

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**



_____ 2X
STB Docket No. AB-331 (Sub-No. ~~1X~~)

**THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS
METROPOLITAN DISTRICT – ABANDONMENT EXEMPTION – THE CITY OF ST.
LOUIS, MISSOURI**

239580

VERIFIED NOTICE OF EXEMPT ABANDONMENT

ENTERED
Office of Proceedings
November 19, 2015
Part of
Public Record

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General Counsel
Metro
707 North First Street
St. Louis, Missouri 63102
Tel: (314) 982-1532
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**James C. Hetlage
Daniel D. Doyle
Lashly & Baer, P.C.
714 Locust Street
St. Louis, Missouri 63101
Tel: (314) 621-2939
Fax: (314) 621-6844**

November 16, 2015

**Attorneys for The Bi-State Development
Agency of the Missouri-Illinois
Metropolitan District**

FEE RECEIVED
November 19, 2015
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November 19, 2015
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STB Docket No. AB-331 (Sub-No. ~~1X~~ ^{2X})

**THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS
METROPOLITAN DISTRICT – ABANDONMENT EXEMPTION – THE CITY OF ST.
LOUIS, MISSOURI**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (“Metro”) hereby submits a verified notice of exemption pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances of Service and Trackage Rights) for Metro to abandon approximately 1.43 miles of rail line (the “Line”) located in the City of St. Louis, Missouri. The Line extends from milepost 1.8 to milepost 3.23 within the City of St. Louis. The Line is within U.S. ZIP codes 63110 and 63108. There are no customers served on the Line, and the Line has been dormant since December 1, 2008.

In accordance with the requirements of 49 C.F.R. §§ 1152.50(b) and (d), Metro provides the following information in support of this notice of abandonment:

Certification: 49 C.F.R. § 1152.50(b)

Under the exemption provisions at 49 C.F.R. part 1152, subpart F, Metro certifies that the Line satisfies the criteria for abandonment. See Certification of John Langa (Exhibit A). For at least the past seven years, (Metro has provided no local or overhead common carrier service over the Line, and has received no requests for common carrier service over it.

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

The proposed abandonment will be consummated on or after January 11, 2016 (50 days after filing the notice of exemption).

Additional Information Required: 49 C.F.R. §§ 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

Exact name of applicant (49 C.F.R. § 1152.22(a)(1)):

The Bi-State Development Agency of the Missouri-Illinois Metropolitan District d/b/a Metro

Whether applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

Metro is a common carrier by railroad subject to the Board's jurisdiction under 49 U.S.C. Subtitle IV, chapter 105.

Relief sought (49 C.F.R. § 1152.22(a)(3)):

Metro hereby invokes the Board's two-year out-of-service class exemption procedures to abandon approximately 1.43 miles of rail line. The Line extends from milepost 1.8 to milepost 3.23. All of the track is within the City of St. Louis, Missouri. The Line traverses United States Postal Zip Codes 63110 and 63108. There are no customers served on the subject Line, and the Line has been dormant for almost seven years. Following abandonment, Metro will construct an additional MetroLink station to serve the Cortex technology district. The Cortex station construction has been funded by a grant from the U.S. Department of Transportation.

Map (49 C.F.R. § 1152.22(a)(4)):

A detailed map showing the location of the Line is attached as Exhibit B.

Applicant's representative (49 C.F.R. § 1152.22(a)(7)):

Metro's representatives to whom correspondence regarding this proceeding should be sent are:

James C. Hetlage
Daniel D. Doyle
Lashly & Baer, P.C.
714 Locust Street
St. Louis, Missouri 63101
Tel: (314) 621-2939
Fax: (314) 621-6844

USPS ZIP codes (49 C.F.R. § 1152.22(a)(8)):

The Line is in United States Postal Zip Codes 63110 and 63108.

Suitability of the Line for Other Public Purposes (49 C.F.R. § 1152.22(e)(4)):

Metro has fee title to the entire right-of-way underlying the line segment proposed for abandonment, and plans to construct a passenger station with a USDOT grant to serve the Cortex technology district with its existing MetroLink light rail service. Metro believes this is the highest and best public purpose for the use of the Line, and that the Line is unsuitable for any public purpose other than its planned use. The construction project includes a bikeway between Boyle and Sarah Avenues. The Line does not contain federally-granted right-of-way. As appropriate, Metro is willing promptly to make available any information in its possession to anyone on request.

Labor Protection

Because the Line has been dormant for more than six years, no railroad employees will be adversely affected by exercise of abandonment authority. No lines or other property of Metro will be transferred to another rail carrier, and no other transaction with a rail carrier will occur that may adversely affect Metro employees through the abandonment. Nevertheless, in the unlikely event railroad employees are adversely affected by this abandonment, they will be

adequately protected by the conditions set forth in Oregon Short Line R. Co. – abandonment – Goshen, 360 I.C.C. 91 (1979).

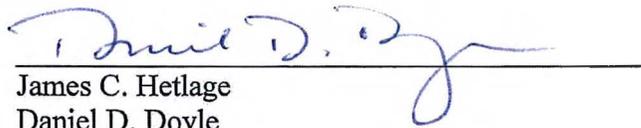
Certifications

Attached hereto as Exhibit C are Certificates of Service and Publication certifying compliance with the advance notice and newspaper publication requirements set forth at 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as part of Exhibit D is a certificate of compliance with the advance notice requirements for Environmental and Historic Reports as set forth at 49 C.F.R. § 1105.11.

Environmental and Historic Report

As is reflected in the certificate of compliance with the provisions of 49 C.F.R. § 1105.11 (see Exhibit D), Metro has prepared a combined Environmental and Historic Report (“E&HR”) in anticipation of the proposed abandonment of the Line that conforms to the requirements of 49 C.F.R. §§ 1105.7 and 1105.8. A copy of the E&HR is attached hereto as Attachment 1 to Exhibit D (§ 1105.11 certification).

