

Karl Morell & Associates
655 15th Street, NW, Suite 225
Washington, DC 20005
(202) 595-9045
karlm@karlmorell.com

239681

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Office of Proceedings
December 7, 2015
Part of
Public Record

December 7, 2015

E-FILED

Ms. Victoria Rutson, Esq.
Environmental Analysis Chief
Surface Transportation Board
395 E Street, SW, Room 1106
Washington, DC 20423

**Re: Docket No. AB 1182X – Brandon Railroad L.L.C. –
Abandonment Exemption – in Douglas County, Nebraska**

Dear Ms. Rutson:

Attached please find Brandon Railroad L.L.C.'s ("BRR") Environmental and Historic Reports in the above-referenced proceeding. BRR plans on filing its Petition for Exemption on or shortly after December 29, 2015.

Sincerely,


Karl Morell

Enclosure

ENVIRONMENTAL REPORT

(49 C.F.R. 1105.7)

Docket No. AB-1182X

BRANDON RAILROAD, L.L.C. --ABANDONMENT EXEMPTION-- IN DOUGLAS COUNTY, NEBRASKA

(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.

Brandon Railroad, L.L.C. ("BRR"), proposes to abandon its 17.3-mile line of railroad located in Omaha, Nebraska, in the former Omaha-South Omaha switching district (the "Line"). BRR intends to use the abandonment authority to convert its railroad from a common carrier to a contract and private carrier. Consequently, the Line will remain as it is today and no salvage operations will be conducted.

BRR acquired the Line in June 2006 from the Brandon Corporation¹. Since it acquired the Line, the vast majority of traffic handled by BRR has been for an affiliated company, GBW Railcar Services, L.L.C. In August 2015, BRR entered into a long-term Confidential Private Transportation Services Agreement ("TSA") with the last remaining common carrier shipper on the Line, United States Cold Storage, Inc. ("Cold Storage"). Although Cold Storage has not shipped any traffic by rail in months, any future traffic tendered to BRR will be handled pursuant

¹ See STB Docket No. 34930, *Brandon Railroad LLC -- Acquisition Exemption -- Brandon Corp.* (not printed), served June 12, 2001.

to the TSA. Therefore, there will no longer be any common carrier shipments handled over the Line.

The Line has had very limited common carrier traffic in recent years and all future traffic will be handled under contract. Maintenance performed on the Line will remain the same as will the vast majority of traffic handled over the Line in recent years. Therefore, the proposed abandonment will have no impact on rail freight operations and maintenance practices on the Line.

A map of the proposed abandonment is attached hereto as Exhibit 1.

(2) Transportation System. Describe the effects 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.

No passenger traffic will be diverted to other modes as a result of the proposed abandonment. The vast majority of local traffic will continue to be handled on the Line as it has for many years. Any future rail traffic handled for Cold Storage over the Line will be performed under contract. Since the Line is no longer needed for common carrier rail traffic, the proposed abandonment will have no adverse effects on regional or local transportation systems and patterns.

(3) Land Use. (i) Based on consultation with local and/or regional planning agencies and/or a 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. (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9. (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.

(i) Since BRR will continue to provide rail service, albeit exclusively under contract, BRR is confident that the proposed abandonment is consistent with existing land use plans. BRR contacted the Douglas County Commissioners. See Exhibit 2. To date, no response to this inquiry has been received. A copy of this Report has been mailed to the appropriate local and state agencies for their information and comment.

(ii) The proposed abandonment will not have any detrimental effect on any prime agricultural land. BRR notified the State Conservationist of the proposed abandonment and requested assistance in identifying any potential effects on prime agricultural land. See Exhibit 3. According to the Natural Resources Conservation Services, the proposed abandonment will have no adverse environmental effect on matters covered by the Farmland Protection Policy Act. See Exhibit 3. A copy of this Report is being supplied to the USDA Natural Resources Conservation Service for its information and further comment.

(iii) The Line does not pass through a designated coastal zone.

(iv) The right-of-way involved is not suitable for alternative public use since BRR will continue to provide contract carrier rail service.

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources. (ii) Describe the effect of the proposed action on recyclable commodities. (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why. (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 energy consumption and show the data and methodology used to arrive at the figure given.

(i) The proposed abandonment will have no effect on the transportation of energy resources.

(ii) The proposed abandonment will have no effect on the transportation of recyclable commodities.

(iii) The proposed abandonment will have no effect on overall energy efficiency since all local traffic will continue to be handled as in the past only pursuant to contract and the Line is not capable of handling overhead traffic.

(iv) The proposed abandonment will not cause diversions of rail traffic to motor carriage, since Cold Storage apparently has already diverted its traffic to trucks and any future traffic tendered to BRR by Cold Storage will be handled under the TSA.

(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 rail 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. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply. (ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (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 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 a given road segment, then state whether any expected increased emissions are within the parameters established by the 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. (iii) If 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.

(i) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(ii) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(iii) 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.

Not applicable

(7) Safety. (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings). (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 an accidental release of hazardous materials. (iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

(i) The proposed abandonment will have no detrimental effects on public health and safety. Rail traffic will continue to be handled as in the past only under contract. No grade crossings or associated signs and structures will be removed.

(ii) The proposed abandonment will not affect the transportation of hazardous materials.

(iii) There are no known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the rail corridor of the Line.

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

(i) The proposed abandonment will not have an adverse affect on endangered or threatened species or areas designated as a critical habitat since BRR will continue to provide rail service as in the past only as a contract carrier. BRR notified the U.S. Fish and Wildlife Service of the proposed abandonment and requested assistance in determining whether endangered or threatened species or areas designated as a critical habitat are likely to be adversely affected. See Exhibit 4. To date, no response to this inquiry has been received. A copy of this Report has been mailed to the appropriate local and state agencies for their information and comment.

(ii) BRR does not believe that any wildlife sanctuaries or refuges, National or State parks or forests would be adversely affected by the proposed abandonment since BRR will continue to provide rail service as in the past. BRR notified the National Parks Service of the proposed abandonment and requested assistance in identifying any potential effects on wildlife sanctuaries or refuges, National or State parks or forests. See Exhibit 5. To date, no response to this request has been received. A copy of this Report is being supplied to the National Park Service for its information and comment.

(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. (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. (iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

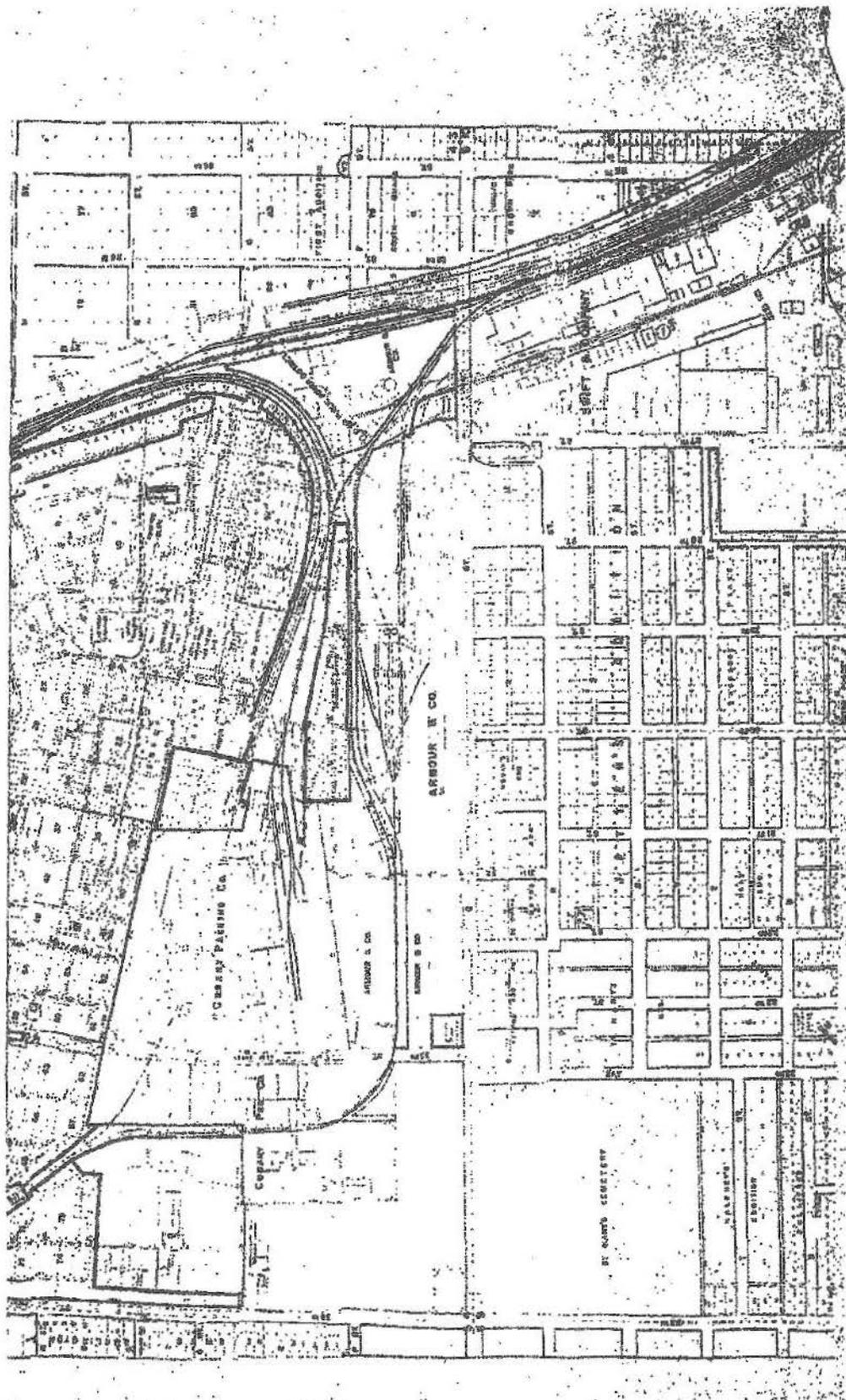
(i) BRR is confident that the proposed abandonment will be consistent with applicable water quality standards. BRR contacted the Nebraska Environmental Protection Agency (“NEPA”) and the U.S. Environmental Protection Agency (“EPA”) concerning this matter requesting assistance in determining whether the proposed abandonment is consistent with applicable Federal, State, or local water quality standards. See Exhibit 6. To date, no response has been received from NEPA or EPA. A copy of this Report is being supplied to NEPA and EPA for their information and comment.

(ii) BRR is confident that no designated wetlands or 100-year flood plains will be adversely affected by the proposed abandonment since BRR will continue to provide rail service as in the past. BRR contacted the Corps of Engineers concerning these matters. See Exhibit 7. To date, no response has been received to this inquiry. A copy of this Report is being supplied to the U.S. Army Corps of Engineers for its information and comment.

(iii) BRR is confident that the proposed abandonment will not require the issuance of any permits under Section 402 of the Clean Water Act. BRR contacted the EPA concerning this matter and requested assistance in identifying any potential effects on applicable water quality standards and determining whether the proposed abandonment is consistent with applicable Federal, State, or local water quality standards. See Exhibit 6. To date, no response has been received from the EPA. A copy of this Report is being supplied to the EPA for its information and comment.

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

BRR does not expect any adverse environmental impact from the proposed abandonment and, therefore, sees no need for any mitigating actions. BRR will, of course, adhere to any remedial actions suggested by the recipients of this Report and required by the Board.



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655 15th Street, NW, Suite 225
Washington, DC 20005
(202) 595-9045
karlm@karlmorell.com

EXHIBIT 2

October 30, 2015

Douglas County Commissioners
1819 Farnam Street
Omaha, NE 68183

**RE: Docket No. AB 1182X, Brandon Railroad L.L.C. --
Abandonment Exemption—In Douglas County, Nebraska**

Dear Sir/Madam:

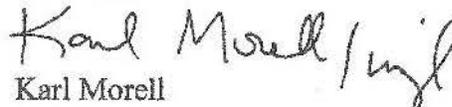
On or shortly after December 1, 2015, Brandon Railroad, L.L.C. ("BRR") will be filing with the Surface Transportation Board ("STB") a Petition for Exemption seeking authority to abandon its 17.3-mile rail line located in Omaha, Nebraska in the former Omaha-South Omaha switching district. BRR intends to use the abandonment authority to convert its railroad from a common carrier to a contract and private carrier. A map of the proposed abandonment is attached.

Pursuant to the STB's environmental regulations at 49 C.F.R., Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on existing land use plans. We must determine whether the proposed abandonment is inconsistent with existing land use plans.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your prompt assistance. If have any questions concerning this matter, please contact me.

Sincerely,



Karl Morell

Attorney for:

Brandon Railroad, L.L.C.

Karl Morell & Associates
655 15th Street, NW, Suite 225
Washington, DC 20005
(202) 595-9045
karlm@karlmorell.com

EXHIBIT 3

October 30, 2015

State Conservationist
Natural Resources Conservation Service
100 Centennial Mall North, Rm 152
Lincoln, NE 68508

**RE: Docket No. AB 1182X, Brandon Railroad L.L.C. --
Abandonment Exemption—In Douglas County, Nebraska**

Dear Sir/Madam:

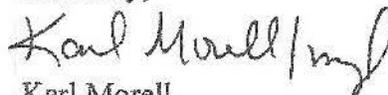
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Pursuant to the STB's environmental regulations at 49 C.F.R., Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on prime agricultural land.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your prompt assistance. If have any questions concerning this matter, please contact me.

Sincerely,



Karl Morell
Attorney for:
Brandon Railroad, L.L.C.

Karl Morell

From: Vanek, Wayne - NRCS, Lincoln, NE <Wayne.Vanek@ne.usda.gov>
Sent: Tuesday, November 10, 2015 2:15 PM
To: Karl Morell
Subject: City of Omaha, Nebraska Docket No. AB 1182X, Brandon Railroad L.L.C. Abandonment Exemption --Douglas County, Nebraska

United States Department of Agriculture



ATTENTION: Karl Morell – Attorney for: Brandon Railroad, L.L.C

I am responsible for the Farmland Protection Policy Act (FPPA) concerns and have reviewed the information you sent regarding the project for which you requested review of impacts. This review only covers FPPA concerns and does not include any other environmental concerns such as wetlands or endangered species. For general conservation concerns or questions relating to wetlands under the jurisdiction of the Food Security Act, contact your local county Natural Resources Conservation Service office.

It has been determined that a Farmland Conversion Impact Rating form (AD-1006) will not be needed on this project since the project area occupies existing urban sites and/or are within city limits, and also no additional cropland will be taken out of production; thus, **NRCS has determined that your project was found to be cleared of FPPA significant concerns.** We encourage you to continue to be aware of prime and important farmlands in general and the role they play in current and future projects.

Wayne Vanek
USDA-NRCS
Fed. Bldg. Rm. 152
100 Centennial Mall North
Lincoln, NE. 68508-3866
402.437.4125

Karl Morell & Associates
655 15th Street, NW, Suite 225
Washington, DC 20005
(202) 595-9045
karlm@karlmorell.com

EXHIBIT 4

October 30, 2015

U.S. Fish and Wildlife Service
134 Union Blvd.
Lakewood, CO 80228

**RE: Docket No. AB 1182X, Brandon Railroad L.L.C. --
Abandonment Exemption--In Douglas County, Nebraska**

Dear Sir/Madam:

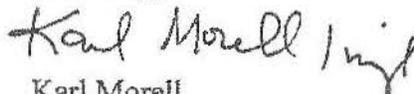
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Pursuant to the STB's environmental regulations at 49 C.F.R., Part 1105, we are advising you of this proposed action so that you may assist us in determining whether it is likely to adversely affect endangered or threatened species or areas designated as a critical habitat.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your prompt assistance. If have any questions concerning this matter, please contact me.

Sincerely,



Karl Morell
Attorney for:
Brandon Railroad, L.L.C.

Karl Morell & Associates

655 15th Street, NW, Suite 225
Washington, DC 20005
(202) 595-9045
karlm@karlmorell.com

EXHIBIT 5

October 30, 2015

National Park Service
Recreational Resources Assistance Division
601 Riverfront Drive
Omaha, NE 68102

**RE: Docket No. AB 1182X, Brandon Railroad L.L.C. --
Abandonment Exemption--In Douglas County, Nebraska**

Dear Sir/Madam:

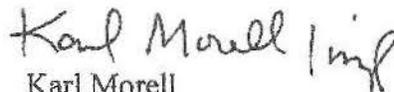
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Pursuant to the STB's environmental regulations at 49 C.F.R., Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on wildlife sanctuaries or refuges, National of State parks or forests.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your prompt assistance. If have any questions concerning this matter, please contact me.

Sincerely,



Karl Morell
Attorney for:
Brandon Railroad, L.L.C.

Karl Morell & Associates

655 15th Street, NW, Suite 225

Washington, DC 20005

(202) 595-9045

karlm@karlmorell.com

EXHIBIT 6

October 30, 2015

Nebraska Environmental Protection Agency
P.O. Box 98922
Lincoln, NE 68509-8922

**RE: Docket No. AB 1182X, Brandon Railroad L.L.C. --
Abandonment Exemption—In Douglas County, Nebraska**

Dear Sir/Madam:

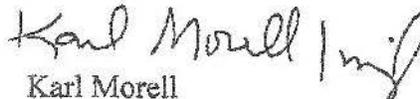
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Pursuant to the STB's environmental regulations at 49 C.F.R., Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on applicable water quality standards. We also seek your assistance in determining whether the proposed abandonment is consistent with applicable Federal, State or local water quality standards. NKCR does not believe any permits under Section 402 of the Clean Water Act will be required.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your prompt assistance. If have any questions concerning this matter, please contact me.

Sincerely,



Karl Morell

Attorney for:

Brandon Railroad, L.L.C.

Karl Morell & Associates

655 15th Street, NW, Suite 225
Washington, DC 20005
(202) 595-9045
karlm@karlmorell.com

October 30, 2015

U.S. Environmental Protection Agency
901 N. 5th Street
Kansas City, KS 66101

**RE: Docket No. AB 1182X, Brandon Railroad L.L.C. --
Abandonment Exemption—In Douglas County, Nebraska**

Dear Sir/Madam:

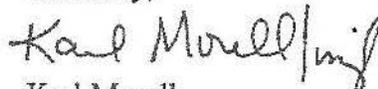
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Pursuant to the STB's environmental regulations at 49 C.F.R., Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on applicable water quality standards. We also seek your assistance in determining whether the proposed abandonment is consistent with applicable Federal, State or local water quality standards. BRR does not believe any permits under Section 402 of the Clean Water Act will be required.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your prompt assistance. If have any questions concerning this matter, please contact me.

Sincerely,



Karl Morell
Attorney for:
Brandon Railroad, L.L.C.

Karl Morell & Associates
655 15th Street, NW, Suite 225
Washington, DC 20005
(202) 595-9045
karlm@karlmorell.com

EXHIBIT 7

October 30, 2015

Corps of Engineers, Kansas City District
601 E. 12th Street
Kansas City, KS 64106

**RE: Docket No. AB 1182X, Brandon Railroad L.L.C. --
Abandonment Exemption—In Douglas County, Nebraska**

Dear Sir/Madam:

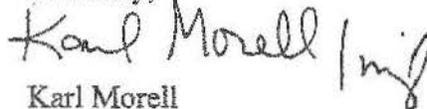
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Pursuant to the STB's environmental regulations at 49 C.F.R., Part 1105, we are advising you of this proposed action so that you may assist us in identifying any potential effects on designated wetlands or 100-year flood plains. BRR does not believe any permits under Section 404 of the Clean Water Act will be required.

We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

Thank you in advance for your prompt assistance. If have any questions concerning this matter, please contact me.

Sincerely,



Karl Morell
Attorney for:
Brandon Railroad, L.L.C.

HISTORIC REPORT

(49 C.F.R. 1105.8)

Docket No. AB-1182X

BRANDON RAILROAD, L.L.C. --ABANDONMENT EXEMPTION-- IN DOUGLAS COUNTY, NEBARSKA

The Historic Report should contain the information required by 1105.7(e)(1) of the Environmental Report. The following is excerpted from the Environmental Report prepared for the proposed abandonment:

(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.

Brandon Railroad, L.L.C. ("BRR"), proposes to abandon its 17.3-mile line of railroad located in Omaha, Nebraska, in the former Omaha-South Omaha switching district (the "Line"). BRR intends to use the abandonment authority to convert its railroad from a common carrier to a contract and private carrier. Consequently, the Line will remain as it is today and no salvage operations will be conducted.

BRR acquired the Line in June 2006 from the Brandon Corporation.¹ Since it acquired the Line, the vast majority of traffic handled by BRR has been for an affiliated company, GBW Railcar Services, L.L.C. In August 2015, BRR entered into a long-term Confidential Private Transportation Services Agreement ("TSA") with the last remaining common carrier shipper on the Line, United States Cold Storage, Inc. ("Cold Storage"). Although Cold Storage has not

shipped any traffic by rail in months, any future traffic tendered to BRR will be handled pursuant to the TSA. Therefore, there will no longer be any common carrier shipments handled over the Line.

The Line has had very limited common carrier traffic in recent years and all future traffic will be handled under contract. Maintenance performed on the Line will remain the same as will the vast majority of traffic handled over the Line in recent years. Therefore, the proposed abandonment will have no impact on rail freight operations and maintenance practices on the Line.

A map of the proposed abandonment is attached hereto as Exhibit 1.

HISTORIC REPORT

1. *A U.S.G.S. topographic map (or 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;*

Maps have been supplied to the Nebraska Historic Preservation Office ("NHPO"). See Exhibit 2. There are no structures on the Line associated with the proposed abandonment.

2. *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;*

¹ See STB Docket No. 34930, *Brandon Railroad LLC – Acquisition Exemption – Brandon Corp.* (not printed), served June 12, 2001.

The right-of-way is of varying widths. The 17.3-mile rail line is located in Omaha, Nebraska. There are no milepost associated with the Line. Prior to 1978, the Line was operated by the South Omaha Terminal Railway Company. The Line traverses an urban area.

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

There are no structures on the Line associated with the proposed abandonment.

4. *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;*

There are no structures on the Line associated with the proposed abandonment.

5. *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;*

To the best of BRR's knowledge, the Line was previously used primarily to transport rail cars for repair to a local shop located along the Line.

The Line is in good condition and will continue to be used to handle rail traffic under contract with BRR.

6. *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;*

There are no structures on the Line associated with the proposed abandonment.

7. *An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 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);*

There are no structures on the Line associated with the proposed abandonment.

There are also no known archeological resources in the project area.

