

SURFACE TRANSPORTATION BOARD GIVES "UNION PACIFIC" FINAL APPROVAL TO SALVAGE ITS "WALLACE BRANCH" LINE IN IDAHO, SUBJECT TO FOUR ENVIRONMENTAL CONDITIONS

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has issued a decision giving final approval to the Union Pacific Railroad Company (UP) to salvage its 71.5-mile Wallace Branch in Idaho, subject to four environmental conditions.

The line served the silver mining industry in northern Idaho beginning in the late 1800s. It was found to be contaminated with heavy metal concentrates as a result of drainage from rail cars transporting mine materials over the line. The Board's predecessor, the former Interstate Commerce Commission (ICC), had allowed the UP to discontinue service over the line in 1992, but provided that UP could not salvage the line until the environmental impacts of the proposed abandonment were resolved. The ICC had imposed six environmental conditions requiring consultation and possible permitting by various state and federal environmental agencies prior to any salvage and reuse of the track.

On appeal, the D.C. Circuit Court of Appeals upheld the ICC's decision to permit UP to discontinue service. But the court remanded the ICC's conditional salvage authorization, finding that the ICC had impermissibly delegated too much of its environmental review responsibility to other agencies. The court expressed concern that the ICC's conditions did not require any further assessment by the ICC prior to salvage.

In January of this year, the Board's Section of Environmental Analysis (SEA) issued a Draft Supplemental Environmental Assessment (Draft Supplemental EA). Following consideration of comments on the Draft Supplemental EA, SEA issued a Final Supplemental Environmental Assessment (Supplemental EA) in April of this year. SEA's Supplemental EA was based on extensive material submitted by UP in June 1999. This included an engineering evaluation, a cost analysis, a track-salvage work plan, a wetlands inventory and a biological assessment. The railroad's submission was based on five years of consultation and, ultimately, agreement with several agencies, including the Environmental Protection Agency, the Department of Justice, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the U.S. Forest Service, the State of Idaho, and the Coeur d'Alene Tribe.

The Supplemental EA concluded that if salvage is conducted according to plans worked out by UP and these agencies, and if the additional environmental mitigation SEA recommended is imposed, UP's salvage proposal would not have significant adverse environmental impacts.

Concurring in SEA's analysis and recommendations, the Board agreed with SEA that the potential environmental impacts of salvage have been thoroughly assessed, and the Board authorized salvage subject to SEA's recommended environmental mitigation. The Board also authorized the railroad to negotiate an interim trail use agreement with the State of Idaho and the Coeur d'Alene Tribe pursuant to section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d).

The Board issued its decision today in *Union Pacific Railroad Company--Abandonment--Wallace Branch, ID*, Docket No. AB-33 (Sub No. 70). A printed copy of the decision is available for a fee by contacting: **Da-To-Da Office Solutions, Room 405, 1925 K Street, N.W., Washington, DC 20006, telephone (202) 466-5530**. The decision also is available on the Board's web site at www.stb.dot.gov. [STOP]