Respectfully submitted,



James C. Hetlage
Daniel D. Doyle
Lashly & Baer, P.C.
714 Locust Street
St. Louis, Missouri 63101
Tel: (314) 621-2939
Fax: (314) 621-6844

Attorneys for The Bi-State Development Agency of
the Missouri-Illinois Metropolitan District

Nov. 6, 2015

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-331 (Sub-No. ~~1X~~ ^{2X})

**THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS
METROPOLITAN DISTRICT – ABANDONMENT EXEMPTION – THE CITY OF ST.
LOUIS, MISSOURI**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

VERIFICATION

Verification

I, John Langa, Vice President, Economic Development for The Bi-State Development of the Missouri-Illinois Metropolitan District ("Metro"), hereby verify under penalty of perjury that to the best of my knowledge the foregoing abandonment notice of exemption is true and correct. Further, I certify that I am qualified and authorized to make such verification on behalf of Metro in connection with this proceeding before the Surface Transportation Board

Executed this 6 day of November, 2015



John Langa
Vice President

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

_____ 2X
STB Docket No. AB-331 (Sub-No. ~~1X~~)

**THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS
METROPOLITAN DISTRICT – ABANDONMENT EXEMPTION – THE CITY OF ST.
LOUIS, MISSOURI**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT A

METRO CERTIFICATION

CERTIFICATION

STATE OF MISSOURI:

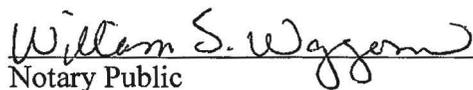
SS:

CITY OF ST. LOUIS:

John Langa under oath states that he is Vice President, Economic Development of The Bi-State Development Agency of the Missouri-Illinois Metropolitan District; that the rail line between Mileposts 1.8 and 3.23, over which service is to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least six years, that no overhead traffic has moved over the line for at least six years and that overhead traffic, if there were any, it could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period.

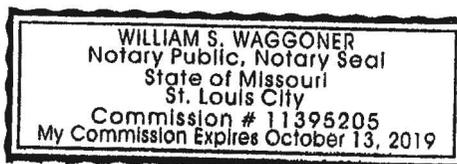

John Langa

Subscribed and sworn to before me
this 6th day of November, 2015.


Notary Public

My commission expires:

10-13-2019



**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-331 (Sub-No. ^{2X}~~1X~~)

**THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS
METROPOLITAN DISTRICT – ABANDONMENT EXEMPTION – THE CITY OF ST.
LOUIS, MISSOURI**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT B

MAP



**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-331 (Sub-No. ~~1X~~^{2X})

**THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS
METROPOLITAN DISTRICT – ABANDONMENT EXEMPTION – THE CITY OF ST.
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VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT C

CERTIFICATES OF SERVICE/PUBLICATION

SURFACE TRANSPORTATION BOARD

NOTICE OF INTENT TO ABANDON OR DISCONTINUE RAIL SERVICE

The Bi-State Development Agency of the Missouri-Illinois Metropolitan District ("Metro") gives notice that on or about November 9, 2015, it intends to file with the Surface Transportation Board, Washington, DC 20423 a Verified Notice of Exempt Abandonment under CFR 49 part 1152 subpart F – Exempt Abandonments, permitting the abandonment of approximately 1.43 miles of rail line (the "Line") located in the City of St. Louis, Missouri. The Line extends from milepost 1.8 to milepost 3.23 within the City of St. Louis. The Line is within U.S. ZIP codes 63110 and 63108. The proceeding has been docketed as No. AB-331 (Sub-No. 1X).

The Board's Office of Environmental Analysis (SEA) generally will prepare an Environmental Assessment (EA), which will normally be available 25 days after filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 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 the Office of Environmental Analysis (SEA), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423 or by calling that office 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 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 Section of Administration, Office of Proceedings, Transportation Board, 395 E Street, SW Washington, DC 20423 {See 49 C.F.R. §§ 1104.1 (a) and 1104.3 (a)}. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Government Affairs and Compliance at (202) 245-0238. Copies of any comments or request for conditions should be served

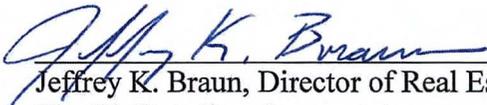
on the applicant's representative Daniel D. Doyle, Lashly & Baer, P.C., 714 Locust Street, St. Louis, Missouri 63101 (Tel: 314-621-2939) (email: ddoyle@lashlybaer.com).

Certificate of Newspaper Publication

49.C.F.R. § 1105.12 – Newspaper Notice

I certify that a “Notice of Intent to Abandon Rail Service” was published in a newspaper of general circulation in the county in which the Line is located and in the form prescribed by the Board for abandonment notices of exemption (49 C.F.R. § 1105.12). The notice was published one time on November 8, 2015, in the St. Louis Post-Dispatch, a newspaper of general circulation in St. Louis, Missouri. As of November 9, 2015, Metro has confirmed publication in the newspaper, but we have not yet received the standard affidavit of publication that typically follows:

November 9, 2015



Jeffrey K. Braun, Director of Real Estate
The Bi-State Development Agency of the
Missouri-Illinois Metropolitan District

Certificate of Service of Advance Notice

49 C.F.R. § 1152.50(D)(1) – Notice

I certify that, on Nov. 6, 2015, in keeping with 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with written notice of the intent of The Bi-State Development Agency of the Missouri-Illinois Metropolitan District to invoke the Board's notice of exemption procedures to abandon approximately 1.43 miles of rail line located in the City of St. Louis, Missouri:

Public Service Commission, et al.

Robert S. Kenney
Chairman, Missouri Public Service Commission
200 Madison Street.
P.O. Box 360
Jefferson City, Missouri 65102-6360

Stephen R. Miller
Chair, Missouri Highways and Transportation Commission
105 W. Capitol
P.O. Box 270
Jefferson City, Missouri 65102-0270

Department of Defense (Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program

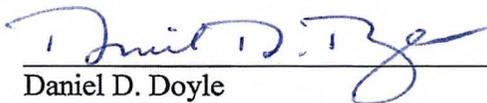
David Dorfman
SDDCTEA
Railroads for National Defense
709 Ward Dr., Bldg. 1990
Scott AFB, IL 62225

The National Park Service, Recreation Resources Assistance Division

Charlie Stockman
National Park Service
Rivers & Trails Conservation Program
1201 Eye Street, NW, 9th Floor (Org. Code 2220)
Washington, D.C. 20005

U.S. Department of Agriculture, Chief of the Forest Service

Thomas L. Tidwell, Chief
Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20024


Daniel D. Doyle

Attorney for The Bi-State Development Agency of
the Missouri-Illinois Metropolitan District

Nov. 6, 2015

**BEFORE THE
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LOUIS, MISSOURI**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT D

**CERTIFICATE OF COMPLIANCE WITH
ENVIRONMENTAL AND HISTORIC REPORT
REQUIREMENTS**

ENVIRONMENTAL REPORT

(49 C.F.R. §1105.7)

- (1) ***Proposed Action and Alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project***

Bi-State Development Agency of the Missouri-Illinois Metropolitan District ("Metro"), proposes to abandon the 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri (the "Line"). No local or overhead freight shipments have been carried on the Line in more than seven years' time. Upon the Line's abandonment, the track, ties and other track materials are expected be salvaged, but the berms, bridges, trestles, culverts and other structures will not be disturbed. Metro proposes to construct a new MetroLink Station in the area of the Line. The new station will provide light rail public transportation access to a rapidly growing technology research district ("Cortex").

