

38861
DO

SERVICE DATE – MARCH 25, 2008

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-570 (Sub-No. 2X)

PALOUSE RIVER & COULEE CITY RAILROAD, INC.–
ABANDONMENT EXEMPTION–IN LATAH COUNTY, ID

Decided: March 24, 2008

By decision served on August 17, 2007 (August 17 decision), the Board, under 49 U.S.C. 10502, exempted from the prior approval requirements of 49 U.S.C. 10903 the abandonment by Palouse River & Coulee City Railroad, Inc. (PRCC) of a 0.20-mile line of railroad extending between milepost 85.91 and milepost 86.11 in Moscow, in Latah County, ID, subject to environmental and standard employee protective conditions.

The August 17 decision imposed three environmental conditions. They required PRCC to: (1) consult the Idaho Department of Environmental Quality (DEQ) to ensure that DEQ's concerns regarding PRCC's existing right-of-way and salvage activities are addressed and submit the results of those consultations in writing to the Board's Section of Environmental Analysis (SEA) prior to the onset of salvage operations; (2) notify the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities in order to plan for the possible relocation of the geodetic station markers by NGS; and (3) retain its interest in and take no steps to alter the historic integrity of its right-of-way (with the exception of the bridge owned by Gritman Medical Center) until the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470F (NHPA), has been completed.

SEA notes that, by letter dated January 28, 2008, Mr. Kerby Cole, Regional Administrator, DEQ, has stated that the additional information provided by PRCC in a submission dated January 25, 2008, addresses his agency's concerns. SEA also notes that, in an e-mail dated October 10, 2007, PRCC has advised Mr. Simon Monroe, NGS, that the two geodetic survey markers identified by NGS will not be disturbed by salvage or abandonment activities.

SEA also advises that, by letter dated November 16, 2007, the Idaho State Historical Society, State Historic Preservation Officer (SHPO) states that, with the submission of additional information by PRCC, it no longer believes that the bridge or the rail line is historically significant. The SHPO concludes that the abandonment would have no effect on the eligibility

of the rail line for listing in the National Register of Historic Places (National Register), and that the Board has concluded its responsibilities under section 106 of the NHPA.

SEA states that, pursuant to the section 106 regulations of the NHPA at 36 CFR 800.5(b), and following consultation with the SHPO and the public, it has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. Therefore, SEA recommends that the section 106 historic preservation condition be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.

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

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the August 17 decision is removed.
3. This decision is effective on its date of service.

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

Anne K. Quinlan
Acting Secretary