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December 17, 2013
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December 17, 2013

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D. C. 20423

re: Docket No. AB 1087 (Sub-No. 1), Grenada Railway LLC—Petition for
Abandonment Exemption—In Montgomery, Carroll, Holmes, Yazoo
and Madison Counties, Mississippi

Dear Ms. Brown:

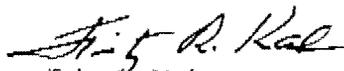
Attached for filing in the subject docket are the HIGHLY CONFIDENTIAL and
Public Versions of the Petition for Abandonment Exemption of the Grenada Railway
LLC.

The Payment Form with credit card information in payment of the \$6,700.00
filing fee was facsimile transmitted to the Board earlier today.

GRYR's Motion for Protective Order was granted by Decisions served December
16, 2013.

If you have any question concerning this filing or if I otherwise can be of
assistance, please let me know.

Sincerely yours,


Fritz R. Kahn

FEE RECEIVED
December 17, 2013
Surface Transportation Board

FILED
December 17, 2013
Surface Transportation Board

PUBLIC VERSION

SURFACE TRANSPORTATION BOARD

Docket No. AB 1087 (Sub-No. 1X)

GRENADA RAILWAY LLC
-- PETITION FOR ABANDONMENT EXEMPTION --
IN MONTGOMERY, CARROLL, HOLMES,
YAZOO AND MADISON COUNTIES, MISS.

PETITION FOR ABANDONMENT EXEMPTION
OF
GRENADA RAILWAY LLC

Fritz R. Kahn
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Attorney for

GRENADA RAILWAY LLC

Dated: December 17, 2013

SURFACE TRANSPORTATION BOARD

Docket No. AB 1087 (Sub-No. 1X)

GRENADA RAILWAY LLC
--PETITION FOR ABANDONMENT EXEMPTION--
IN MONTGOMERY, CARROLL, HOLMES,
YAZOO AND MADISON COUNTIES, MISS.

PETITION FOR ABANDONMENT EXEMPTION
OF
GRENADA RAILWAY LLC

Petitioner, Grenada Railway LLC ("GRYR"), pursuant to 49 U.S.C. § 10502(a) and 49 C.F.R. § 1121.1 *et seq.*, seeks an exemption from the prior approval requirements of 49 U.S.C. § 10903 and 49 C.F.R. § 1152.1, *et seq.*, to abandon the southern segment of its line of railroad, and, in support of its Petition for Abandonment Exemption, GRYR states, as follows:

I.

The line proposed to be abandoned

GRYR was organized to purchase from the Illinois Central Railroad Company ("IC") its Grenada Branch extending between Milepost 403.0 at Southaven, south of Memphis, Tennessee, and Milepost 703.8 north of Canton, Mississippi, as well as its Waterloo Railway Company. IC offered to sell the railroad line since it had a parallel railroad line to the west, known as the Yazoo District, extending between Memphis and Jackson, MS, south of Canton. GRYR's acquisition and operation of the railroad line were authorized by the Board pursuant to the Verified Notice of Exemption in STB Finance Docket No. 35247, Grenada Railway LLC--Acquisition and Operation

Exemption--Illinois Central Railroad Company and Waterloo Railway Company, served May 29, 2009, 74 Fed. Reg. 25799, May 29, 2009. GRYR began operating the acquired railroad line the following month.

The southern portion of the railroad line which GRYR bought from IC has proved to be a financial fiasco, and GRYR has come to the conclusion that it has no alternative but to seek the Board's approval to abandon it. The line which GRYR proposes to abandon extends between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi ("Rail Line"). The Rail Line traverses U.S. Postal Service Zip Codes 38925, 38967, 39176, 39192, 39063, 39079, 39146 and 39179, which are the Zip Codes for the stations on the Rail Line, namely: Duck Hill, Eskridge, Winona, Vaiden, West, Durant, Goodman, Pickens and Vaughan. A schematic map of the Rail Line is attached as Exhibit A.

Believing that a 112-foot long concrete bridge built in 1914, located at Milepost 656.4, literally was falling apart, GRYR embargoed the bridge, effective July 26, 2011. AAR Embargo No. GRYR000111.¹ GRYR extended the embargo one year, to July 26, 2013, and inadvertently neglected to extend the embargo for another year, to July 26, 2014. To turn off the operating signals on the Rail Line, an inspector of the Federal Railroad Administration had GRYR turn over a 39-foot section of track at or near Milepost 625.6, posting a derail sign, and another 39-foot section of track at or near

¹ Recording an embargo with AAR's Railinc is a convenient way of notifying the public of a line's closure. It, however, is not a prerequisite for a railroad's validly embargoing a line. "Notices of embargoes are not authorized or required to be filed and published as tariffs, and they are subject to change without notice." *Florida Planters Inc. v. Florida East Coast Ry. Co.*, 262 I.C.C. 303, 305 (1945).

Milepost 703.8. The removal of the track avoided the risk of the embargoed bridge being crossed inadvertently. It, however, effectively embargoed the southern approximate 78 miles of the Rail Line.

Less than two months after embargoing the bridge, GRYR filed its Petition for Abandonment Exemption, Docket No. AB 1087X, *Grenada Railway, LLC--Petition for Abandonment Exemption--in Grenada, Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Miss.* GRYR's abandonment proposal was opposed by the Mississippi Transportation Commission, the U.S. Delta Regional Authority, two members of the U.S. Congress, three members of the Mississippi State Legislature, the Grenada County Economic Development District and the Mayors of Water Valley, Pickens and Kosciusko, as well as half a dozen shippers. GRYR believed that without a doubt its Petition would be denied by the Board. It, therefore, sought to withdraw its Petition, and the Board, by its Decision served November 20, 2011, granted GRYR's request and discontinued the abandonment proceeding. The embargo of the bridge at Milepost 656.4 according to Railinc's records remained in effect only until July 26, 2013. The bridge, however, remains in disrepair, and GRYR has not vacated the effective embargo of the bridge and the southern approximate 78 miles of the Rail Line.

II.

The embargo is a reasonable one.

GRYR is mindful of its common carrier obligation under 49 U.S.C. § 11101 to provide service for regulated traffic upon reasonable request. "That obligation is not absolute and may be temporarily suspended if the rail carrier is incapable of providing service [citation omitted]". Docket No. 35130, *Central Oregon & Pacific Railroad, Inc.-*

-Coos Bay Rail Line, served April 11, 2008, slip op. at 3. "[A] carrier may temporarily embargo a line when physical conditions on the line preclude it from being able to operate safely over the line. An embargo temporarily excuses a carrier from its common carrier obligation, but the carrier must remove the embargo and restore safe service within a reasonable period of time." Docket No. FD 34236, *Bolen-Brunson-Bell Lumber Company, Inc. v. CSX Transportation, Inc.*, served May 15, 2003, slip op. at 3-4.

The Board in several proceedings has articulated what may be deemed to be an appropriate suspension of a rail carrier's obligation under 49 U.S.C. § 11101 to provide service for regulated traffic upon reasonable request.

In Docket No. FD 32821, *Bar Ale, Inc. v. California Northern Railroad Co. and Southern Pacific Transportation Company*, served July 20, 2001, slip op. at 6-7, the Board explained:

"What constitutes a valid embargo is a fact-specific inquiry to be determined on a case-by-case basis. Embargoes are typically valid if justified by physical conditions affecting safety such as weather and flood damage, and tunnel deterioration, or operating restrictions such as congestion. But to be valid, an embargo must at all times be reasonable. Whether an embargo is reasonable is determined by balancing a number of factors, including the length of service cessation, the intent of the railroad, the cost of repairs, the amount of traffic on the line, and the financial condition of the carrier. Thus, for example, if the disability that prevented the carrier from performing its duty is eliminated, the carrier is financially able to remedy the disability, and there is no apparent reason why the

disability should not be remedied, an embargo may become unreasonable and no longer valid. If an embargo becomes unreasonable, the carrier is no longer excused from its duty to provide service and may be liable to shippers for damages [footnote omitted]."

In Docket No. FD 33386, *Decatur County Commissioners, et al. v. The Central Railroad Company of Indiana*, served September 29, 2000, slip op. at 7, *aff'd sub nom. Decatur County Commissioners v. STB*, 308 F.3d 710 (7th Cir. 2002), the Board said:

"The reasonableness of an embargo is determined by a balancing test, taking into consideration such factors as the length of service cessation, the carrier's intent, the cost of repair, the line's traffic volume and revenues, and the carrier's financial condition. The cost of repairs, relative to the volume of traffic on the line and the financial condition of the carrier, often is particularly important. Typically, an embargo is found to be invalid, or to constitute an unlawful abandonment, where the embargo is a lone one and the cost of repairs is not substantial [citations omitted]"

In Docket No. FD 23236, *Bolen-Brunson-Bell Lumber Company, Inc. v. CSX Transportation, Inc.*, *supra*, slip op. at 4, the Board held:

"The reasonableness of an embargo is a fact-specific inquiry to be determined on a case-by-case basis. Whether an embargo is reasonable, as well as how long an embargo may reasonably continue, is typically determined by considering various factors, such as: the cost of repairs necessary to restore service, the amount of traffic on the line, the carrier's intent, the length of the

service cessation, and the financial condition of the carrier. We do not apply these factors in a formulaic way, however. Rather, our objective is to determine whether the carrier's actions are reasonable under the circumstances. If an embargo becomes unreasonable, the carrier is no longer excused from its common carrier obligation, and it may be liable to shippers for damages caused by its failure to serve them [citations omitted]."

When evaluated by the Board's standards as unnciated in the foregoing decisions, GRYR's present embargo of the bridge at Milepost 656.4 and of the southern approximate 78 miles of the Rail Line is eminently reasonable. There is no dispute that the bridge is in disrepair. The only qualified physical engineer to have examined the bridge and estimated what it would cost to repair it is Mr. Edward W. Landreth of Landreth Engineering, LLC, Albuquerque, NM. His report, a copy of which is attached as Exhibit B, estimates the cost of repairing the bridge to be \$238,273.00. His report also notes that much of the Rail Line is in unacceptably poor condition. Ballast needs to be added, ties need to be replaced and rails need to resurfaced to bring the Rail Line to the FRA's Class I standardx, and Mr. Landreth estimates the cost of the requisite rehabilitation, including the repair of the bridge at Milepost 656.4, to come to \$33,827,928.00.

The projected volume of traffic on the Rail Line is inadequate to require the removal of the embargo of the bridge and southern approximate 78 miles of the Rail Line. There currently are only two shippers situated on the Rail Line, Winona

Hardwood² at Winona and³ Burrows Paper Corporation⁴ at Pickens. But for the embargo, Winona Hardwood anticipated shipping five carloads of lumber and Burrows, receiving 25 boxcars of wood pulp⁵ the second half of 2011. That simply is insufficient traffic to warrant the expenditure of the estimated cost of \$238,273.00 for the repair of the bridge at Milepost 656.4 and the estimated cost of \$33,827,928.00 for rehabilitating the line to FRA Class I standards, including the repair of the bridge.

In any event, GRYR since July 26, 2011, received no reasonable request for transportation or service from any shipper situated between Milepost 626.1 and Milepost 703.8, the embargoed southern approximate 78 miles of the Rail Line. As the Board noted in Docket No. NOR 42086, *Terminal Warehouse, Inc. v. CSX Transportation, Inc.*, served May 12, 2004, slip op. at 5, "[T]he record does not show any shipper requested service from [the railroad] during the 2-year out-of-service period. Any inquiry about [the railroad's] duty to repair the Line would have to be predicated upon [the railroad's] having received a reasonable request of service." "a reasonable request is one that is specific as to the volume, commodity, and time of shipment." Docket No. 34337, *Michael H. Meyer, Trustee in Bankruptcy for California Western Railroad, Inc. v. North*

² Winona Hardwood is a manufacturer of wood and wood products, exempt commodities.

³ Tri-County Cooperative formerly was situated on the Rail Line but no longer is. It received its last shipment from the GRYR in the Spring of 2011, before the bridge at Milepost 656.4 was embargoed.

⁴ By letter filed with the Board on November 4, 2013, Mr. Phillip G. Paras, Senior Vice President & Chief Financial Officer of Burrows Paper Corporation, a copy of which is attached as Exhibit C, stated that the company was not opposed to GRYR's proposed abandonment of the Rail Line.

⁵ Being shipped in boxcars, the wood pulp is an exempt commodity.

Coast Railroad Authority d/b/a Northwest Pacific Railroad, served January 31, 2007, slip op. at 4. *Accord*, Docket No. FD 34019. *Montezuma Grain Company, L.P. and Parke County Redevelopment Commission v. CSX Transportation, Inc.*, served May 12, 2004, slip op. at 10.

Moreover, the rail carrier's obligation, pursuant to 49 U.S.C. § 11101(a) to provide transportation or service on reasonable request applies only to commodities which have not been exempted under 49 U.S.C. § 10502. Rail carriers when transporting commodities such as lumber and wood products, pulp, paper or allied products (with certain exceptions)(49 C.F.R. § 1039.11) or freight shipped in boxcars (49 C.F.R. § 1039.14) are exempt from the provisions of 49 U.S.C. subtitle IV, including 49 U.S.C. 11701, *et seq.*, and 49 U.S.C. 11901, *et seq.*

The intent of GRYR is to foster the growth of the shippers situated on the Rail Line north of Milepost 626.1 and the economic well being of the communities they serve. GRYR switches the industries requiring the service four times a week, twice on the southbound trains and twice on the northbound trains⁶. It has refrained from increasing its shippers' tariff rates the four years since GRYR acquired the Rail Line, but on the contrary to date has kept its tariff rates on freight of all kinds at \$850.00 per car. If GRYR had increased its shippers' tariff rates by 3% a year, which is no greater than the annual rate increases which the Class I railroads have taken in that four-year period, their tariff rates would be \$956.68 per car, more than \$100.00 per car greater than the amount they currently are paying.

⁶ Demurrage ceases when the shipper notifies the railroad that a car has been loaded or unloaded, as the case may be, and is released to be picked up by the carrier. When the rail carrier actually picks up the loaded or unloaded car is irrelevant to the determination of demurrage.

Those shippers situated north of Milepost 626.1 which formerly sent cars south via Canton to Jackson and points beyond now need to route their cars via Memphis and the IC's Yazoo District Line. Such circuitous routings are not at all unusual, however, as a look at a railroad map makes evident. The Board thought it all right for shipments from Jersey City, New Jersey, destined to Brooklyn, New York, to be routed via Selkirk, New York. Docket No. AB 596, *New York City Economic Development Corporation -- Adverse Abandonment--New York Cross Harbor Railroad in Brooklyn, NY*, served May 12, 2003, *rev'd sub nom. New York Cross Harbor R.R. v. STB*, 374 F.3rd 1177 (DC. Cir. 2004). A shipment from Binghamton, New York, to Harrisburg, Pennsylvania., needs to be routed via Buffalo, New York. A shipment from Silver Bow, Montana, to Pendleton, Oregon, needs to be routed via Pocatello, Idaho. Many more examples might be cited. Such circuitous routing may take a little longer and cost a little more, but that is a product of the industry's location.

Grenada, however, is doing very well. Attached as Exhibit D are reprints from the web page of the Grenada County Economic Development District and from the community's two largest employers, Luvata and Advanced Distributor Products. The District boasts that "companies in Grenada continue to grow and prosper." Luvata, a manufacturer of copper tubing and air conditioning coils, last year had 994 employees and announced the expansion of its production facilities, adding a minimum of 20 full time jobs. Advanced Distributor Products is the number one producer of residential evaporator coils in the country with some 803 employees in 2012.

The service cessation on the bridge and southern approximate 78 miles of the Rail Line has been in effect a little over two years. That is not an unreasonable length of time

for embargoes. In Docket No. FD 33386, *Decatur County Commissioners, et al v. The Central Railroad Company of Indiana*, served September 29, 2000, slip op. at 21, the cessation of service for three and a half years did not render the embargo unreasonable. In Docket No. AB 55 (Sub-No. 631X), *CSX Transportation, Inc.--Abandonment Exemption--In Summit County, Ohio*, served May 12, 2004, slip op. at 5, the cessation of service for two years did not render the embargo unreasonable. In Docket No. AB 1022 (Sub-No. 1X), *Arizona & California Railroad Company--Abandonment Exemption--In Bernardino and Riverside Counties, Calif.*, served June 30, 2009, slip op. at 3, the cessation of service for more than a year and a half did not render the embargo unreasonable.

Finally, GRYR simply does not have the money to repair the bridge at Milepost 656.4 and to effect the rehabilitation of the southern approximately 78 miles of the Rail Line to bring it to FRA Class 1 standards. Attached as Exhibit E are GRYR's HIGHLY CONFIDENTIAL Profit & Loss Statements for 2012 and the first six months of 2013, and, without revealing their contents, it is safe to state GRYR's net income does not permit the expenditure of the funds required to reactivate the Rail Line.

GRYR has met each of the requirements which the Board has declared are the determinants of whether an embargo is reasonable. The Board, accordingly, should have no difficulty concluding that GRYR's embargo of the bridge and southern approximately 78 miles of the Rail Line was reasonable two years ago when initiated and remains reasonable even today.

The Board has said, "[I]f a carrier is not going to repair a line over which service is requested within a reasonable time, it must initiate action to obtain abandonment or

discontinuance authority [citation and footnote omitted]" Docket No. FID 35130, *Central Oregon & Pacific Railroad, Inc.--Coos Bay Rail Line*, served April 11, 2008, slip op. at 3. *Accord*, Docket No. NOR 42087, *Groome & Associates, Inc. and Lee K. Groome v. Greenville County Economic Development Corporation*, served July 27, 2005, slip op. at 11.

III.

Abandonment of the Rail Line should be authorized.

Under 49 U.S.C. § 10903, a rail line may not be abandoned without the Board's prior approval. Under 49 U.S.C. § 10502, however, the Board is directed to exempt a transaction or service from otherwise applicable regulatory requirements or procedures when the Board finds that: (1) continued regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101; and (2) either (a) the transaction or service is of limited scope, or (b) regulation is not necessary to protect shippers from the abuse of market power.

Abandonment of the Rail Line would further the goals of the Rail Transportation Policy of 49 U.S.C. § 10101. It would enable the remainder of the GRYR function more efficiently. It would promote a safe and efficient rail transportation system by allowing GRYR to earn adequate revenues (3). It would foster sound economic conditions in transportation (5). It would reduce regulatory barriers to entry into and exit from the industry (7). And abandonment of the Rail Line would encourage honest and efficient management of railroads (9). Accordingly, as the Board said in Docket No. AB 6 (Sub-No. 472X), *BNSF Railway Company--Abandonment Exemption--In Stearns County, Minn.*, served May 20, 2011, slip op. at 2-3:

"Detailed scrutiny of [the railroad's] proposal under 49 U.S.C. § 10903 is not necessary to carry out the rail transportation policy in this case. By minimizing the administrative expense of the abandonment application process, an exemption will expedite regulatory action and reduce regulatory barriers to exit. See 49 U.S.C. §§ 10101(2) and (7). An exemption, therefore, will foster sound economic conditions and encourage efficient management by allowing [the railroad] to avoid significant costs associated with retaining the Linc. See 49 U.S.C. §§ 10101 (5) and (9). Other aspects of the rail transportation policy will not be adversely affected by the use of the exemption process.

Accord, Docket No. AB 55 (Sub-No. 703X), *CSX Transportation Inc.--Abandonment Exemption--In Chesterfield and Darlington Counties, S.C.*, served January 19, 2011, slip op. at 2; Docket No. AB 364 (Sub-No. 14X), *Mid-Michigan Railroad, Inc.--Abandonment Exemption--In Kent, Ionia, and Montcalm Counties, Mich.*, served June 9, 2008, slip. op. at 2. This is particularly true when there is insufficient traffic available to require the expenditure of significant funds to repair and provide service on the line, *see* Docket No. AB 1081X, *San Pedro Railroad Operating Company, LLC--Abandonment Exemption--In Cochise County, AZ*, served February 3, 2006, slip op. at 4, and the assets would be used more productively elsewhere on the railroad's system. Docket No. AB 988X, *Nebkota Railway, Inc.--Abandonment Exemption--In Sheridan and Cherry Counties, Neb.*, served March 21, 2006, slip op. at 3.

There are but two shippers or consignees on the Rail Line, albeit only of exempt commodities. They have access to Interstate Highway 55 and U.S. Highway 51 which are adjacent to the Rail Line for its entire length from Elliott to Canton. As to them, the

Board well can say, as it did with respect to the shipper in Docket No. AB-1081X, *San Pedro Railroad Operating Company, LLC--Abandonment Exemption--In Cochise County, Ariz.*, served February 3, 2006, slip op., at 4:

"Regulation of the transaction is not necessary to protect shippers from an abuse of market power, because [shipper], the only shipper on the line, has transportation alternatives; it currently uses truck transportation to serve its [plant], in conjunction with its transloading facility in Deming, NM. As the Board has previously held, the fact that a shipper may incur inconvenience and increased shipping costs for alternative transportation is not a basis for denying an abandonment that is in the public interest. It is well settled that a railroad will not be required to operate a rail line simply to prevent shippers from incurring higher transportation costs by truck [citations and footnote omitted]."

Accord, Docket No. AB 6 (Sub-No. 472X), *BNSF Railway Company--Abandonment Exemption--In Stearns County, Minn.*, served May 20, 2011, slip op. at 3; Docket No. AB 55 (Sub-No.-703X), *CSX Transportation, Inc.--Abandonment Exemption--In Chesterfield and Darlington Counties, S.C.*, served January 19, 2011, slip op. at p.2; Docket No. AB 988X, *Nebkota Railway, Inc.--Abandonment Exemption--In Sheridan and Cherry Counties, supra*, slip op. at p. 3; Docket No. AB 441 (Sub-No. 2X), *SWKR Operating Co.--Abandonment Exemption--In Cochise County, Ariz.*, served February 14, 1997.

Given that the Board can make the market power finding, it need not determine whether the proposed abandonment is limited in scope.

Witness Aaron Parsons, Assistant Vice President of GRYR, in his Verified Statement, attached as Appendix F, states that he calculated GRYR's loss in operating the

Rail Line in the base year to be \$106,846.00 and in the forecast year to be \$35,877,271.00 .

The interests of the railroad's employees will be protected by the conditions of *Oregon Short Line R.R.--Abandonment--Goshen*, 360 I.C.C. 91 (1979).

Attached as Exhibit G is a draft Federal Register notice.

