



Surface Transportation Board
Washington, D.C. 20423-0001

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Office of Proceedings
June 24, 2022
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Public Record

June 24, 2022

The Honorable Jared Huffman
1527 Longworth House Office Bldg.
Washington, D.C. 20515

The Honorable Alex Padilla
112 Hart Senate Office Bldg.
Washington, DC 20510

The Honorable Mike Thompson
268 Cannon House Office Bldg.
Washington, DC 20515

Dear Senator Padilla, Representative Huffman, and Representative Thompson,

Thank you for your recent letter regarding North Coast Railroad Authority – Abandonment Exemption – In Mendocino, Trinity, and Humboldt Counties, Cal., Docket No. AB 1305X. I appreciate hearing your views in support of the Great Redwood Trail Agency/North Coast Railroad Authority's application for abandonment, and your concerns related to the filed Notices of Intent to file Offers of Financial Assistance (OFA).

As you know, on May 14, 2021, NCRA filed a notice of exemption under 49 C.F.R. § 1152.50 seeking an exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of approximately 175.84 miles of rail line in Mendocino, Trinity, and Humboldt Counties, California. After the proceeding was held in abeyance to permit the Board to resolve certain jurisdictional issues, the Board lifted the abeyance on May 17, 2022. The Board's notice indicated that the exemption would become effective on June 19, 2022, unless stayed by the Board or unless a formal expression of intent to file an OFA was filed by May 31, 2022.

Three notices of intent to file an OFA, in which the parties have attempted to demonstrate preliminary financial responsibility as required by 49 C.F.R. § 1152.27(c), were received by the Board. On June 10, 2022, the Board rejected Seeker Enterprises LLC's notice of intent to file an OFA, because it failed to demonstrate the required preliminary financial responsibility. The Board also rejected North Coast Railroad Company, L.L.C.'s notice of intent to file an OFA, because it was untimely.

Mendocino Railway (MR) filed a notice of intent to file an OFA to purchase a portion of the Line and demonstrated preliminary financial responsibility. MR's OFA is due August 18, 2022, or 30 days after Great Redwood Trail Agency notifies the Board that it has provided MR with certain information MR has requested, whichever is later.

On June 21, 2022, the Board's Office of Environmental Analysis also issued a Final Environmental Assessment in the case, recommending several conditions that should be imposed upon any decision granting abandonment authority. Because this case is pending, I cannot comment further. However, please be assured that the Board will give full and fair consideration to all comments and submissions in this proceeding.

A copy of your letter and this response has been placed in the public docket. If you or your staff have any questions, please contact Ms. Janie Sheng, Acting Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238.

Sincerely,

A handwritten signature in dark ink, reading "Martin J. Oberman". The signature is written in a cursive style with a large, stylized "M" and "O".

Martin J. Oberman
Chairman