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SERVICE DATE - OCTOBER 13, 2000

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB-570 (SUB-NO.1X)

THE PALOUSE RIVER & COULEE CITY RAILROAD, INC. - NOTICE OF
EXEMPTION - IN LATAH COUNTY, IDAHO.

BACKGROUND

In this proceeding, the Palouse River & Coulee City Railroad, Inc. (PRCC), has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of service of 26.0 miles of railroad line between railroad milepost 21.0, at Harvard, and 47.0 at Bovill, Idaho, which traverses through United States Postal Code 83834, 83823 and 83806. 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

PRCC states in its application that no local or overhead traffic has moved along the rail line proposed for abandonment since it was acquired from Burlington Northern Railroad Company¹ in September 1996. Consequently, abandonment of the PRCC rail line will have no effect on the regional or local transportation system.

PRCC further notes, that the right-of-way traverses through predominately rural areas with sparse industrial activity. The rail line crosses the Potlatch River, Flat Creek, Big Bear Creek, Little Bear Creek and other unnamed waterways and state roads.

¹PRCC states in their historic report that Burlington Northern Railroad Company used the line to transport lumber and forest commodities.

There are seven(7) bridges present along the right way, each more than 50 years old.²

ENVIRONMENTAL REVIEW

The PRCC 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 PRCC 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 U.S. Fish and Wildlife Service (US FWS), U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, National Geodetic Survey, U.S. Department of Agriculture, National Park Service, Idaho Department of Environmental Quality (Idaho DEQ), Idaho Historical Society, Division of Environmental Quality, Idaho Public Utilities Commission, Latah County Commissioners.

SEA received a letter attached to the Environmental Report from Mr. Stephen Allred, Director, Idaho DEQ, raising water quality concerns among other environmental considerations occurring within the proposed abandonment area. Mr. Allred states that the 21 stream crossing within the Palouse River, Bear Creek, and Potlatch River watersheds are designated as Section 303d Clean Water Act Listed Water Quality Limited and are currently being evaluated for water pollution. In this regard, Mr. Allred notes that water quality protection should be carefully addressed, and a Section 401 Water Quality State Certification may be required.

Additionally, Susan Neitzel, Deputy State Historic Preservation Officer and Compliance Coordinator with the Idaho Historical Society preliminarily concludes that the entire PRCC rail line proposed for abandonment is eligible for listing in the National Register of Historic Places, under Criteria A and C,

²This information was obtained through telephone communication with Karl Morell, the attorney representing PRCC.

pursuant to the National Historic Preservation Act, 36 CFR Part 800. Ms. Neitzel further recommends that, prior to abandonment, an archaeological and historical survey of the entire rail line be completed.

CONDITIONS

We recommend the following environmental conditions be placed on any decision granting abandonment authority:

1. The Idaho DEQ has expressed concern regarding the 26-mile PRCC rail line proposed for abandonment and subsequent salvage activity from Harvard to Bovill, indicating that a Section 401 Water Quality State Certification may be required. The Idaho DEQ advises that during salvage of the proposed right-of-way, water quality within the Palouse River, Bear Creek, and Potlatch River watersheds will need to be carefully addressed because they are Section 303d Clean Water Act Listed Water Quality Limited, and are currently being evaluated for water pollution. Therefore SEA recommends that, prior to abandonment and salvage of the right-of-way, PRCC further consult with the Idaho DEQ to, (1) obtain a Section 401 Clean Water Act, water quality certification, if needed, (2) develop a prevention plan to address possible rail bed material erosion, (3) develop a plan to identify and help prevent hill slope mass wasting/landslides, (4) develop methods to prevent leaching of wood preservatives from exposed treated wood, (5) identify stream reaches that may be affected by rail bed placement/location, (6) identify and cleanup railroad tie piles debris dumps and contaminated areas, and (7) ensure a hazardous materials contingency plan, which includes Department notification is in place, to address hazardous materials remediation.
2. The Idaho State Historic Preservation Office (SHPO) has identified the entire rail corridor from milepost 21.0 to milepost 47.0, as potentially eligible for listing in the National Register of Historic Places under Criterion A and C of the National Historic Preservation Act. Therefore, SEA recommends, that PRCC further consult with the Idaho SHPO, and retain its interest in and take no steps to alter the historic integrity of the entire rail line segment from milepost 21.0 to milepost 47.0, until completion of the Section 106 process of the National Historic Preservation Act, 16, U.S.C. 470f.

3. The US FWS has not yet completed their review of the proposed PRCC rail line abandonment. Therefore, SEA recommends, that a condition be placed on any decision granting abandonment authority prohibiting PRCC from salvaging or disposing of the entire right-of-way until completion of the Section 7 process of the Endangered Species Act, 16 U.S.C. 1531.
4. The National Geodetic Survey (NGS) has identified eighteen (18) geodetic station makers that may be affected by the proposed abandonment. Therefore, SEA recommends, that PRCC notify NGS at least 90 days prior to any salvage activity so that plans may be made for their relocation.
5. The U.S. Army Corp of Engineers has not yet completed their review of the proposed PRCC rail line abandonment. Therefore, SEA recommends, that PRCC further consult with the U.S. Army Corps of Engineers prior to abandonment and salvage of the right-of-way to determine if the proposed project is consistent with applicable Federal, state and local water quality standards, and if permits are required under Section 404 of the Clean Water Act.

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended condition(s), 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

PRCC notes in its application, that it is open to the possibility of preserving the proposed line for abandonment as a recreational trail.³ Following abandonment and salvage of the

³ The Latah County, Board of County Commissioners has expressed interest in acquiring the right-of-way as a rails-to-trails.

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, to the attention of Bernard L. Brown, who prepared this environmental assessment. **Please refer to Docket No. AB-570 (Sub No. 1X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Bernard L. Brown at (202) 565-1539.

Date made available to the public: October 13, 2000.

Comment due date: October 30, 2000.

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

Vernon A. Williams
Secretary

MAP TO BE SCANNED