

BEFORE THE SURFACE TRANSPORTATION BOARD

304697

North Coast Railroad Authority –)
Abandonment Exemption –) AB 1305X
In Mendocino, Trinity and Humboldt Counties, CA)

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

Objection and Motion to Reject North Coast Railroad Company (“NCRCo”)
Notice of Intent to File an Offer of Financial Assistance

Great Redwood Trail Agency (“GRTA”), formerly named North Coast Railroad Authority (“NCRA”) and hereinafter referred to “NCRA/GRTA,” is an agency of the State of California, and seeks abandonment authority for the line of railroad extending from MP 139.5 (Willits) to end of line at, inter alia, MP 300.5 (Samoa).

North Coast Railroad Company, LLC (“NCRCo”) has late-filed a “Notice of Intent to File an Offer of Financial Assistance, hereinafter “Notice of Intent,” to acquire NCRA’s line, which it specified as MP 139.5 near Willits to MP 284.1 near Eureka, including “appurtenant branch lines” extending to MP 267.72 near Carlotta, MP 295.57 near Korblex, MP 300.5 near Samoa, and MP 301.8 near Korbel. NCRA/GRTA objects to NCRCo’s out-of-time Notice of Intent for the reasons stated below, and to the extent necessary, moves for prompt rejection of that Notice of Intent.

NCRCo missed the clearly specified filing deadline. The regulations governing the filing of notices of intent to file an OFA provide that OFA's must be filed within ten (10) days of the Board's service of a Notice of Exemption for a two-year out-of-service abandonment such as the case at bar. The Board decision granting abandonment authority in this case was published in the Federal Register and posted on the STB website on May 20, 2022. Since May 30 fell on a weekend, the Board in its May 20 decision provided that notices of intent to file an OFA must be filed on or by May 31. Deadlines for filing notices of intent and OFAs themselves are strictly enforced, because Congress limited the time for filing OFA's in order to allow carriers to abandon unprofitable lines expeditiously. If a would-be OFA applicant misses the deadline, its notice is rejected, absent a showing of "good cause." E.g., Boston and Maine Corporation – Abandonment Exemption – in Essex County, MA, AB 32 (Sub-no. 53X), served August 3, 2007, slip at 2; Union Pacific Railroad Company – Discontinuance Exemption – in Oklahoma City, OK, AB 33 (Sub-no. 239X), served April 14, 2006, slip at 1.

NCRCo makes no showing of "good cause" to ignore the deadline. It states instead that "its counsel was unavailable to complete the filing on May 31, 2022" due to "unforeseen travel delays and related issues associated with securing the [necessary] information" for the filing. This is hardly "good cause" in the circumstances here. First, NCRCo is represented by two attorneys at a 19-person

law firm that, per its website, specializes in rail law. NCRCo's counsel both had previously appeared in the proceeding,¹ advocated for an opportunity to pursue the OFA remedy, and were presumably well acquainted with the case and this Board's rules.² It is hard to believe they both experienced travel delays at the same time. They simply failed to prepare their filing in a timely fashion.

NCRCo's counsel further claim that no party is prejudiced by allowing them to escape OFA deadlines. NCRA/GRTA and its supporters (many of which are parties to this proceeding) are extraordinarily prejudiced. First, NCRCo's belated filing threatens to dramatically expand the scope and expense of this proceeding because it is the only prospective OFA for the vast majority of the line. Its filing will also further delay an important flood control project (to protect inter alia the Nation's vital coastal highway, US 101, from flooding) in Humboldt County.³ Second, in the expectation that OFA applicants would meet deadlines, NCRA/GRTA representatives scheduled a "town hall" on the evening of May 31.

¹ See NCRCo Reply in AB 1305X filed August 16, 2022 (title page and signature page).

² The Fletcher and Sippel website claims expertise in, inter alia, STB matters and represents that Mr. Wimbish (NCRCo's lead counsel) previously was an attorney in STB's Office of Proceedings.

³ See Letter re: abeyance order from Humboldt County and City of Eureka, dated June 24, 2021, attached to Request to Lift Abeyance Orders, filed by NCRA in AB 1305X on June 28, 2021. Humboldt County has a flood control project to protect, inter alia, the Nation's coastal highway (US 101) from flooding that is held up by this proceeding. The project would also protect the railroad from further decay.

Some two thousand people including government officials attended. The purpose of the “town hall” was to alert the community if an OFA for the entire line were filed and to discuss appropriate response. By failing to file the OFA in a timely fashion, and failing to provide any notification to NCRA/GRTA that NCRCo’s counsel was experiencing vacation and information assembly delays, the entire purpose of the town hall was thwarted, at significant prejudice to NCRA/GRTA and its supporters. If NCRCo wishes to assert lack of prejudice, it should have at least called. It did not.

In short, NCRCo is represented by multiple counsel in a 19-member law firm. It has provided no good cause for its late filing other than inexcusable lack of preparation. NCRA/GRTA and its supporters (including the State of California) are prejudiced both by NCRCo’s effort belatedly to expand the proceeding and NCRCo’s disruption (by reason of NCRCo’s failure to comply with Board deadlines) of NCRA/GRTA efforts to coordinate its case with other opponents of NCRCo. The Board should follow its precedent and reject the NCRCo late-filed notice of intent.

NCRCo’s Notice of Intent does not conform to` the Board’s requirements concerning showings of preliminary financial responsibility. In any event, NCRCo fails to show preliminary financial responsibility. When NCRCo opposed the NCRA/GRTA’s motion for an exemption from OFA, NCRCo represented to

this Board that it was “capitalized to the tune of \$1.2 billion.” NCRCo Reply in AB 1305X, filed August 16, 2021, slip at 3. It appears to have lost over 98% of its capitalization claimed last August, and perhaps almost 100%. Its showing for financial responsibility is limited to its one-page Exhibit C annexed to its Notice of Intent. That exhibit is rather strange. It is attributed to Self-Help Credit Union, 3400 Battleground Ave., Greensboro, NC 27410. The only germane words relating to the issue of financial responsibility are the words “North Coast Railroad Company,” a statement date of 04-30-2022, and the words “summary of accounts” followed by an account named “Money Market” with a beginning and ending balance in the \$15,700,000 range. The “transaction details” for “Money Market” appear blacked out in the pdf version. However, when converted to a Word version and printed on a white background, the transaction details show balances in the period at all times less than \$3269.96. See Declaration of Elizabeth Coleman, attached. In the absence of a letter from Self-Help Credit Union confirming that NCRCo in fact has an account with \$15,719,750.17 in available funds as of April 30, 2022, Exhibit C is not reliable evidence of preliminary financial responsibility. Aside from some sort of inadvertent mix-up or fraud, there are no ready explanations for how an account claiming to contain over \$15,700,000 on the same page also represents its contents as only \$1471.61 for the same date. In all events, it simply cannot be said that NCRCo has demonstrated with its Exhibit C that it has

financial responsibility in the amount it seems to be claiming, much less the \$1.2 billion it previously asserted. Since NCRCO has not submitted reliable evidence of financial responsibility, its notice of intent must accordingly be rejected. To allow NCRCO to supplement or to amend its filing to attempt to cure the confusion would amount to worsening its violation of the May 31 filing deadline.

In addition, NCRCO's preliminary value for scrap and reroll steel appears low, throwing off its calculations. See Exhibit A.

NCRCO fails to identify a rail line it may lawfully OFA. NCRCO states that its OFA contains the branch line extending to Korbel at MP 301.8. This Board has determined that the line to Korbel (otherwise known as Annie and Mary) was long ago abandoned and passed out of STB jurisdiction. North Coast Railroad Authority – Abandonment Exemption – in Mendocino, Trinity and Humboldt Counties, AB 1305X, served May 17, 2022, slip at 5. Because NCRCO includes properties over which the Board lacks jurisdiction, its Notice of Intent must be rejected. To allow amendment or supplementation in order to exclude the properties outside this Board's jurisdiction would simply worsen NCRCO's violation of the May 31 filing deadline.⁴

⁴ Nothing herein should be construed to mean that NCRA/GRTA in any way concedes that NCRCO has met, or ever could meet, the requirements for an OFA specified in, inter alia, 49 C.F.R. 1152.27(c)(1)(iv), including but not limited to actual financial responsibility, rail need, community support, and so on. NCRA/GRTA of course reserves all rights in this connection.

