

LAW OFFICES OF
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ENTERED
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Public Record

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February 2, 2022

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

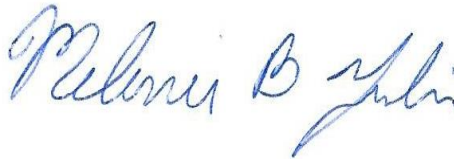
RE: Docket No. AB-1243X, ***Patriot Woods Railroad, LLC—Abandonment
Exemption—in Cowlitz County, WA***

Dear Ms. Williams:

Enclosed for electronic filing is Patriot Woods Railroad, LLC's request for removal of the Section 106 Condition.

Thank you for your assistance, if you have any questions please contact me.

Sincerely yours,



Melanie B. Yasbin
Attorney for Patriot Woods Railroad, LLC

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-1243X

PATRIOT WOODS RAILROAD, LLC—ABANDONMENT EXEMPTION—IN COWLITZ
COUNTY, WA

REQUEST FOR REMOVAL OF SECTION 106 CONDITION

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
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Towson, MD 21204
(202) 466-6532

Attorneys for: Patriot Woods Railroad, LLC

Dated: February 2, 2022

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SURFACE TRANSPORTATION BOARD

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PATRIOT WOODS RAILROAD, LLC—ABANDONMENT EXEMPTION—IN COWLITZ
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REQUEST FOR REMOVAL OF SECTION 106 CONDITION

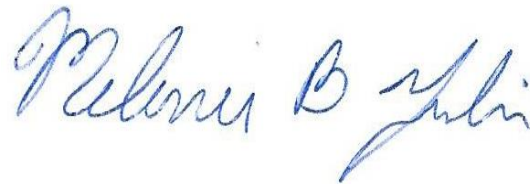
On August 11, 2017, Patriot Woods Railroad, LLC (PW) filed a verified notice of exemption with the Surface Transportation Board (the “Board”) under 49 C.F.R. pt. 1152 Subpart F—Exempt Abandonments and Discontinuances of Service for PW to abandon approximately 21.5 miles of rail line between milepost 8.5 at Ostrander Junction and the end of the line at milepost 30 (the Line) in Cowlitz County, Wash.

By decision and notice of interim trail use or abandonment (“NITU”) served on September 29, 2017, the Board reopened the proceeding and implemented interim trail use/rail banking under the National Trails System Act (“Trails Act”), 16 U.S.C. § 1247(d), and 49 C.F.R. §1152.29. On August 24, 2018, PW notified the Board that it had terminated negotiations with Cowlitz County for interim trail use/rail banking over the Line. By decision served on November 2, 2018, the Board vacated the NITU issued on September 29, 2017, and reinstated PW’s abandonment authority, subject to any outstanding conditions, including the condition that PW retain its interest in and take no further steps to alter the historic integrity of all historic properties within the project right-of-way that are eligible for listing or are listed on the National Register of Historic Places until the Section 106 process of the National Historic Preservation

Act, 54 U.S.C. § 306108 (“NHPA”), has been completed and the Board has removed this condition.

PW, the Board’s Office of Environmental Analysis, and the Washington State Department of Archaeology and Historic Preservation, entered into a Memorandum of Agreement (“MOA”) dated June 26, 2021. The MOA satisfies the requirements under Section 106 of NHPA; therefore, PW respectfully requests that the Board remove the Section 106 condition.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Melanie B. Yasbin". The signature is fluid and cursive, with the first name "Melanie" being the most prominent part.

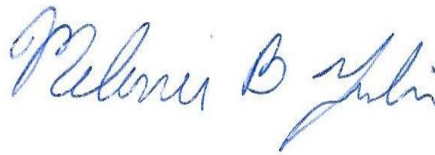
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Attorneys for: Patriot Woods Railroad, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this pleading was served on the following Parties of Record via first class mail postage pre-paid on February 2, 2022:

Joe Gardner
207 Fourth Ave North
Kelso, WA 98626



Melanie B. Yasbin
February 2, 2022