

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

www.dnr.mo.gov

APR 17 2015

Ms. Sandra Brown
Thompson Hine, LLP
1919 M Street, N.W., Suite 700
Washington, DC 20036-1600

RE: STB Docket No. AB-1068 (Sub-No. 3X), Missouri Central Railroad Company -
Abandonment Exemption

Dear Ms. Brown:

The Missouri Department of Natural Resources' Water Protection Program has received your letter dated March 25, 2015, regarding the Missouri Central Railroad Company's proposed abandonment of approximately 144 miles of rail line in western Missouri. The project area will be limited to the previously disturbed linear corridor of a railroad right-of-way that is approximately 100 feet wide and crosses through Cass, Pettis, Benton, Morgan, Miller, Cole, Osage, Maries, Gasconade and Franklin Counties, Missouri.

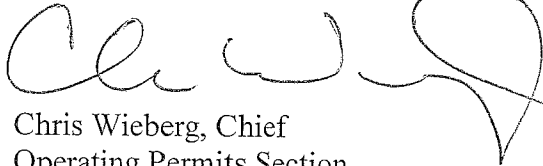
After review, it has been determined that a National Pollutant Discharge Elimination System Permit would not be required for the land disturbance activities that have been proposed. Missouri Regulation 10 CSR 20-6.200(1)(B) 9 states, "Mowing, brush hog clearing, tree cutting, or similar activities which do not grade, dig, excavate, or otherwise remove or kill the surface growth and root system of the ground cover" are exempt from stormwater permit regulations. If the project is to include activities that will remove or kill the root system of ground cover, a permit is likely required. This concurrence of exemption does not allow water quality violations of the General Criteria listed in Missouri Regulation 10 CSR 20-7.031(4).

In the event that water quality violations do occur, the Department has the right to require a permit under Missouri Regulation 20-6.200(B). Furthermore this determination only covers areas within the 100 foot wide area identified in the request. Projects such as farm road relocation or other construction activities, outside the 100 foot width may require a permit if ground cover root system are proposed to be killed or removed.

Thank you for your letter regarding this proposed project and your concern about the environment. If you have any questions about this letter, please contact Mr. Christopher Miller of my staff by phone at (573) 526-3337, by e-mail at christopher.miller@dnr.mo.gov, or by mail at the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176.

Sincerely,

WATER PROTECTION PROGRAM

A handwritten signature in black ink, appearing to read 'Chris Wieberg', written over the printed name.

Chris Wieberg, Chief
Operating Permits Section

CW/cmp