



TIMBER HERITAGE ASSOCIATION

P.O. Box 6399, Eureka, California 95502

A Public Benefit 501(c)(3) Nonprofit Corporation

www.timberheritage.org

April 22, 2021

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Chief of the Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington D.C., 20423-0001

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ENTERED
Office of Proceedings
April 22, 2021
Part of
Public Record

Re: Docket No. AB 1313 North Coast Railroad Authority - Adverse
Discontinuance of Lease and Operating Authority - Northwestern
Pacific Railway Co., in Humboldt, Trinity, and Mendocino Counties,
California

Dear Ms. Brown:

Planning Committee

Josh Buck
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Pete Johnston
Michael Kellogg
Natasha Mariani
Chet Ogan
Pete Oringer
Renee Ross
Bruce L. Seivertson
Michelle D. Sievertson
Chris Warner-Young
David Young

The Timber Heritage Association, an IRS 501(c)3 nonprofit in Humboldt County, California, hereby gives notice of intent to participate in the above-captioned proceeding and submits the accompanying formal notice.

The Association wishes to be added as a party of record and intends to participate in this proceeding through the submission of a brief and other filings as appropriate or requested.

If you or the parties to the proceeding have any questions about this filing, please do not hesitate to contact me.

Sincerely,

Pete Johnston
President
Timber Heritage Association

Tax ID: 94-2388203

Cc: parties of record

BEFORE THE SURFACE TRANSPORTATION BOARD

DOCKET No. AB 1313

**North Coast Railroad Authority -- Adverse Discontinuance of Lease
and Operating Authority**

**Northwestern Pacific Railway Co., in Humboldt, Trinity and
Mendocino Counties, CA**

**NOTICE OF INTENT TO PARTICIPATE
BY THE TIMBER HERITAGE ASSOCIATION**

The Timber Heritage Association ("THA"), an IRS nonprofit 501c3 organization in Humboldt County, California, submits this Notice of Intent to Participate in Docket No. AB 1313. The subject of this proceeding is a Petition filed by the North Coast Railroad Authority (the "Authority") as a certificate advocating the adverse discontinuance of Lease and Operating Authority.

THA has been involved in the preservation and interpretation of the lumber and logging history of Humboldt County since 1972, and has formed an extensive collection of artifacts and equipment. Further, they have now become the formal caretakers of the Samoa Shops rail complex at Samoa, CA (MP 300.5) in the aforementioned proceeding docket. That effort has expanded to include interpretive operations over portions of the corridor between Samoa (MP

300.5) and Manila (MP 297.9), and between Eureka (MP 284.10) and Bracut (MP 289.2). This is a longstanding participation in the progressive development of a functional museum and excursion railway operation along Humboldt Bay, begun in 2001, and culminating in the acquisition of rolling stock and support facilities currently in storage and on display at Samoa. This has been supported by Humboldt County as a full planning element of local economic development planning benefitting the region.

THA recognizes that the Authority wishes to absolve themselves from the remaining common-carrier responsibility inherited by the legislation by the State of California, and to facilitate legal conversion of portions of the Willits-Samoa rail line to trail usage. On its face value, THA does not wholly reject that process or intent. However, THA wishes to correct some errors of omission and fact within the record, and further to notify the Board that THA, in conjunction with previous planning and trail documents, wishes to be recognized as a viable responsible entity of a rail-with-trail corridor concept around Humboldt Bay toward the efforts to preserve the corridor for interim trail use.

THA observes that the Authority apparently seeks to relieve itself of two key issues in the proceeding; that of waiving any historic impact of this action by asserting it is not attempting to salvage any property, and second, that it seeks for the Board to

waive any and all attempts for an Offer of Financial Assistance (OFA) to be considered during the effective abandonment process.

The development history of this line segment begs otherwise. Rail service began in Humboldt County connecting communities to the Port of Humboldt Bay without any outside national rail connection until 1914 – one of the very last connecting rail services to be finally directly linked via the Eel River Canyon. Until then, viable economic and transportation benefits were produced by connecting industrial and material transportation to the Port of Humboldt Bay purely via water transport, originating from and to the port itself. Water transport, particularly for hazardous materials like fuel, is still done today, underlying the connection to the national transportation system via water rather than rail. THA contends that any genesis of a re-emergence of common-carrier rail transportation will redevelop as a link to the Port of Humboldt Bay out, functioning as a viable commercial service but not necessarily directly connected to the national system via rail, much as the Alaska Railroad is today. The remaining Authority corridor is not homogenous in function as the application would imply. Preserving the rail in the port area is the most critical element to this effort.

Because of that historic and current commercial function, THA contends that an OFA waiver should not automatically be granted, but allowed to be submitted

by any interested parties, and allow consideration to partial proposals that acknowledge this unique transportation relationship between port and rail. If the Authority has no stated interest in salvage, then the usual OFA processes of appraisal, valuation and negotiation are unnecessary – only the establishment of the proposer as a legitimate freight transportation service in an attempt to preserve common-carrier transportation, subject to STB review. While this may not be successful, the Board should not be party to premature rejection on the Authority assertion at face value and as a convenience.

THA also noted that despite 20 years of performing active maintenance activity on the portion of the corridor between Eureka and Samoa, THA was not notified as part of the environmental historic notification in the Authority filing of Environmental Materials. THA has performed track maintenance, regular brush cutting, drainage and bridge inspections to allow their limited operations to be performed, and consider themselves a full working partner in the preservation and future of the corridor, and request to be considered as such. THA considers this one of the most historic rail corridors within the entire state, and the Samoa shops complex is one of three remaining in the entire state of California, large enough to build locomotives. No activity should be waived by the board that states or implies exemption from historic impact, deliberate or not.

THA advocates a rail-with-trail alternative for interim trail use, which also preserves the most critical transportation feature of the region – connecting the port to the remaining industrial activity around Humboldt Bay. Rail with Trail designs have already been completed, and THA has been an active participant in the process to preserve the actual rail corridor as well as a parallel recreational trail. Our position for interim trail use preserves rail as well as the underlying corridor, and presence of the rail allows heavy corridor maintenance to be done in a practical manner. Further, THA is willing to participate fully with other trail entities that may ultimately be designated, given that they follow the established designs already accepted to preserve both historic and recreational features including preserving the remaining rail assets. THA advocates preserving not just the basic corridor, but the rail presence, for economic development, historic impact, and interim trail use and respectfully wishes the Board to recognize these relationships as a distinctly separate portion of the abandonment application and subsequent trail use approval that may be granted.