

Before the
SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
May 6, 2022
Part of
Public Record

STB Docket No. AB 1322X

WOLF CREEK RAILROAD LLC
- ABANDONMENT EXEMPTION - IN GIBSON COUNTY, TN

ENVIRONMENTAL/HISTORIC REPORT

(color copies included)

Eric M. Hocky
Clark Hill PLC
Two Commerce Square
2001 Market St.
Suite 2620
Philadelphia, PA 19103
(215) 640-8523
ehocky@clarkhill.com

Justin J. Marks
Clark Hill PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
(202) 772-0916
jmarks@clarkhill.com

Counsel for Wolf Creek Railroad LLC

Dated: May 6, 2022

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1322X

WOLF CREEK RAILROAD LLC
- ABANDONMENT EXEMPTION - IN GIBSON COUNTY, TN

ENVIRONMENTAL/HISTORIC REPORT

Wolf Creek Railroad LLC (“WCR” or “Applicant”) will be seeking exemption authority for WCR to abandon the approximately 10-mile line of railroad (the “Subject Line”) located within the Milan Army Ammunition Plant (the “Plant”) in Gibson County, TN. The Subject Line does not have any mileposts. There is one station on the Subject Line. The Subject Line traverses through United States Postal Service ZIP Code 38358. A map of the Subject Line is attached as Exhibit A.

WCR leased the Subject Line from the U.S. Army Joint Munitions Command (“JMC”) through its representative American Ordnance LLC.¹ JMC terminated the lease and has required WCR to cease its rail operations and vacate the Plant. The deadline for the termination of operations and vacating the Plant was March 31, 2022. The tracks of the Subject Line are owned by JMC and will not be salvaged by WCR. WCR does not have any knowledge of what JMC or any future owners might do with the track.

WCR plans to seek Surface Transportation Board (“STB” or “Board”) authorization for its abandonment through a petition for exemption pursuant to 49 USC §10502 and the Board’s regulations at 49 CFR §1152.60 from the prior approval requirements of 49 USC §10903 on or

¹ The lease also included a number of other tracks that were operated by WCR as yard and industrial tracks for which no Board authority was required or sought.

about May 27, 2022. This Report is being filed in connection therewith, and in accordance with the requirements of 49 CFR 1105.7 and 1105.8. To prepare this Report, Applicant consulted with various state and federal agencies as required by the Board's regulations. See the letters attached as Exhibit B. Based on the written responses received by Applicant to-date attached as Exhibit C, Applicant states as follows:

ENVIRONMENTAL REPORT

(49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

Applicant originally obtained Board authority effective November 22, 2018, to acquire and operate the Subject Line on a portion of the Plant that JMC no longer needed and repurposed as a business park. WCR leased the Subject Line to provide common carrier rail service to transload customers and other rail customers located or to be located in the business park, and to provide rail car storage and car repairs services. *Wolf Creek Railroad LLC – Lease and Operation Exemption – American Ordnance LLC, Owner's Representative for U.S. Joint Munitions Command*, STB Finance Docket No. 36236 (served Nov. 18, 2018).

WCR does not own the track comprising the Subject Line, and thus has no authority to salvage the Subject Line. The track will remain on the Plant property as private track of the JMC.

2. EFFECTS ON THE TRANSPORTATION SYSTEM

As a result of the termination of its lease, WCR gave notice to all of its customers that it would be ceasing operations at the Plant, and arranged for the removal of all customer property (including storage cars) from the Plant. The tracks will remain on the Plant and available for use by JMC or future owners for use as private track if so desired. As such, the abandonment of

the Subject Line will have no adverse effect on the transportation system. Applicant sent a consultation letter regarding the proposed abandonment to the Tennessee Department of Transportation (“TNDOT”). *See* the letters attached as part of Exhibit B. TNDOT responded that it “is concerned with leaving the rail in place and paving over the 2 at-grade crossings that are currently there.” A copy of the TNDOT letter is included as Exhibit C. WCR has responded to TNDOT that it is investigating whether the two crossings at issue are part of the Subject Line. Even if it is determined that these crossings are within the Subject Line, the crossings and the tracks are owned by JMC and installed prior to the commencement of WCR’s operations. Thus, WCR has no authority to remove the crossings. A copy of WCR’s response is included as Exhibit B. WCR is notifying JMC regarding TNDOT’s concerns with the crossings by providing JMC with a copy of TNDOT’s letter and WCR’s response, along with a copy of this Environmental and Historic Report.

3. LAND USE

(i) Applicant is unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. The abandonment is consistent with JMC’s future plans for the Plant as evidenced by the JMC’s notice of termination of WCR’s lease. Applicant consulted with the following agencies regarding the proposed abandonment that may be concerned with land use issues: US Department of Agriculture Natural Resources Conservation Service – Local (“NRCS Local”), US Department of Agriculture Natural Resources Conservation Service – National (“NRCS National”), Environmental Protection Agency Region 4 (“EPA Region 4”), U.S. Army Corp of Engineers Memphis District, Regulatory Field Office (“ACE”), National Park Service – National (“NPS National”), National Park Service – Region 2 (“NPS Region 2”), U.S. Fish & Wildlife Service – Southeast Region 4

(“FWS Southeast Region 4”), National Geodetic Survey, National Oceanic and Atmospheric Administration (“NGS”), TNDOT, Tennessee Wildlife Resource Agency (“TWRA”), Tennessee Department of Environment and Conservation (“TNDEC”), The Honorable Tom Witherspoon, Gibson County Mayor’s Office (“Gibson County”).

Copies of these letters are attached as part of Exhibit B. To date, Applicant has received written responses from the following consulted agencies, copies of which are included as part of Exhibit C:

- NGS states a search of its database did not find any NGS Geodetic survey markers in the area of the proposed abandonment.
- NRCS Local responded that it has no comment on the proposed abandonment exemption.
- TWRA states its opinion that the proposed abandonment should not have adverse impacts on aquatic species listed under its authority.
- FWS Southeast Region 4 responded that it is not opposed to the abandonment of the Subject Line because its rare species database does not indicate any records of federally listed species occurring near the existing railway and because the abandonment would not involve any ground disturbance.

(ii) Applicant does not believe that the proposed abandonment will have any adverse effect on any prime agricultural land given that the Subject Line is located in an industrial portion of the Plant. Consultation notices were sent to the potentially concerned agencies listed in paragraph 3(i) above, and as indicated, no responses have been received except for the responses from NGS, NRCS Local, and TWRA.

(iii) Tennessee does not participate in the National Coastal Zone Management Program, and accordingly, consistency with any coastal zone plans is inapplicable.

(iv) JMC will continue to own the Subject Line as part of the Plant. Therefore, Applicant does not believe that the right of way is suitable for use as a trail or other public purposes at this time.

4. **ENERGY**

As noted above, WCR leased the Subject Line from JMC. JMC terminated the lease and has required WCR to cease its rail operations and vacate the Plant. The deadline for the termination was March 31, 2022. The tracks of the Subject Line are owned by JMC and will not be salvaged by WCR. WCR does have any knowledge of what JMC or any future owners might do with the track. The tracks of the Subject Line will remain in place in the event future tenants or owners of the Plant require access to the interstate rail network. Since the JMC will continue to have access to the interstate rail network,

- (i) the proposed abandonment will have no effect on the transportation of energy sources;
 - (ii) the proposed abandonment will have no effect on recyclable commodities;
 - (iii) the proposed abandonment will be no effect on overall energy efficiency;
- and
- (iv) the proposed abandonment will not divert any traffic from rail to motor carriage.

There will be less (or no) railroad activity at the Plant following the abandonment, and thus the effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. **AIR**

The proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity. The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(5).

6. NOISE

Applicant does not believe that the proposed abandonment will result in any increase in noise levels.

7. SAFETY

Applicant does not believe that the proposed abandonment will have any adverse effect on public health or safety.

8. BIOLOGICAL RESOURCES

(i) Applicant has consulted with the FWS Southeast Region 4, as well as to the following agencies that are potentially concerned with biological resources: TWRA, NPS National, NPS Region 2, ACE, NRCS-National, and NRCS–Local. Copies of these consultation letters are attached as part of Exhibit B. As stated above, TWRA states its opinion that the proposed abandonment should not have adverse impacts on aquatic species listed under its authority. Further, FWS Southeast Region 4 responded that it is not opposed to the abandonment of the Subject Line because its rare species database does not indicate any records of federally listed species occurring near the existing railway and because the abandonment would not involve any ground disturbance.

(ii) Applicant does not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposed abandonment. Consultation letters were sent to the agencies identified in the paragraph 8(i), and Applicant did not receive any responses.

9. WATER

(i) No salvage of the Subject Line is currently planned, and the proposed abandonment / cessation of service has been handled in a manner that is consistent with the

applicable local, State and Federal water quality standards. Applicant consulted with the agencies identified in paragraph 8(i) and have received no responses.

(ii) Applicant sent a consultation letter regarding the proposed abandonment to the U.S. Army Corps of Engineers. A copy of this letter is attached as part of Exhibit B. No response has been received to-date.

(iii) Applicant does not believe that any Clean Water Act permits will be required. Consultation letters were sent to TNDEC and EPA. Copies of these letters are attached as part of Exhibit B. No response has been received to-date.

10. PROPOSED MITIGATION

Since no adverse environmental impacts are expected, no mitigation is proposed.

11. ADDITIONAL INFORMATION FOR RAIL CONSTRUCTION

Not applicable.

12. CONSULTATION

As shown by the copies of letters attached as Exhibit B, Applicant has consulted with the following agencies: NRCS Local, NRCS National, EPA Region 4, ACE, NPS National, NPS Region 2, FWS Southeast Region, NGS, TNDOT, TNDEC, TWRA, and Gibson County. Written responses received to-date are attached as Exhibit C. Written responses received from NGS, NRCS Local, and TWRA are summarized in Section 3(i) above.

13. CERTIFICATIONS

Applicant certifies that:

- (a) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph 12 above.

- (b) On this date, it sent copies of this report to each of the agencies consulted as shown on the attached certificate of service.
- (c) Notice of the proposed abandonment was published in *The Milan Mirror Exchange* on May 3, 2022. A copy of the form of notice and the proof of publication are attached as Exhibit D.
- (d) Applicant will not file its verified notice of abandonment until at least twenty (20) days after the consulted agencies have been served with a copy of this report.

HISTORIC REPORT (49 CFR 1105.8)

1. U.S.G.S TOPOGRAPHIC MAP

U.S.G.S. topographic maps showing the location of the proposed abandonment are attached as Exhibit E.

2. DESCRIPTION OF RIGHT OF WAY

WCR seeks exemption authority to abandon the approximately 10-mile Subject Line located within the Plant in Gibson County, TN. The Subject Line does not have any mileposts. It is located primarily in and along the industrialized portion of the Plant. The right of way is generally 50 feet wide.

3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)

There are no structures 50 years old or older (historic) on the Subject Line and therefore, no photographs are required.

4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)

Not applicable.

5. HISTORY OF CARRIER OPERATIONS IN THE AREA

Applicant understands that the Plant was established in the 1940's, and that private plant tracks were constructed in connection therewith. Applicant does not believe that any common carrier operations were conducted at the Plant until Applicant obtained Board authority to lease and operate the approximately ten-mile Subject Line within the Plant in November 2018. WCR leased the Subject Line to provide common carrier rail service to transload customers and other rail customers located in the business park, and to provide rail car storage and car repairs services.

6. SUMMARY OF STRUCTURE DOCUMENTATION

There are no structures 50 years old or older (historic) on the Subject Line and therefore, no documentation is required.

7. OPINION REGARDING CRITERIA FOR LISTING

Based on readily available information in WCR's possession, WCR does not believe that the Subject Line or right of way represent an historical resource or that any protective conditions are warranted.

Applicant has given notice of the proposed abandonment to the Tennessee Historical Review Commission ('SHPO'), a copy of which is included as part of Exhibit F. The SHPO submitted a letter to WCR indicating, "that the project as currently proposed will not adversely [impact] any historic resources." The SHPO continues that it "has no objection to the implementation of this project [the abandonment] as currently planned." A copy of the SHPO's letter is included as part of Exhibit G.

8. **ENVIRONMENTAL CONDITIONS**

Applicant is unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might affect the archeological recovery of resources or the surrounding terrain. Moreover, Applicant does not intend to conduct any salvage work as part of this abandonment.

