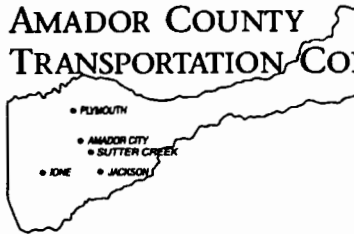


212901

ACTC
AMADOR COUNTY
TRANSPORTATION COMMISSION



December 21, 2004

VIA EXPRESS MAIL

Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

ENTERED
Office of Proceedings

DEC 22 2004

Part of
Public Record

Re: Docket No. AB-512X, *Sierra Pacific Industries – Abandonment Exemption* – In Amador County, CA, and Docket No. AB-880X, *Sierra Pine – Discontinuance Exemption* – In Amador County, CA

Dear Secretary Williams:

Enclosed for filing on behalf of the Amador County Transportation Commission, an interested party in each of the above-referenced cases, are the original and 10 copies of the following documents: (1) Protest to Petitions for Exemption and (2) Request for Issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use. We also enclose a \$200 filing fee for the trail use request. Please direct any reply correspondence to the Commission's counsel, Steven C. DeBaun of Best Best & Krieger LLP, 3750 University Ave., P.O. Box 1028, Riverside, CA 92502.

Respectfully submitted,

Enclosures



L. William Breiner
L. William Breiner, Chairman
Amador County Transportation
Commission



FILING CLERK WAITED

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Before the
Surface Transportation Board

STB Docket No. AB-512X

SIERRA PACIFIC INDUSTRIES – ABANDONMENT EXEMPTION –
IN AMADOR COUNTY, CA

STB Docket No. AB-880X

SIERRAPINE – DISCONTINUANCE EXEMPTION –
IN AMADOR COUNTY, CA

PROTEST TO PETITION FOR EXEMPTION

Steven C. DeBaun
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Attorneys for Amador County
Transportation Commission
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Dated: December 21, 2004

Before the
Surface Transportation Board

STB Docket No. AB-512X

SIERRA PACIFIC INDUSTRIES – ABANDONMENT EXEMPTION –
IN AMADOR COUNTY, CA

STB Docket No. AB-880X

SIERRAPINE – DISCONTINUANCE EXEMPTION –
IN AMADOR COUNTY, CA

PROTEST TO PETITION FOR EXEMPTION

INTRODUCTION AND STANDING

The Amador County Transportation Commission (“Commission”) is interested in the above-captioned proceedings as the California state-designated Regional Transportation Planning Agency for the Amador County region. By this protest the Commission requests the STB to require Sierra Pacific Industries (“SPI” or “Sierra Pacific”) and SierraPine (collectively, “Petitioners”) to make a formal petition for abandonment and discontinuance, respectively,

on the grounds that they do not meet the criteria of 49 U.S.C. § 10502 for an exemption from the sound requirements of 49 U.S.C. § 10903 et seq. and implementing regulations.¹ The exemption is not necessary to carry out the Board's transportation policy, as set forth in 49 U.S.C. § 10101. Specifically, a formal abandonment petition is necessary to carry out the Board's transportation policy "to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public...." (49 U.S.C. § 10101(4))

STATEMENT OF FACTS

Amador County is located approximately 100 miles east of San Francisco and is home to approximately 35,000 people. It is a rural county, boasting 20 wineries, the original Sutter Gold Mine, boating, fishing, skiing, horseback riding, gold panning and hiking trails. The Amador Foothills Rail line itself runs through lush Sierra foothills at the heart of California's historic gold-rush country. The Amador County Transportation Commission is the California state-designated Regional Transportation Planning Agency for the Amador County region.

Petitioners do not appear to have made the Board aware that the Amador County Board of Supervisors has approved a Martell Business Park Business Plan at the request of Sierra Pacific. The plan is to convert the former Georgia Pacific mill site on which Sierra Pacific currently operates into the "Martell Business Park". The master plan anticipates the continued use of the Amador Foothills Rail line between Ione and Martell. A copy of the relevant portion of the Master Plan is attached as Exhibit B. A list of all of the exhibits is attached as Exhibit A.

On June 9, 2004, the Commission requested notice of any abandonment proceeding from the Petitioners but was not provided notice by the Petitioners of this proceeding. A copy of the

¹ The Commission would expect that the requirement of additional analysis would result in a new comment period and notice to the Commission of such comment period.

Commission's request for notice is attached as Exhibit C. Notice was requested, in part, so that the Commission could have an opportunity to negotiate a joint-use arrangement with Sierra Pacific for trail uses on the rail right-of-way until the business park can be built. Also absent from Petitioners' petition is any reference to the Commission's Regional Transportation Plan ("RTP"), of which relevant portions are attached as Exhibit D. The RTP and other documents attached hereto express a long-term goal of passenger rail service on the Amador Foothills Rail line.

REASONS FOR THE REQUESTED DENIAL OF EXEMPTION

Introduction

Petitioners' petition is silent regarding the ultimate disposition of the Amador Foothills Rail line, including important questions of rural and community impacts.² Petitioners do not meet the exemption criteria and should not be summarily absolved from complying with important aspects of the standard abandonment procedure.³ 49 CFR 1152.24(e) requires an applicant for an abandonment or discontinuance to discuss rural and community impacts in depth. This includes making a statement about whether the properties proposed to be abandoned are appropriate for use for other public purposes, including conservation or recreation. If Petitioners are aware of any reversionary interest which would affect the transfer of title or use of the property for other than rail purposes, this must be disclosed also.

² Petitioner's petition is also equivocal and ambiguous about the impact of an abandonment and discontinuance on Landmark Trim, the other industry served by the Amador Foothills Railroad. We are informed and believe that Landmark Trim is also opposing Petitioners' petition.

³ The Commission is not requesting that Petitioners be required to comply with all aspects of the abandonment process, just those aspects of the abandonment process pertaining to significant impacts which the Commission has shown will or may occur if the abandonment is allowed to proceed.

The Rail Line is Intended for Renewed Passenger Service

The Amador Foothills Rail line was originally a passenger railroad and has long been identified in local planning documents as a future passenger railroad.⁴ A rail transit study prepared for the Commission in February 1993 states, at page 6 (Exhibit E):

“The railroad had daily passenger service beginning with its establishment in 1908, including joint excursions with the Southern Pacific to Oakland Pier on Sundays and holidays. This service was discontinued in 1932 as a result of the Depression.”

No later than 1994, the Commission stated its intention to return passenger service to the Amador Foothills Rail line. In a letter to the editor, dated May 24, 1994, in support of a transportation bond measure (Exhibit F), the Commission states that, by approving the measure, “the region could see improved passenger facilities, maintenance facilities and projects which may, in the long-term, lead to a return of passenger rail service.”

The goal of returning the Amador Foothills Rail line to passenger rail service was also expressed more recently in the Commission’s Regional Transportation Plan approved in 2004. (Exhibit D) In fact, Appendix R of the RTP, the “Constraints, Needs and Issues” document (Exhibit G) states the following, in relevant part:

“Rail and Goods Movement

- “1. There is a need to preserve the Amador Foothills Rail Line for future freight and passenger service.
- “2. There is a need to continue improvements to Amador Foothills Rail crossings especially as traffic flows and use of the rail line increases....”