GRYR, by its counsel, certifies that attached as Exhibit H are copies of the letters by which copies of the Environmental and Historic Report were mailed on November 26, 2013, to each of the U.S. and Mississippi agencies consulted in its preparation in accordance with 49 C. F. R. § 1105.11, and to Director Victoria J. Rutson, together with copies of the Report and two color photographs of each of the 125 bridges and culverts 50 years old or older.

GRYR, by its counsel, certifies that attached as Exhibit I are copies of the notices mailed November 27, 2013, to the persons identified in 49 C.F.R. § 152.50(d)(1), and to each of the counties in which any segment of the Rail Line is located, copies of which were sent to Assistant Director Cynthia T. Brown.

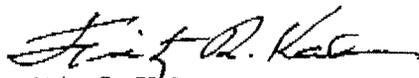
GRYR, by its counsel, certifies that attached as Exhibit J are the affidavits of publication of the newspapers of general circulation in each of the counties traversed by the Rail Line.

WEREFORÉ, having met the requirements for securing the authorization to abandon its Rail Line by Petition for Exempt Abandonment, Grenada Railway, LLC respectfully requests the Board to grant its Petition for Abandonment Exemption.

Respectfully submitted,

GRENADA RAILWAY LLC

By its attorney,



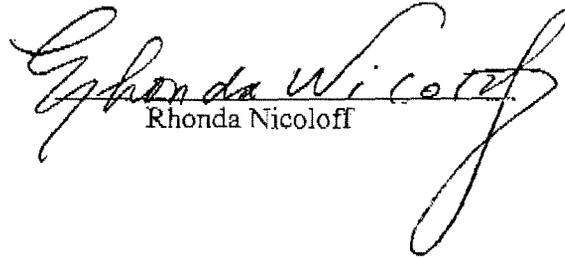
Fritz R. Kahn
Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036
Tel.: (202) 263-4152

Dated: December 17, 2013

VERIFICATION

I, Rhonda Nicoloff, President of Grenada Railway LLC, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing Petition for Abandonment Exemption and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Grenada Railway LLC. I know that willful misstatements or omission of material fact constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Salt Lake City, UT, this 17th day of December, 2013.


Rhonda Nicoloff

CERTIFICATE OF SERVICE

I certify that I this day have served a copy of the foregoing Petition for Abandonment Exemption upon the U.S. and Mississippi agencies which were consulted in the preparation of the Environmental and Historic Report and upon each of the shippers on the Rail Line by mailing each a copy of the pleading by prepaid first-class mail.

Dated at Washington, DC, this 17th day of December, 2013.



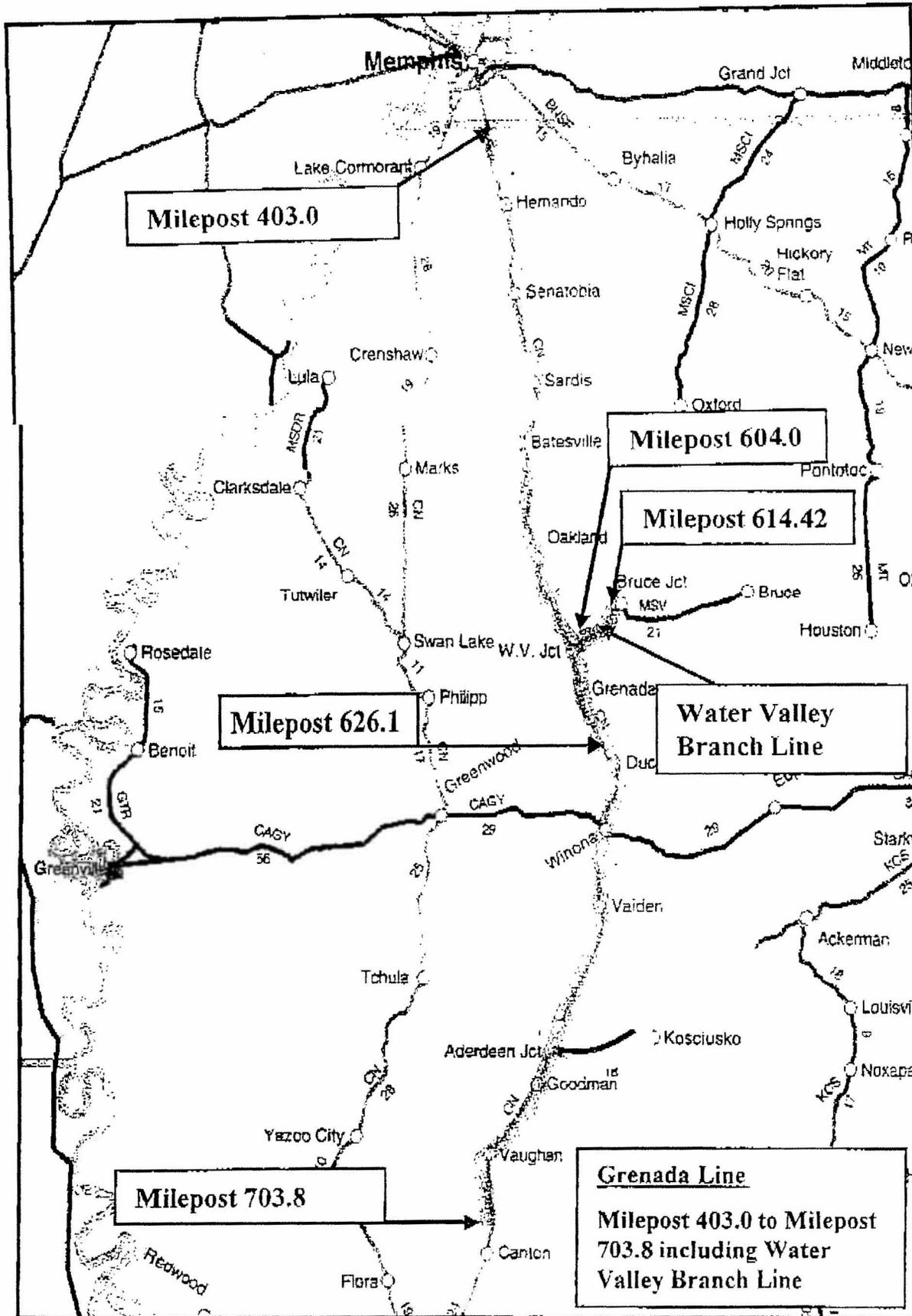
Fritz R. Kahn

EXHIBIT A

Schematic map of the Rail Line

Map

Exhibit A



EXHBIT B

Landreth Report of rehabilitation costs



FBN SEVICES, INC.
dba LANDRETH ENGINEERING, LLC
12231 Academy Rd. NE #301-284 --- Albuquerque, NM 87111
Phone: 505-239-9915 --- Email: EWLandreth@aol.com

November 11, 2013

Mr. Michael VanWagenen, Esq.
Executive Vice President & General Consul
Grenada Railway, LLC
P. O. Box 26421
Salt Lake City, UT 84126

RE: Docket No. AB 1087 (Sub-No. 1)
Grenada Railway, LLC
Rehabilitation Estimate MP 626.1 to MP 703.8

Dear Mr. VanWagenen,

At your request, I inspected the Grenada Railway, LLC (GRYR) rail line between Mile Post (MP) 626.1 near Elliott, MS to MP 703.8 near Canton, MS on October 22nd and 23rd, 2013. The following is the results of my observations and inspection.

Safety & Orientation Meeting was presented by Mr. Allen Antczak, General Manager of the Grenada Railway prior to my inspection of the rail line. GRYR Track Inspector Chris Redman was assigned to escort me across the rail line.

Background

The GRYR currently interchanges with the Canadian National Railroad (CN) at Memphis, TN and operates over a little more than 5.5 miles of trackage rights between the CN yard and the Division of Ownership between the CN and GRYR at MP 403 (Mississippi State Line). The GRYR is currently operating, its ownership, between the Tennessee and Mississippi State Line at MP 403 then southerly parallel with Interstate Highway 55 and adjacent to US Highway 51 to the Grenada Depot at MP 617.7 a distance of 89.3 miles (MP 491.09 BK = MP 616.49 AH). The GRYR is also providing service south of the Grenada Depot for an additional 7.9 miles to MP 625.6 which is one-half mile south of the Timetable location of Elliott (MP 625.1). The rail line is currently operated at 25 MPH and inspected in accordance with FRA Class 2 Maintenance Standard's.

The GRYR rail line beginning at MP 625.6 south of the Timetable location of Elliott (MP 625.1) to the Division of Ownership with the Canadian National Railroad at MP 703.8 is a distance of 78.2 miles. Bridge 656.4 was taken out of service on July 28, 2011 due to structural defects and the line segment between MP 625.6 and MP 703.8 has been out of service since September 4, 2012.

The rail line continues southerly from Elliott and parallel with the Canadian National Railroad which for the most part is located 25 to 40 miles to the West of the GRYR, parallel with Interstate 55 located 2 to 5 miles to the West and parallel and adjacent to US 51 and enters Montgomery County at MP 625.81 then traverses through Montgomery (19.43 miles), Carroll (14.07 miles), Holmes (26.26 miles), Yazoo (9.93 miles) and Madison (8.3 miles) Counties.

Roadbed

The 78.2 miles traverses (minimum cut and fill sections) through typical Mississippi flat to rolling land. The rail line predominately follows along the west side of Big Bogue Creek and Eskridge Creek to a drainage divide between the Yalobusha River and Big Black River drainage basins near Sawyer (MP 637.5) and then follows the west side of Hays Creek to Vaiden (MP651.2) and continues along the west side of the Big Black River to a crossing of the Big Black River at MP 695.4 where it leaves the east side of the Big Black River at MP 698 and ascents to a Big Black River tributary sub basin divide at Davis (MP 700). The native sandy loam in the roadbed fill sections in many segments has eroded and migrated from original construction leaving minimal crown for the subgrade and/or provision for a foundation for the ballast section and erosion has obstructed the roadbed side ditches. Continued operation of the rail line will require restoration of the roadbed embankment to support the track structure though the areas of lost subgrade crown section and restoration of the side ditches. As the rail line follows the floodplains of the major tributaries and later the Big Black River, the track chart shows 196 span type bridges (3.01 miles of span type bridging) that provides waterways for the minor tributaries on the line segment flowing to the major tributaries adjacent to the east side of the rail line. Small culverts (which were not located or inspected) provide for conveyance of localized runoff under the rail line.

Vegetation

The rail corridor has become overgrown with scrub trees and vegetation. Weeds and saplings are currently growing to top of rail within the track structure in localized areas up to the side windows of the hyrail truck (>5'). Mature trees that had fallen across the track were either cut to allow the hyrail truck to pass or were runaround. Vegetation including kudzu and drift that had either overgrown the span type bridges or obstructed and collected under numerous bridges prevents the structural inspection of the bridges until the vegetation and drift can be removed.

No weed control or bush control has been maintained since the discontinuance of rail operations. It appears that in past years approximately a 20' wide spray pattern was utilized for weed control.

Vegetation control will require utilization of an on-track brush hog to clear the weeds and saplings growing within the track section followed by an on-track brush cutter to remove overhanging tree branches and vegetation within the railroad side clearance envelope including an off-track brush hog to mow the right of way adjacent to road crossings and within towns.

Overhanging vegetation should be removed within 15' of the track and to a height of 24' above top of rail and the vegetation within the right of way adjacent to road crossings mowed and/or removed for a distance of 250 feet either side of the grade crossings. Herbicide for weeds and grass should be applied to the track section.

Track Geometry

The GRYR track schematic (former IC track schematic) shows the grade of the track ranges from 0.00% to a maximum of 0.81% with 35% of the line being constructed on a 0.0% grade and 80% of the line having a grade of less than 0.5%. The line segment has approximately 10.7 miles of curves (21 curves) with 83% of the curves having a degree of curvature 1 degree or less (73% are 30 minute curves) and the remaining 17% of the curves having a maximum degree of curvature of 2 degrees or less and one tangent section of the track is approximately 15.6 miles. Except for a few locations (ie: developing sun kinks, defective ties, grade

crossings) the gage, track alignment, and track surface is within FRA excepted maintenance standards.

Main Line Sidings & Industry Tracks

The following is a listing of the 19 main line switches and industrial track switches that were located and was remaining in the main line during the inspection. All main line switches were No. 10 switches with 16'-6" switch points and high star stands except as noted. The No. 10 switch points and frogs were all in good condition and were serviceable however the defective switch tie counts showed on the average 40 to a full set (69) of switch ties were defective and needed to be replaced.

MP 629.5 – Duck Hill – 2 -- Siding 2,429'
 MP 639.2 – Montgomery Co. Industrial Park – 1 -- Spur
 MP 640.5 – Winona – 2 -- Siding 3,247'
 MP 661.1 – West – 2 -- Siding 984'
 MP 669.4 – Industry Track Spur for wood loading (No. 10 Spring Frog – Track Buried)
 MP 670.15 – Memphis Hardwood (Track Buried by Industry)
 MP 670.6 – Durant – 2 -- Siding 4,961
 MP 670.6 – Durant – 1 -- ML/Siding crossover with low switch stand
 MP 673.55 – Aberdeen Jct. – 1 -- Former Connection with Abandoned KSRV
 MP 678.43 – Goodman – 2 -- Siding 1,118'
 MP 685.02 – Burrows Paper – 1 -- Spur – (Track Buried by Industry)
 MP 685.50 – Pickens – 2 -- Siding 2,757'
 MP 692.2 – Industry Spur – (Track Buried)

The above listing of the remaining rail infrastructure doesn't provide for any significant rail business as the rail infrastructure was probably removed years ago with the changing business and transportation needs of the counties served by the rail line.

The Sidings were not inspected due to vegetation and one could expect the cross tie condition in the sidings to be less than the cross ties in the main line. The previous CN timetable did not list sidings at other than Duck Hill, Winona, and Durant and had effectively retired the sidings at Winona, West, Goodman, and Pickens.

The following Switches in the main line for Sidings, House Tracks and Industrial Spurs shown on the GRYR track schematic (former IC track schematic) were not found during the inspection trip and presumably were removed prior to the GRYR operation by the CN (IC):

MP 629.29 – Duck Hill – House Track
 MP 633.52 – Eskridge – Dock Track (Siding previously deleted from Track schematic)
 MP 637.39 – Sawyer – Remaining north 500' – 700' segment of former Sawyer Siding
 MP 639.45 – Winona – Industry Track
 MP 640.23 – Winona -- C & G Crossing Diamond
 MP 640.63 – Winona – S end of House Track Removed (N end removed previously by IC)
 MP 648.20 – Carroll – N end of former Siding (S end removed previously by IC)
 MP 651.29 – Vaiden – S end of former House Track (N end previously removed by IC)
 MP 651.30 – Vaiden – S end of former Siding (N end previously removed by IC)
 MP 668.90 – Durant – Industry Track
 MP 671.10 – Durant – Industry Track
 MP 678.35 – Goodman – N end of former House Track (S end previously removed by IC)
 MP 685.40 – Pickens – Industry Track
 MP 692.21 – Vaughan – S end of former House Track (N end previously removed by IC)

Ballast

The ballast for the line is a standard section of crushed 3" aggregate that was utilized by the CN(IC) in prior surfacing however due to pass surfacing (raise of grade) and the erosion of the side slopes of the track subgrade, the crown of the subgrade is inadequate to support the ballast section and ballast is cascading down the side slopes in numerous locations. Restoration of the track subgrade by building up the subgrade crown to support the track and ballast section with fill material would be more economical than the continuing wasting of ballast aggregate flowing down the side slopes to provide the 8 to 9 inches of ballast required beyond the end of the track ties.

Ties

The main line cross ties that were sampled at 18 spot locations across the 77.7 miles have an average failure count (ie: ties that have failed and/or distressed) of 74% with a standard deviation of 12% with the spot counts in the number of failed ties ranging from 70% to 100%. What serviceable ties that were observed in the spot counts were joint ties and scattered ties that were utilized in the past to break up nests of failed ties or as gage ties in repairing sun kinks and many have less than 5 years of service life remaining.

The failure count of the cross ties within one standard deviation of 86% (74%+12%) provides a marginal serviceable count of 3 ties per rail which will not meet the FRA Class 1 maintenance standard and is more in line with the field observations.

To provide a uniform distribution of ties to comply with FRA Class 1 maintenance standards, I would recommend a tie program of 1083 ties per mile in order to provide and insure a uniform distribution of every 3rd cross tie being serviceable per each 39' section of rail. This distribution exceeds the theoretic minimum requirement of 677 ties per mile for tangent track but the reality is that a tie program of 677 ties per mile for tangent track would require an annual replacement of 20 to 30 cross ties per mile to comply with FRA Class 1 maintenance standards and a cross tie program of 1083 ties per mile would return the rail line to a tie replacement program occurring every 5 to 10 years depending on rail traffic. The existing serviceable ties in the main line will be valued as landscape or scrap as they will not qualify as relay ties.

Rail

The main line rail is predominately 112# to 115# rail with 4-hole joint bars with the rail seated in 4-hole tie plates with 4 spikes per tie. The rail has minimal rail head wear and would be graded as relay rail with some reroil rail.

Other Track Material

The 19 main line turnouts were No. 10 – 112 # with 16'-6" switch points and high star stands. The main line turnouts were in good condition but will require new switch tie sets.

The main line track has 10 to 11 rail anchors per rail and was probably originally constructed with 12 rail anchors per rail. Restoration of the line should include the installation of 12 rail anchors per rail to properly anchor the rail to the ties.

Railroad Way Signs

Railroad Mile Post Signs, Whistle Posts, Advance Station Signs, Close Clearance Signs, Deraill Signs and No Trespassing Signs were obstructed by vegetation with only the Mile Post Signs

being located and the remainder of the Railroad Way Signs were not readily observed along the rail line and need to be replaced for continued rail operations.

Grade Crossings

The rail line is crossed by 3 overhead highway crossings (US 82, MS 35 and US 51), 36 public road crossings of which 16 have automatic warning devices and 67 private grade crossings.

The grade crossing surfaces are all deteriorated and will require replacement. The public road crossings will require replacement of 1552 lineal feet of crossing material plus renewal of 100% of the cross ties under the crossing surface plus an additional replacement of the 24 ties on each approach to the crossings. The private grade crossings are also deteriorated or nonexistent and will require replacement or installation of 1080 lineal feet of crossing material including replacement of the 24 ties on each approach to the crossings.

The automatic warning devices at the 16 public roads consist of 5 mast mounted flashing light signals, 9 mast mounted flashing light signals with gates, and 2 cantilevered flashing light signals with gates and for the most part have exceeded their service life and/or require upgrading as some of the flashing light signals still have 6" lens. As the existing passive warning devices are obsolete or deteriorated an additional 40 cross bucks are required to provide passive warning devices on both approaches to the public crossing and 80 Emergency Notification Signs placed on the automatic and passive warning devices. The battery sets for the automatic warning devices were removed for environmental use and the gates have been removed.

The passive warning devices (Cross Bucks) at private grade crossings that serve driveways and farm crossings are either obsolete or substandard and will require 134 cross bucks to provide passive warning devices on both approaches to the public crossings and 67 Emergency Notification Signs placed on the passive warning devices. Additionally a minimum of 600 lineal feet of 24" diameter culvert will need to be placed to convey drainage under the private roads that are presently blocking the side drainage.

Span Type Bridges

The average precipitation ranges from 50 to 54 inches annually and the upstream drainage basins concentrate their flows in streams that are lined by trees and scrub brush that during heavy rains convey drift and debris that collect against the span type bridges.

The span type bridges were topside inspected and where the vegetation permitted the bridges were inspected from the side of the embankment. All of the span type bridges and culverts need vegetation removed and cut back to the railroad fence line. All vegetation, drift and debris need to be removed to provide a clear drainage way and protect the bridges from fire.

The following tabulation was constructed from the information contained on the former CN(IC) track chart which was spot checked and matched the field observation and illustrates the magnitude of the deferred bridge maintenance and/or replacement.

Bridge Age	Number Bridges	Length Bridges	Per Cent Total Length
>25 years	196	15,899	100.00%
>50 years	143	9,304	58.52%

>70 years	124	8163	51.34%
>80 years	121	7955	50.00%
>90 years	97	6345	39.91%
>100 years	11	758	4.77%

Note: Bridge Age from Track Chart

Last Bridge Renewal Date on Track Chart is 1988 or 25 years ago

The total bridging consists of 5,552 lineal feet of concrete slab bridges (35%) that were constructed between 1912 and 1927 and 9,992 lineal feet of ballast deck pile trestles (63%) that were constructed between 1913 and 1988 with the remaining 355 lineal feet being through deck girders, deck plate girders or steel beams (2%).

Bridge 656.4 is a concrete slab bridge that has a total length of 112 feet supported on concrete bents (14'-15' centers) that was constructed in 1914 (99 years ago) and was taken out of service for structural defects due to settlement of bent 6.

It would be highly unlikely that this bridge was designed to support more than a Coopers E 40 bridge load as truss bridges at that time were being designed for Coopers E40 – E45 loads and bridge design today has evolved to utilizing a Coopers E80 load.

However the concrete slab bridges have held up over time and other for localized defects due to settlement they appear adequate for a short line operation as they seem to have supported previous rail traffic but it is unknown if the concrete slab bridges have any remaining design safety factor and should be restricted to 263,000 gross rail cars and monitored by annual bridge inspections.

The rehabilitation estimate includes funds for a temporary replacement and or repairs to Bent 6 and replacement of two spans of Bridge 656.4 and due to the age of the bridge additional funds to replace the bridge.

The bridges on this line except for the steel bridges are ballast deck bridges with defective ties and a rehabilitation estimate will require a 100% renewal of bridge ties including the bridge approaches. Due to the vegetation obstructing a structural inspection of the bridges the estimate includes an estimated cost to replace 5% of the total bridging as a contingency item to cover unknown defects pending a structural inspection of the bridges.

Recommendations

Attached as Exhibit "A" is estimated cost for the rehabilitation of the rail line to FRA maintenance class 1 standards in accordance with the above observations between MP 626.1 to the end of the line at MP 703.8.

My background and qualification's statement is enclosed as Attachment 1

If I can provide any additional information or clarification to the above or the attached rehabilitation estimate please contact me.

Sincerely,



Ed Landreth, PE



FBN SERVICES, INC.

12231 Academy Rd. NE #301-284
 Albuquerque, New Mexico 87111
 Office: 505 - 239 - 9915 -- Email: EWLandreth@aol.com

November 11, 2013

Rehabilitation Estimate
 FRA Maintenance Std Class 1 (263K Weight Limitation)

Grenada Railway, LLC (former CN) Line Segment
 MP 526.1 (8.4 Miles S Grenada, MS) to MP703.8 (N of Canton, MS) (77.7 Miles)

Description	Quantities	Units	\$/Unit	Extended Cost	
Brush Cutter (On Track)	77.7	Miles	\$800.00	\$62,160	
Bush Hog (On Track)	77.7	Miles	\$180.00	\$13,986	
Cleaning & Grubbing Including Chipping of Debris (Off Track-Site Distances)	58.71	Acres	\$1,025.00	\$60,178	
Mowing at Station Grounds (Off Track)	18	Acres	\$175.00	\$3,150	
Clear Vegetation at Bridges	80	Acres	\$1,025.00	\$82,000	
Clear Dnt & Debris at Bridges (30%)	5300	LF	\$35.00	\$185,500	
Vegetation Control (Spray Roadway)	77.7	Miles	\$230.00	\$17,871	
Vegetation Control (Spray Grade Crossings)	100	EA	\$50.00	\$5,000	
Vegetation Control (Spray Right of Way)	77.7	Miles	\$300.00	\$23,310	
Renew Fencing (10%)	8	Miles	\$26,400.00	\$211,200	
Embankment Restoration at Bridge Abutments (10%)	20	EA	\$22,000.00	\$440,000	
Temporary Repairs Bridge 656.4		LS	\$238,273.00	\$238,273	
Replace Bridge 656.4 (1914 CPT / 112' Length)		LS	\$784,000.00	\$784,000	
Bridge Renewal Program (Bridges > 100 Years Service)		LS	\$5,565,000.00	\$5,565,000	
Renew Bridge Ties (100%)	19200	EA	\$125.00	\$2,400,000	
Restore Drainage adjacent to Track (10%)	42000	LF	\$2.00	\$84,000	
Provide Traffic Control at Public Grade Crossings	36	EA	\$800.00	\$28,800	Note 1
Remove Public Grade Crossing Surfaces	1552	LF	\$60.00	\$93,120	Note 1
Renew Cross Ties in Public Grade Crossings	3280	EA	\$100.00	\$328,000	Note 1
Replace Rail Through Public Grade Crossings (10%)	880	TP	\$75.00	\$66,000	Note 1
Renew Public Grade Crossing Surfaces w/ Full Depth Timber	1552	LF	\$800.00	\$1,241,600	Note 1
Install & Upgrade Public Passive Grade Crossing Warning Devices (XB)	40	EA	\$2,000.00	\$80,000	Note 1
Rehabilitate & Upgrade Active Grade Crossing Warning Devices	16	EA	\$185,000.00	\$2,960,000	Note 1
Provide Traffic Control at Private Grade Crossings	67	EA	\$250.00	\$16,750	Note 2
Remove Private Grade Crossing Surfaces	1080	LF	\$60.00	\$64,800	Note 2
Renew Cross Ties in Private Grade Crossings	4296	EA	\$100.00	\$429,600	Note 2
Renew Private Grade Crossing Surfaces w/ Full Depth Timber	1080	LF	\$200.00	\$216,000	Note 2
Install Culverts Under Private Grade Crossings Obstructing Drainage	596	LF	\$150.00	\$89,400	Note 2
Install & Upgrade Private Passive Grade Crossing Warning Devices (XB)	134	EA	\$2,000.00	\$268,000	Note 2
Renew Main Line Switch Ties	19	Sets	\$21,000.00	\$399,000	
Renew Main Line Cross Ties (5 to 10 year cycle between Tie Programs)	74812	EA	\$83.00	\$6,209,396	
Renew Cross Ties in Sidings	3178	EA	\$83.00	\$263,774	
Mark Cross Tie Renewals & Distribute Cross Ties	77990	EA	\$2.50	\$194,975	
Freight for Cross Ties	77990	EA	\$3.90	\$304,161	
Replace 1% Failed Rail (115 # x 39')	220	EA	\$2,500.00	\$550,000	
Miscellaneous Track Repairs	77.7	Miles	\$5,315.00	\$412,976	
Ballast for Track (Main Line & Sidings)	25350	Tons	\$45.00	\$1,140,750	
Distribute Ballast 3 Railcars / mile	250	EA	\$1,000.00	\$250,000	
Surface Track (Main Line & Sidings)	80.7	Miles	\$11,860.00	\$958,716	
Subtotal				\$26,741,445	
Engineering, Supervision & Management (10%)			\$2,674,144.53	\$2,674,145	
Contingency (15%)			\$4,412,338.47	\$4,412,338	
Total				\$33,827,928	

Note 1: Some Locations may qualify for FHWA - MDOT Grade Crossing Safety Programs
 Note 2: Maintenance Expense is Obligation of Crossing User but is normally not collectable.

Qualifications Statement – Attachment 1

**FBN SEVICES, INC.**
dba LANDRETH ENGINEERING, LLC

12231 Academy Rd. NE #301-284 --- Albuquerque, NM 87111
Phone: 505-239-9915 --- Email: EWLandreth@aol.com

Ed Landreth founded Landreth Engineering, LLC upon taking early retirement from The Atchison, Topeka and Santa Fe Railroad (Santa Fe) in 1994 prior to the Santa Fe merger with the Burlington Northern Railroad and incorporated as FBN Services, Inc. dba Landreth Engineering, LLC on April 18, 2011.

Ed Landreth is a Registered Professional Engineer with more than forty-two years' hands-on experience, designing and managing major civil engineering projects.

Landreth Engineering, LLC provides railroad engineering and administrative services to the short line industry and corporate clients. These services include railroad real estate valuations, railroad acquisition valuations, railroad operations, track and bridge inspections, track and bridge maintenance plans as well as railroad startup assistance.

Landreth Engineering, LLC also provides private individuals and corporate clients engineering plans, specifications, bid documents, and engineering management for the construction of private rail lines and industry tracks.

Ed Landreth provided expert witness affidavits in numerous proceedings before the STB and predecessor agencies during his career with the Santa Fe Railroad and has continued to provide expert witness affidavits and testimony as a railroad consultant. As a railroad consultant he provides engineering consulting services to Class 1 railroads, the short line railroad industry and for private sector rail related projects.

Ed had in excess of 27 years progressive experience with The Atchison, Topeka & Santa Fe Railway Company.

In his last position, as Director Asset Management he was the department head for the Santa Fe Real Estate and Contracts Department. In this position, he was responsible for the management of the railroad's real estate, property sales, leases and contracts. In that role, he was one of the four key members of the Santa Fe team that negotiated the sale of approximately 380 miles of rail corridor and passenger commuter rights to municipalities and counties in Southern California, and the sale of approximately 4,000 miles of branch lines to short line railroads.

Ed progressed through the ranks in Santa Fe's Engineering and Maintenance Department. His last position in the Engineering Department was department head for System Construction. During his tenure as Manager System Construction, he directed the projects for expansion of the Denver Auto Facility and the Houston TOFC Facility. This involved preparation of design plans, engineering cost estimates, contract plans and specifications, solicitation of proposals, awarding bids, and providing owner inspection, payment and confirmation of completed projects. He also managed the design and expansion of the Chicago TOFC facility and provided design and estimates for the rehabilitation and expansion of TOFC and auto facilities across the system.

Qualifications Statement Page 2 of 3

Ed Landreth has a long list of accomplishments. Some representative examples of his project work include:

As head of the Western Regional Construction Office, he prepared plans, specifications, bid proposal, solicitation of proposals, and award of project, field engineering, and project management for the relocation of six miles of railroad main line due to the Bureau of Reclamation project for the construction of Brantley Dam, north of Carlsbad, NM. The project included approximately 1 million cubic yards of embankment; 200,000 cubic yards of cut; 2,000 linear feet of concrete bridge construction involving the driving of two miles of H-section piling to support concrete footings. The project was completed two months ahead of schedule and under budget.

As Public Projects Engineer – Western Lines, he represented Santa Fe in highway grade crossings, grade separations, public projects and negotiations with federal, state and local representatives. He also served as an expert witness in numerous grade crossing litigation and drainage lawsuits. He provided railway company review and approval of engineering plans prepared by state and local agencies, and he prepared and furnished railway company estimates and negotiated contracts for work required to accommodate public projects.

As Construction Engineer, he provided the final location and design of 40 miles of new line construction for the Star Lake Railroad between Grants and South Hospah, NM, and preliminary location and design of 70 additional miles between South Hospah and Star Lake and to the Navajo Reservation in northwest New Mexico. Final location included property acquisition surveys, determination of final grade line, drainage design, soil investigations, grading specifications, selection of borrow sites, determination of waterway openings, selection of bridge structures, preparation of construction specifications and contract documents.

He managed the designed and the construction of the locomotive and car repair facilities at Cleburne, TX. This work consisted of a fueling facility to accommodate ten locomotives, a locomotive washing facility, a locomotive running repair facility to accommodate fifteen locomotives and wheel truing machine. He also managed the design of a rail car repair facility including grit blast, paint booths, one spot facility, and staging and storage tracks to support the rail car facility.

He designed streets, storm drainage, water and sewer utilities and obtained approval from the City of Dallas, TX for improvement plans. He prepared contracts for the construction of all utilities to serve a portion of the Santa Fe Land Improvement Company Jupiter Road Industrial Park in Dallas and the Miller Road Industrial Park at Garland, TX.

Ed Landreth earned a Bachelor of Science in Civil Engineering at the University of Missouri – Rolla (formerly Missouri School of Mines), Rolla, Missouri. He is a Registered Professional Engineer, State of New Mexico PE 5801. Previous certifications (Not Current) include Registered Professional Engineer, State of Colorado PE 12637, Registered Professional Engineer, State of Texas PE 40023, and Registered Public Surveyor, State of Texas LS 2841.

Qualifications Statement Page 3 of 3

**FBN SEVICES, INC.**
dba LANDRETH ENGINEERING, LLC

12231 Academy Rd. NE #301-284 — Albuquerque, NM 87111
Phone: 505-239-9915 — Email: EWLandreth@aol.com

*Example List of Services***Contract Management****Property Rental Rates**

- Preparation of Exhibits for Leases and Contracts
- Evaluation of existing Leases and Contracts
- Annual Leased Property Inspections
- Maintenance of Lease and Contract Records

Property Management

- Net Liquidation Values for Railroad Lines
- Land Development Plans
- Land Sales & Acquisitions
- Asset Acquisitions
- Asset Liquidation's
- Due Diligence Studies
- Annual Inspections
- Maintenance of Land Records and Inventory

Engineering & Design

- Industry Track Alignments • Field Surveys and Studies • Cost Estimates
- Hydrology • Concrete & Foundation Design
- New line location • Intermodal Facilities • Auto Unloading Facilities
- Grade Crossings • Grade Separations
- Litigation Support
- Maintenance of Engineering Records and Maps

Construction Management

- Preparation of Plans
- Construction Sequence
- Standards and Specifications
- Contract and Bid Preparation
- Project Contract Management
- Project Inspection and Quality Control

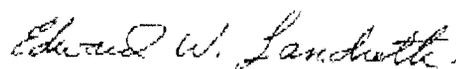
Track Maintenance

- Track & Bridge Inspections • Rehabilitation Programs • RW Inspection
- Roadway Drainage Inspections

VERIFICATION

I, Edward W. Landreth, President and CEO of FBN Services, Inc. d/b/a Landreth Engineering, LLC, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing Report, dated November 11, 2013, and attached Qualifications Statement and that their assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Landreth Engineering, LLC. I know that willful misstatements or omission of material fact constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Albuquerque, NM, this 12th day of August, 2013.



Edward W. Landreth

EXHIBIT C

Letter from Burrows Paper Corp. and other supporting shippers



November 4, 2013

Rachel D. Campbell, Director
Office of Proceedings
Surface Transportation Board
395 E St. SW
Washington, DC 20423

Re: Rail line abandonment

Dear Ms. Campbell:

It is our understanding that the rail line passing through the Town of Pickens, Mississippi, owned by Grenada Railway, LLC, is not profitable to operate and Grenada Railway, LLC has requested from regulatory authorities the right to abandon the line and property.

Burrows Paper Corporation maintains a plant for the production of a variety of paper products at Pickens, MS, 39146, a station on the line of the Grenada Railway, LLC. None of our outbound shipments have been tendered for transportation by the railroad; all have been transported by truck. We did receive a few inbound shipments by rail: 12 carloads in 2009, 11 carloads in 2010, and 24 carloads in the first six months of 2011, before the bridge near West, MS, was embargoed and the interchange with the Canadian National Railway Company at Canton, MS, was closed. Since then we have received our inbound shipments by truck with little inconvenience and only slight increase in costs.

Some shippers believe that the Grenada Railway, LLC, should be penalized by the Surface Transportation Board for seeking to abandon its line south of Grenada, MS, but Burrows Paper Corporation is not among them.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Philip G. Paras', is written over a horizontal line.

Philip G. Paras
Senior Vice President &
Chief Financial Officer

/PGP:mbg



2178 Highway 7 North
Grenada, Mississippi 38901
Telephone (662) 226-2276 • Fax (662) 226-8353

December 5, 2013

Michael J. Van Wagenen
Vice President
Grenada Railway, LLC
PO Box 26421
Salt Lake City, Utah 84126

Dear Mr. Van Wagenen:

I am a shipper on your railroad line near Grenada, Mississippi. Grenada Railway has been providing our railroad service for more than four years. I want you to know that you are well represented by Patrick Stone and Allen Antczak, as managers of this railroad. Grenada Railway is doing a very good job in providing us with the quality of railroad service that we require.

We are now shipping more cars by rail and few cars by truck. The service provided by Grenada Railway is very dependable and your managers are responsive to our requests. Thank you again.

Best Regards,

By: _____

Title: _____



2176 Highway 7 North
Grenada, Mississippi 38901
Telephone (662) 226-2276 • Fax (662) 226-8363

December 3, 2013

Michael J. Van Wagenen
Vice President
Grenada Railway, LLC
PO Box 26421
Salt Lake City, Utah 84126

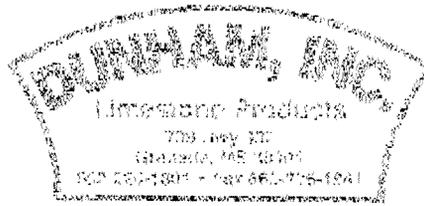
Dear Mr. Van Wagenen:

I wanted you to know that we are pleased with the service that Grenada Railway is providing our company.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'R. J. ...', is written over a horizontal line. The signature is stylized and cursive.

LIMESTONE



CONSTRUCTION

December 5, 2013

Michael J. Van Wagenen
Vice President
Grenada Railway, LLC
P.O. Box 26421
Salt Lake City, Ut 84126

Dear Mr. Van Wagenen:

I am a shipper on your railroad line near Grenada. Grenada Railway has been providing our railroad service for more than four years. Patrick Stone and Allen Antczak, managers of this railroad, are always available when I need them. Grenada Railway is doing a very good job in providing us with the quality of railroad service that we require.

Best Regards,

DUNHAM, INC

A handwritten signature in black ink, appearing to read "Kenneth Dunham", is written over the typed name.

Kenneth Dunham



Michael J. Van Wagenen
Vice President
Grenada Railway, LLC
PO Box 26421
Salt Lake City, UT 84126

December 6, 2013

Dear Mr. Van Wagenen;

We have been serviced by the Grenada Railway since July 2012. We have received very good service from the Grenada Railway. We have had a good working relationship with Patrick Stone and Allen Antczak.

The only concerns we have are regarding the cost of the Grenada Railway delivery charges. The cost is significantly higher in comparison to other plants of ours throughout the U.S. - per our corporate office.

Sincerely,

Gerald Sales C.P.M.
Purchasing Manager
Newly Weds Foods - Horn Lake

Stella-Jones



3600 Koppers Road, Alexandria, LA 71302-4609

Phone: 318-442-5733

Fax: 318-473-4378

December 13, 2013

Michael J. Van Wagenen
Vice President
Grenada Railway, LLC
PO Box 26421
Salt Lake City, Utah 84126

Dear Mr. Van Wagenen:

I am a shipper on your railroad line near Grenada, Mississippi. Grenada Railway has been providing our railroad service for more than four years. I want you to know that you are well represented by Patrick Stone and Allen Antozak, as managers of this railroad. Grenada Railway is doing a very good job in providing us with the quality of railroad service that we require.

We are now shipping more cars by rail and few cars by truck. The service provided by Grenada Railway is very dependable and your managers are responsive to our requests. Thank you again.

Best Regards,

By: *Bandal Clark*

Title: *Procurement Manager*

EXHIBIT D

Grenada's economic condition



[Home](#)

Site location Mississippi: Grenada

Grenada's strategic advantages appeal equally to new and established companies, entrepreneurs and innovators. Grenada's location in the southeastern U.S., low cost of doing business, excellent educational programs, and well trained and seasoned workforce are some of the reasons why companies in Grenada continue to grow and prosper.

Companies in Grenada count with a professional economic development office dedicated to help them facilitate growth and future expansions. From site selection to permitting or workforce recruitment and training, the Grenada County Economic Development District will shepherd your project through the process and facilitate your relocation and/or expansion in our community.

[Click here to download the Prospect Information Booklet](#)

Grenada's Target Industries

- [Bio Renewables / Learn More](#)
- [Automotive / Learn More](#)
- [Food Processing / Learn More](#)
- [Aviation & Aerospace / Learn More](#)
- [Infrastructure and Development Support / Learn More](#)
- [Plastic Products Manufacturing / Learn More](#)

Grenada's Strategic Advantages

- **Manufacturing** – Central Mississippi location, market access, workforce culture, and operating costs.
- **Market Access** – Interstate 55 and Grenada Railroad Company along with 7,000 foot runway at Grenada Municipal Airport.
- **Workforce** – Dependable workforce with good work ethic at reasonable wages. Over 32% employment in Manufacturing.
- **Employee Recruitment** – Community amenities, including recreation, high quality hospitals and schools, and a friendly rural lifestyle make it easy to attract talent.
- **Electricity** – Competitively priced electric power served by TVA and Entergy.
- **Industrial Land** – Large available industrial sites
- **Training** – Technical skill development at Holmes Community College, in partnership with industrial employers.
- **Incentives** – The city and county are eager to approve aggressive incentive packages.

Economic Development District Services:

1. Site location assistance
2. Assistance obtaining incentives, grants and support from local and state sources
3. Partnership with the Mississippi Development Authority
4. Workforce Recruitment
5. Pre employment and post employment training
6. Expedited Permitting
7. Demographic and Labor Information
8. Partnership with local utility companies
9. Export Development Support
10. Manufacturing Training

For more information please visit our Data Center or contact us directly at (662) 229-9502 or at info@grenadameansbusiness.com.



[Home](#) > [Site Selection / New Businesses](#)

Success Stories

[City Government's fast response facilitates expansion by Grenada Stamping & Assembly](#)

Grenada Stamping & Assembly is a Tier 1 supplier to Nissan in the U.S., Mexico and Japan, and a Tier 2 supplier to Ford Motor Co.....[click here](#) to read the full article. (PDF size 2,489 KB)

[Vitro America LLC expands with support from City of Grenada](#)

Vitro America is an acknowledged leader in the fabrication and distribution of architectural glass and aluminum products.....[click here](#) to read the full article. (PDF size 2,476 KB)

[Grenada Lake Medical Center Renovation](#)

Grenada Lake Medical Center (GLMC) is a state-of-the-art health care facility with world-class healthcare services for Grenada and surrounding counties....[click here](#) to read the full article. (PDF size 2,194 KB)



Home > Existing Businesses

Major Employers

Major Employers		
Manufacturing Companies	Employment	Product / Service
Luvata – OEM & CCP	994	Copper tubing – HVAC coils
Advanced Distributor Products (ADP)	803	Cooling coils
Resolute Forest Products	177	Newsprint
Grenada Stamping and Assembly	261	Metal stamping
Binswanger Plant	100	Mirrors
Suburban Plastic	75	Thermo Plastic

Source: Local Business Survey 2012 (updated on 2012)
To add this table to your Custom Report, please visit our Data Center

[Home](#)

Luvata Grenada plant expands production capabilities

02/22/2012 | Staff

Grenada, Miss. (February 22, 2012) -The Grenada Economic Development District (the EDD) announced today that Luvata will expand its production capabilities in Grenada in an effort to pursue new market opportunities. The addition will take place at Luvata's OEM production plant which is located in a county-owned building on U.S. Highway 51. The company plans to add a minimum of 20 full time jobs and invest \$1 million in machinery and equipment.

"I applaud Luvata officials for their decision to further expand in Grenada and create additional job opportunities for Mississippi workers," Governor Phil Bryant said. "The company's continued investment in Mississippi is a great testament to the quality of our state's workforce and our business climate."

The MDA, the Grenada EDD, and the County Board of Supervisors worked closely with company officials to secure state funding to make necessary improvements to the county owned building.

Jim Barksdale, interim executive director of the Mississippi Development Authority added, "Luvata's Grenada operations are providing metal services to customers around the globe, and I am pleased the company is once again expanding to reach an even wider range of customers. I thank the company for its ongoing commitment to its workers and to doing business in Grenada, and I am grateful MDA was able to assist with this project."

Columbus Hankins, Board of Supervisor for District three, expressed, "The Board of Supervisors is one hundred percent committed to economic development and this project was no different. We will continue to work closely with the EDD and our existing companies to create jobs and attract new investments to Grenada."

David Thimmes, a member of the Grenada City Council, added, "I want to congratulate Luvata for continuing to expand in Grenada. The City and the EDD worked together last year to support their expansion at the air industrial park and we are very excited to see that they continue to invest in our community."

The Grenada County Economic Development District (the EDD) is the official economic development entity for Grenada County and an MDA partner. Pablo Diaz is Executive Director of the Grenada County Economic Development District.

- ### -

[Click here to view PDF \(size 122 KB\)](#)

[Add new comment](#)

Premier Indoor HVAC Solutions...

About ADP

Beginning with a vision



- Engineering Co-Op Leadership Program
- Engineering Co-Op Literature
- Privacy Statement

Advanced Distributor Products (ADP) started with a vision to produce the best evaporator coils in the country. In 1992, ADP began production in a 30,000 square-foot manufacturing facility in Grenada, Mississippi. Within just a few years, the small coil operation grew into a 379,000 square-foot, state-of-the-art facility that annually employs over 700 individuals. ADP supplies over 500 HVAC distributors at more than 3,000 points of distribution throughout North America. ADP is now the #1 producer of residential evaporator coils in the USA.

Complete indoor comfort

While it all started with evaporator coils, ADP is now known for much more. ADP offers a large selection of high-quality indoor HVAC products, including a wide selection of styles and configurations of evaporator coils, air handlers and unit heaters.

