

SERVICE DATE – MARCH 6, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-1081X

SAN PEDRO RAILROAD OPERATING COMPANY, LLC—ABANDONMENT
EXEMPTION—IN COCHISE COUNTY, AZ

Decided: March 3, 2006

By decision served February 3, 2006, the Board, under 49 U.S.C. 10502, exempted from the prior approval requirements of 49 U.S.C. 10903 the abandonment by San Pedro Railroad Operating Company, LLC (SPROC) of approximately 76.2 miles of railroad line in Cochise County, AZ, as follows: (1) the Bisbee Branch, between milepost 1085.0 at Bisbee Junction and milepost 1090.6 at Bisbee, a distance of 5.6 miles; and (2) the Douglas Branch (a) between milepost 1097.3 near Paul Spur and milepost 1106.5 near Douglas, a distance of 9.2 miles, (b) between milepost 1055.8 near Charleston and milepost 1097.3 near Paul Spur, a distance of 41.5 miles, and (c) between milepost 1040.15 near Curtiss and milepost 1055.8 near Charleston, a distance of 19.9 miles, subject to public use, environmental, and standard employee protective conditions. An offer of financial assistance (OFA) was filed by Sonora-Arizona International LLC on February 13, 2006, and, by decision served February 17, 2006, the effective date of the decision authorizing abandonment was postponed to permit the OFA process to proceed.

The conditions imposed in the February 3 decision included a requirement that SPROC retain its interest in and take no steps to alter the integrity of the entire rail line until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f. In a letter dated February 6, 2006, the Arizona State Parks, State Historic Preservation Office (SHPO) informed the Board's Section of Environmental Analysis (SEA) that SPROC has satisfied all section 106 requirements of the SHPO. Therefore, based on the information provided, SEA recommends that the section 106 condition imposed in this proceeding be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.¹

This action will not significantly affect the quality of the human environment or the conservation of energy resources.

¹ The other conditions imposed in the February 3 decision remain in effect.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the February 3, 2006 decision is removed.
3. This decision is effective on its date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary