

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

235251

ENTERED
Office of Proceedings
January 2, 2014
Part of the Public Record

January 2, 2014

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. 2X), Grenada Railway LLC—Verified
Notice of Exemption—In Yalobusha County, Mississippi

Dear Ms. Brown:

Attached for filing in the subject proceeding is the Verified Notice of Exemption of Grenada Railway LLC.

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

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

Sincerely yours,


Fritz R. Kahn

FILED
January 2, 2014

Surface Transportation Board

FEE RECEIVED
January 2, 2014
Surface Transportation Board

PUBLIC VERSION

SURFACE TRANSPORTATION BOARD

Docket No. AB 1087 (Sub-No. 2X)

**GRENADA RAILWAY LLC
-- VERIFIED NOTICE OF EXEMPTION--
IN YALOBUSHA COUNTY, MISS.**

**VERIFIED NOTICE OF EXEMPTION
OF
GRENADA RAILWAY LLC**

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

Attorney for

GRENADA RAILWAY LLC

Dated: January 2, 2014

SURFACE TRANSPORTATION BOARD

Docket No. AB 1087 (Sub-No. 2X)

GRENADA RAILWAY LLC
-- ABANDONMENT EXEMPTION --
IN YALOBUSHA COUNTY, MISS.

VERIFIED NOTICE OF EXEMPTION
OF
GRENADA RAILWAY LLC

Grenada Railway LLC ("GRYR"), pursuant to 49 C.F.R. § 1152.50, hereby gives notice of its proposed abandonment of the Water Valley Branch railroad line between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi, and in support thereof states, as follows:

1. The proposed consummation date shall be on or after February 20, 2014, or fifty days after the date of this filing.
2. GRYR certifies that no local or overhead traffic has moved over the line for at least two years' time.¹ GRYR further certifies 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 with the Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period.

¹ In fact, the line has not carried any traffic since April 17, 2008. Docket No. AB 1089X, *Mississippi & Skuna Valley Railroad, LLC--Abandonment Exemption--In Yalobusha and Calhoun Counties, Miss.*, served January 20, 2012.

3. The railroad's exact name is the Grenada Railway LLC.
4. GRYR is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Part A
– Rail.
5. GRYR proposes to abandon the line.
6. A schematic map of the line and its relation to other rail lines is attached as Exhibit A.
7. GRYR's representative to whom correspondence should be sent is Fritz R. Kahn, Esq., Fritz R. Kahn, P.C., 1919 M Street, NW (7th fl.), Washington, DC 20036 (Tel.: (202) 263-4152).
8. The line traverses USPS ZIP Codes 38965 and 38915, the Zip codes for Water Valley and Bruce..
9. The line would be suitable for a public purpose, such as an electric transmission line. It, also, would be appropriate for a recreational trail or rail banking. GRYR is unaware of any restrictions on the title to the property, including reversionary interests, which would affect the transfer of title or the use of the property for other than rail purposes.
10. 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).
11. GRYR, by its counsel, certifies that the notices were given in accordance with 49 C.F.R. § 1152.50(d)(1). Copies of the letters which were sent on December 18, 2013, with copies to Assistant Director Cynthia T. Brown, are attached as Exhibit B.
12. GRYR, by its counsel, certifies that copies of the Environmental and Historic Report were served on the U.S. and Mississippi agencies which were consulted in its

preparation in accordance with 49 C.F.R. §1105.11. Copies of the letters which were sent on December 12, 2013, with copies to Director Victoria J. Rutson, are attached as Exhibit C, together with a copy of the Environmental and Historic Report.

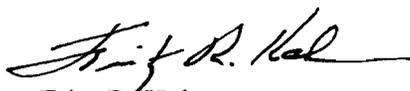
13. GRYR, by its counsel, certifies that a notice of the proposed abandonment was published in the December 19, 2013, edition of the *North Mississippi Herald*, the newspaper of general circulation in Yalobusha County. A copy of the affidavit of publication is attached as Exhibit D.

14. A draft Federal Register notice is attached as Exhibit E.

Respectfully submitted,

GRENANDA RAILWAY, LLC

By its attorney,



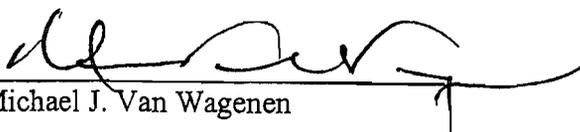
Fritz R. Kahn
Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036
Tel.: (202) 263-4152

Dated: January 2, 2014

VERIFICATION

I, Michael J. Van Wagenen, Vice 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 Notice of Exemption of Grenada Railway, LLC and that its assertions are true and correct to the best of my knowledge, information and belief. No local or overhead traffic has moved over the Water Valley Branch Line in two years' time. No formal complaint filed by a user of rail service on the line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the line is pending either with the Board or any U.S. District Court, or has been decided in favor of the complainant within the two year period. 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.

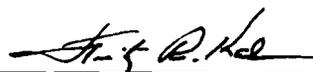
Dated at Salt Lake city, Utah, this 30th day of December, 2013..


Michael J. Van Wagenen

CERTIFICATE OF SERVICE

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

Dated at Washington, DC, this 2nd day of January 2, 2014



Fritz R. Kahn

EXHIBIT A

Map

Exhibit A

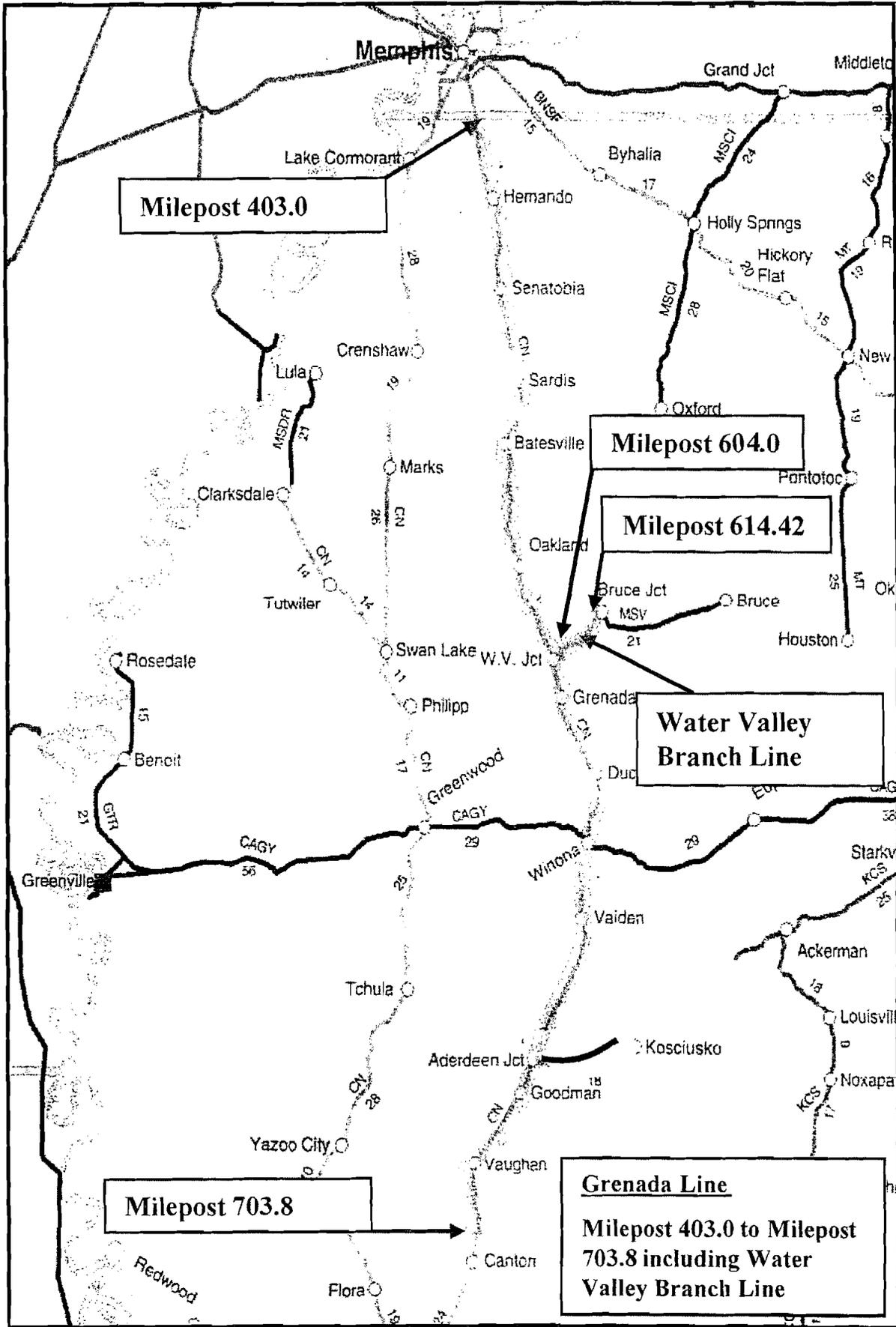


EXHIBIT B

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

December 18, 2013

Ms. Amy Hornback
Secretary to the Commission
Mississippi Transportation Commission
Jackson, MS 39201

Dear Ms. Hornback:

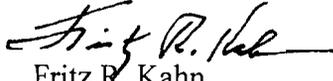
Please be advised that on or about January 2, 2014, Grenada Railway LLC will file with the Surface Transportation Board its Verified Notice of Exemption to secure the agency's authorization to abandon the Water Valley Branch between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has been carried on the railroad line in more than two years' time. The Petition will bear Docket No. AB 1087 (Sub-No. 2X).

The line traverses U.S. Postal Service Zip Codes 38965 and 38915, which are the Zip Codes for the stations on the line, namely, Water Valley and Bruce

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 question concerning the foregoing, please get back to me.

Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

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

December 18, 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:

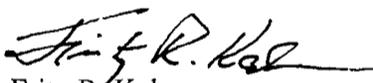
Please be advised that on or about January 2, 2014, Grenada Railway LLC will file with the Surface Transportation Board its Verified Notice of Exemption to secure the agency's authorization to abandon the Water Valley Branch between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has been carried on the railroad line in more than two years' time. The Petition will bear Docket No. AB 1087 (Sub-No. 2X).

The line traverses U.S. Postal Service Zip Codes 38965 and 38915, which are the Zip Codes for the stations on the line, namely, Water Valley and Bruce

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 question concerning the foregoing, please get back to me.

Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

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

December 18, 2013

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

Dear Sir/Madam:

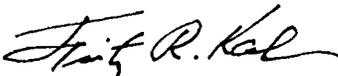
Please be advised that on or about January 2, 2014, Grenada Railway LLC will file with the Surface Transportation Board its Verified Notice of Exemption to secure the agency's authorization to abandon the Water Valley Branch between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has been carried on the railroad line in more than two years' time. The Petition will bear Docket No. AB 1087 (Sub-No. 2X).

The line traverses U.S. Postal Service Zip Codes 38965 and 38915, which are the Zip Codes for the stations on the line, namely, Water Valley and Bruce

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 question concerning the foregoing, please get back to me.

Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

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

December 18, 2013

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

Dear Sir/Madam:

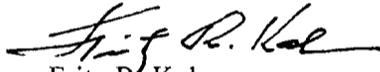
Please be advised that on or about January 2, 2014, Grenada Railway LLC will file with the Surface Transportation Board its Verified Notice of Exemption to secure the agency's authorization to abandon the Water Valley Branch between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has been carried on the railroad line in more than two years' time. The Petition will bear Docket No. AB 1087 (Sub-No. 2X).

The line traverses U.S. Postal Service Zip Codes 38965 and 38915, which are the Zip Codes for the stations on the line, namely, Water Valley and Bruce

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 question concerning the foregoing, please get back to me.

Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

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

December 18, 2013

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

Dear Sir/Madam:

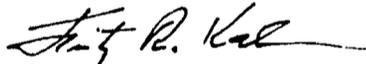
Please be advised that on or about January 2, 2014, Grenada Railway LLC will file with the Surface Transportation Board its Verified Notice of Exemption to secure the agency's authorization to abandon the Water Valley Branch between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has been carried on the railroad line in more than two years' time. The Petition will bear Docket No. AB 1087 (Sub-No. 2X).

The line traverses U.S. Postal Service Zip Codes 38965 and 38915, which are the Zip Codes for the stations on the line, namely, Water Valley and Bruce

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 question concerning the foregoing, please get back to me.

Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

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

December 18, 2013

Yalobusha County
80 County Road 437
Water Valley, MS 38965

Dear Sir/Madam:

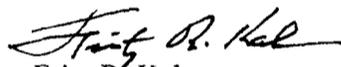
Please be advised that on or about January 2, 2014, Grenada Railway LLC will file with the Surface Transportation Board its Verified Notice of Exemption to secure the agency's authorization to abandon the Water Valley Branch between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has been carried on the railroad line in more than two years' time. The Petition will bear Docket No. AB 1087 (Sub-No. 2X).

The line traverses U.S. Postal Service Zip Codes 38965 and 38915, which are the Zip Codes for the stations on the line, namely, Water Valley and Bruce

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 question concerning the foregoing, please get back to me.

Sincerely yours,


Fritz R. Kahn

cc: Ms. Cynthia T. Brown

EXHIBIT C

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: xiccg@gmail.com

December 12, 2013

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

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

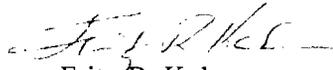
Dear Sir/Madam:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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

December 12, 2013

Ms. Beth Walls
U.S. Environmental Protection Agency
61 Forsyth St., SW
Atlanta, GA 30303

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

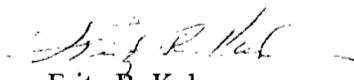
Dear Ms. Walls:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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: xiccg@gmail.com

December 12, 2013

Ms. Willa J. Brantley
Department of Marine Resources
1141 Bayview Avenue
Biloxi, MS 39530

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

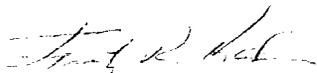
Dear Ms. Brantley:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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: xiccgc@gmail.com

December 12, 2013

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

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

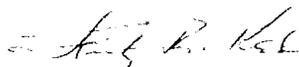
Dear Mr. Gard:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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: xiccg@gmail.com

December 12, 2013

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

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

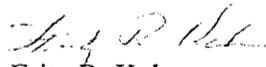
Dear Ms. Parker:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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: xiccg@gmail.com

December 12, 2013

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

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

Dear Sir/Madam:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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: xiccg@gmail.com

December 12, 2013

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

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

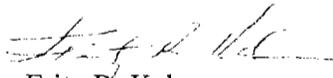
Dear Sir/Madam:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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

December 12, 2013

Ms. Evona Loving, Admin. Asst.
Office of Budget and Fund Management
501 No. West St. (Ste. 1301 – E)
Jackson, MS 39201

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

Dear Ms. Loving:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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: xiccg@gmail.com

December 12, 2013

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

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

Dear Mr. Monroe:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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: xiccg@gmail.com

December 12, 2013

Mr. H. T. Holmes
State Historic Preservation Officer
100 South State St.
Jackson, MS 39201

re: Docket No. AB 1087 (Sub-No. 2), Grenada Railway LLC –
Notice of Exemption

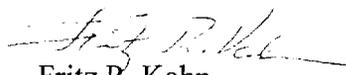
Dear Mr. Holmes:

On or about January 2, 2014, Grenada Railway LLC ("GRYR") expects to file with the Surface Transportation Board ("STB") its notice of exemption to abandon its railroad line between Milepost 604.00 at Water Valley Junction and Milepost 614.42, at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi. No local or overhead traffic has moved on the line in more than two years' time. Enclosed is an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a schematic map of the line.

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. 2)

GRENADA RAILWAY LLC
-- ABANDONMENT EXEMPTION --
IN YALOBUSHA COUNTY, 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 Notice of Exemption.

1. Proposed action and alternatives. The line which GRYR proposes to abandon extends between Milepost 604.0 at Water Valley Junction and Milepost 614.42 at Bruce Junction, a distance of 10.42 miles in Yalobusha County, Mississippi ("Rail Line"). The Rail Line traverses U.S. Postal Service Zip Codes 38965 and 38915, which are the Zip Codes for the stations on the Rail Line, namely: Water Valley and Bruce.

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.

No local or overhead traffic has moved over the 10.42-mile Rail Line of railroad in at least two years' time.

The Rail Line proposed for abandonment includes 12 bridges, trestles and culverts which are 50 years old or older, most of them being ordinary timber open deck bridges or

concrete culverts, 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, no local or overhead traffic has moved over the 10.42-mile Rail Line in at least two years time, and it is unlikely that traffic will move over the Rail 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 Water Valley Junction-to-Bruce Junction 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 no shippers on the Rail Line. Rail service is available at Water Valley, and truck transportation is available via Mississippi Highway 32 between Water Valley and Bruce. 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 Water Valley-to-Bruce railroad 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 Water Valley-to-Bruce railroad 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 Mississippi Highway 32, 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 Water Valley-to-Bruce railroad 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 Water Valley-to-Bruce railroad 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 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 Water Valley-to-Bruce railroad 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 Water Valley-to-Bruce railroad line. To date no replies have been received from these agencies.