Appendix S, the “RTP Update Progress Report” (Exhibit H) states the following:

“In 1997, the County learned that the Sierra Pacific rail line serving the Sierra Pacific mill site in Martell might be abandoned as had occurred previously in neighboring Calaveras County. The ACTC requested and received assurance from the Federal Transportation Board that the short line was not being

⁴ The Amador Foothills Railroad was previously named the Amador Central Railroad. (Exhibit E)

abandoned and that Amador would be given notice and opportunity to oppose any efforts to abandon any part of the rail line between Martell and Galt.”

Petitioners Have Committed to Preserve the Rail Right-of-Way

It is not just the Commission that has expressed an interest in preserving the Amador Foothills Rail line. Prior to their exemption petition, Petitioners committed to maintaining the integrity of the rail line as well through a master plan adopted in 2001. As stated in the RTP (Exhibit D), “Sierra Pacific Company has drafted a master plan to convert the former Georgia Pacific Mill Site into the ‘Martell Business Park’. The master plan anticipates the continued use of the Amador Foothills between Ione and Martell.” Specifically, the Master Plan, at page 6 (Exhibit B) states the following:

“The Master Plan also anticipates the continued use of the Amador Central Railroad. Railroad spurs within the Plan Area promote opportunities for existing and future industrial uses within the site to utilize rail service for the purpose of importing raw materials and exporting finished goods....”

In responses to comments on the Final Environmental Impact Report for the master plan, Sierra Pacific states, at page 3-42 (Exhibit I):

“The proposed project does not include any changes to the Amador Central Railroad facilities east of State Route 49. It is anticipated that Amador Central Railroad would continue to serve existing industrial operations, as well as serve new business entities that may locate within the project site. Amador Central Railroad will also continue to operate, provide “on-call” service between Ione and Martell for rail freight.”

The Commission is not asking Sierra Pacific to operate the Amador Foothills Rail line in perpetuity regardless of cost or safety. However, “to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public...,” (49 U.S.C. § 10101(4)) it is essential that Petitioners be required to explain the impact of their proposed abandonment on rural and community development. This should include making a statement about whether the properties proposed to

be abandoned are appropriate for use for other public purposes, including conservation or recreation, and whether there are any reversionary interests which would affect the transfer of title or use of the property for other than rail purposes.

Amador County is Relying on the Rail Line

The Foothills Rail line is integral to the rural and community development of Amador County. As discussed in the Martell Area Community-Based Transportation Plan (Exhibit J), dated October 14, 2004:

“Martell is a small, unincorporated community located between the cities of Sutter Creek and Jackson in Amador County. The Martell Area overlaps incorporated areas of each of the adjacent cities. This Martell Area is considered the “hub” of Amador County where three state highways (SR 49, SR 88 and SR 104) come together. The Martell Area is also where the county’s air, freight, rail, transit and other transportation facilities are based. Martell is the former site of the Georgia Pacific lumber mill, which was, at one time, the County’s largest single employer and which has now ceased operation.

“The Martell area is located in the heart of Amador County.... The County’s median household income was \$37,829 in 1999. This was 20% lower than the statewide median household income (\$47,493) in 2000.

“This area is designated by the Amador County General Plan and zoning ordinances for industrial land uses.

“Amador County lost a basic industry and over 700 jobs when the mill closed down. The mill site area is zoned and General Plan designated for industrial purposes and the County has established a Master Plan for the site’s industrial redevelopment. Industrial redevelopment of the area can bring base industry jobs back to the County. Basic industry jobs are needed to complement the area’s commercial and service oriented establishments (retail commercial and service industry jobs can support only one part of a strong local economy). If the Martell area is properly planned with infrastructure to support industry and housing, it will reduce automobile commutes inside and outside of the County....”

Petitioners have neglected to explain how the abandonment of the Amador Foothills Rail line is likely to affect industrial development within Martell and, by extension, Amador County. The Amador Foothills Rail line is more than just a link between Martell and Ione. Because it connects with the Union Pacific Line at Ione, it is a link between industry at "the heart of Amador County" and all points beyond.

The Rail Line is Suitable for an Interim Trail Use

As shown in the attached Request for Issuance of a Public Use Condition and Certificate or Notice of Interim Trail Use, the rail right-of-way for the Amador Foothills Rail line is very suitable for a public trail. The trail itself would run for 12 miles through the heart of historic gold country. Numerous access points make the trail accessible in segments. The Amador County Rail Transit Study, Dated February 1993, Page 10 (Exhibit K) states that California Public Utilities Commission records show eight public road crossings on the Amador Foothills Rail line. The Amador County Transportation Commission is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Sierra Pacific Industries and operated by SierraPine.

CONCLUSION

Application of some of the regulatory requirements and procedures of 49 U.S.C. § 10903 et seq. and implementing regulations to Petitioners' proposed transaction is necessary to carry out the rail transportation policy of 49 U.S.C. § 10101 "to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers

and with other modes, to meet the needs of the public....” Specifically, given the discrepancy between Petitioner’s past statements about their intentions for the disposition of the rail right-of-way underlying the Amador Foothills Rail line and their silence on the subject in their exemption petition, compliance with 49 CFR 1152.24(e) is warranted. Petitioners should be required to discuss rural and community impacts in depth. Petitioners should be required to make a statement about whether the properties proposed to be abandoned are appropriate for use for other public purposes, including conservation or recreation. Finally, if Petitioners are aware of any reversionary interest which would affect the transfer of title or use of the property for other than rail purposes, this should also be disclosed.

EXHIBIT A

LIST OF EXHIBITS

Exhibit A	List of Exhibits
Exhibit B	Martell Business Park Master Plan, Cover Page and Page 6
Exhibit C	Letter dated June 9, 2004 from the Amador County Transportation Commission to Sierra Pacific Industries
Exhibit D	Final 2004 Amador County Regional Transportation Plan ("RTP"), Cover Page and Pages III-11, IV-8, and VII-7
Exhibit E	Amador County Rail Transit Study, Dated February 1993, Cover Page and Page 6
Exhibit F	Letter dated May 24, 1994 from the Amador County Transportation Commission to the Editor of the Amador Ledger-Dispatch
Exhibit G	2004 RTP Technical Appendix R, Cover Page and Page 3
Exhibit H	2004 RTP Technical Appendix S, Cover Page and Page 3
Exhibit I	Martell Business Park Master Plan, Final Environmental Impact Report, Cover Page and Page 3-42
Exhibit J	Martell Area Community-Based Transportation Plan, Cover Page and Pages 1 through 3
Exhibit K	Amador County Rail Transit Study, Dated February 1993, Cover Page and Page 10

EXHIBIT B

Martell Business Park Master Plan

Cover Page and Page 6

RECEIVED
Amador County

AUG 01 2002

PLANNING DEPARTMENT

Martell Business Park Master Plan

RECEIVED - ACTC

SEP 10 2004



"A RURAL BUSINESS COMMUNITY"

By Sierra Pacific Industries

June 2002



RRM DESIGN GROUP
Creating Environments People Enjoy

Specific Use Permit (Conditional Use Permit No. 99; 7-6) for uses proposed as a part of this Plan, with the exception of the Sierra West Business Park Vesting Tentative Subdivision Map No. 93 and Parcel 4 of Parcel Map 51-M-7, commonly referred throughout this document as FibreForm. For the purpose of the Master Plan, both the Sierra West Business Park Vesting Tentative Subdivision Map. No. 93 and the FibreForm Parcel have been included to ensure the Plan identifies the necessary circulation and infrastructure (e.g., sewer, water and drainage) improvements to support the overall Plan Area.