Conclusion. NCRA/GRTA has repeatedly sought an expeditious proceeding in AB 1305X and in related AB 1313. One of the reasons is to save taxpayers money. Another is that failure to allow abandonment is delaying a flood control project in Humboldt County. See note 3. Yet another is to be consistent with transportation policy calling inter alia for expeditious handling of proceedings (49 USC 10101(15)). NCRCO's belated OFA, if allowed, will prejudicially expand the scope of this proceeding, delay an important flood control project, cost California taxpayers additional funds and resources, while thwarting STB deadlines in violation of 10101(15). NCRCO's belated Notice of Intent should be rejected for the reasons stated.

Certificate of Service. I hereby certify service by email attachment on June 6 on all parties of record in AB 1305X per the STB website service list as of June 5, 2022, and in particular upon NCRCO's representative (Robert Wimbish at rwimbish@fletcher-sippel.com per the STB website).⁵

⁵ NCRCO should note that the email address that it sets out in its certificate of service for its NOI is incorrect as to NCRA/GRTA's counsel.

Respectfully submitted,
s/ *Charles H. Montange*

Charles H. Montange
Law Offices of Charles H. Montange
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Seattle, WA 98177
c.montange@frontier.com
tel: 206-546-1936
fax: -3739
Attorney for NCRA/GRTA

Att: Exhibit A – email quote
Declaration of Elizabeth Coleman

Exhibit A
Quote in Last 30 Days on Scrap/Reroll Prices Delivered

Reroll & Scrap Rail Prices

Frontier-Yahoo/Inbox
Montey Sneed <monteysneed@+++++++ >
To: C. Montange
Sat, Jun 4 at 5:53 PM
Chuck
Per your request.
Reroll and scrap rail are being priced the same.
Per Dave Buff of Chicago Heights Steel the price delivered to the mill as of May 21st is \$625
per gross ton.
Thanks,
Montey Sneed

BEFORE THE SURFACE TRANSPORTATION BOARD

North Coast Railroad Authority –)
Abandonment Exemption –) AB 1305X
In Mendocino, Trinity and Humboldt Counties, CA)

Declaration of Elizabeth Coleman in Support of Objection and Motion to Dismiss

North Coast Railroad Company, L.L.C

Notice of Intent to File an Offer of Financial Assistance

I, Elizabeth Coleman, declare as follows:

1. I am a member in good standing of the bar of the State of California. I serve as General Counsel for the Great Redwood Trail Agency, formerly known as the North Coast Railroad Authority (“Applicant”). If called upon to testify to the contents of this declaration under oath, I could and would do so.
2. On August 16, 2021, the North Coast Railroad Company, L.L.C (“NCRCo”) filed with the STB a Reply to the Applicant’s Motion for Exemption from Offers of Financial Assistance, which appears in the Docket for the above-captioned matter as docket entry 302869. Within that filing, NCRCo indicated it intended to file an offer of financial assistance in the above captioned matter, and at page 3 represented that they were capitalized in the amount of over \$1,000,000,000.

3. By decision served May 20, 2022, the Board established a deadline for notices of intent to file offers of financial assistance of May 31, 2022. NCRCO, on June 1, 2022, NCRCO submitted its Notice of Intent to File and Offer of Financial Assistance and supporting paperwork. As Exhibit C in support of its filing, to establish financial responsibility pursuant to the requirements of 49 C.F.R. § 1152.27, NCRCO submitted a PDF document purporting to be a bank statement from Self-Help Credit Union, reflecting a beginning for the statement term ending April 30, 2022 of \$15,714,512.00, and an end balance of \$15,719,750.17. As displayed in Adobe PDF format, no transaction data is visible on Exhibit C to the NCRCO filing.

4. In the process of reviewing and analyzing the submitted notice of intent and supporting documentation, I caused the content of the PDF file submitted by NCRCO, which includes NCRCO's Exhibit C, to be displayed in Microsoft Word. Attached here to as Exhibit "1" to this Declaration is a true and correct copy of the content of NCRCO's own submission, without modification or deletion, when viewed in Microsoft Word. In addition to start and end balances, transaction information contained in the NCRCO document is content is visible when viewed in this format. Exhibit "1" was created by me, by process of selecting all content, copying, and pasting to Microsoft Word and saving the document. No changes were made for content or clarity.