HISTORIC REPORT

1. There is a map of the Rail Line proposed for abandonment.
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, between Water Valley Junction and Bruce Junction. Water Valley has a population of about 3,392, and Bruce has a population of about 1,925. The 10.42-mile Rail Line is generally flat.
3. There are no fewer than 24 photographs of the 12 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. The Waterloo Railroad, a subsidiary of the Illinois Central Railroad Company (“IC”), was built in the late 1920s to provide a connection between the IC and the Mississippi & Skuna Valley Railroad Company, a 21-mile railroad extending between Bruce Junction and Bruce, where The Weyerhaeuser Company had a lumber mill.

5. GRYR acquired the Waterloo Railway Company 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, 75 Fed. Reg. 25799, May 29, 2009. The 12 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 Waterloo Railway Company any engineering drawings or other documents useful in documenting the history of the 12 bridges, trestles and culverts 50 years old or older situated on the Rail Line, and none is in its possession.

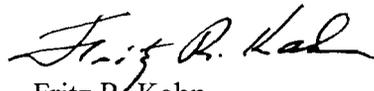
7. The 12 bridges, trestles and culverts 50 years old or older are ordinary, rudimentary railroad structures, and there is nothing distinguished about them which would warrant their listing in the National Register of Historic Places. The Rail Line has been in operation for nearly a century, and, therefore, 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.

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 11, 2013

EXHIBIT 1



Fritz Kahn <xiccgc@gmail.com>

Grenada Railway LLC - Docket No. AB 1087 (Sub-No. 2) - Railroad abandonment

1 message

Walls, Beth <Walls.Beth@epa.gov>

Wed, Dec 18, 2013 at 12:35 PM

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

Cc: "Mueller, Heinz" <Mueller.Heinz@epa.gov>, "Walls, Beth" <Walls.Beth@epa.gov>

Dear Mr. Kahn:

This email is in response to your December 12, 2013 letter conveying the completed environmental and historical report for the proposed abandonment.

My review of this report indicates to me this action constitutes a paper exercise of "abandonment" declaration. No physical activity is expected to occur. Therefore no environmental impacts are expected. Essentially the existing infrastructure is to be abandoned "in place" to facilitate the potential land use for a public purpose: as in a recreational trail.

Consequently from reading this report, I see no environmental concerns identified within the US EPA's jurisdiction to raise to your attention for purposes of informing the Surface Transportation Board regarding their decision to act upon this abandonment notice.

Sincerely,

Beth Walls,

Environmental Scientist,

US EPA, Region 4

Atlanta, GA

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



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

Environmental Specialist, Regulatory Branch,
U.S. Army Corps of Engineers, Vicksburg District
E-mail: Amiee.D.Parker@usace.army.mil
Phone: 601-631-5292
Fax: 601-631-5459

Enclosures

"Life is not about waiting for the storm to pass...It's about learning to dance in the rain." ~ Vivian Greene

2 attachments

 **Enclosure 1 MVK-2011-777.pdf**
339K

 **Enclosure 2 MVK-2011-777.docx**
45K

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.

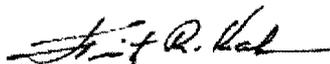
No revenue freight has been carried on the railroad lines sought to be abandoned since July 2011.

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 F Street, SW, Washington, DC 20423, Tel.: (202) 245-0295, referring to Docket No. AB 1087 (Sub-No. 4).