- (2) ***Transportation System. Describe the effect of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.***

There will be no passenger or freight traffic diverted to other transportation systems as a result of the proposed abandonment. There has been no traffic on the Line for more than seven years.

- (3) ***Land Use***

(i) ***Based on consultation with local and/or regional planning agencies and/or review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.***

The proposed action is consistent with existing land use plans. Metro proposes to construct a new MetroLink Station in the area of the railroad line. The new station will provide light rail access to a rapidly growing technology research district ("Cortex"). The new station will include a bike trail between Newstead and Boyle Avenues. The City of St. Louis, Cortex Innovation Community, BJC Healthcare, Washington University, Great Rivers Greenway and Citizens for Modern Transit have collaborated with Metro and committed local match funds for the project. As part of the grant application, Metro received letters of support from Senator Claire McCaskill (US Senator), Mayor Francis Slay (Mayor of the City of St. Louis), Missouri Department of Transportation, East-West Gateway Council of Governments.

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

According to the Natural Resource Conservation Service Soil map, there are no prime agricultural land in the affected area. The land is classified as Urban Land, Bottom Land.

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

The proposed abandonment is not located within a designated coastal zone.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

The right of way is suitable for and will be used for alternative public uses. As stated above the area of the track abandonment will be part of a new MetroLink Light Rail Station and a Bike Trail.

(4) Energy

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

The proposed abandonment will have no effect on the transportation of energy resources. There has been no traffic on the line for more than seven years.

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

The proposed abandonment will not adversely affect movement or recovery of recyclable commodities because there has been no traffic on the line for more than seven years.

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

The proposed action will not result in an increase or decrease in overall energy efficiency because there has been no traffic on the line for more than seven years.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in the energy consumption and show the data and methodology used to arrive at the figure given.

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

(5) Air

(i) If the proposed action will result in either:

(A) an increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of the line affected by the proposal, or

(B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or

(C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

The proposed action will not result in an increase to the specified thresholds for increased rail or truck traffic as outlined in (i) (A), (B) or (C) above because no freight will be diverted.

(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will:

(A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,

(B) an increase in rail yard activity of at least 20 percent (measured by carload activities), or

(C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by State Implementation Plan. However, for a rail construction under 49 U.S.C § 10901 (or 49 U.S.C § 10505) or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

The proposed action will not result in an increase to the specified thresholds for increased rail or truck traffic as outlined in (i) (A), (B) or (C).

(iii) If the transportation of ozone depleting materials (such as nitrogen oxide and Freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

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

(6) Noise If any of the thresholds identified in item (5) (i) of this section are surpassed, state whether the proposed action will cause:

(i) an incremental increase in noise levels of three decibels Ldn or more; or

(ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g. schools, libraries, hospitals, residences, retirement communities.

and nursing homes) in the project area and quantify the noise increase for these receptors if the thresholds are surpassed.

Operational noise levels are not anticipated to result in noticeable increases in noise levels because background noise levels include noise generated from the adjacent transportation corridors and commercial facilities. There are no sensitive receptors within 1,000 feet of the project. Applying the “doubling-of-distance rule”, noise levels experienced by the nearest sensitive receptor is expected will be below background noise (62 dBA).

(7) Safety

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

This abandonment will have no adverse effect on health or public safety.

- (ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills, and the likelihood of and accidental release of hazardous materials.***

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

- (iii) If there are any known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.***

There are no known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way.

(8) Biological Resources

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

According to the Missouri department of Conservation’s Online Natural Heritage Review, species of concern do not exist within the project corridor. The Online Review states that no further consultation with the U.S. Fish and Wildlife Service or the Missouri Department of Conservation is required

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

There are no wildlife sanctuaries or refuges, National or State parks or forests near the proposed project

(9) Water

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

There are no bodies of water within the proposed site. The project does not involve the discharge of dredged or fill material into waterways of the U.S.

The project does not involve the disturbance of more than one acre, so a storm water permit will not be required. The existing storm water runoff characteristics on the property will not be changed by the project. Best Management practices will manage storm water runoff during construction activities.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

There are no bodies of water within the proposed site, so that, the project does not involve the discharge of dredged or fill material into waterways of the U.S.

According to FEMA maps, panels 2903850050C and 2903850063C, the abandonment areas are not in a flood plain.

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

No permits under Section 402 of the Clean Water Act are required.

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

Metro does not expect any adverse environmental impact from the proposed abandonment and, therefore, does not propose any mitigating actions. Should environmental issues be discovered during demolition/construction activities, the appropriate agencies will be contacted for consultation.

HISTORIC REPORT

(49 C.F.R. § 1105.8)

HISTORIC REPORT

- 1. *Proposed Action and Alternatives. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.***

Bi-State Development Agency of the Missouri-Illinois Metropolitan District ("Metro"), proposes to abandon the 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri (the "Line"). No local or overhead freight shipments have been carried in more than seven years' time on the Line sought to be abandoned. Upon the line's abandonment, the track, ties and other track materials are expected to be salvaged, but the berms, bridges, trestles, culverts and other structures will not be disturbed. Metro proposes to construct a new MetroLink Station in the area of the Line. The new station will provide light rail public transportation access to a rapidly growing technology research district ("Cortex"). Metro owns the Line and anticipates its continued ownership.

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

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

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

The Line extends approximately 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri. The right of way is generally 25 feet wide, widening to 50 feet between Sarah and Boyle Avenues. The Line is located in a rapidly growing technology research development district. The area includes multiple medical facilities, including Barnes-Jewish and Children's Hospitals, St. Louis College of Pharmacy and an IKEA store opening in September of 2015. The Line was an industrial spur adjacent to the now MetroLink light rail public transit line. The Line parallels Interstate 64 along the South and Forest Park Parkway along the North.

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

The only such structure located on the property is a railroad Signal House, which is over 50 years old. A photograph of the Signal House is attached as Exhibit B.

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

Metro does not have any information on the construction or any alteration of the Signal House. Currently, Metro uses the building for storage and has no plans to demolish the structure.

- 6. *A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.***

An 8.14 mile segment of the right-of-way upon which MetroLink operates was acquired by Metro from the Wabash Railroad Company and the Norfolk and Western Railway Company pursuant to the Notice of Exemption filed June 6, 1989, in Finance Docket No. 31425, Metro Acquisition and Operation Exemption--Norfolk and Western Railway Company and Wabash Railroad Company. Pursuant to this authorization by the Interstate Commerce Commission ("ICC"), Metro assumed the obligations of a common carrier on the acquired right-of-way. On or about August 27, 1990 the ICC authorized Metro to discontinue freight operations on a 6.71-mile portion of the right-of-way previously conveyed to Metro by the Wabash Railroad Company and the Norfolk and Western Railway Company. Metro still had common carrier obligations for the remaining 1.43 miles of right-of-way ("the Line"). There are no customers served on the Line, and the Line has been unused since December 1, 2008.

- 7. *A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.***

Metro has no such documents relevant to the Signal House.

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

Metro does not believe the railway alignment in general meets the criteria for listing on the national Register of Historic Places. Since the Signal House was built more than 50 years ago, consultation with the State Historic Preservation Office would need to occur to make that determination. However the building will not be disturbed as part of this project and consultation should not be required at this time.

Given the urban nature of the property and the fact the site has been previously disturbed, it not believed that archaeological resources are present.

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

The Line was disturbed during original construction by cuts and fill and any archaeological resources that may have been located in the proposed project area would have been affected at that time. Our records do not indicate any environmental conditions that might affect the archaeological recovery of resources.

10. Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, Identifying the location and type of the site (i.e. prehistoric or native American).

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

EXHIBIT B



Environmental and Historic Report
Certificate of Service

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-290 (Sub-No. 355X) was mailed via first class mail on October 7, 2015 to:

September 30, 2015

REGIONAL ENVIRONMENTAL PROTECTION AGENCY

APA Region 7
11201 Renner Blvd.
Lenexa, KS 66101

STATE CLEARINGHOUSE (DOT)

TDOT Commissioner's Office
Robert S. Kenney
Chairman, Missouri Public Service Commission
200 Madison Street.
P.O. Box 360
Jefferson City, Missouri 65102-6360

STATE ENVIRONMENTAL PROTECTION AGENCY

Sara Parker Pauly, Director
MO Dept. Natural Resources
P.O. Box 176, 1101 Riverside Dr.
Jefferson City, MO 65102-0176

STATE HISTORIC PRESERVATION OFFICE

P.O. Box 176
Jefferson City, MO 65107-0176

Richard Callaro
St. Louis Preservation Board
1520 Market Street, #2000
St. Louis, MO 63103

NATURAL RESOURCES CONSERVATION SERVICE

Leanne Tippet Mosby
Director, Division of Environmental Quality
P.O. Box 176
Jefferson City, Missouri 65102-0176

NATIONAL PARK SERVICE

Charlie Stockman
National Park Service
Rivers and Trails Conservation Program
1201 Eye Street, NW 9th Floor
Washington, D.C. 20005

STATE COASTAL ZONE MANAGEMENT

Not Applicable

NATIONAL GEODETIC SURVEY

National Geodetic Survey
Geodetic Service Division
Room 9202 NGS/12
1315 East-West Hwy
Silver Spring, MD 20910

FISH AND WILDLIFE SERVICE

Ms. Cindy Dohner, Regional Director
U.S. Fish and Wildlife Service -- Region 4
1875 Century Blvd., Suite 400
Atlanta, GA 30345

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

USEPA
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101-A
Washington, D.C. 20460

US ARMY CORPS OF ENGINEERS

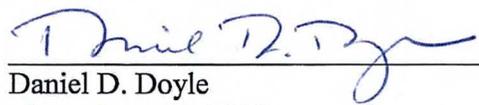
U.S. Army Corps of Engineers
St. Louis District
1222 Spruce Street
St. Louis, MO 63103-2833

CITY

Mayor Francis G. Slay
Office of St. Louis Mayor
1200 Market, City Hall
Room 200
St. Louis, MO 63103

COUNTY

Steve Stenger
St. Louis County County Executive
41 S. Central Avenue
Clayton, MO 63105



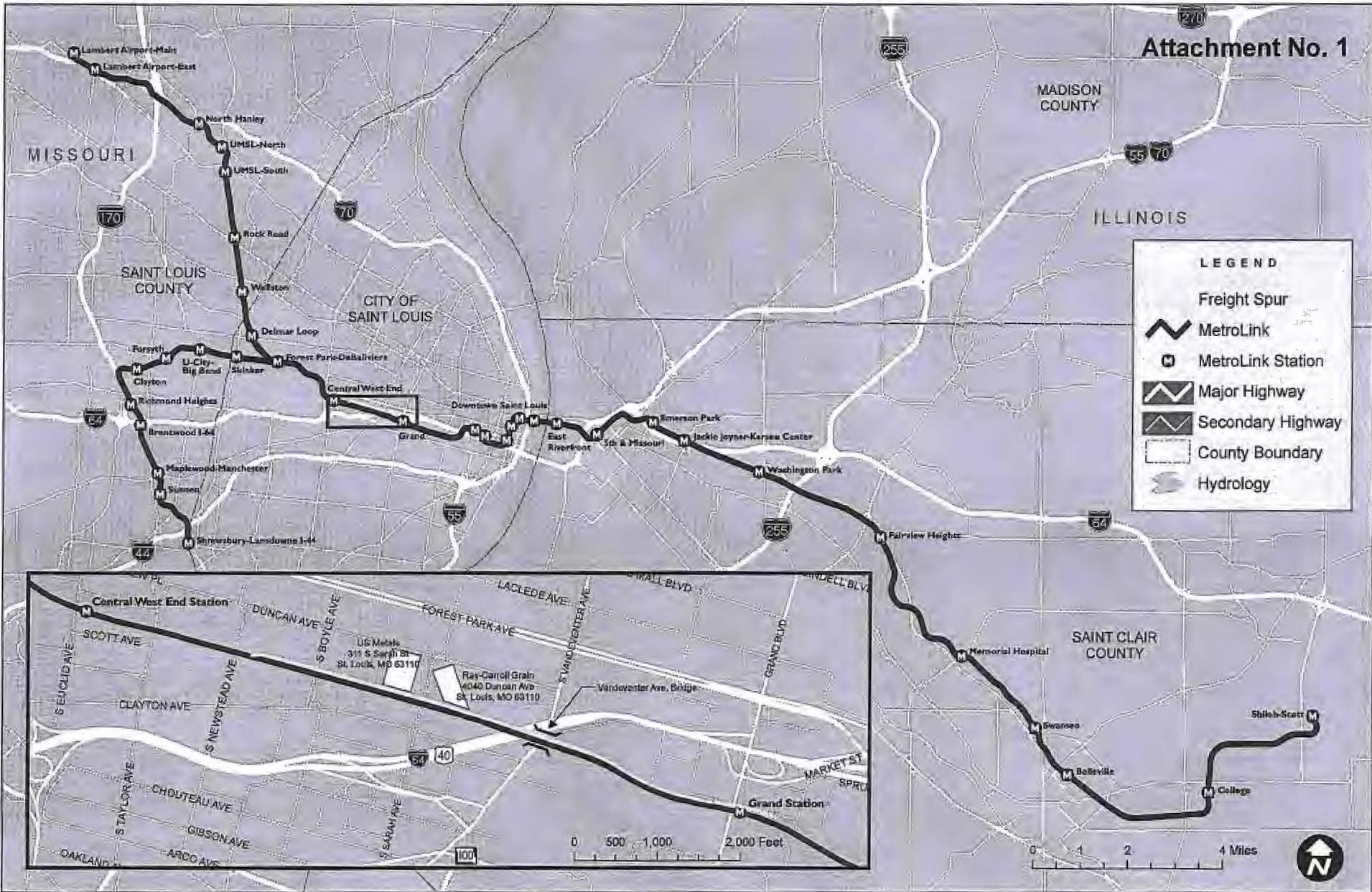
Daniel D. Doyle

Nov. 6, 2015

APPENDIX A

Site Map

Attachment No. 1



LEGEND

- Freight Spur
- MetroLink
- MetroLink Station
- Major Highway
- Secondary Highway
- County Boundary
- Hydrology



