

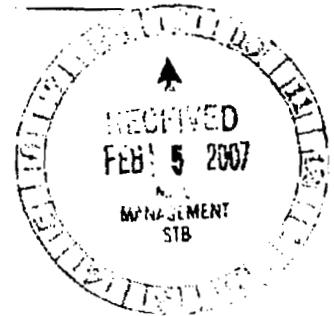
CHARLES H. MONTANGE

ATTORNEY AT LAW

426 NW 162ND STREET
SEATTLE, WASHINGTON 98177

(206) 546-1936
FAX: (206) 546-3739

3 February 2007



RECEIVED
FEB 5 2007
FILED
FEB 5 2007

Hon. Vernon Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20036

Motive Rail d/b/a Missouri North Central
Railroad -- Discontinuance Exemption --
-- Livingston, Linn and Chariton
Counties, Missouri

) AB 993X

Chillicothe-Brunswick Rail Maintenance
Authority -- Discontinuance Exemption --
-- Livingston, Linn and Chariton
Counties, Missouri

AB 1001X

218576

Filing of two notices per 49 C.F.R. § 1152.50
Two filing fees enclosed

Dear Mr. Secretary:

Enclosed for filing please find the original and ten
copies of notices of exemption under 49 C.F.R. § 1152.50 for
discontinuance of rail service obligations (operating rights) by
two rail carriers over portions of a railroad line owned by the
City of Chillicothe, Missouri. Both notices are filed with the
support of the City of Chillicothe.

Enclosed please find two checks for the respective
filing fees.

FEE RECEIVED
FEB 5 - 2007
SURFACE
TRANSPORTATION BOARD

Respectfully submitted,

Charles H. Montange
for Motive Rail and
Chillicothe Brunswick Rail
Maintenance Authority

Encls.

cc. Motive Rail
CBRA
City (all w/encls.)

FILED
FEB 5 - 2007
SURFACE
TRANSPORTATION BOARD

BEFORE THE SURFACE TRANSPORTATION BOARD

Chillicothe-Brunswick Rail Maintenance)
Authority -- Discontinuance Exemption --) AB 1001X
Livingston, Linn and Chariton Counties, MO)

NOTICE OF EXEMPTION

Chillicothe-Brunswick Rail Maintenance Authority ("CBRA") submits this verified Notice of Exemption pursuant to 49 C.F.R. 1152, Subpart F -- Exempt Abandonments, for an exempt discontinuance of rail service (operating rights) over the railroad line currently owned by City of Chillicothe (MO) from Milepost 226 (in Chillicothe) to Milepost 188.56 (Kelly, near Brunswick), a distance of approximately 37.44 miles in Livingston, Linn and Chariton Counties, MO.¹

¹ Motive Rail d/b/a Missouri North Central Railroad ("Motive Rail" or "MNCR"), and Chillicothe Brunswick Rail Maintenance Authority ("CBRA") both have operating rights authorized by the Surface Transportation Board (STB) or its predecessor (the Interstate Commerce Commission or ICC) over rail property currently owned by City of Chillicothe ("City").

The City's property is the southernmost portion (MP 226.0 at Chillicothe to MP 188.56 at "Kelly" near Brunswick) of the former "Omaha Branch" of the former Wabash Railroad. ICC authorized abandonment of the entire Omaha Branch in 1983. See Norfolk & Western Railway Co. et al. -- Abandonment, etc. -- in Chariton et al Counties, AB 10 (Sub-no. 27), served Dec. 14, 1983.

City's predecessor in interest, Green Hills Rural Development, Inc. ("Green Hills" or "GH"), acquired MP 226.0 to MP 188.56 in a transaction that ICC ruled did not fall within ICC's jurisdiction. (Green Hills did not acquire the line to provide common carrier operations itself.) Green Hills Rural Development, Inc. and Chillicothe Southern Railroad Co.-- Exemption from 49 U.S.C. § 10901, et al., F.D. 30657, served Jan. 10, 1986 (dismissing GH's petition for exemption for acquisition).

GH originally arranged for Northern Missouri Railroad Company (NMR) to lease the line should GH purchase it, but NMR assigned its rights to Chillicothe Southern Railroad (CSR). The aforementioned decision in F.D. 30657 granted the petition for

Proposed Consummation Date (49 C.F.R. § 1152.40(d)(2))

The discontinuance is proposed to be consummated on or after March 27, 2007, or fifty days after filing the Notice of Exemption, whichever date occurs later.

exemption for the CSR lease and operating authority, and in a related case (AB 252X) discussed in the same opinion, ICC authorized a discontinuance of NMR's obligations.

CSR subsequently assigned its lease rights to Chillicothe-Brunswick Rail Maintenance Authority (CBR), in a transaction authorized by ICC in Chillicothe-Brunswick Rail Maintenance Authority -- Lease and Operation Exemption -- Green Hills Rural Development, Inc., F.D. 34902, served Jan. 23, 1987 for service over 37.6 miles of line from Kelly (MP 188.56) to Chillicothe (MP 226.2) (the decision also authorized a lease directly between CBRA and GH).

By deed issued December 31, 2003, Green Hills transferred its interests to the City. City did not acquire Green Hills' property with an intent to provide common carrier services. Accordingly, STB authorization was neither sought nor required for this transfer. City continued to lease the property to CBRA on a month to month basis through April of 2004. The last CBRA service on any of the City's property was no later than April 2004. At that time, City entered into a lease with Motive Rail to provide common carrier services on the property. Motive Rail received STB authority to operate the property from MP 226 (Chillicothe) to MP 188.7 (northwest of Kelly). Motive Rail d/b/a MNCR -- Lease Exemption -- City of Chillicothe, MO, F.D. 34500, served May 13, 2004. Due to lack of demand, flood events, wash-outs, and poor track conditions, the last service which Motive Rail provided over the line from MP 188.56 (Kelly) to MP 218.25 (Norville) was August 2004. At that time, a major derailment occurred.

At this time, it is CBRA's understanding that Motive Rail intends to continue to provide rail service over the portion of the rail line from MP 226 (Chillicothe) to MP 218.25 (Norville). In a proceeding (AB 993X) filed coterminously with this proceeding (AB 1001X), Motive Rail seeks to discontinue all its operating authority and common carrier obligations from MP 188.7 to MP 218.25. The effect of AB 993X and AB 1001X in combination will be to terminate all common carrier obligations/service obligations over City of Chillicothe's portion of the former Omaha Branch between MP 188.56 and MP 218.25.

Note: The operating authority authorized by ICC to CBRA in F.D. 30902 applied for MP 226.2 (Chillicothe) to MP 188.56. Since Green Hills apparently acquired from MP 226 in Chillicothe to MP 188.56, CBRA will use the milepost designation MP 226 for the Chillicothe endpoint as opposed to MP 226.2.

Certification (49 C.F.R. § 1152.50(b))

Motive Rail certifies that no local traffic has moved over the line from MP 218.25 to MP 188.7 for at least two years and that no formal complaint filed by a user of rail service on the railroad line owned by the City of Chillicothe (or filed by a state or local governmental entity on behalf of such user) regarding cessation of service over the line either is pending with this Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period. CBRA further certifies that there is no overhead traffic on the line.

Information required by 49 C.F.R. § 1152.22(a)(1)-(4), (7), (8) and (e)(4)

(a) General:

(a)(1): The name of the railroad is Chillicothe-Brunswick Rail Maintenance Authority ("CBRA").

(a)(2): CBRA is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, chapter 105.

(a)(3): City of Chillicothe (City) owns the railroad line from MP 226 (in Chillicothe) to MP 188.7 (near Kelly) and certain rights from MP 188.56 to MP 188.7, as successor to Green Hills Rural Development, Inc. (GH). Per note 1, neither GH nor City was/is a common carrier. CBRA provided rail service on the line for a few months after City's acquisition from GH. In April of 2004, City entered into an agreement with Motive Rail whereby Motive Rail operated a railroad over the City's property. Motive Rail obtained operational authority from this Board for that purpose pursuant to Finance Docket 34500, served

May 13, 2004. CBRA's contract with the City terminated, and CBRA has not provided rail service over the line since April 2004. CBRA does not own any of the right of way or fixtures such as track or ties on the right of way.

CBRA accordingly seeks authority to discontinue rail service (terminate its operating rights) over the entire line from MP 226 (Chillicothe) to MP 188.56 (Kelly near Brunswick) in Livingston, Linn and Chariton Counties, MO.

(a)(4): A map showing the line at issue in this proceeding and its connection to the national rail system is attached hereto as Exhibit A.

(a)(7): The representative to whom correspondence concerning this abandonment should be sent is:

Charles H. Montange
426 NW 162d St.
Seattle, WA 98177
(206)546-1936
fax: -3739

(a)(8): The line traverses U.S. Postal Service Zip Codes 64601, 64681, 65286, 65236, 64659, and 64643.

(e)(4) Rural and community impact. The railroad line is potentially suitable for use for other public purposes, including specifically use as a trail.

Labor Protection

The interest of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co.-- Abandonment -- Goshen, 360 ICC 91 (1979).

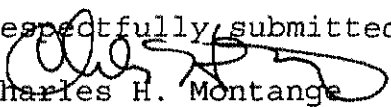
Certifications

Attached hereto as Exhibit B and hereby made a part hereof are Certificates of Service and Publication pursuant to the notice requirements of 49 C.F.R. §§ 1152.50(d)(1), 1105.11, and 1105.12.

Environmental and Historic Report

A copy of the transmittal letter for the Environmental and Historic Report, the Report, and all responses received to date,² is attached as Exhibit C and made a part hereof.

Respectfully submitted,


Charles H. Montange
426 NW 162d St.
Seattle, WA 98177
(206) 546-1936
Counsel for CBRA

Verification

Exhibit A -- Map
Exhibit B -- Certifications and Newspaper Notice
Exhibit C -- ER/HR notification, ER/HR, and Comments to Date

cc. Chillicothe-Brunswick Rail Maintenance Authority
Att: Mr. Robert Cowherd
Chapman, Cowherd, Turner & Tschannen
P.O. Box 228
Chillicothe, MO 64601

² Because the line involved in this proceeding (AB 993X) is a part of the line involved in AB 1001X, the same ER/HR has been prepared for both proceedings, in order to avoid confusion and duplication.

Verification

State of Missouri)
) ss
County of Livingston)

I, Robert Cowherd, secretary-treasurer of Chillicothe-Brunswick Rail Maintenance Authority (CBRA), hereby declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of CBRA. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, I know that these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2000 or imprisonment up to five years for each offense.

Robert Cowherd

Subscribed and sworn to
before me this 24 day of
January, 2007.

Nancy R. Mitchell
Notary public

My commission expires: _____

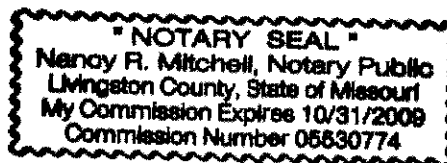


Exhibit A

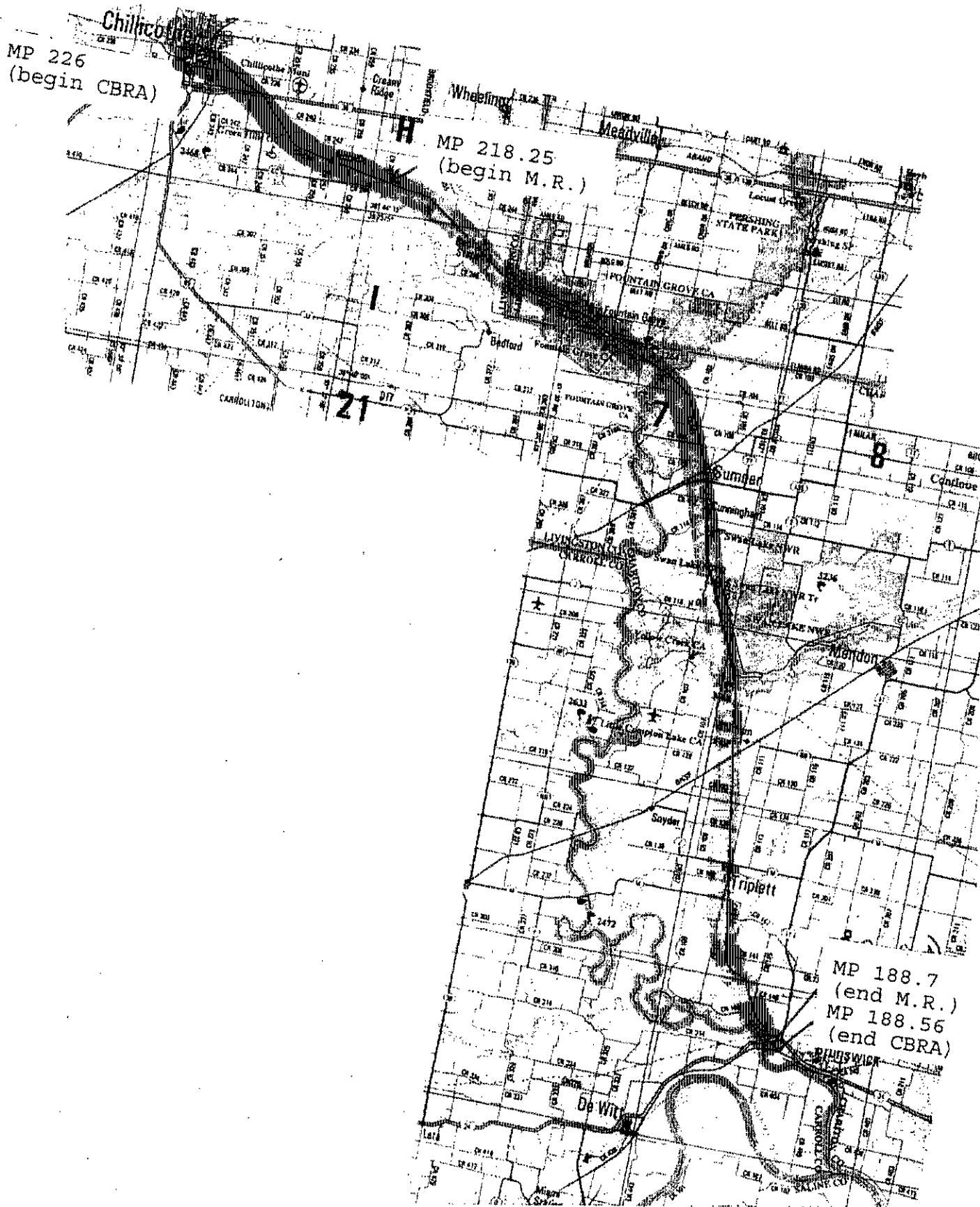
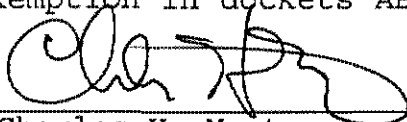


Exhibit B

Certificate of Service
for Notice Required by 49 C.F.R. § 1152.50(d)(1)

I hereby certify that I caused the following letter dated 19 January 2007 and captioned, inter alia, "NOTICE pursuant to 49 C.F.R. § 1152.50(d)" to be served as required by that regulation by US Mail, postage pre-paid first class, upon the addressees set forth in that letter in compliance with the aforementioned regulation on 19 January 2007, at least ten days prior to filing the notices of exemption in dockets AB 993X and AB 1001X.


Charles H. Montange

CHARLES H. MONTANGE

ATTORNEY AT LAW

426 NW 162ND STREET

SEATTLE, WASHINGTON 98177

(206) 546-1936

FAX: (206) 546-3739

19 January 2007

Rail Section
Missouri Department of Transportation
2217 St. Mary's Blvd.
PO Box 270
Jefferson City, MO 65102

Missouri Public Service Commission
Attn: Executive Director
Governor Office Bldg.
200 Madison St.
PO Box 360
Jefferson City, MO 65102

Department of Defense (Military Traffic Management Command,
Transportation Engineering Agency, Railroads for National
Defense Program) at Military Traffic Management Command,
MTMCTEA

Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

The National Park Service,
Recreation Resources Assistance Division,
P.O. Box 37127
Washington, D.C. 20013-7127

The U.S. Department of Agriculture
Chief of the Forest Service,
4th Floor, NW, Auditors' Bldg.,
14th St. and Independence Ave., S.W.,
Washington, D.C. 20250

Re: NOTICE pursuant to 49 C.F.R. § 1152.50(d)

Motive Rail d/b/a Missouri North Central
Railroad -- Discontinuance Exemption -- Livingston,
Linn and Chariton Counties, Missouri,
STB Docket AB 993X

Chillicothe-Brunswick Rail Maintenance Authority--
Discontinuance Exemption -- Livingston, Linn and
Chariton Counties, Missouri, STB Docket AB 1001X

Dear Sir or Madam:

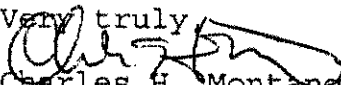
Please take notice that Chillicothe Brunswick Rail Maintenance Authority (CBR) expects to file a Notice of Exemption for rail service (operating rights) discontinuance with the Surface Transportation Board (STB) pursuant to 49 CFR 1152 Subpart F (abandonment exemptions) over the railroad line from railroad milepost 226 near Chillicothe to railroad milepost 188.56 (at "Kelly" near Brunswick), a distance of approximately 37.44 miles in Livingston, Linn and Chariton Counties, MO, including property in United States Postal Zip Codes 64601, 64681, 65286, 65236, 64659, and 64643. The proceeding will be docketed as No. AB 1001X. The pertinent procedures are further detailed in 49 C.F.R. § 1152.50, and in the Surface Transportation Board's environmental regulations found in 49 C.F.R. 1105. Please be aware that stringent deadlines for comments apply.

Please also take notice that Motive Rail d/b/a Missouri North Central Railroad expects to file a Notice of Exemption for rail service (operating rights) discontinuance with the Surface Transportation Board (STB) pursuant to 49 CFR 1152 Subpart F (abandonment exemptions) over the railroad line from railroad milepost 218.25 (near Norwood) to railroad milepost 188.7 (near "Kelly" near Brunswick), a distance of approximately 29.55 miles in Livingston, Linn and Chariton Counties, MO, including property in United States Postal Zip Codes 64601, 64681, 65286, 65236, 64659, and 64643. The proceeding will be docketed as No. AB 993X. Again, the pertinent procedures are further detailed in 49 C.F.R. § 1152.50, and in the Surface Transportation Board's environmental regulations found in 49 C.F.R. 1105. Please also be aware that stringent deadlines for comments apply.

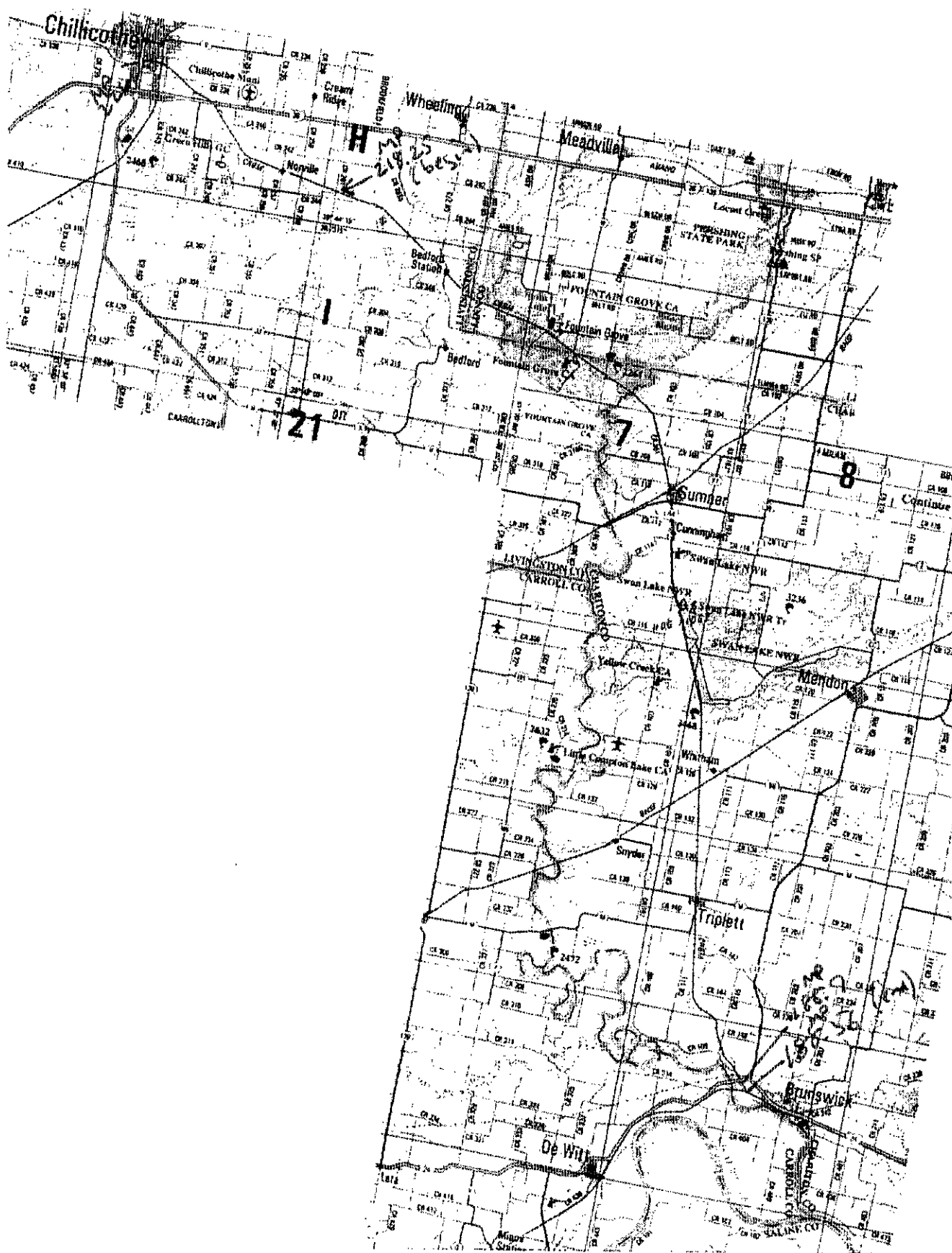
For your convenience a map showing the end points of the proposed abandonment is attached.

CBR and Motive Rail currently expect that they will file their Notices of Exemption with the Surface Transportation Board on or about February 5, 2007.

Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it. Please get in touch with the undersigned (address and telephone number on the letterhead) should you wish further information.

Very truly

Charles H. Montange
for CBR and Motive Rail

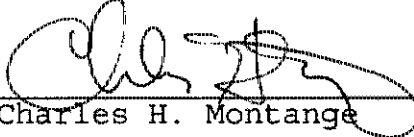
Att.



Certificate of Compliance
with 49 C.F.R. §§ 1105.11 and 1105.12

I hereby certify that I caused copies of (i) a transmittal letter in compliance with 49 C.F.R. § 1105.11 and (ii) the ER/HR prepared for Chillicothe Brunswick Railroad Maintenance Authority (CBRA) and Motive Rail to be served by U.S. Mail, postage pre-paid, first class (priority), on December 23, 2006, on all individuals and entities identified in 49 C.F.R. § 1105.7 and the Missouri state historic preservation officer (SHPO); that copies of the transmittal letter and ER/HR are attached in Exhibit C; and that a specific list of individuals or entities served is set forth in Exhibit B to the ER/HR.

I also hereby certify that newspaper notice as provided in 49 C.F.R. § 1105.12 was published in a newspaper of general circulation in each of the three counties (Linn, Chariton and Livingston, in Missouri) traversed by the railroad pertaining to dockets AB 993X and AB 1001X; that such newspaper notice complied with the format set forth in section 1105.12; and that such notice was published in all three counties in advance of the date of filing of the notices of exemption in AB 993X and AB 1001X. Copies of affidavits of publication from the three newspapers are included as part of this Exhibit B.


Charles H. Montange



Public Notices

"BECAUSE THE PEOPLE MUST KNOW"

Notice of Intent To Discontinue Rail Service

Chillicothe Brunswick Rail Maintenance Authority (CBR) hereby gives notice that on or after February 3, 2007, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a notice of exemption under 49 CFR 1152 Subpart F -- Exempt Abandonments, permitting the discontinuance of service on a 37.44 mile line of railroad between railroad milepost 226 near Chillicothe and railroad milepost 188.56 near Kelly near Naches which traverses through United States Postal Service Zip Codes 64601, 64681, 65286, 65236, 64659 and 64643 in Livingston, Linn and Chariton Counties, Missouri. The proceeding will be docketed as No. AB 1001X.

Motive Rail d/b/a Missouri North Central Railroad hereby gives notice that on or after February 3, 2007, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a notice of exemption under 49 CFR 1152 Subpart F-- Exempt Abandonments, permitting the discontinuance of service on a 29.55 mile line of railroad between railroad milepost 218.25 near Norwood and railroad milepost 188.56 near Kelly which traverses through United States Postal Service Zip Codes 64601, 64681, 65286, 65236, 64659, and 64643 in Livingston, Linn and Chariton Counties, Missouri. The proceeding will be docketed as No. AB 993X.

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, D.C. 20423 or by calling SEA at 202-565-6211.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K St., N.W., Washington, D.C. 20423 [See 49 C.F.R. 1104.1 (a) and 1104.3 (a)], and one copy must be served on applicants' representative [See 49 C.F.R. 1104.12 (a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Charles H. Montange, 426 NW 162d St., Seattle, WA 98177.

Published: LCL 1/22/07

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI } ss.
County of Livingston

Notice of intent to
Discontinue Rail Service

Chillicothe, Brunswick Rail Maintenance Authority (CBRA) hereby gives notice that on or after February 3, 2007, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a notice of exemption under 49 CFR 1152 Subpart F, Exempt Abandonments, permitting the discontinuance of service on a 37.44 mile line of railroad between railroad milepost 226 (near Chillicothe and railroad milepost 188.56 near Kelly near Naches which traverses through United States Postal Service Zip Codes 64601, 64601, 65286, 65236, 64659, and 64643 in Livingston, Linn and Chilton Counties, Missouri. The proceeding will be docketed as No. AB 1001X.

Active Rail d/b/a Missouri North Central Railroad hereby gives notice that on or after February 3, 2007, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a notice of exemption under 49 CFR 1152 Subpart F, Exempt Abandonments, permitting the discontinuance of service on a 29.55 mile line for railroad between railroad milepost 218.25 near Norwood and railroad milepost 188.56 near Kelly which traverses through United States Postal Service Zip Code 64601, 64601, 65286, 65236, 64659, and 64643 in Livingston, Linn and Chilton Counties, Missouri. The proceeding will be docketed as No. AB 993X.

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, D.C. 20423 or by calling SEA at 202-565-6211.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use, conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K St., N.W., Washington, D.C. 20423 [See 49 C.F.R. 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 C.F.R. 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-1582. Copies of any comments or requests for conditions should be served on the applicant's representative: Charles H. Montange, 426 NW 152d St., Seattle, WA 98177.

Publish: January 19, 2007.

I, Rod Dixon being duly sworn according to law,

state that I am the publisher of the CONSTITUTION-TRIBUNE, a daily newspaper of general publication in the county of Livingston where located; which has been admitted to the Post Office as second-class matter in the City of Chillicothe, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050 Revised Statutes of Missouri, 1949. The affixed notice appeared in said newspaper on the following consecutive weeks (issues).

From January 19, 20 07 to January 19, 20 07 both inclusive.

First Insertion	January 19	20 07	No.	Volume
Second Insertion			No.	Volume
Third Insertion			No.	Volume
Fourth Insertion			No.	Volume
Fifth Insertion			No.	Volume
Sixth Insertion			No.	Volume

Paul A. Jones, Publisher

Subscribed and sworn to before me this 19 day of January, 20 07

My commission expires 25 day of May, 20 09

Filed and Recorded this 19 day of January, 20 07

Printer's Fee: \$ 88.80

Date Paid January 19, 2007

By Connie Sue Jones

CONNIE SUE JONES
Notary Public - Notary Seal
State of Missouri
Livingston County
My Commission Expires: 5/25/2009
Commission# 05555606

NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

Chillicothe Brunswick Rail Maintenance Authority (CBR) hereby gives notice that on or after February 3, 2007, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a notice of exemption under 49 CFR 1152 Subpart F -- Exempt Abandonments, permitting the discontinuance of service on a 37.44 mile line of railroad between railroad milepost 226 near Chillicothe and railroad milepost 188.56 near Kelly near Naches which traverses through United States Postal Service Zip Codes 64601, 64681, 65286, 65236, 64659, and 64643 in Livingston, Linn and Chariton Counties, Missouri. The proceeding will be docketed as No. AB 1001X.

Motive Rail d/b/a Missouri North Central Railroad hereby gives notice that on or after February 3, 2007, it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a notice of exemption under 49 CFR 1152 Subpart F -- Exempt Abandonments, permitting the discontinuance of service on a 29.55 mile line of railroad between railroad milepost 218.25 near Norwood and railroad milepost 188.56 near Kelly, which traverses through United States Postal Service Zip Codes 64601, 64681, 65286, 65236, 64659, and 64643 in Livingston, Linn and Chariton Counties, Missouri. The proceedings will be docketed as No. AB 993X.

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Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K St., N.W., Washington, D.C. 20423 [See 49 C.F.R. 1104.1 (a) and 1104.3 (a)], and one copy must be served on applicants' representative [See 49 C.F.R. 1104.12 (a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Charles H. Montange, 426 NW 162nd St., Seattle, WA 98177.

Affidavit of Publisher

STATE OF MISSOURI)
) SS
COUNTY OF CHARITON)

I, Larry M. Baxley, being duly sworn according to law, state that I am the publisher of *The Brunswicker*, a weekly newspaper of general circulation in the County of Chariton, where located; which has been admitted to the Post Office as second class matter in the City of Brunswick, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, R.S.Mo. 1949. The affixed notice appeared in said newspaper on the following consecutive weeks (issues).

From 20_____ to _____ 20_____
First Insertion Jan 25 20 07
Second Insertion _____ 20_____
Third Insertion _____ 20_____
Fourth Insertion _____ 20_____
(signed) Larry M. Baxley

Larry M. or Susan K. Baxley, Publishers

Subscribed and sworn to before me

this 25th

day of January

Susan Kay Baxley
Notary Public.

My Commission expires on the 27th day
of August 20 07

Filed and Recorded this _____ day
_____ 20_____

Printer's Fee \$ 66.75

SUSAN KAY BAXLEY
Notary Public - Notary Seal
STATE OF MISSOURI
Chariton County
My Commission Expires: Aug. 27, 2007

Exhibit C.

CHARLES H. MONTANGE

ATTORNEY AT LAW

426 NW 162ND STREET

SEATTLE, WASHINGTON 98177

(206) 546-1936

FAX: (206) 546-3739

23 December 2006

To: Agencies and officials
on attached service list
set forth in Appendix B to ER/HR

Re: Motive Rail d/b/a Missouri North Central)
Railroad -- Discontinuance Exemption --) AB 993X
-- Livingston, Linn and Chariton)
Counties, Missouri)

Chillicothe-Brunswick Rail Maintenance)
Authority -- Discontinuance Exemption --) AB 1001X
-- Livingston, Linn and Chariton)
Counties, Missouri)

transmittal letter for environmental and historic
report for Surface Transportation Board proceeding
under 49 C.F.R. § 1152.50 (two year out of service
exempt rail abandonments)

Dear Sir or Madam:

On February 3, 2007, Motive Rail d/b/a Missouri North Central Railroad ("Motive Rail" or "MNCR"), and Chillicothe-Brunswick Rail Maintenance Authority ("CBR") [both railroads are jointly referred to herein as "Applicant"] expect to be filing with the Surface Transportation Board a proceeding to discontinue operating rights pursuant to 49 C.F.R. 1152, Subpart F Abandonment Exemptions (otherwise known as 49 C.F.R. § 1152.50 two year out of service abandonments) on a line of railroad located from railroad milepost (MP) 226 (in Chillicothe, MO) to railroad milepost 188.56 (at "Kelly" near Brunswick) in Linn, Chariton and Livingston Counties, Washington.¹ Attached is an

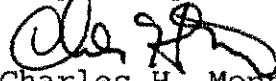
¹ The line over which the operating rights exist is currently owned by City of Chillicothe. City is not a common carrier. Motive Rail and CBR contracted with City or its predecessor in interest to operate the rail line now owned by the City. Motive Rail proposes to discontinue operating rights from MP 218.25 (near Norville) to MP 188.7 (near Kelly). Motive Rail will continue its operating rights on MP 226 (Chillicothe) to MP 218.25 (near Norville). CBR proposes to discontinue all operating rights from MP 226 (Chillicothe) to MP 188.56.

Environmental Report and Historic Report ("ER" and "HR") describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.²

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, D.C. 20423, telephone 202-967-6211 or -1538, and refer to the above Docket Nos. AB 993X and 1001X.³ Because the applicable statutes and regulations impose stringent deadlines for processing these action, your written comments to SEA, with a copy to our representative, would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representative in this matter is Charles H. Montange, who may be contacted by telephone at 206-546-1936, and by mail at 426 NW 162d St., Seattle, WA 98177.

Very truly,



Charles H. Montange

email: c.montange@verizon.net
for Motive Rail and CBR

cc. Service List per Appendix B of ER/HR (w/encl.)
STB SEA (w/encl.)

Because the issues raised in the two discontinuances are either the same or highly related, the two carriers have elected to provide a joint ER/HR in order to avoid confusion.

² Motive Rail and CBR take the position that the mere discontinuance of operating rights on a line in which they own neither real estate nor fixtures will have no environmental or historic effects. Nonetheless, Motive Rail and CBR make this notice letter in order to serve the informational functions provided by 49 C.F.R. Part 1105 in the context of 49 C.F.R. § 1152.50 proceedings.

³ Please bear in mind the limited nature of the action involved: discontinuance of operating authority over a line owned by a third party.

BEFORE THE SURFACE TRANSPORTATION BOARD

Motive Rail d/b/a Missouri North Central)
Railroad -- Discontinuance Exemption --) AB 993X
-- Livingston, Linn and Chariton)
Counties, Missouri)

Chillicothe-Brunswick Rail Maintenance)
Authority -- Discontinuance Exemption --) AB 1001X
-- Livingston, Linn and Chariton)
Counties, Missouri)

ENVIRONMENTAL REPORT/HISTORIC REPORT

I. Preliminary Statement

Motive Rail d/b/a Missouri North Central Railroad ("Motive Rail" or "MNCR"), and Chillicothe Brunswick Rail Maintenance Authority ("CBR") both have operating rights authorized by the Surface Transportation Board (STB) or its predecessor (the Interstate Commerce Commission or ICC) over rail property currently owned by City of Chillicothe ("City"). (Motive Rail/MNCR and CBR will be jointly referred to herein as "Applicant.") Since both intend to seek STB discontinuance authority for those operating rights pursuant to 49 C.F.R. § 1152.50 over essentially the same property, the two entities are making this joint Environmental Report/Historic Report (ER/HR) in order to avoid confusion and to render review more efficient for any person or entity who wishes to comment as well as for STB review. This ER/HR is responsive to the requirements of 49 C.F.R. Part 1105, insofar as applicable here.

The City's property is the southernmost portion (MP 226.0 at Chillicothe to MP 188.56 at "Kelly" near Brunswick) of the former "Omaha Branch" of the former Wabash Railroad. ICC

authorized abandonment of the entire Omaha Branch in 1983. See Norfolk & Western Railway Co. et al. -- Abandonment, etc. -- in Chariton et al Counties, AB 10 (Sub-no. 27), served Dec. 14, 1983.

ICC prepared an environmental assessment (EA) for the entire Omaha Branch in 1983. A copy of that EA (served August 5, 1983) is attached as Exhibit A. Insofar as relevant to the section of rail line at issue here (i.e., near Swan Lake Wildlife Refuge), the EA concluded (p.3) that "the environment may be improved by removing the dangers associated with moving trains." The portion of the Omaha Branch at issue here remains relatively unchanged from that analyzed in 1983. The underlying conclusion of no adverse impacts continues to apply.

City's predecessor in interest, Green Hills Rural Development, Inc. (Green Hills), acquired MP 226.0 to MP 188.56 in a transaction that ICC ruled did not fall within ICC's jurisdiction. (Green Hills did not acquire the line to provide common carrier operations itself.) Green Hills leased the line to an operator, which did provide common carrier services, and which did require an ICC authorization for operation. This operator ceased operations and transferred its lease interests to Chillicothe Brunswick Rail Maintenance Authority (CBR), pursuant to an ICC authorization. See Chillicothe-Brunswick Rail Maintenance Authority -- Lease and Operation Exemption-- Green Hills Rural Development, F.D. 30902, served Jan. 23,

1987.¹ The CBR lease expired on or about December 31, 2003.

By deed issued December 31, 2003, Green Hills transferred its interests to the City. City did not acquire Green Hills property with an intent to provide common carrier services. Accordingly, this transfer did not require any ICC action. City continued to lease the property to CBR on a month to month basis through April of 2004. The last CBR service on any of the City's property was no later than April 2004. At that time, City entered into a lease with Motive Rail to provide common carrier services on the property. Motive Rail received STB authority to operate the property from MP 226 (Chillicothe) to MP 188.7 (northwest of Kelly). Motive Rail d/b/a MNCR -- Lease Exemption -- City of Chillicothe, MO, F.D. 34500, served May 13, 2004. Due to lack of demand, flood events, wash-outs, and poor track conditions, the last service which Motive Rail provided over the line from MP 188.56 (Kelly) to MP 218.25 (Norville) was August 2004. At that time, a major derailment occurred.

At MP 188.56 to MP 188.7, the line passed through a major grain elevator (Ray-Carroll County Grain Growers). City sold MP 188.56 to MP 188.7 to Ray-Carroll subject to a limited

¹ The authority granted by ICC in F.D. 30902 applied for MP 226.2 (Chillicothe) to MP 188.56. Since Green Hills only acquired from MP 226.0 in Chillicothe to MP 188.56, Applicant understands that the use of the milepost designation MP 226.2 for the Chillicothe endpoint was inadvertent and MP 226.0 was instead intended. In any event, CBR only operated from MP 226.0 to MP 188.56, when it operated. We will therefore refer to the CBR operating rights as extending from MP 226.0 to MP 188.56. This ER/HR as applied to CBR is intended to cover all of its operating rights, however originally designated.

reservation for operation of a common carrier railroad. The trackage at MP 188.56 to MP 188.7 has been largely removed, and a connection would require reconstruction.

At this time, Motive Rail desires to continue to provide rail service over the portion of the rail line from MP 226 (Chillicothe) to MP 218.25 (Norville). Motive Rail desires to discontinue all its operating authority and common carrier obligations from MP 188.7 to MP 218.25.

CBR desires to discontinue all its operating authority and common carrier obligations from MP 188.56 (Kelly) to MP 226 (Chillicothe).

Since neither Motive Rail nor CBR have provided any service for more than two years over the portions of line over which they respectively intend to seek discontinuance authority, both qualify for use of STB's "two year out of service" procedures, set forth at 49 C.F.R. § 1152.50. Since there has been no service, cessation of service will have no economic or environmental effect in terms of freight traffic diversion. Since neither Motive Rail nor CBR have any property interest in the line nor control over salvage, the discontinuance itself involves no action by STB that creates jurisdiction to regulate the conduct of salvage activities.

City of Chillicothe consents to both discontinuances. City's lease with CBR terminated, even on a month-to-month basis, in April 2004. City's lease with Motive Rail has been amended to be limited to MP 226.0 to MP 218.25. Motive Rail

thus no longer leases MP 218.25 to MP 188.7 for operation. City has contracted to sell this portion of the property in a non-jurisdictional transaction. City's expected transferee (Montoff Transportation Company) also consents to the proposed discontinuances.

It follows from the facts set forth above that the nature of the action or "undertaking" involved in the projected Motive Rail and CBR discontinuance proceedings is very limited. As noted, the two operating companies making this ER/HR lack any ownership interest over the land or fixtures and have no control over disposition of said land or fixtures. The owner of that property is not itself a common carrier subject to STB jurisdiction. Thus, the environmental or historic impacts of the proposed action or undertaking (discontinuance of operating authority over property not owned by the parties subject to STB jurisdiction) appears non-existent or extremely limited, at least insofar as it involves STB's authority or jurisdiction. In the circumstances, Motive Rail and CBR, as further summarized in Appendix J, do not believe that an ER/HR is necessary or required, or that further environmental documentation is necessary or required, beyond notice. However, to ensure compliance with other requirements should STB take a contrary view, Motive Rail and CBR make this ER/HR.

II. Further Background

Motive Rail d/b/a MNCR obtained authority to lease and to operate approximately 37.3 miles of rail line from the City of

Chillicothe,² more particularly described as Milepost (MP) 188.7 at Brunswick to MP 226.0 in Chillicothe in Motive Rail d/b/a MNCR -- Lease Exemption -- City of Chillicothe, MO, F.D. 34500, served May 13, 2004. MNCR now seeks to discontinue its lease and operating rights for the portion from approximately MP 188.7

² The railroad line in question was part of the Omaha Branch of the old Wabash Railroad, acquired by Norfolk & Western Railroad (N&W). N&W obtained authority to abandon the Omaha Branch from MP 188.56 ("Kelly" or "Brunswick") to MP 410.86 (Council Bluffs) in Norfolk & Western Railway Co. et al.-- Abandonment, etc. -- in Chariton et al Counties, AB 10 (Sub-no. 27), served Dec. 14, 1983. Green Hills Rural Development, Inc. (GH), subsequently acquired the approximately 37.44 miles of the rail property between Chillicothe and Kelly as real estate (i.e., not as a common carrier subject to ICC jurisdiction and not as an operator) in a transaction discussed in Green Hills Rural Development, Inc. and Chillicothe Southern Railroad Co.-- Exemption from 49 U.S.C. § 10901, et al., F.D. 30657, served Jan. 10, 1986 (dismissing GH's petition for exemption for acquisition).

GH originally arranged for Northern Missouri Railroad Company (NMR) to lease the line should GH purchase it, but NMR assigned its rights to Chillicothe Southern Railroad (CSR). The aforementioned decision in F.D. 30657 granted the petition for exemption for the CSR lease and operating authority, and in a related case (AB 252X) discussed in the same opinion, ICC authorized a discontinuance of NMR's obligations.

CSR subsequently assigned its lease rights to Chillicothe-Brunswick Rail Maintenance Authority (CBR), in a transaction authorized by ICC in Chillicothe-Brunswick Rail Maintenance Authority -- Lease and Operation Exemption -- Green Hills Rural Development, Inc., F.D. 34902, served Jan. 23, 1987 for service over 37.6 miles of line from Kelly (MP 188.56) to Chillicothe (MP 226.2) (the decision also authorized a lease directly between CBR and GH). Because the ICC decision authorized assignment from CSR to CBR, this decision served to transfer CSR's common carrier obligations to CBR rather than leave them extant.

GH transferred its interests to City of Chillicothe by a deed dated December 31, 2003. CBR initially operated the property on a month to month lease. City and Motive Rail d/b/a MNCR entered into a lease effective April 30, 2004, which this Board authorized pursuant to 49 C.F.R. § 1150.31. Motive Rail, supra, F.D. 34500, served May 13, 2004. City allowed the CBR lease to lapse, and CBR has not operated on any of the property since approximately April 30, 2004.

to MP 218.25 (near Norville),³ a distance of approximately 29.55 miles in Livingston, Linn and Carroll Counties, MO. MNCR will continue to operate over MP 218.25 to MP 226.0. MNCR makes this environmental and historic report in accordance with Part I above and to ensure compliance with 49 C.F.R. § 1105.7-.8 of the regulations of the Surface Transportation Board (STB) in support of a notice of exemption pursuant to 49 C.F.R. § 1152.50 (two-year out-of-service) for discontinuance of its rail operating authority over the MP 188.7 to MP 218.25 portion of the railroad line.

CBR obtained ICC authority to lease and to operate the line from MP 188.56 ("Kelly") to MP 226 (Chillicothe)⁴ in Chillicothe-Brunswick Rail Maintenance Authority -- Lease and Operation Exemption -- Green Hills Rural Development, Inc., F.D. 34902, served Jan. 23, 1987. CBR's lease expired, and CBR continued to operate the line on a month by month basis until STB authorized Motive Rail d/b/a MNCR to operate the line in the decision in F.D. 34500, served May 13, 2004. MNCR did not obtain an assignment of CBR's lease rights (which had expired) nor seek an authorization from this agency for a transfer of rights from CBR. Thus CBR's operating authority (and common carrier obligation) as respects the entirety of MP 188.56 to MP 226 remains extant.

CBR seeks discontinuance authority for all its operating

³ More specifically, the west side of county road # 261.

⁴ See note 1 supra.

rights and common carrier obligations over MP 188.56 to MP 226. Under STB regulations, no environmental impact statement or assessment is required where an affected line will continue to be operated (49 C.F.R. § 1105.6(b)(3)), and no environmental documentation need be prepared [id. § 1105.6(c)(6) & § 1105.8(b)(3)] for a discontinuance where a line will continue to be operated. Because MNCR will continue to operate the line from MP 218.25 to MP 226, there will be no need for an environmental statement or assessment, or for environmental or historic documentation of that portion of the line. However, CBR joins MNCR in making this report for MP 218.25 to MP 188.7 (over which all operating authorities will be terminated), and also adopts this report for the additional short distance from MP 188.56 to MP 188.7 (over which CBR has operating authority but over which MNCR appears never to have obtained operating rights).⁵

In sum, this environmental report and historic report covers the line from MP 188.56 ("Kelly") to MP 218.2 (near "Norville"), because all operating rights/common carrier obligations will be terminated over that portion of the line.

The certification of service required pursuant to §1105.7(c) is attached as Appendix B.

⁵ City of Chillicothe sold its interests in the segment of line at Kelly from MP 188.56 to approximately 188.7 to Ray-Carroll County Grain Growers in 2005. The parties hereto are authorized by Ray-Carroll to state that Ray-Carroll consents to the discontinuances sought in this proceeding.

Environmental Report

(1) Proposed Action. CBR proposes to obtain authorization to discontinue and terminate all lease and operating rights from MP 226 to MP 188.56. MNCR proposes to obtain authorization to discontinue and terminate all lease and operating rights from MP 188.7 to MP 218.25.⁶

There are no reasonable alternatives. A map delineating the project is attached as Appendix C.

STB's predecessor, ICC, issued an EA for the abandonment of the entire Omaha Branch of the Wabash (N&W) in 1983, of which the portion of line at issue here is a small part. That EA (attached as Exhibit A) insofar as relevant here found no adverse impacts.

(2) Transportation System. CBR's lease expired in 2003, and the last month to month extension was through April of 2004. CBR has not provided any service on the entire line since approximately April 30, 2004, when MNCR commenced operations. Due to, among other things, undercutting of bridges from storm events and lack of sufficient rail traffic, MNCR has not provided any service on the segment of line from MP 188.7 to MP 218.25 since August 2004 (when a derailment occurred). City of Chillicothe sold its interests in trackage from MP 188.7 to MP 188.56 to Ray-Carroll County Grain Growers in 2005. Ray-Carroll has not used that trackage and Applicant understands it

⁶ As previously noted, MNCR will continue to serve rail customers from MP 226.5 to MP 218.25.

is disconnected. Ray-Carroll is served directly from the adjacent Norfolk & Western (Norfolk Southern) mainline passing through Brunswick. In short, MNCR has not operated over MP 188.56 to 188.7 since August 2004, and CBR has not operated over any trackage involved herein since at least April 2004.

In short, the line from line from MP 188.56 to MP 218.25 is totally inactive due to lack of shipper demand. Because the track is inactive, and has been for at least two years, there will be no additional diversion of freight or passenger traffic to other modes.

(3) Land use. (i) (Local plans.) Based on consultation with local and regional planning officials, and review of official planning documents, the proposed action is consistent with existing land use plans.

(ii) (Agricultural land.) The rail line is proximate to main lines of BNSF Railroad (bisects line twice, once at Sumner and again near Mendon) and Norfolk Southern Railroad (intersects at "Kelly" near Brunswick), as well as local highways. Alternative transportation for agricultural products is thus readily and economically available. Abandonment of rail service is not expected to have any impact on prime agricultural land.

(iii) (Coastal Zone Management Act.) The proposed action does not affect land or water uses within a coastal zone; Missouri has no approved coastal management program (no coast). Thus 49 C.F.R. § 1105.9, and 15 C.F.R. § 9130.57 are not applicable.

(iv) (Suitability for public use.) City of Chillicothe has advised applicant that all or portions of the corridor may be suitable in whole or in part for trail use in part due to proximity to conservation areas. Other conservation entities have expressed similar interest. Should a qualified entity request negotiations under 16 U.S.C. § 1247(d) with respect to MP 188.7 to MP 218.25, the applicant expects to consent to negotiate a possible railbanking agreement.

(5) Energy. (i) The proposed action will not impact transportation of energy resources.

(ii) The proposed action will not impact transportation of recyclable commodities.

(iii) The proposed action will have no significant impact on energy efficiency.

(iv) The proposed action will not result in diversion of rail to motor carriage of any traffic, and certainly not in the "trigger amounts" (1000 carloads per year, or 50 carloads per mile per year).

(5) Air. (i) Inapplicable. The proposed action will not result in increases in rail traffic, or diversions of rail to motor carriage, and certainly not in the "trigger amounts" (100% increase, or eight trains per day in rail traffic; or 10% increase in truck traffic on affected segments, or 50 vehicles per day on affected segments).

(ii) Inapplicable for similar reasons.

(iii) Inapplicable for similar reasons.

(6) Noise. Inapplicable.

(7) Safety. (i) (Public health and safety.) Applicant expects no adverse impact on safety.

(ii) (Hazardous materials transport.) Inapplicable.

(iii) (Hazardous waste sites or spills.) None are known in or adjacent to the rail line.

(8) Biological resources. (i) The proposed action will not likely adversely affect endangered or threatened species or areas designated as critical habitat. A portion of the rail line over which operating rights are being discontinued goes through waterfowl and eagle habitat. However, the discontinuance of operating authority is not the kind of action that will likely adversely affect endangered or threatened species, or areas designated as critical habitat.

(ii) The proposed action involves a rail line that goes through an area of Missouri which has been designated the "Lower Grand River Conservation Opportunity Area" by the Natural Resource Conservation Service, the U.S. Fish and Wildlife Service, the Missouri Department of Natural Resources, and the Missouri Department of Conservation.⁷ See Appendix D. Although much of the Conservation Opportunity Area is owned privately, the area includes as relevant here the Fountain Grove Conservation Area, the Yellow Creek Conservation Area, and the Swan Lake National Wildlife Refuge. As shown in the map

⁷ Applicant understands that "Conservation Opportunity Area" is merely a designation of convenience and is not a creature of statute or regulation.

attached as Appendix C, the line trends southeast through the Fountain Grove Conservation Area, then after passing through Sumner, parallels (on the other side of) a road that constitutes the western boundary of the Swan Lake National Wildlife Refuge. It then goes through a portion of the Yellow Creek Conservation Area, and ultimately passes into farmland until its endpoint at "Kelly" near Brunswick. These three components of the "Opportunity Area" appear to be the only state or local parks, forests, or refuges potentially affected by the action.

The action in question in these proceedings (discontinuance/termination of operating authority) is not the kind of action which will likely have an adverse effect on wildlife habitat (i.e., the two Conservation Areas and the Wildlife Refuge).

(9) Water. (i) The action is consistent with applicable Federal, State or local water quality standards.

(ii) Since the proposed action will not entail any construction resulting in off-rail roadbed disturbance, no section 404 permit should be required. Portions of the rail corridor involved in this action go through areas containing wet bottomland prairies and floodplains. However, the level of the roadbed is above any designated wetlands or 100 year floodplains. The action -- discontinuance of operating rights-- will not affect any designated wetlands or 100 year floodplains.

(iii) For similar reasons, no section 402 permits should be required.

(10) Proposed mitigation. Applicant anticipates no adverse environmental impacts to mitigate.

Historic Report

In compliance with § 1105.8(d), Applicant states as follows:

(1) Map. U.S.G.S. topographic maps covering the entire line over which all operational authority is sought to be discontinued are attached as Appendix D.

(2) Description of rail line. The railroad corridor in general is 100 feet in width. The adjoining property chiefly traverses farmland with some small communities. The middle section of the line traverses the Lower Grand River Conservation Opportunity Area. Please see item 8(ii) in the Environmental Report for further description.

(3) Photographs of railroad structures 50 years old or older. Based on an inspection, applicants do not believe that there are railroad structures fifty years old or older in the vicinity of the line from MP 218.25 to MP 188.56, with the possible exception of bridges. There have been two major flood events (roughly 1983 and roughly 1993) in the past 25 years. Based on records, the rail bridges have been reconstructed on the line in response to these events. We attach in Appendix E copies of contemporaneous photographs showing the flood events, the impact on old structures, and the construction of replacement structures. There are no station buildings on the portion of the line over which all operating authority is being

abandoned, nor other identified structures that might meet the relevant criteria.

(4) Data concerning such structures. Not applicable. See (3) above.

(5) Brief narrative history. The rail segment at issue in this proceeding was formerly a part of the Omaha Branch of the Wabash Railroad, which Branch extended from Kelly to Council Bluffs, Iowa. Attached hereto as Appendix G is a condensation of the history of the Wabash Railroad as prepared by that railroad in 1959. The track chart which is part of Appendix G shows the Omaha Branch in its entirety and Appendix G describes the general history of the Wabash. The Wabash became part of the Norfolk & Western Railroad in 1964 (see the Norfolk Southern history attached as Appendix H), which became part of Norfolk Southern in 1982. Additional historic information on the Wabash, including its control by the old Pennsylvania Railroad, is set forth in the Wikipedia article attached as Appendix I. This article also sets out detailed information concerning the Omaha Branch.

The Omaha Branch was constructed in 1877 by the Council Bluffs and St. Louis Railway. In 1879, the line became part of the Wabash, St. Louis and Pacific Railroad. The line encompassed MP 188.56 ("Kelly" or "Brunswick") to MP 410.96 (Council Bluffs), a total of 222.4 miles. The subsequent corporate history of the Wabash is set forth in Appendices G, H, and I.

ICC authorized abandonment of the entirety of the Omaha Branch in Norfolk & Western Railway Co. et al. -- Abandonment, etc. -- in Chariton et al Counties, AB 10 (Sub-no. 27), served Dec. 14, 1983. The Iowa portion of the line (approximately 61.5 miles) was acquired by Iowa Southern Rail. That portion of line was subsequently railbanked under 16 U.S.C. § 1247(d), and is now the Wabash Trace Trail, pursuant to orders of the ICC upheld by the United States Court of Appeals for the Eighth Circuit in Goos v. ICC, 911 F.2d 1283 (1990).

The Missouri portion of the Omaha Branch falls into three parts. Pursuant to authority granted by ICC by decision in F.D. 30348 served January 27, 1984, Northern Missouri Railroad (NMR) commenced operations from Blanchard, Iowa (basically the state line) to Lock Springs on or about February 13, 1984, but discontinued operations in June 1986 pursuant to authority granted in AB 252 (Sub-no. 1X), 50 Fed. Reg. 48142 (Nov. 21, 1985), and AB 252 (Sub-no. 2X), served Sept. 26, 1986. An effort to railbank a 28.71 mile segment of this portion of line from Marysville to the Iowa state line was unsuccessful in Missouri Friends of the Wabash Trace, F.D. 33705, served Nov. 10, 1999. Lock Springs to Chillicothe was abandoned by N&W pursuant to its 1983 authority. The Wikipedia article (Appendix G) suggests that the 39 mile segment from Chillicothe to Brunswick was sold to CBR on July 24, 1987. This is not correct. N&W sold approximately 37.44 miles from Chillicothe to Brunswick to Green Hills Rural Development, Inc. ("GH"), a

locally owned non-profit corporation. GH acquired the line as real estate and not with an intent to operate. GH originally arranged for NMR to lease this property, but NMR assigned its rights to CSR. CSR subsequently assigned its rights to CBR. The basic history is set forth in footnote 2, supra.

City of Chillicothe acquired GH's interests in the line by deed dated December 31, 2003. By this time, the CBR lease had expired and was extended by the parties on a month to month basis until City could arrange for another operator. City leased the line to Motive Rail d/b/a/ MNCR effective April 30, 2004. CBR's lease fully terminated on April 30, 2004. CBR has had no operations on any of the line since that date.

Due to lack of shipper demand, there has been no operation by MNCR on or over any portion of MP 218.25 to MP 188.7 since August 2004. MP 188.56 to MP 188.7 was never a part of MNCR's lease, and MNCR has no authority to operate over this portion of trackage as a common carrier. City of Chillicothe sold its interests in MP 188.56 to MP 188.7 to Ray-Carroll County Grain Growers in 2005. This segment is located adjacent to a Norfolk Southern line. Applicant understands that it has been disconnected and is not used by Ray-Carroll. Applicant is authorized to state that Ray-Carroll requests that all common carrier obligations be terminated as to MP 188.56 to MP 188.7.

Because there is no shipper demand for common carrier service from MP 188.7 to MP 218.25, because the line has deteriorated to the point where substantial rehabilitation would

be necessary to resume service, and because Motive Rail d/b/a MNCR has not operated on the referenced portion of the line since its inception (April 2005), Motive Rail d/b/a MNCR seeks discontinuance authority pursuant to 49 C.F.R. § 1152.50 (two year out of service exemption) for its obligations and lease over this portion of the line in AB 993X. City has already entered into an amended lease with MNCR eliminating this portion of the line from the lease.

Because CBR has no lease for any portion of the line, and has had no customers on any portion of the line since April 2004, CBR similarly seeks discontinuance authority pursuant to 49 C.F.R. § 1152.50 in respect to its operating obligations and former lease as to the line in its entirety.

Applicants are authorized to state that City of Chillicothe as owner of the line at the time of preparation of this environmental report and historic report concurs in the relief sought. City has entered into a contract to transfer its property interests in MP 218.25 to MP 188.56 (except to the extent previously sold to Ray-Carroll County Grain Growers in connection with MP 188.7 to MP 188.56) to Montoff Transportation Co., LLC. Applicants are authorized to state that Montoff Transportation Co., LLC concurs in the relief sought.

(6) Documents available concerning historic structures.
Because the proposed action does not affect any structure 50 years old or older, this section is inapplicable. In any event, based on inspection, there are no known historic railroad

structures which are part of the line at issue in this proceeding. All bridges of possible relevance have been reconstructed one or more times following flood events in the past 25 years. Applicant accordingly has no documents concerning 50 year or greater structures.

(7) Opinion on historic sites. Applicant does not believe this section is applicable in that the proposed action (termination of operating rights) does not impact structures. In any event, Applicant does not believe that the site or structures in the site meet the criteria for listing in the National Register of Historic Places. Applicant does not believe that there is a likelihood of archeological resources or any previously unknown historic properties in the project area.

The basis for this opinion is the lack of any railroad structures in this line and its predominantly rural nature.

(8) Activity which might affect recovery of archeological resources, and description of surrounding terrain. Other than original roadbed construction, reconstruction after floods and wash-outs, and construction activity by neighboring landowners, Applicant is unaware of conditions which will affect the archeological recovery of resources. The surrounding terrain is generally flat or rolling hills. Appendix D contains information of the terrain in connection with the Lower Grand River Conservation Opportunity Area.

Appendices -- A	1983 "EA" in AB-10 (Sub-no.27)
B	Certificate of Service
C	Map
D	Lower Grand River C. O. Area
E	USGS map
F	photos
G	Wabash history (condensed)
H	NS history (as relevant)
I	Wikipedia article (supplementary)
J	Reservation

Appendix A

Environmental Assessment

Record of the environmental
analysis relating to:

SERVICE DATE

AUG 5 1983

AB-10 (SUA-NO. 27)

NORFOLK AND WESTERN RAILWAY COMPANY AND WABASH RAILROAD
COMPANY ABANDONMENT AND DISCONTINUANCE IN CHARITON, LINN,
LIVINGSTON, DAVLESS, GENTRY, HODAWAY AND ATCHISON, MISSOURI
PAGE, FREMONT, MILLS AND POTTAWATTOMIE, IOWA AND
DOUGLAS, NEBRASKA

prepared by:
Section of Energy and Environment

INTERSTATE COMMERCE COMMISSION
Office of Transportation Analysis
Washington, D.C. 20423



INTERSTATE COMMERCE COMMISSION
OFFICE OF TRANSPORTATION ANALYSIS
SECTION OF ENERGY AND ENVIRONMENT
ENVIRONMENTAL ASSESSMENT

A3-10 (SUB-NO. 27)

NORFOLK AND WESTERN RAILWAY COMPANY AND WABASH RAILROAD COMPANY ABANDONMENT AND DISCONTINUANCE IN CHARITON, LINN, LIVINGSTON, DAVIESS, GENTRY, NODAWAY AND ATCHISON, MISSOURI, PAGE, FREMONT, MILLS AND POTTAWATTOMIE, IOWA AND DOUGLAS, NEBRASKA

The Norfolk and Western Railway Company (NW) and Wabash Railroad Company (Wabash) seek a certificate of public convenience and necessity permitting the abandonment and discontinuance of operations on a line of railroad owned by Wabash, and leased and operated by NW, known as the Omaha Branch, which extends from Kelly, Missouri to Council Bluffs, Iowa, a total distance of 222.3 miles. Concurrently NW is seeking authority for discontinuance of its operations via trackage rights over the Chicago, Milwaukee, St. Paul and Pacific Railroad (MILW) in Council Bluffs, Iowa, over the Union Pacific Railroad, between Council Bluffs and South Omaha, Nebraska, a distance of 8.46 miles.

Applicant alleges that the unprofitability of the lines do not justify continued operation.

The subject line traverses an agricultural area. Outbound traffic consists mainly of agricultural products, and fertilizers are the largest category in inbound traffic. There are no large population centers except the Omaha - Council Bluffs terminus.

Soybeans which constitute half of the line's traffic, and a greater portion of outbound traffic move for relatively short distances, with a large geographic dispersion of elevators and processing plants. Soybeans in the midwest because of the numerous processing locations are not generally major rail commodities, except for exported soybean, movement is generally by truck to processors or terminals. Consequently, diversion of the existing traffic to truck should not have a serious impact on soybean movements.

Fertilizer and fertilizer materials are the major inbound commodities and are generally a rail commodity due to the high cost associated with multi-mode transport. Rail abandonment studies have indicated that, with the loss of a rail line, fertilizer shippers receive from alternate railheads. However, with the exception of potash, 38 percent of the fertilizer on the Omaha line originated within trucking distances. Commodities not moving the entire distance by truck would likely adjust by moving by truck-rail or truck-barge. Given the availability of alternate rail service in the area substantial dislocation to businesses or communities should not result if loss of rail service occurs. Moreover, shippers could adjust their markets thereby mitigating long-term impacts if rail service is terminated.

Total traffic generated or terminated on the line in 1981 was 5,235 carloads, or about 23 cars per year per mile. Shippers in Omaha, Nebraska and Council Bluffs, Iowa would retain rail service if the line is abandoned. Thus, 1,237 carloads of traffic would not likely be subject to diversion. Approximately 3,998 carloads of traffic would be subject to truck-rail-truck-barge diversion. In a worst case, rail to truck conversions indicate that 9,595 trucks or 385 daily movements would be added to area highways for at least a portion of the trip.

Four interstate and several state highways parallel or cross the Omaha line and a number of state and federal highways cross the region. The road network is reasonably adequate and no serious maintenance or accident problems are anticipated.

In 1982 NW placed a surcharge on commodities moving over the Omaha line. Rail planners in Missouri and Iowa estimated that in 1982 traffic moving over the line declined by approximately 40 percent. Thus, diverted traffic over area highways and its corresponding impacts would be less than anticipated as a large portion of the traffic has already occurred.

Actual fuel consumption is dependent upon whether or not the markets change after a loss of rail service. Traffic on the line may be subject to market changes depending on the availability of transportation modes.

There is the potential for a reduction in fuel consumption of 206,767.2 gallons if the line is abandoned. The probability is attributable to the substitution of short truck to rail mainline movements for the long, fuel inefficient branch-line movements of traffic on the Omaha Branch. If interchanges are available at nearby mainline routing a saving would be probable assuming the same markets are maintained. Moreover, fuel consumption may be further reduced as some traffic due to its short distance will move the entire distance by truck.

However, assuming a change in markets based on the availability of transportation modes, a minimal increase in fuel consumption may occur. Traffic originating and terminating in Missouri, assuming a market change may increase fuel use by 26,000 gallons. Iowa anticipates a reduction in fuel use as the existing markets will likely be retained.

Actual consumption should be between the two alternatives depending on the chosen mode and routing of the commodities. Increased cost of double handling of commodities would also determine movements of commodities, thereby affecting fuel use.

Communities and shippers in the area are negotiating with VW to continue short line service over a portion of the line. Actual termini are not known at this time as a feasibility study was done for the entire line. Terminal selection will depend on the economic feasibility of various sections.

There should be a corresponding increase in noise levels and air pollution in the areas receiving the increased traffic. Pollutants and noise resulting from increased traffic would be spread throughout the year and dispersed over a large region. Moreover, due to the relative rural nature of the area these impacts should be minimal.

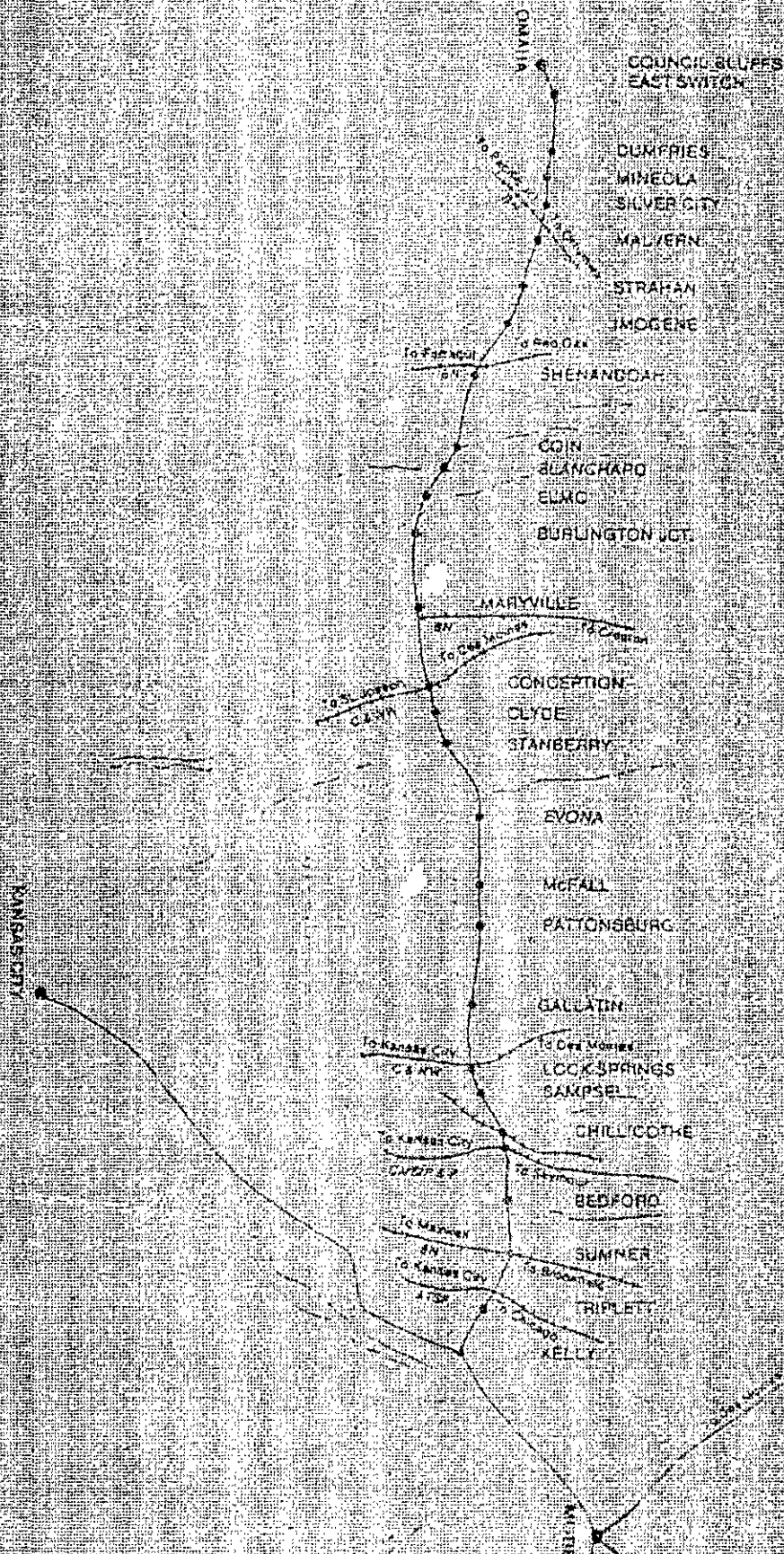
The right-of-way runs through the Swann Lake Wildlife Refuge. The refuge is a habitat for Canadian geese and other migratory birds and would not be adversely affected by the abandonment. There are no threatened or endangered species known to inhabit the right-of-way. The environment may be improved by removing the dangers associated with moving trains.

The Missouri and Iowa offices of Historic Preservation have not made a final determination on several sites that may be eligible for the National Register of Historic Places. In view of the foregoing we recommend that all sites 50 years or older be left intact pending a final determination as to its eligibility for inclusion in the National Register of Historic Places.

Most of the right-of-way would likely revert to agricultural and woodland areas if the abandonment is granted. Some of the land traversing small communities may be suitable for public works or recreational purposes.

In view of the foregoing, we recommend that a public use condition be included in the decision which would allow 120 days for purchase of the right-of-way for public use.

Based upon an examination of the information of record, it is concluded that the abandonment proposal would not significantly affect the quality of the human environment. Preparation of a detailed environmental impact statement, therefore, is not required.



MISSOURI AND INTERIOR
RAILROADS
KANSAS CITY TO COUNCIL
BLUFFS

INTERSTATE COMMERCE COMMISSION	SERVICE DATE 8-5-83
SERVICE OF PROCESS	AB 10-327
TOTAL NUMBER SERVED 34	ADDITIONAL ASSETS TO BE SERVED
INITIALS OF CLERK MAKING SERVICE DAY	
On the above date a copy of the attached ☐ ENTIRE COMMISSION DECISION (EC) ☐ NOTICE ☐ INITIAL DECISION (ID) ☐ ORAL HEARING ASSIGNMENT ☐ DIVISION DECISION (DD) ☐ CERTIFICATE, PERMIT, LICENSE ☐ REVIEW BOARD DECISION (RBD) ☐ MODIFIED PROCEDURE ASSIGNMENT (MP) ☐ OTHER was sent to the parties listed below and those shown on the attached list or order. REGIONAL MANAGING DIRECTORS: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6	
ADDITIONAL INFORMATION:	
AB000010/0027/ 37876 SCSS POR J. BOATWRIGHT ALLREDGE FEED & SEED STANBERRY MO 64489	
AB000010/0027/ 55742 SCSS POR B. A. BOYO 8835 8th CANYON LANE, 400-B PORTLAND OR 97225	
AB000010/0027/ 2860 SCSS POR DENNIS P. CLARK 222A MADISON STREET JEFFERSON CITY MO 65101	
AB000010/0027/ 6539 SCSS POR ROBERT J. COONEY 1667 RY EXCHANGE BLDG 611 OLIVE STREET ST. LOUIS MO 63101	
1/For certain Modified Procedure and other orders, the service list may be printed on the reverse of the order.	

8-5-87
AB-10 527

AB000010/0027/ 36635 SCSS VIB
WILLIAM H. PETRECCA, JR.
BOX 2137 MID CITY STA.
PHILADELPHIA

PA 19103

AB000010/0027/
JAMES SWAILES
ROOM 5404
DOT-400 7TH STREET, SW
WASHINGTON

2099 SCSS

DC 20590

AB000010/0027/
J.R. SNYDER
ROOM 104
900 FIRST STREET, N.W.
WASHINGTON

2123 SCSS POR

DC 20001

AB000010/0027/
ROBERT S. STEINER
507 TENTH STREET
DES MOINES

55839 SCSS POR

IA 50319

AB000010/0027/
U. S. DEPT OF INTERIOR
BUR. OF OUTDOOR RECREATION
WASHINGTON

41788 SCSS POR

DC 20240

AB000010/0027/
U.S. GEOLOGICAL SURVEY
MAIL STOP 564, NATL. CENTER
12201 SUNRISE VALLEY DRIVE
RESTON

2094 SCSS POR

VA 22092

AB000010/0027/
HABASH RAILROAD CO & NORFOLK & WESTERN R.
8 NORTH JEFFERSON STREET
ROANOKE

28183 SCSS POR

VA 24042

AB000010/0027/
HOWARD M. WILCHINS
995 LYENFANT PLAZA, S.W.
WASHINGTON

2101 SCSS POR

DC 20595

2084

AB000010/0027/ 2113 SCSS POR
FRED A. HARDIN
14600 DETROIT AVENUE
CLEVELAND OH 44107

8-5-83
AB-10 527

AB000010/0027/ 18305 SCSS POR
J. J. HULTS
SUITE 16
13975 MANCHESTER ROAD
ST. LOUIS MO 63011

AB000010/0027/ 38413 SCSS POR
RICHARD I. KILROY
SUITE 804
400 FIRST STREET, N.W.
WASHINGTON DC 20001

AB000010/0027/ 54882 SCSS POR
R. L. LINEWEBER
RM 304
120 N 69TH ST.
OMAHA NE 68132

AB000010/0027/ 5345 SCSS APP
ANGELICA D. LLOYD
8 NORTH JEFFERSON STREET
ROANOKE VA 24042

AB000010/0027/ 520 SCSS POR
C.W. MCINTOSH
RAILWAY LABOR BUILDING
400 1ST ST, N.W.
WASHINGTON DC 20001

AB000010/0027/ 42 SCSS
MISSOURI PUBLIC SERVICE COM'N
P. O. BOX 360
JEFFERSON CITY MO 65101

AB000010/0027/ 47613 SCSS POR
J. A. HOGAN
STE. 401
9401 W. BELOIT ROAD
MILWAUKEE WI 53207

AB000010/0027/ 403 SCSS APP
NORFOLK & WESTERN RAILWAY COMPANY
8 NORTH JEFFERSON STREET
ROANOKE VA 24042

AB000010/0027/ 44 SCSS
OFF OF BUDGET & PLANNING
ROOM 124, CAPITOL BLOC
P. O. BOX 809
JEFFERSON CITY MO 65102

AB000010/0027/ 24 SC58
ENDANGERED SPECIES COORDINATOR
DEPT OF CONSERVATION
P. O. BOX 180
JEFFERSON CITY

MO 65102

AB000010/0027/
L. J. CRIST
1A ST. LEGIS. BD
317 E. 5TH ST.
DES MOINES

28033 SC58 POR

IA 50309

AB000010/0027/ -4 SC58
DEPARTMENT OF CONSERVATION
2901 N. TEN-MILE DRIVE
JEFFERSON CITY

MO 65101

AB000010/0027/ -4 SC58
DEPARTMENT OF NATURAL RESOURCES
PARKS & HIST PRESERV
P. O. BOX 176
JEFFERSON CITY

MO 65102

AB000010/0027/ -4 SC58
DIRECTOR
STATE PARK BOARD
1204 JEFFERSON BUILDING
JEFFERSON CITY

MO 65101

AB000010/0027/ -3 SC58
DIVISION OF RAILROADS
P. O. BOX 270
JEFFERSON CITY

MO 65102

AB000010/0027/ 41791 SC58 POR
F. A GARGES
120 NORTH 69TH STREET, ROOM 204
OMAHA

NE 68132

AB000010/0027/ -1 SC58
OFFICE OF THE GOVERNOR
STATE CAPITOL BUILDING
JEFFERSON CITY

MO 65101

NANCY S. LUTHERMAN
FOR: WINIFRED L. KREIER
220 10TH STREET, NW
WASHINGTON

Appendix B

Appendix B: Certification of Service

As provided in 49 C.F.R. § 1105.7(c), the undersigned hereby certifies that MNCR and CBR (jointly, applicant) has caused copies of this Environmental Report/Historic Report to be served upon the agencies listed below by hand or mail on __ December 2006, and that it has consulted and is consulting with all appropriate agencies in preparing this report:

1. State clearinghouse.

Missouri Federal Assistance Clearinghouse
Office of Administration
P.O. Box 809
Jefferson City, MO 65102
tel: 573-751-4834

2. State environmental protection agency.

Missouri Department of Natural Resources
Att: Mr. Dru Buntin, Office of the Director
P.O. Box 176
Jefferson City, MO 65102
tel: 573-751-3195

3. The State Coastal Zone Management Agency.

Not applicable; no approved program

4. The head of the county.

- a) Livingston County
Livingston County Commission
Att: Presiding Commissioner Eva Danner
700 Webster
County Courthouse
Chillicothe, MO 64601
tel: (660) 646-8000
- b) Linn County
Linn County Commission
Att: Presiding Commissioner Rick Solomon
P.O. Box 92
County Courthouse
Linneus, MO 64653-0092
tel: (660) 895-5417
- c) Chariton County
Chariton County Commission
Att: Presiding Commissioner Larry Peters

306 S. Cherry
County Courthouse
Keytesville, MO 65261
tel: 660-288-3273

5. Regional offices of the Environmental Protection Agency.

Region 7, EPA
901 N. 5th St.
Kansas City, MO 66101
tel: 913-551-7003, or 800-223-0425

6. The U.S. Fish and Wildlife Service.

Region 3, U.S. Fish and Wildlife Service
Att: John Kauffelz
One Federal Drive
BHW Federal Bldg.
Fort Snelling, MN 55111-4056
tel: 612-713-5327

7. The U.S. Army Corps of Engineers.

US Corp of Engineers, Kansas City District
Att: CENWK-OD-R
700 Federal Bldg.
601 East 12th St.
Kansas City, MO 64106-2896
tel: 816-983-3990

US Corp of Engineers, Missouri State Regulatory Office
221 Bolivar St., #103
Jefferson City, MO 65101
tel: 573-634-2248

8. The National Park Service.

National Park Service
Department of the Interior
1849 C Street, NW,
Washington, D.C. 20240

Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226
tel: 402-221-3471

9. The U.S. Soil Conservation Service.

Natural Resources Conservation Service
USDA
Parkade Center, Suite 250
601 Business Loop 70 West
Columbia, MO 65203-2546
tel: 573-876-0901

10. The State Historic Preservation Office.

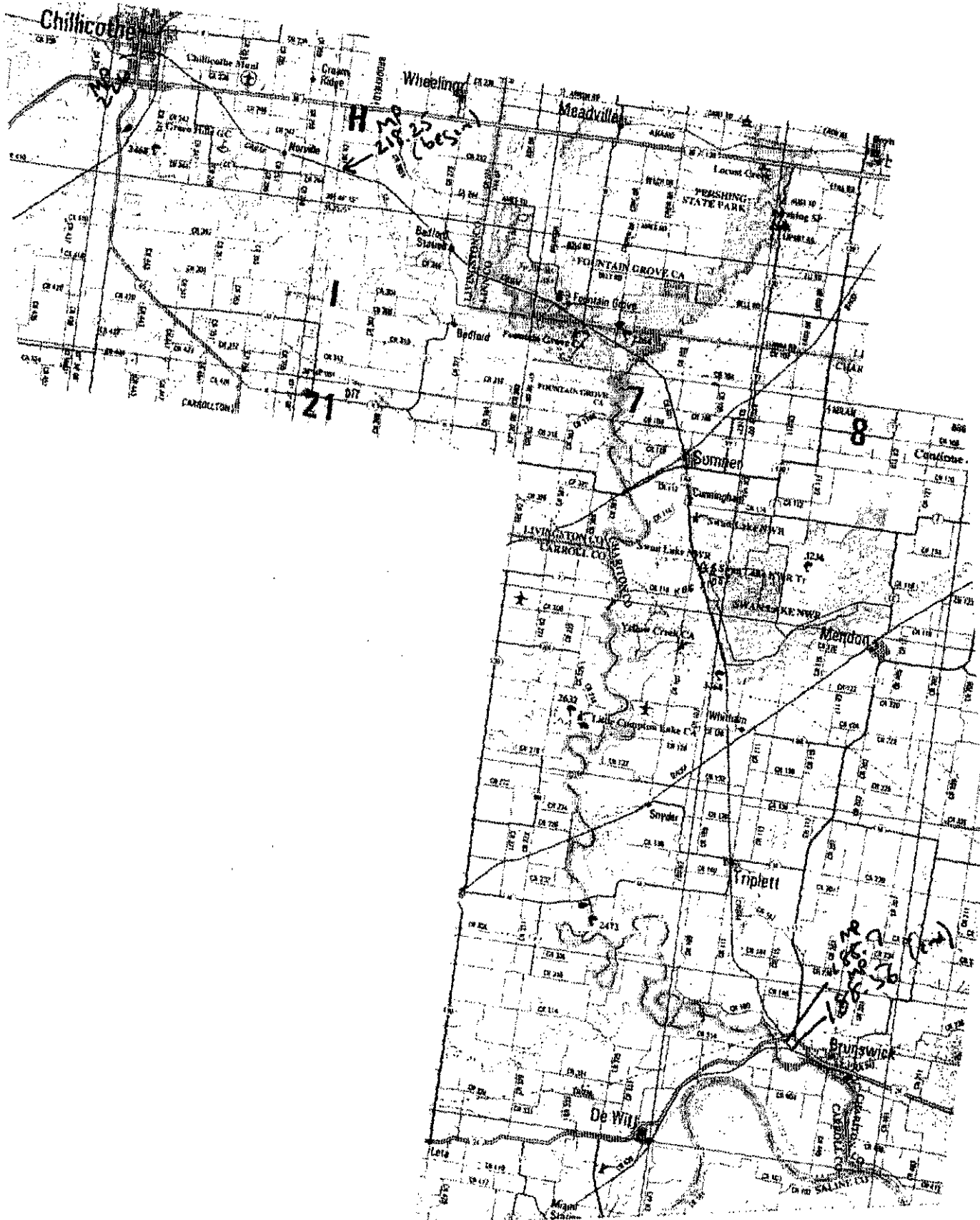
Missouri Department of Natural Resources
Historic Preservation Program, Division of State Parks
Att: Mr. Mark Miles
P.O. Box 176
Jefferson City, MO 65102
tel: 573-751-7858

11. National Geodetic Survey,
NGS Information Services, NOAA
National Geodetic Survey SSMC-3, #9202
1315 East-West Highway
Silver Spring, MD 20910-3282
tel: 301 713-3242, email preferred.

12 City of Chillicothe
Att: City Clerk
715 Washington St.
Chillicothe, MO 64601
tel: 660-646-2267

13 Missouri Department of Conservation
Att: Messrs. Stuart Miller (Policy Coordinator)
& David McAllister (dep. legal counsel)
Missouri Department of Conservation
PO Box 180
Jefferson City, MO 65102-0180
tel: 573-522-4115

Appendix C



Appendix D

Lower Grand River Conservation Opportunity Area



Central Dissected
Till Plains



False aster and tickseed sunflowers brighten this wet bottomland prairie at Pershing State Park.

Ken McCarry, Missouri Department of Natural Resources

The Grand River is a large prairie river that once meandered across a broad, open floodplain. The floodplains of Grand River and its major tributaries were historically mosaics of marsh, wet prairie and bottomland forest. Upland prairies occurred on the surrounding plains.

Swan Lake National Wildlife Refuge, Pershing State Park, Fountain Grove Conservation Area and Yellow Creek Conservation Area are core managed areas central to the Lower Grand River Conservation Opportunity Area (COA). Each managed area is known for restored wetlands and associated plants, insects, amphibians, reptiles, birds and migrating waterfowl. Streams like Yellow Creek, Locust Creek and Parson's Creek are less channelized within the COA than upstream.

Wet bottomland prairies occur on floodplains of large prairie-region rivers. Depending on frequency of flooding and soil drainage, plant communities range from extensive stands of cordgrass with scattered wildflowers to patchy sedge meadows. Animals associated with wet prairies include the eastern tiger salamander, midland brown snake, eastern massasauga, American bittern, mallard, northern harrier and sedge wren.

Bottomland forests and woodlands occur on old oxbows and low ridges along prairie rivers and streams. Shallow seasonal flooding can last for more than a month. The canopy is dominated by bur oak. Fire keeps bottomland woodlands more open. Forested and wooded bottomlands along the Grand River provide habitat for great egrets, green herons, wood ducks and bald eagles.

Lower Grand River Conservation Strategies

- Restore riverine habitat abundance and diversity for native plants and animals.
- Restore bottomland forests and woodlands to provide habitat for native plants and animals, with emphasis on species of conservation concern.
- Manage wetlands and wet prairie habitats to benefit resident and migratory wildlife.
- Expand wet prairie habitat to allow the connection of Eastern massasauga populations at Pershing State Park and Swan Lake National Wildlife Refuge.
- Control populations of problematic exotic and invasive plants (e.g. Johnson grass, reed canary grass, garlic mustard).
- Educate landowners about the importance of conservation practices.



Jin Raftery, Missouri Department of Conservation

Snow geese are common migrants through Missouri. Their populations have increased to historically high levels.

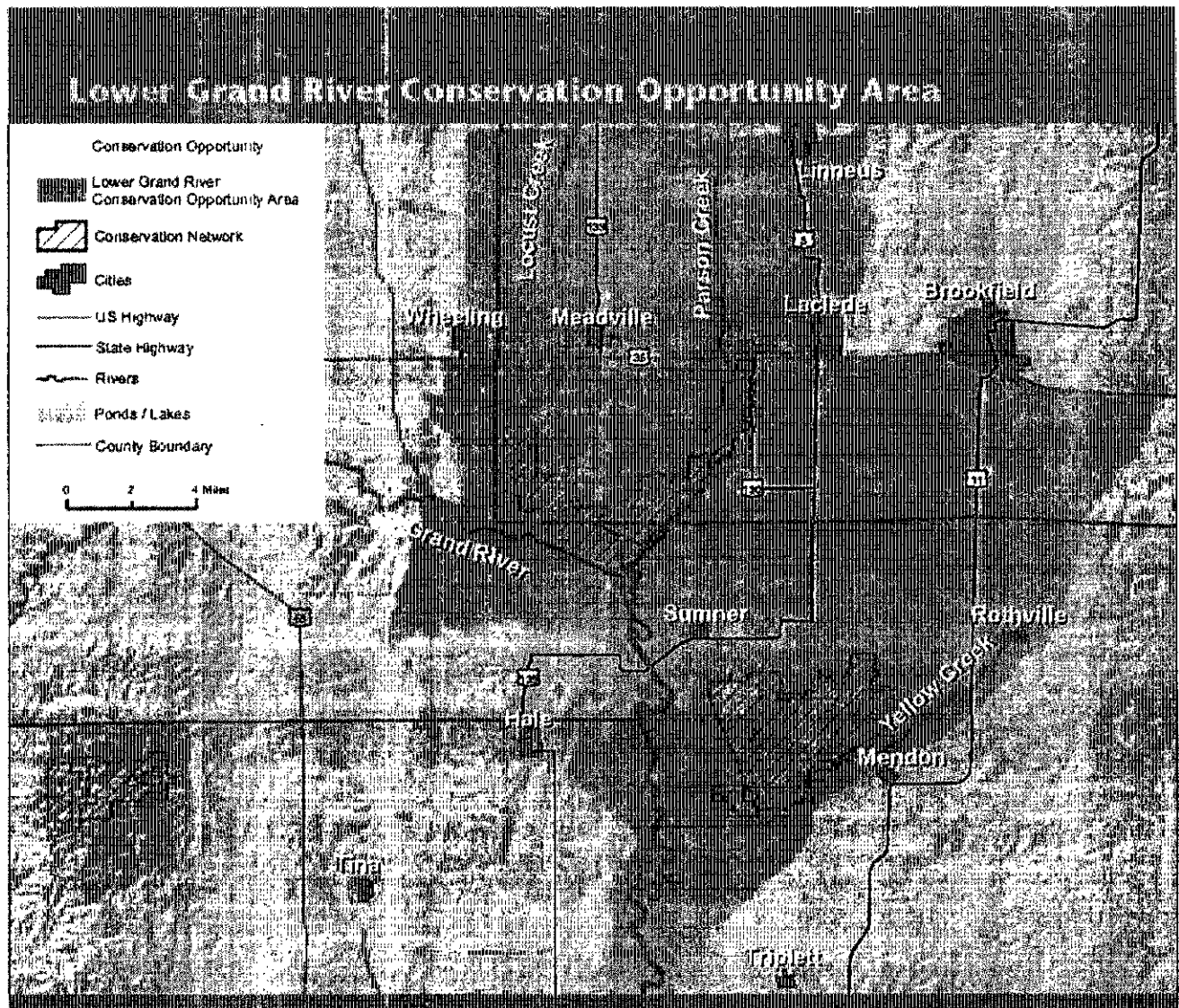
Priority Research and Inventory Needs

- Research methods to establish diverse wet prairies
- Evaluate the relationship between current floodplain habitats and changes in historic flood timing and duration.
- Evaluate ways to keep Locust Creek from rerouting into Higgins Ditch.
- Determine the impacts of wetlands on water quality.
- Develop techniques to increase sinuosity in the channelized portion of Parson's Creek on Fountain Grove Conservation Area.

Conservation Partners

Existing: Ducks Unlimited (DU); Grand River Audubon Society; National Wild Turkey Federation (NWTF); Missouri Conservation Heritage Foundation (MCHF); Natural Resource Conservation Service (NRCS); U.S. Fish and Wildlife Service (USFWS); Missouri Department of Natural Resources (DNR); Missouri Department of Conservation (MDC)

Potential: The Nature Conservancy – Missouri Chapter; Audubon Missouri; Missouri Brookfield Stream Team; private landowners



Funding Sources

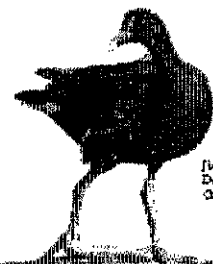
Existing: USFWS annual budget; DNR annual budget; MDC annual budget; Farm Service Agency Conservation Reserve Program; NRCS Wetland Reserve Program; NRCS Wildlife Habitat Incentive Program; NRCS Environmental Quality Incentives Program; SWCD State Cost Share Funds; EPA Region 7 Funds; DU Conservation Projects Program; QU Quail Habitat Incentive Funds; MCHF Stream Stewardship Trust Fund; Missouri Bird Conservation Initiative Grant; NWTF Wild Turkey Super Fund

Promising Future Sources: MDC State Wildlife Grants; MDC Wildlife Diversity Funds; National Fish and Wildlife Foundation Grants; USFWS North American Wetlands Conservation Act Grants; NRCS Conservation Security Program; Missouri Corn Growers Association Environmental Resource Coalition Research Funds

Existing Conservation Network

Swan Lake National Wildlife Refuge (Yellow Creek Research Natural Area); Pershing State Park (Locust Creek Natural Area, Cordgrass Bottoms Natural Area, Covered Bridge State Historic Site); Fountain Grove Conservation Area; Yellow Creek Conservation Area (Yellow Creek Natural Area); Little Compton Lake Conservation Area; Floyd Memorial Conservation Area; Sumner Access

A male common moorhen balances on a floating log. Wetlands in the Lower Grand River COA attract a variety of unusual birds on migration routes.



(Joe Barber, Missouri Department of Conservation)

Locust Creek Natural Area



Tom Nagel, Missouri Department of Conservation

Buttonbush dominates the borders of this cutoff slough along Locust Creek in Pershing State Park. Locust Creek Natural Area represents one of the last examples of an active meandering river system in northern Missouri.

Conservation Challenges

Upstream soil erosion adds extra silt to bottomland forests and wet prairies, often killing canopy trees, reducing plant diversity and favoring garlic mustard invasion. In Locust Creek Natural Area (part of Pershing State Park) silt has covered much of the state park to depths exceeding 4 feet, killing canopy trees and destroying the cordgrass wet prairie for which Cordgrass Bottoms Natural Area is recognized.

Soil and water conservation efforts and the creation of forested buffer strips along upstream river channels are needed to reduce soil erosion and sedimentation. Additional challenges to conservation success include Locust Creek flows rerouting into Higgins Ditch, water pollution, invasive species and gaining landowner support.

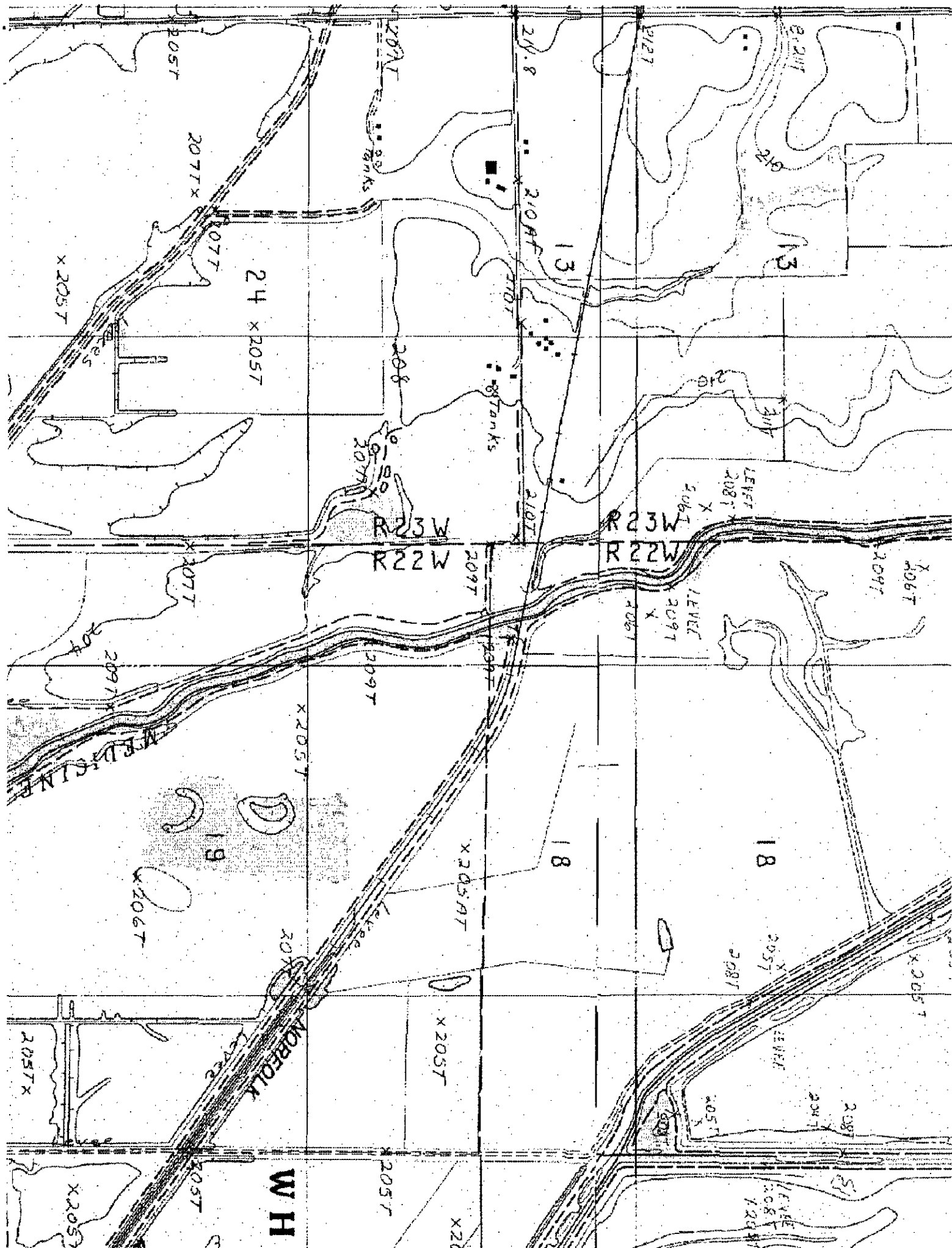
To learn more about the Lower Grand River Conservation Opportunity Area, please contact:



Missouri Department of Conservation
Wildlife Division
P.O. Box 180
Jefferson City, MO 65102-0180

Appendix E





WHEELING

20

21

WHEELING

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VEWC
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0 2-240 X
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Station

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LIVINGSTON CO
LINN CO

Creek

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W 202 / 204 AT

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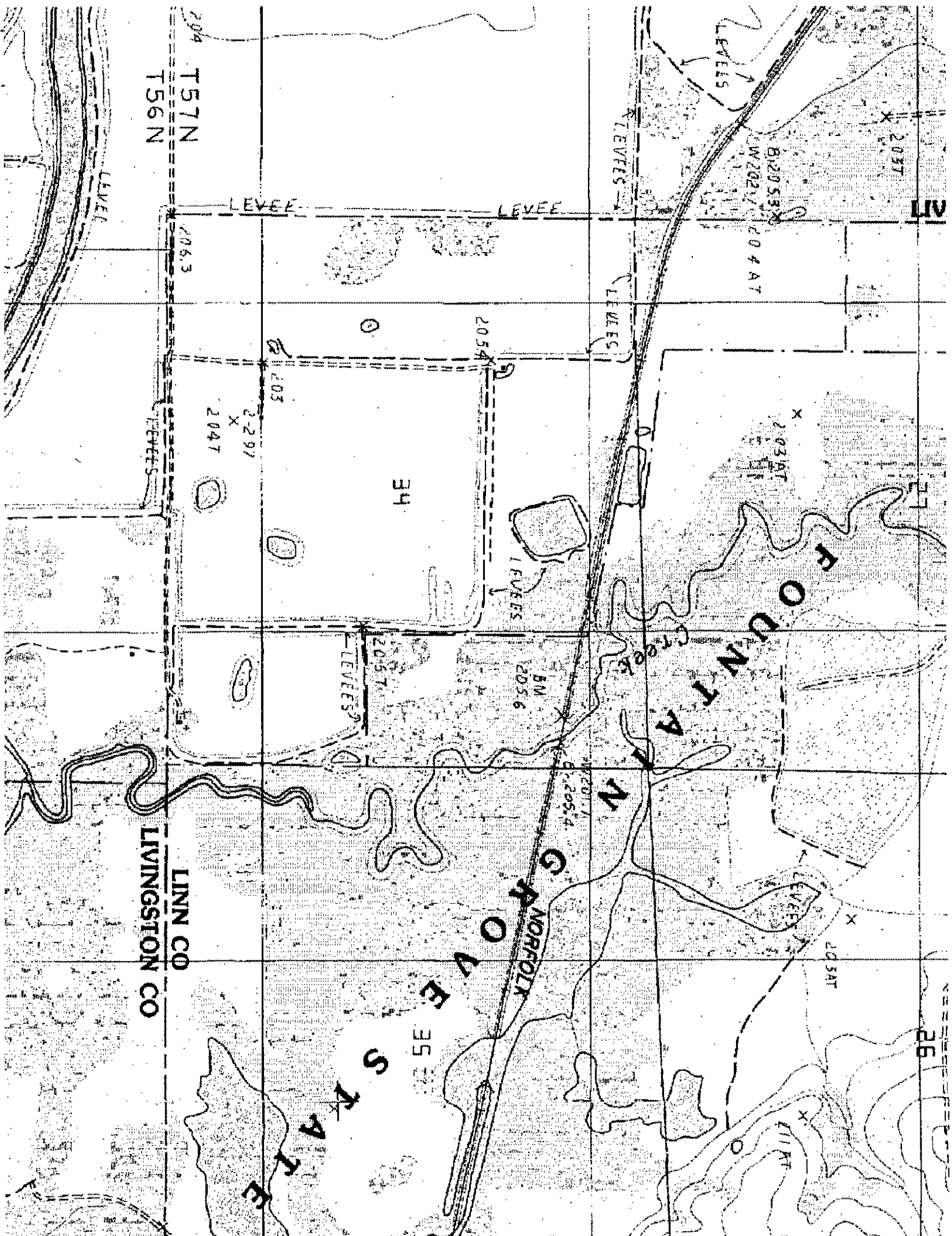
Levee

LEVEE

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LEVEE

LEVELS



204 T57N
T56N

LINN CO
LIVINGSTON CO

LEVEE LEVEE

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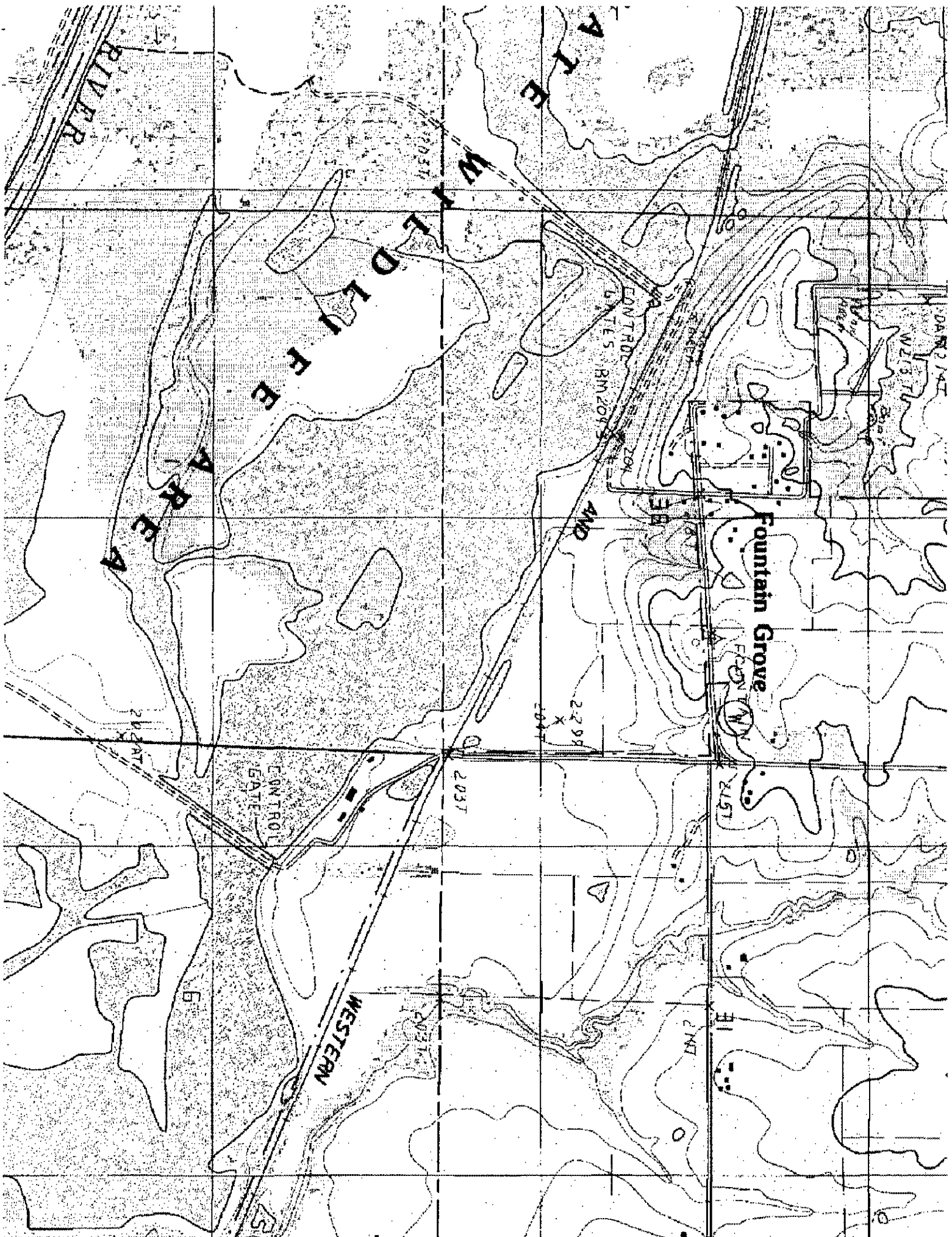
FONTANA

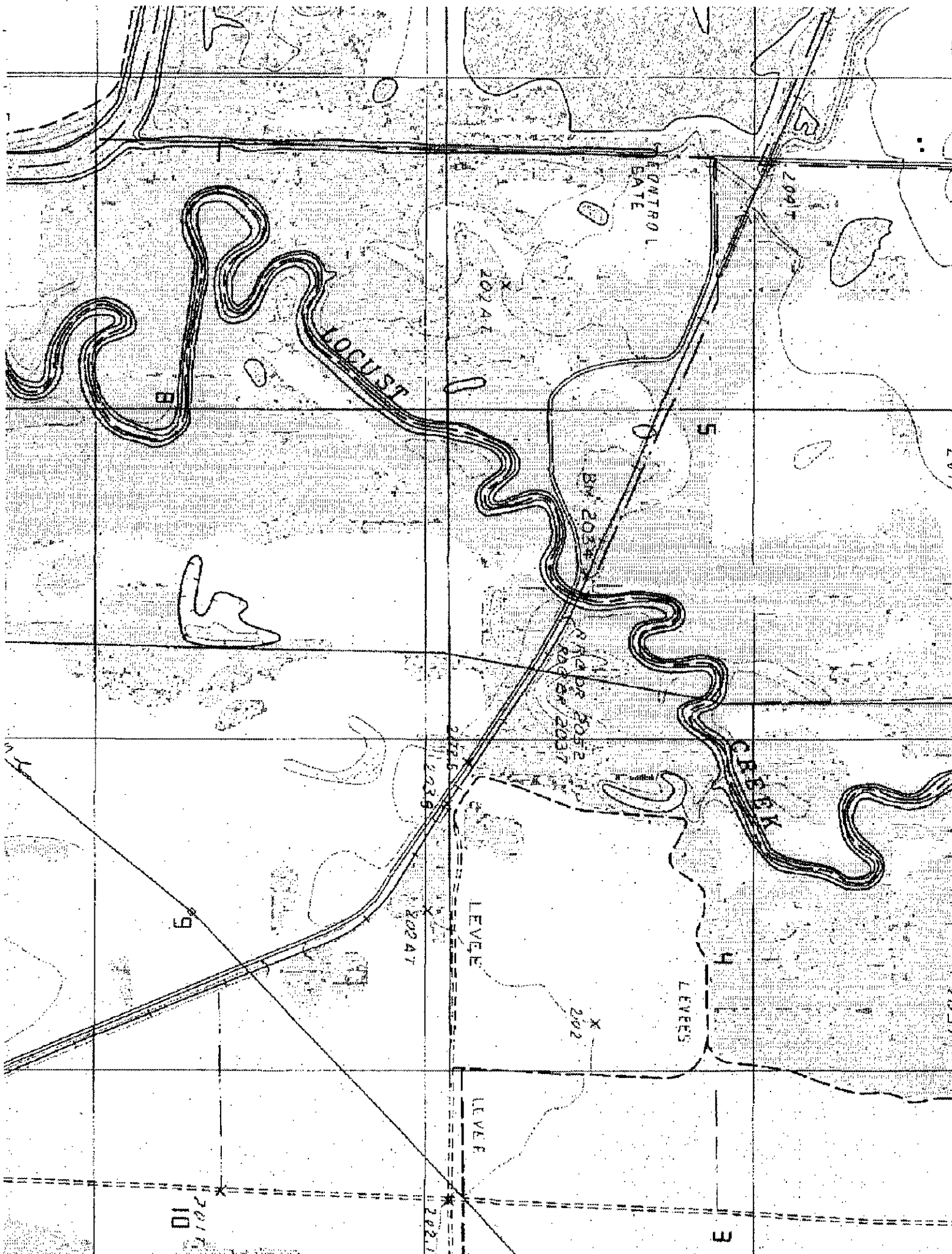
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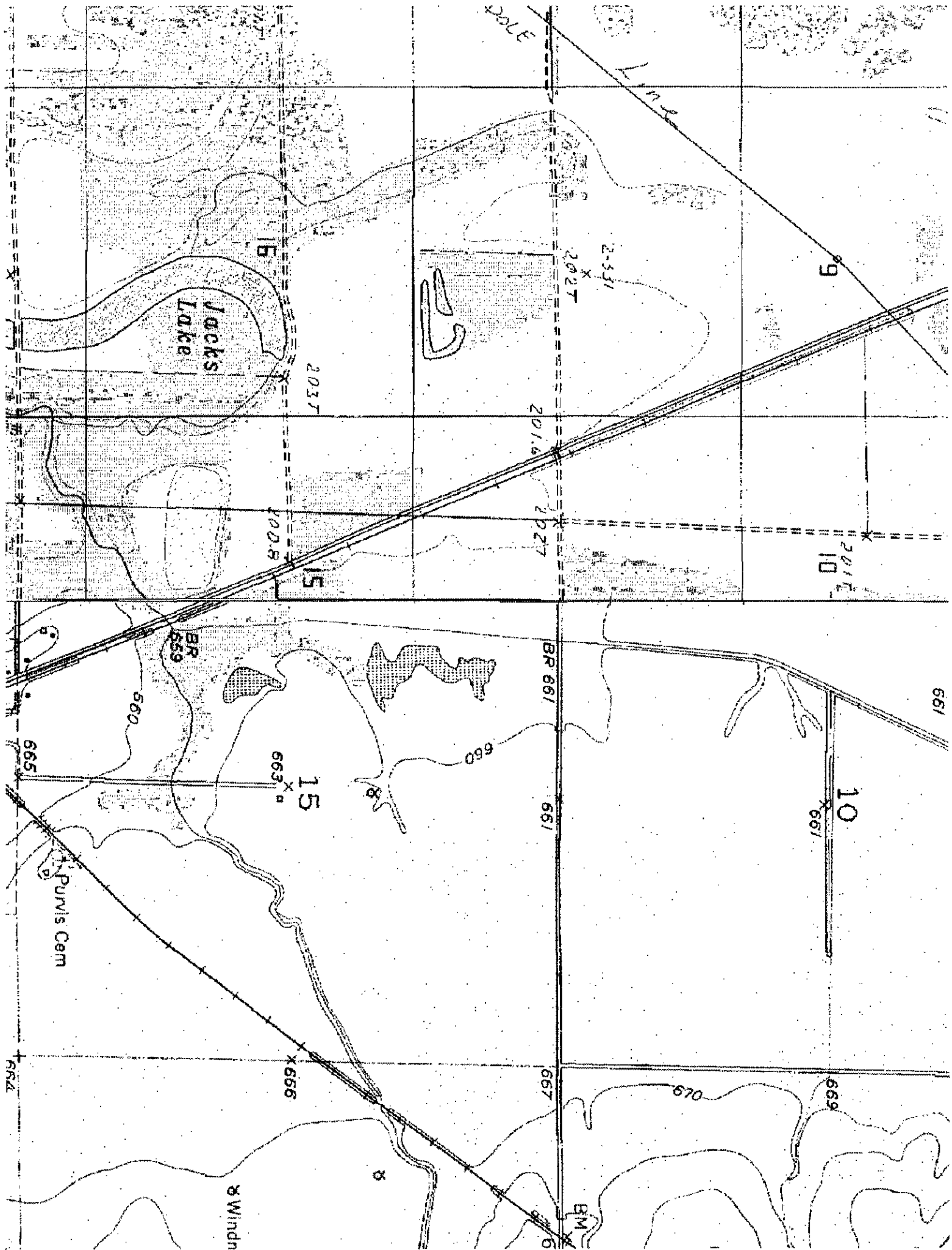
GOVE

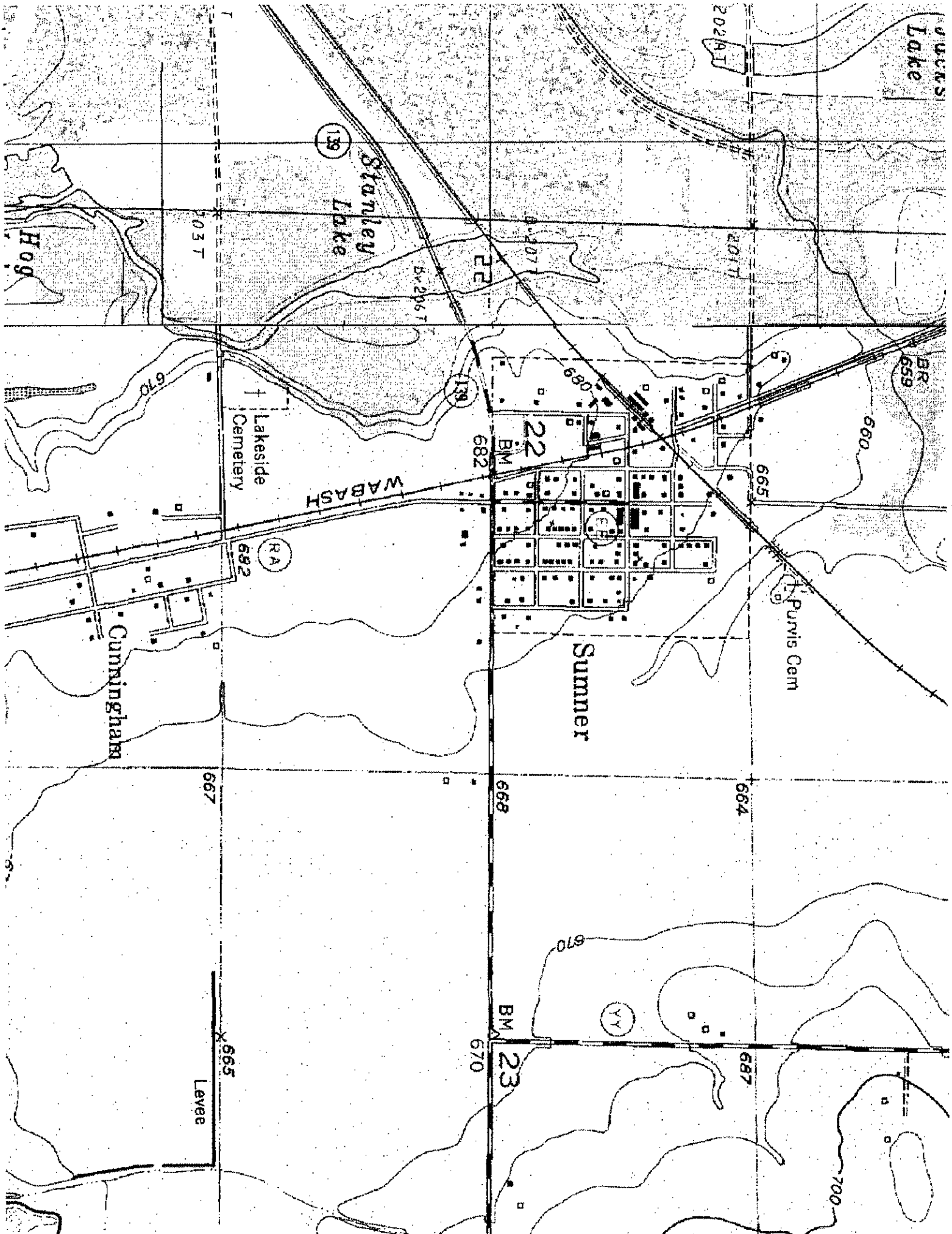
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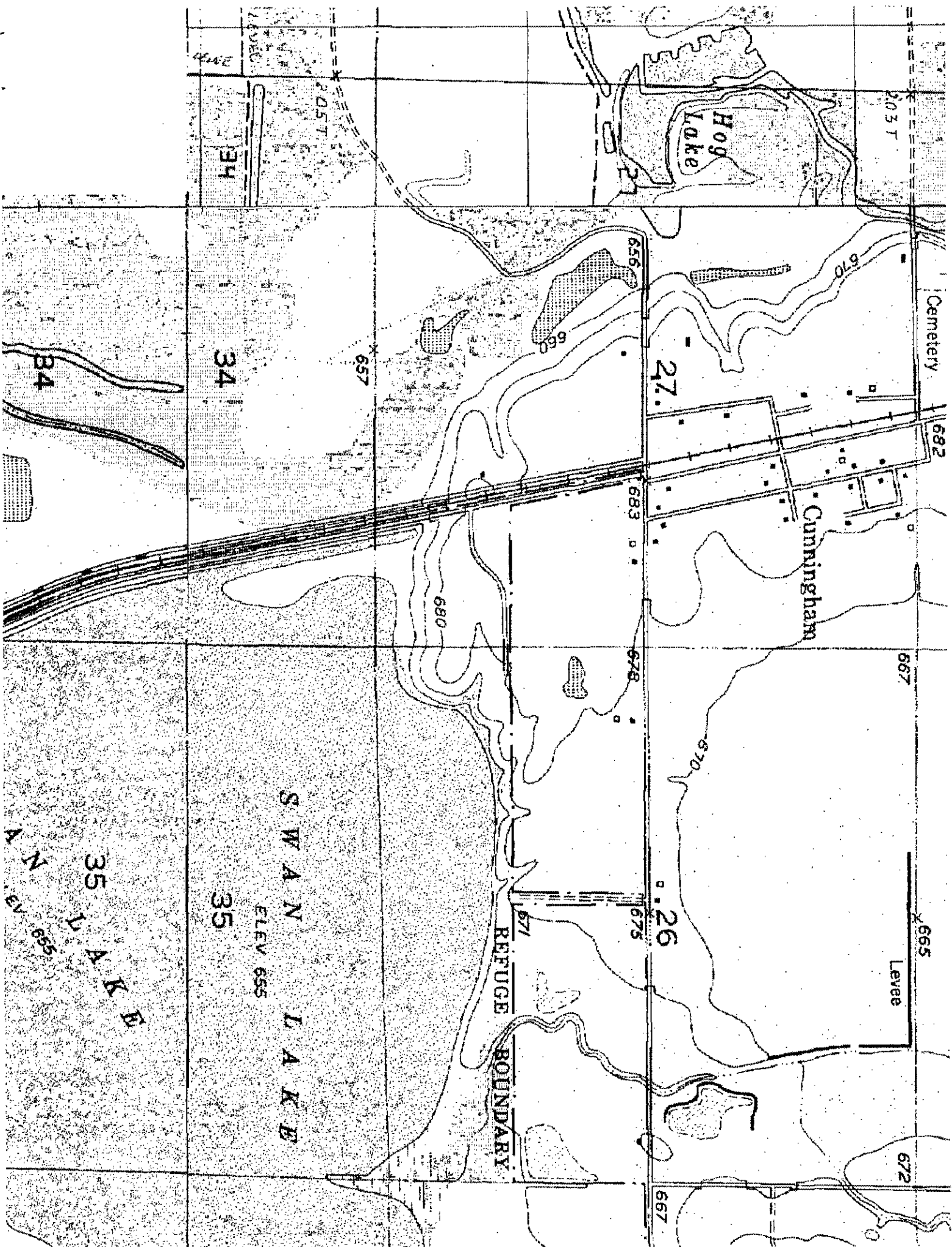
STATE

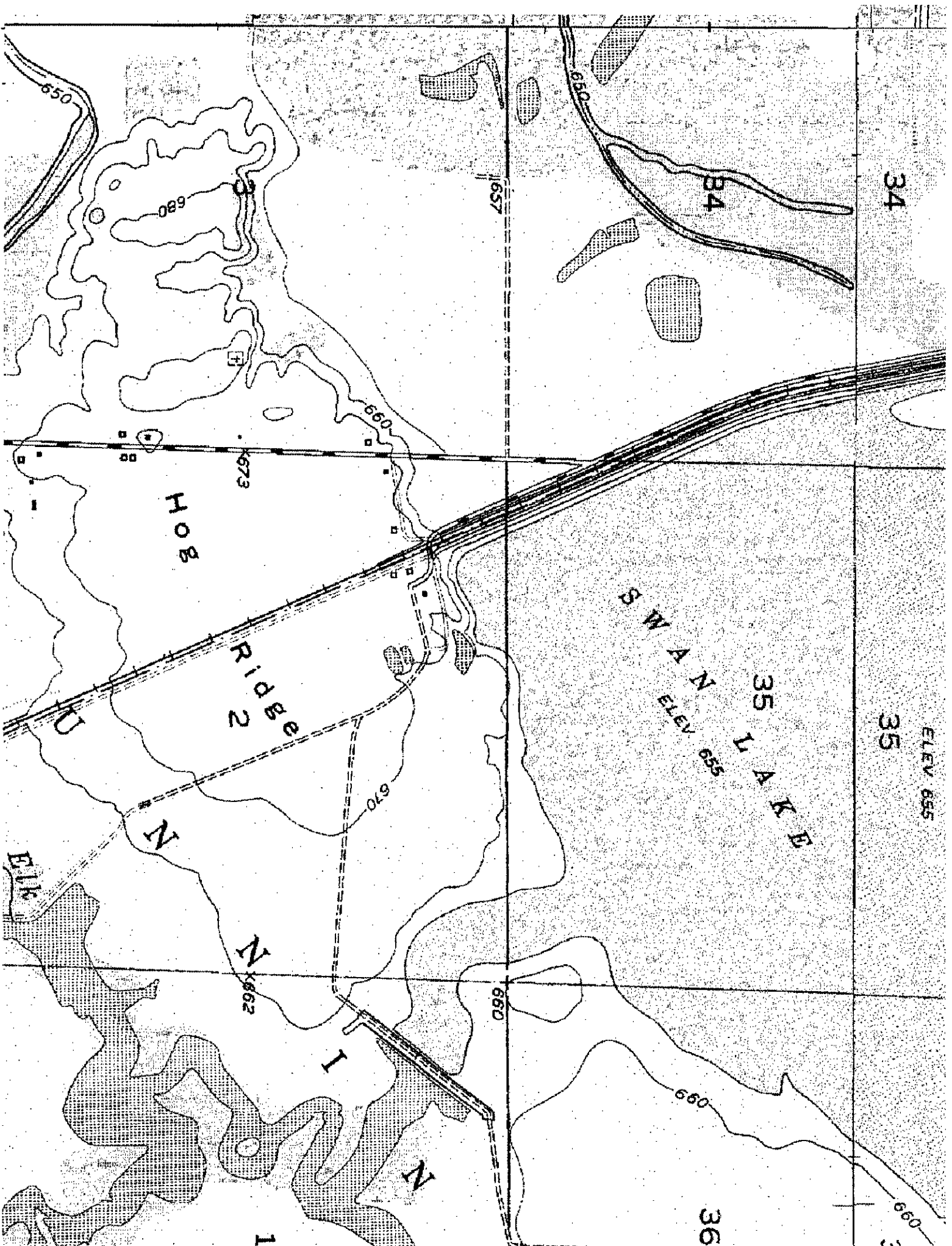


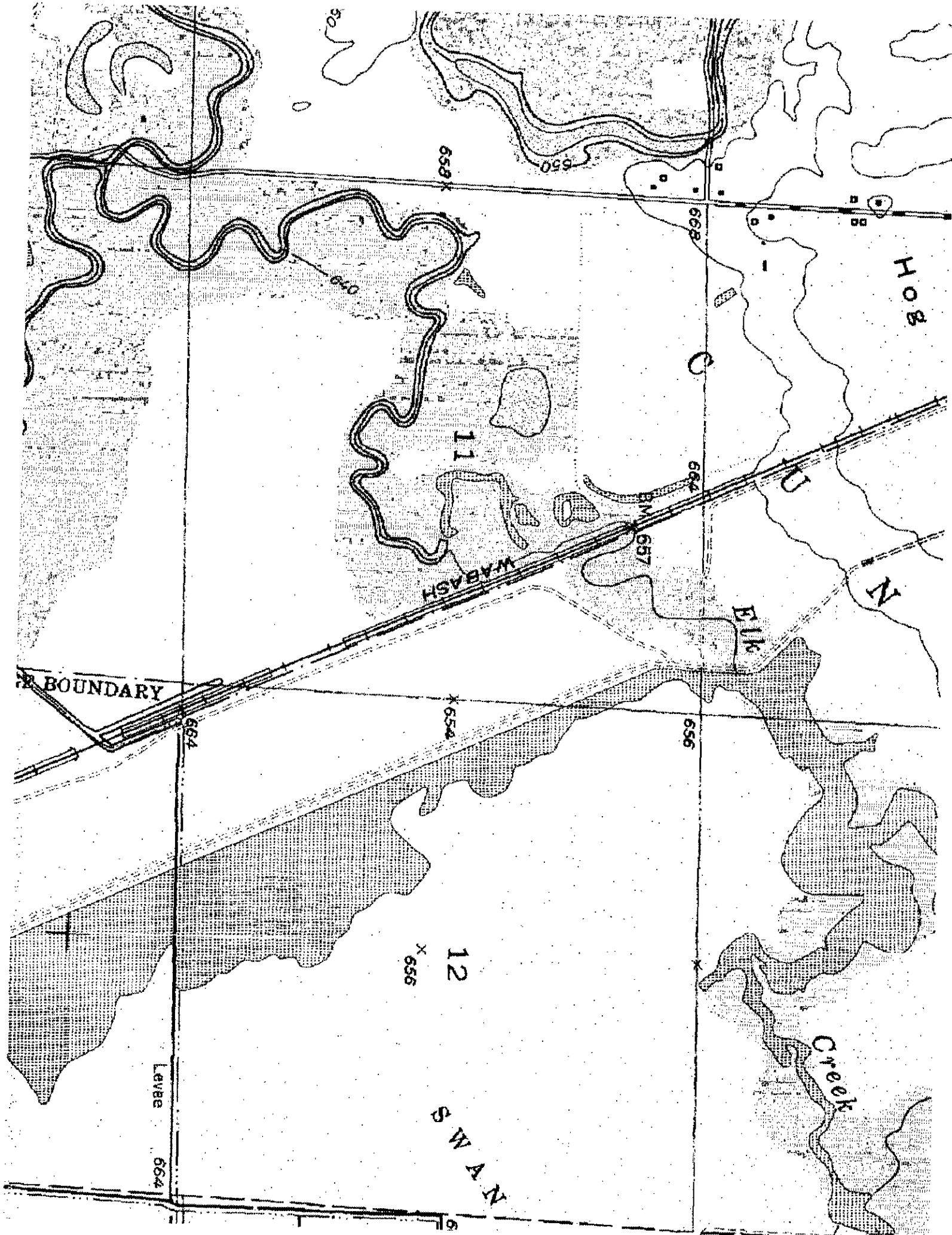


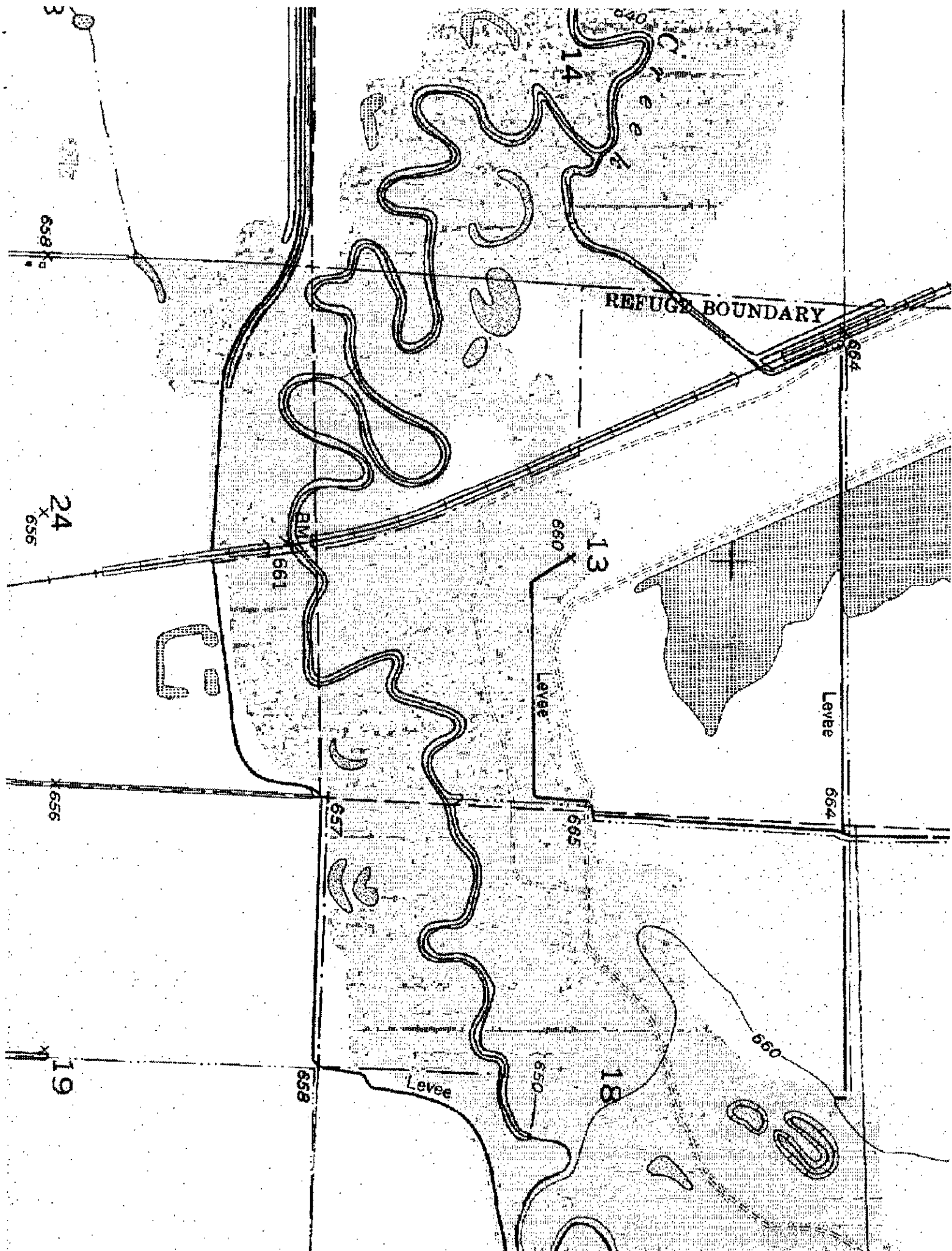


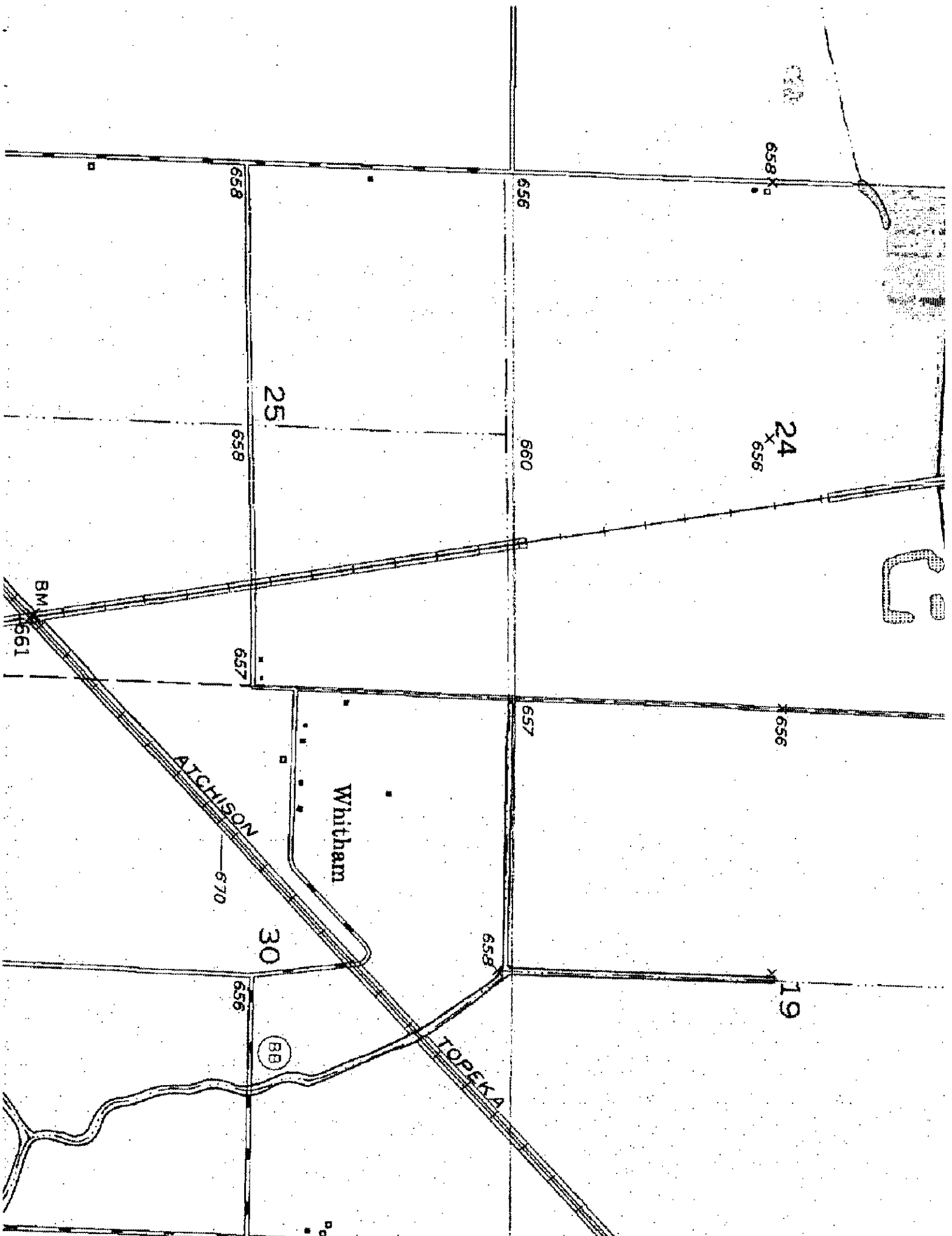


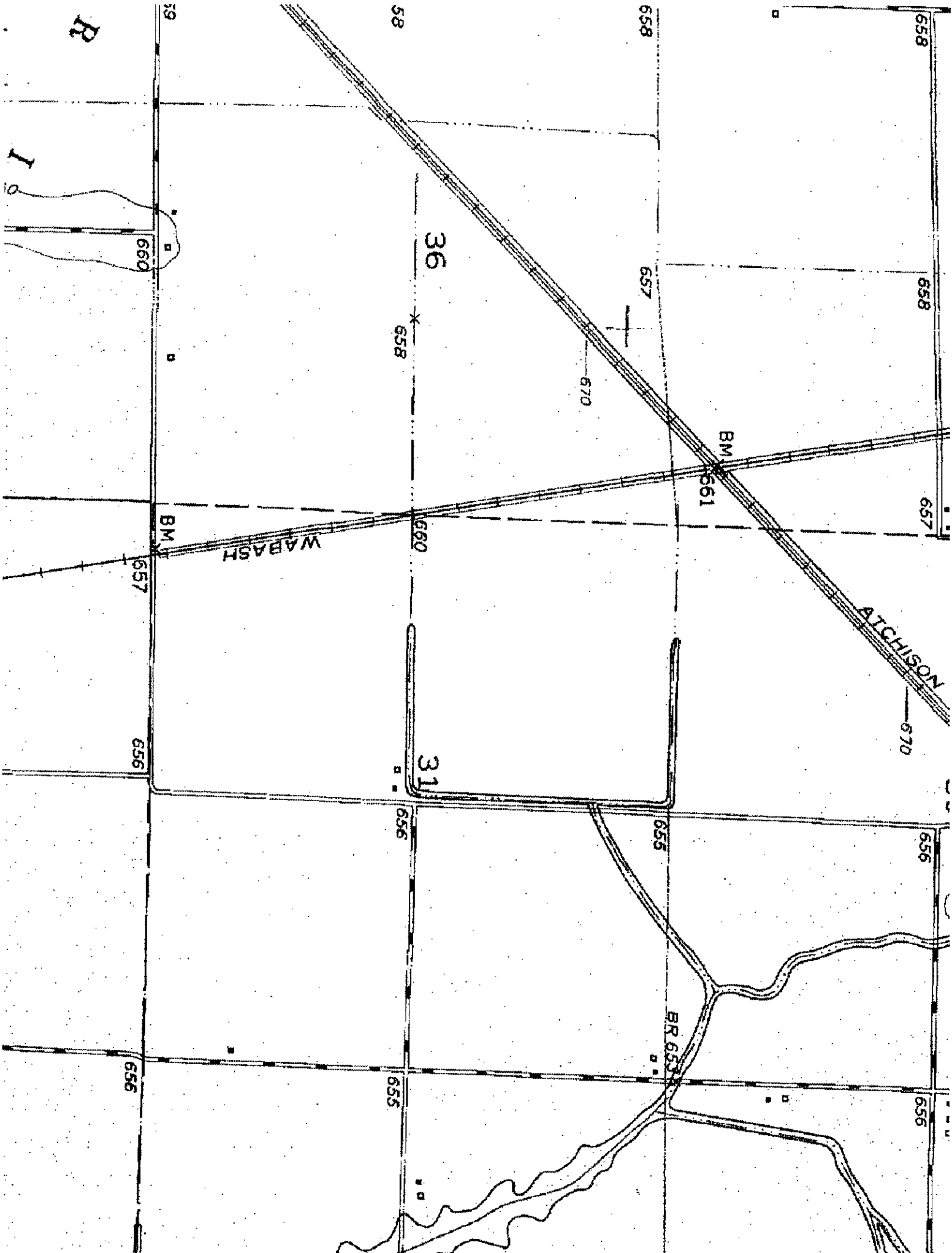


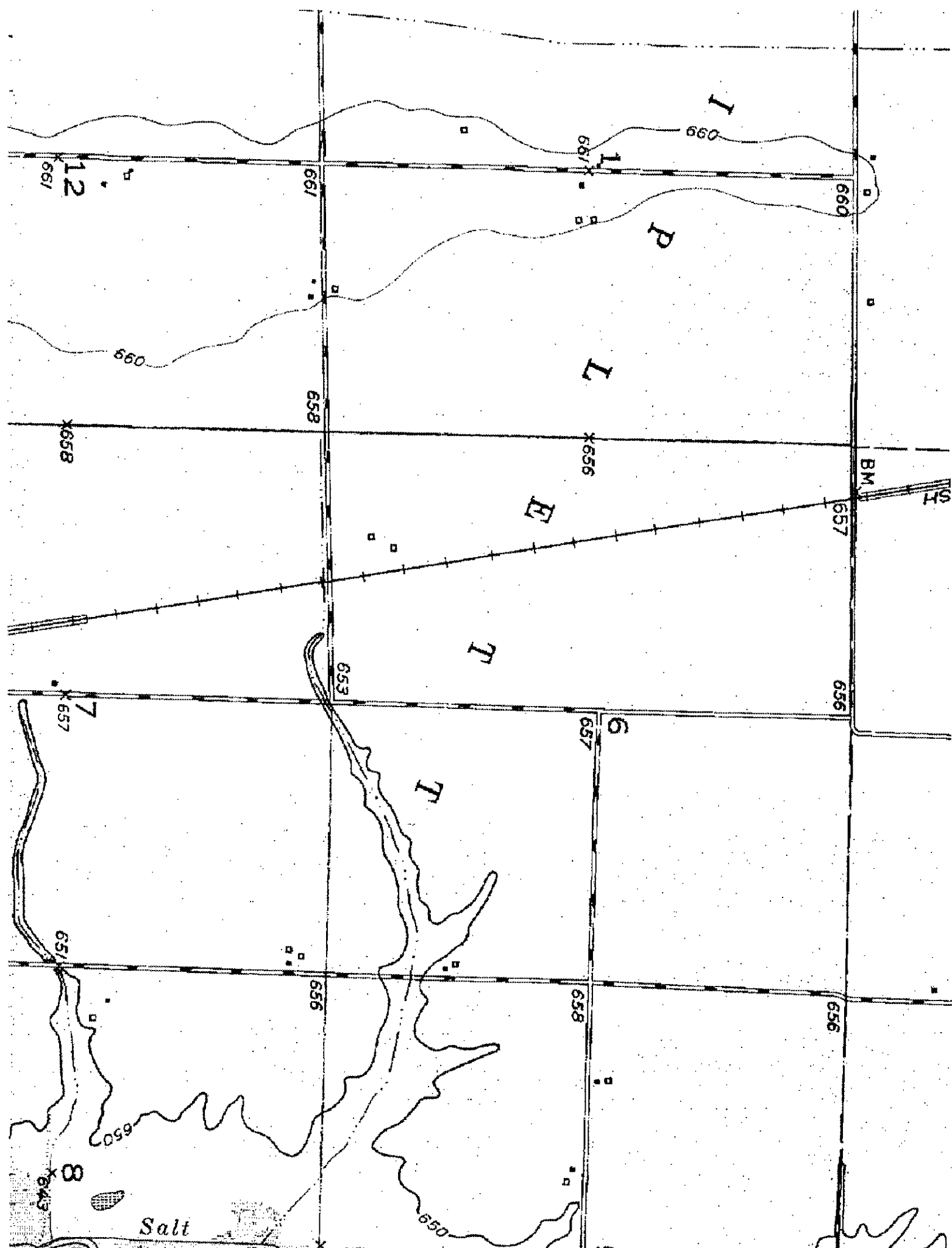


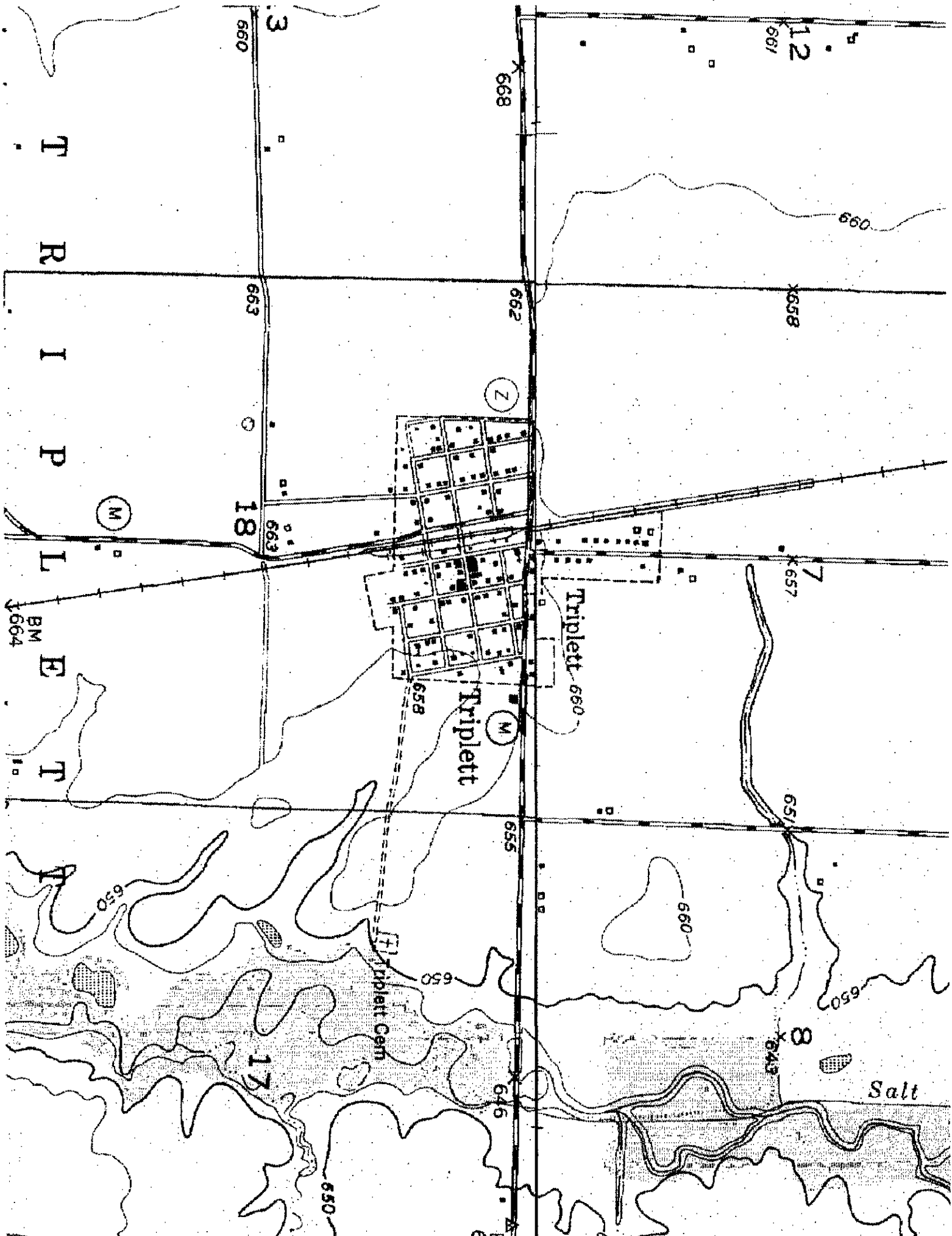


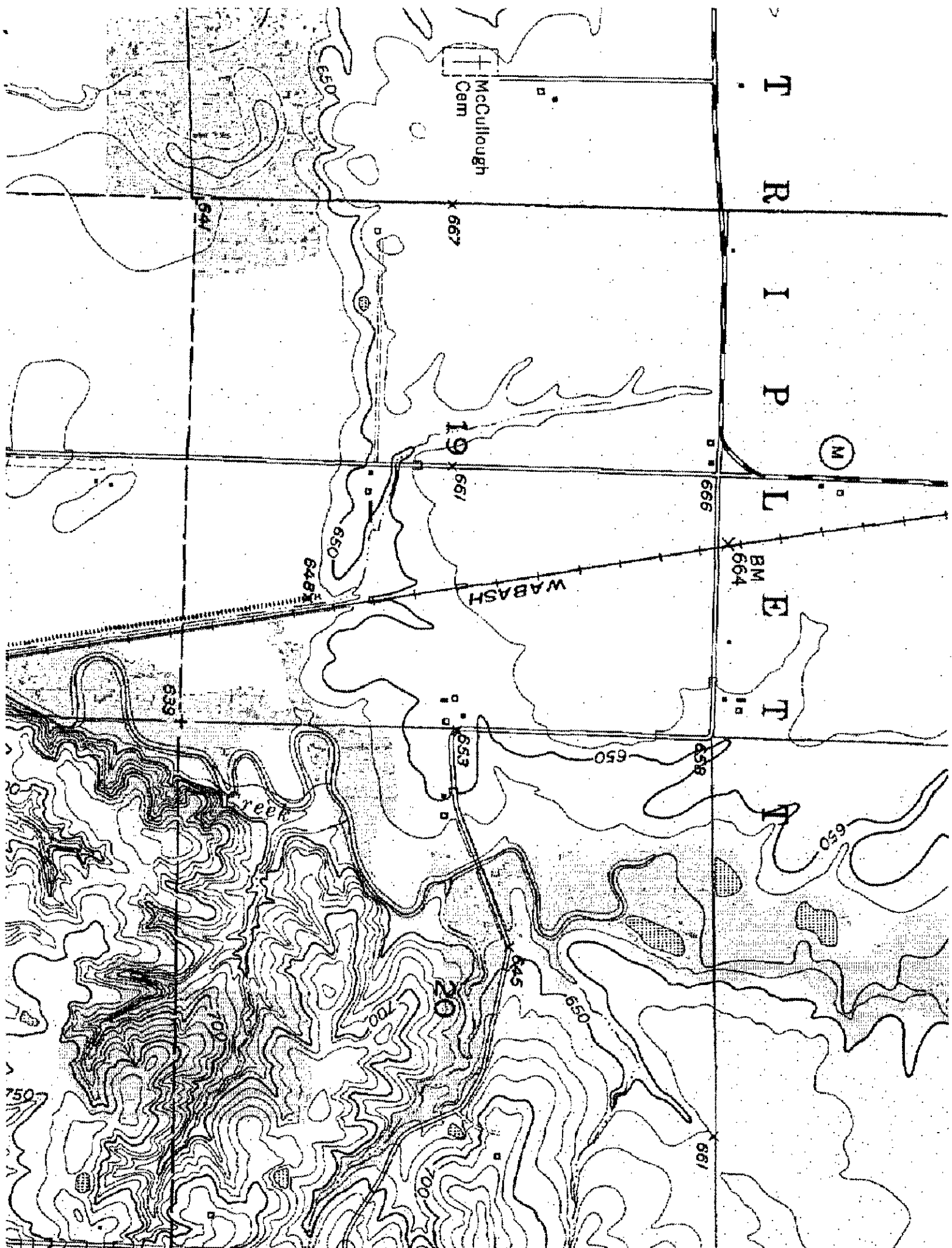




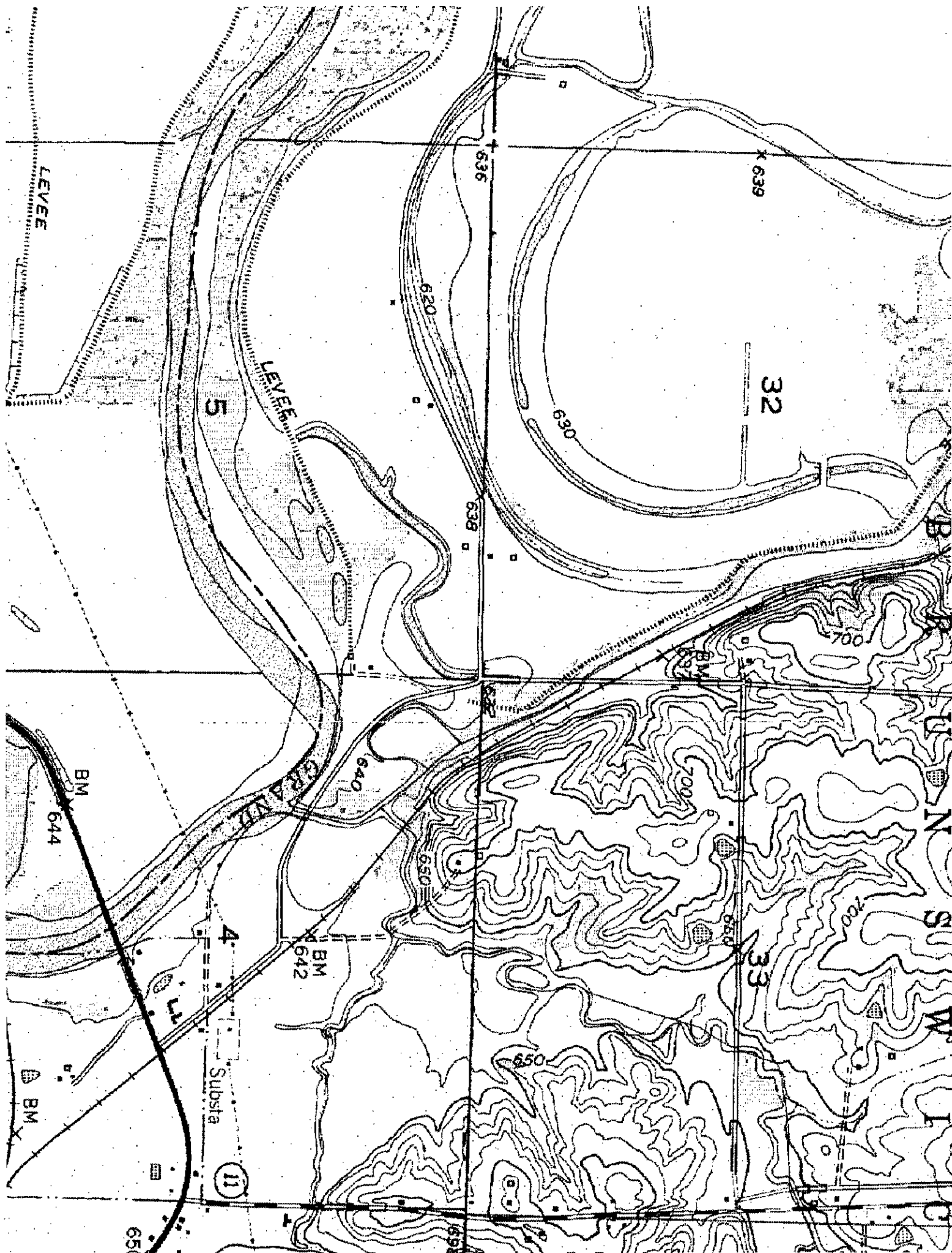


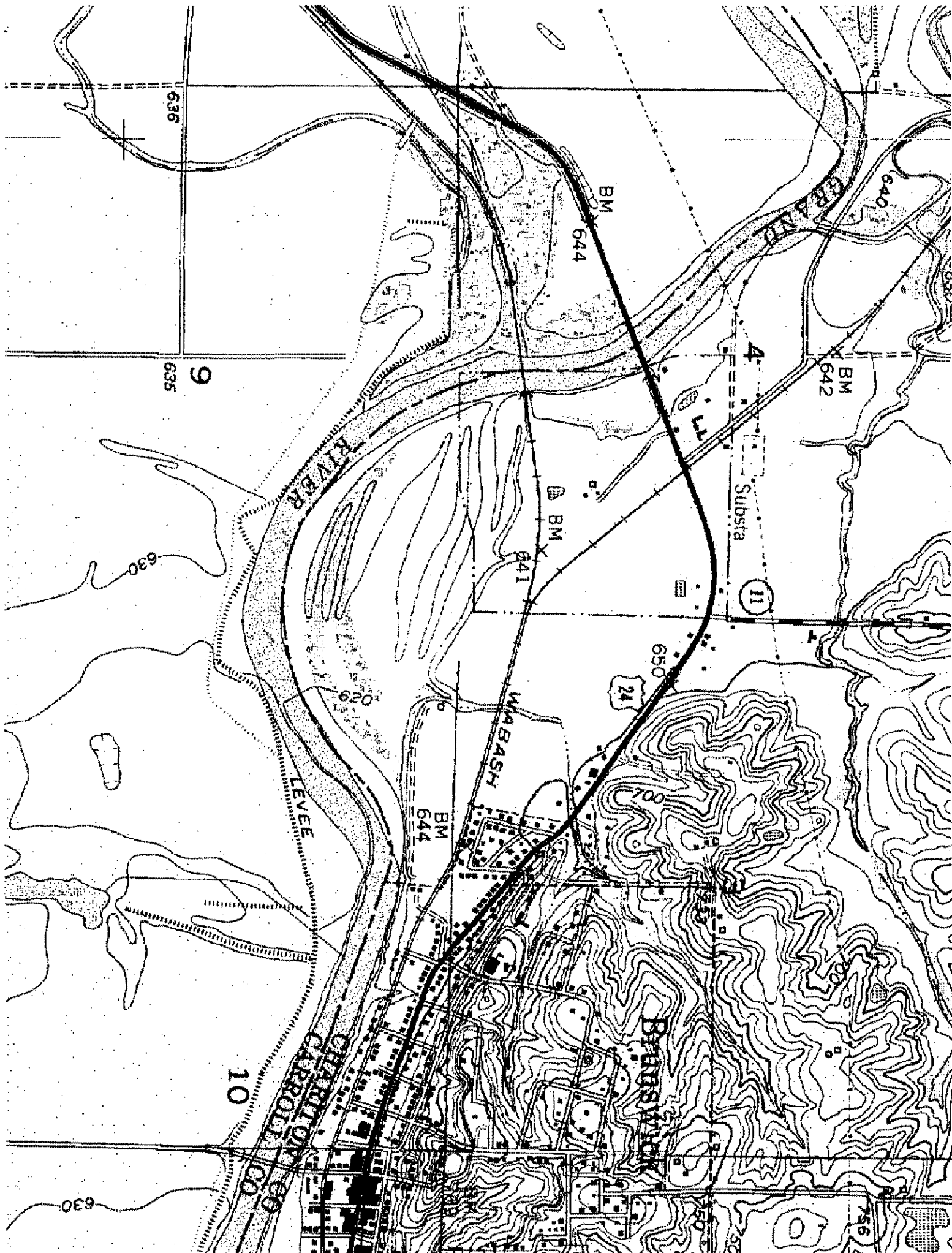










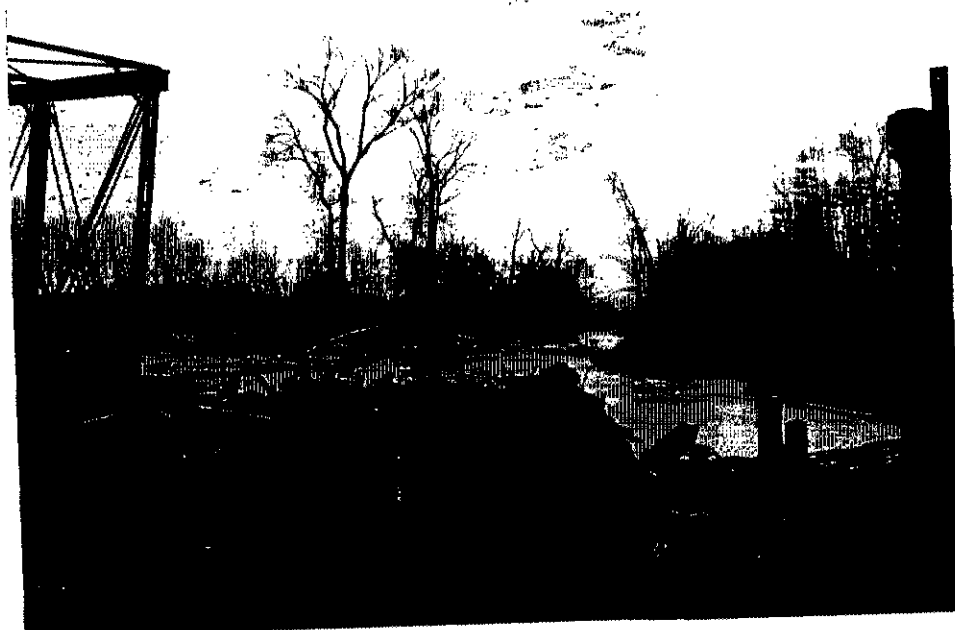


Appendix F

Photos Showing Destruction of Bridges
(focus on Medicine Creek Bridge)
and Reconstruction Activities in 1993

[Due to Flood Events, No 50+
Bridges Located on Corridor]

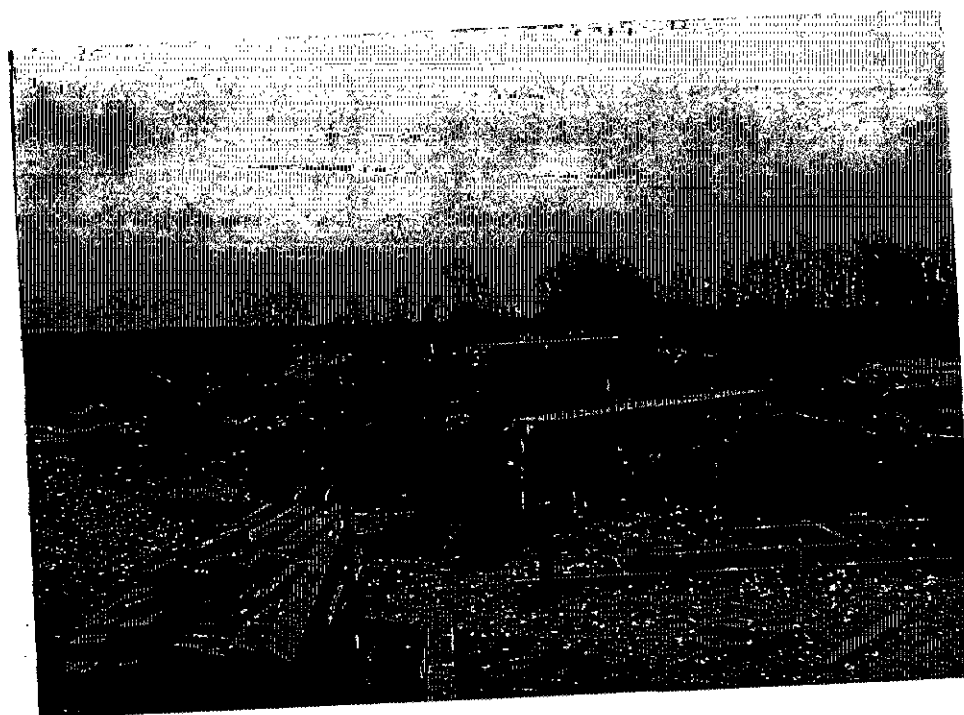
Photos of Medicine Creek Bridge
(MP 217.57)
destroyed by flood event and removed/reconstructed circa 1993



Photos of Medicine Creek Bridge
(MP 217.57)
destroyed by flood event and removed/reconstructed circa 1993



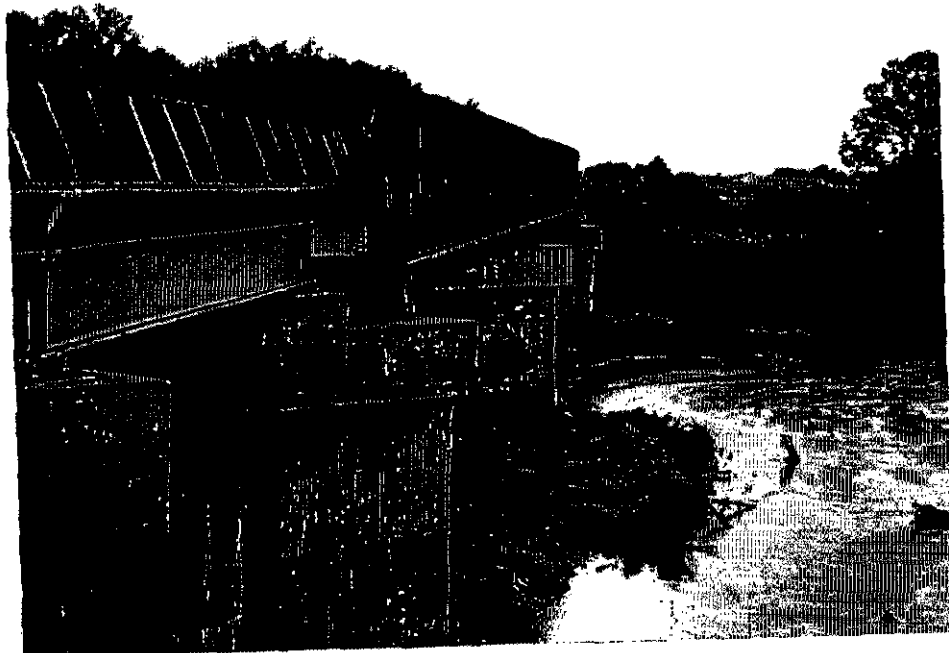
Photos of Medicine Creek Bridge
(MP 217.57)
destroyed by flood event and removed/reconstructed circa 1993



Photos of Medicine Creek Bridge
(MP 217.57)
destroyed by flood event and removed/reconstructed circa 1993



Photos of Medicine Creek Bridge
(MP 217.57)
destroyed by flood event and removed/reconstructed circa 1993



Photos of Medicine Creek Bridge
(MP 217.57)
destroyed by flood event and removed/reconstructed circa 1993



Photos Showing Flood Event Circa 1993
and Subsequent Reconstruction of Bridge 773
(MP 199.45)



Appendix G

Wabash Railroad History

Condensed from an article written by the Advertising and Public Relations Department of the Wabash Railroad Company, August, 1959

On November 8, 1838, the first railroad locomotive ever operated in the State of Illinois (or for that matter, in the entire area west of the Allegheny Mountains and north of the Ohio River) was placed on track at Meredosia and hauled a select party to the end of the eight miles of track which had been completed at that time, and back to Meredosia. That road which was known as the "Northern Cross" and that locomotive which was called the "Rogers" formed the nucleus of what was later to become the great Wabash Railroad System.

In the early 1830's, few of the westward-bound settlers ended their journeys east of the Mississippi. They were lured to the west bank of the river by the frontier civilization of the city of St. Louis, just below the junction of the Mississippi and the Missouri Rivers.

Geographical location and the lack of transportation facilities handicapped the growth of Illinois. Fewer and fewer traders moving westward by water were making the long, arduous trip via the Great Lakes and down the length of Lake Michigan to the tiny settlement that in 1833 was named "Chicago". In the 1830's, as pioneers settled in Illinois, they realized that here in their new homes was a need for better transportation facilities to move their furs, their crops and their goods to the markets along the river.

It was this problem of transportation that faced the Illinois legislature as it convened in the tiny capitol of Vandalia in the early 1830's. And the legislatures divided themselves into two partisan groups.

The men whose boyhood had been spent in the river towns along the Ohio and the Mississippi favored the construction of an extensive canal system. These proponents of a new canal shouted down the suggestions that even a small percentage of the funds of the new State of Illinois be spent for the construction of a railroad. The railroad contingent, headed by Joseph Duncan, a member of Congress, sought financing for the project in New York, but here, too, they were met with ridicule. Financiers could see no gain in investing money in a railroad that would span only an unpopulated forest.

By 1834, the fight for better transportation had reached its peak. Duncan was now governor of Illinois and one of his first official acts was to recommend a network of roads, railroads and canals for his State. He conceded that canals offered the cheapest, most practical means of transportation, yet he had sufficient vision to see that the railroad offered the only hope of good transportation to those communities springing up at points away from the navigable rivers of the state. Duncan's flowery oratory finally won the passage of the Illinois Internal Improvement Act, a bill which contained authorization for the study of the State's transportation systems. Duncan, in 1834, succeeded in forcing approval of a steam engine railroad to be built between Quincy, on the Mississippi, via Clayton, Mt. Sterling, Meredosia, Jacksonville, Springfield and Decatur to Danville and the Illinois-Indiana state line. And the new railroad was to be built with state funds.

There was a shortage of materials, for the iron of the rails had to be brought up river by boat from New Orleans to St. Louis and re-shipped again by boat from St. Louis up the Mississippi and Illinois Rivers to the tiny settlement of Meredosia, the city that was later designated as the starting point for the new road.

Nearly three years after authorization for the construction of the new line, actual work was finally

begun. Starting date was set for November, 1837, and when the first shovel full of earth was turned for the construction of the railroad, at Meredosia on the east bank of the Illinois River, the few supporters of the railroad on hand were outnumbered by the "canalers" who came from up and down the river to jeer.

Despite the inauspicious start, the work of grading the right-of-way from Meredosia east and south to Morgan City went all through the winter. By spring, construction crews were ready for the actual track laying and in April, 1838, the new road began to take form.

Shortage of materials handicapped the builders all summer, and it was not until the fall of the year that the first strip of the line was ready. Now the builders waited for delivery of their first locomotive.

Because of the long, arduous river trip and the lack of large shipping spaces, the locomotive, made in Newark, NJ, by the firm of Rogers, Grosvenor and Ketchum, was shipped to Meredosia in pieces. With this knocked-down locomotive came a man named Fields who was to be the first engineer on the new road.

This new railroad was known as the "Northern Cross", a name chosen according to some historians, because the line surveyed for the railroad closely paralleled a well-worn trail known as the "Northern Crossing" of Illinois and often called "Northern Cross" although it was actually located in the south central portion of the State.

The first operations of the new road were not an outstanding success. Fields operated the Northern Cross' single engine for about a month, then turned it over to a man named Higgins. Higgins' tenure of office ended in a discharge but only after he had succeeded in melting out some of the flues. Finally, two brothers by the name of Gregory took over operation and the original engine -- called "Rogers" -- began to serve the 12 mile strip in more dependable fashion. In 1842, a line between Jacksonville and Springfield was completed, and in May, 1842, service from Meredosia to Springfield was made available. In December, 1856, the line was completed between Springfield and the Illinois-Indiana state line, the railroad having reached Decatur, Illinois, in 1854.

The drama of building the Northern Cross Railroad is the first chapter in the romantic story that is the growth of the Wabash Railroad System, for the lineage of the Wabash can be traced, without a break, to the first 12-mile strip over which engineer Fields operated a clumsy little locomotive between Meredosia and Morgan City in the fall of 1838.

For nearly 10 years, the growing Northern Cross Railroad was operated by the State of Illinois. And more and more favorable acceptance by the public resulted from the success of railroads in the east.

The year 1847 saw the first change in the new system that was soon to become known as the Wabash. The legislature of the State of Illinois authorized the sale of the original track between Meredosia and Springfield. Nicholas H. Ridgely was the purchaser. He paid the sum of \$21,000 for the road, changing its name to the Sangamon and Morgan Railroad.

Ridgely's purchase turned out well, for at the time the extension of the road from Springfield to the Illinois-Indian State Line had been temporarily abandoned by the State because of lack of funds, and a short time after his original buy, he was granted an extension of his charter to include the entire line of the Northern Cross.

Actually, Ridgely inherited only a partially-graded roadbed from the State and was forced to seek private capital to aid him in his efforts to complete the originally-planned route of his new road. As the

Sangamon and Morgan Railroad, the company managed to acquire two additional locomotives from Baldwin Locomotive Works of Philadelphia, but because of the distance from the source to obtain replacement parts, the locomotives became dilapidated and were replaced by oxen and horse-power for almost a year.

During the period of "animal-power", the road operated but two trains daily. They consisted of two cars, either horse-drawn or mule-drawn, depending on the animals available. One left Springfield for Naples and the other left Naples for Springfield. Near the end of 1847, the Sangamon and Morgan Railroad purchased four new engines and the use of animals as motive power for the trains was discontinued.

At the same time, the ownership of the new Sangamon and Morgan Railroad was undergoing rapid changes. Nicholas Ridgely sold an interest in his railroad to Thomas Mather of Springfield and James Dunlap of Jacksonville.

Together with his new partners, Nicholas Ridgely pushed the rehabilitation of the line between Springfield and the Illinois-Indiana state line. Already railroad traffic was mounting in the East, and plans were under way for rapid extension of the Eastern routes to tap the rapidly developing states of Illinois and Missouri.

The Sangamon and Morgan Railroad was to connect at the Illinois-Indian state line with a line westward from Toledo across Indiana to the border. In 1853, the Sangamon and Morgan Railroad became the Great Western Railroad and the first real expansion of the line from Springfield eastward began.

While the lines were developing in the state of Illinois, an enterprising group of businessmen in Indiana and Ohio had visions of an unbroken line of railroad to connect Toledo, Ohio with the Mississippi River. This line was to run through the valleys of the Maumee and Wabash Rivers to the state line of Illinois at a point seven miles from Danville, a distance of 242 miles, and was projected to connect with the Great Western Railroad of Illinois to complete the line to the Mississippi River. Two companies were formed - the Toledo and Illinois Railroad Company in 1853 and the Lake Erie, Wabash and St. Louis Railroad Company in 1852 (the first railroad use of the name Wabash). Both were under the same management. In the summer of 1856, the two lines were merged, in accord with the original intention of the associates who formed them, into a single company known as the Toledo, Wabash and Western Railroad. This new company acquired the Great Western Railroad, and in 1865, a new corporation was formed under the name Toledo, Wabash and Western Railway Company, operating a "direct, through line of railway starting at Toledo, OH, and terminating at Quincy, IL, and Keokuk, IA, a total of about 520 miles.

The new company began to consolidate its position at Toledo, the eastern terminal of the system. Toledo was ideally situated as a rail center. Located in an almost direct line west from New York, Albany and other large cities of the East formerly served by the Erie Canal, it stood at the extreme west end of Lake Erie, and steamers carrying cargo to the north-central west abandoned a direct westerly route at Toledo and were forced to make the wide "U" detour through Lake Huron and the Mackinac Straits into Lake Michigan -- a route that was open only nine months of each year. The transfer of cargos from lake steamer to rail at Toledo was inevitable.

The Toledo, Wabash and Western, with lines running west and southwest from Toledo, enjoyed a better situation in 1859 than any other railroad in the area. Its lines crossed Indian and Illinois and connected the lake port of Toledo with the Mississippi River ports just above St. Louis and St. Charles.

The operators of the road made the most of this position. In 1859, they acquired a portion of a tract known as the "Middle Grounds," a section fronting the Maumee River emptying into Maumee Bay, an

arm of Lake Erie. The Maumee River was an excellent harbor.

During the period between 1860 and 1870, with rail-to-steamer traffic increasing at Toledo, the Toledo, Wabash and Western continued expansion of their lines in Illinois to tap even greater areas and connect more and more of central and southern Illinois to the eastern states via Toledo. Much of this expansion was completed under difficult conditions during the Civil War -- a time during which the Toledo, Wabash and Western Railroad performed outstanding service to our country in providing a quick, efficient route for the transportation of much-needed food for the armies from the central West to the East.

When the Civil War began in 1861, many of the communities in the territory just west of that served by the Toledo, Wabash and Western depended largely on river traffic for their contact with the rest of the country. The bulk of their produce traveled down the Mississippi to New Orleans by river boat. A secondary source of supply was via the Illinois River to Chicago. Secession of the southern states cut off Mississippi River commerce, and the Illinois waterways system was inadequate.

The two most logical cities toward which the Toledo, Wabash and Western could build were the cities of Keokuk, IA and Hannibal, MO. Both of these had been important river ports. Both were destined to become important rail centers during these early days.

By the 1870's, the basic route of the modern Wabash Railroad system east of the Mississippi River had been completed. In addition to the extension of tracks to Hannibal and Keokuk, the Toledo, Wabash and Western had built a new line from Decatur to East St. Louis and a smaller branch from Edwardsville, IL, to a point on the Mississippi south of Alton. The completed system connected four points on the Mississippi River with Toledo and its valuable "Middle Grounds" where rail-to-ship interchange of cargo was most practicable.

During the business depression of 1877, the Toledo, Wabash and Western, now a railroad company which included some 678 miles of operating track, was reorganized. This new name of the railroad was The Wabash Railway Company. From 1877 on, the name Wabash was always to be the principal title of the road which began its operations in the early 1830's as the Northern Cross Railroad.

Following its reorganization as The Wabash Railway Company, the road continues its expansion north toward Chicago, which was now rapidly becoming one of the country's great rail centers. Eastern railroads had thrown their feelers toward the city at the base of Lake Michigan and already it was the important connecting link between the East and the West in the newly built transcontinental system. Chicago was an important goal for the Wabash in the completion of the rail network that would one day blanket the entire "Heart of America".

The goal was reached in 1880 when the Wabash lines were built from Strawn, IL, northward to Chicago, and an arrangement with the Chicago and Western Indiana Railroad Company provided the Wabash with entrance trackage and terminal facilities in the city itself. This arrangement involved joint ownership of the C. & W.I. RR.

A year later another opportunity for the Wabash to enter an important city in the "Heart of America" presented itself. The Eel River Railroad, extending from Logansport, IN, to Butler, IN, was available for lease. This lease, plus the construction of new track, enabled the Wabash to enter Detroit in 1881.

During its entire expansion east of the Mississippi River, the Wabash system served as the principal artery tapping the great "Heart of America". Other railroads entered the Illinois-Indiana territory served

by the Wabash and its predecessor lines, but these railroads moved only toward the most important cities of the area and the vast, undeveloped regions which today are the most productive sections of the great "Heart" were accessible only over tracks of the Wabash.

While railroads east of the Mississippi River were tying Toledo and the East to the river ports of Illinois and Iowa, west of the Mississippi the predecessors of the present Wabash Railroad System were writing one of the greatest chapters in American railroad history.

When the first rails were being laid on the Northern Cross Railroad from Meredosia to Jacksonville in the late 1830's, little or no interest was aroused in Missouri, less than 100 miles away, for Missourians were convinced that their progress and growth was closely allied with river transportation.

Kansas City was a tiny settlement on the edge of the plains, dwarfed by the neighboring city of Independence a few miles to the north and east. And in the eastern part of the state, St. Louis was competing for eminence with the thriving Missouri River town of St. Charles.

Into this picture, just ten years later, came a group of pioneer railroad men who in 1851 secured a charter from the State of Missouri for building the North Missouri Railroad from St. Louis to the Missouri-Iowa state line. This line was to comprise three divisions: The first from St. Louis to St. Charles - 19.2 miles; the second, 148 miles, from St. Charles to Hudson, MO, (now Macon, MO) at which point it would intersect the Hannibal and St. Joseph Railroad; and the third from Hudson, MO, to the Missouri-Iowa state line -- 61.4 miles. Actual construction commenced on the first division in May of 1854 and on the second in 1855. The first division between St. Louis and St. Charles was opened to traffic on February 6, 1859. Thus, for the first time, railroad communication was established between St. Louis and St. Joseph, MO, on the west and Hannibal, MO, on the east. Until 1864, however, it was necessary to unload all freight and passengers on the east bank of the river, ferry the people and the goods across, and reload on the opposite side. In 1864, a car ferry arrangement was effected which eliminated the necessity for unloading and reloading on the west bank.

During the Civil War period from 1861 to 1865, the North Railroad's property was a military objective for both the Union and Confederate armies operating in the vicinity. During the summer of 1861, the Confederacy succeeded in completely destroying every bridge and culvert over the 100 miles of road then operated by the North Missouri Railroad. In addition, extensive damage was done to stations, cars and engines, and wherever possible, the marauders tore up rails, destroyed ties and burned fuel supplies. In 1864, two trains of cars and seven stations were burned in a second destructive mission. More than 120 men who tried to stop the Confederate invaders were killed and many of them are buried along the historic Wabash right-of-way near Centralia, MO, in Boone County.

Following the war, the North Missouri Railroad began to rebuild the lines destroyed in the military maneuvers and also began the construction of what was then known as the "West Branch", a line running from Moberly, MO, to Birmingham, MO, a small town near Kansas City, MO. This line was completed in the winter of 1868 and entrance made into Kansas City over the Hannibal and St. Joseph Railroad (now the Burlington Northern Railroad) bridge over the Missouri River.

In 1871, a bridge across the Missouri was completed at St. Charles, MO, and the North Missouri Railroad and the predecessors of the Wabash joined to provide a continuous line from Toledo on the east to the western part of Missouri.

With the completion of the bridge at St. Charles, the North Missouri now had a through line from St. Louis through St. Charles and north to Iowa, west to Kansas City and St. Joseph, and a direct connection

with the railroads on the east side to the Mississippi River at Hannibal.

Less than three months following the completion of the new bridge, the North Missouri Railroad was reorganized, and as a result of foreclosure action, the entire property became known as the St. Louis, Kansas City and Northern Railroad Company.

In 1879, The Wabash Railway Company, operating east of the Mississippi and the St. Louis, Kansas City and Northern operating west of the Mississippi, were merged into the Wabash, St. Louis and Pacific Railway Company.

Financial difficulty of the next two decades made that period one of great difficulty, but in 1889 came a turn for the better, so that in the succeeding decade, the Wabash found it possible to proceed with construction of new trackage and the expansion of facilities to serve the city of Chicago during its World's Columbian Exposition in 1893 and the City of St. Louis during its Louisiana Purchase Exposition in 1904.

In the fifteen years of its operation following the formation of the Company in 1889, the Wabash took its proper place as one of our country's leading enterprises, contributing greatly to the well-being of the public in the territories reached by its rails.

In 1915, after foreclosure and reorganization, the Wabash Railroad Company of 1889, was sold to a new Wabash Railway Company, incorporated under the laws of Indiana.

The world wide "depression" of the early 30's struck the Wabash and all other United States railroads severely. With industry paralyzed; the prices of farm products at a new low; incomes (both personal and corporate) slashed; with market prices for commodities and securities crowding the vanishing point, the Wabash was forced into receivership.

Due in large measure to the efficient handling of the receivership and the reorganization proceedings, the Wabash was one of the very first of our country's railroads to "come back" from the effects of the Depression.

In January, 1942, the name of the railroad was changed to the Wabash Railroad Company.

Through the period of World War II, the Wabash performed outstanding service to our country in transporting men, material and supplies at a tremendously accelerated pace, to serve the needs of the nations involved in a global war, constantly outdoing previous conceptions of possible performance.

During the war years it was not possible to secure either materials or labor for making outstanding additions or improvements to the property. Post-war, however, the Wabash had invested more than one hundred millions dollars in new facilities of all kinds in order to serve even more efficiently the shipping and traveling public. In addition to modernizing its freight yards, communications facilities, and signaling devices, the Wabash had also greatly improved its passenger train equipment. The first stride in this direction was the inauguration of a totally new streamlined service between St. Louis and the West Coast. On June 2, 1946, in conjunction with the Union Pacific and Southern Pacific Railroads, the new train, the "City of St. Louis", began operations. In addition to drastically reducing the over-all running time between St. Louis and the West Coast, the new train offered St. Louisans through service in both coaches and Pullman sleeping cars to Los Angeles, San Francisco, Portland, or Seattle.

On November 26, 1947, another new streamliner, operating between St. Louis and Kansas City, was

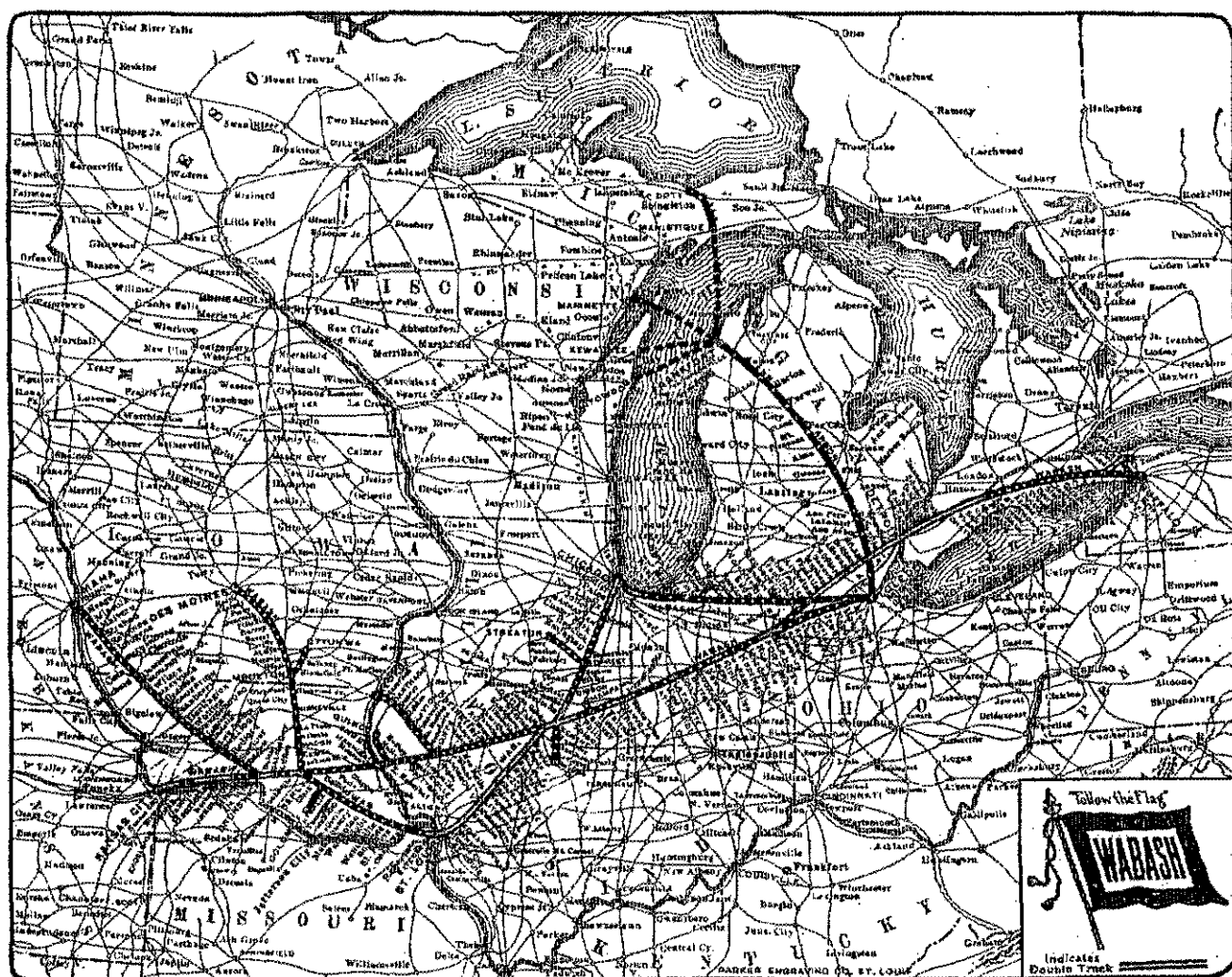
placed in service. Called the "City of Kansas City," the train met with instantaneous success and was highly acclaimed by many new passengers attracted to Wabash rails.

Inauguration of the Wabash streamliner on February 26, 1950, was an epoch making event. It marked the first time in history that "dome" cars were operated between St. Louis and Chicago. The new Wabash "Blue Bird", containing four dome cars in its six car consist, was put into service and offered Wabash passengers a new view of Wabash territory.

Since 1953, the Wabash had been considered 100% dieselized. One steam engine was operated for a short run on the Keokuk branch because the bridge at Meredosia, IL, could not support the weight of diesel engines until extensive changes had been completed. The steam engine made its last trip on January 28, 1955, and thus by a strange turn of fate, the reign of steam power on the Wabash ended where it began 117 years ago. The engine, No. 573, a Mogul 2-6-0 Class F-4, built by the Rhode Island Locomotive Works in 1899, was donated to the national Museum of Transportation in St. Louis County in August 1955.

The Wabash in July, 1954, entered the trailer-on-flat-car field (TOFC). This new service called "piggyback" was first operated between Chicago and New York via the Niagara Frontier and was shortly thereafter expanded from Chicago to St. Louis, then from St. Louis to Detroit and from Chicago to Detroit. Expansion of "Piggy-Back" service on and beyond Wabash rails was so rapid that the Wabash participated in these movements from the east coast to the west coast and from the Canadian border to the Gulf of Mexico and the Rio Grande.

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Appendix H

Our History

See also [Timeline](#) and [Railroad Historical Sites](#)

Norfolk and Western Railway

Norfolk and Western Railway is the product of more than 200 railroad mergers spanning a century and a half. Beginning in 1838 with a nine-mile line from Petersburg, Va., to City Point, Va., NW grew to a system serving 14 states and a province of Canada on more than 7,000 miles of road.

William Mahone, a Virginia Military Institute engineering graduate, built the Norfolk and Petersburg Railroad and eventually became its president in the pre-Civil War era. Mahone's innovative roadbed through the Great Dismal Swamp near Norfolk, Va., employs a log foundation laid at right angles beneath the surface of the swamp. Still in use today, it withstands immense tonnages of coal traffic - today's freight on a brilliantly engineered 19th century track.



William Mahone

After the war, Mahone was the driving force in the linkage of N&P, Southside Railroad and the Virginia & Tennessee Railroad to form the Atlantic, Mississippi & Ohio Railroad, a new line extending from Norfolk to Bristol, Va. When this company entered receivership, Mahone's role as a railroad builder ended. In 1881, E.W. Clark and Co., a private banking firm in Philadelphia, purchased the AM&O and renamed it Norfolk and Western Railroad.

Frederick J. Kimball, a partner in the Clark firm, headed the new line and consolidated it with the Shenandoah Valley Railroad. He and his board of directors selected a small Virginia village called Big Lick, later renamed Roanoke, as the junction for the Shenandoah and NW. The Roanoke Shops, where decades later the famed classes A, J and Y6 locomotives would be designed, built and maintained, made NW known industrywide for its excellence in steam power.

Kimball, whose interest in geology was responsible for the opening of the Pocahontas coalfields in western Virginia and West Virginia, pushed NW lines through the wilds of West Virginia, north to Columbus and Cincinnati, Ohio, and south to Durham and Winston-Salem, N.C. This gave the railroad the route structure it was to use for more than 60 years. The opening of the coalfields made NW prosperous and Pocahontas coal world-famous. It fueled half the world's navies and today stokes steel mills and power plants all over the globe.

Norfolk and Western operated profitably through World War I and II and paid regular dividends throughout the Depression.

The Virginian Railway was merged into NW in 1959, ushering in a merger movement and a modernization of the industry. In 1964, the former Wabash; Nickel Plate; Pittsburgh & West Virginia; and Akron, Canton & Youngstown railways were brought into the system in one of the most complex mergers of the era.

This consolidation, enhanced by the addition of a more direct route to Chicago in 1976, positioned NW as an important Midwestern railroad, providing direct single-line service between the Atlantic Ocean on one side and the Great Lakes and Mississippi River on the other.

A perennial leader in operating efficiency, NW aimed to provide "Precision Transportation" and justifiably asserted the promotional slogan, "There's No Stopping Us."

Southern Railway

Southern Railway is the product of nearly 150 predecessor lines that were combined, reorganized and recombined since the 1830s.

The nine-mile South Carolina Canal & Rail Road Co., Southern's earliest predecessor line, was chartered in December 1827 and ran the nation's first regularly scheduled passenger train - the wood-burning "Best Friend of Charleston" - out of Charleston, S.C., on Christmas Day 1830. By 1833, its 136-mile line to Hamburg, S.C., was the longest in the world.

As railroad fever struck other Southern states, networks gradually spread across the South and even across the Allegheny Mountains. Charleston and Memphis, Tenn., were linked by 1857, although rail expansion halted with the start of the Civil War.

Known as the "first railroad war," the Civil War left the South's railroads and economy devastated. Most of the railroads, however, were repaired, reorganized and operated again. In the area along the Ohio and Mississippi rivers, construction of new railroads continued throughout Reconstruction.

Southern Railway, as it came into existence in 1894, was combination of the Richmond & Danville system and the East Tennessee, Virginia & Georgia Railroad. The company owned two-thirds of the 4,400 miles of line it operated, and the rest was held through leases, operating agreements and stock ownership.



Norfolk and Western's Hotel Roanoke in the late 1800s (click for larger image)

Appendix I

Wabash Railroad

From Wikipedia, the free encyclopedia

The **Wabash Railroad** (AAR reporting mark **WAB**) was a Class I railroad that operated in the mid-central United States. It served a large area, including trackage in the states of Ohio, Indiana, Illinois, Iowa, Michigan, Missouri and Ontario. Its primary connections included Chicago, Illinois, Kansas City, Missouri, Detroit, Michigan, Buffalo, New York, St. Louis, Missouri, and Toledo, Ohio. The Wabash's major freight traffic advantage was the direct line from Kansas City to Detroit, without going through St. Louis or Chicago.

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History

The **Toledo and Illinois Railroad** was chartered April 20, 1853 in Ohio to build from Toledo on Lake Erie west to the Indiana state line. The **Lake Erie, Wabash and St. Louis Railroad** was chartered in Indiana on August 19 to continue the line west through Wabash into Illinois towards St. Louis, Missouri, and the two companies merged August 4, 1856 to form the **Toledo, Wabash and Western Railroad**.

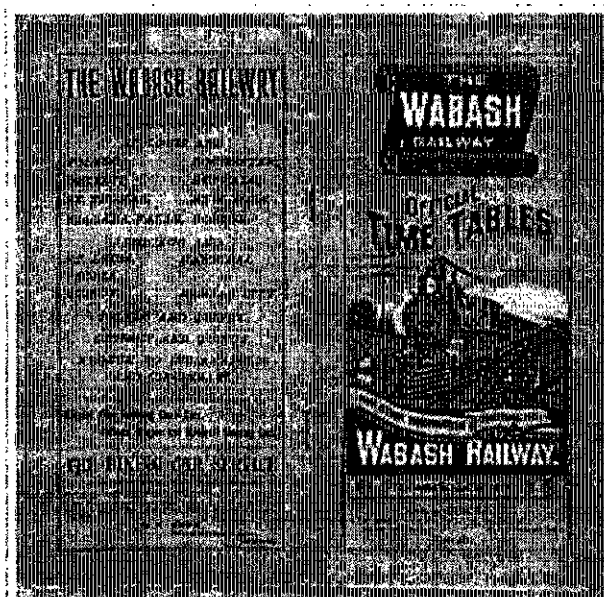
The company soon went bankrupt and was sold at foreclosure. The **Toledo and Wabash Railroad** was chartered October 7, 1858 and acquired the Ohio portion October 8. The **Wabash and Western Railroad** was chartered on September 27 and acquired the Indiana portion on October 5. On December 15, the two companies merged as the **Toledo and Wabash Railway**.

Later mergers and reorganizations formed the **Toledo, Wabash and Western Railway** on July 1, 1865, **Wabash Railway** in January 1877, **Wabash, St. Louis and Pacific Railway** on November 7, 1879, and **Wabash Railroad** on August 1, 1889.

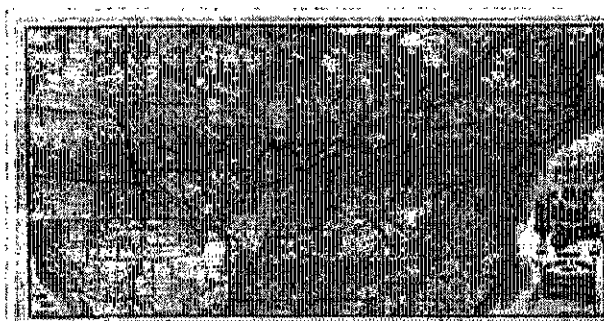
Wabash Railroad



Reporting marks	WAB
Locale	Ohio, Indiana, Illinois, Iowa, Michigan, Missouri, and Ontario
Dates of operation	1879 – October 16, 1964
Track gauge	4 ft 8½ in (1435 mm) (standard gauge)
Headquarters	St. Louis, MO



System timetable, 1887



1886 system map

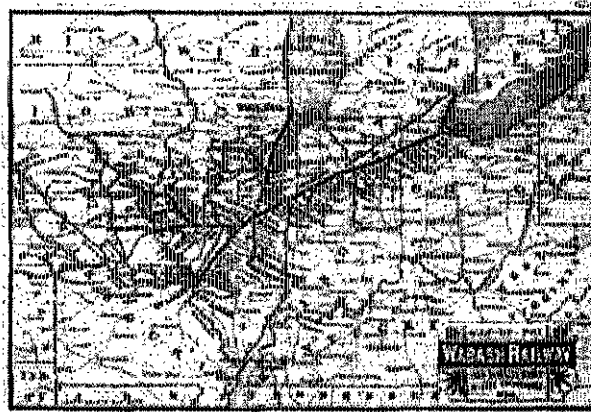
In 1904, the Wabash Pittsburgh Terminal Railway was formed and acquired control of the Wheeling and Lake Erie Railroad, giving the Wabash access to Pittsburgh, Pennsylvania as the final step in an attempt to break the near-monopoly of the Pennsylvania Railroad and New York Central Railroad for traffic to the east. However, the Wabash had overextended itself, and the WPT went bankrupt in 1908; it would later become part of the Pittsburgh and West Virginia Railway. The Wabash Railroad itself was sold at foreclosure July 21, 1915 and reorganized October 22 as the **Wabash Railway**.

The Pennsylvania Railroad acquired loose control of the Wabash in 1927 by buying stock through its Pennsylvania Company. In 1929 the Interstate Commerce Commission charged the PRR with violating the Clayton Antitrust Act. The ruling was appealed, and in 1933 the Circuit Court ruled that the control was for investment only and did not violate the act.

The Wabash Railway again entered receivership on December 1, 1931. The **Wabash Railroad**, controlled by the PRR, was organized in July, 1941 and bought the Wabash Railway on December 1.

In fall of 1960, the PRR agreed to a lease of the Wabash by the Norfolk and Western Railway. The PRR's Detroit, Toledo and Ironton Railroad assumed control of the Wabash on December 31, 1962. On October 16, 1964 the New York, Chicago and St. Louis Railroad (Nickel Plate Road) merged into the Norfolk and Western Railway, and the N&W leased the Wabash and Pittsburgh and West Virginia Railway. On March 31, 1970 the Pennsylvania Company exchanged its last Wabash shares for N&W common stock; that stock was later divested as a

condition of the 1968 merger into Penn Central Transportation. The profitable N&W was itself combined with the Southern Railway to form the Norfolk Southern Railway in 1982. The Wabash Railroad Company continued to exist as a legal entity until it was absorbed into the Norfolk Southern Corporation in late 1991.



1887 system map

Genealogy

- Norfolk Southern Railway (1982)
 - Norfolk and Western Railway (1960)
 - Wabash Railroad (1941)
 - Wabash Railway (1931)
 - Wabash Railroad (1889)
 - Wabash Pittsburgh Terminal Railway (1904 - 1908) later Pittsburgh and West Virginia Railway
 - Pittsburgh and Lake Erie Railroad
 - Wabash, St. Louis and Pacific Railway (1879)
 - Council Bluffs and St. Louis Railway (1877)

Council Bluffs - St. Louis line

The track between Council Bluffs, Iowa and St. Louis was constructed in 1877 by the Council Bluffs and St. Louis Railway. In 1879 that railway became part of the Wabash, St. Louis and Pacific Railway. Today, most of the line is abandoned (222.4 miles from MP188.56 TO MP410.96) under ICC Decision AB-10 (SUB-NO. 27) by the Norfolk and Western from Kelley, Missouri to Council Bluffs, Iowa and effective January 13, 1984.

Iowa portion of line

The Iowa Southern Railroad (ISR) took over 61.5 miles of the Wabash rail line in Iowa to the Missouri stateline between Council Bluffs and Blanchard, Iowa. On August 22, 1988 the line was cut back to serve only Council Bluffs. In August 1990 the remaining Iowa Southern line in Council Bluffs was sold to the Council Bluffs and Ottumwa Railroad (CBOA). In May 1991 the CBOA was sold to the Council Bluffs Railway (CBR), an OmniTrax subsidiary. Today the 66 mile route is abandoned between Council Bluffs and Blanchard and is has been converted into a trail known as the *Wabash Trace Trail*^[1].

Missouri portion of line

A 93-mile portion of Wabash's Council Bluffs - St. Louis line in Missouri between Blanchard, Iowa (other sources show Burlington Junction, Missouri) and Lock Springs was sold to the Northern Missouri Railroad (NMOR) and began operations on February 13, 1984. Operations on that line were discontinued in June 1986.

Norfolk & Western abandoned the track between Lock Springs and Chillicothe.

Thirty-nine miles of track between Chillicothe and Brunswick was sold to the Chillicothe Southern Railroad. The line was sold to the Chillicothe-Brunswick Rail Maintenance Authority (CBRM) on July 24 1987. On April 1, 1990 the line was leased to the Wabash and Grand River Railway. The Wabash & Grand River Railway's lease was terminated on December 1, 1993 due to severe flood damage on the line and the line reverted back to the Chillicothe-Brunswick Rail Maintenance Authority. Today the track from Chillicothe to Sumner remains in place but the track from Sumner to Brunswick has been abandoned.

External links

- Wabash Railroad Historical Society
- Wabash Time Tables
- Gallery of Wabash Photographs

References

- History of the Railroads of Ohio
- PRR Chronology
- Railroad History Database
- Stindt, Fred A. (1996). *American Shortline Railway Guide - 5th Ed.*. Waukesha, Wisconsin: Kalmbach Publishing. ISBN 0-89024-290-9.
- Lewis, Edward A. (2000). *The historical guide to North American railroads - 2nd Ed.*. Waukesha, Wisconsin: Kalmbach Publishing. ISBN 0-89024-356-5.
- Walker, Mike (2004). *SPV's Comprehensive Railroad Atlas of North America - Prairies East and Ozarks*. Upper Harbledown, Canterbury, Kent, United Kingdom: Steam Powered Publishing. ISBN 1-87474-17-X.
- Abandonment Report (Adobe Acrobat Format). *Iowa Office of Rail Transportation*. Retrieved on March 2, 2006.

Retrieved from "http://en.wikipedia.org/wiki/Wabash_Railroad"

Categories: Articles with invalid ISBNs | Wabash Railroad | Companies affiliated with the Pennsylvania Railroad west of Pittsburgh

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Appendix J

Appendix J

Reservation

The CBR discontinuance falls into two parts. In the first part, from MP 218.25 to MP 226, another operator (Motive Rail) will continue to provide service. Discontinuance of service by CBR over this portion will have no historic or environmental impacts, and in any event qualifies for a categorical exclusion. 49 C.F.R. § 1105.6(c)(6).

The second part, from MP 218.25 to MP 188.56 involves rail property over which there either is no other operator (MP 188.56 to MP 188.7), or the other operator (Motive Rail) is itself seeking to discontinue obligations (MP 188.7 to MP 218.25). In the circumstances here, this portion effectively should be treated as subject to categorical exclusion for the reasons stated below.

Ordinarily, an ER/HR associated with termination of railroad common carrier obligations provides information germane to determining whether significant traffic will be diverted to non-rail modalities, or whether salvage operations should be conditioned and if so how. However, the portion of rail line over which all service will be discontinued pursuant to the proposed federal actions involved here has not been operated for more than two years. Thus, there will be no traffic diversion, let alone significant traffic diversion.

As to salvage, neither of the railroad companies with authority to operate over this line own any interest in the land

or fixtures (track and ties) comprising the line. All interests in track, ties, and land are currently owned by City of Chillicothe. As already indicated, City of Chillicothe obtained its interests from Green Hills. ICC ruled that the Green Hills acquisition was not subject to ICC jurisdiction. Green Hills Rural Development, Inc. and Chillicothe Southern Railroad Co.--Exemption from 49 U.S.C. § 10901, et al., F.D. 30657, served Jan. 10, 1986 (dismissing Green Hills' petition for exemption for acquisition on the ground the acquisition was non-jurisdictional). It follows that STB lacks jurisdiction over City or its successors, including jurisdiction to impose environmental or historic conditions upon the exercise of discontinuance authority over operating rights held by CBR or Motive Rail.

The situation in connection with these discontinuance proceedings appears analogous to a termination of a modified certificate of public convenience and necessity ("modified certificate") issued under 49 C.F.R. § 1150.21, et seq. The operational rights granted pursuant to a modified certificate may be terminated without an ER or HR, without an "environmental assessment," without section 106 procedures, and without environmental or historic preservation conditions (although the Board may issue a "notice of interim trail use" as opposed to an outright termination of the common carrier obligation). See 49 C.F.R. § 1105.6(c)(5).

Nonetheless, applicant believes that ER/HR serve as part of

the notice process in discontinuance and abandonment proceedings, especially in the context of 49 C.F.R. § 1152.50 procedures, which Applicant expects to employ. In order to ensure that the informational function is fully implemented, Motive Rail and CBR have prepared and are circulating this ER/HR. This should not be construed as an admission the environmental documentation here, or any further documentation, is necessary or may be required, nor as an admission that the Board may impose conditions affecting the actions of City or its successors in interest in connection with the real estate and fixtures over which CBR or Motive Rail previously operated.

Comments on ER/HR
prepared for AB 993X/1001X
through 2 Feb. 07

c.montange

From: "Simon Monroe" <Simon.Monroe@noaa.gov>
To: <c.montange@verizon.net>
Cc: "Surface Transportation Board" <sea@stb.dot.gov>; "National Society of Professional Surveyors" <pat.canfield@acsm.net>; "Gilbert Mitchell" <Gilbert.Mitchell@noaa.gov>
Sent: Friday, February 02, 2007 3:21 PM
Subject: [Fwd: [Fwd: NGS Response, (STB docket AB-993X) - (STB docket AB-1001X)]]

Thank you for sharing your railroad abandonment environmental report for Chillicothe, Livingston - Linn and Chariton Counties, Missouri.

Approximately 019 geodetic survey marks may be located in the area described. If marks will be disturbed by the abandonment, NGS requests 90-day advance notice to attempt their formal relocation. These marks are described on the attached file. Additional advice is provided at <http://geodesy.noaa.gov/marks/railroads/>

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|Dist|PID...|H V|Vert_Source|Approx.|Approx..|Stab|Designation
|---|---|---|---|---|---|---|
|...|KD1166|3 |29/SCALED..|N394240|W0931839|...|FOUNTAIN
|...|KD0327|. 2|88/ADJUSTED|N394230|W0931906|B...|G 78
|...|KD0326|. 2|88/ADJUSTED|N394254|W0932055|B...|F 78
|...|KD0323|3 2|88/ADJUSTED|N394514|W0932745|C...|C 78
|...|KD0322|. 2|88/ADJUSTED|N394522|W0932857|C...|B 78
|...|KD0848|. 2|88/ADJUSTED|N394631|W0933048|B...|A 78
|...|KD0849|. 3|88/RESET...|N394631|W0933048|B...|A 78 RESET
|...|KD0850|. 2|88/ADJUSTED|N394629|W0933230|C...|A 79
|...|KD0488|. 1|88/ADJUSTED|N392610|W0930933|C...|P 213
|...|KD0340|. 1|88/ADJUSTED|N392644|W0931008|C...|S 11
|...|KD0487|. 1|88/ADJUSTED|N392546|W0930950|B...|S 213
|...|KD1323|. 3|88/RESET...|N392546|W0930950|D...|S 213 RESET
|...|KD0339|. 1|88/ADJUSTED|N392908|W0931131|C...|R 11
|...|KD0337|. 1|88/ADJUSTED|N393238|W0931213|B...|P 11

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[....|KD0333|. 1|88/ADJUSTED|N393909|W0931442|C...|K 11

[....|KD0329|. 2|88/ADJUSTED|N394028|W0931516|C...|J 78

CHARLES H. MONTANGE

ATTORNEY AT LAW

426 NW 162ND STREET
SEATTLE, WASHINGTON 98177

(206) 546-1936

FAX: (206) 546-3739

22 January 2007

Section on Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Motive Rail, Inc. -- Discontinuance
Exemption, AB 993X;
Chillicothe Brunswick Rail -- Discontinuance
Exemption, AB 1001X

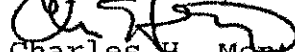
Dear SEA:

On or about 23 December 2006, I distributed an Environmental Report/Historic Report (ER/HR) for the two above discontinuance proceedings (relating to discontinuance of operating authority over portions of the same line of railroad owned by City of Chillicothe in the Counties of Livingston, Linn and Chariton in the State of Missouri). We currently expect to file notices of exemption under 49 C.F.R. 1152.50 in 993X and 1001X on or about February 5, 2007.

In order to facilitate preparation of the environmental assessment in 993X and 1001X, I am forwarding herewith copies of all comments on the ER/HR received to date. In particular, enclosed please find the following:

- Cultural Resource Assessment by MO SHPO concluding "no historic properties affected";
- State of Missouri "Federal Assistance Clearinghouse" stating no comments and conclusion of review;
- MO DNR statement that it has identified "no environmental concerns."¹

Respectfully submitted,



Charles H. Montange
for Motive Rail and CBR

Encl.

¹ MO DNR's letter notes possible concerns relating to salvage, but neither Motive Rail nor Chillicothe Brunswick Rail own or control track or ties, or have any control over salvage. City of Chillicothe currently owns the right of way and track and ties and is not before the agency.

CULTURAL RESOURCE ASSESSMENT
Section 106 Review

CONTACT PERSON/ADDRESS

C:

Charles H. Montange
Attorney at Law
426 NW 162nd Street
Seattle, Washington 98177

PROJECT:

Chillicothe-Brunswick Maintenance Authority

FEDERAL AGENCY

STB

COUNTY:

Livingston, Linn, Chariton

The State Historic Preservation Office has reviewed the information submitted on the above referenced project. Based on this review, we have made the following determination:

☐

After review of initial submission, the project area has a low potential for the occurrence of cultural resources. A cultural resource survey, therefore, is not warranted.

☒

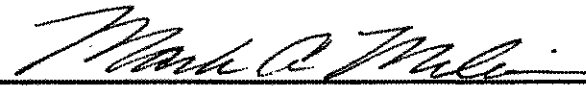
Adequate documentation has been provided (36 CFR Section 800.11). There will be "no historic properties affected" by the current project.

☐

An adequate cultural resource survey of the project area has been previously conducted. It has been determined that for the proposed undertaking there will be "no historic properties affected".

For the above checked reason, the State Historic Preservation Office has no objection to the initiation of project activities. PLEASE BE ADVISED THAT, IF THE CURRENT PROJECT AREA OR SCOPE OF WORK ARE CHANGED, A BORROW AREA IS INCLUDED IN THE PROJECT, OR CULTURAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, APPROPRIATE INFORMATION MUST BE PROVIDED TO THIS OFFICE FOR FURTHER REVIEW AND COMMENT. Please retain this documentation as evidence of compliance with Section 106 of the National Historic Preservation Act, as amended.

By:


Mark A. Miles, Deputy State Historic Preservation Officer

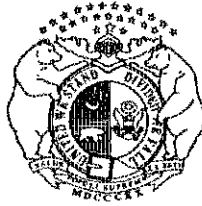
January 12, 2007

Date

MISSOURI DEPARTMENT OF NATURAL RESOURCES
STATE HISTORIC PRESERVATION OFFICE
P.O. Box 176, Jefferson City, Missouri 65102

For additional information, please contact Judith Deel, (573) 751-7862. Please be sure to refer to the project number:
014-MLT-07

Matt Blunt
Governor



Michael N. Keathley
Commissioner

State of Missouri
OFFICE OF ADMINISTRATION
Intergovernmental Relations
Post Office Box 809
Jefferson City, 65102
573/751-1851

January 9, 2007

Charles Montange
Attorney at Law
426 NW 162nd Street
Seattle, WA 98177

Dear Mr. Montange:

Subject: 0706061
EA Assistance

The Missouri Federal Assistance Clearinghouse, in cooperation with state and local agencies interested or possibly affected, has completed the review on the above project application.

None of the agencies involved in the review had comments or recommendations to offer at this time. This concludes the Clearinghouse's review.

A copy of this letter is to be attached to the application as evidence of compliance with the State Clearinghouse requirements.

Please be advised that I am the contact for the Federal Funding Clearinghouse. You can send future requests to the following address: Sara VanderFeltz, Federal Funding Clearinghouse, 201 West Capitol, Room 125, and Jefferson City, Missouri 65101.

Sincerely,

A handwritten signature in cursive script that reads "Sara VanderFeltz".

Sara VanderFeltz
Administrative Assistant

cc:

CHARLES H. MONTANGE
ATTORNEY AT LAW
426 NW 162ND STREET
SEATTLE, WASHINGTON 98177

(206) 546-1936
FAX: (206) 546-3739

0706061

DEC 26 2006

23 December 2006

To: Agencies and officials
on attached service list
set forth in Appendix B to ER/HR

Re: Motive Rail d/b/a Missouri North Central)
Railroad -- Discontinuance Exemption --) AB 993X
-- Livingston, Linn and Chariton)
Counties, Missouri)

Chillicothe-Brunswick Rail Maintenance)
Authority -- Discontinuance Exemption --) AB 1001X
-- Livingston, Linn and Chariton)
Counties, Missouri)

transmittal letter for environmental and historic
report for Surface Transportation Board proceeding
under 49 C.F.R. § 1152.50 (two year out of service
exempt rail abandonments)

Dear Sir or Madam:

On February 3, 2007, Motive Rail d/b/a Missouri North Central Railroad ("Motive Rail" or "MNCR"), and Chillicothe-Brunswick Rail Maintenance Authority ("CBR") [both railroads are jointly referred to herein as "Applicant"] expect to be filing with the Surface Transportation Board a proceeding to discontinue operating rights pursuant to 49 C.F.R. 1152, Subpart F Abandonment Exemptions (otherwise known as 49 C.F.R. § 1152.50 two year out of service abandonments) on a line of railroad located from railroad milepost (MP) 226 (in Chillicothe, MO) to railroad milepost 188.56 (at "Kelly" near Brunswick) in Linn, Chariton and Livingston Counties, Washington.¹ Attached is an

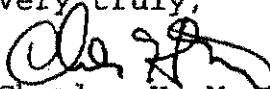
¹ The line over which the operating rights exist is currently owned by City of Chillicothe. City is not a common carrier. Motive Rail and CBR contracted with City or its predecessor in interest to operate the rail line now owned by the City. Motive Rail proposes to discontinue operating rights from MP 218.25 (near Norville) to MP 188.7 (near Kelly). Motive Rail will continue its operating rights on MP 226 (Chillicothe) to MP 218.25 (near Norville). CBR proposes to discontinue all operating rights from MP 226 (Chillicothe) to MP 188.56.

Environmental Report and Historic Report ("ER" and "HR") describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.²

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, D.C. 20423, telephone 202-967-6211 or -1538, and refer to the above Docket Nos. AB 993X and 1001X.³ Because the applicable statutes and regulations impose stringent deadlines for processing these action, your written comments to SEA, with a copy to our representative, would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representative in this matter is Charles H. Montange, who may be contacted by telephone at 206-546-1936, and by mail at 426 NW 162d St., Seattle, WA 98177.

Very truly,



Charles H. Montange
email: c.montange@verizon.net
for Motive Rail and CBR

cc. Service List per Appendix B of ER/HR (w/encl.)
STB SEA (w/encl.)

Because the issues raised in the two discontinuances are either the same or highly related, the two carriers have elected to provide a joint ER/HR in order to avoid confusion.

² Motive Rail and CBR take the position that the mere discontinuance of operating rights on a line in which they own neither real estate nor fixtures will have no environmental or historic effects. Nonetheless, Motive Rail and CBR make this notice letter in order to serve the informational functions provided by 49 C.F.R. Part 1105 in the context of 49 C.F.R. § 1152.50 proceedings.

³ Please bear in mind the limited nature of the action involved: discontinuance of operating authority over a line owned by a third party.



Matt Blunt, Governor • Doyle Childers, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

January 8, 2007

Surface Transportation Board
Section of Environmental Analysis
1925 K Street
Washington D.C. 20423

Re: Docket Nos. AB 993 and 1001X

Dear Sirs:

The Missouri Department of Natural Resources has completed a review of this request to abandon rail service. We understand that the abandonment is permissible under the Surface Transportation Board's "two years out of service" procedures.

The department has identified no environmental concerns related to this potential action to discontinue operating rights on this section of rail line. This was also the conclusion of the environmental assessment report from 1983 that went further and indicated that the environment would benefit with cessation of railroad operations. Our principal concerns would arise in event that removal and salvage activities of rail infrastructure is undertaken at a later time. Our concerns at that time would relate to the residuals from the railroad operations (i.e., creosote track ties, engine maintenance areas). The department anticipates that any subsequent removal and salvage operations would include appropriate safeguards to address the following environmental concerns.

- There may be lead and asbestos contamination associated with structures such as bridges. The department recommends an appropriate preliminary inspection, notification of demolition regardless of the presence of lead or asbestos, and proper handling of all contaminated materials.
- There may be previously unidentified hazardous waste or other materials from spills, etc. especially near roundhouses, loading, and switch areas. There may be storage areas with above and below ground storage tanks. The department recommends that all such sites be inspected for contamination and any sites found be closed properly.
- There are best practices for the disposal of all demolition materials. There will be railroad ties have been chemically treated that will require proper handling and disposal. The department encourages recycling or reusing these materials when possible and ensuring that all solid waste is disposed consistent with all environmental requirements.

Surface Transportation Board

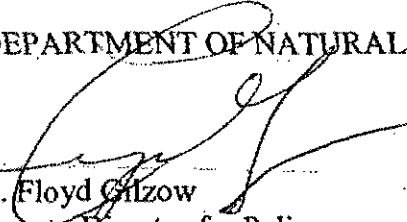
January 8, 2007

Page 2

We appreciate the opportunity to provide comments on this project. If you have any questions or need clarification, please contact Mr. Robert Stout in my office at 573-751-7402. The address for correspondence is Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102. Thank you.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



H. Floyd Gilzow
Deputy Director for Policy

HFG:rsj

c: Mr. Charles H. Montagne
Attorney at Law
425 NW 162nd Street
Seattle WA 98177