

FILED FEE WAIVED

213380

**City
of**

YUBA CITY PUBLIC WORKS DEPARTMENT

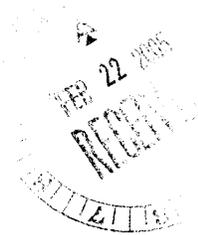
1201 CIVIC CENTER BOULEVARD, YUBA CITY, CA 95993 · (530) 822-4626 · FAX (530) 822-4694

February 16, 2005

ENTERED
Office of Proceedings

FEB 22 2005

Part of
Public Record



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

Cc: Mack Shumate, Jr., UP Counsel