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Felhaber Larson Fenlon & Vogt

A Professional Association - Attorneys at Law



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Office of Proceedings

MAY 22 2008

**Part of
Public Record**

Karen R Kees
651/312-6020
Fax 651/222-8905
E-mail kkees@felhaber.com
Reply to St Paul Office

May 21, 2008

Vernon A Williams, Secretary
Surface Transportation Board
395 "E" Street SW
Washington, DC 20423-0001

Via Federal Express (to zip code 20024)

**Re: Environmental Report, Historic Report and Required Certifications for
Docket No AB-577 (Sub No. 1X), Mohall Railroad, Inc
Notice of Exemption for Abandonment in Walsh County, ND
Our File No. 24270 001**

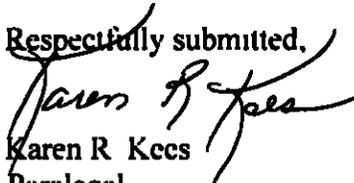
Dear Secretary Williams

Mohall Railroad, Inc intends to file a Notice of Exemption for the above-referenced proposed abandonment on or after June 16, 2008. Enclosed for the above-referenced Abandonment Exemption are the following, which are required by 49 C F R Part 1105

- 1 An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C F R Part 1105,
- 2 An original and ten copies of the Environmental/Historic Report; and
- 3 Copies of the transmittal letters that accompanied the reports

Please stamp the enclosed duplicate copy of this letter and return it to my attention to indicate that you received the items listed

Feel free to call me if you have any questions

Respectfully submitted,

Karen R Kees
Paralegal

klg
enclosures
cc. Byron D Olsen
Michael Barron

Docket No. AB-577 (Sub No. 1X)



MOHALL RAILROAD, INC

NOTICE OF EXEMPTION FOR
ABANDONMENT IN WALSH
COUNTY, NORTH DAKOTA

TO Vernon A Williams, Secretary
Surface Transportation Board (STB)
395 "E" Street SW
Washington, DC 20423-001

CERTIFICATE OF COMPLIANCE WITH 49 C.F.R. PART 1105

I hereby certify that on May 21, 2008, copies of the Environmental and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 C F R § 1105.7(b), all agencies consulted in preparing the report, and on the State Historical Society of North Dakota. A service list is attached and incorporated into this Certificate as Attachment A. The reports have been sent within the time period specified, as Mohall Railroad, Inc. intends to file its Notice of Exemption in the above-captioned matter no earlier than June 16, 2008. All appropriate agencies as listed in 49 C F R § 1105.7(c) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on April 23, 2008, in THE RECORD, a newspaper of general circulation in Walsh County, North Dakota. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice is attached to this certificate as Attachment B.

Dated this 21st day of May, 2008

A handwritten signature in black ink, appearing to read 'Mark S Radke', written over a horizontal line.

Mark S Radke
Attorney for Mohall Railroad, Inc.

A

**SERVICE OF THE ENVIRONMENTAL & HISTORIC REPORT
 STB DOCKET NO. AB-577 (Sub No. 1X)
 MOHALL RAILROAD, INC.
 WALSH COUNTY, NORTH DAKOTA**

Parties served with a copy of the Environmental and Historic Report pursuant to Section 1105.7(b) 20 days prior to the filing with the STB of the (i) Petition for Exemption; (ii) Notice of Exemption OR (iii) Application for Abandonment

Agency/Party	Address
The State Clearing House for North Dakota	Paul Govig, Director Division of Community Services North Dakota Department of Commerce P O Box 2057 Bismarck, ND 58502-2057
North Dakota Environmental Protection Agency	North Dakota Department of Health Environmental Health Section Gold Seal Center 918 East Divide Avenue Bismarck, ND 58501-1947
Walsh County Commissioners (ND)	<i>William Gorder</i> <i>Jack Karas</i> <i>Allen Ruzicka</i> <i>Luther Meberg</i> <i>Ernie Barta</i> 600 Cooper Avenue Grafton, ND 58237-1542
U S Environmental Protection Agency Regional Office	Regional Administrator 1595 Wynkoop Street Denver, CO 80202-1129
U S Fish & Wildlife Service	Department of the Interior 1849 "C" Street NW Washington, D C 20240
U S Army Corps of Engineers	<i>LTG Carl Strock, Commander</i> Headquarters 441 "G" Street NW Washington, DC 20314
The National Park Service	National Center for Recreation and Conservation 1849 "C" Street NW Washington, D C 20240
Natural Resources Conservation Service	P O Box 2890 Washington, D C 20013

Agency/Party	Address
National Geodetic Survey	SSMC-3 #9202 1315 East-West Highway Silver Spring, MD 20910-3282
State Historical Society of North Dakota	<i>Marvin L. Kaiser, President</i> 612 E. Boulevard Ave Bismarck, ND 58505-0830
Gov John Hoeven	600 East Boulevard Avenue Bismarck, ND 58505-0001
North Dakota Department of Transportation – Planning	608 East Boulevard Avenue Bismarck, ND 58505-0700

B

Affidavit of Publication

Mohall Railroad Inc a North Dakota corps. at an hereby gives notice that on or about June 10 2008 it intends to file with the Surface Transportation Board Washington DC 20423 a notice of exemption under 49 CFR 1152 Subpart I - Exempt Abandonments permitting the abandonment of a segment of line 7.06 miles in length extending from milepost 137.09 at Voss North Dakota to milepost 130.03 at Forest River North Dakota and running through Walsh County in North Dakota which traverses through United States Postal Service ZIP Codes 58261 and 58233. The proceeding has been docketed as No. AB 577 (Sub No. 12).

The Board's Section of Environmental Analysis (SEA) will generally 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 SEA, Surface Transportation Board, Washington DC 20423 or by calling SEA 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 the Secretary, 395 E Street SW, Washington DC 20423-0001. [See 49 CFR 1104.1(a) and 1104.3(a)] and one copy must be served on applicant's representative. [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (202) 245-0230. Copies of any comments or requests for conditions should be served on the applicant's representative. Michael J. Barron, Jr., Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 320, Chicago, Illinois 60606, 2837/312/252-1511.

(April 23, 2008)

STATE OF NORTH DAKOTA,)
County of Walsh)ss

Jackie Thompson, being first duly sworn on his/her oath deposes and says that THE RECORD is a once weekly newspaper of general circulation printed and published in the City of Grafton, County of Walsh and State of North Dakota, by The Morgan Printing Co., that it has complied with all requirements of the laws of the State of North Dakota concerning legal publications, is now, and during all the times hereinafter mentioned, has been a legal newspaper, that deponent is the publisher of said Record, and the advertisement of Notice Mohall Railroad Inc a ND Co gives notice it intends to file Surface Transportation Board, a printed copy of which is hereto annexed, was printed and published in every copy of each issue of said Record for a period of one consecutive weeks, to-wit

	Price	Date
Straight Matter Lines		
First Time Line Rate	<u>44</u>	<u>Apr-23</u>
Subsequent Line Rates		
Tabulated Lines		
First Time Line Rate		
Subsequent Line Rates		
Column Inches		
First Time Inch Rate		
Subsequent Inch Rates		

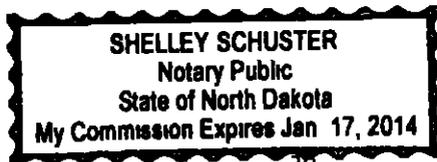
Total Cost of Legal, \$ 41.80

Jackie Thompson

Subscribed and sworn to before me this 24th day of April
 A D 20 08

(Seal) Shelley Schuster

Notary Public, State of North Dakota



My Commission Expires _____ 20 _____

**DEPARTMENT OF TRANSPORTATION
BEFORE THE SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.**

STB DOCKET NO. AB-577 (Sub No. 1X)

