

BEFORE THE SURFACE TRANSPORTATION BOARD

304718
ENTERED
Office of Proceedings
June 7, 2022
Part of
Public Record

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

SEEKER REPLY TO NCRA MOTION TO REJECT SEEKER NOTICE OF INTENT

Seeker Enterprises LLC ("Seeker") respectfully offers the following Reply to NCRA's Motion to Reject Seeker Enterprises LLP's Notice of Intent, served June 6, 2022.

Freight Service

Seeker Enterprises LLC has been forthright in its Notice that it is not intending to provide freight service. It does not propose a rail excursion service, making inapposite NCRA/GRTA's citation of The Atchison, Topeka and Santa Fe Railway Co. – Abandonment Exemption – in Atchison County KS, AB 52 (Sub-no. 79X).

Prior to filing the Notice of Intent, Seeker diligently searched the statutes and codes, looking for a brightline test of eligibility for an OFA. We did not find any, and concluded that this abandonment proceeding fell into a regulatory gap. In specifics, Seeker ascertained that its Offer met the requirements of 49 USC § 10905, 49 USC § 10904(f)(4)(A), and 49 CFR § 1152.27(i)(2)(i). Seeker has no intention to transfer the line or discontinue service--there was no service to discontinue. Seeker put forth its Notice of Intent in good faith, believing its proposal met the letter of the law.

The attached Exhibit 10 is a letter from NCRA/GRTA to Humboldt County, describing the lease agreement between the two parties regarding permission to use the ROW where the latter plans to build an extension of its trail. The highlighted sentence points out the use of flangeway fillers. In Exhibit 11, Seeker's principal, Francis (Uri) Driscoll and Exhibit 12, the Timber Heritage Association, objected to the use of flangeway fillers on the trestle bridge, as that would interfere with the passage of lightweight railbikes. Humboldt County and the NCRA/GRTA have refused to consider these concerns in proceeding with the trail project.

The recreational use proposed by Seeker is a valid public purpose, as established in the endorsement letters that were Exhibits 3, 4 and 5 to the Seeker Notice of Intent. This public purpose is equally as valid as the NCRA/GRTA's intended trail uses. The difference is that the proposed railbiking use cannot proceed if NCRA/GRTA is granted trail use authority over the requested ROW, because of both the flangeway issue already cited, and because NCRA/GRTA's proposal is to cover the rails and ties with fill. See Exhibit 13, "In contrast, McGuire said the cost to put dirt and gravel onto the rail and convert it into the Great Redwood Trail would be \$12,000 to \$15,000 per mile."

Eureka Times-Standard, "North Coast Almost Beats Back Toxic Coal Train, but Company Submits Late Filing;" June 1, 2022, emphasis added.

Note that Roaring Fork Railroad Holding Authority—Abandonment Exemption—in Garfield, Eagle, And Pitkin Counties, CO, STB Docket No. AB-547X, slip op. at 5, (decided: May 19, 1999) speaks directly to this clash between proposals: "It would be inappropriate and unfair to permit use of the OFA process to wrest the right-of-way away from one person desiring to use it for a valid public purpose and give it to another person to be put to use for the identical public purpose." Here, the purposes are not identical—the NCRA/ GRTA's proposal would preclude the railbiking proposal, because the former has already approved the removal of the rails and ties.

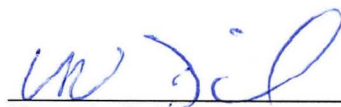
Seeker does concede the possibility that its proposal should have been in the form of a Request for Interim Trail Use and Railbanking, similar to that of the Timber Heritage Association, or conditions on NCRA/GRTA's Trail Use. If the Board rejects Seeker's Notice of Intent on the ground that Seeker would not be restoring freight rail service, Seeker respectfully requests the Board allow it time to cure its Notice by providing the necessary information and fees for an application under 49 CFR §§ 1152.28 and 29.

Financial Responsibility

Seeker demonstrates through Exhibit 14 that Francis and Chris Driscoll are the sole owners of Seeker Enterprises LLC. The third page of the exhibit presents an activity statement for Seeker Enterprises LLC dated June 7, 2022 showing a balance of \$25,000. On May 27, the Driscolls had ordered a transfer of funds to Seeker, but the requested funds did not transfer properly (See Exhibit 15), resulting in the need to verify by presenting a personal Driscoll bank account statement. The transfer has now been completed.

I certify that all parties to this proceeding have been served these Comments.

Dated: June 7, 2022



Francis Driscoll, Co-Owner (AKA Uri Driscoll)
Seeker Enterprises LLC

Exhibit 10

Great Redwood Trail Agency
419 Talmage Road, Suite M, Ukiah, CA 95482
707-463-3280

April 5, 2022

Hank Seemann, Deputy-Director
County of Humboldt
Department of Public Works
1106 Second Street
Eureka, CA 95501

Subject: Lease Agreement for the County of Humboldt's Humboldt Bay Trail South Project

Dear Mr. Seemann:

This letter is written on behalf of the Great Redwood Trail Agency ("GRTA"), which is the successor agency to the North Coast Railroad Authority ("NCRA"), to document GRTA's understanding of the current status of the Humboldt Bay Trail South Project ("Project"). NCRA received the County of Humboldt's application dated October 23, 2020, for a Lease Agreement ("Agreement") to construct and operate the Project between Eureka and Arcata from approximately Mile Post 285.5 to Mile Post 289.6. The Agreement was approved by the NCRA board on December 17, 2020, and by the California Transportation Commission on March 24, 2021. The executed Agreement is dated July 1, 2021, and extends through July 1, 2046, unless sooner terminated or extended. The Agreement is expressly transferrable from NCRA to the GRTA at paragraph no. 23.

The County's application identified that approximately 3.2 miles of the Project is situated within NCRA's railroad corridor. The County is not relying on railbanking to secure right-of-way for the Project. A portion of the Project will be located on parcels owned in fee by GRTA, and where the Project is situated on parcels over which GRTA holds an easement for railroad purposes, the County has acquired ownership of the underlying property in fee simple. The trail will be a paved Class I bike path designed in accordance with Caltrans Highway Design Manual standards. The County's application highlighted specific design aspects at the Eureka Slough Bridge, the westerly and easterly approaches to the Eureka Slough Bridge, an approximately 6,000-foot section of damaged railroad between the Brainard mill site and Bracut Industrial Park, and the damaged railroad crossing at Brainard's Slough.

On the Eureka Slough Bridge, the trail will be situated directly on the bridge with the incorporation of flangeway fillers to allow cooperative use with speeders and heavy rail vehicles. Similarly, the trail will be situated directly on the rail prism along the approximately 100-foot westerly approach to the Eureka Slough bridge with the incorporation of flangeway fillers. For the approximately 1,500-foot easterly approach to the Eureka Slough bridge, the rail prism will be widened, and the trail will be situated adjacent to the rail alignment. For the section of damaged railroad between Brainard and Bracut, the Project will remove the rails and ties, raise the elevation of the rail prism approximately 1.5 to 2 feet, widen the rail prism, construct the trail parallel to and offset 10 feet from the rail alignment, and repair the shoreline armoring. At Brainard's Slough, the Project will remove railroad-related debris from the waterway, remove approximately 60 feet of rails and ties that are currently hanging in air, stabilize the ends of the rail prism, and construct a trail bridge parallel to and offset 10 feet from the rail alignment.

Where rails and ties are to be removed, the County of Humboldt has proposed that it will stockpile the salvageable portion of rails and ties within the Humboldt Bay region for potential future re-use within the Project area by others. The County proposes that materials that are not suitable for re-use will be removed and disposed of by the County without replacement.

The County of Humboldt is removing the rails and ties between Brainard and Bracut and at Brainard's Slough solely for the purpose of raising the elevation of the rail prism and repairing the rail corridor where it has been damaged by erosion, to protect the railroad and the inland area from flooding. The segment of the railroad between Brainard and Bracut is currently impassable for any rail vehicle, where large areas of ballast are absent, and the rail connections are severely corroded. The rail prism at Brainard's Slough has completely washed out.

The County's Project is not locating the trail on top of the railbed at these locations and leaves sufficient space whereby the railroad could reasonably be restored in the future by a railroad entity. Placement of the damaged rails and ties back in their former location between Brainard and Bracut without full rehabilitation of the line in those locations is not in the public interest because such placement would likely create a safety hazard and/or lead to a release of debris and hazardous materials into Humboldt Bay. It is further not in the interest of GRTA, because such replacements would not render the trackage useable, meaning that in order to actually run rail traffic, GRTA would need to again move the tracks and replace them in the process of rehabilitating the rail. Further, were GRTA to undertake a project to rehabilitate the line to serviceable condition, the work done by the County of Humboldt would itself be of significant value to that rehabilitation effort. It would not be reasonable to require, nor is it required via the lease agreement, that the County of Humboldt replace the damaged rail infrastructure as part of a trail project. Thus, the placement of the old rail and tie on their former location, while technically required by the lease, is not to the benefit of either party.