Respectfully submitted,



Eric M. Hocky
Clark Hill PLC
Two Commerce Square
2001 Market St.
Suite 2620
Philadelphia, PA 19103
(215) 640-8523
ehocky@clarkhill.com

Justin J. Marks
Clark Hill PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
(202) 772-0916
jmarks@clarkhill.com

Counsel for Wolf Creek Railroad LLC

Dated: May 6, 2022

EXHIBIT A

MAP

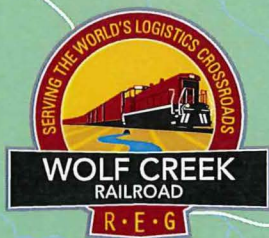
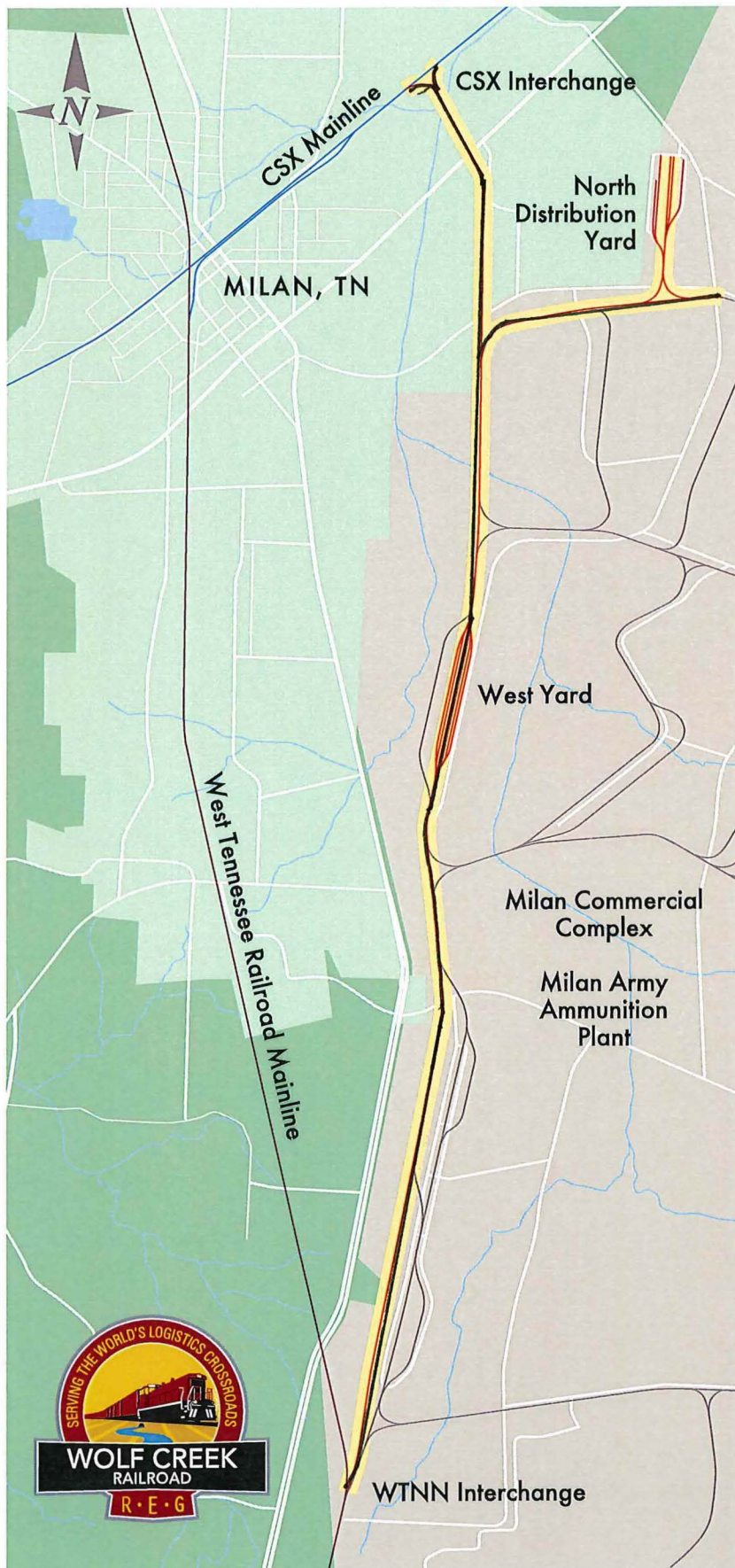


EXHIBIT B

LETTERS TO

CONSULTED AGENCIES

(ENCLOSURES NOT INCLUDED)



Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

March 21, 2022

VIA EMAIL AND/OR FIRST-CLASS MAIL

ALL AGENCIES ON THE
ATTACHED SERVICE LIST

Re: Wolf Creek Railroad LLC – Abandonment Exemption –
in Gibson County, TN
Surface Transportation Board Docket No. AB 1322X

To Whom it May Concern:

This letter is to advise you that Wolf Creek Railroad LLC ("WCR") intends to file a petition for exemption for WCR to abandon approximately 10-miles of track (the "Subject Line") located within the Milan Army Ammunition Plant (the "Plant") in Gibson County, TN. The Subject Line does not have any mileposts.

The Subject Line traverses through United States Postal Service ZIP Code 38358. A map of the Subject Line is attached as Exhibit A.

WCR plans to petition the Surface Transportation Board ("STB") for an exemption under 49 USC § 10502 from the provisions of 49 USC § 10903 to enable WCR to abandon the Subject Line, on or after May 20, 2022 in STB Docket No. AB 1322X.

WCR leases the Subject Line from the U.S. Army Joint Munitions Command ("JMC") through its representative American Ordnance LLC. JMC terminated the lease and has required WCR to cease its rail operations and vacate the Plant. The current deadline for the termination is March 31, 2022. JMC has other plans for the Plant that do not include rail service. The tracks of the Subject Line will not be salvaged and will remain in place in the event future tenants or owners of the Plant require access to the interstate rail network.

Based upon information in WCR's possession, the Subject Line is located on federally-owned property.

WCR does not intend to salvage the Subject Line; it will remain on the Plant property as private track. WCR believes that the abandonment will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

March 21, 2022
Page 2

We would appreciate an expression from you by April 25, 2022 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Justin J. Marks". The signature is written in a cursive, flowing style.

Justin J. Marks
Counsel to Wolf Creek Railroad LLC

Enclosure

Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

May 6, 2022

By email (Amy.Kosanovic@tn.gov)

Amy Kosanovic
Freight Planning Supervisor
Freight & Logistics Division
State of Tennessee, Department of Transportation
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, TN 37243-1402

Re: Wolf Creek Railroad, LLC – Abandonment Exemption –
In Gibson County, TN
STB Docket No. AB 1322X

Dear Ms. Kosanovic:

Thank you for your responsive letter dated April 25, 2022. The letter requests that, in connection with the proposed abandonment, Wolf Creek Railroad, LLC (WCR) remove two at grade crossings of State Route 104 (SR-104).

Initially, WCR notes that it is still investigating whether the two crossings referenced in your letter cross the line of railroad (the Subject Line) covered by the proposed abandonment.

In any event, all of the tracks on the Milan Army Ammunition Plant (MAAP), including the Subject Line and the two at-grade crossings, are owned by the US Army, Joint Munitions Command (US Army). The crossings, as well as the other tracks on the property, all pre-date WCR's lease and operations of the Subject Line and the other tracks located on the MAAP. As noted in WCR's initial consultation letter, the US Army terminated WCR's lease and right to use the tracks on the MAAP, and required that WCR vacate the MAAP, as of March 31, 2022. As WCR is not the owner of any of the tracks at the MAAP, including those that cross SR-104, and no longer has any right to enter the property, it has no right or authority to remove the crossings. At this time only the US Army would have the authority to remove the two at-grade crossings. As such, there is no basis for the Tennessee Department of Transportation (TDOT) to request their removal as part of this proceeding.

May 6, 2022
Page 2

We are providing a copy of your April 25 letter and this response to the US Army so that it will be aware of TDOT's concerns.

Sincerely,

A handwritten signature in blue ink that reads "Justin J. Marks". The signature is fluid and cursive, with the first name "Justin" and last name "Marks" clearly legible.

Justin J. Marks
Counsel to Wolf Creek Railroad, LLC

EXHIBIT C

AGENCY RESPONSES

Marks, Justin J.

From: Sykes, Robbie <robbie_sykes@fws.gov>
Sent: Tuesday, May 3, 2022 4:48 PM
To: Marks, Justin J.
Subject: FWS # 2022-0031247. Wolf Creek Railroad LLC - Abandonment Exemption in Gibson County, TN (Surface Transportation Board Docket No. AB 1322X)

[External Message]

Mr. Marks,

Personnel of the U.S. Fish and Wildlife Service have reviewed the proposal from Wolf Creek Railroad LLC (WCR) to abandon approximately 10 miles of track located within the Milan Army Ammunition Plant (Plant) in Gibson County, Tennessee. The information provided indicates that WCR leases the line from the U.S. Army Joint Munitions Command, but the lease has been terminated. WCR is required to cease its rail operations and vacate the Plant. The tracks would not be salvaged and would remain in place in the event future tenants or owners of the Plant require access to the interstate rail network. You have requested our agency express any concerns we may have on the proposed rail abandonment.

Our rare species database does not indicate any records of federally listed species occurring near the existing railway. Additionally, the railway would remain in its existing state, and the abandonment would not involve any ground disturbance. Based on these factors, we would not anticipate any impacts to federally listed species and would not be opposed to the abandonment of the approximate 10 miles of track.

Thank you for allowing us to review the proposal. If you have any questions concerning these comments, please do not hesitate to contact me.

Sincerely,

Robbie Sykes
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
446 Neal Street
Cookeville, TN 38501
(tele. 931/525-4979)

Marks, Justin J.

From: deborah.brooks <ngs.infocenter@noaa.gov>
Sent: Wednesday, March 23, 2022 12:18 PM
To: Marks, Justin J.
Subject: [JIRA] (IMOV-9088) Environmental Consultation for a Railroad Abandonment in Gibson County, TN

[External Message]

A comment is added on your issue:

Re: Environmental Consultation for a Railroad Abandonment in Gibson County, TN

Good Afternoon Atty. Marks,

A search of NGS' database did not find any NGS geodetic survey markers in the area of your proposed abandonment.

Regards,
Deborah Brooks
Communications Specialist
NGS Infocenter
ngs.infocenter@noaa.gov
301-713-3242

National Geodetic Survey



April 12, 2022

Mr. Justin J. Marks
Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004

Dear Mr. Marks:

Re: Wolf Creek Railroad LLC – Abandonment Exemption in Gibson County, Tennessee
Surface Transportation Board Docket No. AB 1322X

I received your letter, dated March 21, 2022, to solicit comments on any concerns which the United States Department of Agriculture, Natural Resources Conservation Service Agency (USDA-NRCS) may have as to the environmental effects of the proposed Wolf Creek Railroad LLC - Abandonment Exemption in Gibson County, Tennessee.

Thank you for the opportunity to provide comment. NRCS-Tennessee has no comment on the proposed abandonment exemption.

Sincerely,

Sheldon L. Hightower
State Conservationist

cc: Linda Ortiz, State Resource Conservationist, USDA-NRCS, Nashville, TN
Jenny Adkins, Environmental Liaison/Biologist, USDA-NRCS, Cookeville, TN

Marks, Justin J.

From: Allen Pyburn <Allen.Pyburn@tn.gov>
Sent: Wednesday, March 23, 2022 8:44 AM
To: Marks, Justin J.
Cc: Della Sawyers; Kathy Johnston; Vincent Pontello; Josh Campbell
Subject: Environmental Consultation for a Railroad Abandonment in Gibson County, TN

[External Message]

Justin,

I have reviewed the information that You have provided regarding the above project and its intentions.

At this time, It is the opinion of the Tennessee Wildlife Resources Agency that these actions should not have adverse impacts on aquatic species listed under our authority.

Thank you for the opportunity to comment on this and please let me know if I can be of any further assistance.



Allen Pyburn
Aquatic Habitat Biologist/DSO/Dive Instructor
Office: 731-423-6541
Cell: 731-298-6144



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

FREIGHT & LOGISTICS DIVISION
SUITE 900, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
(615) 741-4031

JOSEPH GALBATO, III
INTERIM COMMISSIONER

BILL LEE
GOVERNOR

April 25, 2022

Justin J. Marks, Esquire
Counsel to Wolf Creek Railroad LLC
Clark Hill
1001 Pennsylvania Avenue N.W.
Washington, DC 2004

RE: Wolf Creek Railroad LLC – Abandonment Exemption –
In Gibson County, TN
Surface Transportation Board Docket No. AB 1322X

Dear Mr. Marks,

The Tennessee Department of Transportation (TDOT) has reviewed information provided in your letter dated March 21, 2022 regarding the above abandonment exemption. TDOT has consulted with the following entities to obtain feedback regarding this abandonment exemption:

TDOT Freight & Logistics Division
TDOT Structures Division
TDOT Right-Of-Way/Utilities Division
TDOT Region 4
Milan, TN Mayor via TDOT Region 4
West Tennessee Railroad Group
Tennessee Department of Economic and Community Development

The following comments have been received expressing concerns that we have:

TDOT Freight & Logistics Division is concerned about how to handle the following active public railroad crossings:

- 638585T, grade-separated crossing, SR-76 @ LM 13.675 (lat/long 35.927022, -88.739222)
- No ID, at-grade crossing, SR-104 @ LM 15.645 (lat/long 35.916665, -88.738179)
- No ID, at-grade crossing, SR-104 @ LM 16.465 (lat/long 35.918540, -88.724086)

TDOT is concerned with leaving the rail in place and paving over the 2 at-grade crossings that are currently there. Further deterioration of the two crossings would occur unless the rail was taken up at the two crossings and paved over so the traveling motorists are not affected.

The Tennessee Department of Economic and Community Development has knowledge of the desire the City of Milan, TN has to purchase this property for use as an industrial site. If they are able to purchase the property, the rail would make that site much more attractive to potential companies. Therefore, abandoning the rail now would hurt potential use of the site.

Based on the above information, TDOT would only object to the petition of the Wolf Creek Railroad to abandon the railroad at this time IF the rail at the public grade crossings was not removed and properly paved over so the traveling public would not be affected on State Route 104 (SR-104). If a future tenant was to occupy the site, there would only be minimal responsibility for adding tracks back in at the two crossings. If you have any questions regarding this feedback, feel free to reach out me at Amy.Kosanovic@tn.gov.

Sincerely,

Amy Kosanovic

Amy Kosanovic
Freight Planning Supervisor
Freight & Logistics Division

CC: Daniel Pallme, Assistant Bureau Chief of Freight & Logistics
Erik Andersen, Rail Engineering Manager, Freight & Logistics Division
Taylor Ackerman, Rail Safety Manager, Freight & Logistics Division
Jay Lanius, State Railroad Coordinator, Right-Of-Way/Utilities Division
Brooxie Carlton, Assistant Commissioner, Tennessee Department of Economic and Community Development

EXHIBIT D

NEWSPAPER NOTICE

PUBLICATION AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF GIBSON

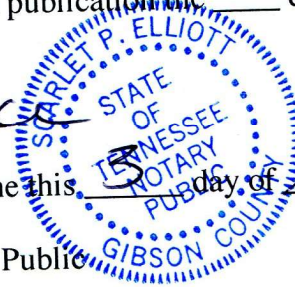
Notice of Intent

Personally appeared before me, a Notary Public, in and for said County an State Melissa Price, who deposes and swears that she is bookkeeper of The Mirror Exchange, a newspaper published in the City of Milan, Tennessee, and that the notice, a copy of which is attached hereto, was published in the said Mirror Exchange for 1 consecutive weeks, the first publication being on the 3 day of May, 2022; the second publication the ____ day of _____, 2022; the third publication the ____ day of _____, 2022; and the fourth publication the ____ day of _____ 2022.

Signed: Melissa Price

Sworn to and subscribed before me this 3 day of May 2022

Sarah P Elliott, Notary Public



STATEWIDE CLASSIFIEDS

Auctions
GET THE WORD OUT about your next auction! Save Time & \$\$\$. One Call for All. Your ad can appear in this newspaper + 102 other TN newspapers. For more info, contact this newspaper's classified dept. or call Becky Moats 931-624-8916. (TnScan)

Cable / Satellite TV
DirecTV Satellite TV Service Starting at \$74.99/month! Free Installation! 160+ channels available. Call Now to Get the Most Sports & Entertainment on TV! 855-972-4306 (TnScan)

DISH Network. \$59.99 for 190 Channels! Blazing Fast Internet, \$19.99/mo. (where available.) Switch & Get a FREE \$100 Visa Gift Card. FREE Voice Remote. FREE HD DVR. FREE Streaming on ALL Devices. Call today! 1-844-274-6074 (TnScan)

DIRECTV for \$79.99/mo for 12 months with CHOICE Package. Watch your favorite live sports, news & entertainment anywhere. First 3 months of HBO Max, Cinemax, Showtime, Starz and Epix included! Directv is #1 in Customer Satisfaction (JD Power & Assoc.) Some restrictions apply. Call 1-844-230-4803 (TnScan)

Farm Equipment
EARN \$15,000 - \$40,000 OVER 5 YEARS #1 Hunting Lease Company In America Customize your contract Call Base Camp Leasing l (888) 871-1982 (TnScan)

Health / Beauty
Looking for assisted living, memory care, or independent living? A Place for Mom simplifies the process of finding senior living at no cost to your family. Call 1-833-752-2351 today! (TnScan)

DENTAL INSURANCE from Physicians Mutual Insurance Company. Coverage for 350 plus procedures. Real dental insurance - NOT just a discount plan. Do not wait! Call now! Get

your FREE Dental Information Kit with all the details! 1-844-278-8285 www.dental50plus.com/tnpress #6258 (TnScan)

VIAGRA and CIALIS USERS! A cheaper alternative to high drugstore prices! 50 Pill Special - Only \$99! 100% guaranteed. CALL NOW: 866-

974-1464 (TnScan)
Help Wanted
RECRUITING HEAD-ACHES? WE CAN Help! Advertise your job opening in this newspaper + 102 newspapers across the state - One Call/Email for All! Contact our classified dept. or email bmoats@tnpress.com (TnScan)

MILAN POLICE REPORT

04-24- 22 Emani Melton, 24 Yr Old Female Of Atwood,Tn. Charged With Criminal Attempt To Commit Homicide,Tampering/Fabricating Evidence,And Reckless Endangerment. Arresting Officer: Ptl Tyler Haley.

04-25-22 Mary Hale, 44 Yr Old Female Of Trenton,Tn. Charged With Contempt Of Court. Arresting Officer:ptl Jeff Lowden.