Sincerely yours,

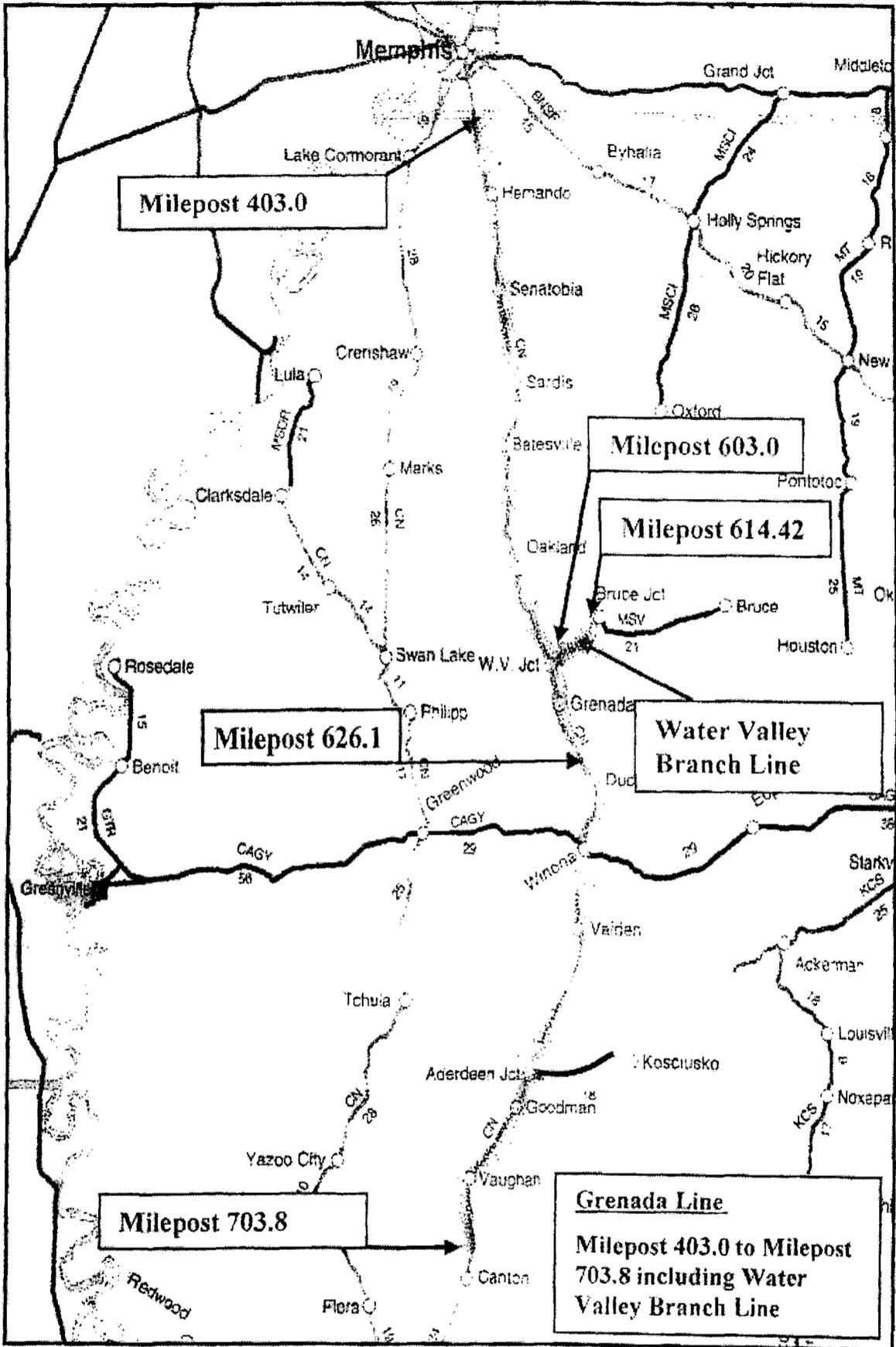

Fritz R. Kahn

cc: Victoria J. Rutson, Esq.

MVK-2011-177

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	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
X	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 33 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
(601) 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 80
Vicksburg, MS 39181-0080
(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:

EXHIBIT D

PROOF OF PUBLICATION
OF NOTICE

State of Mississippi
Yalobusha County

Before me, BETTY K. SHEARER, Notary Public of said County, this day came David Howell, who stated on oath that he is the Editor and Publisher of the North Mississippi Herald, a public newspaper publishing and having a general circulation in the City of Water Valley, said County and State, and made oath further that advertisement, of which a copy as printed is annexed, was published in said newspaper for 1 consecutive weeks in its issues numbered and dated as follows, to-wit:

Vol. 125 No. 38 Dated the 19 of Dec. 2013
 Vol. ___ No. ___ Dated the ___ of ___ 20___
 Vol. ___ No. ___ Dated the ___ of ___ 20___
 Vol. ___ No. ___ Dated the ___ of ___ 20___
 Vol. ___ No. ___ Dated the ___ of ___ 20___

Affiant further states that he has examined the foregoing 1 issues of said newspaper, that the attached Notice appeared in each of said 1 as aforesaid of said newspaper.