The County of Humboldt has gone to great lengths to design the Project for compatibility with future railroad use. Moreover, the County is making a significant investment to repair the railbed along the Humboldt Bay shoreline and improve railbed conditions to resist future flooding damage. Such improvements will help protect the railroad, Highway 101, the Humboldt Bay Trail, and inland properties from flooding. The County is not relying upon NCRA easements nor railbanking for right-of-way. The County's Project will not sever the rail line's connection with the interstate rail network and will not preclude future construction of the railroad within the Project area.

Based upon the forgoing, GRTA is prepared to accept the stockpiling the usable rails and ties in the local area for potential future re-use as substantial performance of the terms of the lease requiring the track and tie to be placed back in their former location.

Sincerely,



Mitch Stogner,
Executive Director

Exhibit 11

Humboldt County
Public Works Director
Tom Mattson
Subject; Bay Trail South Trestle Design

October 20, 2019

Dear Mr. Mattson,

The County Public Works invited various members of the Timber Heritage Association (THA) and myself representing Rail Runners Humboldt Bay to assist County staff in the installation and testing of flange way fillers at the Eureka slough trestle. We have been asked to provide input for the design phase of the Bay Trail as it pertains to the rail with trail section of the trestle. We appreciate being included during this stage of design. THA may supply a written response of their own.

As observed, the flange fillers did allow adequate depression for the heaviest speeder to pass over un-impeded. However, due to the specifications provided by Public Works staff and the test itself, my concern is that lighter weight speeders and peddle rail bikes would not be able to sustain adequate depression over the course of the 700 + foot span. This limitation may also affect THA's high railer and other maintenance of way vehicles. I am able to reach that determination because as tested, fully laden rail bikes became derailed during the test. Lighter weight speeders and human/gas powered maintenance vehicles are close to the weight of the laden rail bikes. Derailment of any type of rail vehicle is obviously not desirable and would be extremely dangerous.

I have provided Public Works staff optional manufactured material specifications that may be more suited for lighter rail vehicles. Further material testing for a variety of rail uses would seem to be in order during this important design phase.

Currently Rail Runners Humboldt Bay has a proposal submitted to the North Coast Rail Authority (NCRA) and is awaiting approval to permit a concession to provide rail biking to the public. This concept has received unanimous support from the NCRA Board, the County Board of Supervisors, the Harbor District, the THA and the City of Eureka.

It would also be valuable to point out that if rail ties and rail itself are to be removed and replaced a certified rail specialist would be required to reset the rail to established standards as I understand it. This is not a job that a typical contractor would be qualified to perform and would add considerable expense to the project. As discussed with county staff, placing wood rail ties on cement or other impermeable materials would cause excessive and premature decay of the rail ties. While cement and composite rail ties are available, they would also add considerable cost to the project.

Utilizing flange fillers such as those tested in the way proposed would also create considerable difficulty if the flange fillers became damaged and needed to be replaced. It would also make bicycle and wheel chair use dangerous until the flangeway fillers were replaced.

I would like for Public Works staff to confirm that the cantilevered trail option is indeed being considered equally during this design phase. This option would also allow for future development options of the rail for such things as public transit, excursion trains, etc. without impeding trail activity. This design has been successfully implemented in Santa Cruz over the San Lorenzo River and reportedly saved considerable costs while providing the desired safe pedestrian access.

It would be prudent to consider comparison cost analysis for both the draft proposal that includes a variety of flange fillers and disruption of the existing rail trestle alongside the cantilevered walk/bike way option that would be separated from but attached to the existing rail trestle.

Please include this response to the county's request for input into the administrative record associated with the Bay Trail South project.

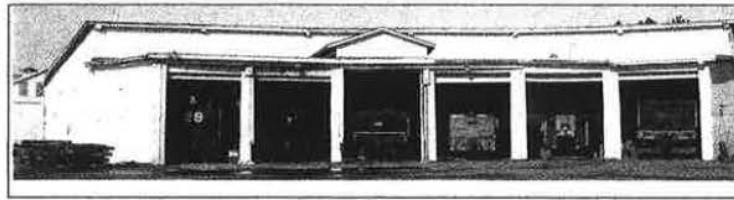
Thank you.

Uri Driscoll
Rail Runners Humboldt Bay

Cc. Humboldt County Board of Supervisors, Eureka City Council, Eureka Parks and Recreation, North Coast Rail Authority Board, Timber heritage Association, Humboldt Bay Harbor District, Senator McGuire.

Exhibit 12

OCT 30 2019



TIMBER HERITAGE ASSOCIATION

P.O. Box 6399, Eureka, California 95502

A Public Benefit 501(c)(3) Nonprofit Corporation

www.timberheritage.org

PUBLIC WORKS	
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Pete Oringer
Bruce L. Seivertson, Community
Outreach Liaison

October 28, 2019

Director Thomas K. Mattson
Humboldt County Public Works Department
1106 2nd Street
Eureka, CA 95501

Dear Mr. Mattson,

On September 5th and 6th the Timber Heritage Association (THA) assisted Humboldt County staff with installing and testing flange fillers on the Eureka slough bridge. Subsequently, THA was asked to provide input for the design phase of the Bay Trail as it pertains to the rail with trail section of the trestle. We appreciate being included and offer the following information.

Planning Committee

Bernie Christen
Ron Fritzsche
Pete Johnston
Michael Kellogg
Pete Oringer
Kathe Robinson
Rod Robinson
Renee Ross
Bruce L. Seivertson
Michelle D. Sievertson
Chris Warner-Young
David Young

Our observations noted the flange fillers did provide adequate depression for our heaviest speeder to pass over, but it was slowed considerably by the friction. However, due to the specifications provided, our concern is that lighter weight speeders, as well as the THA hi-rail truck and other maintenance vehicles, may not be able to sustain adequate depression over the course of the 700 + foot span. THA reached that determination because fully laden rail bikes became derailed during the test. Lighter weight speeders and human/gas powered maintenance vehicles are close to the weight of the laden rail bikes. Derailment of any type of rail vehicle is obviously not desirable. THA understands there are other manufactured materials that may be more suited for lighter rail vehicles which can and should be tested.

Additionally, speeder rallies which THA would host are very popular throughout the country and would be of great economic benefit to the community for a variety of reasons. We presume the County would not want to exclude any lighter vehicles from participating in an event by creating a derailment situation by design. Utilizing flange fillers such as those tested in the way proposed would also create considerable difficulty if the flange fillers would become damaged and need to be replaced.

THA has also obtained a small trolley, through the help of the Eureka Lodging Alliance, and a smaller speeder. We are in the process of making both fully operational for possible use on this section of rail including the trestle. Again, these pieces of equipment have the potential to create a positive impact on the local tourist activities. A recent survey presented by a Eureka hired consultant firm noted that family-friendly tourist activities could potentially grow 204% soon. Certainly, THA is a family-friendly nonprofit.

We also point out to the County staff that if rail ties and the rail itself are to be removed and replaced a certified rail specialist would be required to reset the rail to established standards. This is not a job that a typical contractor would be

qualified to perform and would add considerable expense to the project. As discussed with staff, placing wood rail ties on cement or other impermeable material would, in this wet climate, cause excessive and premature decay of the rail ties. While cement and composite rail ties are available, they would also add considerable cost to the project.

THA believes a cantilevered trail option, like the one being successfully used on the San Lorenzo River railroad bridge in Santa Cruz, should be equally considered. The Santa Cruz County Regional Transportation Commission is well on its way to providing a rail with trail from Watsonville to Davenport. The cantilevered option would also allow for future development of the rail for such things as public transit, excursion trains, etc. without impeding trail activity. Another possibility is the use of wood planks as they have done on the historic Riverwalk Trail in Astoria, Oregon. They have left the flangeways open, so the Astoria Riverfront Trolley operates while providing access to runners, walkers, and cyclists.

THA endorses a comparison cost analysis for both the draft proposal that includes flange fillers and disruption of the existing rail trestle along with the cantilevered walk/bike way option that would be separated from but attached to the existing rail trestle. In conclusion, THA recommends consideration of alternative designs that would accommodate a sufficient and broader range of options for the use of the rail as it relates to this trestle.

