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January 26, 2015

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The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, SW Room #100
Washington, DC 20423-0001

RE: Bailey Branch of the UPRR Abandonment Project (Docket No. AB-33 Sub-No. 257 and AB-986 Sub-No. 1)

Dear Ms. Brown

In 2014, Benton County, Oregon purchased the above-reference rail line ("Bailey Branch") from Union Pacific. The Bailey Branch is current rail banked.

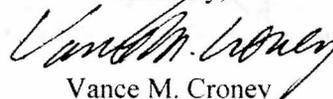
The Bailey Branch has generated a great deal of interest, which has spurred conversations regarding creative uses for the rail line. In order to properly explore any options, Benton County would like confirmation of a couple of rail bank issues.

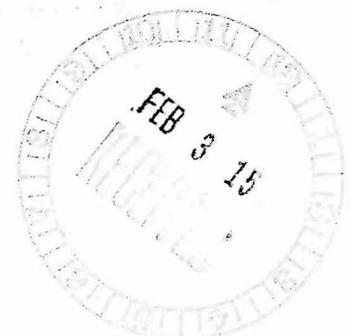
1. If Benton County conveys one small length of track to a municipality and a second small segment to an owner of an historic lumber mill, subject to the rail banking status, do such conveyances ensure the conveyed stretches of rail line will remain in the rail bank program? One of the lengths of track is located at the southern terminus of the Bailey Branch. The other length is located at the tail end of a spur line.
2. If Benton County conveys all of the Bailey Branch except the previously described two small sections, to a single entity, again, subject to the conveyed rail line remaining in the rail bank program, does this larger conveyance ensure the continued rail bank status of the Bailey Branch?

After reading 49 C.F.R. part 1152.29(t), it appears the above-described transactions are permitted and will not, in and of themselves, terminate the rail bank status of the Bailey Branch. However, Benton County would like confirmation that its reading of the C.F.R. is correct.

Thank you for your attention to this request. If it would be quicker and easier, you can reply by email to me at: vance.m.croney@co.benton.or.us

Sincerely,


Vance M. Croney
Benton County Counsel



VMC/tmf

c: Board of Commissioners
Dennis Aloia
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