HVAC Distributors

ADP strives to form long-term partnerships with our distributors. We offer a variety of solutions designed to meet your unique indoor HVAC equipment needs. In addition to evaporator coils, ADP also manufactures compact and efficient residential air handlers and low profile unit heaters. With consistently low lead-times and advanced technical capabilities, we make it easy for you to do business with ADP.

HVAC Dealers

ADP evaporator coils are designed to match perfectly with any HVAC system. They offer a professional appearance, perfect furnace fits and enhanced features for fast installations and easy serviceability. ADP provides low height solutions for tight spaces and a broad product offering to reach higher SEER levels at a lower cost.

About ADP | Advanced Distributor Products

Page 2 of 2

Homeowners

ADP evaporator coils provide an upgrade over standard system matched coils by offering superior quality, improved energy efficiency and enhanced protection for the air in your home. ADP is the exclusive manufacturer of indoor cooling equipment featuring Microban® antimicrobial product protection. Microban antimicrobial technology works to continuously inhibit the growth of mold for added protection that lasts the lifetime of your system.

Click on the links above for more information on how ADP can be the perfect match for you.

Advanced Distributor Products, 2125 West 17th Place, Box 122, Stone Mountain, GA 30087

EXHIBIT F

GRYR's Profit and Loss statements

EXHIBIT F

Rail Line's base year and forecast year operations

Grenada (south end)	Base Year operations (2010)	Forecast Year Operations
Revenues attributable for:		
1 Freight originated and/or terminated on branch	\$ 245,650	\$ -
2 Bridge Traffic	\$ 414,946	\$ -
3 All other revenue and income	\$ 29,300	\$ -
4 Total Revenues attributable (lines 1 through 3)	\$ 689,896	\$ -
Avoidable costs for:		
5 On-branch costs (lines 5a through 5k)	\$ 796,743	\$ 109,240
a Maintenance of way and structure	\$ 137,220	\$ -
b Maintenance of equipment	\$ 111,450	\$ -
c Transportation	\$ 95,100	\$ -
d General administrative	\$ 98,946	\$ -
e Deadheading, taxi, and hotel	\$ 23,850	\$ -
f Overhead movements	\$ -	\$ -
g Freight car costs (other than return on freight cars)	\$ 190,020	\$ -
h Return on value-locomotives	\$ 37,100	\$ -
i Return on value-freight cars	\$ -	\$ -
j Revenue taxes	\$ -	\$ -
k Property taxes	\$ 103,057	\$ 109,240
6 Off-branch costs	\$ -	\$ -
a Off-branch costs (other than return on freight cars)	\$ -	\$ -
b Return on value-freight cars	\$ -	\$ -
7 Total avoidable costs (line 5 plus line 6)	\$ 796,743	\$ 109,240
Subsidization cost for:		
8 Rehabilitation ¹		\$ 33,827,928
9 Administration costs (subsidy year only) ²		
10 Casualty reserve account ²		\$ -
11 Total subsidization costs (lines 8 through 10)		\$ 33,827,928
Return on value:		
12 Valuation of property (lines 12a through 12c)		\$ 17,446,973
a Working capital		\$ 30,831
b Income tax consequences		\$ -
c Net liquidation value		\$ 17,416,142
13 Nominal rate of return		11.12%
14 Nominal return on value (line 12 times line 13) ³		\$ 1,940,103
15 Holding gain (loss)		
16 Total return on value (line 14 minus 15) ³		\$ 1,940,103
17 avoidable loss form operations (line 4 minus line 7)	\$ (106,846)	\$ (109,240)
18 Estimated forecast year loss from operations (line 4 minus line 7 and 16)	\$ (106,846)	\$ (2,049,343)
19 Estimated subsidy (line 4 minus line 7,11 and 16)	\$ (106,846)	\$ (35,877,271)

¹This projection shall be computed in accordance with § 1152.32(m)

²Omit in applications pursuant to § 1152.22 and § 1152.23

³If the amount in line 12c is a negative for the "Forecast Year operations" insert "0" in this line

VERIFICATION

I, Aaron Parson, Assistant Vice President of the Grenada Railway LLC ("GRYR"), declare under penalty of perjury, under the laws of the United States of America, that in accordance with 49 C.F.R. § 1152.36, I have prepared the foregoing chart of the base year operations of GRYR's segment slated for abandonment, based on the last year before the embargo was imposed, and the forecast year operations, acknowledging that GRYR does not have the \$33,827,928.00 to rehabilitate the Rail Line, and the data are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of GRYR. I know that willful misstatements or omission of material fact constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Salt Lake City, UT, this 9th day of December, 2013.



Aaron Parsons

EXHBIT G

Draft Federal Register Notice

PROPOSED FEDERAL REGISTER NOTICE

DEPARTMENT OF TRANSPORTATION

SURFACE TRANSPORTATION BOARD

On December 17, 2013, Grenada Railway LLC ("GRYR") filed with the Surface Transportation Board, Washington, DC 20423, a petition for exemption for the abandonment of its line of railroad extending between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, distance of 77.7 miles, in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi (the "Rail Line"). The Rail Line traverses U.S. Postal Zip Codes 38925, 38967, 39176, 39192, 39063, 39079, 39146, and 39179, which are the Zip Codes for the stations on the Rail Line, namely: Duck Hill, Eskridge, Winona, Vaiden, West, Durant, Goodman, Pickens and Vaughn.

The Rail Line does not contain federally granted rights-of-way. Any documentation in railroad's possession will be made available promptly to those requesting it.

The interests of railroad employees will be protected by the conditions of Oregon Short Line Railroad Co—Abandonment—Goshen, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition or for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 C.F.R. part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Office of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons who would like to obtain a copy of the EA (or EIS) may contact the Office of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA generally will be within 30 days of its service.

EXHBIT H

Letters mailed November 26, 2013, transmitting copies of
Environmental and Historic Report

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M STREET, NW. (7TH FL.)
WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xicccg@gmail.com

November 26, 2013

Mr. Simon Monroc
NOAA M/NGS2
1315 East-West Highway
Silver Spring, MD 20910

re: STB Docket No. AB 1087 (Sub-No. 1X), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

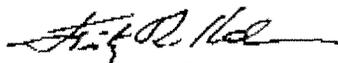
Dear Mr. Monroc:

On or about December 16, 2013, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its petition for abandonment exemption to abandon its line between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

GRYR is providing this Report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the STB's Office of Environmental Analysis, 395 E Street, SW, Washington, DC 20423 (tel.: (202) 245-0295) and refer to the above docket number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments, with a copy to me, would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning the proposal, please contact me by mail, e-mail or telephone.

Sincerely yours,



Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M STREET, NW. (7TH FL.)
WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xicccg@gmail.com

November 26, 2013

U.S. National Park Service
100 Alabama St., SW
Atlanta, GA 30303

re: STB Docket No. AB 1087 (Sub-No. IX), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

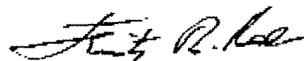
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Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

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FRITZ R. KAHN, P.C.
1919 M STREET, NW. (7TH FL.)
WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xicogc@gmail.com

November 26, 2013

Mr. Heinz Mueller
U.S. Environmental Protection Agency
61 Forsyth St., SW
Atlanta, GA 30303

re: STB Docket No. AB 1087 (Sub-No. 1X), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

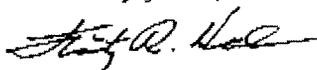
Dear Mr. Mueller:

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1919 M STREET, NW. (7TH FL.)
WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xiccgc@gmail.com

November 26, 2013

Department of Environmental Quality
P. O. Box 2261
Jackson, MS 39225

re: STB Docket No. AB 1087 (Sub-No. 1X), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

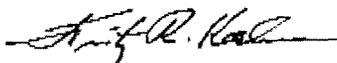
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WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xiccgc@gmail.com

November 26, 2013

USDA Natural Resources Conservation Service
100 W. Capitol St. (Ste. 831)
Jackson, MS 39269

re: STB Docket No. AB 1087 (Sub-No. 1X), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

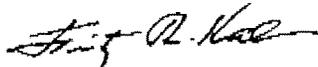
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Sincerely yours,



Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

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1919 M STREET, NW, (7TH FL.)
WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xiccc@gmail.com

November 26, 2013

Ms. Amiee D. Parker
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, MS 39183-3435

re: STB Docket No. AB 1087 (Sub-No. 1X), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

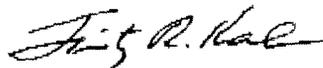
Dear Ms. Parker:

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cc: Victoria J. Rutson, Esq.

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WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xiccgc@gmail.com

November 26, 2013

Mr. Steve Gard
U.S. Fish & Wildlife Service
P. O. Box 1070
Grenada, MS 38901

re: STB Docket No. AB 1087 (Sub-No. 1X), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

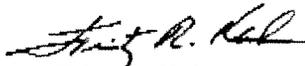
Dear Mr. Gard:

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WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xiccgc@gmail.com

November 26, 2013

Ms. Willa J. Brantley
Department of Marine Resources
1141 Bayview Ave. (Ste. 101)
Biloxi, MS 39350

re: STB Docket No. AB 1087 (Sub-No. 1X), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

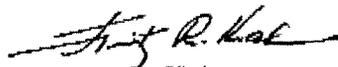
Dear Ms. Brantley:

On or about December 16, 2013, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its petition for abandonment exemption to abandon its line between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

GRYR is providing this Report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the STB's Office of Environmental Analysis, 395 E Street, SW, Washington, DC 20423 (tel.: (202) 245-0295) and refer to the above docket number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments, with a copy to me, would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning the proposal, please contact me by mail, e-mail or telephone.

Sincerely yours,



Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M STREET, NW. (7TH FL.)
WASHINGTON, DC 20036
Tel.: (202) 263-4152 Fax: (202) 331-8330
e-mail: xicccg@gmail.com

November 26, 2013

Mr. H. T. Holmes
State Historic Preservation Officer
Department of Archives & History
P. O. Box 571
Jackson, MS 39205-0571

re: STB Docket No. AB 1087 (Sub-No. 1X), Grenada Railway LLC -- Petition
for Abandonment Exemption -- In Montgomery, Carroll, Holmes
Yazoo and Madison Counties, MS

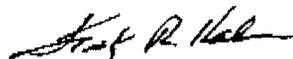
Dear Mr. Holmes:

On or about December 16, 2013, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its petition for abandonment exemption to abandon its line between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

GRYR is providing this Report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the STB's Office of Environmental Analysis, 395 E Street, SW, Washington, DC 20423 (tel.: (202) 245-0295) and refer to the above docket number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments, with a copy to me, would be appreciated within three weeks.

Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning the proposal, please contact me by mail, e-mail or telephone.

Sincerely yours,


Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

SURFACE TRANSPORTATION BOARD

Docket No. AB 1087 (Sub-No. 1)

GRENADA RAILWAY LLC
-- PETITION FOR ABANDONMENT EXEMPTION --
IN MONTGOMERY, CARROLL, HOLMES,
YAZOO AND MADISON COUNTIES, MISS.

ENVIRONMENTAL AND HISTORIC REPORT

Grenada Railway LLC ("GRYR"), pursuant to 49 C.F.R. § 1152.50, submits this Environmental and Historic Report in support of its Petition for Abandonment Exemption.

1. Proposed action and alternatives. The line which GRYR proposes to abandon extends between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi ("Rail Line"). The Rail Line traverses U.S. Postal Service Zip Codes 38925, 38967, 39176, 39192, 39063, 39079, 39146 and 39179, which are the Zip Codes for the stations on the Rail Line, namely: Duck Hill, Eskridge, Winona, Vaiden, West, Durant, Goodman, Pickens and Vaughan.

The Rail Line was acquired as a rail carrier by GRYR from its former owner and operator, Illinois Central Railroad Company ("IC"), pursuant to the Verified Notice of Exemption in Docket No. FD 35247, Grenada Railway LLC--Acquisition and Operation Exemption--Illinois Central Railroad Company and Waterloo Railway Company, served May 29, 2009, 74 Fed. Reg. 25799, May 29, 2009.

The 77.7-mile Rail Line of railroad has generated insufficient traffic to permit its continued operation. There are but two shippers on the Rail Line, Winona Hardwood at Winona and Burrows Paper Corporation at Pickens, and neither one ships or receives nonexempt commodities. The revenue the two shippers' traffic yields is inadequate to cover the cost of repairing the bridge at Milepost 656.4 and otherwise to rehabilitate the Rail Line to FRA Class 1 standards.

IC retained overhead trackage rights on the railroad line which it sold to GRYR, and shortly following GRYR's filing of its petition, IC will be filing a two-year out-of-service notice of discontinuance of the retained trackage rights.

The Rail Line proposed for abandonment includes 125 bridges, trestles and culverts which are 50 years old or older, most of them being ordinary concrete or timber pile open deck bridges or trestles, and none will be removed or otherwise disturbed, so that the right-of-way of the line to be abandoned might serve a public purpose or be used for a recreational trail.

Based on information in GRYR's possession, the Rail Line proposed to be abandoned does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

2. Transportation systems. As already noted, GRYR is unable to operate the Rail Line profitably, and there is no likelihood that its operations will become profitable within the foreseeable future. By letters dated October 17 and November 6, 2013, copies of which were sent to Director Rutson of the Board's Office of Environmental Analysis ("OEA"), GRYR's representative advised the Mississippi Office of Budget and Fund

Management of the proposed abandonment of the Rail Line, the function of the Clearinghouse Officer having been abolished. To date no reply has been received.

3. Land use. By letter dated October 17 and November 6, 2013, copies of which were sent to OEA, GRYR's representative advised the USDA Natural Resources Conservation Service in Mississippi of the proposed abandonment of the Elliott-to-Canton line, and to date no reply has been received.

4. Energy. No material increase in energy consumption will result from the proposed abandonment, since there are only two shippers on the Rail Line, and they have made little use of it. They evidently rely primarily on truck transportation, utilizing I-55 and U.S. Highway 51 which parallel and are situated near the Elliott-to-Canton line proposed to be abandoned. By letters dated October 17 and November 6, 2013, copies of which were sent to OEA, GRYR's representative advised the U.S. Environmental Protection Agency and Mississippi Department of Environmental Quality of the proposed abandonment. Attached as Exhibit 1 is a copy of the e-mail response of the EPA, dated November 20, 2013. To date no reply has been received from the Mississippi agency.

5. Air. No material emissions or pollutants will despoil the air as a result of the proposed abandonment of the Rail Line. The threshold levels of 49 C.F.R. § 1105.7(e)(5)(i)-(iii) will not be exceeded. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative advised the U.S. Environmental Protection Agency and Mississippi Department of Environmental Quality of the proposed abandonment of the Elliott-to-Canton line. Attached as Exhibit 1 is a copy of the e-mail response of the EPA, dated November 20, 2013. To date no reply has been received from the Mississippi agency.

6. Noise. No material increase in the level of noise will result from the proposed abandonment of the Rail Line. The threshold levels of 49 C.F.R. § 1105.7(e)(6)(i) & (ii) will not be exceeded. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative advised the U.S. Environmental Protection Agency and the Mississippi Department of Environmental Quality of the proposed abandonment of the Elliott-to-Canton line. Attached as Exhibit 1 is a copy of the e-mail response of the EPA, dated November 20, 2013. To date no reply has been received from the Mississippi agency.

7. Safety. There will be no material additional highway traffic, especially on parallel I-55 and U.S. Highway 51, as a result of the proposed abandonment of the Rail Line and, hence, no greater risk to public safety. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative advised the Mississippi Office of Budget and Fund Management of the proposed abandonment of the Elliott-to-Canton line, the function of the Clearinghouse Officer having been abolished. To date no reply has been received.

GRYR is unaware of any hazardous waste sites or sites on which there were hazardous spills on the right-of-way of the Rail Line proposed for abandonment.

8. Biological resources. The proposed abandonment of the Rail Line will not affect endangered or threatened animal or plant species or areas designated as critical habitats, as far as GRYR is aware. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative notified the U.S. Environmental Protection Agency, the Mississippi Department of Environmental Quality Protection Agency and the U.S. Fish and Wildlife Service of the proposed abandonment of the Elliott-to-Canton

line. Attached as Exhibit 1 is a copy of the e-mail response of the EPA, dated November 20, 2013. To date no reply has been received from the Mississippi agency or from the U.S. Fish and Wildlife Service.

9. Water. The proposed abandonment of the Rail Line will not affect Federal or Mississippi local water quality standards of which GRYR is aware. By letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative notified the U.S. Army Corps of Engineers and the Mississippi Department of Marine Resources of the proposed abandonment of the Elliott-to-Canton line. Attached as Exhibit 2 is a copy of the letter, dated October 25, 2013, from Ms. Willa J. Brantley, Bureau Director, Wetlands Permitting of the Mississippi Department of Marine Resources, stating that the abandonment would have no direct or indirect impact on coastal wetlands. To date no reply has been received from the U.S. Army Corps of Engineers.

GRYR is unaware of any designated wetlands or 100-year flood plains through which the railroad line proposed for abandonment passes.

10. Proposed mitigation. Since the proposed abandonment of the Rail Line will result in no material adverse environmental impacts, GRYR perceives of no need for mitigating measures. Nevertheless, in accordance with the Board's regulations, by letters dated October 17 and November 6, 2013, with copies to OEA, GRYR's representative advised the Mississippi Office of Budget and Fund Management, the National Park Service and the National Geodetic Survey of the proposed abandonment of the Elliott-to-Canton line. To date no replies have been received from these agencies.

EXHIBIT I



Fritz Kahn <xiccgc@gmail.com>

Grenada Railway LLC

1 message

Walls, Beth <Walls.Beth@epa.gov>
To: "xiccgc@gmail.com" <xiccgc@gmail.com>
Cc: "Walls, Beth" <Walls.Beth@epa.gov>

Wed, Nov 20, 2013 at 10:33 AM

Dear Mr. Kahn:

I am responding on behalf of Heinz Mueller (addressee) regarding your November 6, 2013, letter to US EPA, Region 4, requesting EPA's response regarding the proposed 77.7 mile rail-line abandonment project within Mississippi six counties, Alabama. I apologize for our delay in responding; however, due to work load and shutdown furlough constraints, we've not been able to respond as timely as we would prefer.

Little environmental information regarding potential environmental impacts has been provided to the above-referenced letter or the enclosed map depicting the project location.

Since there is no environmental assessment or impact study provided with this letter, I am uncertain how EPA may be of assistance to your effort to draft an environmental and historic report. I recommend close coordination with and compliance with the Mississippi Department of Environmental Quality because most of the federal programs EPA administers has been delegated to that agency.

Sincerely,

Beth Walls,

Environmental Scientist,

US EPA, Region 4

404-562-8309

EXHIBIT 2



**MISSISSIPPI
DEPARTMENT OF MARINE RESOURCES**

October 25, 2013

Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

RE: DMR-140138; Grenada Railway, LLC

Dear Mr. Kahn:

The Department of Marine Resources in cooperation with other state agencies is responsible under the Mississippi Coastal Program (MCP) for managing the coastal resources of Mississippi. Proposed activities in the coastal area are reviewed to insure that the activities are in compliance with the MCP.

The Department has received your request to review Grenada Railway, LLC's proposed abandonment of 77.7 miles of railway between Elliott, MS and Canton, MS, in Grenada, Montgomery, Carroll, Holmes, Yazoo, and Madison Counties; and abandonment of 11.42 miles of railway between Water Valley Junction and Bruce Junction in Yalobusha County, MS. Please note that Mississippi Coastal Zone Consistency is only required within the three coastal counties of Jackson, Harrison, and Hancock. However, if the proposed activities will impact wetlands, these are activities that are regulated by the U.S. Army Corps of Engineers. Thank you for the opportunity to comment on your project.

For more information or questions concerning this correspondence, contact Greg Christodoulou with the Bureau of Wetlands Permitting at (228) 523-4109 or greg.christodoulou@dmr.ms.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Willa J. Brantley".

Willa J. Brantley
Bureau Director, Wetlands Permitting

WJB/gsc

EXHIBIT 3

E-Mail received from U.S. Corps of Engineers



Fritz Kahn <xiccgc@gmail.com>

Proposed Grenada Railway, LLC Abandonment Project

1 message

Parker, Amiee D MVK <Amiee.D.Watler@usace.army.mil>

Thu, Dec 12, 2013 at 10:20 AM

To: "xiccgc@gmail.com" <xiccgc@gmail.com>

December 11, 2013

Operations Division

SUBJECT: Proposed Grenada Railway, LLC Abandonment Project From Elliot to Canton and Water Valley Junction to Bruce Junction in Yalobusha, Grenada, Montgomery, Carroll, Holmes, Yazoo, and Madison Counties, Mississippi

Mr. Michael J. Van Wagenen
Executive Vice-President
and General Counsel
Grenada Railway LLC
Post Office Box 26421
Salt Lake City, Utah 84126

Dear Mr. Van Wagenen,

This email is in response to an inquiry we received from Mr. Fritz R. Kahn, Law Offices of Fritz R. Kahn, P.C., concerning proposed plans for the abandonment of two railway lines (77.7-miles and 11.42-miles) in Mississippi. The location of the activity is depicted on the enclosed map (enclosure 1)

Based upon the information provided and the information available to this office, it appears that a Department of the Army permit, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act will not be required for the proposed activities. In the event that project plans are changed, or if you anticipate any additional construction, please contact this office for a reevaluation of permit requirements and refer to identification no. MVK-2011-777 when submitting the information.

This determination of Department of Army regulatory requirements was based upon a preliminary jurisdictional determination that there are no jurisdictional areas being impacted by the proposed work on the property subject to regulation pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or to Section 404 of the Clean Water Act. An appeals form for this preliminary jurisdictional determination has been enclosed for your review (enclosure 2).

This determination of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges, and does not authorize any injury to property or invasion of rights or local laws or regulations, or obviate the requirement to obtain State or local assent required by law for the activity discussed herein.

If we may be of any further assistance in this matter, please contact Ms. Amiee Parker of this office, telephone (601) 631 5292, fax (601) 631 5459, or e mail address: regulatory@usace.army.mil.

Sincerely,

Amiee D. Parker

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

October 17, 2013

Ms. Amiee D. Parker
U. S. Army Corps of Engineers
4155 Clay Street
Vicksburg, MS 39183-3435

Dear Ms. Parker:

Grenada Railway, LLC ("GRYR") anticipates on or about December 1, 2013, filing a Petition for Exemption with the Surface Transportation Board ("STB") for authority to abandon its 77.7-mile line of railroad between Milepost 626.1 near Elliott and Milepost 703.8 near Canton and its 11.42-mile Water Valley Branch Line between Milepost 603.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction in Yalobusha, Grenada, Montgomery, Carroll, Holmes Yazoo and Madison Counties, Mississippi. A map of the railroad lines is enclosed.

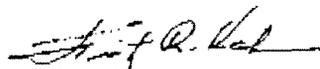
No revenue freight has been carried on the railroad lines sought to be abandoned since July 2011.

YW is required to prepare an environmental and historic report, pursuant to 49 U.S.C. § 4332, *et seq.*, and 49 C.F.R. § 1105.1, *et seq.*, a copy of which will be provided you in advance and at the time of GRYR's STB filing. The report must include the expression of your views as to the effects, if any, of GRYR's proposed abandonments on the programs administered by your office.

GRWR needs to hear from you about its proposed abandonments so that it can draft the environmental and historic report, and, therefore, a prompt reply would be greatly appreciated.

If you require additional information or have any questions concerning the STB's environmental review process, please contact me or the STB's Office of Environmental Analysis, 395 E Street, SW, Washington, DC 20423, Tel.: (202) 245-0295, referring to Docket No. AB 1087 (Sub-No. 4).

Sincerely yours,

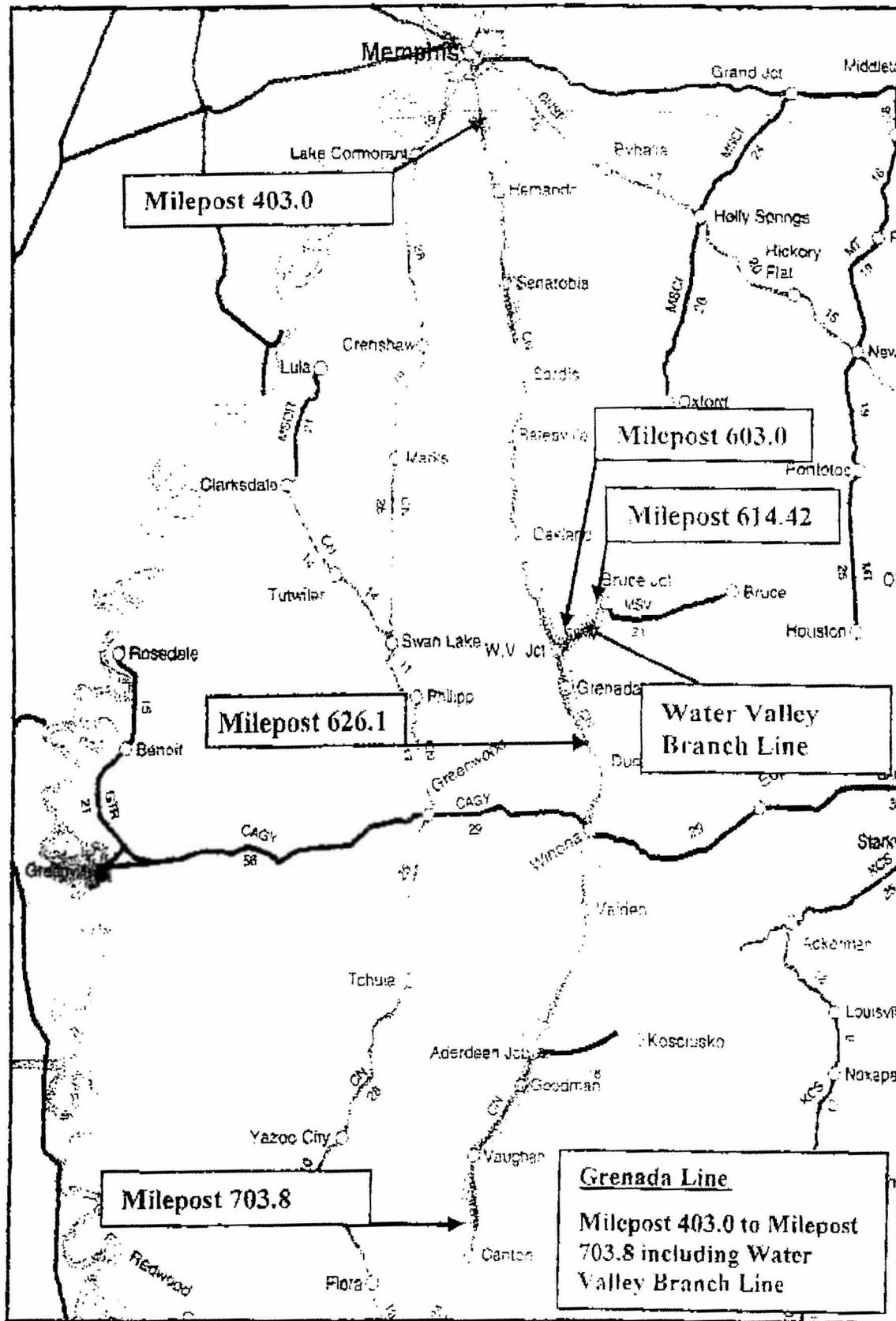

Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

MVR-2011-777

Map

Exhibit A



NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Grenada Railway, LLC	File Number: MVK-2011-777	Date: 10 Dec 2013
Attached is:	See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input checked="" type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/cecw/pages/reg_materials.aspx or Corps regulations at 38 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS. (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Amiee D. Parker
 Environmental Specialist/Project Manager
 USACE - Vicksburg District, Regulatory
 4155 East Clay Street
 Vicksburg, MS 39183-3435
 (501) 631-5292

If you only have questions regarding the appeal process you may also contact:

Regulatory Appeals Review Officer
 USACE - Mississippi Valley Division
 P.O. Box 50
 Vicksburg, MS 39181-0050
 (601) 634-5820

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

 Signature of appellant or agent.

Date:

Telephone number:

HISTORIC REPORT

The Rail Line proposed to be abandoned was included in the proposal to abandon the GRYR's railroad line between Milepost 622.5 near Grenada and Milepost 703.8 near Canton which was the subject of the Petition for Abandonment Exemption filed September 20, 2011, in Docket No. AB 1087X. In view of the opposition to the abandonment proposal, GRYR believed that without a doubt its Petition would be denied by the Board, and it, therefore, sought to withdraw its Petition. The Board, by its Decision served November 20, 2011, granted GRYR's request and discontinued the abandonment proceeding. In the meantime, approximately 78 miles of the GRYR's railroad line have been embargoed, and the instant Petition seeks the abandonment of the 77.7-mile Rail Line which had been a segment of the earlier abandonment proposal.

1. There are two maps of the segment of the GRYR proposed for abandonment. A single map, marked Exhibit A, indicating Milepost 626.1 near Elliott and Milepost 703.8 near Canton, the termini of the Rail Line sought to be abandoned. A 16-page track map, marked Exhibit B, showing the location by milepost number, dimension, style and date of construction of every bridge, trestle and culvert 50 years or older on the Rail Line, the county boundary lines, the communities traversed and the contour of the Rail Line.

2. The right-of-way of the Rail Line proposed to be abandoned is 100 feet in width. The Rail Line runs through rural central Mississippi, the largest community on the Rail Line being Winona with a population of approximately 4,400. The 77.7-mile Rail Line is generally flat, its elevation ranging between 184 feet and 395 feet.

3. There are no fewer than 250 photographs of the 125 bridges, trestles and culverts 50 years or older on the Rail Line and their immediate surrounding areas. A set

of color photographs has been sent to the Mississippi State Historic Preservation Officer, and another set of color photographs has been delivered to the Director of the Office of Environmental Analysis.

4. Attached as Exhibit C is a list of the 125 bridges, trestles and culverts 50 years or older on the Rail Line, their location by milepost number, dimension, style and dates of construction and major alterations, if known.

5. The segment of the Rail Line south of Grenada to Aberdeen Junction was constructed by the Mississippi Central Railroad between 1852 and 1860, and the segment between Aberdeen Junction and north of Canton was constructed by the Canton, Kosciusko, Aberdeen and Tuscumbia Railroad between 1852 and 1855. Both railroads were reorganized in 1874 into the New Orleans, St. Louis and Chicago Railroad, controlled by the Illinois Central Railroad Company. The railroads again were reorganized in 1877 into the Chicago, St. Louis and New Orleans Railroad, which was leased to the Illinois Central Railroad Company for a period of 400 years. GRYR acquired the railroad line between Milepost 404.0 at Southaven, and Milepost 703.8 north of Canton pursuant to the verified notice of exemption in STB Finance Docket No. 35247, Grenada Railway, LLC--Acquisition and Operation Exemption--Illinois Central Railroad Company and Waterloo Railway Company, served May 29, 2009, 75 Fed. Reg. 25799, May 29, 2009. The 125 bridges, trestles and culverts 50 years old or older will remain in place if the Board were to authorize the Rail Line's abandonment. GRYR has not plans to demolish or remove any of those structures following the Rail Line's abandonment.

6. GRYR did not receive from IC when it purchased the Southaven-to-Canton railroad line any engineering drawings or other documents useful in documenting the history of the 125 bridges, trestles and culverts 50 years old or older situated on the Rail Line, and none is in its possession.

7. The 125 bridges, trestles and culverts 50 years old or older are ordinary, rudimentary railroad structures, and there is nothing distinguished about them which would warrant their listing in the National Register of Historic Places. The Southaven-to-Canton railroad line has been in operation for approximately a century and a half, and, therefore, it is unlikely that there are any archeological resources or any other previously unknown historic properties in the immediate area adjacent to the Rail Line proposed to be abandoned.

8. There is no evidence of ground disturbances or fill which might affect the archeological recovery of resources along the Rail Line and the surrounding terrain, and GRYR has no knowledge of such changes in the subject area's environmental conditions.

9. Attached as Exhibit D is a copy of the letter, dated August 29, 2011, from Mr. Greg Williamson, Review and Compliance Officer for Mr. H. T. Holmes, State Historic Preservation Officer, stating, "Based on the information provided, we concur that no bridge, trestle, culvert or abutment is eligible for listing in the National Register of Historic Places." He added, "[W]e do not consider abandoning the line to be an adverse effect to either archaeological or architectural resources."

Respectfully submitted,

GRENADA RAILWAY LLC

By its attorney,

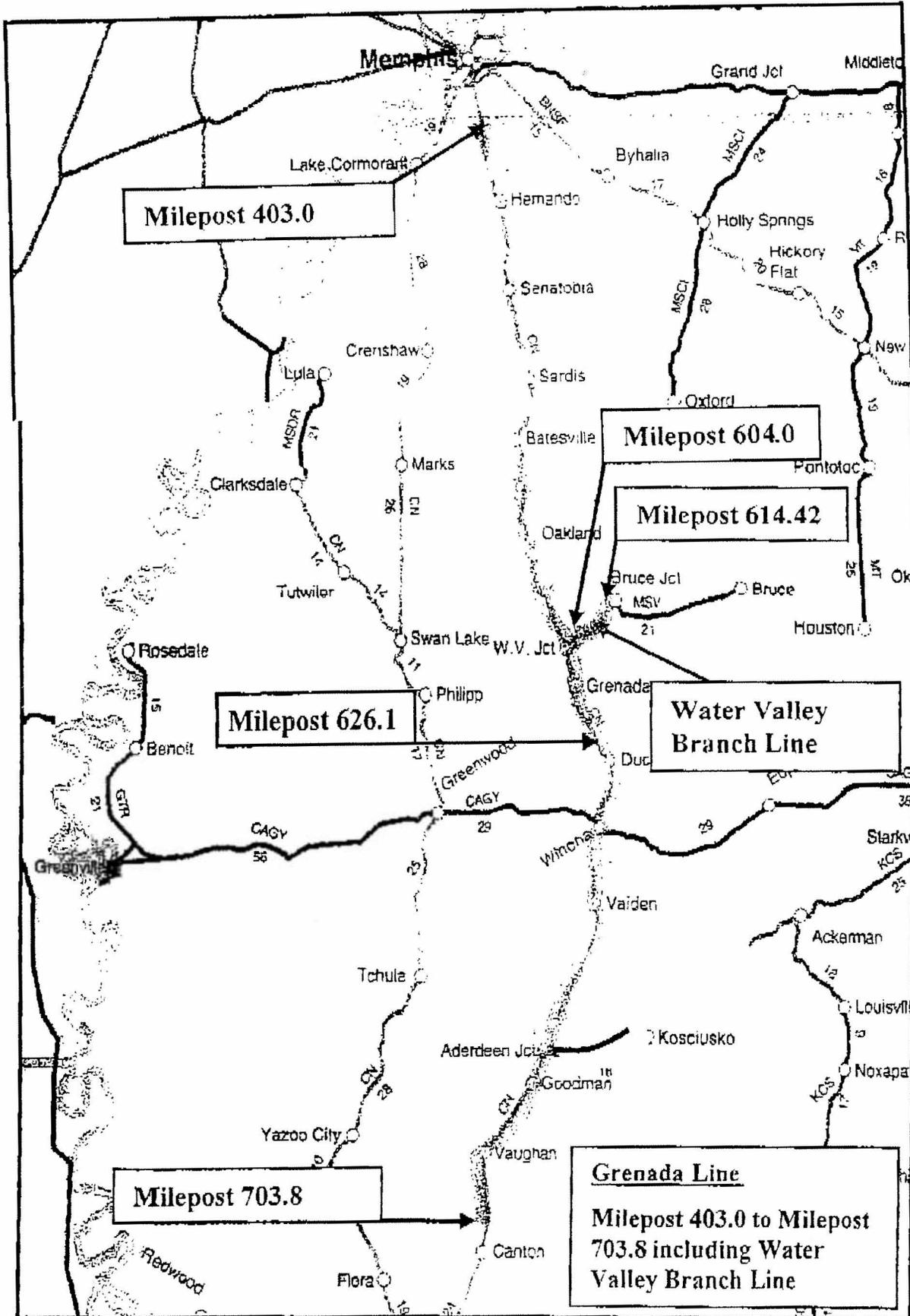


Fritz R. Kahn
Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036
Tel.: (202) 263-4152

Dated: November 26, 2013

Map

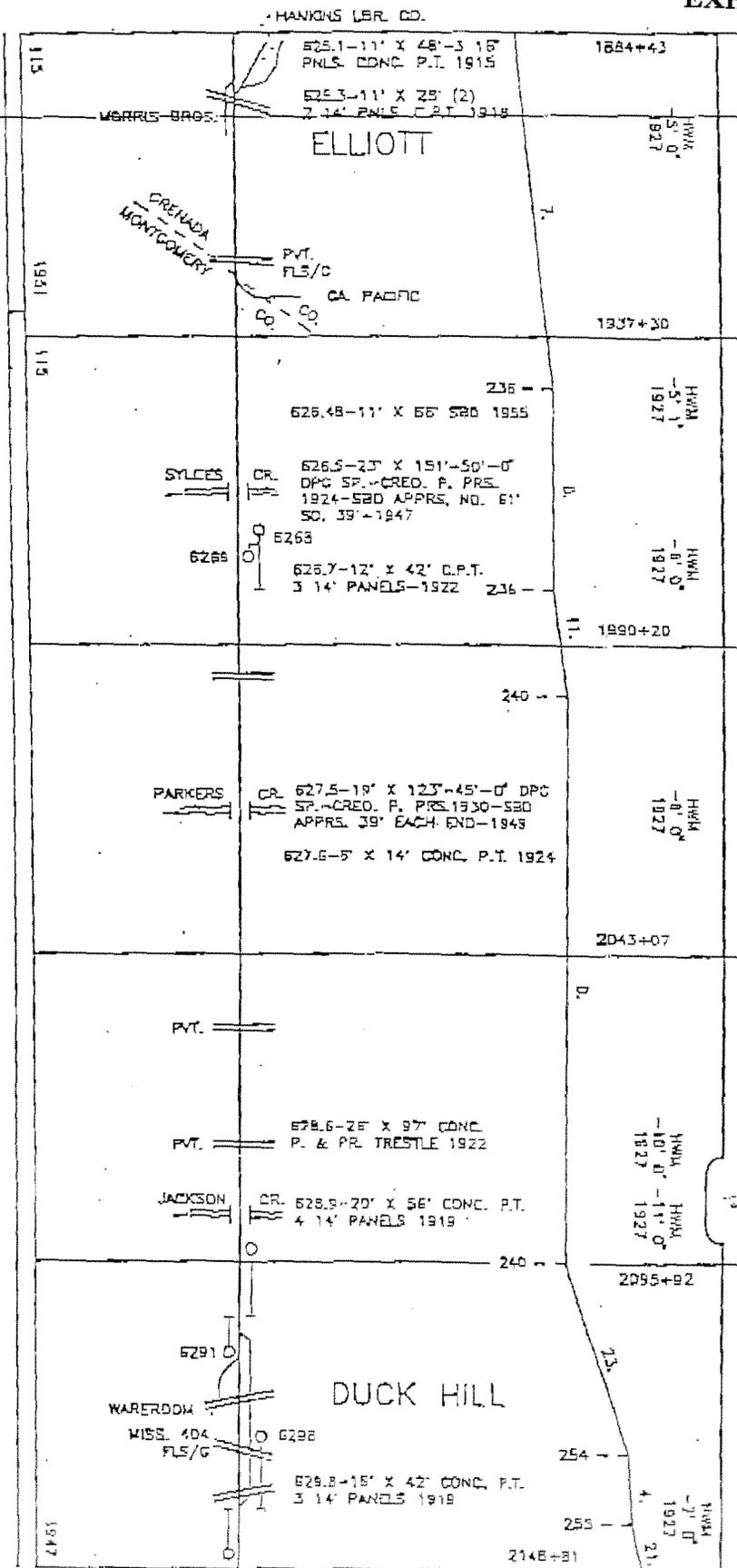
Exhibit A



PG 9-23

EXHIBIT B

NOTES



TO MEMPHIS

1" = 3000'

TO NEW ORLEANS

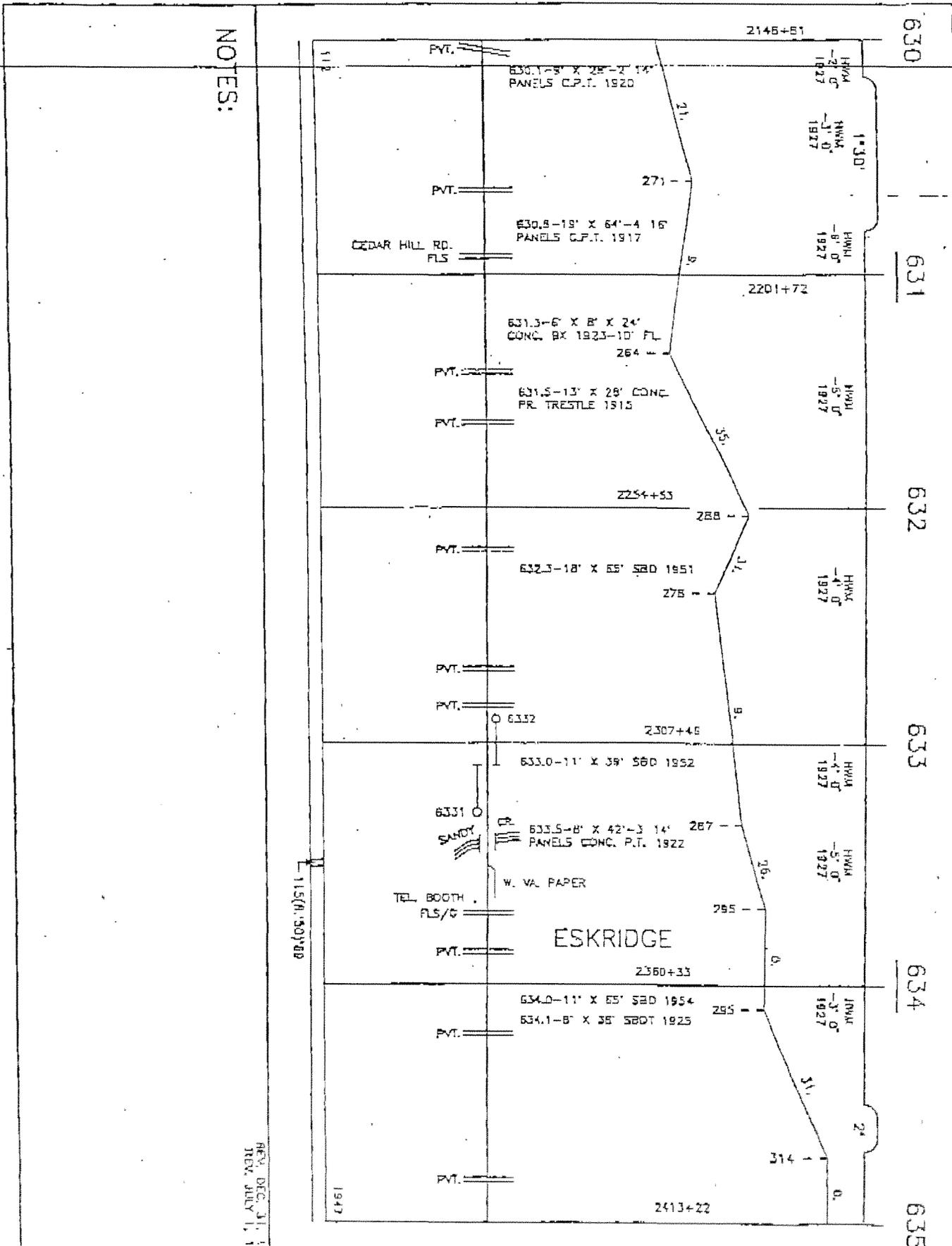
REV. DEC. 31, 1995
REV. JULY 1, 1999

PG
9-24

TO MEMPHIS

1"=3000'

TO NEW ORLEANS



NOTES:

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REV. JULY 11, 19

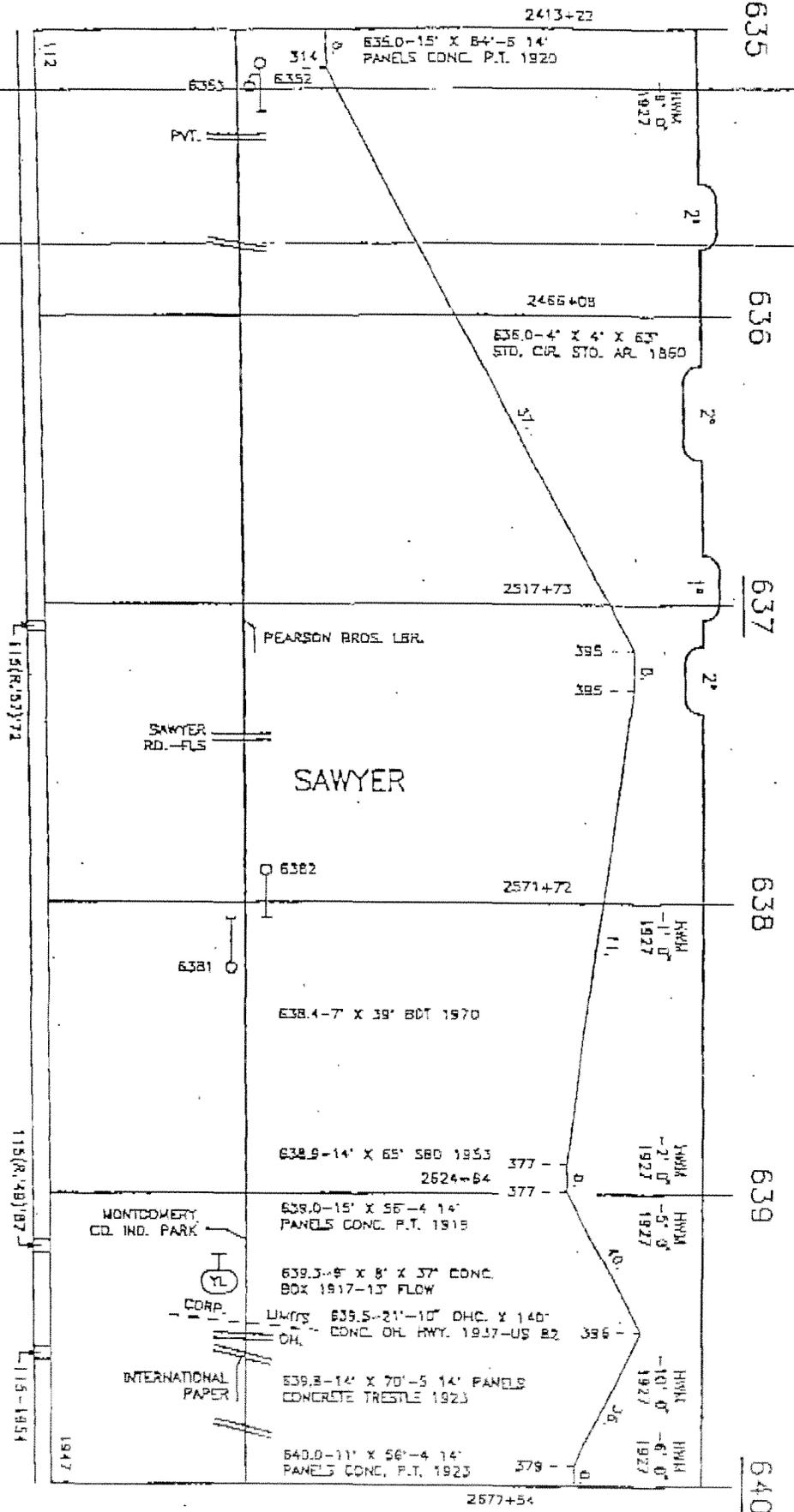
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9-25

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS

NOTES:



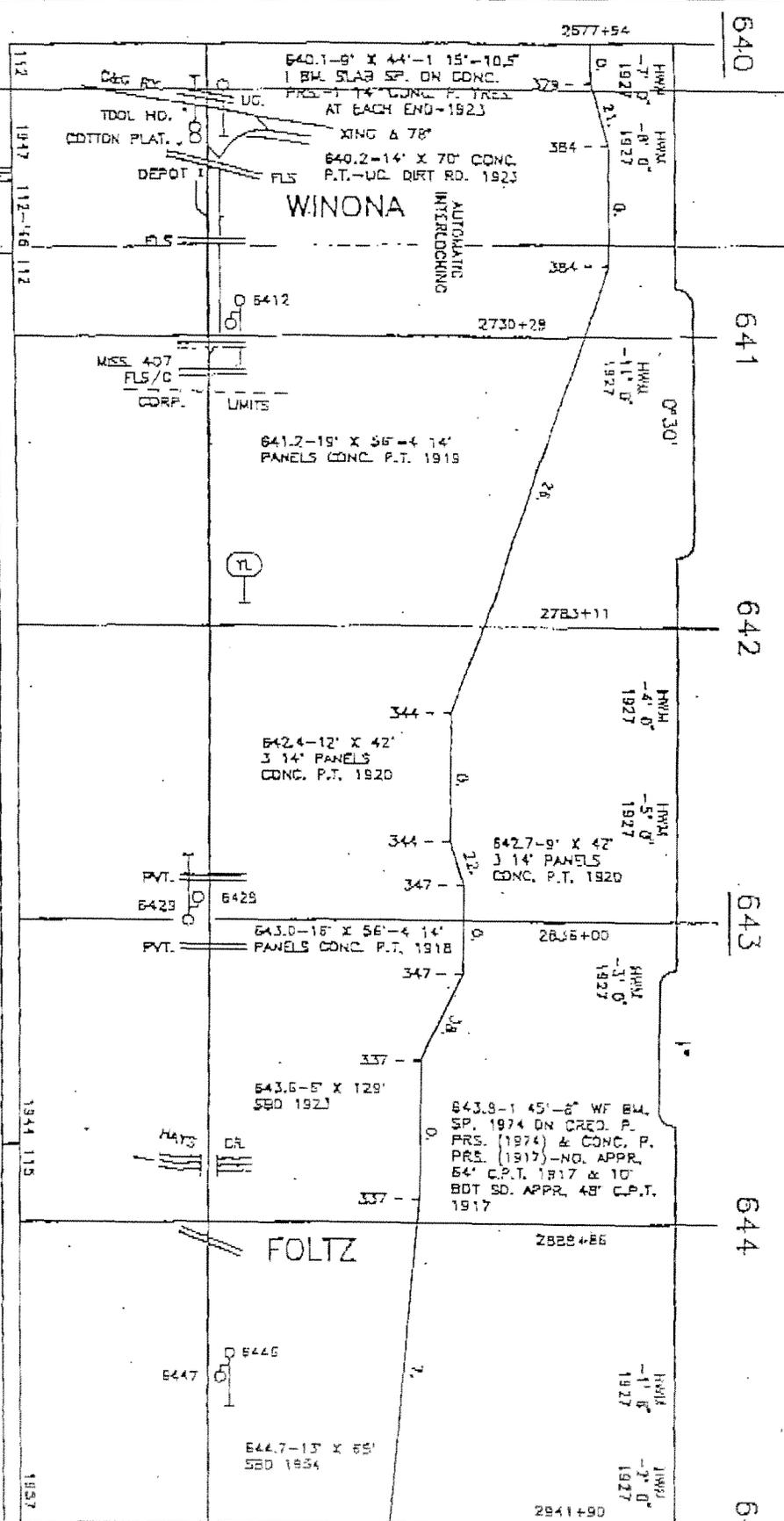
REV. DEC. 31, 1996
REV. JULY 1, 1995

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS

NOTES:

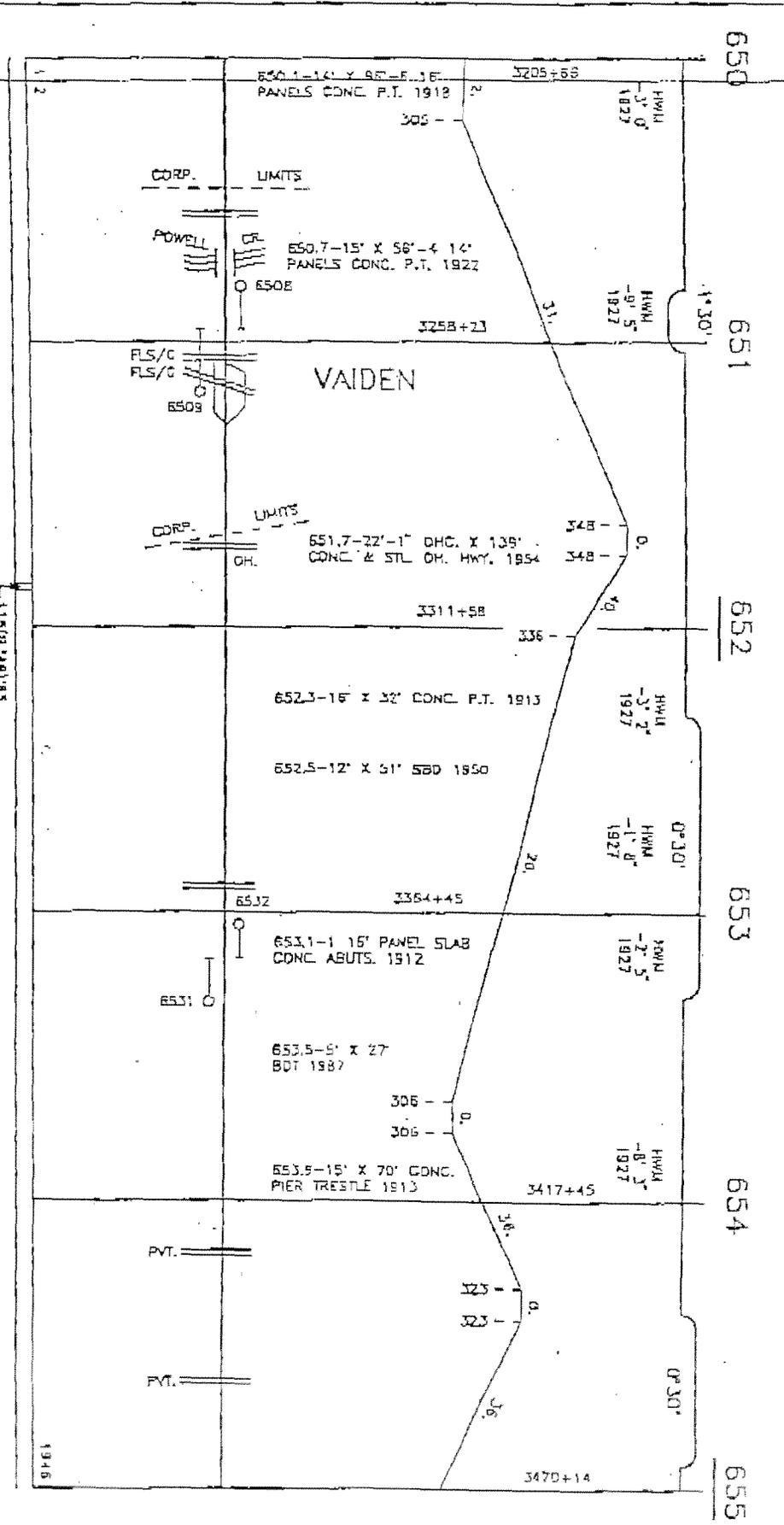


PG
9-28

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS



NOTES:

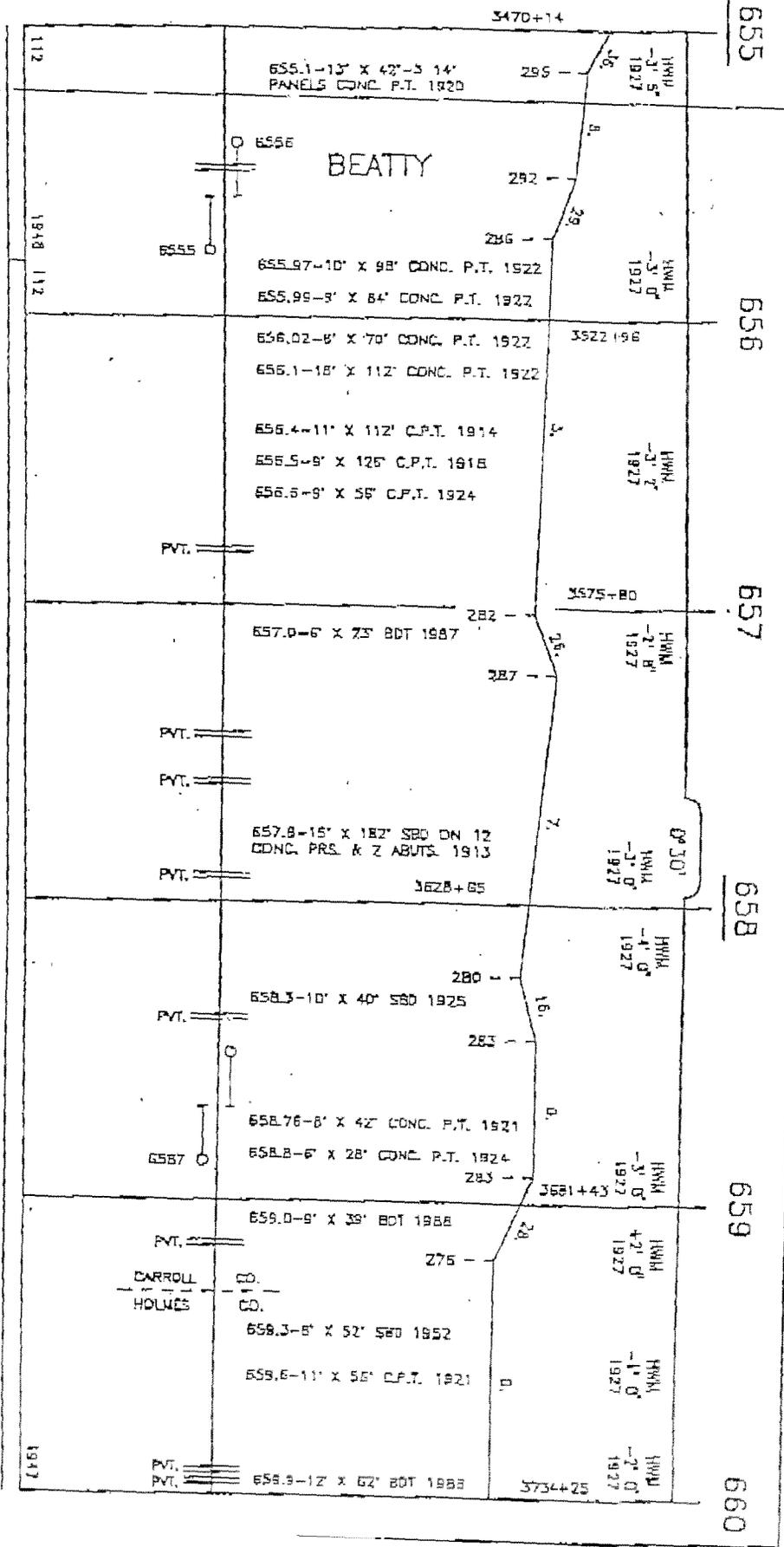
REV. DEC. 31
REV. JAN. 11

PG
9-29

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS



NOTES:

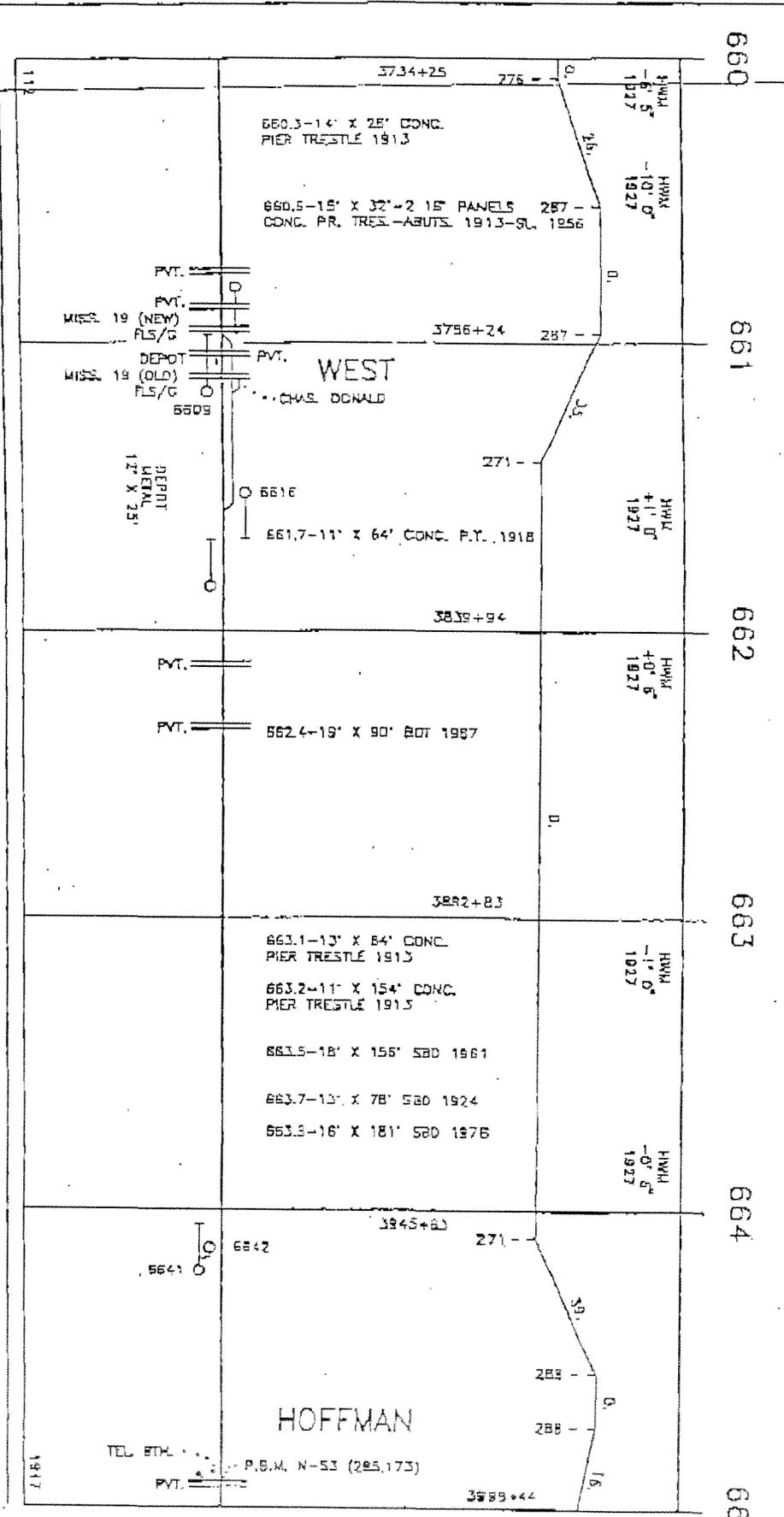
REV. DEC. 31, 1996
REV. JULY 1, 1994

PG
9-30

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS



NOTES:

REV. DEC. 31, '99
REV. JULY 5, '78

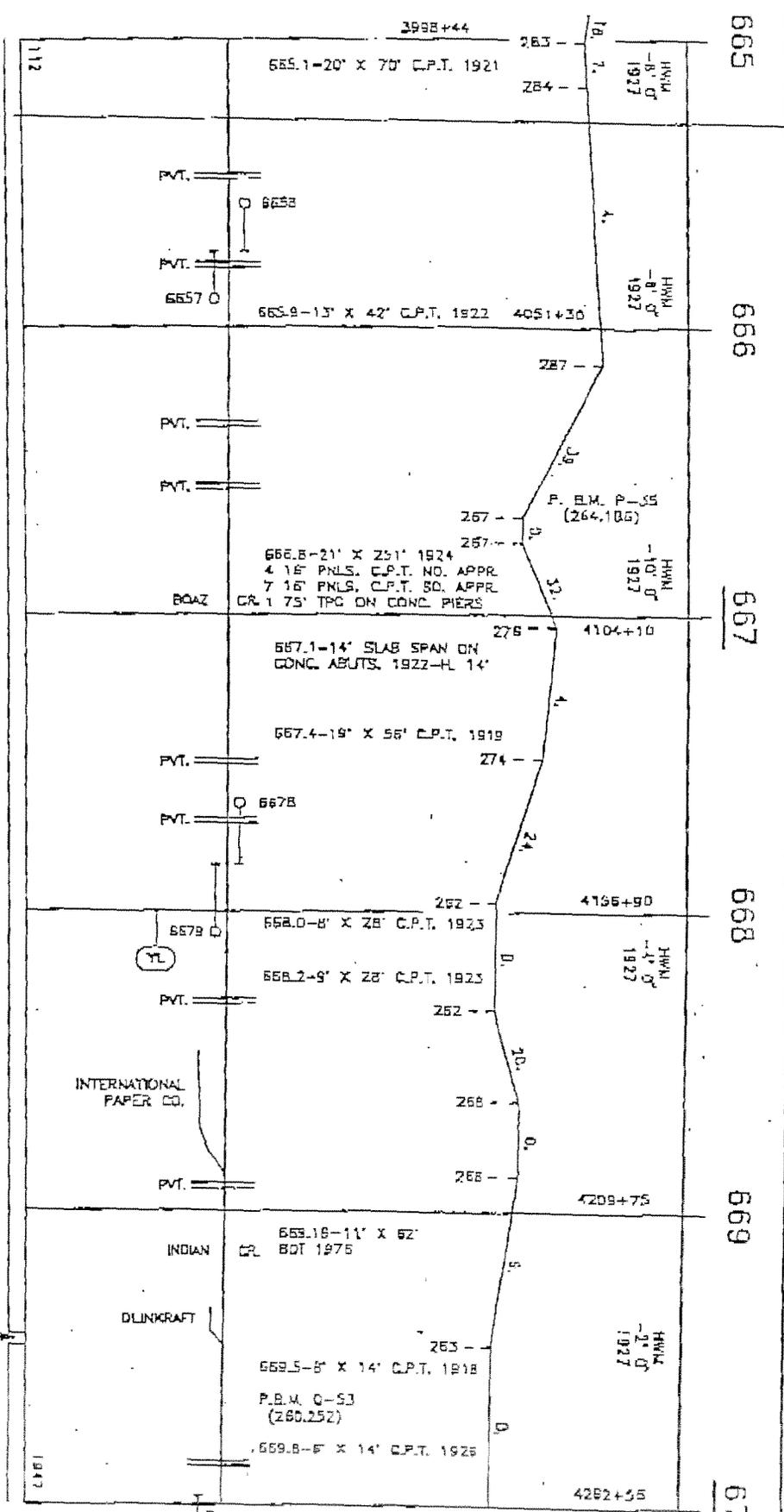
PG
9-31

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS

NOTES:



REV. DEC. 31, 1995
 REV. DEC. 31, 1994
 REV. JULY 1, 1989

PG 9-32

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS

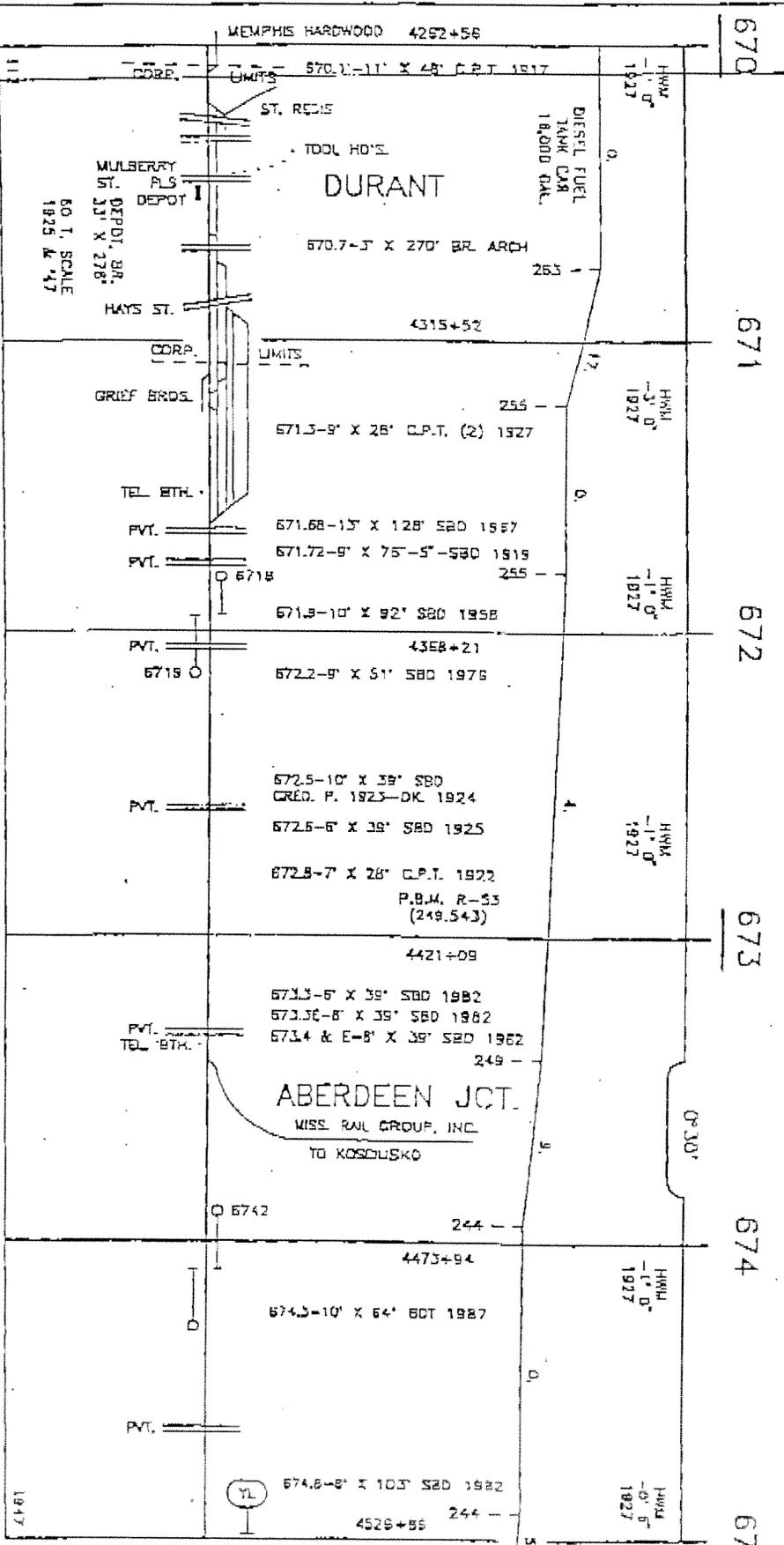
NOTES:

DF

615(11.49)771

MULBERRY PLS DEPOT 1825 & 47

60 T. SCALE



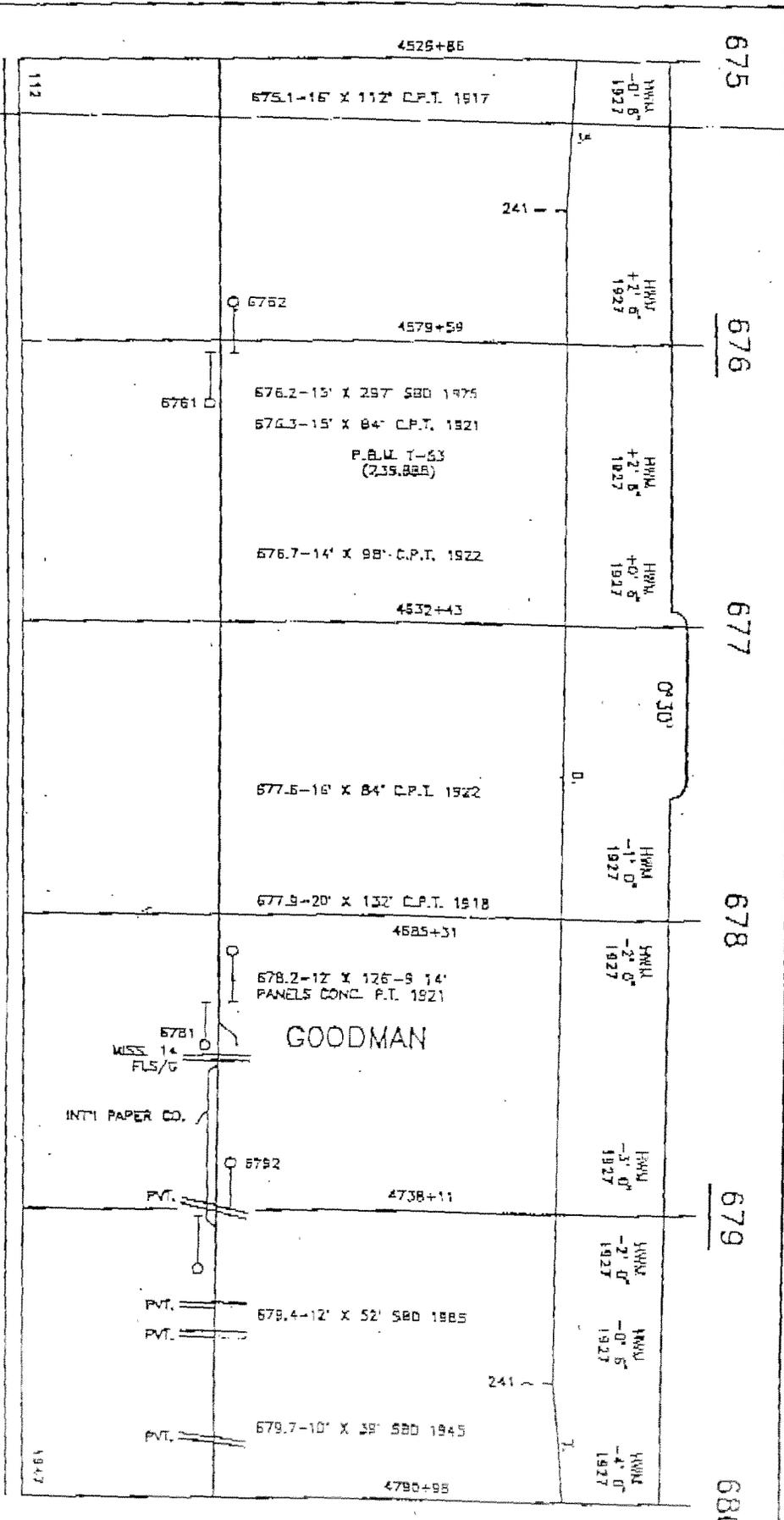
REV. DEC. 31,
 REV. DEC. 31,
 REV. DEC. 31,
 REV. JULY 1,

PG
9-33

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS



NOTES:

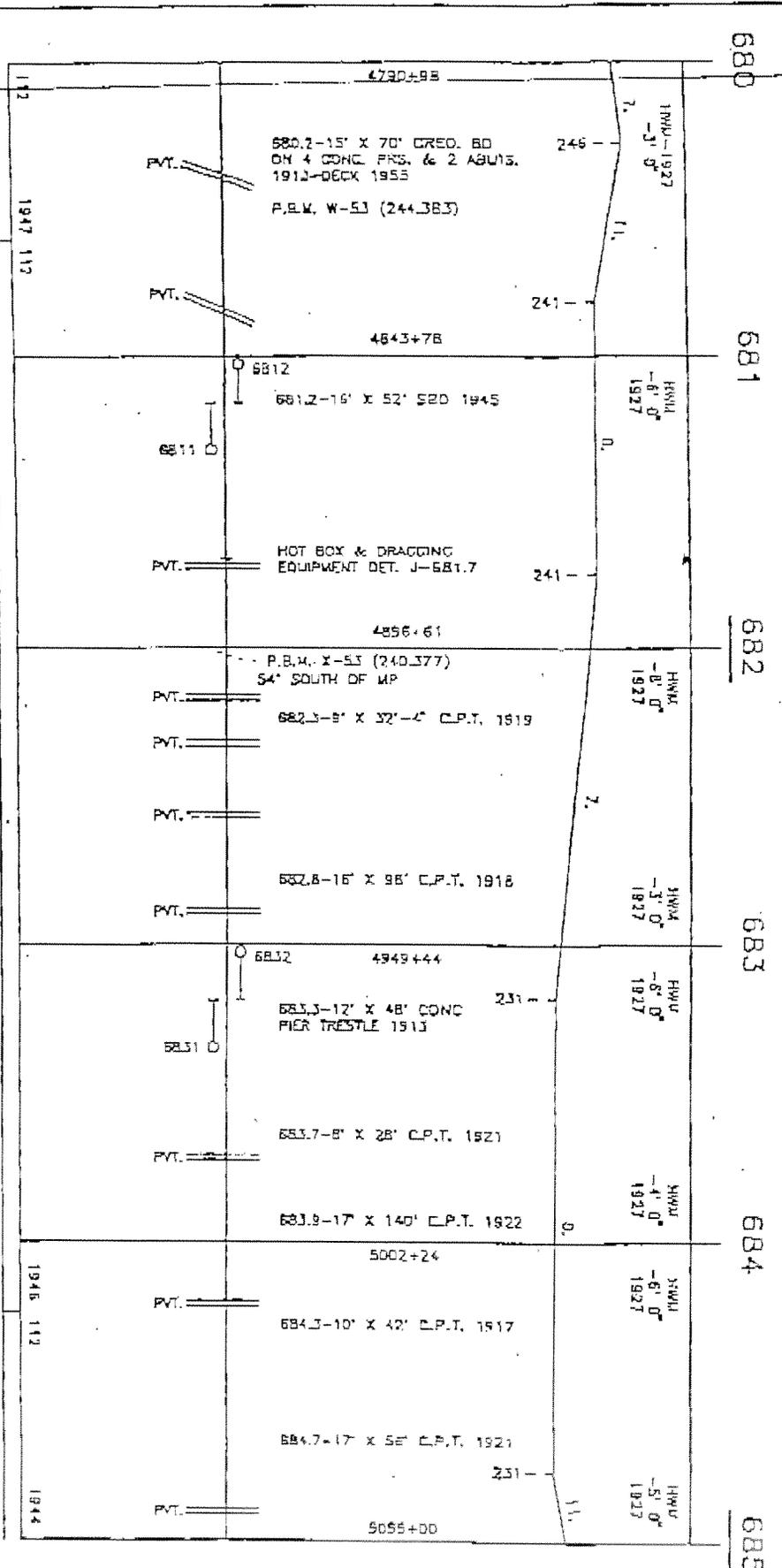
REV. DEC. 31, 199
REV. JULY 1, 198

PG
9-34

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS



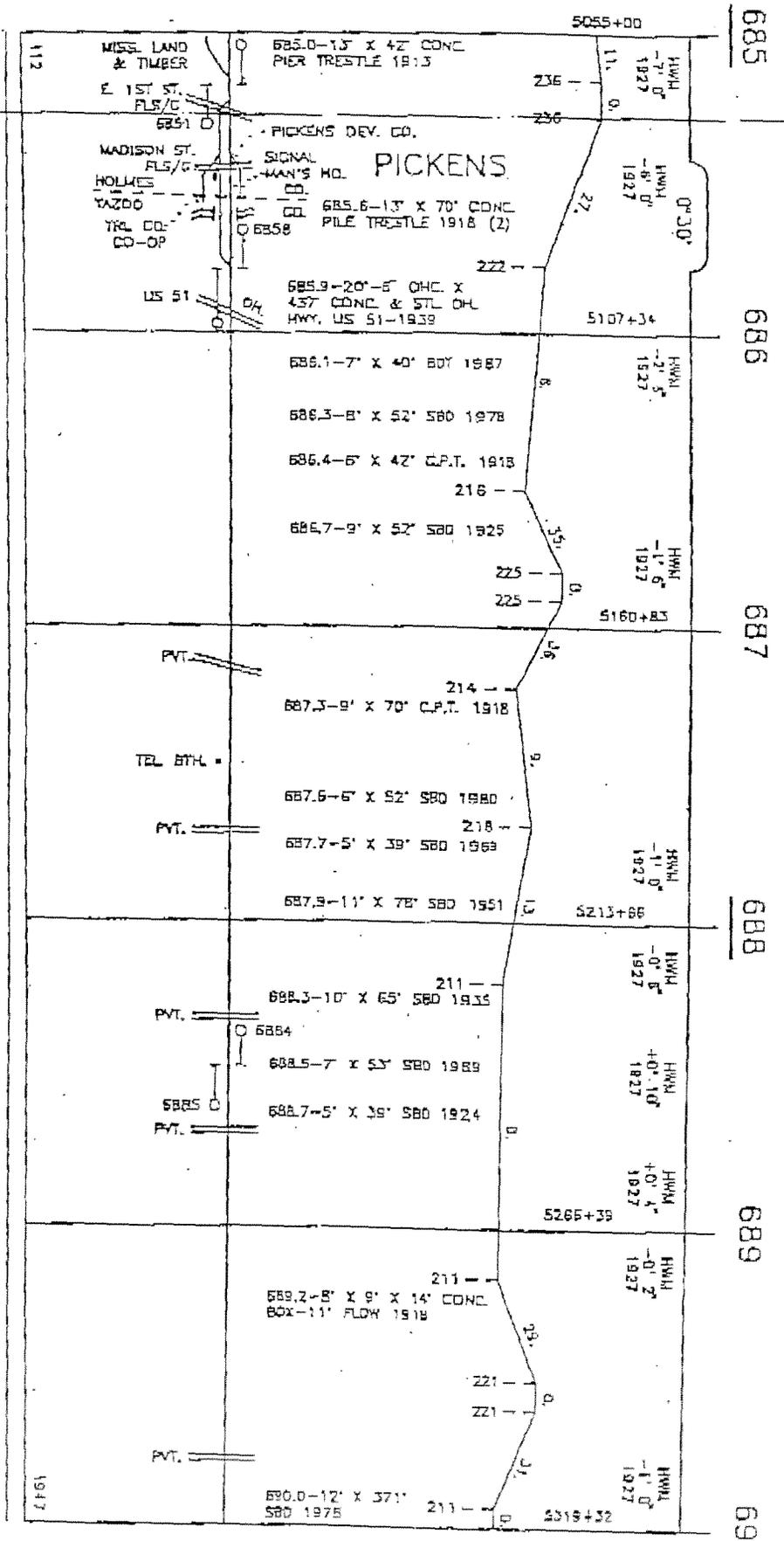
NOTES:

HD

REV. DEC. 31, 19
REV. JULY 1, 19

PG 9-35

NOTES:



REV. DEC. 31, 1
REV. JULY 1, 1

PG 9-36 690

691

692

693

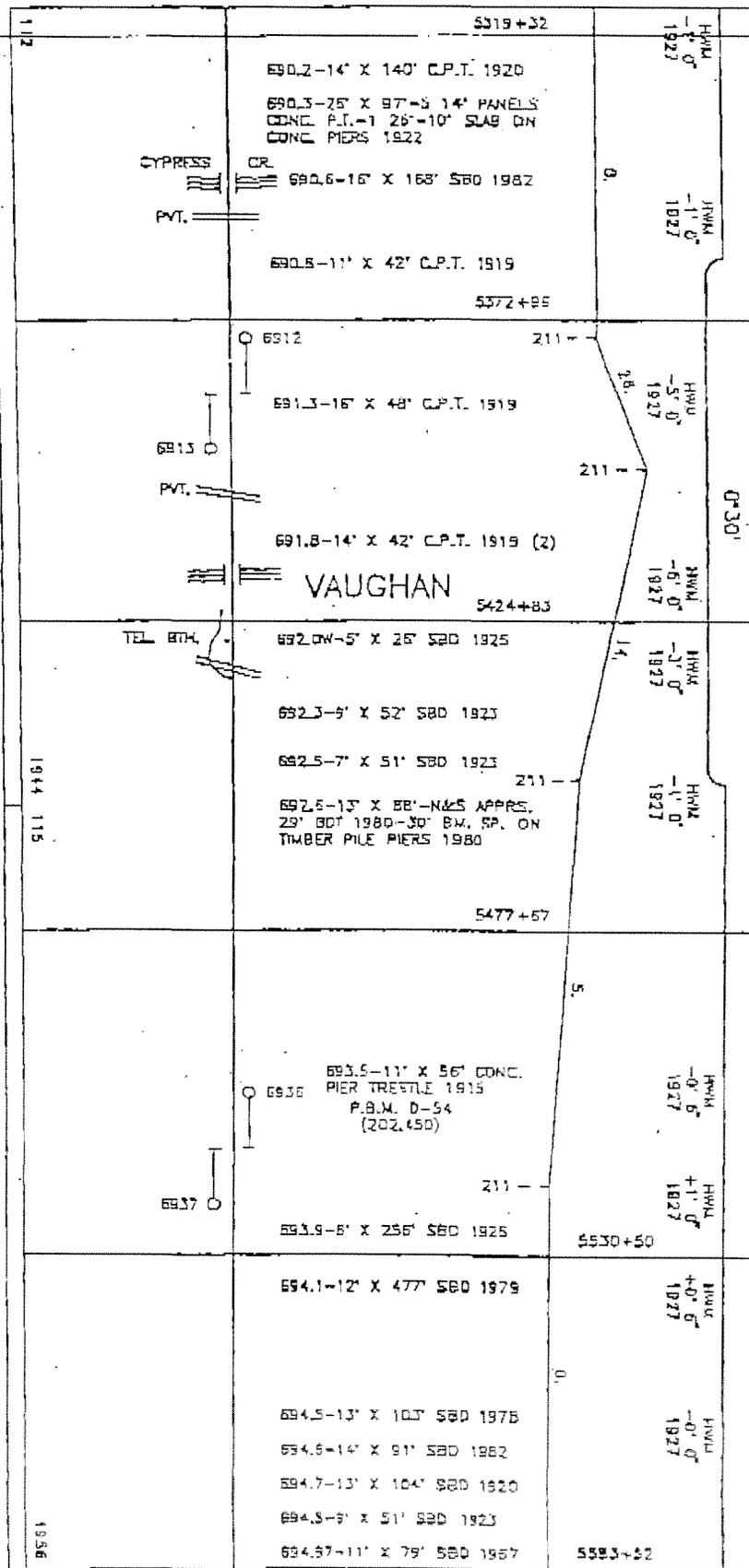
694

69

TO MEMPHIS

1" = 3000'

TO NEW ORLEANS



NOTES:

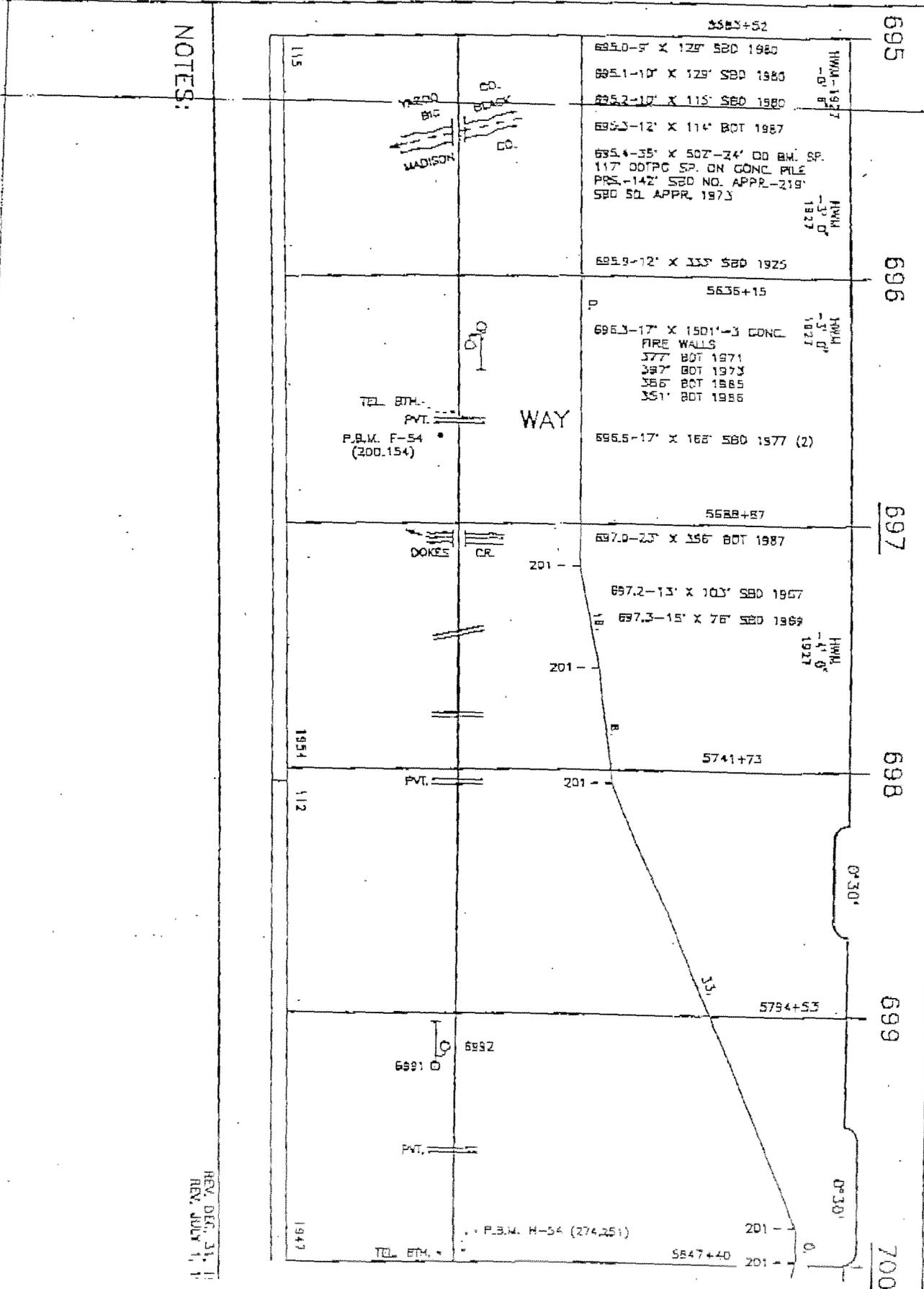
REV. DEC. 31, 1956
REV. DEC. 31, 1956
REV. JULY 1, 1956