5. For ease of the Board's review, attached hereto as Exhibit "2" is all content contained in NCRCo's Exhibit C beginning with the Summary of Accounts, and continuing to the end of that document, translated into Microsoft Word as described above and formatted so that each transaction has proper line spacing and occupies a clear column, deposits appear in blue, and withdrawals appear in red. Exhibit "3" has been modified only to the extent of formatting to allow the reader to view the columns of specific transactions already contained therein, with no modifications made to any characters or content thereof.

6. Upon reviewing the content of the transactions contained in Exhibit C to the NCRCo filing and Exhibit 2 hereto, it is the opinion of the undersigned that the transactions in Exhibit 2 are correctly attributable to NCRCo, rather than an erroneous filing, on the basis of the parties indicated in the transactions. Transactions to and from an individual named "Jason Wight" appear on the document, as well as with a company called "TerraNova Strategies LLC." Mr. Wight, who public records indicate is the Senior Partner of TerraNova Strategies, is also the person to whom the Scrap Steel Price Quote is addressed, submitted as Exhibit B to the NCRCo filing. In sum, the document tendered to STB by NCRCo appears to represent transactions involving persons now associated with NCRCo.

7. Viewing the transaction data embedded in Exhibit C, it appears that the statement submitted by NCRCo contains specific transactions the sum total of

which do not comport with a beginning balance of \$15,714,512.00 on or about April 1, 2022, or an ending balance of \$15,719,750.17 on April 30, 2022. The account balance for the period of March 31, 2022- April 21, 2022 (which is the only time period contained on the submitted document, for the document appears to either cut off at a page break on the underlying statement on April 21, 2022, or contain no further transactions between April 21 and April 30, 2022), begins at \$1,471.65 and ends at \$2,025.96. In no event does it support a claimed beginning or ending balance in a “money market” account of \$15,714,512.00 or 15,719,750.17 on any date.

8. Based upon the data submitted to the Board by NCRCo itself, the transaction data does not establish account balances exceeding several thousand dollars. If data establishing an NCRCo account in excess of \$15 million exists, it has not been submitted to the Board by NCRCo to date in any filing

9. This declaration is not submitted with the intent or belief that it conclusively establishes that the information contained in NCRCo filing, as displayed in readable format in Exhibits 1 and 2 hereto, constitutes the true and accurate account balance and transaction information of the account NCRCo attempts to use establish financial responsibility. However, it is the opinion of the undersigned that, in light of the conflicting nature of the two portions of information contained within NCRCo filing, additional information submitted with proper verification by

NCRCO's "credit union" (i.e. Self Help Credit Union's Greensboro North Carolina Branch is necessary prior to the Board making a finding that preliminary financial responsibility has been established via this apparently internally inconsistent documentation. Of course, any supplemental or corrected information would render NCRCO's invocation of the OFA process further out-of-time in light of the May 31, 2022 cut off for submissions of valid notices of intent to file offers of financial assistance.

I declare under penalty of perjury under the laws of the State of California that all matters contained herein are true and accurate to the best of my knowledge.

Executed this ____ day of June, 2022, in San Luis Obispo, California.

Elizabeth Coleman

NCRCo's "credit union" (i.e. Self Help Credit Union's Greensboro North Carolina Branch is necessary prior to the Board making a finding that preliminary financial responsibility has been established via this apparently internally inconsistent documentation. Of course, any supplemental or corrected information would render NCRCo's invocation of the OFA process further out-of-time in light of the May 31, 2022 cut off for submissions of valid notices of intent to file offers of financial assistance.

I declare under penalty of perjury under the laws of the State of California that all matters contained herein are true and accurate to the best of my knowledge.

Executed this 5th day of June, 2022, in San Luis Obispo, California.

A handwritten signature in blue ink, appearing to read "Elizabeth Coleman", is written over a horizontal line.