**MOHALL RAILROAD, INC. - ABANDONMENT EXEMPTION -
FOR A PORTION OF A LINE OF RAILROAD IN WALSH COUNTY, NORTH
DAKOTA**

Dated May 21, 2008

Michael J Barron, Jr
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2832
312/252-1511
Counsel for Mohall Railroad, Inc

ENVIRONMENTAL AND HISTORIC REPORT

Environmental Issues

The following information is provided in accordance with 49 C.F.R. Section 1105.7

1. Proposed Action and Alternatives

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

The proposed action is the abandonment of a portion of a line of railroad formerly owned and operated by BNSF Railway (BNSF) and now owned by Mohall Railroad, Inc., a North Dakota corporation (MRI). The segment of line proposed to be abandoned is 7.06 miles in length and extends from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, and is here referred to as the "Voss Line." The portion of the line proposed for abandonment has not been operated since prior to acquisition by MRI on April 6, 2001. Prior to that time, the line existed as an alternate route to Grafton, ND and points north. Before the Northern Pacific and Great Northern Railways merged in 1970 to form Burlington Northern, Inc., the Voss Line was a link in the Northern Pacific route from Grand Forks to Winnipeg, Manitoba.

The principal industry in the area is agriculture, primarily raising small grains and oilseeds. There are two towns on the line with the populations shown:

<u>Town</u>	<u>Population</u>
Voss (MP 137.09)	unincorporated
Forest River (MP 130.03)	154

Forest River will continue to have rail service via the east/west mainline of the Northern Plains Railroad running between Thief River Falls, MN and Fordville, ND. The BNSF also operates through Forest River on trackage rights over the NPR. Voss, ND is the only community that will be affected by the proposed abandonment. Voss has one active grain elevator which has not used rail service since MRI acquisition and for an unknown period of years prior. The elevator trucks grain directly to a mill in Grand Forks approximately 35 miles away, a distance too short for economic rail movement.

MRI intends to dismantle the Voss Line and transfer the salvaged rail for use in repairing and upgrading other portions of the NPR rail system. The vacated right-of-way will be made available for sale or other use. (See Tab 1 for detailed map.)

2 Transportation System

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

There should be no adverse impact on regional or local transportation systems and patterns, as the Voss Line has not been needed for overhead traffic since the Burlington Northern merger in 1970. As noted above, there has been no local traffic originated or terminated on the Voss Line for at least seven years. Since acquisition by MRI, the line has not been operated for common carrier service. This line was part of an acquisition which included the line south of Forest River to Honeyford, ND. The trackage south of Forest River remains active and traffic over that segment has grown significantly since the MRI acquisition.

3 Land Use

- 1 Based upon 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.

MRI believes that its proposed action will not be inconsistent with local land use plans. The entire area traversed by the line is agricultural except for two small town sites at Voss and Forest River. Upon abandonment and dismantling of the Voss Line, the vacated right-of-way will be made available for sale or other use. MRI's representative wrote the County Commissioners of Walsh County, ND (the only affected county) seeking information as to current land use plans for those jurisdictions. (See Tab 3.) To date, MRI has not received a response from the Walsh County Commissioners.

- 11 Based on consultation with the Natural Resources Conservation Service (formerly known as the U.S. Soil Conservation Service), state the effect of the proposed action on any prime agricultural land.

MRI's representative wrote the Natural Resources Conservation Service (See Tab 4) To date, MRI has not received a response from that agency It is believed that the right-of-way could be acquired by adjacent farmers and placed in agricultural production consistent with the surrounding land use Other than the potential of adding to the available agricultural land, no other effect on agricultural land is likely to result from the abandonment.

- iii If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by section 1105 9.

Not applicable: no coastal zones are found within the State of North Dakota.

- 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 10906 and explain why

The most likely use for the right-of-way would be to place the land into agricultural production consistent with the adjacent land use The right-of-way might also be suitable as a trail, but the low population and lack of scenic amenities in the vicinity makes such use unlikely MRI is open to any such possibility, however

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 car loads a year; or (B) an average of 50 rail car loads 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.

The proposed abandonment will have no effect on transportation of energy resources, recyclable commodities, nor will it result in any change in overall energy efficiency As noted earlier, further diversions from rail to motor carriage will not occur Transport of energy resources and recyclable commodities via rail will remain available through NPR operation through Forest River, ND

5 Air

- (i) Will the proposed action result in (A) a minimum increase in rail traffic of 100 percent (measured in gross tons annually) or eight trains per day on any segment of affected rail line, (B) an increase in rail yard activity of at least 100 percent as measured in carload activity or (C) an average increase in motor carrier traffic of either 50 vehicles per day or an increase in truck traffic exceeding 10 percent of the average daily traffic on a given highway segment? If any of the enumerated thresholds is exceeded, quantify the anticipated increase in air emissions
- (ii) If a Class I or nonattainment area is affected, are increased emissions within parameters of the affected State Implementation Plan?
- (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify the materials and quantity, frequency of service, safety practices, MRI'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

There will be no impact for the reasons stated above in section 4

6 Noise

If any of the thresholds identified in item (5) is surpassed, state whether the proposed action will cause an increase in noise levels exceeding either (i) a three decibel LDN incremental increase or (ii) 65 decibels LDN or greater

None of the thresholds will be exceeded for the reasons set forth more fully in section 4, above

7 Safety

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

Any grade crossings on the line between Voss and Forest River will be eliminated, removing any potential hazard that may have existed for that reason. There will be no adverse effects on public safety

- ii If hazardous materials are expected to be transported, identify the materials and quantity, the frequency of service, whether chemicals are being transported that, if mixed, could react to form more hazardous compounds, safety practices (including any speed restrictions), the MRI'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

Any hazardous materials formerly transported over the Line will now be moved via alternate NPR routings. NPR has in place all required plans to deal with accidental spills and 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.

There are no known hazardous waste sites on the Line and MRI is not aware of any hazardous materials spills that may have occurred along the subject right-of-way.

8 Biological Resources

- 1 Based upon 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.

MRI's representative wrote the Director of the U S Fish and Wildlife Service about its proposed action. (See Tab 5) U S Fish and Wildlife Service returned a copy of the letter with a stamp stating "The Fish and Wildlife Service is unable to comment on this project due to funding or staff constraints." (See Tab 5) MRI does not believe that the abandonment will affect any endangered or threatened species or critical habitats.

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

There are no National or State parks or forests along the Line and MRI does not anticipate that the abandonment will affect any wildlife sanctuaries or refuges. There are no wildlife refuges in the immediate vicinity of the Line. Nevertheless, MRI's representative wrote the National Park Service to obtain its views. (See Tab 6) To date, MRI has not received a response from that agency.

9 Water

- 1 Based upon consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State and/or local water quality standards and describe any inconsistencies.

No in-stream salvage operations will be required. No action known to be inconsistent with federal, state, and/or local water quality standards is contemplated. If any permits or applications are found to be necessary, they will be obtained and any conditions or procedures required by regulatory agencies will be complied with. MRI's representative wrote North Dakota's Department of Health, Environmental Health Section (See Tab 7)

- ii. Based upon 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 and whether any designated wetlands or 100-year flood plains will be affected, and describe any effects. If so, have permits been sought or issued?

MRI's representative wrote the U.S. Army Corps of Engineers (See Tab 8). To date, MRI has not received a response from that agency. MRI does not anticipate that any permits under Sections 404 will be required or that any designated wetlands or 100-year flood plains will be affected.

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

MRI's representative wrote both North Dakota's Department of Health, Environmental Health Section and the U.S. EPA Region 8 regarding this question (See Tabs 7 and 9.) North Dakota's Department of Health, Environmental Health Section, confirmed by letter that it believes any environmental impacts from the abandonment will be minor and can be controlled by proper salvage and disposal methods (See Tab 10)

10 Proposed Mitigation

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

No mitigation appears necessary.

11 Additional Information for Rail Constructions

The following additional information should be included for rail construction proposals including connecting track construction. (Additional requirements of Section (11) not listed here)

There is no rail construction proposed at this time.

12 **Section 1105 8 - Historic Reports**

- 1 Are sites or structures listed in the National Register of Historic Places affected? If so, describe the effects.

No site or structures listed in the National Register of Historic Places will be affected

- ii. Will sites or structures 50 years old or older be affected? If so, and such sites or structures are not listed in the National Register of Historic Places, MRI would submit, at the earliest possible juncture, a description of the line, including a map, as well as photographs and descriptions of such structures to the appropriate State Historic Preservation Office for review and include a copy of the cover letter in the Environmental Report

MRI's representative wrote the Historic Preservation Division of the North Dakota Historical Society ("NDHS") and advised that there are two railroad bridges that may be over 50 years old on this line segment (See Tab 11) NDHS confirmed by letter that it concurs with a "No Historic Properties Affected" determination. (See Tab 12)

- iii Will culturally significant locations, archaeological sites, or unique land forms be affected? If so, MRI should consult with the involved State Historic Preservation Office

No culturally significant locations, archaeological sites, or unique land forms will be affected

INFORMATION REQUIRED BY C.F.R. SECTION 1105.8(d)

1 Map

A copy of a map showing the Voss Line, the location of major roads, other railroads, and principal geographic features is attached for reference (See Tab 1)

2 Description of The Line

The Line proposed for abandonment extends from Milepost 137 09 at Voss, ND to milepost 130 03 at Forest River, ND where the Line crosses an east/west line of the Northern Plains Railroad, a distance of 7 06 miles. The remainder of the line acquired by MRI in 2001 extending south to Honeyford, ND (MP 117 00) will remain in service. This entire branch line formerly owned by the BNSF Railway extending from MP 137 09 at Voss, ND 20 miles south to Honeyford, ND near MP 117 00 is known as the Honeyford Line.

The right of way of the Line proposed for abandonment is at least 100 feet wide for almost its entire length. The topography of the Line for its entire length is extremely flat with no notable hills or gradients. The surrounding area for the entire distance is rural, mostly cultivated farmland. The towns along the line have small populations (see Section 1 of the foregoing Environmental and Historic Report).

3 Photographs of railroad structures on the property

Photographs are appended at Tab 2

4 Dates of construction of structures

The only railroad structures along the Line are two railroad bridges, whose age cannot be determined from documents in MRI's possession. The bridges are listed under Section 12 11 above.

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

The Voss Line was constructed at least a century ago. Other railroad lines in the vicinity, including the lines now operated by NPR, were also built at about the same time to encourage settlement and development of agriculture in the region. The Honeyford to Voss line was built and subsequently operated by the Northern Pacific Railway, now part of BNSF, as part of a main line between Grand Forks, ND and Winnipeg, Manitoba. The NPR lines were built by the Soo Line Railroad, now part of Canadian Pacific Railway.

In recent years, the Voss Line has existed to move grain (primarily wheat) from farm to market, and to move inbound commodities needed for agricultural production. Today, the close proximity to the Grand Forks commercial area and the growth of large capacity elevators nearby, has eliminated the need for rail service to Voss, ND.

6. Documents in Carrier's Possession

MRI has some track charts and station maps of the Line, and copies of contracts with adjacent land owners for such things as crossing easements.

7. Eligibility for National Register of Historic Places; Archeological Resources

It is not believed that any sites or structures eligible for listing on the National Register of Historic Places or having archeological significance are found anywhere on the Line. To date, MRI has not received a response from the North Dakota State Historic Preservation Office.

8. Description of Ground Disturbance or Fill

MRI is unaware of any ground disturbances, fill, or environmental conditions that might affect the archeological recovery of resources in the surrounding terrain.

9. Request by State Historic Preservation Office

The Historic Preservation Division of The North Dakota Historical Society confirmed by letter that it concurs with a "No Historic Properties Affected" determination. (See Tab 12.)

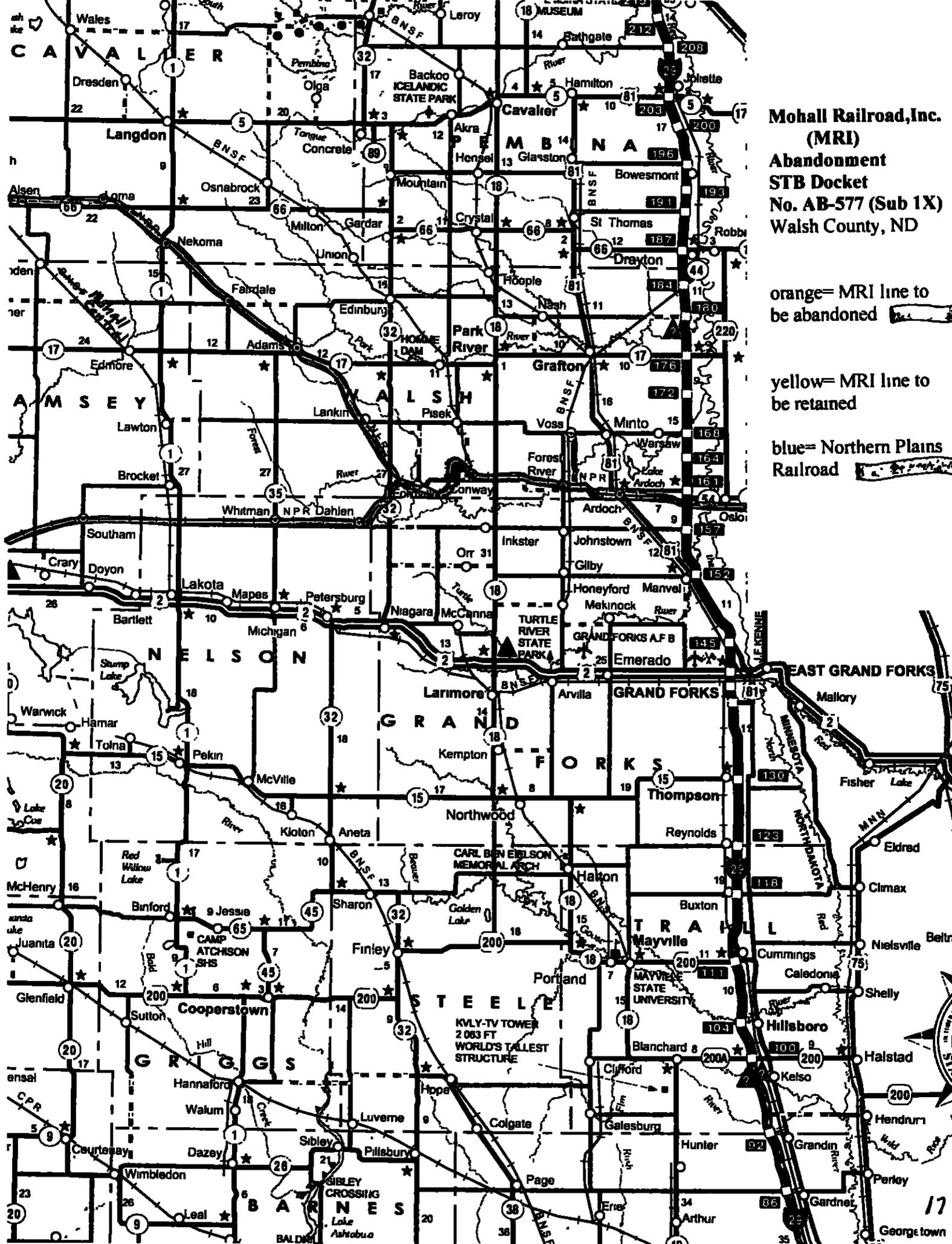
(signature on following page)