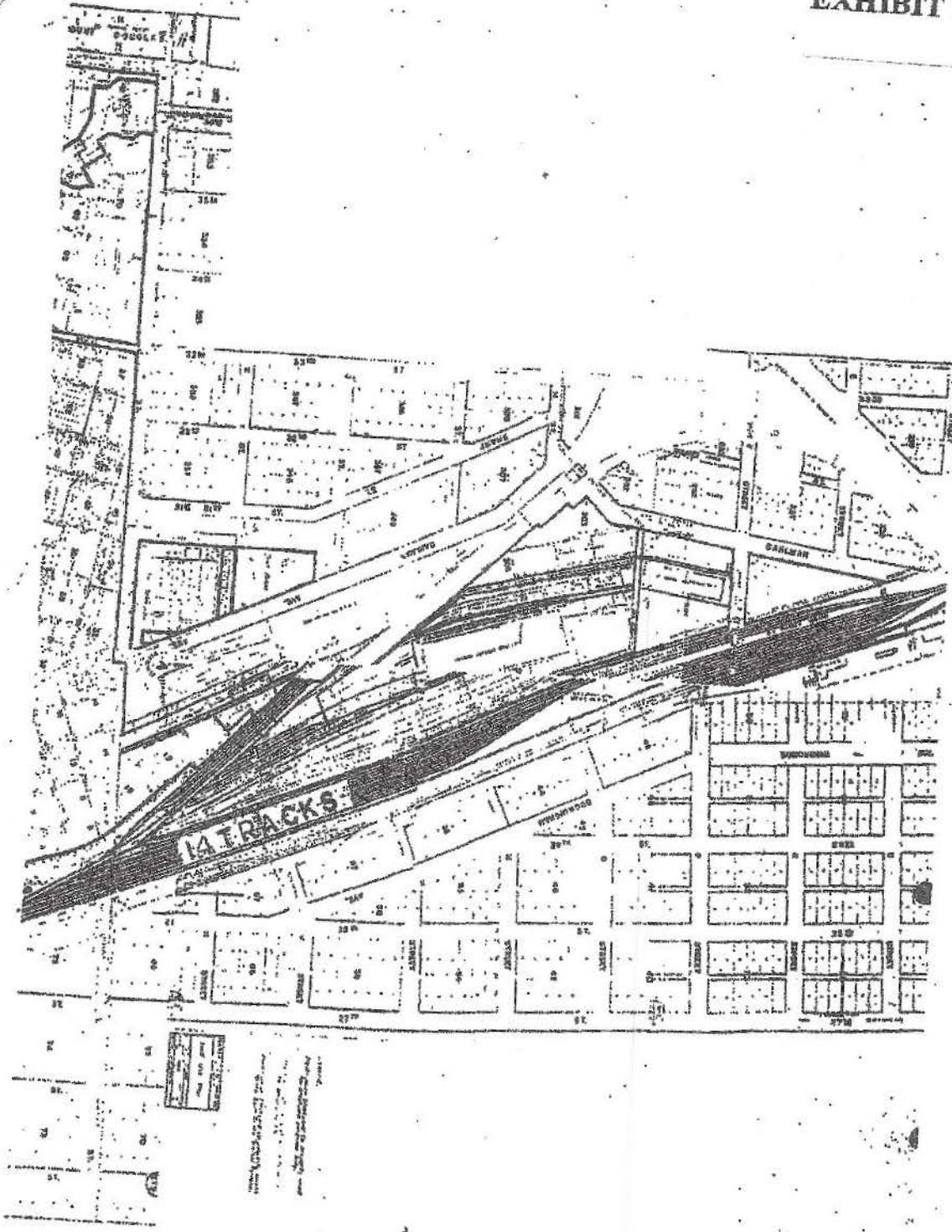
8. *A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence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

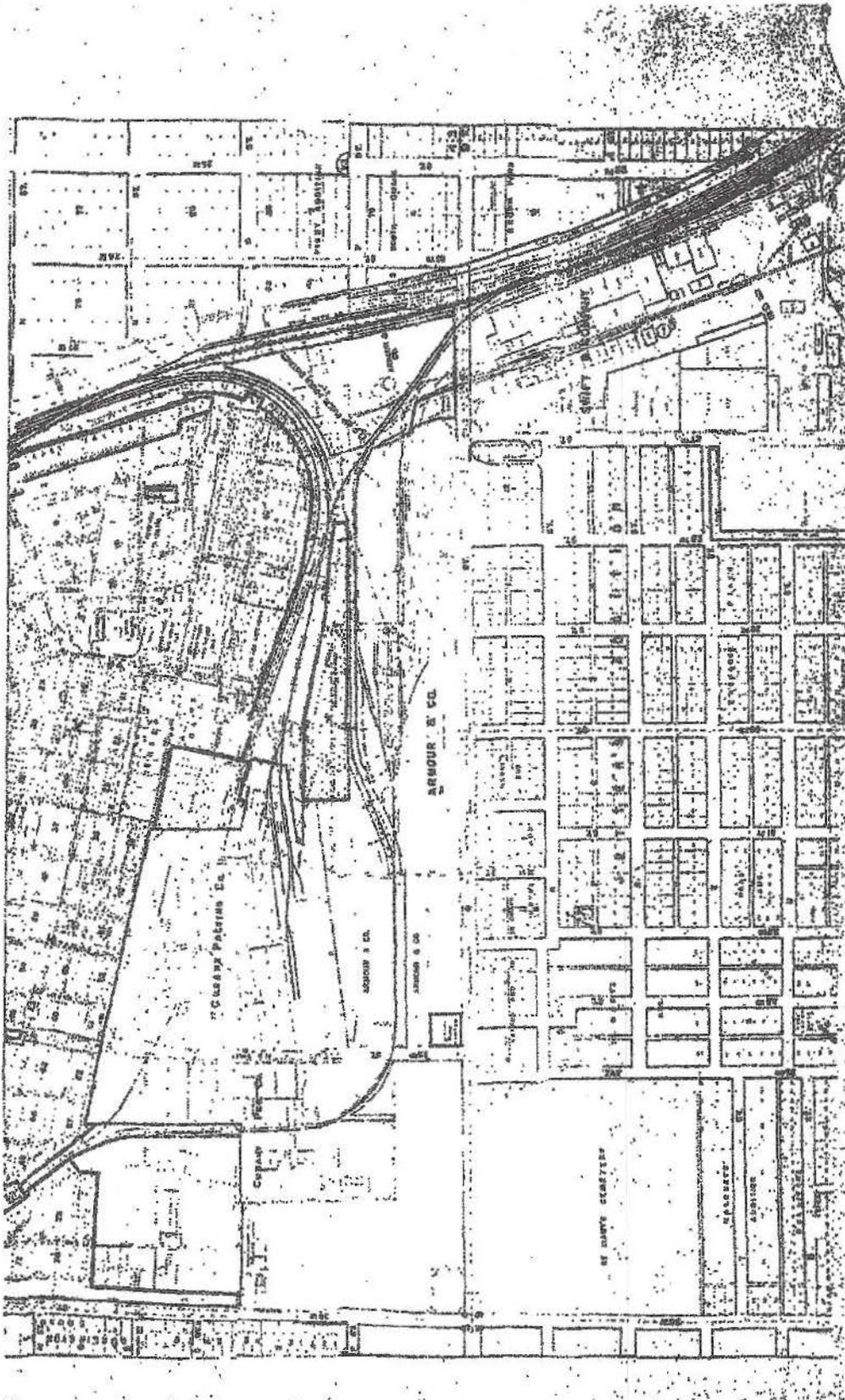
There are no existing records as to the nature of any known subsurface ground disturbance or fill, or environmental condition that might affect the archeological recovery of any potential resources.

9. *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).*

BRR does not foresee the likelihood that any additional information will need to be supplied in association with the proposed line abandonment other than that information previously submitted. But, if any additional information is requested, BRR will promptly supply the necessary information.

EXHIBIT 1





Karl Morell & Associates
655 15th Street, NW, Suite 225
Washington, DC 20005
(202) 595-9045
karlm@karlmorell.com

EXHIBIT 2

October 30, 2015

Nebraska Historic Preservation Office
P.O. Box 82554, 1500 R Street
Lincoln, NE 68501

**RE: Docket No. AB 1182X, Brandon Railroad L.L.C. --
Abandonment Exemption—In Douglas County, Nebraska**

Dear Sir/Madam:

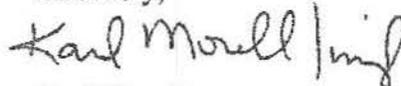
On or shortly after December 1, 2015, Brandon Railroad, L.L.C. ("BRR") will be filing with the Surface Transportation Board ("STB") a Petition for Exemption seeking authority to abandon its 17.3-mile rail line located in Omaha, Nebraska in the former Omaha-South Omaha switching district. BRR intends to use the abandonment authority to convert its railroad from a common carrier to a contract and private carrier. A map of the proposed abandonment is attached.

Enclosed is a map depicting the area where the rail line is located. The proposed abandonment will not involve the removal of the rail, track material, and crossies or any existing structures along the track

There are no bridges or other structures associated with the railroad.

We will send you a copy of the Historic Report as soon as it is completed. If I can be of further assistance regarding this matter, please call me at (202) 595-9045

Sincerely,



Karl Morell
Attorney for:
Brandon Railroad, L.L.C.