Elizabeth Coleman

Exhibit 1

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 1305X
NORTH COAST RAILROAD AUTHORITY
— ABANDONMENT EXEMPTION —
IN MENDOCINO, TRINITY, AND HUMBOLDT COUNTIES, CA

**NOTICE OF INTENT TO FILE AN OFFER OF FINANCIAL ASSISTANCE OF
NORTH COAST RAILROAD COMPANY, L.L.C PURSUANT TO 49 CFR § 1152.27**

Robert A. Wimbish
Bradon J. Smith
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208
(312) 252-1500

**ATTORNEYS FOR NORTH COAST
RAILROAD COMPANY, L.L.C.**

Dated: June 1, 2021

- 2 -

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 1305X
NORTH COAST RAILROAD AUTHORITY
— ABANDONMENT EXEMPTION —
IN MENDOCINO, TRINITY, AND HUMBOLDT COUNTIES

**NOTICE OF INTENT TO FILE AN OFFER OF FINANCIAL ASSISTANCE OF
NORTH COAST RAILROAD COMPANY, L.L.C PURSUANT TO 49 CFR § 1152.27**

Pursuant to the Board’s decision served in this proceeding on May 20, 2022, and in keeping with the requirements of 49 C.F.R. § 1152.27, North Coast Railroad Company, L.L.C. (“NCRCo”) hereby formally gives notice of its intent to file an offer of financial assistance (“OFA”) to purchase the entire railroad line that is the subject of this abandonment proceeding (the “Line”) as follows: roughly 175.84 route miles of railroad line, extending between milepost 139.5, near Willits, and milepost 284.1, near Eureka, including appurtenant branch lines extending to milepost 267.72 near Carlotta, milepost 295.57 near Korbex, milepost 300.5 near Samoa, and milepost 301.8 near Korbel, in Mendocino, Trinity and Humboldt Counties, California. NCRCo intends to acquire the Line and all appurtenances, signals, communications equipment, real property interests, and all other track materials necessary to conduct common carrier service over the Line. Pursuant to Section 1152.27, this notice includes information demonstrating NCRCo’s preliminary financial responsibility to legitimately undertake an OFA. NCRCo requests leave to late file this notice of intent on the basis that its counsel was unavailable to complete the filing on May 31, 2022, due to unforeseen vacation travel delays and related issues associated with securing the information necessary to submit this notice of

intent. Counsel is very mindful of the Board's strict regulations related to the OFA process, but urges acceptance of its NCRCo's submission under these circumstances on the basis that no party will be prejudiced thereby.

NCRCo is a non-carrier entity established for the purpose of acquiring and operating (or, if appropriate, to contract with a third-party entity to operate) the Line. NCRCo has determined that a viable market opportunity exists to warrant the acquisition, and restoration of common carrier rail service over, the Line, as it will detail in its OFA at a later phase of this proceeding.

Under the applicable OFA rules, NCRCo must demonstrate preliminary financial responsibility by – (a) offering a *pro forma* estimate of the Line's net liquidation value (generally reduced to the value of the steel along the Line); (b) adding to the estimated net liquidation value two years' worth of track maintenance expenses (presumed at a rate of \$4,000 per mile per year); and then (c) tendering evidence to show that it has the resources available to cover the combined costs of elements (a) and (b).¹ As a prospective offeror, NCRCo is financially responsible if it "has or within a reasonable time will have the financial resources to fulfill its proposed contractual obligations" to purchase the Line.

In accordance with the OFA notice of intent regulations at Section 1152.27(c), NCRCo submits the following:

(1) The preliminary financial responsibility amount is \$8,834,201.60, as shown by the calculations set forth on the enclosed Exhibit A.

(2) Exhibit A is based on a scrap steel quote offered as Exhibit B.

¹ See *Offers of Financial Assistance*, EP 729 (STB served Jun. 29, 2017), 6.

4

(3) NCRCo has the financial resources to cover the preliminary financial responsibility amount. See April 30, 2022 bank statement from Self-Help Credit Union ("SHCU") Exhibit C).

Based upon the foregoing and the attached supporting exhibits, NCRCo respectfully requests that this Board find it, preliminarily, to be financially responsible, so that NCRCo may move ahead with its efforts to prepare and present a fully-developed OFA at the next stage of this proceeding.

Respectfully submitted,

/s/ **R. A. Wimbish**

Robert A. Wimbish

Bradon J. Smith

Fletcher & Sippel LLC

29 North Wacker Drive

Suite 800

Chicago, Illinois 60606-3208

(312) 252-1500

**ATTORNEYS FOR NORTH COAST
RAILROAD COMPANY, L.L.C.**

Dated: June 1, 2022

5

BEFORE THE

SURFACE TRANSPORTATION BOARD

AB 1305X
NORTH COAST RAILROAD AUTHORITY
— ABANDONMENT EXEMPTION —
IN MENDOCINO, TRINITY, AND HUMBOLDT COUNTIES

EXHIBIT A PRELIMINARY FINANCIAL RESPONSIBILITY CALCULATION

6

Preliminary financial responsibility amount (estimate) based upon assumed per/(short) ton scrap steel price of \$320:

$(\$320/\text{ton}) \times (132 \text{ tons/mile}) \times (175.84 \text{ miles of railroad line})$

+

$(\$400/\text{mile/year}) \times (175.84 \text{ miles}) \times (2 \text{ years})$

\$7,427,681.60

+

\$1,406,720

TOTAL PRELIMINAR FINANCIAL RESPONSIBILITY AMOUNT: \$8,834,201.60

7

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 1305X
NORTH COAST RAILROAD AUTHORITY
— ABANDONMENT EXEMPTION —
IN MENDOCINO, TRINITY, AND HUMBOLDT COUNTIES

EXHIBIT B SCRAP STEEL PRICE QUOTE

Subject: Schnitzer - Rail Estimate - 06/01/22

From: Daniel Panitz <jdpanitz@schn.com>

Date: 1/06/2022, 13:58

To: "jdpanitz@tnsprime.com" <jdpanitz@tnsprime.com>

Hello,

Thank you very much for reaching out to Schnitzer for info support regarding the rail project in Mendocino and

Humboldt counties. "If" you were to ship an estimated 10,000 Net Tons of Unprepared Rail, our price today would be

\$320.00 per Net Ton, delivered into our facility located on the Port of Oakland.

Our crystal ball only allows us to see about six weeks ahead, so we don't know where the price will be at the start of

Q4 2022. I hope this information helps...please call me anytime you need anything, thanks again.

Respectfully,

Daniel Panitz

Regional Accounts Manager | SCHNITZER STEEL INDUSTRIES, INC.

1101 Embarcadero West | Oakland, California | 94607

Cell: 415.517.9361 | Office: 510.444.3919

www.schnitzersteel.com

PLEASE NOTE: ALL PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE UNLESS OTHERWISE SPECIFIED.

***ALL PURCHASES ARE SUBJECT TO FEES AND NON CONFORMING QUALITY CLAIMS UPON

DELIVERY***

Schnitzer - Rail Estimate - 06/01/22

1 of 1 1/06/2022, 14:07

8

BEFORE THE

SURFACE TRANSPORTATION BOARD

AB 1305X

NORTH COAST RAILROAD AUTHORITY

— ABANDONMENT EXEMPTION —

IN MENDOCINO, TRINITY, AND HUMBOLDT COUNTIES

EXHIBIT C

NORTH COAST RAILROAD COMPANY, L.L.C.

BANK STATEMENT – SELF-HELP CREDIT UNION

NORTH COAST RAILROAD CO

1309 COF EEN AVENUE

SHERIDAN WY 82801

Discover our Remote Services: Online, Mobile & Audio Banking

Account Name

Begin

Balance

End

Balance

Money Market 15,714,512.00 15,719,750.17

Transaction Details

Eff Date Description Deposits Withdrawals Balance

03/31/22 Previous Balance 1,471.65

04/03/22 Purchase CASH APP*MIKE COMPH 1455 MARKET ST 4153753176 CA 19456 -1.00 1,470.65

04/04/22 A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT -1,013.39 457.26

04/04/22 Purchase CASH APP*MIKE COMPH 1455 MARKET ST 4153753176 CA 19456 -349.00 108.26

04/05/22

HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #:

358231139364 2,500.00 2,608.26

04/06/22 A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT -1,000.00 1,608.26

04/06/22 A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT -750.00 858.26

04/07/22

HB/Mobile Deposit Transfer From Twin Hawkes Development LLC Conf #:

358376247493 35.04 893.30

04/07/22 A C H Share Withdrawal 770510487C 770510487C IAT PAYPAL -151.52 741.78

04/07/22

HB/Mobile Deposit Transfer From Twin Hawkes Development LLC Conf #:

358430121987 200.00 941.78

04/08/22 A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT -871.82 69.96
04/11/22 A C H Payroll Justin Wight|8800429876 Square Inc * Cash App 400.00 469.96
04/11/22
HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #:
358773010650 2,800.00 3,269.96
04/12/22 A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT -1,575.00 1,694.96
04/12/22 Purchase CASH APP*MIKE COMPH 1455 MARKET ST 4153753176 CA 19456 -750.00 944.96
04/14/22 A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT -250.00 694.96
04/15/22
HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #:
359122234531 500.00 1,194.96
04/16/22 Purchase CASH APP*MIKE COMPH 1455 MARKET ST 4153753176 CA 19456 -650.00 544.96
04/17/22 Purchase CASH APP*CUTIE 1455 MARKET ST 4153753176 CA 19456 -1.00 543.96
04/18/22
HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #:
359367710892 2,000.00 2,543.96
04/19/22 A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT -1,760.00 783.96
04/21/22
HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #:
359621393876 1,242.00 2,025.96

Statement Date Member Number

7034045

Page 1 of 3

3400 Battleground Ave.
Greensboro NC 27410
RETURN SERVICE REQUESTED

9

CERTIFICATE OF SERVICE

I hereby certify that, on this 1st day of June, 2022, I served copies of the foregoing **Notice of Intent to File an Offer of Financial Assistance of North Coast Railroad Company, L.L.C Pursuant To 49 CFR § 1152.27** electronically (via email) or by U.S. Mail upon each the following parties of record:

John Andersen

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Santa Rosa CA 95502

jandersen@mendoco.com

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c/o Francis Driscoll
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10
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Arcata, CA 95521

Mitch Stogner

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Justin J. Lee

California Coastal Commission

300 South Spring Street, Suite 1702

Los Angeles, CA 90013

justin.lee@doj.ca.gov

Brett Watson

Mayor

City of Arcata

736 F Street

Arcata, CA 95521

eservices@cityofarcata.org

/s/ *R. A. Wimbish*

Robert A. Wimbish

Exhibit 2

Summary of Accounts

Account Name

Money Market Transaction Details **Money Market**

Begin Balance

15,714,512.00

End Balance

15,719,750.17

Transaction Details

03/31/22 Previous Balance 1,471.65

04/03/22	Purchase CASH APP*MIKE COMPH 1455 MARKET ST 4153753176 CA 19456	-1.00.	1,470.65
04/04/22	A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT	-1,013.39	457.26
04/04/22	Purchase CASH APP*MIKE COMPH 1455 MARKET ST 4153753176 CA 19456.	-349.00	108.26
04/05/22	HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #: 358231139364	2,500.00	2,608.26
04/06/22	A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT.	-1,000.00	1,608.26
04/06/22	A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT.	-750.00	858.26
04/07/22	HB/Mobile Deposit Transfer From Twin Hawkes Development LLC Conf #: 358376247493	35.04	893.30
04/07/22	A C H Share Withdrawal 770510487C 770510487C IAT PAYPAL.	-151.52	741.78
04/07/22	HB/Mobile Deposit Transfer From Twin Hawkes Development LLC Conf #: 358430121987	200.00	941.78
04/08/22	A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT.	-871.82	69.96
04/11/22	A C H Payroll Justin Wight 8800429876 Square Inc * Cash App	400.00	469.96
04/11/22	HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #: 358773010650	2,800.00	3,269.96
04/12/22	A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT.	-1,575.00	1,694.96
04/12/22	Purchase CASH APP*MIKE COMPH 1455 MARKET ST 4153753176 CA 19456.	-750.00	944.96
04/14/22	A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT.	-250.00	694.96
04/15/22	HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #: 359122234531	500.00	1,194.96
04/16/22	Purchase CASH APP*MIKE COMPH 1455 MARKET ST 4153753176 CA 19456.	-650.00	544.96
04/17/22	Purchase CASH APP*CUTIE 1455 MARKET ST 4153753176 CA 19456.	-1.00	543.96

04/18/22	HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #: 359367710892	2,000.00	2,543.96
04/19/22	A C H Withdrawal 9279744991 CAPITAL ONE ONLINE PMT.	-1,760.00	783.96
04/21/22	HB/Mobile Deposit Transfer From TerraNova Strategies LLC Conf #: 359621393876	1,242.00	2,025.96

