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31 January 2006

Hon. Vernon Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: YILA -- Abandonment Exemption --
Yakima County, WA, AB 600 (Sub-no. 1X)

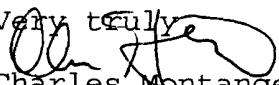
for filing: Comments on EA

Dear Mr. Williams:

Enclosed for filing please find the original and ten copies of Comments on behalf of Yakima Interurban Lines Association (YILA) and Yakima County on the conditions recommended by the SEA in its recently issued Environmental Assessment (EA). The Comments include a request for a modification of Condition 6.

I am including a separate copy of these Comments for SEA.

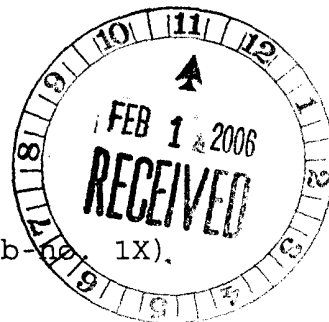
Thank you for your assistance in this matter.

Very truly,

Charles Montange
for YILA and Yakima County

Encl.

cc. Terry Austin, Esq. (for County)
Ray Paoella, Esq. (for City)
Gregory Lighty, Esq. (for Town)
Paul Edmondson, Esq. (for YILA)
w/encl.

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BEFORE THE SURFACE TRANSPORTATION BOARD

Yakima Interurban Lines Association,)
-- Abandonment Exemption -- in) AB 600 (sub-no. 1X).
-- Yakima County, WA)

Comments on Environmental Assessment
and
Request for Clarification/Modification of Proposed Conditions

Yakima Interurban Lines Association (YILA) and Yakima County (County) make the following comments in connection with the Environmental Assessment (EA) in this proceeding.

Conditions 1-5 and 7

YILA and County expect to enter into an agreement under which YILA will transfer the entire Naches Branch at issue in this proceeding, including track and tie in place, to Yakima County. Yakima County currently plans to seek funds to rehabilitate the track and ties, not salvage them. Should Yakima County determine to salvage the track and ties, Yakima County agrees to abide by the conditions recommended in the EA in respect to salvage (conditions 1-5 and 7).

YILA and Yakima County construe the conditions to be consistent with transfer of the Naches Branch, including all track and ties in place, to the County as soon as a Notice of Interim Trail Use (NITU) for this line becomes effective. If the conditions are not consistent with a transfer, YILA and County request that they be modified to be consistent prior to being imposed as conditions on the NITU to be issued in this proceeding.

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Condition 6

YILA and County note that condition 6 in the EA, if imposed by this Board as a condition on NITU effectiveness, would bar YILA from transferring any possibly historic properties to the County pending completion of the section 106 (16 U.S.C. § 470(f)) process. YILA and County request that this condition be modified.

Under this Board's regulation for exempt transfers of active rail lines, a transfer of ownership generally may occur so long as the party acquiring the property complies with section 106 before altering potentially historic sites and structures. 49 C.F.R. § 1150.32(e). YILA and County believe a similar regime is justified here. First, the County's initial objective in acquiring the Branch is to preserve it for rail rehabilitation and continued operation (under a modified PCN per 49 C.F.R. § 1150.21) if possible. Second, the County in any event has more resources and expertise than YILA for purposes of complying with the section 106 process. Third, the County agrees that, should Naches Branch be transferred to the County prior to completion of the section 106 process, Yakima County will not alter the historic integrity of any sites or structures on the right-of-way which are eligible for listing or listed in the National Register of Historic Places until completion of the section 106 process.

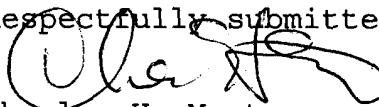
In light of the County's initial purpose in acquisition, its superior resources and expertise, and its commitment to

comply with section 106, YILA and Yakima County request that condition 6 not be imposed on the NITU, but instead be modified to provide that YILA may transfer its interests to the County prior to completion of the section 106 process in light of County's commitment to comply with section 106 before altering the historic integrity of listed or eligible properties.

Conclusion

For the reasons stated, the various conditions proposed in the EA should not be imposed to the extent they hinder or prevent transfer of the Naches Branch to Yakima County, which stands ready to stand in the shoes of YILA for purposes of compliance should it acquire the property.

Respectfully submitted,



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Counsel for Yakima Interurban Lines
and Yakima County

Certificate of Service

By my signature below, I certify service by US Mail, postage pre-paid, first class on 31 January 2006 of the foregoing on Counsel for the Town of Naches and for the City of Yakima.

