

- James Frank Abbott
- President and CEO
- Community Oversight Partner Services
- 1006 Grand Boulevard, Apartment 511
- Kansas City, MO 64106

November 12, 2019

248985

- Ms. Cynthia T Brown
- Chief, Section of Administration
- Office of Proceedings
- Surface Transportation Board
- 395 E Street, S.W.
- Washington, DC 20423-0001

ENTERED
Office of Proceedings
November 12, 2019
Part of
Public Record

- Re: Union Pacific Railroad Company and Jackson County, Missouri -Abandonment Exemption - STB Docket AB 33 (Sub No. 342X)

- Dear Ms. Brown:

There is no indication that there is authority granted by Jackson County Missouri Legislature in minutes of weekly meeting of the legislature for Jackson County Missouri Executive Frank White II to make the financial commitment associated with this comment to US Surface Transportation Board submitted by County Executive Whiteb

<https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Asc%3AUS%3A0747ea81-3309-4192-a590-d923b5e8b3e7>

Furthermore, the aforementioned document does not conform to requirements of the following;

Under the National Trails System Act, 16 U.S.C. 1247(d), the STB is given an administrative role in assisting carriers who wish to rail-bank their corridors as an alternative to a complete abandonment of the line, thus preserving the rail corridor for possible future use.

The railroad may form an agreement with any person, public or private, who would like to use the banked rail line as a trail or linear park until it is again needed for rail use.

The STB assists in this process by imposing a Notice of Interim Trail Use (NITU) in the abandonment decision.

The process begins when a trail proponent files a Public Use Condition and Trail Use Request.

Once the request <https://www.stb.gov/stb/docs/RailtoTrailsSample.pdf>

Therefore, Jackson County Missouri dba Rock Island Rail Corridor Authority request for interim trail use and railroad banking for the 17.7 mile railroad should be denied

- Respectfully submitted,
- Electronically Signed
- James Frank Abbott

Certificate of Service

- I certify that on November 12, 2019, a true copy of the foregoing letter was served via email upon the following parties of record:
- Brown, Sandra L.
- Thompson Hine LLP
- 1919 M Street, Suite 700
- Washington, DC 20036
- Sandra.brown@thompsonhine.com
- McCulley, Elizabeth A.
- 2100 Central
- Suite 22p
- Kansas City, MO 64108
- mcculley@swm.legal
- Jeremy Berman
Union Pacific Railroad Company
1400 Douglas Street
Mail.Stop.1690
Omaha, NB 68179-1690
jberman@up.com
- Kevin Sheys
- Hogan Lovells US LLP
- Columbia Square
- 555 Thirteenth Street NW
- Washington DC 20004
- kevin.sheys@hoganlovells.com
- Ed Fishman
- Hogan Lovells US LLP
- Columbia Square
- 555 Thirteenth Street NW
- Washington DC 20004
- ed.fishman@hoganlovells.com
- Carolyn Gaut Kraska
- Hogan Lovells US LLP
- Columbia Square
- 555 Thirteenth Street NW
- Washington DC 20004
- caro1yn.kraska@hoganlovells.com
- Covinsky, Bryan
- Interim County Counselor
- Jackson County Missouri
- 415 E 12th Street
- Kansas City, MO 64107

- bcovinsky@jacksongov.org