Quality
P. O. Box 1677
707 N. Robinson Ave.
Oklahoma City, OK 73101-1677
Ph: (405) 702-7111
<http://www.deq.state.ok.us/OEA/index.html>

Nural, Sarah

From: Jon Roberts <Jon.Roberts@deq.ok.gov> on behalf of DEQ EnvReviews
<EnvReviews@deq.ok.gov>
Sent: Wednesday, February 27, 2019 12:42 PM
To: Nural, Sarah
Subject: Environmental Impact Review

Dear Ms. Nural:

In response to your request, we have completed an environmental review of air, land and water records for the project listed below.

Project

Letter dated February 6, 2019 – Environmental Report for STB Docket No. AB 6 (Sub-No. 498X, BNSF Railway Abandonment, Pawnee County, OK

Comment

DEQ has no additional comments beyond those in our December 18, 2018 email included in Exhibit G.

Future requests may be submitted electronically to EnvReviews@deq.ok.gov by attaching a single pdf file containing your request and any attachments.

Thank you for the opportunity to provide our comments. If you have any questions or need clarification, please contact me.

Regards,

Jon A. Roberts, Senior Manager
Office of External Affairs
Oklahoma Department of Environmental Quality
P. O. Box 1677
707 N. Robinson Ave.
Oklahoma City, OK 73101-1677
Ph: (405) 702-7111
<http://www.deq.state.ok.us/OEA/index.html>

EXHIBIT H

Letter sent to Region 6 of the U.S. Environmental Protection Agency:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



November 30, 2018

U.S. Environmental Protection Agency, Region 6
Fountain Place 12th Floor, Suite 1200
1445 Ross Avenue
Dallas, TX 75202-2733

***Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma***

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

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Please provide your assessment and comments to me at the address above by December 30, 2018. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

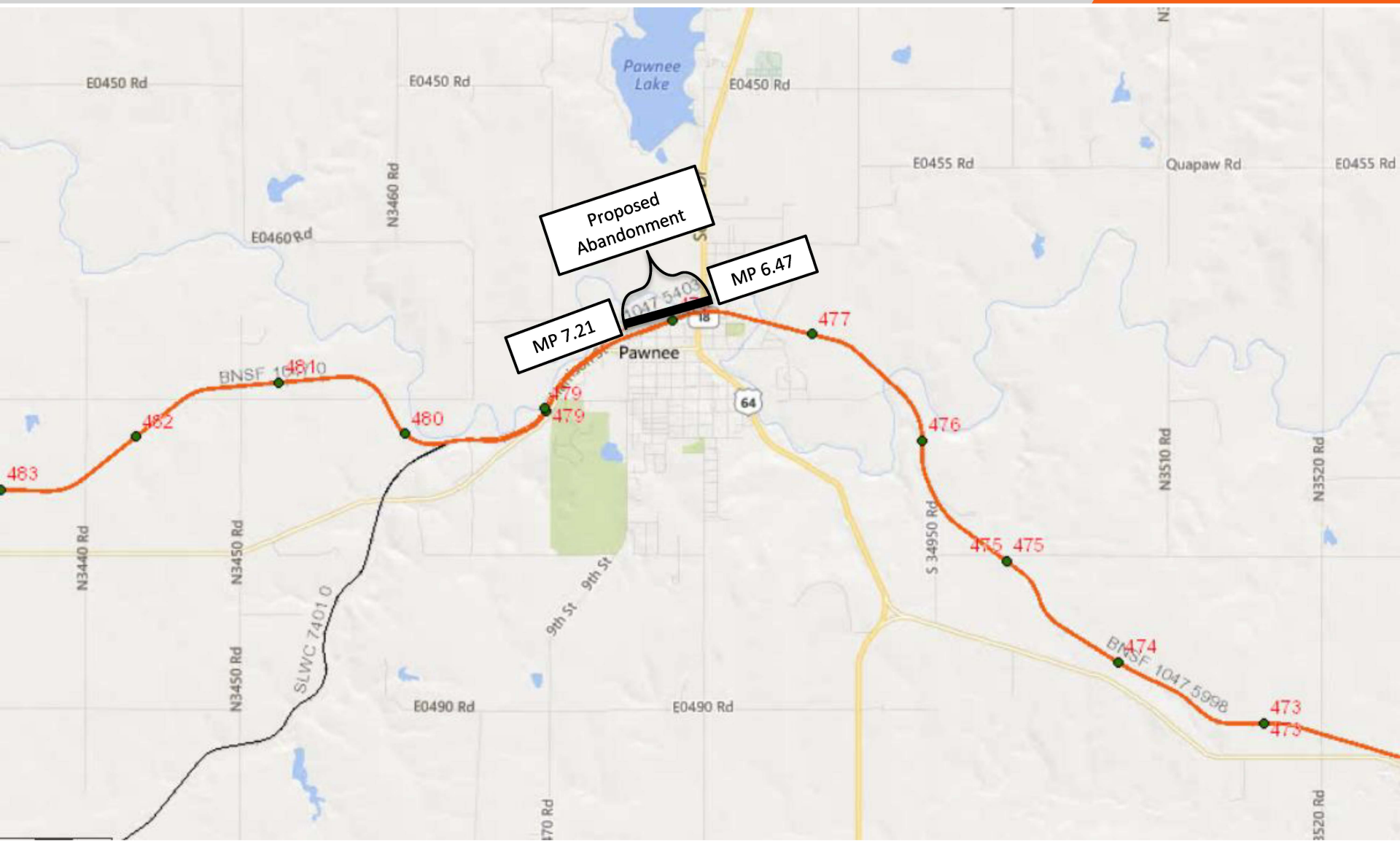
Sincerely,

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Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map

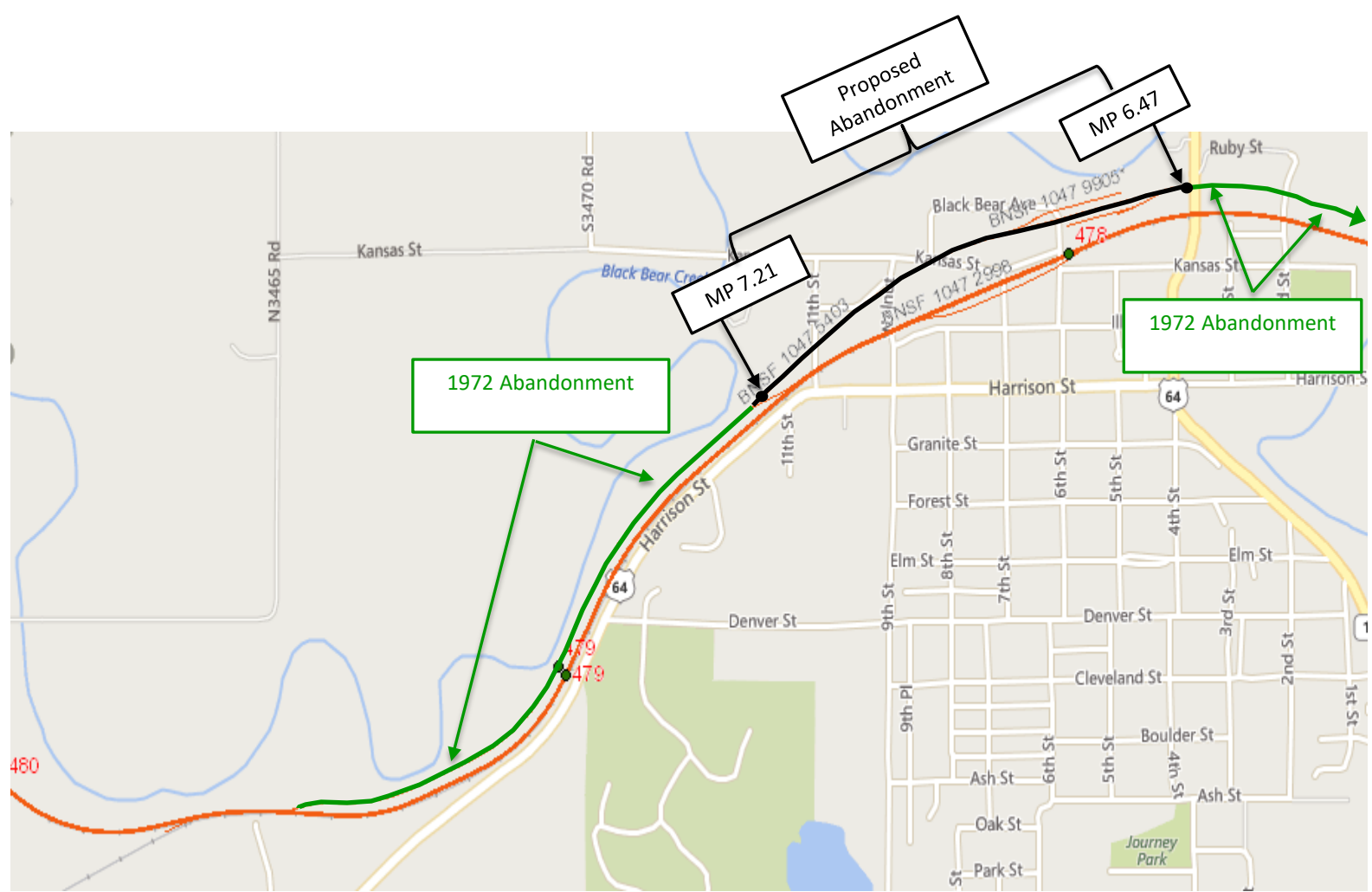


EXHIBIT I

Letter sent to the Tulsa District of the U.S. Army Corps of Engineers and the response:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



November 30, 2018

U.S. Army Corps of Engineers
Tulsa District
2488 East 81st Street
Tulsa, OK 74137-4290

***Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma***

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

As part of the requisite environmental report, BNSF needs to know: (1) 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; and (2) if so, what effects the proposed action may have on same.

For your reference I have enclosed a map of the subject railroad line. Information on BNSF’s salvage process as it relates to this project is included below.

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Please provide your assessment and comments to me at the address above by December 30, 2018. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

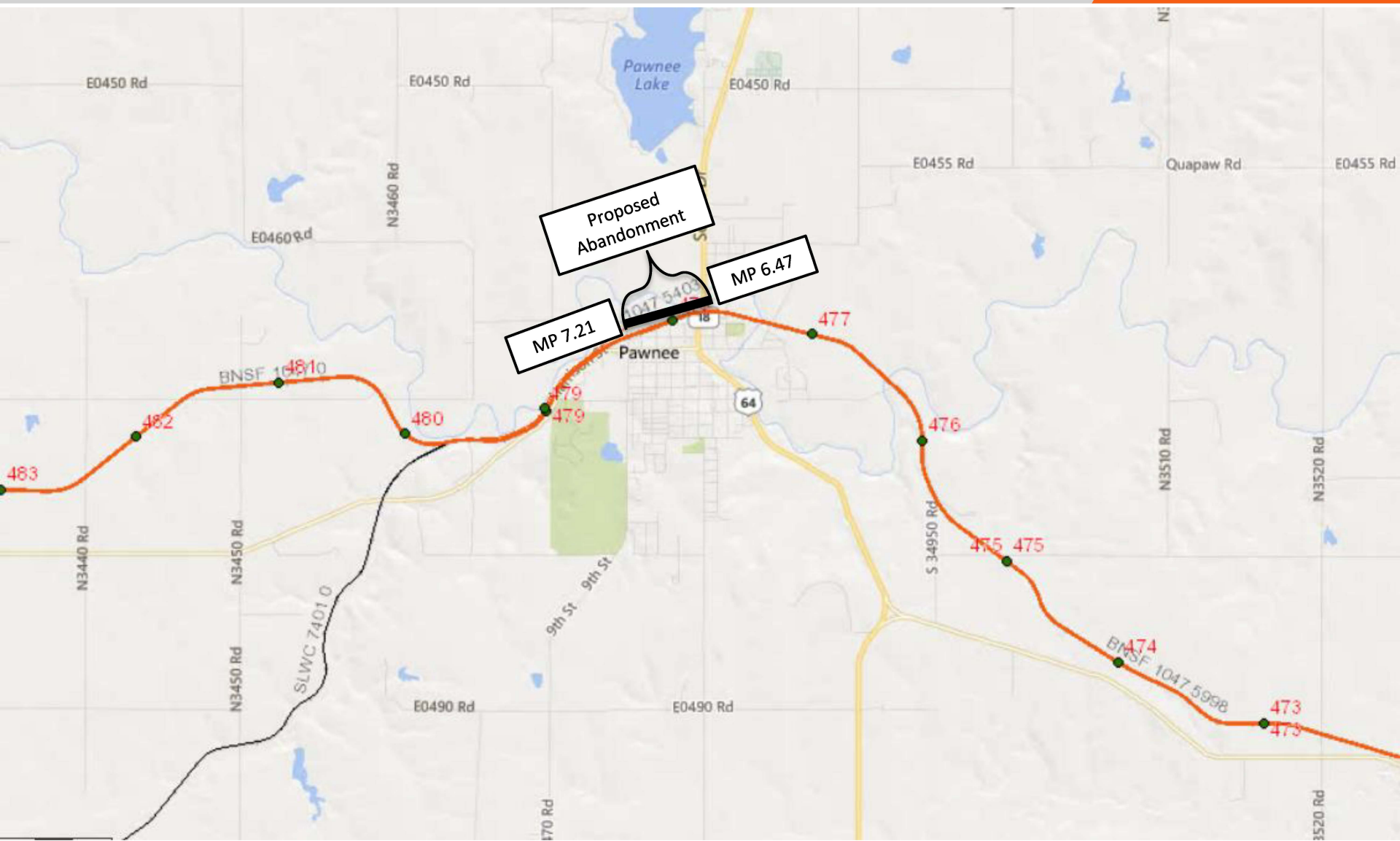
Sincerely,

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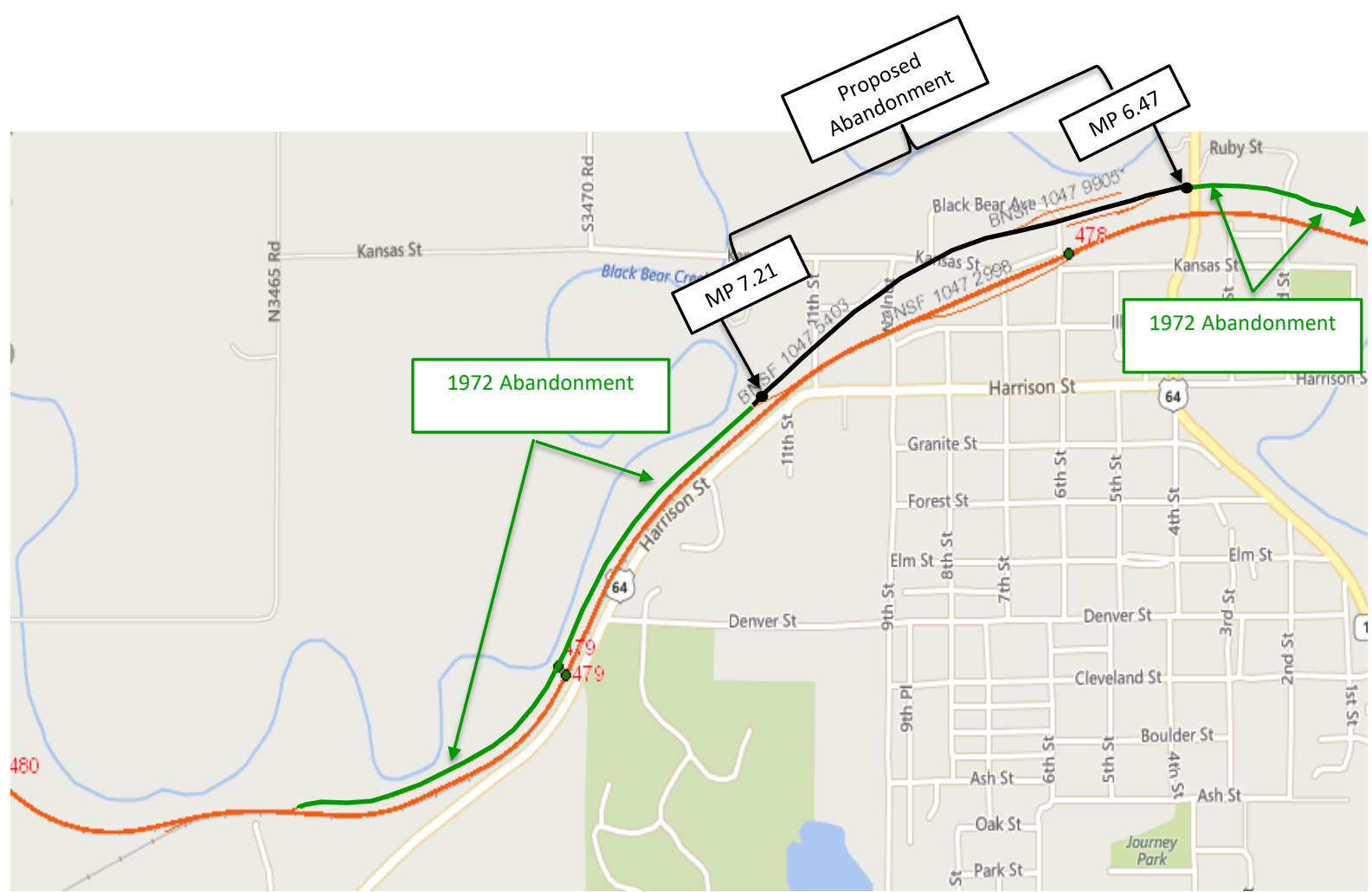
Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map





DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, TULSA DISTRICT
2488 EAST 81ST STREET
TULSA, OKLAHOMA 74137-4290

January 16, 2019

Regulatory Office

Mr. Peter Denton
Steptoe
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

Dear Mr. Denton:

Please reference your correspondence dated December 19, 2018, concerning the BNSF Railway abandonment project. The proposed project is located in Section 31, Township 22 N, Range 5 E, in Pawnee County, Oklahoma. We have reviewed the submitted data relative to Section 404 of the Clean Water Act (CWA).

Your proposal is not subject to regulation pursuant to Section 404 of the CWA, and a Department of the Army (DA) permit will not be required. Should your method of construction necessitate such a discharge into jurisdictional water, we suggest that you resubmit that portion of your project so that we may determine whether an individual DA permit will be required.

This No Permit Required determination does not address nor include any consideration for geographic jurisdiction on aquatic resources and shall not be interpreted as such.

Although Section 404 of the CWA authorization is not required, this does not preclude the possibility that a real estate interest or other Federal, State, or local permits may be required. If you desire to complete a "Customer Service Survey" on your experience with the Corps Regulatory Program, you are invited to visit http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey on the internet at your convenience and submit your comments.

Your project has been assigned Identification Number SWT-2019-00023. Please refer to this number during future correspondence. If further assistance is required, contact Mr. Bryan Noblitt at (918) 669-4904.

Sincerely,

Bryan Noblitt
for Andrew R. Commer
Chief, Regulatory Office

EXHIBIT J

Letter sent to the Oklahoma Archeological Survey and the response:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



November 30, 2018

Oklahoma Archeological Survey
The University of Oklahoma
111 Chesapeake Street
Norman, OK 73019-5111

***Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma***

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

As part of the requisite historic report, BNSF needs to know: (1) whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4); and (2) whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area.

For your reference I have enclosed a map of the subject railroad line. Information on BNSF’s salvage process as it relates to this project is included below.

The proposed abandonment will include the removal of the rails and ties; however, the railroad right of way, ballast and culverts will remain in place.

The salvage process begins with the unbolting of the track materials or rails. With the use of specialized machinery placed on the railroad right of way, the rails and related steel (angle bars, tie plates, spikes, switches and any other metal parts) are removed. Next the wooden ties are raised from among the ballast with a tool designed for minimum disruption of ground material. The ties are separated into three groups as follows: (1) good quality ties that will be re-used in rail service, (2) landscape-quality ties that will be re-sold to lumber dealers for landscaping and (3) scrap ties. Scrap ties are loaded into railcars and shipped by BNSF to an EPA-approved disposal site.

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Please provide your assessment and comments to me at the address above by December 30, 2018. You may contact me by email or telephone with any questions or concerns.

Thank you in advance for your time and contribution.

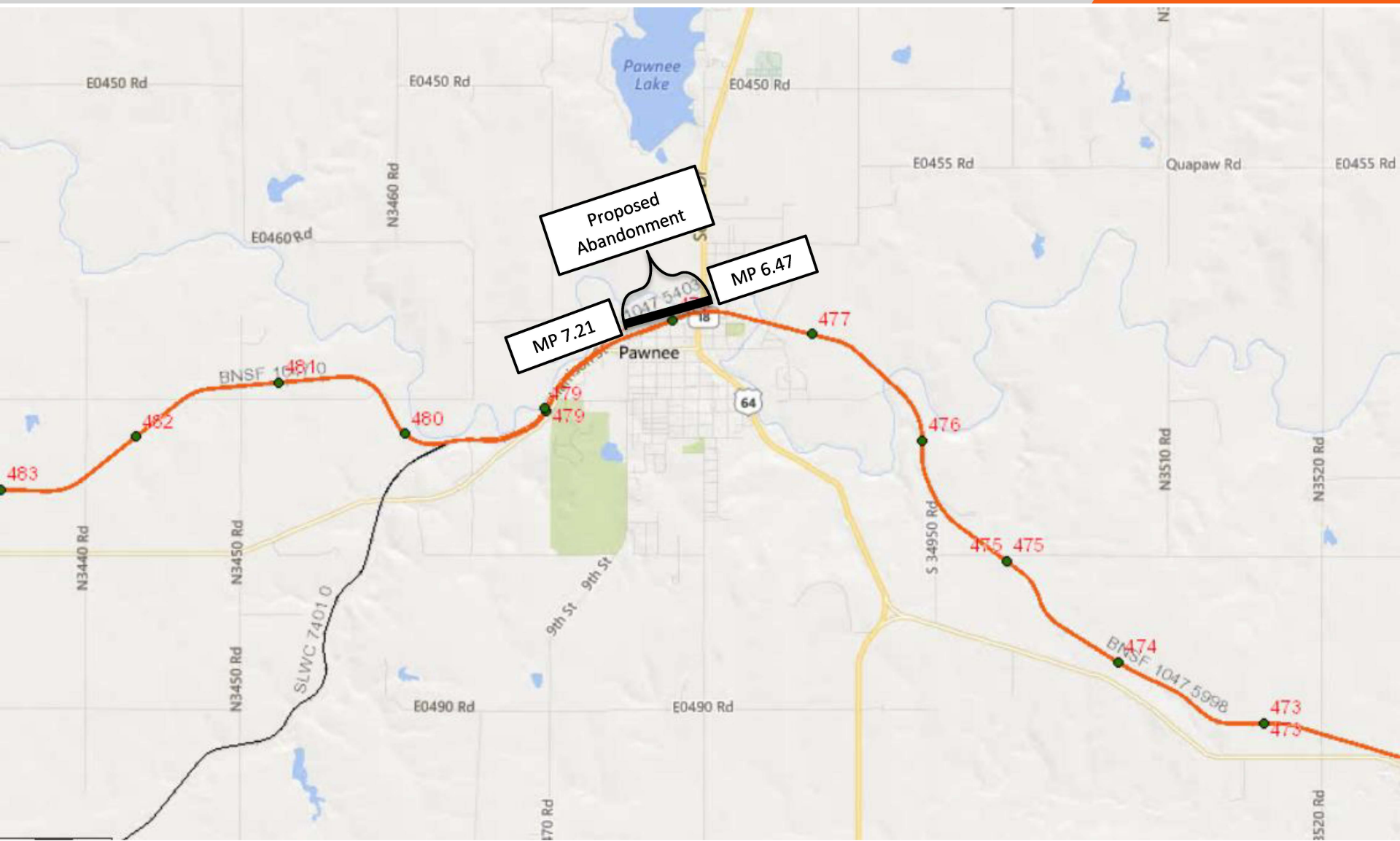
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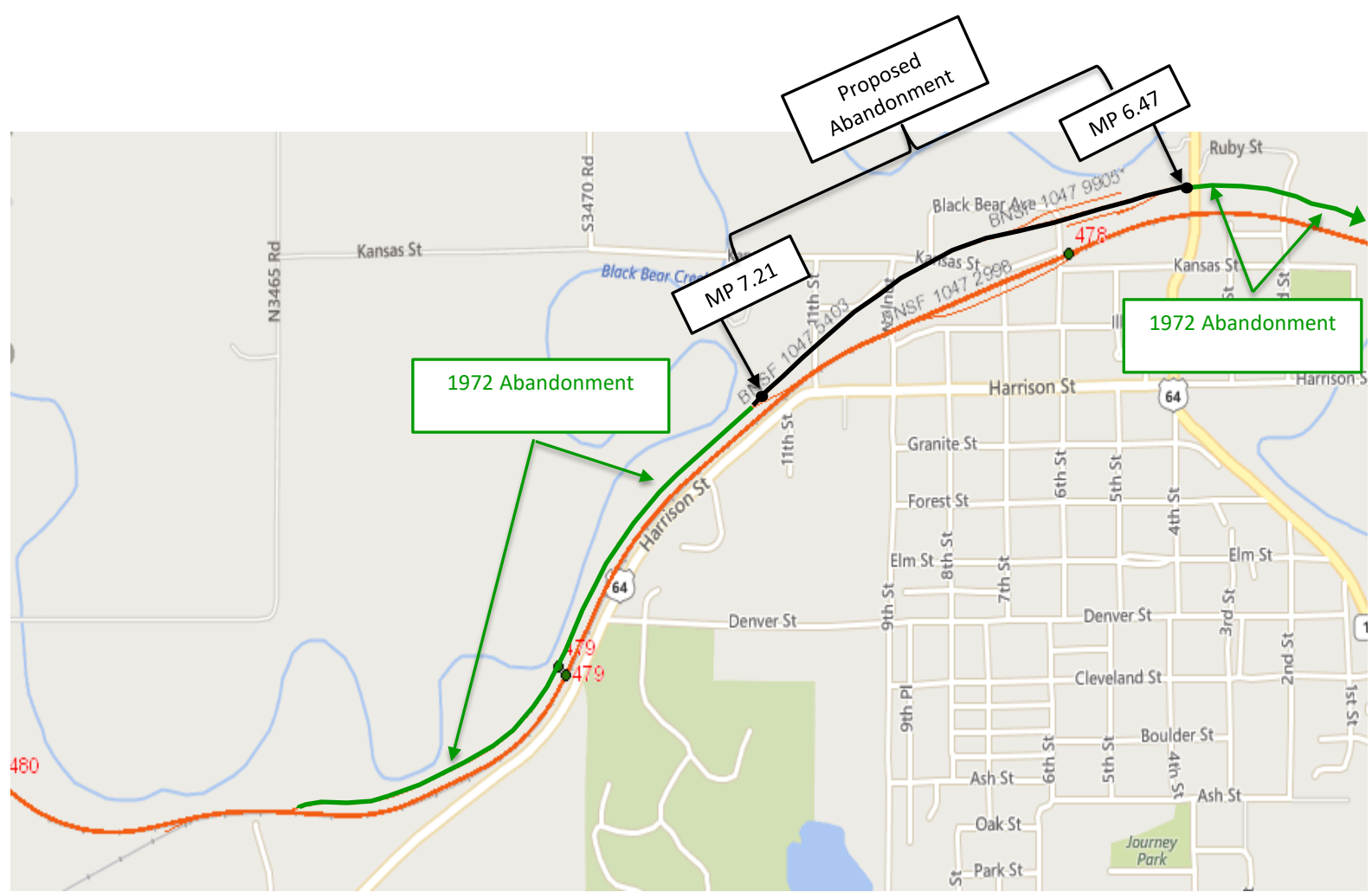
Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map





Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

December 4, 2018

Peter Denton
Steptoe & Johnson LLP
1330 Connecticut Avenue NW
Washington, DC 20036-1795

Re: BNSF Railway Company Proposes the Abandonment of 0.74 Miles of Railway Track:
Sub-No. 498X.
Legal Description: S ½ of Section 31, T22N, R5E, Pawnee County, Oklahoma.

Dear Mr. Denton:

The Community Assistance Program staff of the Oklahoma Archeological Survey has reviewed the above referenced project in order to identify areas that may potentially contain prehistoric or historic archeological materials (historic properties). The location of your project has been crosschecked with the state site files containing approximately 26,500 archaeological sites, which are currently recorded for the state of Oklahoma. No sites are listed as occurring within your project area, and based on the topographic and hydrologic setting, no archaeological materials are likely to be encountered. Thus, an archaeological field inspection is not considered necessary. Please contact this office at (405) 325-7211 if buried archaeological materials such as chipped stone tools, pottery, bone, historic crockery, glass, metal items or building materials are exposed during construction activities.

This environmental review and evaluation is done in cooperation with the State Historic Preservation Office, Oklahoma Historical Society. The responsible federal agency or their official delegate must also have a letter from that office to document consultation pursuant to Section 106 of the National Historic Preservation Act.

In addition to our review comments, under 36CFR Part 800.3 you are reminded of your responsibility to consult with the appropriate Native American tribe/groups to identify any concerns they may have pertaining to this undertaking and potential impacts to properties of traditional and/or ceremonial value.

Sincerely,

Candace N. Parker
Staff Archaeologist

Kary L. Stackelbeck, Ph.D.
State Archaeologist

: hjw

cc: SHPO





Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

March 13, 2019

Peter Denton
Steptoe & Johnson LLP
1330 Connecticut Avenue NW
Washington, DC 20036-1795

Re: OAS FY19-0516 BNSF Railway Company Proposes the Abandonment of 0.74
Miles of Railway Track: Sub-No. 498X.
Legal Description: S ½ of Section 31, T22N, R5E, Pawnee County, Oklahoma.

Dear Mr. Denton:

This agency received a notification letter indicating that BNSF will file an Abandonment Exemption Notice with the Surface Transportation Board for Line Segment 1047 (formerly 7401). We have no new comments to issue beyond those included in our previous letter dated December 4, 2018. This review has been conducted in cooperation with the Oklahoma SHPO. You must also have a letter from that office to document your consultation pursuant to Section 106 of the National Historic Preservation Act.

Sincerely,

Kary L. Stackelbeck, Ph.D.
State Archaeologist

: hjw
cc: SHPO



EXHIBIT K

Letter sent to the Oklahoma Historical Society and the response:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoe.com



November 30, 2018

State Historic Preservation Office
Oklahoma Historical Society
800 Nazih Zuhdi Drive
Oklahoma City, OK 73105

***Re: STB Docket No. AB 6 (Sub-No. 498X); BNSF Railway Company—Abandonment
Exemption—in Pawnee County, Oklahoma***

BNSF Railway Company (“BNSF”) anticipates filing in the near future a Notice of Exemption seeking Surface Transportation Board (“STB”) authority in the above-referenced docket to abandon approximately 0.74 miles of track between Milepost 6.47 and Milepost 7.21 in Pawnee County, Oklahoma.

As part of the requisite historic report, BNSF needs to know: (1) whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4); and (2) whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area.

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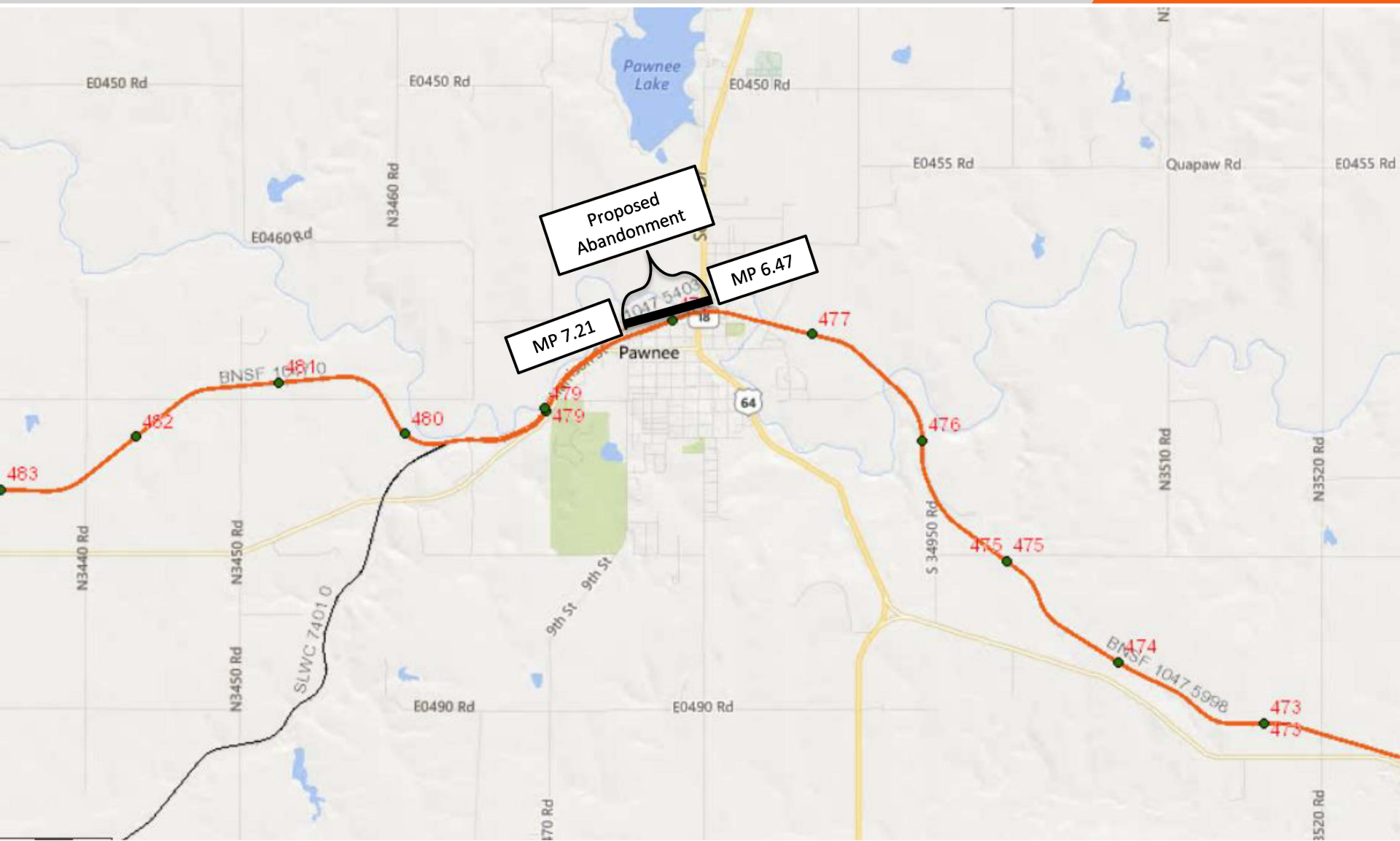
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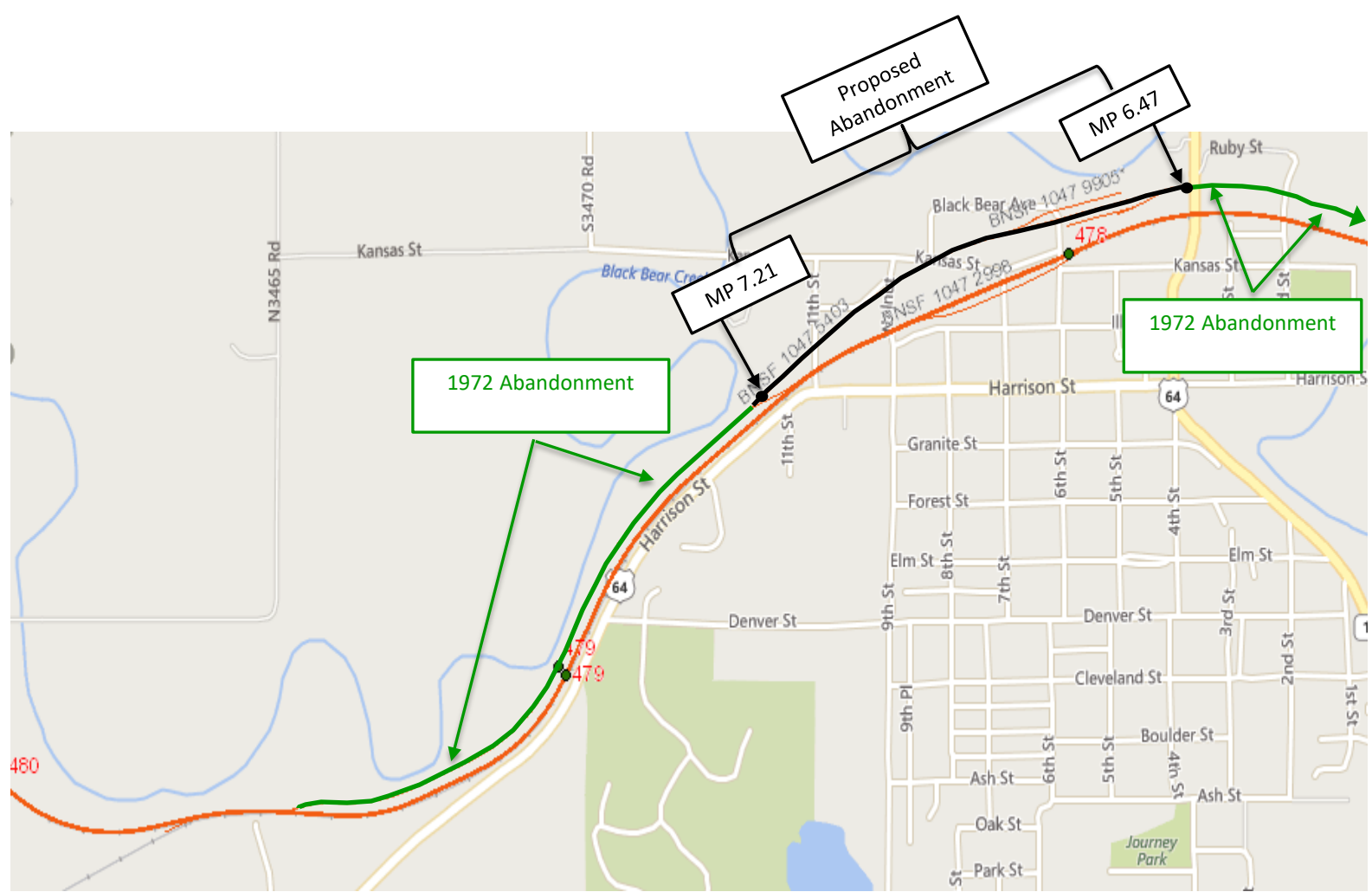
Peter W. Denton

Enclosure as stated

Pawnee, OK – Abandonment Map



Pawnee, OK – Abandonment Map





Oklahoma Historical Society
State Historic Preservation Office

Founded May 27, 1893

Oklahoma History Center • 800 Nazih Zuhdi Drive • Oklahoma City, OK 73105-7917
(405) 521-6249 • Fax (405) 522-0816 • www.okhistory.org/shpo/shpom.htm

December 11, 2018

Mr. Peter Denton
Steptoe
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

RE: File #0477-19; BNSF Railway Abandonment Project Between Mileposts 6.47 & 7.21

Dear Mr. Denton:

We have received and reviewed the documentation concerning the referenced project in Pawnee County. Additionally, we have examined the information contained in the Oklahoma Landmarks Inventory (OLI) files and other materials on historic resources available in our office. We find that there are no historic properties affected by the referenced project.

Thank you for the opportunity to comment on this project. We look forward to working with you in the future.

If you have any questions, please contact me at 405/522-4484.

Should further correspondence pertaining to this project be necessary, please reference the above underlined file number. Thank you.

Sincerely,

Lynda Ozan
Deputy State Historic
Preservation Officer

LO:jr

EXHIBIT L

Letter sent to the Communications and Outreach Branch, NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340:

Peter W. Denton
202 429 6445
pdenton@steptoe.com

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoel.com



November 30, 2018

Communications and Outreach Branch, NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East-West Highway
Silver Spring, MD 20910-3282

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As part of the requisite environmental report, BNSF needs to know whether or not any geodetic survey marks may be located in the area described.

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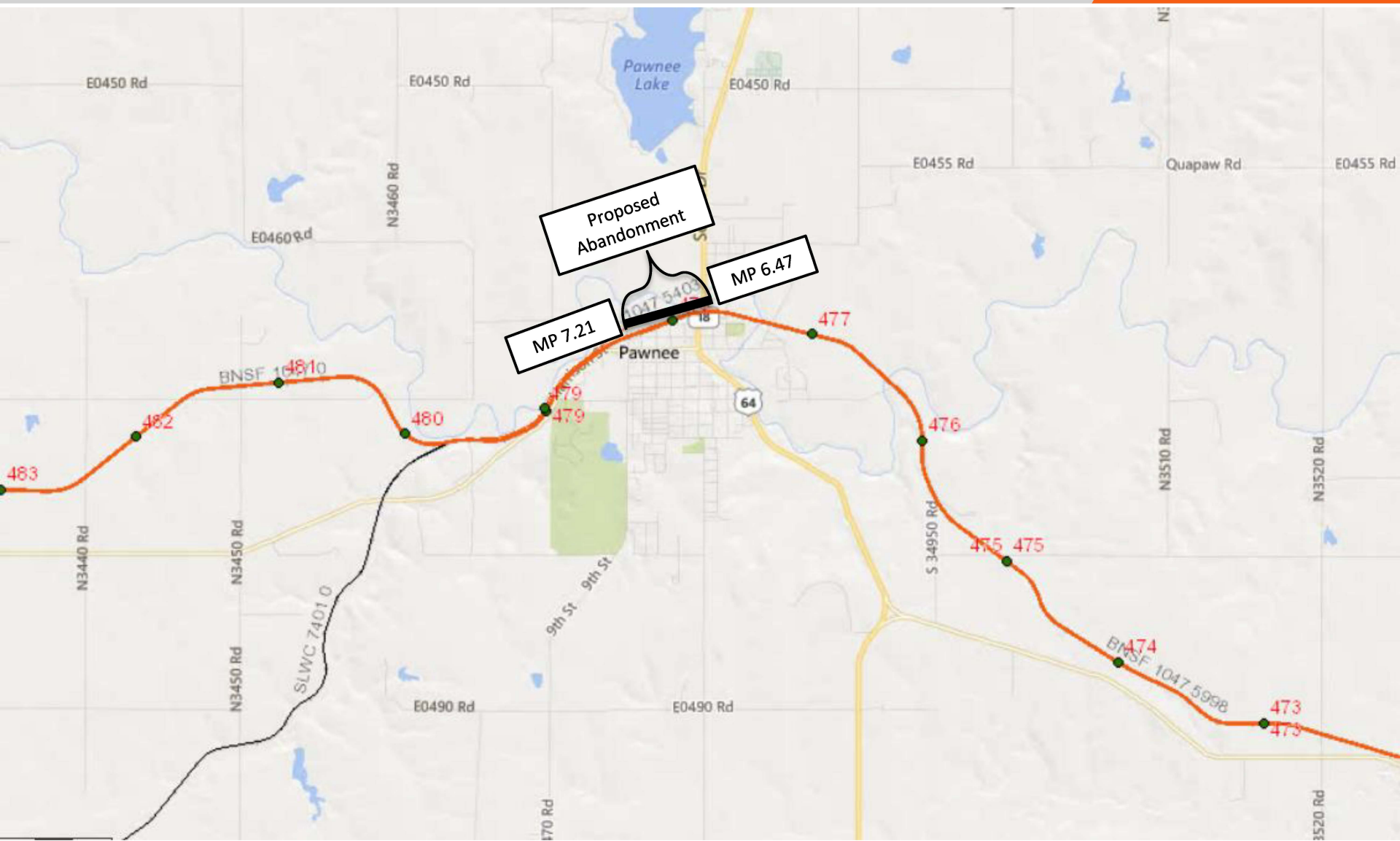
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Peter W. Denton

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Pawnee, OK – Abandonment Map