APPENDIX B

Agency Letters



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

Charlie Stockman
National Park Service
Rivers and Trails Conservation Program
1201 Eye Street, NW 9th Floor
Washington, DC 20005

Dear Mr. Stockman:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

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For your convenience, a response form is enclosed. You may email the response to twwhite@metrostlouis.org or you may return the form in the enclosed self-addressed return envelope.

If your comments have not been received by October 26, 2015, Metro will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning the proposal, please contact me directly by telephone at (314) 982-1394 or by the above email address.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. White', written over a white background.

Tom White

Attachments
Copy: STB-OEA, 395 E. Street SW, Washington, DC 20423

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

Notice of Exemption 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri

Agency response (check one):

No Environmental Impact

Environmental Impact as follows (or attached):

No Historic Impact

Historic Impact as follows (or attached):

Date: _____

Signature: _____

Name: _____

Agency: _____

Title: _____

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

Fish and Wildlife Service
Ms. Cindy Dohner, Regional Director
U.S. Fish and Wildlife Service – Region 4
1875 Century Blvd., Suite 400
Atlanta, GA 30345

Dear Ms. Dohner:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

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Sincerely,

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Tom White

Attachments

Copy: STB-OEA, 395 E. Street SW, Washington, DC 20423

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

Tom White
Director, Project Controls & Special Project
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

National Geodetic Survey
Geodetic Services Division
Room 9202 NGS/12
1315 East-West Hwy
Silver Spring, MD 20910

Dear Sir:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

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Sincerely,

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Tom White

Attachments

Copy: STB-OEA, 395 E. Street SW, Washington, DC 20423

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

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Title: _____

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

Natural Resources Conservation Service
Leanne Tippet Mosby, Director
Division of Environmental Quality
P. O. Box 176
Jefferson City, MO 65102-0176

Dear Ms. Mosby:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

Please be advised that on November 9, 2015, Bi-State Development Agency of the Missouri-Illinois Metropolitan District (Metro) expects to file with the United States Surface Transportation Board ("Board") a Notice of Exemption to abandon a 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri.

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Sincerely,

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Tom White

Attachments

Copy: STB-OEA, 395 E. Street SW, Washington, DC 20423

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White
Director, Project Controls & Special Projects
Metro Transit

September 30, 2015

Mayor Francis G. Slay
Office of St. Louis Mayor
1200 Market, City Hall
Room 200
St. Louis, MO 63103

Dear Mayor Slay:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

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Sincerely,

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Tom White

Attachments

Copy: STB-OEA, 395 E. Street SW, Washington, DC 20423

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

Regional Environmental Protection Agency
APA Region 7
11201 Renner Blvd.
Lenexa, KS 66101

Dear Sir:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

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Tom White

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

Richard Callaro
St. Louis Preservation Board
1520 Market Street, #2000
St. Louis, MO 63103

Dear Mr. Callaro:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

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Tom White

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

State Clearinghouse (DOT)
TDOT Commissioner's Office
Robert S. Kenney
Chairman, Missouri Public Service Commission
200 Madison Street – P. O. Box 360
Jefferson City, MO 65102-6360

Dear Mr. Kenney:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

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Tom White

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Tom White
Director, Project Controls & Special Projects
Metro Transit

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
81StateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

State Environmental Protection Agency
Sara Parker Pauly, Director
MO Dept. Natural Resources
P. O. Box 176, 1101 Riverside Dr.
Jefferson City, MO 65102-0176

Dear Ms. Pauly:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

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If there are any questions concerning the proposal, please contact me directly by telephone at (314) 982-1394 or by the above email address.

Sincerely,

Tom White

Attachments

Copy: STB-OEA, 395 E. Street SW, Washington, DC 20423

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

Notice of Exemption 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri

Agency response (check one):

No Environmental Impact

Environmental Impact as follows (or attached):

No Historic Impact

Historic Impact as follows (or attached):

Date: _____

Signature: _____

Name: _____

Agency: _____

Title: _____

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

State Historic Preservation Office
P. O. Box 176
Jefferson City, MO 65107-0176

Dear Sir:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

Please be advised that on November 9, 2015, Bi-State Development Agency of the Missouri-Illinois Metropolitan District (Metro) expects to file with the United States Surface Transportation Board ("Board") a Notice of Exemption to abandon a 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri.

Attached is a preliminary combined Environmental and Historic Report describing the proposed action and any expected environmental issues. We are providing this report so that you may review the information the Board's independent environmental analysis in this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E. Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your sending comments to OEA (with a copy to me) within three weeks would be appreciated.

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Sincerely,

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Tom White

Attachments

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
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Tom White
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Metro Environmental and Historic Report Response Form

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Date: _____

Signature: _____

Name: _____

Agency: _____

Title: _____

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

Steve Stenger
St. Louis County Executive
41 S. Central Avenue
Clayton, MO 63105

Dear Mr. Stenger:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

Please be advised that on November 9, 2015, Bi-State Development Agency of the Missouri-Illinois Metropolitan District (Metro) expects to file with the United States Surface Transportation Board ("Board") a Notice of Exemption to abandon a 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri.

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Tom White

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

Notice of Exemption 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

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St. Louis County Executive
41 S. Central Avenue
Clayton, MO 63105

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Docket No. 331 (Sub No. 1X)

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Tom White

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One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

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Title: _____

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

US Army Corps of Engineers
St. Louis District
1222 Spruce Street
St. Louis, MO 63103-2833

Dear Sir:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

Please be advised that on November 9, 2015, Bi-State Development Agency of the Missouri-Illinois Metropolitan District (Metro) expects to file with the United States Surface Transportation Board ("Board") a Notice of Exemption to abandon a 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri.

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Tom White

Attachments

Copy: STB-OEA, 395 E. Street SW, Washington, DC 20423

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

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Date: _____

Signature: _____

Name: _____

Agency: _____

Title: _____

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org



Tom White, Director
Director - Project Controls & Special Projects
Metro Transit

September 30, 2015

United States Environmental Protection Agency (USEPA)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101-A
Washington, DC 20460

Dear Sir:

RE: Metro
Proposed Abandonment
Docket No. 331 (Sub No. 1X)

Please be advised that on November 9, 2015, Bi-State Development Agency of the Missouri-Illinois Metropolitan District (Metro) expects to file with the United States Surface Transportation Board ("Board") a Notice of Exemption to abandon a 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri.

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Tom White

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BiStateDev.org

Tom White
Director, Project Controls & Special Projects
Metro Transit

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

Notice of Exemption 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri

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No Historic Impact

Historic Impact as follows (or attached):

Date: _____

Signature: _____

Name: _____

Agency: _____

Title: _____

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

APPENDIX C

Agency Responses

RECEIVED

NOV 05 2015



Tom White
Director, Project Controls & Special Projects
Metro Transit

Initial: mlh

Metro Environmental and Historic Report Response Form

STB Docket Number AB-331 Sub No. 1X

Notice of Exemption 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri

Agency response (check one):

No Environmental Impact - no waters of U.S. located w/in project location

Environmental Impact as follows (or attached):

No Historic Impact

Historic Impact as follows (or attached):

Date: 10/3/2015
Signature: Samantha Hollenberg
Name: Samantha Hollenberg
Agency: U.S. Army Corps of Engineers
Title: Project Manager

One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759
BiStateDev.org

October 30, 2015

Mr. Jeffrey K. Braun
Mr. Tom White
Bi State Development
One Metropolitan Square 211 North Broadway, Suite 700
St. Louis, MO 63102-2759

RE: Metro Proposed Abandonment Docket No. 331

Dear Mr. Braun and Mr. White:

Thank you for requesting comments on the abandonment of the rail line in the City of St. Louis. I am responding on behalf of Richard Callow and the St. Louis Historic Preservation Board.

While the rail line spur supported industries important in the role that the City of St. Louis had as a goods manufacturing and distributing center, the abandonment of the dis-used spur line cannot be considered to have no impact on or effect to historic properties. But, as we understand that the Signal House would not be affected by the project, the impact on the historic rail line through abandonment is not considered to be a major impact in terms of NHPA or an adverse effect in terms of Section 106 of the Historic Preservation Act.

We would consider the loss of the Signal House as a more serious impact to a historic resource.

Sincerely yours,



Betsy H. Bradley
Director, Cultural Resources Office

Francis G. Slay
Mayor

Donald W. Roe
Acting Director, Planning & Urban Design Agency

314.657.3700
planning@stlouis-mo.gov
<http://www.stlouis-mo.gov/planning>

1520 Market Street, Suite 2000
St. Louis, Missouri 63103

Braun, Jeff K.

From: Hundley, Joshua <joshua_hundley@fws.gov>
Sent: Tuesday, November 03, 2015 10:09 AM
To: Braun, Jeff K.
Subject: Metro Proposed Abandonment Docket No. 331 (Sub No. 1X)

Dear Mr. Braun,

The U.S. Fish and Wildlife Service (Service) has reviewed the information provided in your October 27, 2015 letter regarding the Metro Proposed Abandonment Docket No. 331 (Sub No. 1X) in Missouri. The Service offers the following comments pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347), and the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

Our data indicate that Federally listed species, proposed species, candidate species, and designated and proposed critical habitat are not likely to be impacted by the proposed project action. With respect to wetlands and other important fish and wildlife habitat, it appears that the proposed action will not significantly impact these resources. If project plans change or portions of the proposed project were not evaluated, it is our recommendation that the changes be submitted for our review.

Thank you for your interest in the conservation of threatened and endangered species.

Josh Hundley
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Missouri Ecological Services Field Office
101 Park DeVillle Drive, Suite A
Columbia, MO 65203-0057
573-234-2132 ext 176 (office)

Click [here](#) to report this email as spam.

Braun, Jeff K.

From: Simon Monroe <simon.monroe@noaa.gov>
Sent: Thursday, October 22, 2015 1:00 PM
To: White, Tom W.
Cc: Surface Transportation Board; Darrell.Pratte@dnr.mo.gov; Lucy Hall; Simon Monroe
Subject: NGS Response, STB docket AB-331 (SUB NO. 001X)

> -----
> -- Thank you for sharing your railroad abandonment environmental
> report for ST. LOUIS CITY, Saint Louis County, MISSOURI.
>
> Approximately 000 geodetic survey marks may be located in the area
> described. If these marks will be disturbed by the abandonment, NGS
> requests 90-day advance notice to attempt their relocation. These
> marks are described below. Additional advice is provided at
> <http://geodesy.noaa.gov/marks/railroads/>

> -----
> --
>
> |Dist|PID...|H V|Vert_Source|Approx.|Approx..|Stab|Designation
>
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>

No Stations Found.

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>

If you consider this message as spam, please attach the message to an email and send it to spam@mailcontrol.com

Braun, Jeff K.

From: Braun, Jeff K.
Sent: Tuesday, November 03, 2015 2:26 PM
To: White, Tom W.
Subject: FW: Metro Proposed Abandonment Docket No. 331 (Sub No. 1X)

From: Hundley, Joshua [mailto:joshua_hundley@fws.gov]
Sent: Tuesday, November 03, 2015 10:09 AM
To: Braun, Jeff K.
Subject: Metro Proposed Abandonment Docket No. 331 (Sub No. 1X)

Dear Mr. Braun,

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Josh Hundley
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Missouri Ecological Services Field Office
101 Park DeVille Drive, Suite A
Columbia, MO 65203-0057
573-234-2132 ext 176 (office)

Click [here](#) to report this email as spam.

Braun, Jeff K.

From: Tucker, Amber <Tucker.Amber@epa.gov>
Sent: Thursday, November 05, 2015 10:34 AM
To: White, Tom W.
Subject: EPA Comments: Metro Proposed Abandonment Docket No. 331 (Sub-No 1X)

Dear Mr. White:

RE: Metro Proposed Abandonment Docket No. 331 (Sub-No. 1X), Metro Transit-Abandonment Petition for Exemption
Thank you for resending the PDF versions of the Historic & Environmental Reports. This correspondence responds to a copy of an Abandonment Petition for Exemption received by EPA Region 7 from Mr. Tom White, Metro Transit, which will be filed with the Surface Transportation Board. This Petition proposes the abandonment of 1.43-mile rail line located between Milepost 1.8 and Milepost 3.23 in City of St. Louis, Missouri.

We have reviewed the correspondence and offer the following comments for your consideration.

We recommend that measures that will be employed to prevent incidental spills, control erosion, and limit damage to plants as well as to manage construction debris should be included in Metro Transit's National Environmental Protection Act compliance documentation, such as an Environmental Assessment or Environmental Impact Statement.

EPA believes that there is opportunity to include BMP's in regards to salvage operations, as well as any mitigation measures that arise in National Historic Preservation Act Section 106 and Endangered Species Act Section 7 consultations, in any further NEPA documentation that is issued.

EPA also recommends that the NEPA compliance documents include data reflecting soil sampling of soils supporting and surrounding all structures removed within the project right-of-way for possible contamination, as incidental spills, maintenance of equipment and container leaks over the years and use of these sections of track could have resulted in significant soil contamination.

EPA cautions that environmental legacies of railway operations can include (but may not be limited to) product spills, maintenance activities-- where waste fuels and lubricants may have been discarded, wood preservative applications to ties and trestles, and rights-of-way maintenance with herbicides.

Regarding invasive plant species that may have developed in the project area, EPA recommends that the NEPA document describe what measures will be taken for their treatment or removal.

EPA commends your thorough coordination with appropriate federal, state, and local regulatory agencies. Early coordination with agencies is recommended and is beneficial to all interested parties.

As is the case for all federal actions being reviewed through the NEPA process, it is the obligation of the lead federal agency to determine the environmental consequences of the action. Please note that while we believe that this letter expresses our views on the impacts of the project based on the limited available information, it is up to Metro Transit and/or STB to determine what, if any, further consultation with EPA would be necessary. A more detailed reporting of removal &/or cleanup plans and procedures may be warranted in subsequent NEPA documentation.

Thank you for the opportunity to provide comments on this proposed project. For any future NEPA compliance documentation that may be prepared in relation to this proposed abandonment project, such as an EA or EIS, please include EPA Region 7 on your mailing list. If you have any other questions, you can contact me at 913-551-7565, or via email at tucker.amber@epa.gov.

Amber Tucker
US EPA R7
ENSV-NEPA Team
11201 Renner Blvd
Lenexa, KS 66219
913-551-7565

"Unless someone like you cares a whole awful lot, nothing is going to get better. It's not." -The Lorax



From: White, Tom W. [mailto:twwhite@MetroStLouis.org]
Sent: Thursday, November 05, 2015 9:16 AM

To: Tucker, Amber

Subject: RE: Metro Proposed Abandonment Docket No. 331 (Sub-No 1X)

Hi Amber,

Sorry for the inconvenience of not having the files attached. When sent out a second correspondence with the attachments, but it seems they haven't made it to you yet. Anyway, I have attached the referenced reports for your review.

Let me know if you need anything else,

Tom

From: Tucker, Amber [<mailto:Tucker.Amber@epa.gov>]

Sent: Thursday, November 05, 2015 8:41 AM

To: White, Tom W. <twwhite@MetroStLouis.org>

Subject: Metro Proposed Abandonment Docket No. 331 (Sub-No 1X)

Good morning Mr. White,

I am in receipt of a correspondence letter of September 30, 2015, regarding the proposed abandonment of a 1.43-mile rail line located in the City of St. Louis, MO. The letter states that a preliminary combined Environmental and Historic report is attached, however, it does not appear that we received any attachment with the letter, with the exception of a one page "Metro Environmental and Historic Report Response Form." Could you please send the combined Environmental & Historic report, either PDF version via email, or to me via USPS? Please let me know if you have any questions or concerns. Thank you, and have a great day!

Amber Tucker

US EPA R7

ENSV-NEPA Team

11201 Renner Blvd

Lenexa, KS 66219

913-551-7565



"Unless someone like you cares a whole awful lot, nothing is going to get better. It's not." -The Lorax

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This message has been scanned for malware by SurfControl plc. www.surfcontrol.com

Braun, Jeff K.

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Amber Tucker

US EPA R7
ENSV-NEPA Team
11201 Renner Blvd
Lenexa, KS 66219
913-551-7565

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Click [here](#) to report this email as spam.



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

November 4, 2015

Mr. Jeffrey K. Braun
Director of Real Estate
Bi-State Development
One Metropolitan Square
211 North Broadway, Suite 700
St. Louis, MO 63102-2759

Dear Mr. Braun:

The Missouri Department of Natural Resources (department) appreciates the opportunity to review and provide comments on the proposed Metro rail abandonment project in St. Louis, Missouri. The department offers the following comments for consideration.

Historic Preservation

The Missouri State Historic Preservation Office has reviewed the information submitted on the above referenced project pursuant to Section 106 of the National Historic Preservation Act (P.L. 89-665, as amended) and the Advisory Council on Historic Preservation's regulation 36 CFR Part 800, which requires identification and evaluation of cultural resources. Based on this review staff concur that there will be no historic properties affected and, therefore, have no objection to the initiation of project activities.

Hazardous Waste

There are two active Brownfields/Voluntary Cleanup Program sites in the proposed project area, a block or so north of the rail line identified to be abandoned. As active sites, these are sites where remedial action is not yet complete. Information on the sites obtained from the department's Hazardous Substance Site Locator is included herein, and the tool can be found on the department's website at <https://www.dnr.mo.gov/molts/>. Although the proposed removal of the rails and tracks does not appear to present an environmental concern, the materials provided for review mention the possibility of constructing a new MetroLink Station in the area of the line to provide light rail public transportation access to a rapidly growing technology district. It is important to note that this proposed location is in an area where groundwater contamination in particular might be of interest. In the event this facility is constructed in the future, the potential for vapor intrusion would need to be evaluated.

Water Quality

Location: The proposed project area is contained in Land Grants 363 and 1657 in St. Louis, St. Louis County, Missouri.

Metro rail abandonment project
Page Two

Ecological Drainage Unit: The proposed project lies within the Ozark/Apple/Joachim Ecological Drainage Unit.

Watersheds: The proposed project lies within the Schoenberger Creek-Mississippi River (Hydrologic Unit Code 071401010403) Watershed.

Ecological drainage unit and watershed locations may be needed should, after avoiding and minimizing impacts to water resources, mitigation be required.

Classified Streams: According to the department's water quality standards, there are no classified streams that cross the proposed project area. The nearest classified stream, a tributary to Deer Creek, is approximately 1.2 miles to the southwest of the proposed project area. Classified streams, through their designated beneficial uses, are protected by numeric water quality criteria contained in 10 CSR 20-7.031(5) and Table A.

Sensitive Waters: According to the department's water quality standards, there are no cold water fisheries, outstanding state and national resource waters, metropolitan no-discharge streams, or biocriteria reference streams within or near the proposed project area.

Impaired or Total Maximum Daily Load Waters: According to the department's geospatial data, there are no impaired waters or total maximum daily load waters within or near the proposed project area.

National Wetland Inventory: According to National Wetland Inventory data, there are no known wetlands within or near the proposed project area.