PG
9-37

TO MEMPHIS

1"=3000'

TO NEW ORLEANS



NOTES:

REV. DEG. 31, 1
REV. JULY 1, 1
1947

EXHIBIT C

 STRUCTURES KNOWN TO BE
 50 YEARS OLD OR OLDER

<u>Type of Structure</u>	<u>Milepost Location</u>	<u>Dimension</u>	<u>Material</u>	<u>Year Constructed</u>	<u>Year Altered</u>
Bridge	626.4	11' x 56'	SBD	1955	
Bridge	626.5	23' x 151'	SBD	1924	
Bridge	626.7	12' x 42'	CPT	1922	
Bridge	627.5	19' x 123'	SBD	1949	
Trestle	627.6	6' x 14'	CPT	1924	
Bridge	628.6	26' x 97'	CPT	1922	
Bridge	628.9	20' x 56'	CPT	1919	
Bridge	629.9	16' x 42'	CPT	1919	
Bridge	630.1	9' x 28'	CPT	1920	
Bridge	630.8	19' x 54'	CPT	1917	
Culvert	631.3	6' x 8' x 24'	Concrete	1923	
Bridge	631.5	13' x 28'	CPT	1915	
Bridge	632.2	18' x 65'	SBD	1951	
Bridge	633.0	11' x 39'	SBD	1952	
Bridge	633.5	8' x 42'	CPT	1922	
Bridge	634.0	11' x 65'	SBD	1954	
Bridge	634.1	8' x 38'	SBD	1924	
Bridge	635.0	15' x 84'	CPT	1920	
Bridge	638.9	14' x 65'	SBD	1953	
Bridge	639.0	15' x 56'	CPT	1919	
Culvert	639.3	8' x 8' x 37'	Concrete	1917	
Bridge	639.8	14' x 70'	CPT	1923	
Bridge	640.0	11' x 56'	CPT	1923	
Bridge	640.1	9' x 44'	CPT	1923	
Bridge	640.2	14' x 70'	CPT	1923	
Bridge	641.2	19' x 56'	CPT	1919	
Bridge	642.4	12' x 42'	CPT	1920	
Bridge	642.7	9' x 42'	CPT	1920	
Bridge	643.0	16' x 56'	CPT	1918	
Bridge	643.8	6' x 129'	SBD	1923	
Bridge	644.7	13' x 65'	SBD	1954	
Bridge	645.2	9' x 40'	SBD	1924	

Bridge	645.4	8' x 39'	SBD	1955
Bridge	656.8	6' x 28'	CPT	1922
Bridge	647.9	8' x 89'	SBD	1923
Bridge	648.1	13' x 128'	CPT	1917
Bridge	648.8	19' x 158'	CPT	1917
Bridge	649.4	8' x 98'	CPT	1920
Bridge	649.5	9' x 156'	CPT	1921
Bridge	649.6	9' x 112'	CPT	1921
Bridge	649.7	13' x 84'	CPT	1918
Bridge	650.1	14' x 96'	CPT	1918
Bridge	650.7	15' x 56'	CPT	1922
Bridge	651.7	22' x 139'	CPT	1954
Bridge	652.3	16' x 32'	CPT	1913
Bridge	652.5	12' x 51'	SBD	1950
Abutment	653.1	16'	Concrete	1912
Bridge	653.9	15' x 70'	CPT	1913
Bridge	655.1	13' x 42'	CPT	1920
Bridge	655.97	10' x 98'	CPT	1922
Bridge	655.99	9' x 84'	CPT	1922
Bridge	656.02	8' x 70'	CPT	1922
Bridge	656.1	18' x 112'	CPT	1922
Bridge	656.4	11' x 112'	CPT	1914
Bridge	656.5	9' x 126'	CPT	1918
Bridge	656.6	9' x 56'	CPT	1924
Bridge	657.8	15' x 182'	CPT	1913
Bridge	658.3	10' x 40'	SBD	1925
Bridge	658.76	8' x 42'	CPT	1921
Bridge	658.8	6' x 28'	CPT	1924
Bridge	659.3	8' x 52'	SBD	1952
Bridge	659.6	11' x 56'	CPT	1921
Bridge	660.3	14' x 28'	CPT	1913
Bridge	660.6	15' x 32'	CPT	1956
Bridge	661.7	11' x 64'	CPT	1918
Bridge	663.1	13' x 84'	CPT	1913
Bridge	663.2	11' x 154'	CPT	1913
Bridge	663.5	18' x 156'	SBD	1961
Bridge	663.7	13' x 78'	SBD	1924
Bridge	665.1	20' x 70'	CPT	1921
Bridge	665.9	13' x 24'	CPT	1922
Bridge	666.8	21' x 251'	CPT	1924
Abutment	667.1	14'	Concrete	1922
Bridge	667.4	19' x 56'	CPT	1919
Bridge	668.0	8' x 28'	CPT	1923
Bridge	668.2	9' x 28'	CPT	1923
Trestle	669.5	8' x 14'	CPT	1918
Trestle	669.8	6' x 14'	CPT	1925

Bridge	670.1	11' x 48'	CPT	1917	
Bridge	671.3	9' x 28'	CPT	1927	
Bridge	671.9	10' x 92'	SBD	1958	
Bridge	672.5	10' x 39'	SBD	1924	
Bridge	672.6	6' x 39'	SBD	1925	
Bridge	672.8	7' x 28'	CPT	1922	
Bridge	675.1	16' x 112'	CPT	1917	
Bridge	676.3	15' x 84'	CPT	1921	
Bridge	676.6	14' x 98'	CPT	1922	
Bridge	677.6	16' x 84'	CPT	1922	
Bridge	677.9	20' x 132'	CPT	1918	
Bridge	678.2	12' x 126'	CPT	1921	
Bridge	679.7	10' x 39'	SBD	1945	
Bridge	680.2	15' x 70'	SBD	1913	1955
Bridge	681.2	16' x 52'	SBD	1945	
Bridge	682.3	9' x 32'	CPT	1919	
Bridge	682.8	16' x 98'	CPT	1918	
Bridge	683.3	12' x 48'	CPT	1913	
Bridge	683.7	8' x 28'	CPT	1921	
Bridge	683.9	17' x 140'	CPT	1922	
Bridge	684.2	10' x 42'	CPT	1917	
Bridge	684.7	17' x 56'	CPT	1921	
Bridge	685.0	13' x 42'	CPT	1913	
Bridge	685.6	13' x 70'	CPT	1918	
Bridge	686.4	6' x 42'	CPT	1918	
Bridge	686.7	9' x 52'	SBD	1925	
Bridge	687.3	9' x 70'	CPT	1918	
Bridge	687.9	11' x 78'	SBD	1951	
Bridge	688.3	10' x 65'	SBD	1935	
Bridge	688.5	7' x 53'	SBD	1969	
Culvert	689.2	8' x 9' x 14'	Concrete	1918	
Bridge	690.2	14' x 140'	CPT	1920	
Bridge	690.3	25' x 97'	CPT	1922	
Bridge	690.8	11' x 42'	CPT	1919	
Bridge	691.3	16' x 48'	CPT	1919	
Bridge	691.8	14' x 42'	CPT	1919	
Bridge	692.3	9' x 52'	SBD	1923	
Bridge	692.5	7' x 51'	SBD	1923	
Bridge	693.5	11' x 56'	CPT	1915	
Bridge	693.9	8' x 256'	SBD	1926	
Bridge	694.7	13' x 104'	SBD	1920	
Bridge	694.8	9' x 51'	SBD	1923	
Bridge	695.9	12' x 333'	SBD	1925	
Bridge	701.0	14' x 63'	SBD	1931	
Bridge	701.8	12' x 65'	SBD	1938	
Bridge	702.16	13' x 78'	SBD	1931	

Bridge	702.25	14' x 65'	SBD	1938
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Notes: CPT = Concrete pier trestle
SBD = Single ballast deck

MISSISSIPPI DEPARTMENT *of* ARCHIVES AND HISTORY**MDAH**

PO Box 571, Jackson, MS 39205-0571
601-576-6850 • Fax 601-576-5975
mdah.state.ms.us
H. T. Holmes, Director

August 29, 2011

Exhibit D

Mr. Fritz R. Kahn, P. C.
1920 N Street, NW (8th Floor)
Washington, D. C. 20036

RE: Proposed abandonment of 81.3 miles of railroad line from Milepost 622.5 to 703.8, Grenada Railroad LLC (GRYR) MDAH Log #08-061-11, Carroll, Grenada, Holmes, Madison, Montgomery, and Yazoo Counties

Dear Mr. Kahn:

We have reviewed your historic report, received on August 10, 2011, for the above referenced undertaking in accordance with the Section 106 Programmatic Agreement for Mississippi and pursuant to the National Historic Preservation Act and 36 CFR Part 800. Based on the information provided, we concur that no bridge, trestle, culvert or abutment is eligible for listing in the National Register of Historic Places. Railroads in towns that developed because of the railroad may be contributing resources to National Register of local historic districts. As such, additional research in the future may cause our evaluation to change. However, we do not consider abandoning the line to be an adverse effect to either archaeological or architectural resources.

If you have any questions, please do not hesitate to contact us at (601) 576-6940.

Sincerely,



Greg Williamson
Review and Compliance Officer

FOR: H.T. Holmes
State Historic Preservation Officer

EXHIBIT I

Letters mailed November 27, 2013, to US & MS officials

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

Carroll County
1 Pinson Square
Carrollton, MS 38917

Dear Sir/Madam:

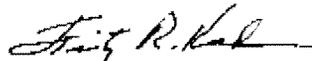
Please be advised that on or about December 16, 2013, Grenada Railway LLC will file with the Surface Transportation Board its Petition for Abandonment Exemption to secure the agency's authorization to abandon its line of railroad extending between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi. The Petition will bear docket No. AB 1087 (Sub-No. 1X).

The line traverses U.S. Postal Service Zip Codes 38925, 38967, 39176, 39192, 39063, 39079, 39146 and 39179, which are the Zip Codes for the stations on the line, Duck Hill, Eskridge, Winona, Vaiden, West, Durant, Goodman, Pickens and Vaughn.

Based on information in the possession of Grenada Railway LLC, the line of railroad includes no federally granted rights-of-way. Any documentation in the possession of the railroad will be made available promptly to those requesting it.

If you have any questions concerning the foregoing, please get back to me.

Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

Montgomery County
P. O. B0x 71
Winona, MS 38967-0071

Dear Sir/Madam:

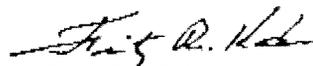
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Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

Holmes County
P. O. Box 239
Lexington, MS 39095-0239

Dear Sir/Madam:

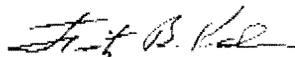
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Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

Yazoo County
P. O. Box 1106
Yazoo City, MS 39194--0068

Dear Sir/Madam:

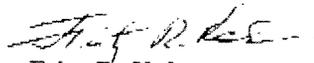
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Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

Madison County
P. O. Box 404
Canton, MS 39046-0404

Dear Sir/Madam:

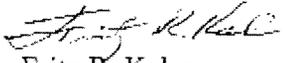
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Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

Director, Recreation and Conservation
National Park Service - Dept. of Interior
1849 C Street, NW
Washington, DC 20240-0001

Dear Sir/Madam:

Please be advised that on or about December 16, 2013, Grenada Railway LLC will filed with the Surface Transportation Board its Petition for Abandonment Exemption to secure the agency's authorization to abandon its line of railroad extending between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi. The Petition will bear docket No. AB 1087 (Sub-No. 1X).

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Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013 .

Chief, U.S.D.A. Forest Service
201 14th Street, SW (4th fl.)
Washington, DC 20520

Dear Sir/Madam:

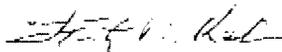
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Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

Chief, Land Resources Division
National Park Service - Dept. of Interior
1201 I Street, NW
Washington, DC 20005

Dear Sir/Madam:

Please be advised that on or about December 16, 2013, Grenada Railway LLC will filed with the Surface Transportation Board its Petition for Abandonment Exemption to secure the agency's authorization to abandon its line of railroad extending between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi. The Petition will bear docket No. AB 1087 (Sub-No. 1X).

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Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

MSDDC - Transportation Engineering Agency
Attn.: SDTE-SA (Railroads for National Defense)
709 Ward Drive Bldg. 1990
Scott AFB, IL 62225-5357

Dear Sir/Madam:

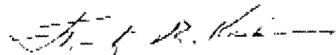
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Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

November 27, 2013

Ms. Amy Hornback
Secretary to the Commission
Mississippi Transportation Commission
401 North West Street
Jackson, MS 39201

Dear Ms. Hornback:

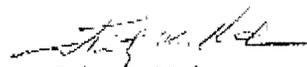
Please be advised that on or about December 16, 2013, Grenada Railway LLC will file with the Surface Transportation Board its Petition for Abandonment Exemption to secure the agency's authorization to abandon its line of railroad extending between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, Mississippi. The Petition will bear docket No. AB 1087 (Sub-No. 1X).

The line traverses U.S. Postal Service Zip Codes 38925, 38967, 39176, 39192, 39063, 39079, 39146 and 39179, which are the Zip Codes for the stations on the line, Duck Hill, Eskridge, Winona, Vaiden, West, Durant, Goodman, Pickens and Vaughn.

Based on information in the possession of Grenada Railway LLC, the line of railroad includes no federally granted rights-of-way. Any documentation in the possession of the railroad will be made available promptly to those requesting it.

If you have any questions concerning the foregoing, please get back to me.

Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

EXHIBIT J

Copies of notarized affidavits of publication

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
MADISON COUNTY

PERSONALLY appeared before me, the undersigned notary public in and for Madison County, Mississippi,

BEVERLY BENNETT

an authorized clerk of the MADISON COUNTY HERALD, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

12/5/2013

Size: 540 words / 1.00 col. x 141.00 lines
Published: 1 time(s)
Total: \$73.30

Signed Beverly Bennett
Authorized Clerk of
The Madison County Herald

SWORN to and subscribed before me on 12/16/2013.

Notary Public
RICK TYLER

Notary Public State of Mississippi at Large, Bonded thru Notary Public Underwriters

(SEAL)



PASTE PROOF HERE

C34207
FRITZ R. KAHN,
0200453563

Docket AB-1087 Abandonment Exemption

OFFICIAL NOTICE
SURFACE
TRANSPORTATION BOARD
Docket No. AB 1087 (Sub-
No. 1X)

GRANADA RAILWAY LLC
PETITION FOR
ABANDONMENT
EXEMPTION
IN MONTGOMERY
CARROLL, HOLMES,
YALHOO AND MADISON
COUNTIES, MS

PETITION FOR
ABANDONMENT
EXEMPTION

Granada Railway LLC ("GRYRL") gives notice that on or about December 16, 2013, it intends to file with the Surface Transportation Board, Washington, DC 20423 ("Board"), a petition for exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10503, et seq. to abandon its line used between Milepost 626.1 near Ellettsville and Milepost 703.8 near Centre, a distance of 77.7 miles, in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, MS. The line traverses United States Postal Service ZIP Codes 38925, 38967, 38970, 39153, 39068, 39070, 39146 and 39173, which are the ZIP Codes for the stations on the line: Duck Hill, Edinger, Virginia, Vainin, West, Durrell, Goodman, Pikes and Vaughn. The proceeding before the Board has been docketed as No. AB 1087 (Sub-No. 1X).

Based on information in GRYRL's possession, the line includes no federally granted rights-of-way. Any documentation in GRYRL's possession will be made available promptly to those requesting it.

The interests of railroad employees will be protected by the conditions of Chapter 800 of the Code of Mississippi, Title 3, Code of Abandonment Control, 300 (C.C.R. 1979).

The Board's Office of Environmental Analysis ("OEA") generally will prepare an Environmental Assessment ("EA"), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed at a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to S.A. Surface Transportation Board, 395 E Street, SW, Washington, DC 20423 or by calling SFA at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use emissions, or rail banking/trails use also can be filed with the Board. Any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Chief, Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423 [See 49 C.F.R. §§ 1104.1(a) and 1104.1(a)(1)] and one copy must be served on applicants representative [See 49 C.F.R. § 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicants representative, Fritz R. Kahn, Esq., Fritz R. Kahn, P.C., 1919 M Street, NW (7th fl.), Washington DC, 20006.

December 5, 2013

Elkton, MD 21120. 8 near
 Carroll, MD. 777
 miles into Montgomery, Carroll,
 Howard, Taylor and Madison
 Counties, MS. The last trav-
 eler, United States Postal
 Service ZIP Codes: 39025,
 39067, 39176, 39192, 39081,
 39079, 39146 and 39179,
 which are the ZIP Codes for
 the station on the line, Duck
 Hill, Elberton, Winona,
 Vicks, West Durbin,
 Goodman, Pickens and
 Vaughn. The proceeding
 before the Board has been
 docketed as No. AB 1087
 (Sub-No. IX).

By applicant's representative:
 Fritz R. Kahn, Esq., Fritz R.
 Kahn, P.C., 1919 M Street,
 NW (7th Fl.), Washington, DC
 20036.

PUBLICATION

THE STATE OF MISSISSIPPI
 MONTGOMERY COUNTY

Personally came before me, the undersigned authority of law
 in and for said County and State, Shannon Davis
 Clerk of THE WINONA TIMES, a weekly newspaper published
 in Winona, Mississippi, and that the publication of the notice, a
 copy of which is hereto attached, has been made in said
 paper _____ times, as follows, to wit:

In Volume 131, Number 49, dated 12-5-2013

In Volume _____, Number _____, dated _____

And affiant further says that the said WINONA TIMES is a
 newspaper as defined and prescribed in Senate Bill No. 203
 enacted at the regular session of the Mississippi Legislature of
 1948, amending Section 1858, of the Mississippi Code of
 1942.

Clerk Shannon Davis

Date 12/16/13

Notary Public Elizabeth Eldridge

Printer's Fee: \$ _____

Filed _____ (Date)

Filed _____ (Clerk)



OFFICIAL NOTICE
SURFACE TRANSPORTATION BOARD
 Docket No. AB 1087 (Sub-No. IX)
GRENADA RAILWAY LLC
PETITION FOR ABANDONMENT EXEMPTION
IN MONTGOMERY, CARROLL, HOLMES, YALLOU AND MADISON COUNTIES, MS
PETITION FOR ABANDONMENT EXEMPTION
 Grenada Railway LLC ("GRYR") gives notice that on or about December 16, 2013, it intends to file with the Surface Transportation Board, Washington, DC 20423 ("Board") a petition for exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10903, et seq., to abandon its little used railroad line between Winona, MS, near

Based on information in GRYR's possession, the line facilities do not actually granted rights-of-way. Any documentation in GRYR's possession will be made available promptly to those requesting it.

The interests of railroad employees will be protected by the conditions of Section Short Line R Co. Abandonment-Goshon, 360 F.C.E. 9F (1979).

The Board's Office of Environmental Analysis ("SEA") generally will prepare an Environmental Assessment ("EA"), which will normally be available 60 days after the filing of the petition for abandonment. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested parties may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, 395 E Street, SW, Washington, DC 20423 or by calling SEA at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking that also can be filed with the Board. Approval and a copy of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Civil Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423. [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 C.F.R. § 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs and Compliance at (202) 245-9238. Copies of any comments or requests for conditions should be served on

PROOF OF PUBLICATION OF NOTICE

The State of Mississippi

County of YAZOO

Personally appeared before me, the undersigned and State aforesaid **JASON PATTERSON**, on oath, that he is **PUBLISHER** of the **YAZOO** City of Yazoo City, State and County aforesaid, a copy of which is hereto attached, has b

Vol. No. 142
Number 65
Dated 12-4, 2013

Vol. No. _____
Number _____
Dated _____, 20____

Vol. No. _____
Number _____
Dated _____, 20____

Vol. No. _____
Number _____
Dated _____, 20____

Affiant further states that said newspaper is published next prior to the first publication of said notice

(Signed) [Signature]

Sworn to and subscribed before me, this _____

(Signed) [Signature]

Words 447
Time 1
Amount of legal \$ 53⁶⁴
Proof of Publication \$ 3-
Total Amount \$ 56⁶⁴

Legal # 925

OFFICIAL NOTICE
SURFACE TRANSPORTATION BOARD
Docket No. AD 1087 (Sub-No. 1X)
GRENADA RAILWAY LLC
-- PETITION FOR ABANDONMENT EXEMPTION --
IN MONTGOMERY, CARROLL, HOLMES, YAZOO AND MADISON COUNTIES, MS
PETITION FOR ABANDONMENT EXEMPTION

Grenada Railway LLC ("GRYR") gives notice that on or about December 16, 2013, it intends to file with the Surface Transportation Board, Washington, DC 20423 ("Board") a petition for exemption under 49 U.S.C. § 10502 from the prior approval requirements of 49 U.S.C. § 10903, et seq., to abandon its little used railroad line between Milepost 626.1 near Elliott and Milepost 703.8 near Canton, a distance of 77.7 miles in Montgomery, Carroll, Holmes, Yazoo and Madison Counties, MS. The line traverses United States Postal Service Zip Codes 38925, 38967, 38176, 39192, 39063, 39079, 39146 and 39179, which are the Zip Codes for the stations on the line, Duck Hill, Eskridge, Winona, Valden, West Durant, Goodman, Pickens and Vaughan. The proceeding before the Board has been docketed as No. AB 1087 (Sub-No. 1X).

Based on information in GRYR's possession, the line includes no federally granted rights-of-way. Any documentation in GRYR's possession will be made available promptly to those requesting it.

The interests of railroad employees will be protected by the conditions of Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979).

The Board's Office of Environmental Analysis ("SEA") generally will prepare an Environmental Assessment ("EA"), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, 395 E Street, SW, Washington, DC 20423 or by calling SEA at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Chief, Section of Administration, Office of Proceedings, 395 E

public in and for the County first duly sworn state on newspaper published in the publication of the notice, paper 1 times as follows.

for at least twelve months

December, 2013