04-25-22 Pamela Gordon, 35 Yr Old Female Of Milan,Tn. Charged With Vandalism And Domestic Assault. Arresting Officer: Sgt Brian Hutson.

04-26-22 Mildred Crabtree, 32 Yr Old Female Of Milan,Tn. Charged With Controlled Substance Analogue And Possession Of Drug Paraphenalia. Arresting Officer: Sgt Hakim Hart.

04-26-22 Paul Kozinski, 56 Yr Old Male Of Milwaukee,Wi. Charged With Domestic Assault. Arresting Officer: Sgt Joe Fountain.

04-27-22 Desmond Stewart, 24 Yr Old Male Of Milan,Tn. Charged With Contempt Of Court. Arresting Officer: Sgt Brian Hutson.

04-27-22 Robert Coleman, 34 Yr Old Male Of Milan,Tn. Charged With Domestic Assault. Arresting Officer: Ptl Mason Holden.

04-27-22 Tomar Smith, 32 Yr Old Male Of Dyers-

burg,Tn. Charged With Violation Of Order Of Protection. Arresting Officer: Lt Clayton Westbrooks.

04-27-22 Tomeka Walls, 29 Yr Old Female Of Dyer,Tn. Charged With Driving On Revoked/Suspended License, Evading Arrest, And Obedience To Police Officers. Arresting Officer: Lt Clayton Westbrooks.

04-28-22 James Foust, 34 Yr Old Male Of Sharon,Tn. Charged With Contempt Of Court. Arresting Officer: Ptl Robert Burleigh.

04-29-22 Myracle Thompson, 22 Yr Old Female Of Humboldt,Tn. Charged With Violation Of Registration Law And Casual Exchange. Arresting Officer: Ptl Lee Geyra.

04-29-22 Deshanique Lenzie, 20 Yr Old Female Of Jackson,Tn. Charged With Violation Of Probation . Arresting Officer: Ptl Lee Geyra.

04-29-22 Cody Reeves, 22 Yr Old Male Of Milan,Tn. Charged With Driving On Revoked/Suspended License And Failure To Provide Insurance. Arresting Officer: Sgt Hakim Hart.

04-29-22 Austin Sneed, 27 Yr Old Male Of Trimble,Tn. Charged With Driving On Revoked/Suspended License, 2X Possession Of Schedule II, Possession Of Schedule IV And Light Law Violation. Arresting Officer: Sgt Hakim Hart.

PUBLIC NOTICE

NOTICE TO CREDITORS
Estate of Shirley A. Jennings.

Notice is hereby given that on the 20th day of April 2022, Letters Testamentary in respect of the estate of Shirley A. Jennings, deceased, who died 10/2/2021, were issued to the undersigned by the Probate Court of Gibson County, Tennessee.

All persons, resident and nonresident, having claims, matured or un-matured, against the estate are required to file same with Clerk of the above named Court on or before the earlier of the dates prescribed in (1) or (2) otherwise their claims will be forever barred:

(1) (a) Four (4) months from the date of the first publication (or posting, as the case may be) of this notice if the creditor received an actual copy of this notice to creditors at least sixty (60) days before the date that is four (4) months from the date of the first publication (or posting); or

(b) Sixty (60) days from the date the creditor received an actual copy of the notice to creditors if the creditor received the copy of the notice less than sixty (60) days prior to the date that is four (4) months from the date of first publication (or posting) as described in (1) (a); or

(2) Twelve (12) months from the decedent's date of death.

This 20th day of April 2022.

Signed:
Wendy M. Rogers and Debra L. Helton, Co-Executors.

Estate of Shirley A. Jennings.

Katelyn Orgain, Clerk & Master

By: Marcie Denton, DCM
Stephen Hughes
PO Box 320
Milan, TN 38358

56-2p

NOTICE TO CREDITORS
Estate of Martha Karine Thomas.

Notice is hereby given that on the 20th day of April 2022, Letters Testamentary in respect of the estate of Martha Karine Thomas, deceased, who died 3/28/2022, were issued to the undersigned by the Probate Court of Gibson County, Tennessee.

All persons, resident and nonresident, having claims, matured or un-matured, against the estate are required to file same with Clerk of the above named Court on or before the earlier of the dates prescribed in (1) or (2) otherwise their claims will be forever barred:

(1) (a) Four (4) months from the date of the first publication (or posting, as the case may be) of this notice if the creditor received an actual copy of this notice to creditors at least sixty (60) days before the date that is four (4) months from the date of the first publication (or posting); or

(b) Sixty (60) days from the date the creditor received an actual copy of the notice to creditors if the creditor received the copy of the notice less than sixty (60) days prior to the date that is four (4) months from the date of first publication (or posting) as described in (1) (a); or

(2) Twelve (12) months from the decedent's date of death.

This 20th day of April 2022.

Signed:
M. Gabriel Greene, Executor.

Estate of Martha Karine Thomas.

Katelyn Orgain, Clerk & Master

By: Marcie Denton, DCM
Wilson Wages
PO Box 603
Millington, TN38083

56-2p

PUBLIC NOTICE

Unit 267
is to be
cleaned out
5/9/2022.
William Allen

MILAN MINI STORAGE
1091 Kefauver Dr., Milan, TN. 38358
731-686-0065

PUBLIC NOTICE

Amanda Adams
Unit A2 to
be cleaned out
5/9/22

Premier Storage
& Rentals
8060 Stinson Street,
Milan, TN 38358
(731) 487-8490

WANTED!!!!
Steel 10'
Satellite Dish
Call
731-613-8844

The Mirror-
Exchange
will have a
subscription
sale
Friday,
May 13,
8am-5pm.
All NEW
subscriptions
will be
1/2 price!

Subscription
Sale

Your Home Storage Specialist

Come see us for ALL of your Storage Needs!
Buy or Rent to Own!
No Credit Check
Everyone Approved!

PARIS, TN
- 314 Memorial Dr.
731-644-0090
- 2155 E. Wood St.
731-407-7369

CAMDEN, TN
1409 Hwy. 70 W
731-279-4192

MILAN, TN
15035 S. First St.
731-613-2166

LEXINGTON, TN
586 W. Church St.
731-249-9184

EAGLE BUILDINGS
eaglebuildingstn.com

FREE DELIVERY WITHIN 50 MILES

7-Year Craftsmanship Warranty

Notice of Intent to Abandon Rail Service

Wolf Creek Railroad LLC gives notice that on or about May 20, 2022 it intends to file with the Surface Transportation Board, Washington, DC, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of an approximately 10 mile line of railroad located within the Milan Army Ammunition Plant traversing through United States Postal Service ZIP Code 38358 in Gibson County, TN. The proceeding has been docketed as No. AB 1322X.

