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October 31, 2016

VIA E-FILING

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

ENTERED
Office of Proceedings
October 31, 2016
Part of
Public Record

Re: Docket No. NOR 42148
North Coast Railroad Authority and Northwestern Pacific Railroad
Company v. Sonoma-Marin Area Rail Transit District

Dear Ms. Brown:

The City of American Canyon and American Canyon Fire Protection District (collectively "American Canyon") hereby give notice of intent to participate in the above-captioned proceeding. American Canyon will be represented by the following individuals:

William D. Ross
LAW OFFICES OF WILLIAM D. ROSS
400 Lambert Avenue
Palo Alto, California 94306
Telephone: (650) 843-8080
Facsimile: (650) 843-8093
Email: wross@lawross.com

James D. Squeri
Megan Somogyi
GOODIN, MACBRIDE,
SQUERI & DAY, LLP
505 Sansome Street, Suite 900
San Francisco, California 94111
Telephone: (415) 392-7900
Facsimile: (415) 398-4321
Email: jsqueri@goodinmacbride.com
Email: msomogyi@goodinmacbride.com

American Canyon wishes to be added as a party of record and intends to participate fully in this proceeding through submission of briefs and other formal filings, as necessary. If there are any questions concerning this filing, please do not hesitate to contact me.

Cynthia T. Brown
October 31, 2016
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Very truly yours,

GOODIN, MACBRIDE,
SQUERI & DAY, LLP



James D. Squeri

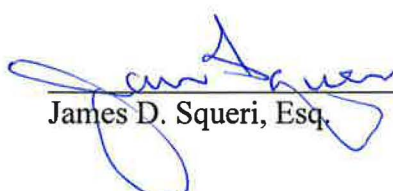
Certificate of Service

I hereby certify that the foregoing Notice of Intent to Participate was served via first-class US mail, postage prepaid, upon:

Edward J. Fishman
Nossamon LLP
1666 K Street NW, Suite 500
Washington, DC 20006

Christopher J. Neary
110 South Main Street, Suite C
Willits, CA 95490

Federal Railroad Administration
Chief Counsel
1200 New Jersey Avenue, SE
Washington, DC 20590



James D. Squeri, Esq.

Dated: October 31, 2016
2938/006/X186222.v1

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET No. NOR 42148

**NORTH COAST RAILROAD AUTHORITY AND
NORTHWESTERN PACIFIC RAILROAD COMPANY v. SONOMA-
MARIN AREA RAIL TRANSIT DISTRICT**

**NOTICE OF INTENT TO PARTICIPATE
OF THE CITY OF AMERICAN CANYON
AND AMERICAN CANYON FIRE PROTECTION DISTRICT**

William D. Ross
LAW OFFICES OF WILLIAM D. ROSS
400 Lambert Avenue
Palo Alto, California 94306
Telephone: (650) 843-8080
Facsimile: (650) 843-8093

James D. Squeri
Megan Somogyi
GOODIN, MACBRIDE,
SQUERI & DAY, LLP
505 Sansome Street, Suite 900
San Francisco, California 94111
Telephone: (415) 392-7900
Facsimile: (415) 398-4321

*Attorneys for the City of American Canyon
and American Canyon Fire Protection District*

Dated: October 31, 2016

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SURFACE TRANSPORTATION BOARD**

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MARIN AREA RAIL TRANSIT DISTRICT**

**NOTICE OF INTENT TO PARTICIPATE
OF THE CITY OF AMERICAN CANYON
AND AMERICAN CANYON FIRE PROTECTION DISTRICT**

The City of American Canyon and the American Canyon Fire Protection District (collectively “American Canyon”) submit this Notice of Intent to Participate in Docket No. NOR 42148. The City of American Canyon is a general law city; the American Canyon Fire Protection District is a subsidiary special district of the City. The subject of this proceeding—Northwestern Pacific Railroad Company’s recent practice transporting tank cars loaded with liquid petroleum gas along a segment of the Northwestern Pacific Railroad Line—directly impacts American Canyon. The rail siding on which the 12 cars filled with liquid petroleum gas are currently stranded is located in the City of American Canyon and immediately adjacent to an existing regional employment center that the State has designated as a Priority Development Area. These cars, as well as the numerous other tank cars that Northwestern Pacific Railroad has moved on the Line since July 2016, pose an immediate and untenable threat to the safety of American Canyon residents and the viability of its existing and expanding local economy.

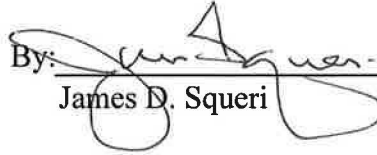
The Board’s October 21 Decision denied the request of North Coast Railroad Authority and Northwestern Pacific Railroad Company for a preliminary injunction against Sonoma-Marine Area Rail Transit District, and indicated further

briefing on the “novel issues related to the common carrier obligation” would be ordered shortly. *See* October 21 Decision at 5. Commissioner Begeman concurred in part, but expressed concern that the Board felt it was acceptable to leave 12 hazmat cars sitting at an active interchange point pending a future decision resolving the larger issues. *Id.* The Commissioner noted that the indefinite pushing 12 cars a mile up and down the track every time other rail traffic needs to pass through seemed like “a recipe for a serious accident.” *Id.* at 6. American Canyon agrees.

American Canyon intends to participate fully and contribute to the Board’s consideration of the unique issues related to common carrier obligations raised in this docket, particularly the safety implications of moving—and stranding—tank cars filled with liquid petroleum gas along a rail line that passes through populated residential and commercial areas, under busy freeway overpasses, and next to categorical wetlands.

Dated: October 31, 2016

James D. Squeri
Megan Somogyi
GOODIN, MACBRIDE,
SQUERI & DAY, LLP
505 Sansome Street, Suite 900
San Francisco, CA 94111

By:  _____
James D. Squeri

William D. Ross
LAW OFFICES OF WILLIAM D. ROSS
400 Lambert Avenue
Palo Alto, California 94306
Telephone: (650) 843-8080
Facsimile: (650) 843-8093

*Attorneys for the City of American Canyon
and American Canyon Fire Protection District*

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