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SERVICE DATE – JANUARY 31, 2025

DO

FR-4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 1343X]

Saratoga Railroad, LLC—Abandonment Exemption—in Carbon County, Wyo.

Saratoga Railroad, LLC (Saratoga), has filed a verified notice of exemption under 49 CFR part 1152 subpart F—Exempt Abandonments to abandon an approximately 23.71-mile rail line between milepost 0.57, near Walcott, Wyo., and milepost 24.28, at Saratoga, Wyo., in Carbon County, Wyo. (the Line).¹ The Line traverses U.S. Postal Service Zip Codes 82331 and 82335.

Saratoga has certified that: (1) no local traffic has moved over the Line for at least two years; (2) any overhead traffic on the Line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local

¹ In 2006, the Board authorized Wyoming and Colorado Railroad Company, Inc. (WYCO), the Line's then-owner, to abandon it. Wyo. & Colo. R.R.—Aban. Exemption—in Carbon Cnty., Wyo., AB 307 (Sub-No. 6X) (STB served May 1, 2006). WYCO, however, did not file a notice of consummation by the May 2007 deadline, and, as a result, its abandonment authority automatically expired at that time. In 2017, Saratoga (which at that time was under common control with WYCO) acquired the Line from WYCO. See Durbano—Corp. Fam. Transaction, FD 36091 (STB served Feb. 2, 2017). On April 1, 2024, Saratoga and its parent company, Western Group Holding Company, Inc., (which by that time were no longer affiliated with WYCO) filed a petition in WYCO's 2006 abandonment docket asking the Board to waive the requirement for WYCO to have filed a consummation notice or extension request by the May 2007 deadline, in order to permit Saratoga to consummate the 2006 abandonment authority itself. That request was denied, and Saratoga was advised that if it wished to abandon the Line, it must file for abandonment authority in a new docket. Wyo. & Colo. R.R.—Aban. Exemption—in Carbon Cnty., Wyo., AB 307 (Sub-No. 6X), slip op. at 3 (STB served Aug. 13, 2024).

government on behalf of such user) regarding cessation of service over the Line is pending with either the Surface Transportation Board (Board) or any U.S. District Court or has been decided in favor of a complainant within the past two years; and (4) the requirements at 49 CFR 1105.7(b) and 1105.8(c) (notice of environmental and historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to government agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,² this exemption will be effective on March 2, 2025, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,³ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/railbanking requests under 49 CFR 1152.29 must be filed by

² Persons interested in submitting an OFA must first file a formal expression of intent to file an offer, indicating the type of financial assistance they wish to provide (i.e., subsidy or purchase) and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

³ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Serv. Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

February 10, 2025.⁴ Petitions to reopen and requests for public use conditions under 49 CFR 1152.28 must be filed February 20, 2025.

All pleadings, referring to Docket No. AB 1343X, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street, S.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Saratoga's representative, William A. Mullins, Mullins Law Group PLLC, 2001 L St., N.W., Suite 720, Washington, DC 20036.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Saratoga has filed a combined environmental and historic report that addresses the potential effects, if any, of the abandonment on the environment and historic resources. OEA will issue a Draft Environmental Assessment (Draft EA) by February 7, 2025. The Draft EA will be available to interested persons on the Board's website, by writing to OEA, or by calling OEA at (202) 245-0294. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245. Comments on environmental or historic preservation matters must be filed within 15 days after the Draft EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/railbanking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), Saratoga shall file a notice of consummation with the Board to signify that it has exercised the authority granted and

⁴ Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

fully abandoned the Line. If consummation has not been effected by Saratoga's filing of a notice of consummation by January 31, 2026, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available at www.stb.gov.

Decided: January 28, 2025.

By the Board, Mai T. Dinh, Director, Office of Proceedings.