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 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 OEA, Surface Transportation Board, Washington, DC or by calling OEA at (202) 245-0291.

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. Any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Proceedings either via e-filing or addressed to 395 E. Street S.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' 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 Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W. Suite 1300 South, Washington, DC 20004; jmarks@clarkhill.com.



VALUES
Are the Standards
of our Behavior

- INTEGRITY
- RESPECT
- ACCOUNTABILITY
- EXCELLENCE

BEHAVIORS
Are the Actions we take
to achieve our Goals

- COMMUNICATE THE WHY
- ALIGN GOALS
- EMPOWER
- RECOGNIZE PERFORMANCE

We Are Hiring!
To apply, please go to
jobs.westrock.com

Positions starting at \$18.29 per hour with increases after 60 days

1720 N. Ninth Ave. - Humboldt • 731.784.1500

CONSTRUCTION POSITIONS

Jones Bros. Contractors, LLC has immediate openings for individuals experienced in the Highway Construction industry. Specifically, we are looking for Supervisors, Pipe Foremen, certified Crane Operators, Heavy Equipment Operators (grading), CDL Dump Truck Drivers, Carpenters, Concrete Finishers and Laborers.

Jones Bros. offers a competitive compensation package to include health, dental, vision, life, disability, accident and critical illness plans; 401K with employer match; financial wellness program; immediate accrual of PTO and paid employee birthday.

A pre-employment drug test is required.

Interested individuals should apply online at
www.jonesbroscont.com/employment.
We are An Equal Opportunity Employer

EXHIBIT E

TOPOGRAPHICAL MAP



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



MILAN QUADRANGLE
TENNESSEE - GIBSON COUNTY
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1:250,000 horizontal Transverse Mercator, Zone 18S
This map is not a legal document. Boundary maps may be
permitted for this map scale. Private land within government
reservations may not be shown. Obtain permission before
reproducing private lands.

Project: U.S. G.S., June 2016 - October 2016
Base: U.S. G.S., 2014
Parent: U.S. G.S., 2014
Hydrography: National Hydrography Dataset, 2004 - 2014
Contour: National Elevation Dataset, 2011 - 2014
Boundary: National Wetlands Inventory, 2011 - 2014
Metadata: U.S. G.S., National Wetlands Inventory, 2011 - 2014



SCALE 1:24 000

1 0.5 0 0.5 1 2
1000 500 0 500 1000 2000
FEET

1 0.5 0 0.5 1 2
1000 500 0 500 1000 2000
METERS

UTM GRID AND 2011 MAGNETIC NORTH
DECLINATION IS SHOWN ON PANEL

CENTROID INTERVAL IN FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the
National Geospatial Program (N) Topographic Standard, 2011.
A revision to the associated with this product is draft version 6.1.18



ROAD CLASSIFICATION

Expressway
Secondary Hwy
Ramp
Interstate Route
Local Connector
Local Road
US Route
State Road

MILAN, TN
2019



EXHIBIT F

SHPO CORRESPONDENCE

Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

March 21, 2022

VIA EMAIL

Tennessee Historical Commission
Section 106 Review
Section.106@tn.gov

Re: Wolf Creek Railroad LLC – Abandonment Exemption –
in Gibson County, TN
Surface Transportation Board Docket No. AB 1322X

To Whom it May Concern:

This letter is to advise you that Wolf Creek Railroad LLC ("WCR") intends to file a petition for exemption for WCR to abandon approximately 10-miles of track (the "Subject Line") located within the Milan Army Ammunition Plant (the "Plant") in Gibson County, TN. The Subject Line does not have any mileposts.

The Subject Line traverses through United States Postal Service ZIP Code 38358. A map of the Subject Line is attached as Exhibit A.

WCR plans to petition the Surface Transportation Board ("STB") for an exemption under 49 USC § 10502 from the provisions of 49 USC § 10903 to enable WCR to abandon the Subject Line, on or after May 20, 2022 in STB Docket No. AB 1322X.

WCR leases the Subject Line from the U.S. Army Joint Munitions Command ("JMC") through its representative American Ordnance LLC. JMC terminated the lease and has required WCR to cease its rail operations and vacate the Plant. The current deadline for the termination is March 31, 2022. JMC has other plans for the Plant that do not include rail service. The tracks of the Subject Line will not be salvaged and will remain in place in the event future tenants or owners of the Plant require access to the interstate rail network.

Based upon information in WCR's possession, the Subject Line is located on federally-owned property.

WCR does not intend to salvage the Subject Line; it will remain on the Plant property as private track. WCR believes that the abandonment will not have a significant effect upon the environment.

In advance of preparing a historical report as required by applicable STB regulations, we are consulting with you as to any concerns which you may have as to any historical effects of the proposed abandonment.

March 21, 2022
Page 2

We would appreciate an expression from you by April 25, 2022 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon historical resources (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

