

SERVICE DATE - July 7, 1997

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SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-33 (SUB-NO.109X)

UNION PACIFIC RAILROAD COMPANY
-ABANDONMENT EXEMPTION-
IN MALHEUR COUNTY, OR, AND OWYHEE COUNTY, ID
(HOMEDALE BRANCH BETWEEN ADRIAN, OR AND MARSING, ID)

BACKGROUND

In this proceeding, the Union Pacific Railroad Company has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its railroad line located between milepost 11.4 near Adrian, Oregon to the end of the line at milepost 33.5 near Marsing, Idaho, a distance of 22.1 miles in Malheur County, Oregon and Owyhee County, Idaho. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

In 1995, three shippers in Idaho shipped 49 carloads over the line and in 1996 five Idaho shippers shipped 42 carloads, for a total of 91 carloads in the two-year period. The 91 carloads for the two years consisted of 57 carloads of fertilizer, 27 carloads of farm products (composed of 21 carloads of onions, 4 carloads of beans and 2 carloads of apples) and 7 carloads of transportation equipment (locomotives). The rail line of the abandonment consists of 22.10 miles of branch line track and 1.15 miles of sidings. The line is presently classified at FRA Class 2 standards and operated at 20 mph, except for the segment between mileposts 32.9 and 33.5 where the line is classified at FRA Class 1 standards and is operated at 10 mph. Abandonment of the line would permit avoidance of the expense of a major new grade crossing near Homedale which otherwise would be required by construction of a new four-lane highway U.S. 95 bypass in 1997.

ENVIRONMENTAL REVIEW

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated the record in this proceeding. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included the Idaho State Historical Society, the Army Corps of Engineers, Walla Walla, Washington, U.S. Fish and Wildlife Service, Snake River Basin Office, U.S. Natural Resources Conservation Service, the Oregon Department of Environmental Quality, and the Oregon State Historic Preservation Office.

CONDITIONS

The National Geodetic Survey (NGS) has identified 19 geodetic station markers along the rail line and requests 90 days notice to plan relocation of any markers which may be disturbed or destroyed. Therefore, we recommend that the following condition be imposed on any decision granting abandonment authority: **The Union Pacific Railroad Company shall consult with the National Geodetic Survey and provide NGS with 90 days notice prior to disturbing or destroying any geodetic markers.**

The Oregon State Historic Preservation Office has not completed its evaluation of the potential impact of this project on historic resources. Also, the Idaho State Historical Society indicates that several prehistoric archaeological sites related to American Indian habitation and resource use have been identified within the general area, and feel that similar sites may be located within the railroad right-of-way. Furthermore the Idaho SHPO states that the South Alternate of the Oregon Trail reportedly followed the south side of the Snake River, roughly paralleling the Homedale Branch. Although the Trail within this

reach has been obliterated, sites associated with emigration and early settlement may still be visible and therefore recommend that a professional archaeologist inspect the Homedale Branch prior to abandonment. Pending resolution of these issues, we recommend that the following condition be imposed on any decision granting abandonment authority: **The Union Pacific Railroad Company shall retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.**

The Oregon Department of Environmental Quality states that the proposed abandonment will occur in close proximity to the Snake River. In order to avoid adverse impact with the Snake River, the Oregon Department of Environmental Quality recommends management of site run-off associated with the disturbance of soils in or around waters of the state, construction debris waste collection and disposal activities, and timing of the in-stream work to coincide with low flows in the river. **Therefore , we recommend that a condition be imposed requiring the railroad to consult with the Oregon Department of Environmental Quality, Water Quality Division, Pendleton, OR., prior to salvaging the right-of-way.**

CONCLUSIONS

Based on the information provided from all sources to date, **and subject to the recommended conditions,** we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a

public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC 20423-0001, to the attention of Scott Decker, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub No.109X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Scott Decker at (202) 565-1531.

Date made available to the public: **July 1, 1997.**

Comment due date: August 1, 1997.

By the Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary