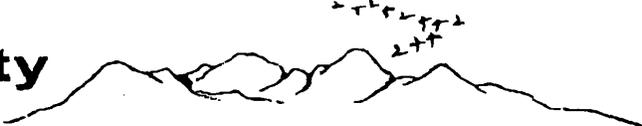


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**City
of
YUBA CITY** PUBLIC WORKS DEPARTMENT

1201 CIVIC CENTER BOULEVARD, YUBA CITY, CA 95993 · (530) 822-4626 · FAX (530) 822-4699



February 16, 2005

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street NW
Washington, D.C. 20423-0001

RE: Docket AB-33 (Sub-No. 205X), Union Pacific Railroad Company (UP) Abandonment – Sutter County, CA (Yuba City Industrial Lead from M.P. 136.38 near Marysville, California to M.P. 139.77, a Distance of 3.39 miles in Sutter County, California)

Request for Extension – Notice of Interim Trail Use (NITU)

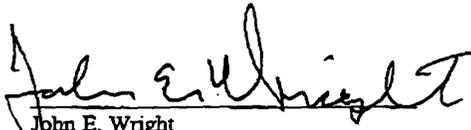
Dear Secretary Williams,

On June 10, 2004, the City of Yuba City, CA, filed a request for the issuance of a notice of interim trail use (NITU) for the subject line under the National Trails System Act, 16 U.S.C. 12479(d) (Trails Act), in order to negotiate with UP for acquisition of the right of way for use as a trail. The City submitted a statement of willingness to assume financial responsibility for the right-of-way, and acknowledged that the use of the right-of-way is subject to possible future reconstruction and reactivation of the right-of-way for rail service as required under 49 CFR 1152.29. In a response submitted on June 15, 2004, UPRC states that it supports the issuance of a NITU.

The Surface Transportation Board exempted the abandonment of the line described above to the extent necessary to implement interim trail use/railbanking, for a period of 180 days commencing from the service date of the exemption, until February 2, 2005.

The City of Yuba City respectfully requests an extension to negotiate our agreement for interim trail use/rail banking for an additional 180 days, from February 2, 2005, to August 1, 2005. If you have any questions, please do not hesitate to call me.

I certify that a copy of this comment was also faxed to UP's counsel, UP Law (att: Mack Shumate Jr.) at 312-777-2065.



John E. Wright
Public Works Director

ENTERED
Office of Proceedings
FEB 17 2005
Part of
Public Record

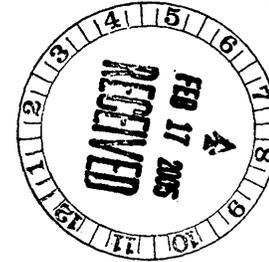
Cc: Mack Shumate, Jr., UP Counsel

North Idaho Centennial Trail Foundation



February 16, 2005

Timothy Cambridge
Paralegal Specialist
Surface Transportation Board
1925 K Street NW, Suite 700
Washington, DC 20423-0001



Tim:

As per our phone conversation at 11:00 AM PST, enclosed is the originally submitted letter dated December 16, 2004 and return received on February 16, 2005 Re: Union Pacific Railroad Abandonment Exemption in Kootenai County, Idaho, STB Docket No. AB-## (Sub-No. 218X). The document is being faxed to you at 202-565-9004 at 11:20 AM PST. In addition, as per our conversation, the original document and a new check for \$200.00 will be over-nighted to you at the address listed above.

Please accept my apology for the confusion. I can be reached at (H/O)208-664-5633 or ©208-640-9733.

Sincerely,

Chris Copstead
Executive Director

North Idaho Centennial Trail Foundation



December 16, 2004

Secretary Vernon A. Williams
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423



Re: Union Pacific Railroad Company Abandonment Exemption in Kootenai County, Idaho
STB Docket No. AB-33 (Sub-No. 218X)

Dear Secretary Williams:

This request is filed on behalf of the North Idaho Centennial Trail Foundation (the "Proponent"), a private non-profit organization dedicated to the stewardship of the North Idaho Centennial Trail and the development of recreational trails in Kootenai County, Idaho.

The Proponent requests the issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization of the Union Pacific Coeur d'Alene Industrial Lead from Milepost 2.25 at Feeley Spur to Milepost 7.50 near Gibbs in Kootenai County, Idaho.

A. Request for Public Use Condition

The Proponent requests the Surface Transportation Board to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The justification for this condition is that the corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. In addition, the corridor provides important open space and its preservation as a recreational trail is consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization, as the Proponent has not had an opportunity to assemble or to review title information, complete a trail plan or commence negotiations with the carrier.

2. An order barring removal or destruction of potential trail related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reasons indicated above.

B. Request for Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, the Proponent also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d) and 49 C.F.R. §1152.29, the North Idaho Centennial Trail Foundation is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by Union Pacific.

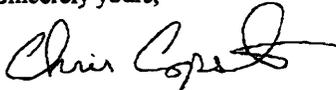
The property, known as the Coeur d'Alene Industrial Lead extends from railroad milepost 2.25 at Feeley Spur to railroad milepost 7.50 near Gibbs, a distance of 5.25 miles in Kootenai County, Idaho. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-33 (Sub-N0. 218X). A map depicting the right-of-way is attached.

The North Idaho Centennial Trail Foundation acknowledges that use of the right-of-way is subject to the user continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon Charles W. Saylor, director-legal support services, Union Pacific Railroad Company, 1416 Dodge Street, Omaha, Nebraska 68179 by U.S. Mail, postage prepaid, first class, this 16th day of December, 2004.

In addition to ten (10) duplicates for the STB, I am enclosing one more, for which I request to be time and date stamped and returned in the enclosed envelope. Also enclosed is a check in the amount of one hundred and fifty dollars (\$150.00) for the application filing fee.

Sincerely yours,



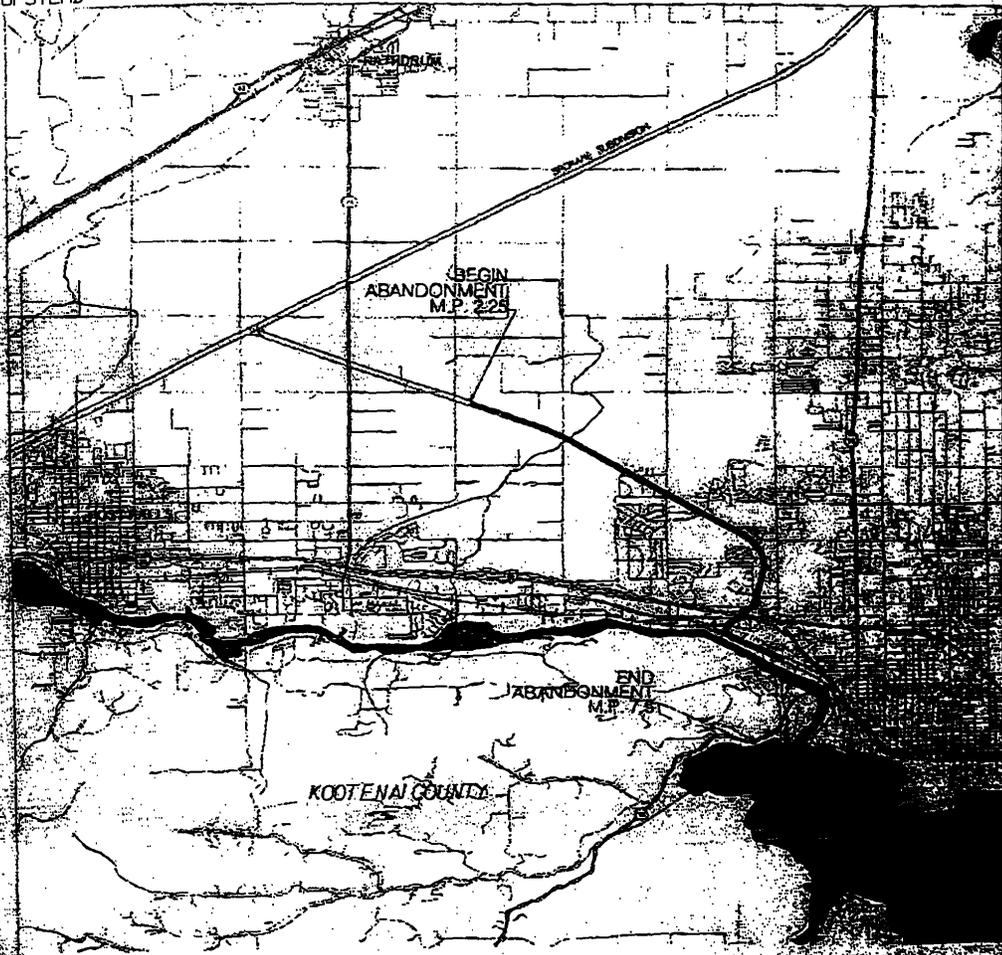
Chris Copstead, Chairman
North Idaho Centennial Trail Foundation

Enclosures:

Map

Ten (10) Duplicates

Application Filing Fee



NOTE:
THERE ARE NO STRUCTURES - 50+

A TOTAL OF 50 LINES
IN KOOTENAI COUNTY, 2004

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

COEUR D'ALENE INDUSTRIAL LEAD
 UNION PACIFIC RAILROAD CO.
 COEUR D'ALENE INDUSTRIAL LEAD
 FEELEY SPUR TO GIBBS IDAHO
 INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

1201 Civic Center Boulevard
Yuba City, CA 95993
Phone: (530) 822-4626
Fax: (530) 822-4694

**City of Yuba City
Public Works Department**

Fax

To: STB **From:** Suzanne Wirth, Admin. Asst.

Fax: (202) 565-9004 **Pages:** 2 (including cover)

Phone: **Date:** February 16, 2005

Re: Request for Extension - Notice of Interim Trail Use (NITU)

- Urgent For Review Please Comment Please Reply Please Recycle

Revised letter attached.