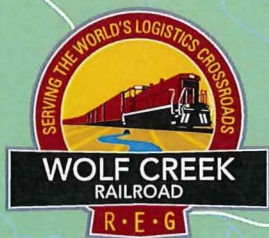
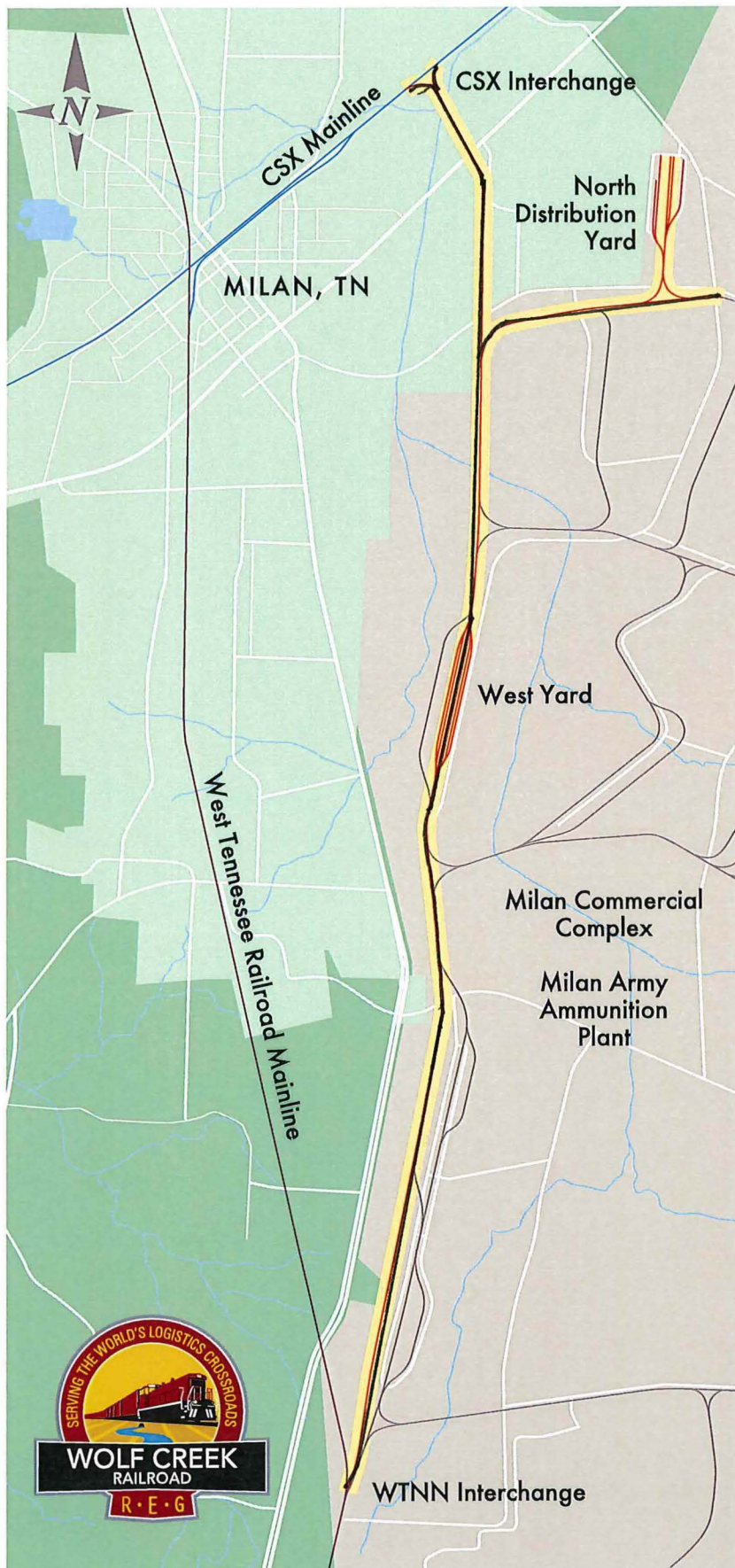
Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Justin J. Marks". The signature is written in a cursive style with a large, stylized "J" and "M".

Justin J. Marks
Counsel to Wolf Creek Railroad LLC

Enclosure





TENNESSEE HISTORICAL COMMISSION
STATE HISTORIC PRESERVATION OFFICE
2941 LEBANON PIKE
NASHVILLE, TENNESSEE 37243-0442
OFFICE: (615) 532-1550
www.tnhistoricalcommission.org

March 28, 2022

Mr. Justin J. Marks
Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004

RE: STB / Surface Transportation Board, Wolf Creek Railroad, Proposed Abandonment of Rail Line within Milan Army Ammunition Plant, Milan, Gibson County, TN

Dear Mr. Marks:

Pursuant to your request, this office has reviewed documentation concerning the above-referenced undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicants for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

Based on the information provided, we find that that Milan Army Ammunition Plant contains resources eligible for listing in the National Register of Historic Places. We also find that the project as currently proposed will not adversely any historic resources that may be in your project's Area of Potential Effects.

This office has no objection to the implementation of this project as currently planned. If project plans are changed or previously unevaluated archaeological resources are discovered during project construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act. Questions and comments may be directed to Casey Lee (615 253-3163). We appreciate your cooperation.

Sincerely,

for: E. Patrick McIntyre, Jr.
State Historic Preservation Officer

Casey Lee
Historic Preservation Specialist/Coordinator
Section 106 Review and Compliance Program
Tennessee State Historic Preservation Office

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of May 2022, I served a copy of the foregoing Environmental and Historic Report on the persons listed below by first class mail, postage prepaid:

Sheldon Hightower, State Conservationist USDA Natural Resources Conservation Service 801 Broadway 675 U.S. Courthouse Nashville, TN 37203 Sheldon.hightower@usda.gov	John Blevins, Acting Regional Administrator Office of the Regional Administrator US EPA Region 4 Atlanta Federal Center 61 Forsyth Street SW Atlanta, GA 30303-8960 Blevins.John@epa.gov
United States Department of Agriculture Natural Resources Conservation Service Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250	U.S. Army Corp of Engineers Memphis District Regulatory Field Office 167 N. Main St. Room B-202 Memphis, TN 38103-1894 MemphisPAO@usace.army.mil
National Park Service 1849 C Street, NW Washington, DC 20240	Stan Austin, Regional Director Region 2 South Atlantic-Gulf National Park Service 100 Alabama Street, SW 1924 Building Atlanta, GA 30303
Mr. Leopoldo Miranda United States Fish & Wildlife Service Southeast Region 4 1875 Century Boulevard Suite 400 Atlanta, GA 30345	National Geodetic Survey ngs.infocenter@noaa.gov
Tennessee Wildlife Resource Agency 5107 Edmondson Pike Ellington Agricultural Center Nashville, TN 37211 Kathy.Johnston@tn.gov	Tennessee Department of Transportation Amy Kosanovic Planning Supervisor Freight and Logistics Division James K. Pol Building Nashville, TN 37243 Amy.kosanovic@tn.gov

The Honorable Tom Witherspoon Gibson County Mayor's Office 1 Courtsquare Suite 200 Trenton, TN 38382	Tennessee Department of Environment & Conservation Dr. Ronne Adkins Ronne.Adkins@tn.gov
Tennessee Historical Commission Section 106 Review Section.106@tn.gov	US Army Joint Munitions Command c/o F.W. Larsen frederick.w.larsen2.civ@army.mil



Justin J. Marks
CLARK HILL PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
202.772.0916
jmarks@clarkhill.com