

213126



CITY OF SNOHOMISH

Founded 1859, Incorporated 1890

116 UNION AVENUE • SNOHOMISH, WASHINGTON 98290 • TEL (360) 568-3115 FAX (360) 568-1375

VIA FAX (202) 565-9002

January 28, 2005

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street NW
Washington, D.C. 2023-0001



Re: Surface Transportation Board Docket AB-6 (Sub-no. 422X)
Burlington Northern Santa Fe Railway Company (BNSF) Abandonment of the
Snohomish Line from MP 38.01 to MP 39.00

Request for Extension - Notice of Interim Trail Use (NITU)

Dear Secretary William,

On June 22, 2004, the City of Snohomish, WA, filed a request for the issuance of a notice of interim trail use (NITU) for the subject line under the National Trail System Act, 16 U.S.C. 1247(d) (Trails Act), in order to negotiate with BNSF for acquisition of the right of way for use as a trail. The City submitted a statement of willingness to assume financial responsibility for the right-of-way, and acknowledged that the use of the right-of-way for trail purposes is subject to possible future reconstruction and reactivation for rail service, as required at 49 CFR 1152.29. In a response submitted on July 14, 2004, BNSF states that it supports the issuance of a NITU.

The Surface Transportation Board exempted the abandonment of the line described above to the extent necessary to implement interim trail use/railbanking, for a period of 180 days commencing from the effective date of the exemption, until January 31, 2005.

The City of Snohomish respectfully requests an extension to negotiate our agreement for interim trail use/rail banking for an additional 90 days, from January 31, 2005, to May 1, 2005.

If you have any questions, please do not hesitate to call Ann Caley, at (360) 568-3115.

I certify that a copy of this comment was also faxed to BNSF's counsel, BNSF Law (att: John A. Sims) at 817-352-2397.


Signed, Larry Bauman, City Manager

CC: The BNSF, Mr. Rich Batie, Mgr. Shortline Development
John A. Sims, BNSF Counsel
C. Montange