The Master Plan includes an accompanying tentative subdivision map (Martell Business Park Vesting Tentative Subdivision Map No. 104). As shown in Figure 3, the tentative subdivision map divides approximately 375± acres of the 460 ± acre Plan Area into 56 parcels for office and industrial uses. These parcels range in size from 1.87 acres to 100.93 acres.

The Martell Business Park Vesting Tentative Map includes 11 parcels designated for Light Manufacturing, 34 parcels designated to allow for Office / Research & Development type uses, and 11 parcels identified as Medium Manufacturing uses. Of the 11 Medium Manufacturing parcels, 3 are already utilized with developed industrial uses. These developed industries include Ampine (Parcel 55), and the Wheelabrator Cogeneration Plant (Parcels 5 & 16). The map also includes 3 parcels (Parcels A, B, & C) dedicated to preserving riparian and wetland habitat.

A second tentative subdivision map, previously processed and approved (Sierra West Business Park Vesting Tentative Subdivision Map No. 93) represents portions of Phase I and Phase II of the Master Plan Area and is herein referenced as the Sierra West Business Park. This map, comprised of approximately 70 acres and 17 parcels, is integral to the overall Master Plan. A Mitigated Negative Declaration was adopted as part of the Sierra West Business Park Subdivision approval process. Mitigation measures assigned as a part of that environmental process are, as applicable, addressed in the environmental documentation for the overall Master Plan. The Plan Area also includes a 13± acre parcel (FibreForm) which is not part of either the Martell Business Park or Sierra West Business Park Vesting Tentative Subdivision Maps. This 13± acre parcel is a developed industrial site.

Existing vegetation will be used to screen the future office / research and development parcels in the southwestern portion of the site from existing and potential light and medium manufacturing uses located in the north and southerly sections of the Plan Area. Vegetative screening will also be used to screen potential State Route 49 commercial developments from existing and planned light and medium manufacturing uses.

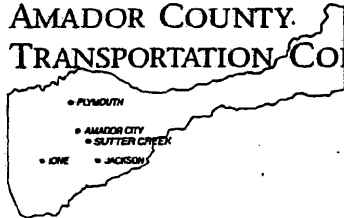
The existing water tower on the site has served as a significant visual landmark along the State Routes 49 and 88 corridors. The Master Plan has incorporated the water tower into the new business park plan as an icon to the site's history. Industry Boulevard, the primary access from State Route 49, will loop around the water tower capitalizing on the tower's prominent visual location.

The Master Plan also anticipates the continued use of the Amador Central Railroad. Railroad spurs within the Plan Area promote opportunities for existing and future industrial uses within the site to utilize rail service for the purpose of importing raw materials and exporting finished goods. The Amador Central Railroad was used in the past to move finished wood products from the former Georgia-Pacific mill to a connecting rail line in the City of Ione. Since the closure of the mill in 1997, the Amador Central Railroad has continued to be operational, although at a reduced level of intensity.

EXHIBIT C

**Letter dated June 9, 2004 from the Amador County
Transportation Commission to Sierra Pacific Industries**

ACTC
AMADOR COUNTY
TRANSPORTATION COMMISSION



June 9, 2004

Mr. Ed Bond
Sierra Pacific Industries
P.O. Box 496014
Redding, CA 96049

Dear Mr. Bond

Re: Amador Foothills Railroad

Attached is a copy of our letter of March 4, 1999 to Mr. Jack Frost regarding the status of the Amador Foothills Railroad. An article in the Amador Ledger Dispatch on May 26, 2004 quoted you as stating that the railroad has ceased operation but is still in the ownership of SPI and would be "open to lease".

We understand that the railroad is an integral part of the Master Plan for the Martell Business Park prepared by RRM Design Group. Is this still correct?

The Amador County Transportation Commission would appreciate the favor if we can be kept informed regarding any proposed change in the status of the railroad. It is the Commission's opinion that the loss of the railroad would have a long-range impact on the viability of businesses that might locate in the business park. The Commission also would be concerned about the possible loss of the railroad right-of-way.

If you have any questions regarding this request, please contact the undersigned.

Sincerely,



Charles F. Field
Executive Director

March 4, 1999

Mr. Jack Frost
Sierra Pacific Industries
P.O. Box 496014
Redding, CA 96049

Dear Mr. Frost

Re: Amador Central Railroad

At the present time it is our understanding that the Amador Central Railroad is being included in the CSA #4 Master Plan now being prepared by RRM Design Group as an integral part of development in the area. However, previous to this time, the rail line has been under consideration for abandonment and also for possible sale by Sierra Pacific Industries. Are we correct in our assumption that the line is not currently under consideration for either sale or abandonment?

The Amador County Transportation Commission would appreciate the favor if we can be kept informed regarding any proposed change in the status of the railroad.

If you have any questions regarding this request, please contact the undersigned.

Sincerely,

Charles F. Field,
Executive Director

EXHIBIT D

Final 2004 Amador County Regional Transportation Plan ("RTP")

Cover Page and Pages III-11, IV-8 and VII-7

FINAL

2004 Amador County Regional Transportation Plan Update

September 15, 2004

Prepared By
Amador County Transportation Commission Staff
With Assistance From
Fehr & Peers Associates, Inc.



COMMISSION MEMBERS

L. William Breiner, County of Amador
Gene Taylor, City of Jackson
Richard Forster, County of Amador
Richard Vinson, County of Amador
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Erik Knudsen, California Highway Patrol
Richard Vinson, Amador County Board of Supervisors

RAIL AND GOODS MOVEMENT

Rail service in Amador County is limited to freight service since there is no direct rail passenger service available. Most County residents obtain rail passenger service in Stockton, Sacramento, Oakland, or San Francisco. Until recently, the Amador Foothills Railroad operated, on call, between Ione and Martell for rail freight service, serving the former Georgia Pacific Lumber Mill. In 1996, the mill was sold to Sierra Pacific Company. Since closure of the Mill, the Amador Foothills Railroad has continued to operate at a reduced level. Sierra Pacific Company has drafted a master plan to convert the former Georgia Pacific Mill site into the "Martell Business Park". The master plan anticipates the continued use of the Amador Foothills between Ione and Martell.

The rail line from Ione to Galt is used by Union Pacific three days per week for freight only. Freight is hauled from the Reed Mineral Plant near Ione. This "short-line" is approximately 27 miles long. The length of travel between Martell and Galt is approximately 55 miles.

With limited rail freight service in the County, trucks handle most of the freight entering and exiting Amador County. This statement is supported by the fact that 6-10 percent of the daily traffic on State routes consists of trucks according to Caltrans vehicle classification counts. Specific levels of truck traffic for each State route in Amador County are shown in Appendix J.

TRANSPORTATION DEMAND MANAGEMENT AND TRANSPORTATION SYSTEMS MANAGEMENT

Transportation Demand Management (TDM) is a term for the management of all modes of transportation to create a more efficient transportation system. "TDM" refers to techniques for managing traffic circulation better to make maximum usage of existing circulation facilities without having to construct expensive new facilities. Examples of TDM include the coordinated use of public and social service transportation, ridesharing (carpool/vanpools), bicycling, the use of flexible work hours and variable work schedules by large employers, creation of adequate parking facilities, vanpool commuter lanes, and the proper timing of traffic signals. TDM techniques are intended to provide an economical, short-term improvement to efficiency and congestion. They can also result in energy conservation and reduced air quality emissions.

Currently, TDM activities are limited in Amador County. Several "informal" or undeveloped park-and-ride lots are becoming established as Amador County communities begin to ride-share. In 2004 Caltrans completed a park and ride plan which identifies needed park and ride facilities at two locations in Amador County (Sutter Hill/Martell and SR 16/124 near Plymouth). San Joaquin County maintains a ride-share service called "Commute Connection" by use of a website (www.commuteconnection.com/vanpool.htm) or 800 number (1-800-52-Share). The Commute Connection can link Amador County commuters to other persons commuting to and from San Joaquin County. There is also a vanpool providing service from Sutter Creek to Sacramento for State workers (1-800-Commute).

Bicycle and Pedestrian Facilities

1990 census data indicates that approximately 5 percent of home-to-work travel occurs by walking. With traffic volumes expected to increase in most locations and with limited funding for roads and highways, increasing congestion is anticipated. This will likely cause the number and percentage of people choosing to walk to work, for shopping, or for other purposes to increase. Given the County's broadly dispersed development pattern, this increase will be minimal.

The County's last bicycle plan was prepared by Caltrans in 1981. This document is substantially out of date. The ACTC initiated a Bicycle and Pedestrian Plan Update in 1993. Funding constraints and other priorities have, thus far, prevented completion of the plan.

Rail and Goods Movement

Trucks are expected to be the most commonly used mode for transporting freight in Amador County over the next 25 years. Truck traffic is expected to remain approximately 10% of total traffic on the regional road system through 2025.

The Amador County Rail Transit Study (February, 1993) reviewed two light rail transit (LRT) alternatives for operations along the existing rail corridor between Martell, Ione, and Galt. Ridership projections for the proposed route in 2012 were estimated at 380 one-way trips per day. Based on the forecast ridership, compared to capital costs, it does not appear that passenger rail service between the population centers in western Amador County and the San Joaquin or Sacramento valleys will be cost effective within the 2025 planning period.

Transportation Demand Management and Transportation Systems Management

A survey was conducted in 1996 to evaluate the short-range demand for TDM as a part of the Inter-County Transportation Demand Management Feasibility Study, prepared by Nelson/Nygaard Consulting Associates. The survey focused on the potential viability of vanpool services, particularly for commuters from Amador County to Sacramento or Stockton. The study concluded that there is a short-term need for a vanpool program to serve the Amador County/Sacramento commuter market. Some of this demand was subsequently satisfied by ARTS Sacramento service. Service for the Amador County/Stockton commuter market was found to be a longer-term need.

Air Quality

Amador County is likely to be classified as non-attainment for ozone by 2004 even though it is documented that the region's ozone levels are overwhelmingly due to transported pollutants. This status is not expected to change dramatically in the future as regionwide vehicle miles of travel (VMT) and vehicle hours of travel (VHT) will increase along with population growth in both the County and upwind areas (the Central Valley and Bay Areas).

should be developed in appropriate locations throughout the County as public or private development projects are built, particularly in the cities and other urban areas such as Plymouth, Ione, Sutter Creek, Martell and downtown Jackson. Similarly, pedestrian pathways or sidewalks should be included in all development projects containing densities greater than one unit per acre. The County should also consider incorporating pedestrian actuated signal crossings in the signalization of all intersections in the urban areas of Jackson, Martell, Sutter Creek, Ione, Plymouth and Pine Grove.

RAIL AND GOODS MOVEMENT

There is no direct rail passenger service available in the County. Most County residents obtain rail passenger service in Stockton, Sacramento, Oakland, or San Francisco. Rail freight service is provided by the Union Pacific spur between Sacramento and Ione. The Amador Foothills Railroad is operated by the Sierra Pacific Lumber Company. Future use of this facility should be incorporated into the Martell Business Park Master Plan. Improvements to accommodate use of the rail line by passengers is not expected to occur until after 2025. No projects are identified for State, local, or federal funding at this time.

TSM/TDM/ITS

Existing and future traffic conditions can benefit from the application of TSM, TDM, and ITS. Because most of the travel takes place by automobile, TSM, TDM, and ITS actions should focus on improving the efficiency of the transportation system and reducing automobile demand. Further study (and funding) is needed. The transit transfer station and park and ride facility proposed by ARTS' capital improvement program (Table 6) is a locally supported TSM/TDM project. No other specific projects are identified for funding at this time, but elements can be incorporated into projects or corridor studies identified in previous chapters.

AIR QUALITY

Table 9 below summarizes the vehicle miles of travel and vehicle hours of delay as estimated by the traffic model for the base year 2000 and 2025 conditions. This information conveys the magnitude of the congestion that will be generated if no new transportation projects are constructed or if no new transportation programs are implemented.

Table 9 Comparisons Of Regional Traffic Operations In Amador County			
Scenario	Regional VMT/Day	Regional VHT/Day	Number of Trips
Existing Condition (2000)	1,150,110	25,410	88,500
Future Conditions without improvements (2025)	1,775,780	39,710	139,360
Source: Fehr & Peers Associates, 2002.			

EXHIBIT E

**Amador County Rail Transit Study Dated February 1993,
Cover Page and Page 6**

FILED
PUBLIC WORKS DEPARTMENT

FEB 10 1993

100 COURT STREET
SACRAMENTO, CALIF.

- FINAL REPORT -

AMADOR COUNTY RAIL TRANSIT STUDY

Prepared for:
**AMADOR COUNTY
TRANSPORTATION COMMISSION**

February 1993

Submitted by:
**TRANSPORTATION MARKETING SERVICES, INC.
2617-B Pleasant Hill Road, Pleasant Hill, CA 94523**

In Association With:
ENVIRONMENTAL SCIENCE ASSOCIATES, INC.

EXISTING CONDITIONS

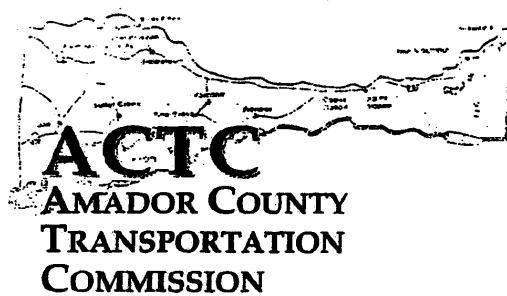
The rail lines examined in this study comprise the entire trackage of one railroad, the Amador Central (AMC), and segments of two others, the Southern Pacific Ione Branch, and the Central California Traction Company (CCT). The Amador Central, a short line owned by Georgia Pacific Corporation, runs from Martell to Ione - a distance of 12 miles. At Ione, the AMC interchanges freight with the Southern Pacific Transportation Company (SP). SP moves the traffic the remaining 27 miles, over the Ione Branch to Galt where there is a connection to SP's main line. The proposed transit corridor would initially run from Martell over the AMC to Ione; over the SP Ione Branch to Herald where it would connect with the CCT; over the CCT to a point near Polk; and eventually connecting with a Sacramento LRT station. The total length of the proposed corridor would be approximately 55 miles.

Due to the nature of the mountainous terrain which it traverses, the AMC segment contains 57 turns, a 4.0 percent ruling grade, and a rise in elevation of 1,100 feet in its 12 miles. The railroad had daily passenger service beginning with its establishment in 1908, including joint excursions with the Southern Pacific to Oakland Pier on Sundays and holidays. This service was discontinued in 1932 as a result of the Depression.

EXHIBIT F

**Letter Dated May 24, 1994 from the Amador County
Transportation Commission to the Editor of the Amador Ledger-Dispatch**

02/04-12



May 24, 1994

Letters to the Editor
Amador Ledger-Dispatch
10776 Argonaut Lane
Jackson, CA 95642

SUBJECT: Measure J

The Amador County Transportation Commission encourages each citizen to vote yes on Measure J. We believe that significant benefits will accrue to the region should the measure pass. The most significant benefit is that this area will be able to participate in a pool of funds reserved by the State for transit system improvements.

The funds, approximately 121 million dollars in this fiscal year, are pulled out of the gas tax paid by every California driver on a gallon of gas. Unfortunately, only those counties which have endorsed a ballot measure similar to Measure J may participate in the expenditure of these particular funds.

Amador County drivers currently make contributions to this fund but are precluded from any benefit. Should Measure J be approved, local Cities, and the County, would have the opportunity to submit project nominations against this reserve of money. We would expect to receive approval for about \$50,000 worth of transit projects each year. The region could see improved passenger facilities, maintenance facilities, and projects which may, in the long-term, lead to a return of passenger rail service.

Should Measure J not pass, Amador County drivers will continue to pay these gas taxes, yet we will see no benefit. This is unacceptable. Your yes vote on Measure J will assure that our County receives a fair share of our tax dollars.

AMADOR COUNTY TRANSPORTATION COMMISSION

Jim Brazil, Chairman	Brent Parsons
Bill Breiner, Vice Chairman	Roderick E. Schuler
Patrick Ireland	Marvin Vicini
Richard Leary	

For further information, please contact Eric Outfleet, Executive Director, ACTC, 135 Summit, Suite 5, Jackson, 95642; phone 223-0973.

Serving Amador County and the Incorporated Cities of Amador City, Ione, Jackson, Sutter Creek and Plymouth

135 SUMMIT STREET, SUITE 5 • JACKSON, CA 95642-2313 • PHONE: (209) 223-0973 FAX: (209) 223-2065

EXHIBIT G

2004 RTP Technical Appendix R

Cover Page and Page 3

Appendix R

Constraints, Needs And Issues

Constraints, needs and issues are the unsettled problems which determine the scope and priorities of the Regional Transportation Plan (RTP). They include problems such as funding limitations and natural resource concerns. Constraints, needs and issues provide the framework for establishing desired outcomes, analyzing alternative solutions to achieve these outcomes, and then for setting goals, policies, and objectives. The list of transportation related constraints, needs, and issues is generally derived from the RTP's chapters concerning existing and future conditions.

General (Region-Wide)

1. There is a need to balance transportation improvements with other important values including community character, historic resources, recreation and tourism, economic vitality and the natural environment.
2. There is a need for the County to understand and take advantage of the transition that is changing transportation and circulation in the State and the country. These changes include:
 - a. Less emphasis on roads and highways and more emphasis on TDM, TSM, transit, pedestrians, and "Smart Growth" including jobs/housing balance.
 - b. Make adjustments as the regional economy shifts away from the traditional resource base industries of mining and timber and help to support the newer industries such as tourism, recreation, viticulture and innovative new industries.
 - c. Avoid Amador County becoming a "bedroom community" for the Central Valley.

State Highways

1. The State needs to provide more funding for infrastructure maintenance and development. According to the L.A. Times, California ranks last nationally in infrastructure spending per capita. State highways expanded by only 7% between 1978 and 1988, yet State population jumped more than 40%. In 1967, 19.57% of the State's budget went to infrastructure and maintenance. In year 2000, it was 1.18%.
2. Caltrans and the County need to address worsening levels of service (LOS) and projections for increased traffic delays and congestion on the region's State highways. Those segments of highway in most particular need are identified in RTP Chapter V.
3. There is a need to improve operations and safety at a number of identified State highway intersections. (See RTP Chapter V).
4. State and Federal agencies need to improve their methods for coordinating review and achieving consensus in order to enable State and local transportation projects to be constructed more quickly and efficiently.

Bicycle and Pedestrian Facilities

1. There is a need to prepare a countywide bicycle and pedestrian plan.
2. There is a need to consider bicycle and pedestrian facilities within all new land use and transportation projects.
3. There is a need to strengthen County land use zoning and planning policies to encourage construction of housing near jobs and services.

Rail and Goods Movement

1. There is a need to preserve the Amador Foothills Rail line for future freight and passenger service.
2. There is a need to continue improvements to Amador Foothills Rail crossings especially as traffic flows and use of the rail line increases.
3. There is a need to remove large trucks from travel through Ione on State Routes 104 and 124.

Transportation Demand Management and Transportation Systems Management

1. There is a need to sort out and identify Transportation Demand Management projects, programs, and strategies that can be most applicable in Amador County and to implement them.
2. There is a need to identify Transportation Systems Management improvements that can be applied to Amador County's transportation system.

New Technologies

1. There is a need to learn about and implement measures to effectively take advantage of new technologies that can attract private sector enterprise to the County and replace or relieve emphasis on traditional modes of transportation.
2. There is a need to begin to implement ITS projects and programs best suited to Amador County consistent with the Sierra Nevada ITS Deployment Plan.
3. There is a need to apply funds that become available through the State and Federal government for Amador County ITS solutions without relying upon funds that are needed for local road rehabilitation and maintenance or State Highway operational and safety improvements.

Air Quality

1. There is a need to obtain relief from requirements to carry out air quality attainment plans and projects due to non-attainment for 8-hour ozone standards because the County does not cause the standards to be exceeded and the County cannot cause the standards to be achieved.
2. There is need for the ACTC and the County to be prepared to carry out air quality planning and efforts to achieve attainment of Federal 8-hour ozone standards consistent with the State Implementation Plan (SIP).

EXHIBIT H

2004 RTP Technical Appendix S

Cover Page and Page 3

Appendix S

RTP Update Progress Report

The RTP Update Progress Report identifies the most significant accomplishments and setbacks that have occurred in efforts to implement the previously adopted 1996/97 RTP Update.

Accomplishments

1. The most significant accomplishment since adoption of the 1996/97 RTP Update has been the CTC's decision to program full funding for the State Route 49 Sutter Creek and Amador City Bypass in the 1998 STIP. This project has been the County's priority State highway project for approximately 50 years. In order to obtain the funding necessary to program this project in full, the ACTC led two significant efforts. First, the project was "downscoped" from the previous project such that a four-mile two and three-lane "expressway" facility is planned that will cost less than one-half the originally visioned seven-mile four-lane freeway project. Second, the ACTC entered into an agreement with neighboring Calaveras and Alpine Counties to jointly pursue the funding of major State highway projects in all three counties. This "tri-county" agreement (MOU) has enabled these three very small counties to obtain special recognition by Caltrans and the CTC. This included an award of approximately \$18 million in State discretionary (IIP) funds to the Tri-Counties' four highway projects. All four State highway projects identified in the tri-county MOU were fully funded in the 2002 STIP.
2. Another significant accomplishment is the recent improvement of the State Highway 49/88 intersection in Martell. This project was jointly funded using County traffic mitigation fees and ACTC funds and approximately \$1 million in Caltrans' SHOPP funds.
3. In 1999 and 2000 the Amador Regional Transit System (ARTS) initiated transit service to Rancho Murieta and Sacramento in a cooperative effort with the Sacramento County Board of Supervisors, the Sacramento Area COG (SACOG), and Sacramento Regional Transit (RT). State and Federal (FTA) funds are being provided to underwrite the costs of initiating this new inter-county transit service. The demand for inter-county service to the Sacramento area has been an identified "unmet" transit need for more than a decade. More recently, the Calaveras Council of Governments (Calaveras COG) has linked-up with ARTS such that inter-county service is now actually available from Sonora through Calaveras and Amador Counties to Sacramento and/or back.
4. In 1999/2000 Caltrans completed construction of Highway 49 widening between French Bar Road and Scottsdale Blvd. in the south Jackson area.

enable ARTS to provide one of the better rural county transit services in the State of California.

10. The ACTC successfully conducted a "mini-grant" program to award \$109,720 to the City of Ione (Proposition 116 funds). The City of Ione successfully constructed sidewalks that serve a downtown neighborhood and the Ione Elementary School using these funds.
11. In 1997, the County learned that the Sierra Pacific rail line serving the Sierra Pacific mill site in Martell might be abandoned as had occurred previously in neighboring Calaveras County. The ACTC requested and received assurance from the Federal Transportation Board that the short line was not being abandoned and that Amador would be given notice and opportunity to oppose any efforts to abandon any part of the rail line between Martell and Galt.
12. Recent accomplishments at the County's only public airport, Westover Field, include the following:
 - Construction of north-south taxiway
 - New aircraft fuel farm and delivery system
 - Fuel pad apron
 - Purchase and install AWOS III
 - Shurry seal runway and taxiways
 - Overlay the down area

Setbacks

1. In 1996/97, Caltrans presented a Project Management Plan (PMP) for delivery of the Highway 49 Sutter Creek/Amador City Bypass. This plan called for construction of the Bypass to begin in Spring 2002 at a cost of \$21.48 million. Caltrans' completion of the environmental document for this project was to occur in August 1999. The environmental document was not finalized until April 2002. This delay in completion of the environmental document has caused the project construction schedule to shift from Spring 2002 to Spring 2004 and it has left little time for Caltrans to adequately address project design and right-of-way issues. Environmental mitigation, escalation, and inflation have caused the project cost to become more than \$32 million. These project delays and cost increases delay the Region's ability to construct needed additional transportation system improvements.
2. Caltrans' delays in completion of environmental documents for the Highway 49 Bypass project have occurred as the combined result of three problem areas. Even after environmental clearance these problems continue to cause delays and cost increases for the Bypass (and other) projects.
 1. There has been lack of resources or internal organizational structure at Caltrans to successfully deliver on time.

EXHIBIT I

**Martell Business Park Master Plan, Final Environmental
Impact Report, Cover Page and Page 3-42**

Martell Business Park Master Plan
Final Environmental Impact Report

SCH #99102076

September 2001

Comment Letter 7: City of Sutter Creek, Bruce C. Baracco, City Planner, October 16, 2000

Response to Comment 7-1: The Martell Business Park Master Plan identifies Area 4 as "Office / Research and Development" formerly "Heavy Commercial / Research and Development". According to the Martell Business Park Master Plan, Area 4 is intended for limited industrial uses, office centers, research and development facilities, institutional uses, warehousing and distributing and other similar uses situated in a low intensity, landscaped setting. Permitted uses outlined in the Master Plan include, but not limited to: Business and Professional Offices; Veterinary Hospital or Clinic; Administrative; Automobile Club Offices; Automobile Rental Offices; Ambulance Services; Laboratories and Research Facilities; Banks, Financial Institutions; Employment Agencies; Real Estate Broker, and Law Offices.

Response to Comment 7-2: Several limiting factors contributed to the design of internal (on-site) and sub-regional circulation. Internal and sub-regional circulation design opportunities were extremely limited by a significant grade differential between the former Georgia - Pacific Mill and the western portion of the project site. Significant grade differential also precluded the proposed alignment of "Business Drive" with Wicklow Way. Existing industrial plant operations (Ampine and Wheelabrator cogeneration plant) dependent on extensive infrastructure (i.e., conveyors, water storage facilities) and a former wood waste landfill also had to be accounted for in the internal circulation design. Avoidance of numerous railroad crossing (particularly in the case of sub-regional circulation needs) and ensuring adequate "line of sight" at project entries (State Route encroachments) were also important factors in the consideration of the internal and sub-regional circulation design.

A traffic signal is not warranted on State Route 88 at Business Drive. As noted on Page 3-13 of the Draft EIR, the new State Route 88 / Business Drive intersection will be restricted to right turn movements only. A traffic signal is not warranted on State Route 104 at Timber Drive (refer to Response to Comment 4-3). All traffic related impacts identified in the project EIR could be mitigated to level of less than significant. Therefore, a subsequent traffic analysis is not warranted.

Response to Comment 7-3: Comment acknowledged. No response required.

Response to Comment 7-4: The Amador Central Railroad facility east of State Route 49 consists of an engine house and spur line. The engine house is used to store and service Amador Central Railroad equipment including the locomotive. The proposed project does not include any changes to the Amador Central Railroad facilities east of State Route 49. It is anticipated that Amador Central Railroad would continue to serve existing industrial operations, as well as serve new business entities that may locate within the project site. Amador Central Railroad will also continue to operate, provide "on-call" service between Ione and Martell for rail freight.

EXHIBIT J

**Martell Area Community-Based Transportation Plan,
Cover Page and Pages 1 through 3**

Five complete hard copies of the application package for the FY 2004/2005 and FY 2005/2006 Transportation Planning Grant Program must be received on or before October 15, 2004 at the Caltrans District Planning Office. Applicants are also required to submit the electronic file of the application package in Microsoft Word. Submit additional sub-recipients (if more than one) on a separate grant application cover sheet.

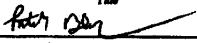
Grant Program: Community-Based Transportation Planning
Project Title: Martell Area Community-Based Transportation Plan
Location (county/city): Martell Area, County of Amador

Organization	Amador County Transportation Commission (ACTC)	County of Amador
Contact Person	Charles Field	Patrick Blacklock
Contact Title	Executive Director	County Admin. Officer
Mailing Address	1400 American Legion Dr.	500 Argonaut Lane
City	Jackson	Jackson
Zip Code	95642	95642
E-mail Address	actc@cddepot.net	pblacklock@co.amador.ca.us
Telephone	(209) 267-2282	(209) 223-6470
Fax	(209) 267-1930	(209) 257-0619

Grant Funds Requested	\$ 120,000
Local Match/Fund Kind	\$ 30,000
Identify Match Source	ACTC-LTP
Other Funding Source	\$----
Total Project Cost	\$ 150,000

Please Select the Grant Cycle(s) for which you are applying:	
☐	☒

To the best of my knowledge, all information contained in this proposal is true and correct.


Signature of Authorized Official (Applicant)
Executive Director
Title

Signature of Authorized Official (Sub-recipient)
County Administrative Officer
Title

Charles Field
Print Name
1/14/04
Date
Patrick Blacklock
Print Name
10-14-04
Date

Martell Area Community-Based Transportation Plan

Project Summary

Martell is a small, unincorporated community located between the cities of Sutter Creek and Jackson in Amador County. The Martell Area overlaps incorporated areas of each of the adjacent cities. This Martell Area is considered the "hub" of Amador County where three state highways (SR 49, SR 88 and SR 104) come together. The Martell Area is also where the county's air, freight, rail, transit and other transportation facilities are based. Martell is the former site of the Georgia Pacific lumber mill, which was, at one time, the County's largest single employer and which has now ceased operation. The former mill site and adjacent areas provide a perfect opportunity for mixed-use, in-fill development, and redevelopment.

The Martell Area is receiving significant development inquiries and applications for land use entitlements and building construction activity. There is an urgent and immediate need to establish a community based-transportation plan that will insure that new development of the area will provide for adequate access, transportation and circulation facilities, and that such plans are coordinated among the various state, local, public and private interests. These interests will include aviation, freight, rail, pedestrian, bicycle, transit, and new technologies as well as protection and expansion of the existing highways. These interests also include a mixture of land uses to provide housing, recreation, and public facilities in the centralized location with easy access to jobs, shopping, and public services. The Martell Area Community-Based Transportation Plan will help to insure establishment of a livable community with a sustainable local economy. It will help prevent Amador County from becoming a commute oriented bedroom community for the Central Valley.

Description of the Project Area and Its Demographics

The Martell area is located in the heart of Amador County approximately one hour's drive from Sacramento (see map, Appendix A). The project area contains a little more than one square mile (see map, Appendix B). The area's resident population is small because it is an area that has historically served as Amador County's base of industry (census figures for Martell are unavailable). Amador County's 2000 census population was 35,000 (including approximately 5,000 people in Mule Creek State Prison). The County's median household income was \$37,829 in 1999. This was 20% lower than the statewide median household income (\$47,493) in 2000. The non-white population is 14.2% of the County's total population.

Martell is generally considered the land area lying inside a triangle formed by State Highway 49, 88, and 104 (see map, Appendix B). This area is designated by the Amador County General Plan and zoning ordinances for industrial land uses. The County, in cooperation with the area's primary landowner (Sierra Pacific Industries), has recently completed a Master Plan for redevelopment of the area (Martell Business Park Master Plan). This Master Plan allows a subdivision of 387 acres into 62 parcels for commercial and industrial use. The Master Plan contains little detail regarding internal multi-modal transportation/circulation facilities and it does not master plan state highways or the adjacent land areas located across each state highway.

Across State Highway 88 south of the Martell Business Park, new regional commercial businesses have been established. These include Wal-Mart, K-Mart, and the Amador Plaza Shopping Center. In 1986, Amador County approved the Hilltop Center development for this area. The Hilltop Center called for substantial residential and commercial development in the area (including affordable housing). In 2004, interest in the project has resurfaced. The Lemke Construction Company is proposing to create 584 parcels consisting of 445 single family

residential lots, 49 duplex lots, 84 townhouse lots, 7.6 acres for apartments, 3 commercial parcels, and one industrial parcel in the Hilltop area.

The project area south of Highway 88 also includes lands within the Jackson city limits. This area is generally known as the "Argonaut Heights" area. Argonaut Heights includes the County administration center, Argonaut High School, and the Argonaut Heights and Westview subdivisions.

The project area lying east of Highway 49 contains a growing number of commercial and institutional land uses. This area is home to the Amador airport (Westover Field), the terminus of the Amador Central Railroad, American Legion Ambulance, the Amador Regional Transit maintenance and operations facility, the Sheriff's department, the Amador Interfaith Food Bank, the California Department of Forestry, and others. This area along Highway 49 is also being developed with highway commercial establishments including McDonald's, Jack-in-the-Box, and several automobile dealerships.

The project area lying north of State Route 104 is within the City of Sutter Creek's city limits or sphere of influence. This area is seeing mixed-use land development. Gas stations, a shopping center, and an apartment complex are existent. A new shopping center and new apartment complex (built by the Jackson Rancheria) are presently under construction. Other planned improvements will include the Gold Rush development (300 condominiums, 68 duplex cottages, 23 fourplex units, a golf course, a 50 room resort, and open space on 835 acres), a community college site, a regional recreation center, a new Amador School District transportation center and an Amador Regional Transit transfer and park and ride facility.

Justification

The Martell area sits in a unique position with respect to its geography and history. A Community-Based Transportation Planning Grant for the Martell area is urgently needed to take advantage of the area's present conditions and to protect the County's future. Development of the Martell area can be guided by independent commercial interests or commercial investments can be guided by community interests. The County's Martell Business Park Master Plan has initiated an effort that needs to be broadened to bring in the state highways (Caltrans), adjacent property owners, the cities of Sutter Creek and Jackson, the Jackson Rancheria, and other community interest. This can be done with a Community-Based Transportation Planning Grant. No other funds are available for this purpose. If the community-based plan is not established and implemented, then private and public efforts will not be coordinated, public and private resources will be wasted trying to resolve issues on a project-by-project basis, and future development of the area will not ensure a livable community, a sustainable local economy, or protection of the state highways.

When conducting a review of the present land use and transportation plans for the Martell area, an early observation is that no housing is planned in the Martell Business Park (the area inside the triangle formed by State Highways 49, 88, and 104). High density housing is proposed for properties across Highways 88 and 104, but no pedestrian pathways or highway crossings are planned. Further examination reveals that existing plans and development standards are automobile oriented; roadways and parking is addressed whereas pedestrian, bicycle, transit, or compact mixed use development is, at best, an after thought.

The initial outreach effort put forth to contact public agencies for support of a Community-Based Transportation Planning Grant for Martell suggests the County will see strong support to channel new developments in the area toward smart-growth (see attached resolutions and letters of support). A key example comes from the Amador Regional Transit System (ARTS) and the City of Sutter Creek. Caltrans has provided 4.5 acres in the Sutter Creek area of Martell wherein

ARTS is planning to construct a regional transit transfer/park and ride facility. This project can become a bus oriented "transit village" if coordinated to fit with Sutter Creek's plans for adjacent apartments, shopping centers, and a community college, library, telecommute/teleconference center, and regional park.

The Martell area can use a Community-Based Transportation Planning Grant to address every one of the seven Caltrans planning grant goals as well as all of the Community-Based Transportation Planning Grant program's specific objectives.

Caltrans' Goals

A. Strengthen the Economy

- Martell is the former site of the Georgia Pacific Lumber Mill which was, at one time, the County's largest single employer and which has now ceased operation
- Amador County lost a basic industry and over 700 jobs when the mill closed own
- The mill site area is zoned and General Plan designated for industrial purposes and the County has established a Master Plan for the site's industrial redevelopment
- Industrial redevelopment of the area can bring base industry jobs back to the County
- Basic industry jobs are needed to complement the area's commercial and service oriented establishments (retail commercial and service industry jobs can support only one part of a strong local economy)
- If the Martell area is properly planned with infrastructure to support industry and housing, it will reduce automobile commutes inside and outside of the County
- As the Sacramento, Lodi, and Stockton areas become the State's next major urbanized area (comparable to parts of the Los Angeles or San Francisco Bay areas), Amador County is threatened to become a "bedroom" community for people working and shopping in the Central Valley. This will add commuters to the highways, waste fuel resources, and drain revenue from the local economy
- A Community-Based Transportation Plan for the Martell area can help create a balanced, sustainable economy in a central location of Amador County reducing or reversing the County's tendency to become a "bedroom" community

B. Promote Infill Development and Social Equity

- The central location of the Martell area provides a perfect opportunity to promote infill development and social equity
- Development of adequate transportation, circulation, access, and other infrastructure components inside the Martell area and adjacent to Sutter Creek and Jackson city limits can support housing, commerce, industry, and public services in one urbanized area.
- This development pattern is more easily accessible by economically or mobility challenged persons
- Raw land east and west of the Martell area can be preserved for open space or agricultural uses
- Historic areas in the cities of Jackson and Sutter Creek lying north of south of the Martell area can be preserved for historical, residential, and tourist oriented commercial purposes
- A Community-Based Transportation Planning Grant would help achieve this plan for infill development and social equity

C. Protect the Environment

- Individual private development projects utilize the CEQA process to identify and address environmental impacts

EXHIBIT K

**Amador County Rail Transit Study Dated February 1993,
Cover Page and Page 10**

RECEIVED
PUBLIC WORKS DEPARTMENT

FEB 10 1993

100 COUNTY STREET
SACRAMENTO, CALIF.

- FINAL REPORT -

AMADOR COUNTY RAIL TRANSIT STUDY

Prepared for:
**AMADOR COUNTY
TRANSPORTATION COMMISSION**

February 1993

Submitted by:
**TRANSPORTATION MARKETING SERVICES, INC.
2617-B Pleasant Hill Road, Pleasant Hill, CA 94523**

In Association With:
ENVIRONMENTAL SCIENCE ASSOCIATES, INC.

manner in which the AMC solved some of their embankment problems in the past as evidenced by several low timber retaining walls along the route.

Road Crossings

California Public Utilities Commission (CPUC) records show eight public road crossings on the AMC. These are listed in Appendix B. There are also twelve private road crossings: two are paved with asphalt cement and the remainder are gravel or earth.

Operating Characteristics:

Train Speed

Maximum train speed is 10 mph which conforms to Federal Railroad Administration Class 1 track. The train speed is also dictated by the severity of the grades and curves. Current operating practice requires all retaining valves be turned up when the train leaves Martell on its trip to Ione. At the half-way point, approximately MP 6, the train is stopped for approximately 30 minutes while the brakes are cooled. Running time to Ione is one hour and 30 minutes and one hour back to Martell; with 30 minutes spent in switching at Ione, a round-trip usually takes three hours. At present, the volume of traffic only justifies two trips a week.

Load Limits

At present the AMC is limited to 240,000 lbs.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 21, 2004, he caused a copy of the Amador County Transportation Commission's Protest to Petition for Exemption in the Matters of Docket No. AB-512X, Sierra Pacific Industries, Abandonment Exemption In Amador County, CA, and Docket No. AB-880X, SierraPine, Discontinuance Exemption In Amador County California, to be served upon Sierra Pacific Industries and SierraPine, by U.S. Mail, postage prepaid, first class, through their counsel, Scott M. Zimmerman of Zuckert Scoutt & Rasenberger, 888 Seventeenth Street, NW, Washington, DC 20006-3309, this 21st day of December, 2004.



Daniel M. Fuchs
for Best Best & Krieger LLP

ADDITIONAL SERVICE LIST

SDDTCTEA

Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Ste. 130
Newport News, VA 23606-2574

Chief of National Recreation and Trails
National Park Service
Recreation Resources Assistance Division
1849 C Street, NW
Washington, D.C. 20240-0001

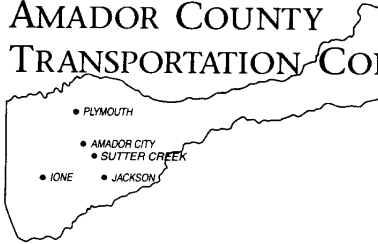
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Ave., SW
Washington, D.C. 20250-0003

Rose-Michele Weinryb, Esq.
Weiner Brodsky Sidman Kider PC
1300 Nineteenth Street, NW
Fifth Floor
Washington, D.C. 20036-1609

ACTC

AMADOR COUNTY
TRANSPORTATION COMMISSION



December 21, 2004

VIA EXPRESS MAIL

Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

Re: Docket No. AB-512X, *Sierra Pacific Industries – Abandonment Exemption* – In Amador County, CA, and Docket No. AB-880X, *SierraPine – Discontinuance Exemption* – In Amador County California

Dear Secretary Williams:

This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of the Amador County Transportation Commission which is the California state-designated Regional Transportation Agency for the Amador County region ("Commission").¹

The Commission is concurrently submitting a protest on the merits to the above-captioned abandonment petitions. In addition, the Commission requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between railroad milepost 0.0 at Ione, California and railroad milepost 12.0 at Martell, California.

A. Public Use Condition

Commission requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The justification for this condition is explained in the accompanying protest and can be summarized as follows: 1) the rail corridor in question traverses California's historic gold country. The corridor has public access at numerous currently existing crossings. The corridor would make an excellent recreational trail and conversion of the property to trail use for preservation as

¹ Please direct any reply correspondence to the Commission's counsel, Steven C. DeBaun of Best Best & Krieger LLP, 3750 University Ave., P.O. Box 1028, Riverside, CA 92502.
11400 AMERICAN LEGION DRIVE, JACKSON, CA 95642-9525 • PHONE (209) 267-2282 (ACTC) • FAX 267-1930

future rail right-of-way is in accordance with local plans. In addition, the corridor provides important wildlife habitat and greenspace and its preservation as a recreational trail is consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization. Commission needs this much time because the Commission has not yet had sufficient opportunity to assemble or to review title information, complete a trail plan or commence negotiations with the carrier.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, Commission also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 C.F.R. §1152.29, the Amador County Transportation Commission is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Sierra Pacific Industries and operated by SierraPine.

The property, known as the Amador Foothills Rail line extends from railroad milepost 0.0 at Lone, California to railroad milepost 12.0 at Martell, California, a distance of 12.0 miles in Amador County, California. The right-of-way is part of a line of railroad proposed for abandonment and discontinuance pursuant to a petition for an exemption in Docket No. AB-512X, Sierra Pacific Industries, Abandonment Exemption In Amador County, CA, and Docket No. AB-880X, SierraPine Discontinuance Exemption In Amador County California.

A map depicting the right-of-way is attached.

Amador County Transportation Commission acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon Sierra Pacific Industries and SierraPine, by U.S. Mail, postage prepaid, first class, through their counsel, Scott M. Zimmerman of Zuckert Scoutt & Rasenberger, 888 Seventeenth Street, NW, Washington, DC 20006-3309, this 21st day of December, 2004.

Respectfully submitted,



L. William Breiner, Chairman
Amador County Transportation
Commission

Enclosures



ADDITIONAL SERVICE LIST

SDDTCTEA

Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Ste. 130
Newport News, VA 23606-2574

Chief of National Recreation and Trails
National Park Service
Recreation Resources Assistance Division
1849 C Street, NW
Washington, D.C. 20240-0001

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Ave., SW
Washington, D.C. 20250-0003

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