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FEE RECEIVED
June 23, 2020
SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings
June 23, 2020
Part of
Public Record

June 22, 2020

VIA E-FILE

FILED
June 23, 2020
SURFACE
TRANSPORTATION BOARD

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

**NOTICE OF INTERIM TRAIL USE
CITY OF YELM, OWNER AND SPONSOR
IN ACCORDANCE WITH CFR 49.1152.29.**

Re: Abandonment and Discontinuance of Service on the Yelm Prairie Line from
mileposts 20.99, near Roy, Washington and railroad milepost 25.56 within Yelm,
Washington;
STB Docket: AB-1295 (Sub-No.0X)

Dear Ms. Brown:

On May 5, 2020, the City of Yelm (the City) requested the Surface Transportation Board issue a Notice of Interim Trail Use (NITU) for an approximately 4.57-mile rail line that runs between mileposts 20.99, near Roy, Washington and railroad milepost 25.56 within Yelm, Washington which traverses through Thurston and Lewis County, Washington ("the Line") under the National Trails System, Act. 16 U.S.C. § 1247(d) and C.F.R. § 1152.29.

Due to ambiguities in the original filing, the STB denied the City's request and the City is now re-filing to correct those ambiguities. Specifically there was a questions as to who the owner of the Line and who was the trail sponsor. To clarify, the City of Yelm **is both** the owner and the trail sponsor of the Line and any reference to the Washington State Department of Transportation (WSDOT) and the State of Washington Railway Authority (WARA) was in error and neither party has in interest in nor are related to this matter.

The City of Yelm requests that the Surface Transportation Board issue a Notice of Interim Trail Use for an approximately 4.57-mile rail line that runs between mileposts 20.99, near Roy,

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PERSONAL ATTENTION, PROVEN RESULTS

Washington and railroad milepost 25.56 within Yelm, Washington which traverses through Thurston and Lewis County, Washington ("the Line"). Attached as **Exhibit A**, and made part hereof, is a map depicting an accurate description of the Line that is the subject of this request.

In accordance with the requirement of 49 C.F.R. 1152.29, the City, as sponsor, has executed a Statement of Willingness to Assume Financial Responsibility, which is attached hereto as **Exhibit B** and is hereby made part hereof.

Consistent with 49 C.F.R. § 1152.2 (e)(1), the City of Yelm, (a local government entity) is requesting that all associated filing fees for this filing be waived. In remain...

Very truly yours,

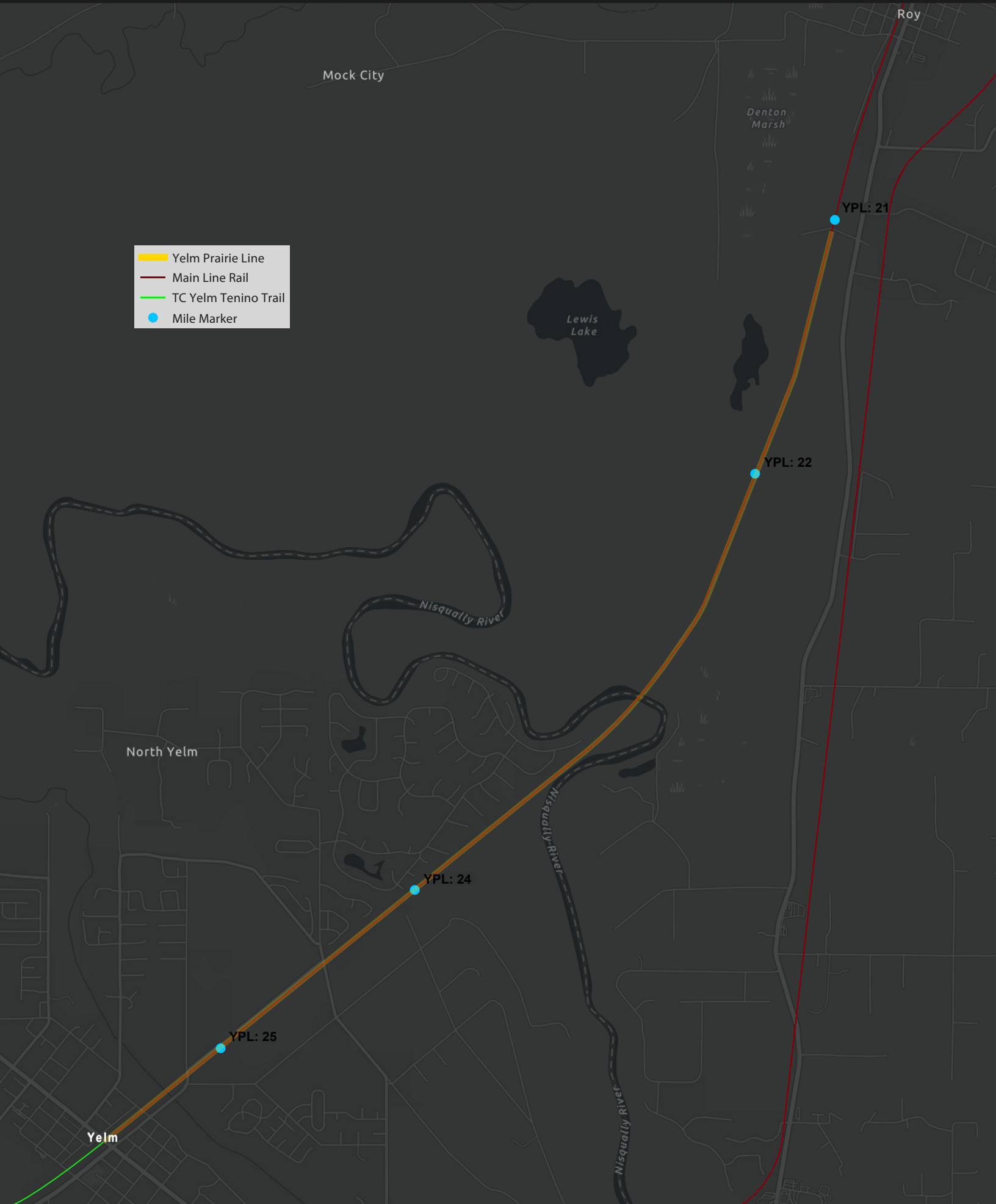
A handwritten signature in black ink, appearing to read "Brent F. Dille". The signature is fluid and cursive, with the first name "Brent" and last name "Dille" clearly distinguishable.

Brent F. Dille
Attorney at Law

BFD:keas
Enclosures

cc: Client

EXHIBIT A

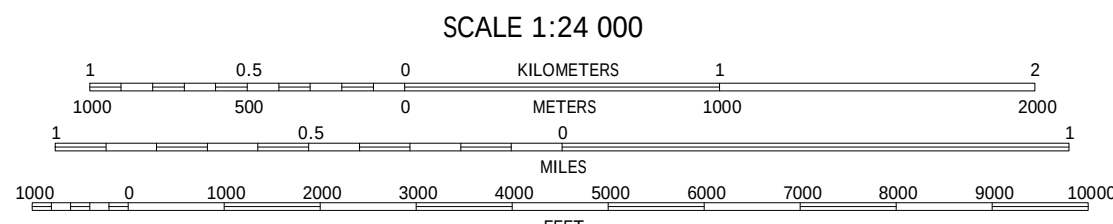
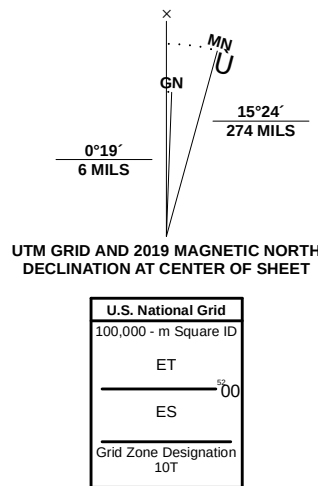




Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1 000-meter grid/Universal Transverse Mercator, Zone 10T
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

Imagery.....NAIP, August 2015 - November 2015
Roads.....U.S. Census Bureau, 2016
Names.....GNIS, 1979 - 2019
Hydrography.....National Hydrography Dataset, 2004 - 2019
Contours.....National Elevation Dataset, 1999 - 2018
Boundaries.....Multiscale file, 2017 - 2018
Public Land Survey System.....BLM, 2019
Wetlands.....FWS National Wetlands Inventory 1980 - 1981



1	2	3
4	5	6
7	8	9

1 Nisqually
2 Port Lewis
3 Spanaway
4 Tanasquon Prairie
5 Harts Lake
6 Vail
7 Lake Lawrence
8 Bald Hill

ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	4WD
Interstate Route	US Route
	State Route

Proposed Abandonment

MCKENNA, WA
2020

CONTOUR INTERVAL 20 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
This map was produced to conform with the
National Geospatial Program US Topo Product Standard, 2011.
A metadata file associated with this product is draft version 0.6.18

*7643016402
NSN 643016402163
NGA REF NO. USGSX24K28430

Rail Line Abandonment | City of Yelm

LEGEND

CITY BOUNDARIES

- Urban Growth Area (UGA)
- City Limits
- County Limits

Environmental Designations

- WA State Route - 510
- TRMW Class III Shortline
- SR-510 Yelm Loop ROW
- Yelm Prairie Line ROW
- TC Yelm-Tenino Trail ROW
- Joint Base Lewis-McChord
- Nisqually Land Trust
- DNR Managed Lands
- Rivers & Streams

The 1999 City of Yelm segment acquisition runs 4.57 miles from its southern junction with the TC Yelm Tenino Trail to the northern boundary of parcel 0217044009 (directly south of the 293rd Street crossing in Roy Washington).

0 0.25 0.5 0.75 1 1.25 1.5 Miles



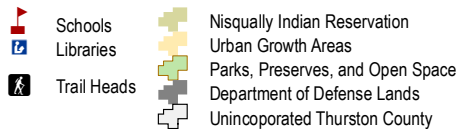


Existing Bike Routes

- Trail, Shared Use, Existing
- Trail, Shared Use, Planned
- Trail, Shared Use, Proposed
- Route, On Street, Planned
- On Street Facilities, Proposed
- Featured Trail on Map
- Bike Lane
- Wide Shoulder
- Commonly Used Local Roads
- Bicycle/Pedestrian Connection
- Active Railroad
- Local Streets

- Existing Bike Routes**

 - Trail, Shared Use, Existing
 - Trail, Shared Use, Planned
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 - Wide Shoulder
 - Commonly Used Local Roads
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 - Local Streets



Disclaimer

This map is for general planning purposes only. Thurston Regional Planning Council makes no representations as to the accuracy or fitness of the information for a particular purpose.



EXHIBIT B

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

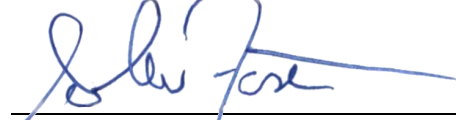
In order to establish interim trail use and rail banking under 16 U. S. C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned and operated by City of Yelm, the City of Yelm, as sponsor is willing to assume full responsibility for: (1) managing the right-of-way, (2) any legal liability arising out of the transfer or use the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right-of-way. The property known as the Northern Pacific railway-Prairie Line, approximately 4.57-mile rail line that runs between mileposts 20.99, near Roy, Washington and railroad milepost 25.56 within Yelm, Washington which traverses through Thurston and Lewis County, Washington. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-1295X. A map of the property depicting the right-of-way is attached hereto.

The City acknowledges that use of the right-of-way is subject to its obligation to meet its responsibilities as sponsor described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

DATED this 19th day of June, 2020.

SPONSOR

CITY OF YELM



J.W. Foster, Mayor