



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

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2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2648 • (208) 769-1422

UTILITIES COMMISSION  
Dirk Kempthorne, Governor  
Toni Hardesty, Director

BNR-R-06-01

April 10, 2006

Ron Law  
Executive Administrator  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, Idaho 83720-0074

Dear Mr. Law:

Ed Tulloch, Water Quality Manager for the Coeur d'Alene DEQ, asked me to send you a copy of a letter he wrote last week to Sidney Strickland and Associates.

If you have any questions, please give Ed a call at (208) 769-1422.

Sincerely,

A handwritten signature in cursive script that reads "Donna Harvey".

Donna Harvey  
Accounts Payable



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2648 • (208) 769-1422

Dirk Kempthorne, Governor  
Toni Hardesty, Director

April 7, 2006

 **COPY**

Sidney Strickland and Associates, PLLC  
3050 K St. N.W., Suite 101  
Washington, DC 20007-5108

Re: STB Docket No. AB-6 (Sub. No. 441X) BNSF Railway Company- Abandonment  
Exemption-in Kootenai County, ID

Dear Mr. Strickland:

In response to your letter dated March 24, 2006, and based upon the information presented, it does not appear the proposed abandonment will take place in or near waters of the State of Idaho. As such, the proposed action appears to be consistent with state water quality standards. In the State of Idaho, the U.S. Environmental Protection Agency has primacy for the NPDES permit program, and you will need to contact that agency for further information regarding NPDES permit requirements.

If you have further questions, please feel to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Ed Tulloch".

Ed Tulloch  
Regional Water Quality Manager

**SIDNEY STRICKLAND AND ASSOCIATES, PLLC**

3050 K ST. N.W., SUITE 101  
WASHINGTON, DC 20007-5108  
TELEPHONE: 202-295-4672  
FAX: 202-672-5399

SIDNEY L. STRICKLAND, JR.  
SIDNEY.STRICKLAND@STRICKLANDPLLCCOM

March 24, 2006

Administrator  
Department of Environmental Quality  
P.O. Box 83720  
1410 North Hilton  
Boise, ID 83706-1255

 **COPY**

RECEIVED  
APR 06 2006  
DEQ-Coeur d'Alene  
Regional Office

**Re: STB Docket No. AB-6 (Sub. No. 441X) BNSF Railway Company—  
Abandonment Exemption – in Kootenai County, ID**

Dear Sir or Madam:

BNSF Railway Company (“BNSF”) plans on filing with the Surface Transportation Board (“STB”) a Notice of Exemption seeking authority in the above docket to abandon 2.12 miles of railroad line between Milepost 12.33 and Milepost 14.45, in Coeur d’Alene in Kootenai County, Idaho.

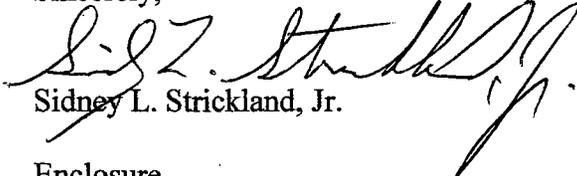
The proposed abandonment may require removal of bridges and structures and the removal of track materials such as rails and ties but the roadbed will be left intact. No placement of dredge or fill material in any inland waterways is anticipated to result from abandonment and/or salvage.

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

For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by April 21, 2006. If you have any questions, please do not hesitate to contact me at (202) 295-4024.

Thank you in advance for your cooperation.

Sincerely,

  
Sidney L. Strickland, Jr.

Enclosure  
SLS/ew