

21069
DO

SERVICE DATE - LATE RELEASE NOVEMBER 7, 1996

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 102X)

UNION PACIFIC RAILROAD COMPANY--DISCONTINUANCE OF SERVICE
EXEMPTION--IN BANNOCK AND BINGHAM COUNTIES, ID

Decided: November 6, 1996

Union Pacific Railroad Company (UP) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments and Discontinuances of Service and Trackage Rights to discontinue service over an approximately 21.49-mile line of railroad known as the Gay Branch (Fort Hall-Gay Line) from milepost 0.03, near Fort Hall, to the end of the line at milepost 21.52, near Gay, in Bannock and Bingham Counties, ID. The notice was served and published in the Federal Register on October 9, 1996 (61 FR 52995). The exemption is scheduled to become effective on November 8, 1996.

On October 17, 1996, the Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding. In the EA, SEA states that the Idaho State Historical Society (SHPO) has indicated that the Gay Branch follows the same route as the Oregon Trail along Ross Fork and has expressed concern about the effects of the abandonment on archaeological resources. The SHPO states that archaeological resources must be identified and evaluated before it can assess the effects of the abandonment and recommends a formal archaeological inspection. Therefore, SEA recommends that UP shall retain its interest in and take no steps to alter the historic integrity of all sites or structures on the line until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

SEA also states that the Gay Branch is located within the Fort Hall Indian Reservation. Therefore, SEA recommends that UP consult with the Shoshone-Bannock Tribe prior to salvaging the right-of-way.

Additionally, by letter dated October 30, 1996, the Idaho Department of Transportation (IDOT) submitted a comment expressing safety concerns regarding the railroad bridge at milepost 80.77 which passes over Interstate 15. IDOT recommends removal of the bridge. Therefore, SF-A recommends that UP consult with the IDOT prior to salvaging the bridge at milepost 80.77.

The conditions recommended by SEA will be imposed.

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

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the line described above is subject to the conditions that UP shall: (a) retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way until the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, is completed; (b) consult with the Shoshone-Bannock Tribe prior to salvaging the right-of-way; and (c) consult with IDOT prior to salvaging the bridge at milepost 80.77.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary