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ENTERED
Office of Proceedings
May 5, 2023
Part of
Public Record

May 5, 2023

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Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: STB Docket No. AB 1316X
GNP RLY, Inc. – Abandonment Exemption – in King County, Wash.

Dear Ms. Brown:

On March 18, 2022 GNP RLY, Inc. (“GNP”) filed a Verified Notice of Exemption in the above-referenced docket to abandon an approximately 2.58 mile segment of its rail line between mileposts 23.8 and 26.38, all in Woodinville, Washington, together with a spur that extends into Bothell, Washington (“the Woodinville Segment”). A map of the Woodinville Segment is attached hereto as Exhibit A.

By decision served April 24, 2023, the Board lifted an abeyance order imposed in Docket No. AB 1316X and authorized the abandonment to proceed “so GNP and Woodville can pursue interim trail use/railbanking of the Woodinville Segment.”¹ GNP’s Notice of Exemption was published in the Federal Register on April 24, 2023.

I am writing on behalf of the City of Woodinville, Washington (“the City”) to request issuance of a Notice of Interim Trail Use (“NITU”) for the Woodinville Segment, excluding a stub-end spur (“the West Spur”) located at the west end of the spur that extends into Bothell, Washington. The map attached as Exhibit A shows that there is no connection between the West Spur and the national rail transportation system, other than the Woodinville Segment.

The Woodinville Segment is suitable for railbanking. The April 24 Order accurately describes why railbanking this segment will extend an existing trail.² The attached letter from

¹ *GNP Rly, Inc.—Abandonment Exemption—in King County, Wash.*, AB 1316X, slip op. at 8 (STB served April 24, 2023) (“the April 24 Order”).

² *Id.*, slip op. at 8.

FILING FEE WAIVED

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GNP counsel James H.M. Savage affirms that GNP supports the City's request to railbank the Woodinville Subdivision, excluding the West Spur.

In accordance with the requirements of 49 C.F.R. 1152.29, the City, as trail sponsor, has executed the attached Statement of Willingness to Assume Financial Responsibility.

The City, as a governmental entity, requests a waiver of the Board's filing fee in accordance with 49 C.F.R. 1002.2(e)(1).

Thank you for your assistance. Please contact me if you have any questions regarding this filing.

Respectfully submitted,

A handwritten signature in black ink that reads "Matthew Cohen". The signature is fluid and cursive, with the first name "Matthew" and last name "Cohen" clearly distinguishable.

Matthew Cohen
Attorney for the City of Woodinville

Enclosure

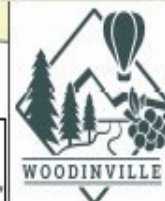
cc: Jim Savage, GNP Counsel
Brandon Buchanan, City Manager
Jeff Ganson, City Attorney



EXHIBIT A Woodinville Segment



NO	DESIGN/REVISION	DATE	BY
1	INITIAL DESIGN/REVISION	0000	TBH
2			
3			
4			
5			



City of Woodinville
17301 133rd Ave NE
Woodinville, WA 98072
www.ci.woodinville.wa.us
425-489-2700

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STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 with respect to a portion of the right-of-way owned and operated by GNP RLY, Inc., the City of Woodinville, Washington (“the City”) is willing to assume full responsibility for (1) managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability) and (3) the payment of any and all taxes that may be levied or assessed against the right-of way. The property, known as the Woodinville Segment of the Woodinville Subdivision, extends from milepost 23.8 to milepost 26.38, a distance of approximately 2.58 miles, all in Woodinville, King County, Washington, together with a spur that extends into Bothell, King County, Washington. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB 1316X. A map of the property depicting the right-of-way is attached.

The City acknowledges that use of the right-of-way is subject to the sponsor’s continuing to meet its responsibilities described above and subject to future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Board.

Dated May 4th, 2023

CITY OF WOODINVILLE, WA

A handwritten signature in black ink, appearing to read 'BB', is written over a horizontal line.

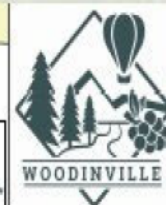
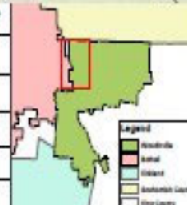
Brandon Buchanan
City Manager



WOODINVILLE SEGMENT



NO	DESIGN/REVISION	DATE	BY
1	First Railbanking Plan Only	2020	TBH
2			
3			
4			
5			



City of Woodinville
17301 133rd Ave NE
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May 5, 2023

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1304
Washington, D.C. 20024

Re: Docket No. AB 1316X
GNP RLY, Inc. – Abandonment Exemption – in King County, Wash.

Dear Ms. Brown:

The City of Woodinville has filed a request for a Notice of Interim Trail Use (“NITU”) covering the Woodinville Segment, excluding the stub-end spur (“the West Spur”) that extends into Bothell, Washington.

I am writing, pursuant to 49 CFR 1152.29(b)(2), to advise that GNP supports the City’s application for a NITU. GNP and the City previously entered into an agreement to railbank the Woodinville Segment, excluding the West Spur, contingent on issuance by the Board of a NITU order authorizing the transaction.

Please let me know if you have any questions regarding this filing.

Respectfully submitted,

/s/ James H. M. Savage
Attorney for GNP RLY, Inc.
[By electronic signature]

Cc: Kevin Kucera
Matthew Cohen

CERTIFICATE OF SERVICE

I certify that on May 5, 2023 I served an e-filed copy of the foregoing document upon the parties of record in this proceeding, as listed below, by e-mail.

Charles H. Montange
426 NW 162nd Street
Seattle, WA 98177

Email: c.montange@frontier.com

Attorney for Snohomish County

James H. M. Savage
22 Rockingham Ct.
Germantown, MD 20874

Email: jsavagelaw@aim.com

Attorney for GNP RLY, Inc.

DATED: May 5, 2023



Michele Brandon, Practice Assistant
STOEL RIVES LLP
Email: michele.brandon@stoel.com