Sincerely,

A handwritten signature in cursive script that reads "Bruce L. Seivertson". The ink is dark and the signature is fluid, with a large initial 'B'.

Bruce L. Seivertson, Ph.D.
Community Outreach Liaison
Timber Heritage Association

Cc: Humboldt County Board of Supervisors, HCOAG, Greg Sparks and Miles Slattery: City of Eureka, NCRA, Larry Oetker: Humboldt Bay Harbor Recreation and Conservation District, Senator Mike McGuire, Representative Jim Woods, Governor Gavin Newsom

Exhibit 13

LATEST HEADLINES

North Coast almost beats back ‘toxic coal train,’ but company submits late filing



North Coast State Sen. Mike McGuire shares at a virtual town hall on Wednesday night that the region successfully beat back attempts by a shadowy corporation to transport coal from the Midwest to Humboldt Bay for transport to Asia. McGuire has been leading the charge to convert the 300 miles of rail line the corporation was seeking to take over into the Great Redwood Trail. (Screenshot)

By **SONIA WARAICH** | swaraich@times-standard.com | Eureka Times-Standard

PUBLISHED: June 1, 2022 at 8:32 p.m. | UPDATED: June 2, 2022 at 3:30 p.m.

Editor's note: This story was updated from a previous version published Wednesday night.

It appeared the North Coast no longer had to worry about a shadowy corporation's proposal to poach rail line fated to be converted into the Great Redwood Trail in order to use the tracks to transport coal to Asia via Humboldt Bay. However, the company filed a late offer to do just that.

North Coast State Sen. Mike McGuire announced at a virtual town hall Wednesday night that the North Coast Railroad Company failed to submit an offer for financial assistance by the Surface Transportation Board's deadline, which would have amounted to an offer to acquire the roughly 300 miles of tracks from Marin County to Humboldt County.

"We've stopped the toxic coal train," McGuire said. "Thanks to your hard work, your organizing, your mobilizing — the big coal interest from Montana, Wyoming and Utah did not submit an application to move a toxic coal train forward on the North Coast. This is the biggest victory that the Great Redwood Trail has seen yet, but what we also know is that the best is yet to come."

However, the North Coast Railroad Company submitted its offer for the rail line late Tuesday, showing it has about \$15.7 million in the bank intended to demonstrate its financial ability to acquire the line.

"As the STB was set to continue its consideration for the North Coast Rail Authority's railbank and the future of the Great Redwood Trail, a company that has been reported to have links to shadowy Wyoming coal interests came in after the buzzer to once again push a toxic coal train through the North Coast," U.S. Rep. Jared Huffman (D-San Rafael) said in a statement. "Their late application should disqualify them for further consideration. If not, the coalition of community opposition and their lack of transparency certainly will. I will continue working with Rep. Thompson, State Senator Mike McGuire, and our many community and agency partners in ensuring this project doesn't move any further."

The Great Redwood Trail would extend 320 miles from Marin County in the San Francisco Bay Area to the Samoa peninsula in Humboldt County once constructed. The trail's construction requires being able to railbank the rail lines, a process that was established in 1983 through an amendment to the National Trails System Act that allowed the lines to be converted to trails until the time rail service was able to resume.

The North Coast Railroad Company presents a challenge to the Great Redwood Trail Agency, formerly the North Coast Railroad Authority, which has been working on railbanking the line after the cost of restoring and running it proved to be unwieldy, in the billions of dollars.

As a result, the federal government embargoed the rail line in question because of landslides in the Eel River Canyon, said Caryl Hart, chair of the Great Redwood Trail Agency.

"There's been no activity on this line for 20 years," Hart said.

The other obstacle standing in the way of the Great Redwood Trail is the Mendocino Railway, which operates the Skunk Train and wants to use about 12 miles of the line to transport scrap or gravel.



The Great Redwood Trail will rehabilitate approximately 300 miles of unused railroad line into hiking trails. (Will Houston/The Times-Standard file)

“I do have some concerns with this potential application to be able to bring gravel from around Outlet Creek south,” McGuire said. “No. 1, it’s going to create this huge hole right in the heart of the Great Redwood Trail. No. 2, we know that this plan to upgrade the rail — along with fixing the trestles, the tracks, the bridges, along with all the rest of the rail infrastructure — it’s going to cost tens of millions of dollars to do.”

In contrast, McGuire said the cost to put dirt and gravel onto the rail and convert it into the Great Redwood Trail would be \$12,000 to \$15,000 per mile.

Hart said she didn’t think Mendocino Railway’s bid would succeed since the company would need to show there was a significant and immediate commercial need for rail service on the line.

“So one of the things that’s going to have to be shown here is that there is an immediate and significant commercial need to take gravel that has come out of Outlet Creek and bring it 13 miles down to Willits right along Highway 101,” Hart said. “So I think that’s going to be an interesting conversation.”

Sonia Waraich can be reached at 707-441-0504.

Tags: [Newsletter](#)

Sonia Waraich | Reporter



Sonia Waraich can be reached
at 707-441-0504.

swaraich@times-standard.com

Join the Conversation

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Exhibit 14

Business Account Authorization and**Agreement Form**SEEKER ENTERPRISES LLC
1578 FICKLE HILL RD
ARCATA, CA 95521-0000Date: 09/27/2021
Account Number: [REDACTED]
Financial Advisor Number: 436794
Branch Number: 69470
Destination: New Accounts
Scan Title: Business Account Authorization
Authorization ID: [REDACTED]**Certification - Substitute Form W-9.** By signing below, I certify under penalties of perjury unless otherwise indicated that:

- The taxpayer identification number below is my correct taxpayer identification number (or I am waiting for a number to be issued to me).
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.

☐ **You must check this box if you have been notified by the IRS that you are subject to backup withholding.**

- I am a U.S. citizen (including a U.S. resident alien).
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.*

* FATCA codes are only applicable to accounts maintained outside of the U.S.

87-1881398

Social Security Number/Tax Identification Number

Seeker Enterprises LLC

Print Individual's Name or Entity Name as registered w/ IRS

Business Address for Entity (No P.O. Boxes)

1578 Fickle Hill Rd Arcata, CA 95521

Legal Structure Identification. Check appropriate box for federal tax classification (required):

- ☐ Individual/Sole Proprietor ☐ C Corporation ☐ S Corporation ☐ Partnership
☐ Unincorporated Association ☐ Statutory Trust

Limited Liability Company Selections:

- ☐ LLC - C Corporation ☐ LLC - S Corporation ☒ LLC - Partnership ☐ LLC - Disregarded Entity

Municipal Account Identification.

- ☐ Yes ☒ No Is this a municipal account, a publicly funded account, or an account controlled by any state/federal statute?

Certification of Beneficial Owner(s). Persons opening an account on behalf of a legal entity, except for an Individual/Sole Proprietor or Unincorporated Association, must provide:

- The following information for each individual, if any, who, directly or indirectly, through any contract, agreement, understanding, relationship or otherwise, owns 25 percent or more of the equity interests of the legal entity listed above.

Name	Date of Birth	Residential Address	Social Security Number
CHRISTINE MARIA DRISCOLL	[REDACTED]	1578 FICKLE HILL RD ARCATA, CA 95521-9054	[REDACTED]
Francis D Driscoll	[REDACTED]	1578 FICKLE HILL RD ARCATA, CA 95521-9054	[REDACTED]

(If no individuals meet this definition, please write "Not Applicable".)



USSGLAUTHBUS94724252M21092716027----

2. The following information for one individual with significant responsibility for managing the legal entity listed above, such as:
- Any executive officer or senior manager (e.g., Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President, Treasurer); or
 - Any other individual who regularly performs similar functions.

Name	Business Title	Date of Birth	Residential Address	Social Security Number
CHRISTINE MARIA DRISCOLL	Other		1578 FICKLE HILL RD ARCATA, CA 95521-9054	

(If appropriate, an individual listed under section 1 above may also be listed in this section (2))

Account Authorization. By signing below:

- I acknowledge that I have received, read and understand the Edward Jones Account Agreement and agree to its terms, and have received the Schedule of Fees, Margin Disclosure Statement and Statement of Credit Terms, Privacy Notice, Revenue Sharing Disclosure, Confirmation of Electronic Delivery, and, if applicable, the Edward Jones Select Client Profile. I understand that this document allows my financial advisor to accept my verbal instructions to initiate and/or terminate the services described. I further acknowledge I have received the Client Relationship Summary and Important Information About Our Brokerage Services prior to, or at the time of, receipt of any recommendation.
- I understand that the margin loan features of my account may include the following services, depending on my account type: Overdraft Protection, Write Your Own Loan and personal Line of Credit. I can decline to have these services and any loan features associated with my account by checking the box below.
☐ I decline to have any margin loan features associated with my account.
- I hereby certify that (1) the undersigned is the duly authorized representative(s) of the legal entity named above (the "Client"); (2) the Client is in good standing and authorized to conduct business under applicable state law; (3) the organizing documents, agreements, and applicable laws governing the activities of the Client allow the establishment and maintenance of this account; and (4) to the best of my knowledge all of the information provided above is complete and correct.
- I agree to promptly notify Edward Jones if any of the certifications provided herein become inaccurate or incomplete to the best of my knowledge.
- I understand that the IRS does not require my consent to any provision of this document other than the certification required to avoid backup withholding.

**Must Read
and Select**

X

I acknowledge I have received, read and understand the Edward Jones Account Agreement and agree to its terms, and have received, read and understand the Schedule of Fees, Margin Disclosure Statement and Statement of Credit Terms, Privacy Notice, Revenue Sharing Disclosure, Confirmation of Electronic Delivery, and, if applicable, the Edward Jones Select Client Profile. I further acknowledge I have received the Client Relationship Summary and Important Information About Our Brokerage Services prior to, or at the time of, receipt of any recommendation.

I ACKNOWLEDGE THAT THE EDWARD JONES ACCOUNT AGREEMENT CONTAINS ON PAGE 7 IN SECTION VIII, A BINDING ARBITRATION PROVISION WHICH MAY BE ENFORCED BY THE PARTIES.

Signature and capacity of authorized person(s) (Note: All officers, members, partners, and authorized persons must sign below):

CHRISTINE MARIA DRISCOLL

Signature

Christine Maria Driscoll

Printed Name

Francis D Driscoll

Signature

Francis D. Driscoll

Printed Name

Authorized Person

Capacity

chrisdri@comcast.net

Email Address

Authorized Person

Capacity

humboldthorse@yahoo.com

Email Address

9/30/2021

Date

☐ Elects not to be authorized

10/4/2021

Date

☐ Elects not to be authorized

Account Activity | Edward Jones Online Access

All Investment Activity

As of June 7, 2022 at 4:10:58 PM CDT

Available Balance for Seeker Enterprises : \$25,000.00

Date	Activity	Description	Quantity	Price	Amount
06-07-2022	Received Wired Funds	REF# 004294	0		\$25,000.00

06-07-2022

As of June 7, 2022 at 4:14:22 PM CDT

Edward Jones®

Edward Jones Online Access - Summary

None of the information provided is intended to replace official account statements.

Holdings for Seeker Enterprises

Current Account Value	Account value one year ago	Net Change
\$25,000.00	\$0.00	\$25,000.00

Cash

Description	Current Yield / Rate	Available	Current	Performance Time Frame	Return	Annualized Return	Cost Basis	Unrealized Gain/Loss
Cash	—	\$25,000.00	\$25,000.00	—	—	—	—	—
Total:		\$25,000.00	\$25,000.00					

Total: \$25,000.00

Member SIPC. The information provided in this document can include assets held at Edward Jones and other institutions. Edward Jones does not verify the value, ownership or SIPC coverage of all assets held at other institutions. None of the information provided in this document is intended to replace official documents such as transaction confirmations and account statements from any institution. Explanations about the calculations and presentation of information, as well as additional important disclosures, can be found at edwardjones.com/en_US/disclosures/online_account/display_account_info/index.html.

Exhibit 15

Transaction record

Type

Wire

Account

Brokerage - 1677

Date posted

05/27/2022

Amount

\$20,000.00

Description

WIRE OUT

Category (optional) ⓘ

Select a category to assign

Memo (Optional)

Transfer to Seeker Enterprises LLC for Humboldt Bay rail acquisition

Maximum 100 characters

Transaction record

Type

Wire

Account

Brokerage - 1677

Date posted

05/31/2022

Amount

\$20,000.00

Description

INWIRE-20220527B1QGC02C009845
REFID:20220527B1QGC02C009845;

Category (optional) ⓘ

Select a category to assign

Memo (Optional)

Wire transfer to Seeker Enterprises LLC bounce back

Maximum 100 characters