David Howell
 Editor and Publisher
 North Mississippi Herald

Sworn to and subscribed before me,
 this 19 day of Dec. 2013
 Water Valley, Yalobusha County, Mississippi

Betty Shearer

SURFACE TRANSPORTATION BOARD
 Granada Railway LLC gives notices that on or about January 2, 2014, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR Subpart F -- Exempt Abandonments, permitting the abandonment of 10.42-mile line of railroad between railroad milepost 604.0 at Water Valley Junction which traverses through United States Postal Service ZIP Code 38965 and railroad milepost 614.42 at Bruce Junction which traverses through United States Postal ZIP Codes 38915 in Yalobusha County, Mississippi. The proceeding has been docketed as No. AB 1087 (Sub-No. 2)
 The Board's Office of Environmental Analysis ("SEA") generally will prepare an Environmental Assessment ("EA"), which will normally be available 25 days after the 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 to 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 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 Office of Proceedings, Surface Transportation Board, 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, Government Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative, Fritz R. Kahn, Esq., Fritz R. Kahn, P.C., 1919 M Street, NW (7th fl.), Washington, DC 20036.



361 Words 1 Times \$ 43.32
 Proof of Publication \$ 3.00
 Total Due \$ 46.32

EXHIBIT E

DRAFT FEDERAL REGISTER NOTICE

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Docket No. AB 1087 (Sub-No.2X]

Grenada Railway LLC -- Abandonment Exemption -- in Yalobusha County, Miss.

Grenada Railway LLC (“GRYR”) filed on January 2, 2014, a verified notice of exemption under 49 C.F.R. part 1152 subpart F -- *Exempt Abandonments and Discontinuances of Service and Trackage Rights* -- to abandon its Water Valley Branch between milepost 604.0 at Water Valley Junction and milepost 614.42 at Bruce Junction, a distance of 10.42 miles, in Yalobusha County, Mississippi. The line traverses United States Postal Service Zip Codes 38965 and 38915, being the zip codes for Water Valley and Bruce.

GRYR has certified that: (1) no local traffic has mover over the line for at least 2 years; (2) no overhead traffic has been, or would need to be, rerouted; (3) no formal complaint filed by a user of rail service on the line (or state or local agency 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 with the 2-year period. The railroad has further certified that the requirements of 49 C.F.R. §§ 1105.7(c) & 1105.8(c) (environmental and historic 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 employees 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.

Petitions to stay the effective date of the notice on other than environmental or historic preservation grounds must be filed within 10 days of the notice's Federal Register publication. Petitions to stay the effective date of the notice on environmental or historic preservation grounds may be filed at any time but must be filed sufficiently in advance of the effective date in order to allow the Board to consider and act on of the petition before the notice becomes effective. Petitions for reconsideration, comments regarding environmental, energy and historic preservation matters, and requests for public use conditions under 49 U.S.C. §10905 and 49 C.F.R. §1152.28(a)(2) must be filed within 20 days after publication. Requests for a trail use/rail banking condition must be filed within 10 days after the notice's Federal Register publication.

Provided no offer of financial assistance (OFA) has been received, this exemption will be effective 30 days from the date of the Federal Register publication of the notice, unless stayed by decision of the Board.

A copy of any pleading filed with the Board should be sent to the railroad's representative, Fritz R. Kahn, Esq., Fritz R. Kahn, P.C., 1919 M Street, NW (7th fl.), Washington, DC 20036 (Tel.: (202) 263-4152).

If the verified notice contains false or misleading information, the exemption is void *ab initio*, and the Board summarily shall reject the exemption notice.

The railroad has filed a environmental and historic report that addresses the effects, if any, of the abandonment on the environment and historic resources. The Office of Environmental Analysis (OEA) will issue an environmental assessment (EA) within 30 days of the notice's filing with the Board. Interested persons may obtain a copy of the EA by writing OEA, at the Board's address, Surface Transportation Board, 395 E Street, SW (Room 1100), Washington, DC 20423-0001 or by calling OEA at (205) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service at 1- (800) 877-8339. Comments on environmental and historic preservation matters included or omitted from the EA must be filed within 15 days after the EA becomes available to the public.

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

Pursuant to 49 C.F.R. § 1152.29(e)(2), the railroad 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 the railroad's filing of a notice of consummation within one year from the date of filing of the notice of exemption with the Board and there are no legal or regulatory barriers to consummation, the authority to abandon will expire automatically.

Board decisions and notices are available on its website at www.stb.dot.gov.

Decided: _____

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