

BEFORE THE
SURFACE TRANSPORTATION BOARD



STB Finance Docket No. 35922

238809

ENTERED

WESTERN WASHINGTON RAILROAD, LLC
-- OPERATION EXEMPTION --
PORT OF CHEHALIS

Office of Proceedings
July 13, 2015
Part of Public Record

VERIFIED NOTICE OF EXEMPTION

WESTERN WASHINGTON RAILROAD, LLC

STINSON LEONARD STREET LLP

W. Karl Hansen

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FEE RECEIVED

July 13, 2015

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FILED
July 13, 2015
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Counsel for Western Washington Railroad, LLC

Date: July 10, 2015

Filing contains color images

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35922

WESTERN WASHINGTON RAILROAD, LLC
-- OPERATION EXEMPTION --
PORT OF CHEHALIS

VERIFIED NOTICE OF EXEMPTION

Western Washington Railroad, LLC (“WWR”) files this Verified Notice of Exemption pursuant to 49 U.S.C. 10502 and the class exemption at 49 C.F.R. §§ 1150.41 *et seq.* to operate a line of railroad owned by the Port of Chehalis, Washington (the “Port”), pursuant to a sublicense agreement with Chehalis-Centralia Railroad & Museum (“CCRM”), a non-carrier excursion train operator.

WWR submits the following information as required by 49 C.F.R. § 1150.43:

(a) Full name and address of applicant

Western Washington Railroad, LLC
P.O. Box 6720
Aloha, OR 97007

(b) Applicant’s representative

W. Karl Hansen
STINSON LEONARD STREET LLP
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
(612) 335-7088

(c) Statement regarding agreement

WWRR and CCRM have entered into a right-of-way sublicense agreement dated May 6, 2014 granting WWRR the right to operate as a common carrier over the line licensed by the Port to CCRM. The Port has provided its consent to the sublicense agreement.

(d) The operator of the property

WWRR will be the operator of the line.

(e) Summary of the proposed transaction

WWRR and CCRM have entered into a sublicense agreement whereby WWRR will operate as a common carrier over approximately 10.2 miles of rail line owned by the Port of Chehalis in Lewis County, Washington between Milepost 0.0 at the junction of the line with the rail line owned by the City of Tacoma (Tacoma Rail Milepost 67.0) and Milepost 10.2 in Curtis, Washington.

(1) Name and address of railroad transferring the subject property

City of Tacoma, Department of Public Works
2601 SR 509 North Frontage Road
Tacoma, WA 98421

(2) Proposed time schedule for consummation

The parties intend to consummate the transaction immediately after the effective date of this Notice.

(3) Mileposts of the subject property

WWRR will operate the rail line owned by the Port of Chehalis between Mileposts 0.0 and 10.2.

(4) Total route miles being acquired

Approximately 10.2 miles.

(f) A map of the area to be served

A map is attached as Exhibit A.

(g) Certificate that proposed revenues do not exceed those of a Class III carrier

WWRR hereby certifies that this transaction will not result in WWRR becoming a Class I or Class II rail carrier. The projected annual revenues of WWRR will not exceed \$5 million.

(h) Interchange commitments

Neither the sublicense agreement between WWRR and CCRM nor the license agreement between CCRM and the Port of Chehalis contain any provision that prohibits WWRR from interchanging traffic with a third party or that limits WWRR's ability to interchange with a third party.

A caption summary, as required by 49 C.F.R. § 1150.44, is attached as Exhibit B.

Environmental/Historic Preservation Data pursuant to 49 C.F.R. Part 1105

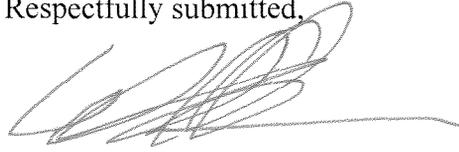
Under 49 C.F.R. § 1105.6(c)(2)(i), WWRR's sublicense and operation of the line is exempt from environmental reporting requirements because it will not result in significant changes in carrier operations (*i.e.*, changes which exceed the thresholds established in 49 C.F.R. §§ 1105.7(e)(4) or (5)).

Under 49 C.F.R. § 1105.8(b)(1), WWRR's sublicense and operation of the line is also exempt from historic preservation reporting requirements. WWRR will operate the line for the purpose of continued rail operations. Further Board approval is required to abandon any service,

and there are no plans to dispose of or alter properties subject to Board jurisdiction that are fifty years old or older.

Dated: July 19, 2015

Respectfully submitted,



W. Karl Hansen
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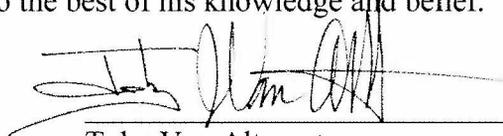
Counsel for Western Washington Railroad, LLC

VERIFICATION

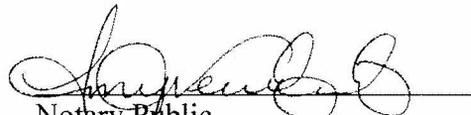
STATE OF OREGON

COUNTY OF WASHINGTON

Toby Van Altvorst, being duly sworn, deposes and says that he is the Managing Member of Western Washington Railroad, LLC, that he has read the foregoing Notice of Exemption, and that the contents thereof are true and correct to the best of his knowledge and belief.


Toby Van Altvorst

Subscribed and sworn to before me this 7 day of July, 2015.


Notary Public

My Commission expires:

June 11, 2017

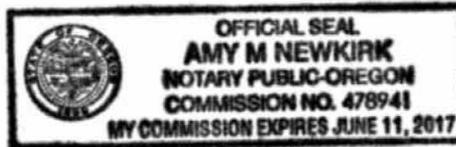


EXHIBIT A

Map

EXHIBIT B
Caption Summary

CAPTION SUMMARY

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION
FINANCE DOCKET NO. 35922

WESTERN WASHINGTON RAILROAD, LLC
-- OPERATION EXEMPTION --
PORT OF CHEHALIS

Western Washington Railroad, LLC (“WWRR”) has filed a notice of exemption to operate the Port of Chehalis’s line of railroad between Milepost 0.0 and Milepost 10.2 in Lewis County, Washington.

Comments must be filed with the Board and served on W. Karl Hansen, Stinson Leonard Street LLP, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402.

This Notice is filed under 49 C.F.R. § 1150.41, *et seq.* If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Dated:

By the Board,