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January 27, 2016  
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Public Record

BEFORE THE  
SURFACE TRANSPORTATION BOARD

Docket No. AB-1068 (Sub-No. 3X)

MISSOURI CENTRAL RAILROAD COMPANY  
- ABANDONMENT EXEMPTION -  
IN CASS, PETTIS, BENTON, MORGAN, MILLER, COLE, OSAGE, MARIES,  
GASCONADE, AND FRANKLIN COUNTIES, MISSOURI

MOTION TO EXTEND TIME TO NEGOTIATE INTERIM TRAIL USE  
AND FEE WAIVER REQUEST

The Missouri Department of Natural Resources (“MDNR”) hereby requests, and the Missouri Central Railroad Company (“MCRR”) hereby agrees to, an extension of time **until December 31, 2017** for the parties to finalize and close on a trail use agreement applicable to the rail line in the above-referenced abandonment proceeding.<sup>1</sup> Under the decision served by the Surface Transportation Board (“Board”) on August 10, 2015, the current period for negotiation of interim trail use/rail banking is set to expire on February 21, 2016.

In the past, MDNR and MCRR have requested the traditional 180-day extension when more time has been needed to complete the steps required for rail-banking and finalize an interim trail use agreement. MDNR and MCRR are aware that the Board has also granted extensions significantly longer than 180 days.<sup>2</sup> With this request, MDNR and MCRR are requesting slightly more than twenty-two months as an extension, until December 31, 2017, because the parties

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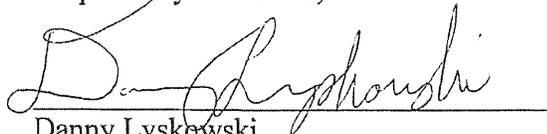
<sup>1</sup> See, e.g., West Michigan Railroad Company – Abandonment Exemption – In Van Buren County, Mich., STB Docket No. AB-1107X, slip op. at 2 (served April 15, 2014) (“Where...the carrier has not consummated the abandonment at the end of the previously imposed negotiating period...and is willing to continue trail use negotiations...the Board retains jurisdiction, and the NITU negotiating period may be extended.”) (citation omitted).

<sup>2</sup> See, e.g., CSX Transportation, Inc. – Abandonment Exemption – In Jefferson County, AL, STB Docket No. AB-55 (Sub-No. 613X) (served March 5, 2015) (one-year extension).

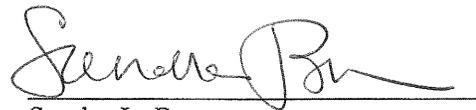
intend to wait until salvage is finished before completing the interim trail use agreement and executing the property transfer due to the MCRR's various salvage-related obligations under the environmental conditions and the Section 106 Memorandum of Agreement pursuant to the National Historic Preservation Act. Salvage began in late 2015 and is tentatively expected to be completed in late 2017 for the 144.3-mile rail line at issue. MCRR remains committed to transferring the property to MDNR under the National Trails System Act, 16 U.S.C. § 1247(d).

Pursuant to 49 CFR § 1002.2(e)(1) and MDNR's status as a state agency, it is requesting waiver of the \$450.00 filing fee for extension of the period of time to negotiate a trail use agreement.

Respectfully submitted,



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January 26, 2016

cc: Parties of Record

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of January, 2016, I caused a copy of The Missouri Department of Natural Resources and Missouri Central Railroad Company's Motion to Extend Time to Negotiate Interim Trail Use and Fee Waiver Request to be served upon all parties below, by first-class mail:

Honorable Vicky Hartzler  
Congress Of The United States  
1023 Longworth Building  
Washington, DC 20515

Blake Hurst  
Missouri Farm Bureau Federation  
P.O. Box 658  
Jefferson City, MO 65102

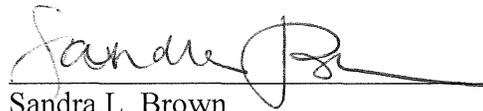
Keith Laughlin  
Rails To Trails Conservancy  
2121 Ward Court, NW, 5th Floor  
Washington, DC 20037

Chrysa M. Niewald  
Missouri Rock Island Trail, Inc.  
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