Water Quality Certification: A Clean Water Act Section 404 Department of the Army Permit and a Clean Water Act Section 401 Water Quality Certification are needed when placing dredged or fill material into the jurisdictional waters of the United States. Examples are culverts under road crossings, riprap along stream banks and stormwater outfall pipes. The term 'jurisdictional waters' refers to large lakes, rivers, streams and wetlands, including those that don't always contain water. Should any jurisdictional waters be impacted, please contact the U.S. Army Corps of Engineers' Regulatory Branches in the St. Louis District at (314) 331-8575 and the Water Protection Program's Operating Permits Section at (573) 751-6825 for more information.

Karst Topography – Losing Streams, Springs, Sinkholes and Caves: According to the department's geospatial data, there are Karst features near the proposed project area. Karst features can provide a more direct access to sensitive species and groundwater which supplies private and public drinking water. Two known sinkholes exist within a mile and north of the proposed project area. Although the department's geospatial data does not give specific locations, caves exist in the region. There are no known losing streams near the proposed project, and the nearest spring is approximately 1.9 miles east. Please consult with a registered geologist and/or the department's Missouri Geological Survey at (573) 368-2100 for additional information on how these features might affect construction activities at the project area.

Metro rail abandonment project
Page Three

Certified Wells and Public Drinking Water Protection Areas: According to the department's geospatial data, there are no known certified wells or Public Drinking Water Protection Areas within or near the proposed project area.

U.S. Geological Survey Gaging Stations: There are no U.S. Geological Survey gaging stations in the proposed project area.

Public Lands or Conservation Opportunity Areas: The proposed project area is not within public lands or a Missouri Department of Conservation opportunity area.

Geospatial Data: The department's geospatial data is available upon request, and all published data is available on the Missouri Spatial Data Information Service website at <http://msdis.missouri.edu/>.

We appreciate the opportunity to provide comments on the proposed rail abandonment project in St. Louis, Missouri. If you have any questions or need further clarification, please contact me or Ms. Lorisa Smith, phone number (573) 751-3195. The address for correspondence is Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102. Thank you.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



Robert D. Stout
Chief of Policy

RDS/lsk

Enclosure

c: State Historic Preservation Office



Missouri
Department of
Natural Resources

Missouri Hazardous Substance Site Locator Site Summary

This is an advisory about environmental conditions that could affect use of the property identified on the map below. Any property use limitations are intended to ensure safe use of the property after the cleanup of contamination in the soil and/or groundwater. This advisory identifies the governmental agencies that oversaw the sites cleanup, and provides contacts for further information.

Although this map and its underlying data sets have been compiled by the Missouri Department of Natural Resources (Department), no warranty, expressed or implied, is made by the Department as to the accuracy of the data and related materials. The act of distribution shall not constitute any such warranty, and no responsibility is assumed by the Department in the use of these data or related materials.

SITE MAP



 **ACTIVE SITE LOCATION** - Sites where no investigation or remedial action has been performed, or where remedial actions are in progress but are not complete.

Site/Facility Name ACME Premium Supply Building: ACME Premium Supply Building Lot 2-Parking Lot

Address 4100 Forest Park Avenue

City St. Louis

Zip 63108

County St. Louis City

Site Status Active

Site Background/History The subject site was approximately 90 years old around 2006. It was originally used by the Ford Motor Company for automobile assembly. Subsequent property use included manufacturing of electrical equipment, storage, warehouse and office space. Trichloroethylene contamination was found in groundwater in the parking lot.

Lead Regulatory Agency DNR/Hazardous Waste Program/Brownfields Voluntary Cleanup Section

Contact Information Long-Term Stewardship Unit

(573)526-8913

hazwaste@dnr.mo.gov



Missouri
Department of
Natural Resources

Missouri Hazardous Substance Site Locator Site Summary

This is an advisory about environmental conditions that could affect use of the property identified on the map below. Any property use limitations are intended to ensure safe use of the property after the cleanup of contamination in the soil and/or groundwater. This advisory identifies the governmental agencies that oversaw the sites cleanup, and provides contacts for further information.

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SITE MAP



 **ACTIVE SITE LOCATION** - Sites where no investigation or remedial action has been performed, or where remedial actions are in progress but are not complete.

Site/Facility Name Project Spirit-St. Louis

Address 3916-4028 (even) Forest Park Ave. 301-331 (odd) S. Vandeventer, 3930-4039 and 4045 Duncan

City St. Louis

Zip 63108

County St. Louis City

Site Status Active

Site Background/History This site, consisting of multiple parcels, once contained warehouses, a chemical company, filling stations, a bulk oil storage facility, a dry cleaner, gas company and used car lot. Contaminants found during a Phase II site assessment include VOCs, PAHs, and TPH-GRO. The site was entered into VCP to remediate, then redevelop for commercial use.

Lead Regulatory Agency DNR/Hazardous Waste Program/Brownfields Voluntary Cleanup Section

Contact Information Long-Term Stewardship Unit

(573)526-8913

hazwaste@dnr.mo.gov

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

_____ 2X
STB Docket No. AB-331 (Sub-No. ~~1X~~)

**THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS
METROPOLITAN DISTRICT – ABANDONMENT EXEMPTION – THE CITY OF ST.
LOUIS, MISSOURI**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

DRAFT NOTICE OF EXEMPTION

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 331 (Sub-No. 1x)]

The Bi-State Development Agency of the Missouri-Illinois Metropolitan District – Abandonment Exemption – In the City of St. Louis, Missouri.

The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (“Metro”) has filed on November 19, 2015, a verified notice of exemption under 49 C.F.R. part 1152 subpart F-Exempt Abandonments to abandon approximately 1.43 miles of rail line (referred to herein as the “Line”) located in St. Louis, Missouri. The Line extends from milepost 1.8 to milepost 3.23 within the City of St. Louis. The Line traverses United States Postal ZIP Codes 63110 and 63108.

Metro has certified that: (1) no local traffic has moved over the Line for at least six years; (2) that no overhead traffic has moved over the Line for at least six years and that overhead traffic, if there were any, could be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 C.F.R. § 1105.7(c) (environmental report), 49 C.F.R. § 1105.11 (transmittal letter), 49 C.F.R. § 1105.12 (newspaper publication), and 49 C.F.R. § 1152.50(d)(1)(notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line Railroad – Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To

address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. § 10502(d) must be filed.

This exemption will be effective on _____, 2015, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 C.F.R. § 1152.27(c)(2), and trail use/rail banking requests under 49 C.F.R. § 1152.29 must be filed by _____, 2015. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by _____, 2015, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to Metro's representative: James C. Hetlage and Daniel Doyle, Lashly & Baer, P.C., 714 Locust Street, St. Louis, Missouri 63101.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Metro has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by _____, 2015. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 C.F.R. § 1152.29(e)(2), Metro shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by Metro's filing of a notice of consummation by _____, 2015, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at WWW.STB.DOT.GOV.

Decided: _____, 2015

By the Board, Rachel D. Campbell, Director, Office of Proceedings.