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SERVICE DATE - MAY 22, 1997

SEC

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 109X)]

Union Pacific Railroad Company--Abandonment Exemption--in Malheur County, OR and Owyhee County, ID (Homedale Branch)

On May 2, 1997, Union Pacific Railroad Company (UP) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 and 10904 to abandon a segment of UP's Homedale Branch, extending from milepost 11.4 near Adrian, OR, to the end of the line at milepost 33.5 near Marsing, ID. The line traverses U.S. Postal Service Zip Codes 97901, 83628, and 83639, a distance of 22.1 miles, in Malheur County, OR, and Owyhee County, ID, and includes the non-agency stations of Napton, OR - milepost 16.90; Homedale, ID - milepost 24.50; Petty, ID - milepost 25.89; and Marsing - milepost 33.10.

The line contains federally granted rights-of-way, tentatively determined to total 7.45 acres, of which 6.28 acres are located in Oregon south of Adrian at approximately milepost 12.0, and 27,500 square feet are located in Idaho north of Homedale at about milepost 23.1. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by *Oregon Short Line R. Co. - Abandonment - Goshen*, 360 I.C.C. 91 (1979).

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By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued within 90 days (by August 20, 1997).

Any offer of financial assistance under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$900. *See* 49 CFR 1002.2(f)(25).

All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 and any request for trail use/rail banking under 49 CFR 1152.29 will be due no later than 20 days after notice of the petition for exemption is published in the *Federal Register* (by June 11, 1997). Each trail use request must be accompanied by a \$150 filing fee. *See* 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-33 (Sub-No. 109X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001, and (2) Joseph D. Anthofer and Jeanna L. Regier, 1416 Dodge Street, Room 830, Omaha, NE 68179-0830.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Board's Section of Environmental Analysis (SEA) will be served

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upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS), or who have questions concerning environmental issues, may contact SEA at (202) 565-1545.

[TDD for the hearing impaired is available at (202) 565-1695.] EAs in these abandonment proceedings normally will be available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Decided: May 16, 1997.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams

Secretary