Michael J Barron, Jr
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2832
312/252-1511
Counsel for Mohall Railroad, Inc

Dated May 21, 2008

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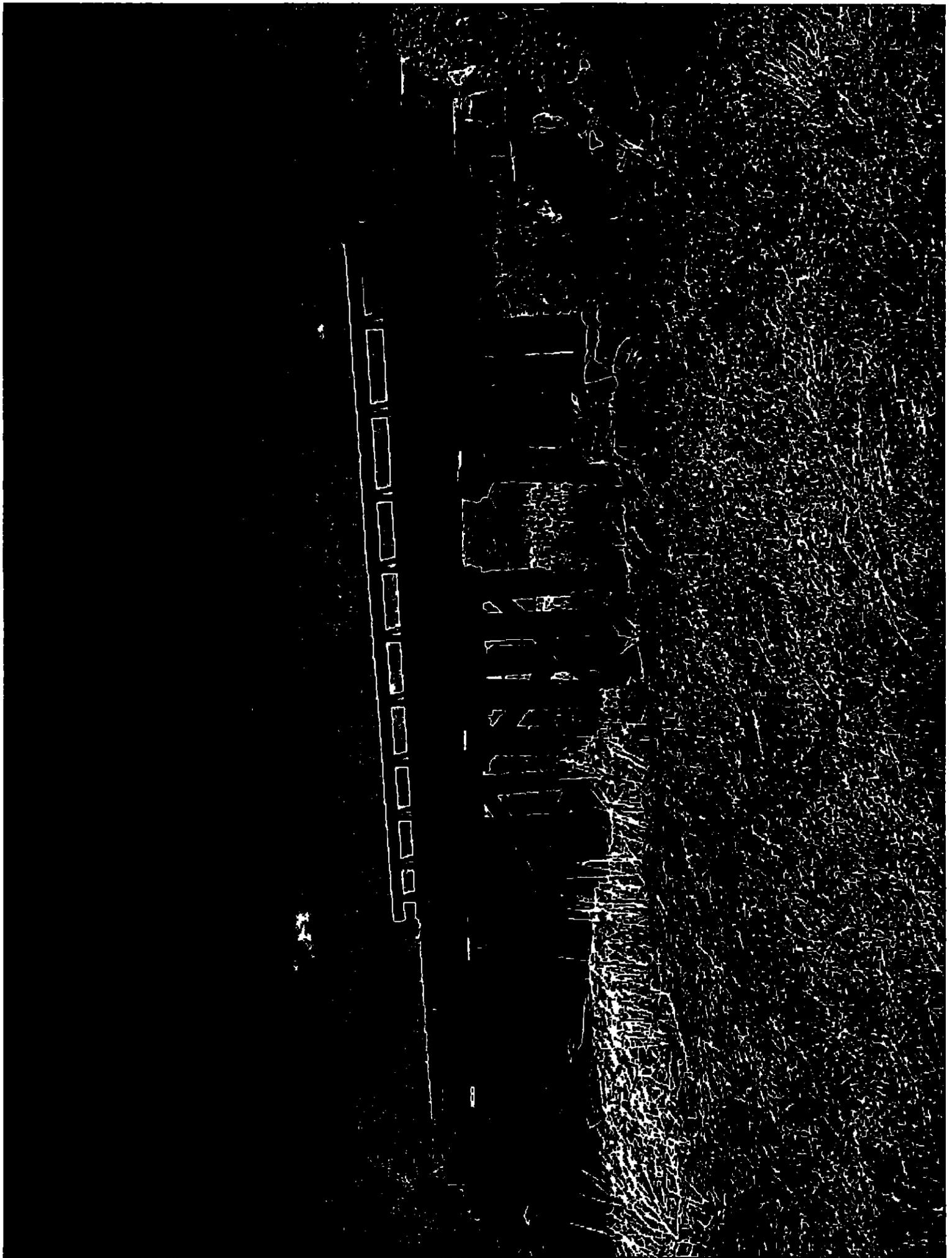
**Mohall Railroad, Inc.
(MRI)
Abandonment
STB Docket
No. AB-577 (Sub 1X)
Walsh County, ND**

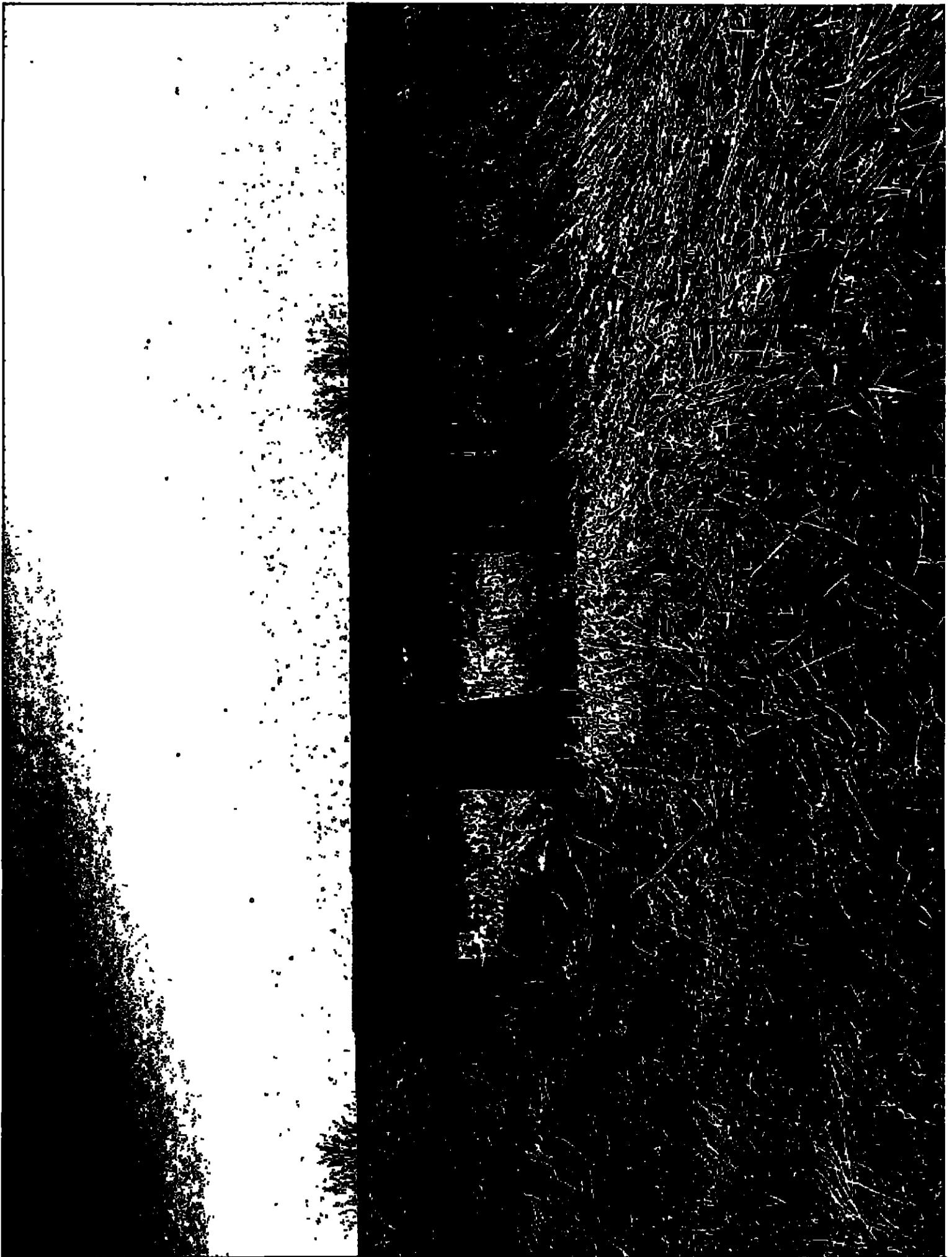
orange= MRI line to be abandoned

yellow= MRI line to be retained

blue= Northern Plains Railroad

2





3

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
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kkees@felhaber.com
Reply to St. Paul

SF PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

April 24, 2008

Walsh County Commissioners
c/o Walsh County Courthouse
600 Cooper Avenue
Grafton, ND 58237-1542

**Re: Proposed Abandonment of Railroad Line in
Walsh County, North Dakota**

Gentlemen:

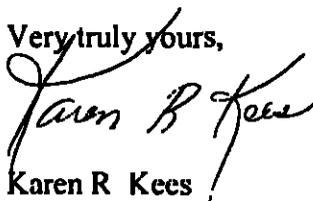
Mohall Railroad, Inc (“MRI”) intends to file a proposed abandonment with the Surface Transportation Board (“STB”) for approval to abandon a segment of railroad line approximately 7.06 miles in length, extending from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, all in Walsh County, North Dakota. We have enclosed a map delineating the segment of line proposed for abandonment for your review and information. MRI is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other matters, the following:

- 1 Water quality,
- 2 Designated wetlands,
- 3 100-year flood plains,
- 4 Endangered or threatened species,
5. Critical habitats,
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land;
- 11 Regional and/or local use plans, and
- 12 The need for permits under sections 402 or 404 of the Clean Water Act

Page 2
Walsh County Commissioners
April 24, 2008

Given the nature of the proposed action, we foresee no adverse effects, but nevertheless would appreciate your review and any comments you may wish to offer. We would appreciate receipt of any written response as soon as possible so that we may include your comments in the Environmental Report, which we intend to file with the STB in approximately four weeks.

Thank you for your assistance in this matter.

Very truly yours,

Karen R. Kees

dzg

Enclosure

cc Byron Olsen
Michael J. Barron, Jr
Gregg Haug
Jesse Chalich

4

Felhaber Larson Fenlon & Vogt

A Professional Association - Attorneys at Law

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St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

April 24, 2008

Natural Resources Conservation Service
P O Box 2890
Washington, D C 20013

Attention: Legislative and Public Affairs

**Re: Proposed Abandonment of Railroad Line in
Walsh County, North Dakota**

Gentlemen

Mohall Railroad, Inc ("MRI") intends to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a segment of railroad line approximately 7.06 miles in length, extending from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, all in Walsh County, North Dakota. We have enclosed a map delineating the segment of line proposed for abandonment for your review and information. MRI is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other matters, the following:

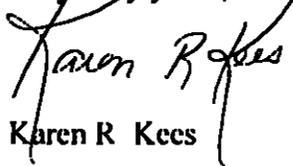
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Page 2
Natural Resources Conservation Service
April 24, 2008

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Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Karen R. Kees". The signature is written in a cursive style with a large initial "K".

Karen R. Kees

dzg

Enclosure

cc Byron Olsen
Michael J. Barron, Jr
Gregg Haug
Jesse Chalich

5

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ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

April 24, 2008

U.S. Fish & Wildlife Service
Department of the Interior
1849 "C" Street, N.W.
Washington, D.C. 20240

**Re: Proposed Abandonment of Railroad Line in
Walsh County, North Dakota**

Gentlemen:

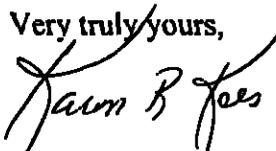
Mohall Railroad, Inc. ("MRI") intends to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a segment of railroad line approximately 7.06 miles in length, extending from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, all in Walsh County, North Dakota. We have enclosed a map delineating the segment of line proposed for abandonment for your review and information. MRI is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other matters, the following:

- 1 Water quality,
- 2 Designated wetlands,
- 3 100-year flood plains,
- 4 Endangered or threatened species,
- 5 Critical habitats,
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans; and
- 12 The need for permits under sections 402 or 404 of the Clean Water Act

Page 2
U S. Fish & Wildlife Service
April 24, 2008

Given the nature of the proposed action, we foresee no adverse effects, but nevertheless would appreciate your review and any comments you may wish to offer. We would appreciate receipt of any written response as soon as possible so that we may include your comments in the Environmental Report, which we intend to file with the STB in approximately four weeks.

Thank you for your assistance in this matter

Very truly yours,

Karen R. Kees

dzg

Enclosure

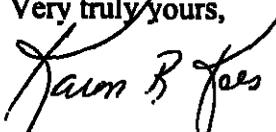
cc Byron Olsen
Michael J. Barron, Jr
Gregg Haug
Jesse Chalich

Page 2
U.S Fish & Wildlife Service
April 24, 2008

Given the nature of the proposed action, we foresee no adverse effects, but nevertheless would appreciate your review and any comments you may wish to offer. We would appreciate receipt of any written response as soon as possible so that we may include your comments in the Environmental Report, which we intend to file with the STB in approximately four weeks.

Thank you for your assistance in this matter

Very truly yours,



Karen R. Kees

dzg

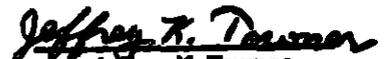
Enclosure

cc Byron Olsen
Michael J. Barron, Jr.
Gregg Haug
Jesse Chalich

**U.S FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES**

NO ACTION. The Fish and Wildlife Service is unable to comment on this project due to funding or staff constraints. This does not constitute a report of the Department of the Interior in accordance with the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.).

5/12/08
Date



Jeffrey K. Towner
Field Supervisor

6

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
(651) 312-6020
kkees@felhaber.com
Reply to St. Paul

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

April 24, 2008

National Center for Recreation and Conservation
The National Park Service
1849 "C" Street, N.W.
Washington, D.C. 20240

**Re: Proposed Abandonment of Railroad Line in
Walsh County, North Dakota**

Gentlemen

Mohall Railroad, Inc. ("MRI") intends to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a segment of railroad line approximately 7.06 miles in length, extending from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, all in Walsh County, North Dakota. We have enclosed a map delineating the segment of line proposed for abandonment for your review and information. MRI is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other matters, the following:

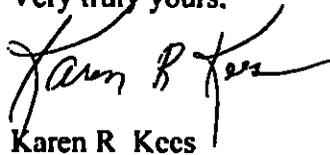
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11. Regional and/or local use plans, and
12. The need for permits under sections 402 or 404 of the Clean Water Act

Page 2
National Center for Recreation and Conservation
April 24, 2008

Given the nature of the proposed action, we foresee no adverse effects, but nevertheless would appreciate your review and any comments you may wish to offer. We would appreciate receipt of any written response as soon as possible so that we may include your comments in the Environmental Report, which we intend to file with the STB in approximately four weeks

Thank you for your assistance in this matter

Very truly yours.

A handwritten signature in black ink, appearing to read "Karen R. Kees". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Karen R Kees

dzg

Enclosure

cc Byron Olsen
Michael J Barron, Jr
Gregg Haug
Jesse Chalich

7

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

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kkees@felhaber.com
Reply to St. Paul

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651 222 6321 | Fax 651 222 8905

April 24, 2008

North Dakota Department of Health
Environmental Health Section
Gold Seal Center
918 East Divide Avenue
Bismarck, ND 58501-1947

**Re: Proposed Abandonment of Railroad Line in
Walsh County, North Dakota**

Gentlemen

Mohall Railroad, Inc (“MRI”) intends to file a proposed abandonment with the Surface Transportation Board (“STB”) for approval to abandon a segment of railroad line approximately 7.06 miles in length, extending from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, all in Walsh County, North Dakota. We have enclosed a map delineating the segment of line proposed for abandonment for your review and information. MRI is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other matters, the following:

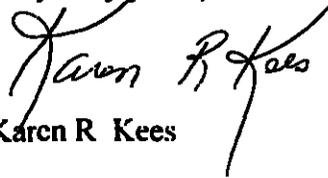
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- 12 The need for permits under sections 402 or 404 of the Clean Water Act

Page 2
North Dakota Department of Health
April 24, 2008

Given the nature of the proposed action, we foresee no adverse effects, but nevertheless would appreciate your review and any comments you may wish to offer. We would appreciate receipt of any written response as soon as possible so that we may include your comments in the Environmental Report, which we intend to file with the SIB in approximately four weeks.

Thank you for your assistance in this matter.

Very truly yours,



Karen R. Kees

dzg

Enclosure

cc Byron Olsen
Michael J. Barron, Jr
Gregg Haug
Jesse Chalich

8

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

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Karen R. Kees
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kkees@felhaber.com
Reply to St. Paul

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

April 24, 2008

LTG Carl Strock, Commander & Chief of Engineers
Headquarters - U S Army Corps of Engineers
441 "G" Street, N W
Washington, D C 20314

**Re: Proposed Abandonment of Railroad Line in
Walsh County, North Dakota**

Dear Mr. Strock

Mohall Railroad, Inc ("MRI") intends to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a segment of railroad line approximately 7.06 miles in length, extending from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, all in Walsh County, North Dakota. We have enclosed a map delineating the segment of line proposed for abandonment for your review and information. MRI is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other matters, the following:

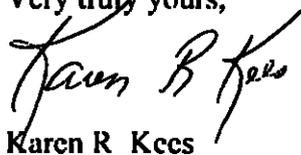
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- 12 The need for permits under sections 402 or 404 of the Clean Water Act

Page 2
LTG Carl Strock
April 24, 2008

Given the nature of the proposed action, we foresee no adverse effects, but nevertheless would appreciate your review and any comments you may wish to offer. We would appreciate receipt of any written response as soon as possible so that we may include your comments in the Environmental Report, which we intend to file with the STB in approximately four weeks.

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink that reads "Karen R. Kees". The signature is written in a cursive style with a large initial "K".

Karen R. Kees

dzg

Enclosure

cc Byron Olsen
Michael J. Barron, Jr.
Gregg Haug
Jesse Chalich

9

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
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Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
(651) 312 6020
kkees@felhaber.com
Reply to St. Paul

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

April 24, 2008

Regional Administrator
U.S. Environmental Protection Agency
1595 Wynkoop Street
Denver, CO 80202-1129

**Re: Proposed Abandonment of Railroad Line in
Walsh County, North Dakota**

Gentlemen

Mohall Railroad, Inc. ("MRI") intends to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a segment of railroad line approximately 7.06 miles in length, extending from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, all in Walsh County, North Dakota. We have enclosed a map delineating the segment of line proposed for abandonment for your review and information. MRI is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other matters, the following:

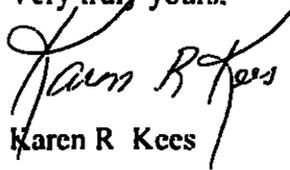
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Page 2
U S Environmental Protection Agency
April 24, 2008

Given the nature of the proposed action, we foresee no adverse effects, but nevertheless would appreciate your review and any comments you may wish to offer. We would appreciate receipt of any written response as soon as possible so that we may include your comments in the Environmental Report, which we intend to file with the STB in approximately four weeks.

Thank you for your assistance in this matter.

Very truly yours,



Karen R. Kees

dzg

Enclosure

cc Byron Olsen
Michael J. Barron, Jr.
Gregg Haug
Jesse Chalich

10



May 1, 2008

Ms Karen R. Kecs, Paralegal
Felhaber, Larson, Fenlon & Voght
444 Cedar Street, Suite 2100
St Paul, MN 55101-2136

Re Railroad Abandonment from Voss to Forest River
Walsh County, North Dakota

Dear Ms Kecs

This department has reviewed the information concerning the above-referenced project submitted under date of April 24, 2008, with respect to possible environmental impacts

This department believes that environmental impacts from the proposed railroad abandonment will be minor and can be controlled by proper salvage and disposal methods. With respect to the abandonment, we have the following comments

- 1 Follow Best Management Practices during salvage activities to prevent dirt, construction debris, and waste material from entering a storm drainage system or water body
- 2 Any releases of petroleum products, hazardous materials, or chemicals that may impact human health or the environment, which are known to have occurred in the past or are discovered in the project area during abandonment and salvage operations, must be reported to the North Dakota Department of Health. The Department's Environmental Emergency Response Contacts List is attached
- 3 Care is to be taken during project activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached
- 4 Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701-328-5210). Also,

cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system Check with the local officials to be sure any local storm water management considerations are addressed

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota

These comments are based on the information provided about the project in the above-referenced submittal The U S Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process Any additional information which may be required by the U S Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification

If you have any questions regarding our comments, please feel free to contact this office

Sincerely,

A handwritten signature in black ink, appearing to read "L. David Glatt". The signature is fluid and cursive, with a large initial "L" and "D".

**L. David Glatt, P.E., Chief
Environmental Health Section**

**LDG cc
Attach**

**North Dakota Department of Health
Environmental Health Section
Environmental Emergency Response Contacts List**

NORMAL WORKING HOURS
8 a.m. - 5:00 p.m. Monday - Friday

Call the office phone numbers

AFTER HOURS
24 hours per day 7 days per week
STATE RADIO
1 701-328-9921
or
1-800-472-2121 (in-state calls)

Page

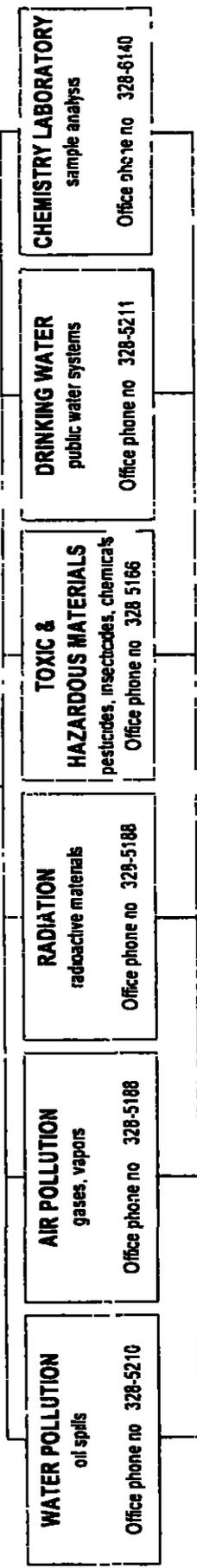
**HEALTH DEPARTMENT
CASE MANAGER**

Page

**ENVIRONMENTAL HEALTH SECTION
CASE MANAGER**
Office phone no 328-5150

Alternate Contact

Primary Contacts



1st Alternate Contact
Dana Mount
Office phone no 328-5150
Home phone no 223-6735

2nd Alternate Contact
L. David Glatf
Office phone no 328-5150
Home phone no 255-4391

Approved by: *R. L. Mount*
Emergency Response Coordinator

Approved by: *[Signature]*
Chief, Environmental Health Section

ND Department of Health
Environmental Health Section
918 East Divide Avenue
Bismarck, ND 58501-1947

Date: June 4, 2002
Date: June 4, 2002



Construction and Environmental Disturbance Requirements

These represent the minimum requirements of the North Dakota Department of Health. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect the waters of the State of North Dakota. All projects will be designed and implemented to restrict the losses or disturbances of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion of exposed soil surfaces and trapping sediments being transported. Examples include, but are not restricted to, sediment dams or berms, diversion dikes, hay bales as erosion checks, riprap, mesh or burlap blankets to hold soil during construction, and immediately establishing vegetative cover on disturbed areas after construction is completed. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, or land resources will be protected against compaction, vegetation loss, and unnecessary damage.

Surface Waters

All construction which directly or indirectly impacts aquatic systems will be managed to minimize impacts. All attempts will be made to prevent the contamination of water at construction sites from fuel spillage, lubricants, and chemicals, by following safe storage and handling procedures. Stream bank and stream bed disturbances will be controlled to minimize and/or prevent silt movement, nutrient upsurges, plant dislocation, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near these systems is forbidden without approval from this Department.

Fill Material

Any fill material placed below the high water mark must be free of top soils, decomposable materials, and persistent synthetic organic compounds (in toxic concentrations). This includes, but is not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill materials. All temporary fills must be removed. Debris and solid wastes will be removed from the site and the impacted areas restored as nearly as possible to the original condition.

11

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4304
612 339 6321 | Fax 612 338 0535

Karen R Kees
651/312-6020
Fax 651/222-8905
E-mail kkees@felhaber.com
Reply to St Paul Office

ST PAUL
444 Cedar Street | Suite 2100
St Paul MN 55101-2136
651 222 6321 | Fax 651 222 8905

April 23, 2008

State Historic Preservation Office
State Historical Society of North Dakota
612 E. Boulevard Avenue
Bismarck, ND 58505-0830

Attention Merlan Paaverud, Jr., Director

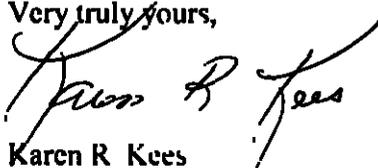
**RE: Proposed Abandonment of Railroad Line in Walsh Co., ND
Our File No. 22327.003**

Dear Mr Paaverud

Mohall Railroad, Inc ("MRI") intends to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon a segment of railroad line approximately 7.06 miles in length, extending from milepost 137.09 at Voss, ND, to milepost 130.03 at Forest River, ND, all in Walsh County, North Dakota. We have enclosed a map delineating the segment of line proposed for abandonment for your review and information. MRI is advising you of the proposed action so you may assist us in the process of performing a historical review. The only structures identified on the line proposed for abandonment are two bridges. Photographs of the bridges are enclosed.

Thank you for your assistance in this matter. Please contact me if you have any questions.

Very truly yours,



Karen R. Kees
Paralegal

klg
enclosures
cc Byron Olsen
Michael J Barron, Jr
Gregg Haug
Jesse Chalich

12



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

John Hoeven
Governor of North Dakota

April 28, 2008

North Dakota
State Historical Board

Albert I Berger
Grand Forks - President

Chester E Nelson, Jr.
Bismarck - Vice President

Gerekl Gemtholz
Valley City - Secretary

A Runc Todd III
Jamestown

Diane K Larson
Bismarck

Marvin L Kaiser
Williston

Richard Kloubec
Fargo

Sara Otte Coleman
*Director
Tourism Division*

Kelly Schmidt
State Treasurer

Alvin A Jaeger
Secretary of State

Douglass Prchal
*Director
Parks and Recreation
Department*

Francis Ziegler
*Director
Department of Transportation*

Merlan E Paaverud, Jr.
Director

Surface Transportation Board
1925 "K" Street NW
Washington, ND 20423

Ms Karen R Kees
Paralegal
Felhaber, Larson, Fenlon and Vogt
444 Cedar Street, Suite 2100
St Paul, MN 55101-2136

ND SHPO Ref.:08-0707 STB Docket No. File No. 22327.003 Mohall
Central Railroad Inc. Petition for Exemption to Abandon Portions (milepost
137.09 to 130.03) of Railroad in Walsh County, North Dakota

Dear Surface Transportation Board and Ms. Kees,

We reviewed ND SHPO Ref 08-0707 STB Docket No File No 22327 003
Mohall Central Railroad Inc Petition for Exemption to Abandon Portions of
Railroad in Walsh County, North Dakota, and concur with a "No Historic
Properties Affected" determination, provided the project is of the nature specified
and takes place in the legal description listed and plotted in the correspondence. If
any borrow fill material is required, the material should be derived from an
approved source, that is, one surveyed by an archaeologist and found to contain no
significant cultural resources

Please include the ND SHPO Reference number listed above in further
correspondence for this specific project. If you have any questions please contact
Susan Quinnell at (701) 328-3576, or squinnell@nd.gov

Sincerely,

Merlan E Paaverud, Jr
State Historic Preservation Officer
(North Dakota)

and
Director, State Historical Society of North Dakota



Accredited by the
American Association
of Museums

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax 651/222-8905
E-mail kkees@felhaber.com
Reply to St. Paul office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

May 21, 2008

The State Clearing House for North Dakota
Paul Govig, Director
Division of Community Services
North Dakota Department of Commerce
P O. Box 2057
Bismarck, ND 58502-2057

**RE: STB Docket No. AB-577 (Sub No. 1X)
Mohall Railroad, Inc. - Abandonment Exemption
Portion of Railroad Line in Walsh County, North Dakota
Our File No. 24270.1**

Dear Director Govig

On or about June 16, 2008, Mohall Railroad, Inc., a North Dakota corporation ("MRI") will file with the Surface Transportation Board ("STB") a Notice of Exemption for approval to abandon a portion of a line of railroad 7.06 miles in length which extends from milepost 137 09 at Voss, North Dakota, to milepost 130 03 at Forest River, North Dakota. The line to be abandoned runs through Walsh County in North Dakota, as indicated on the maps included in the Environmental and Historic Report ("EHR") described in the following paragraph.

In accordance with Title 49 of the Code of Federal Regulations, Sections 1105.7 and 1105.8, I am enclosing a copy of the EHR. MRI will file the EHR with the STB as a component of the proposed abandonment. The EHR explains in greater detail the scope of the rail line abandonment.

We are providing you with a copy of the EHR so that you may review the information that will form the basis for the STB's environmental analysis of this proceeding. If any of the information in the EHR appears to be 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 Section of Environmental Analysis ("SEA") by mail at Surface Transportation Board, 395 "E" Street SW, Washington, DC 20423, or by telephone at 202/245-0295, and refer to Docket No. AB-577 (Sub No. 1X). Since the applicable statutes and

COPY

May 21, 2008
Page 2

regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to MRI's representative) would be appreciated **within three weeks** MRI's representative in this matter is Michael J Barron, Jr, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832, phone number 312/252-1511.

Any comments received from your office will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the proposed abandonment

We appreciate your assistance and cooperation Thank you

Very truly yours,



Karen R. Kees
Paralegal

klg

enclosures

cc Byron Olsen
Michael J Barron, Jr
Mark S. Radke

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
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E-mail kkees@felhaber.com
Reply to St. Paul office

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651 222 6321 | Fax 651 222 8905

May 21, 2008

North Dakota Environmental Protection Agency
North Dakota Department of Health
Environmental Health Section
Gold Seal Center
918 East Divide Avenue
Bismarck, ND 58501-1947

**RE: STB Docket No. AB-577 (Sub No. 1X)
Mohall Railroad, Inc. - Abandonment Exemption
Portion of Railroad Line in Walsh County, North Dakota
Our File No. 24270.1**

Ladies and Gentlemen

On or about June 16, 2008, Mohall Railroad, Inc., a North Dakota corporation ("MRI") will file with the Surface Transportation Board ("STB") a Notice of Exemption for approval to abandon a portion of a line of railroad 7.06 miles in length which extends from milepost 137.09 at Voss, North Dakota, to milepost 130.03 at Forest River, North Dakota. The line to be abandoned runs through Walsh County in North Dakota, as indicated on the maps included in the Environmental and Historic Report ("EHR") described in the following paragraph:

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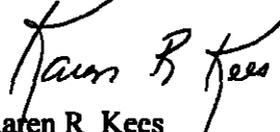
May 21, 2008
Page 2

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Any comments received from your office will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the proposed abandonment

We appreciate your assistance and cooperation Thank you

Very truly yours,



Karen R. Kees
Paralegal

klg
enclosures
cc Byron Olsen
Michael J Barron, Jr
Mark S Radke

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
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612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax 651/222-8905
E-mail kkees@felhaber.com
Reply to St. Paul office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

May 21, 2008

Walsh County Commissioners
c/o Walsh County Courthouse
600 Cooper Avenue
Grafton, ND 58237-1542

**RE: STB Docket No. AB-577 (Sub No. 1X)
Mohall Railroad, Inc. - Abandonment Exemption
Portion of Railroad Line in Walsh County, North Dakota
Our File No. 24270.1**

Dear Commissioners

On or about June 16, 2008, Mohall Railroad, Inc., a North Dakota corporation ("MRI") will file with the Surface Transportation Board ("STB") a Notice of Exemption for approval to abandon a portion of a line of railroad 7.06 miles in length which extends from milepost 137.09 at Voss, North Dakota, to milepost 130.03 at Forest River, North Dakota. The line to be abandoned runs through Walsh County in North Dakota, as indicated on the maps included in the Environmental and Historic Report ("EHR") described in the following paragraph:

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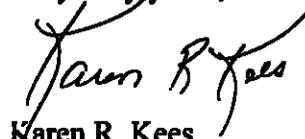
May 21, 2008
Page 2

representative in this matter is Michael J Barron, Jr , Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832, phone number 312/252-1511.

Any comments received from your office will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the proposed abandonment

We appreciate your assistance and cooperation Thank you.

Very truly yours,



Karen R Kees
Paralegal

klg

enclosures

cc: Byron Olsen
Michael J Barron, Jr
Mark S Radke

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May 21, 2008

U.S Environmental Protection Agency, Regional Office
Regional Administrator
1595 Wynkoop Street
Denver, CO 80202-1129

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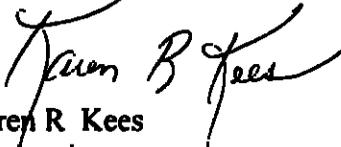
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May 21, 2008

U S. Fish & Wildlife Service
Department of the Interior
1849 "C" Street NW
Washington, DC 20240

**RE: STB Docket No. AB-577 (Sub No. 1X)
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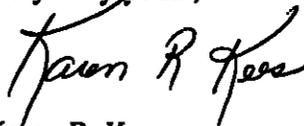
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May 21, 2008

LTG Carl Strock, Commander
U.S. Army Corps of Engineers
Headquarters
441 "G" Street NW
Washington, DC 20314

**RE: STB Docket No. AB-577 (Sub No. 1X)
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May 21, 2008

The National Park Service
National Center for Recreation and Conservation
1849 "C" Street NW
Washington, DC 20240

**RE: STB Docket No. AB-577 (Sub No. 1X)
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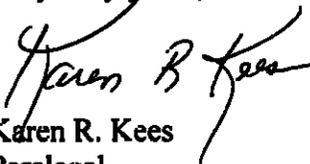
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May 21, 2008

Natural Resources Conservation Service
Post Office Box 2890
Washington, DC 20013

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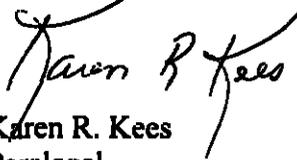
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May 21, 2008

National Geodetic Society
SSMC-3 #9202
1315 East-West Highway
Silver Spring, MD 20910-3282

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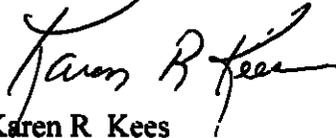
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May 21, 2008

Merlan E. Paaverud, Jr.
State Historical Society of North Dakota
612 E. Boulevard Avenue
Bismarck, ND 58505-0830

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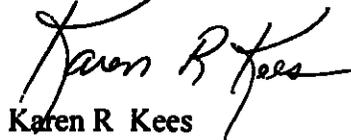
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Hon. John Hoeven
Governor, State of North Dakota
600 East Boulevard Avenue
Bismarck, ND 58505-0001

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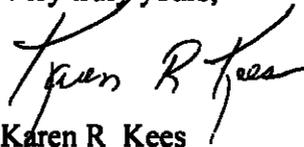
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608 East Boulevard Avenue
Bismarck, ND 58505-0700

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In accordance with Title 49 of the Code of Federal Regulations, Sections 1105.7 and 1105.8, I am enclosing a copy of the EHR. MRI will file the EHR with the STB as a component of the proposed abandonment. The EHR explains in greater detail the scope of the rail line abandonment.

We are providing you with a copy of the EHR so that you may review the information that will form the basis for the STB’s environmental analysis of this proceeding. If any of the information in the EHR appears to be 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 Section of Environmental Analysis (“SEA”) by mail at Surface Transportation Board, 395 “E” Street SW, Washington, DC 20423, or by telephone at 202/245-0295, and refer to Docket No. AB-577 (Sub No. 1X). Since the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to MRI’s representative) would be appreciated within three weeks. MRI’s

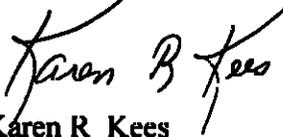
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representative in this matter is: Michael J. Barron, Jr , Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832, phone number 312/252-1511

Any comments received from your office will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the proposed abandonment

We appreciate your assistance and cooperation Thank you

Very truly yours,

A handwritten signature in black ink that reads "Karen R. Kees". The signature is written in a cursive style with a large, sweeping initial "K".

Karen R. Kees
Paralegal

klg
enclosures

cc: Byron Olsen
Michael J. Barron, Jr.
Mark S. Radke