

SURFACE TRANSPORTATION BOARD

DECISION AND CERTIFICATE OF INTERIM TRAIL USE OR ABANDONMENT

Docket No. AB 564

CAMAS PRAIRIE RAILNET, INC.—ABANDONMENT—
IN LEWIS, NEZ PERCE, AND IDAHO COUNTIES, IDAHO
(BETWEEN SPALDING AND GRANGEVILLE, IDAHO)

Decided: July 10, 2026

By decision and certificate of interim trail use or abandonment (CITU) served on September 13, 2000, Camas Prairie RailNet, Inc. (CSPR), was granted authority under 49 U.S.C. § 10903 to abandon a rail line known as the Grangeville Line, extending from milepost 0.00 near Spalding to milepost 66.8, the end of the track, near Grangeville, in Lewis, Nez Perce, and Idaho Counties, Idaho. The CITU authorized negotiations for an interim trail use/rail banking agreement between CSPR and the Nez Perce Tribal Executive Committee.

On May 15, 2001, the Board issued a second CITU, authorizing the Camas Prairie Trail Conservancy (the Conservancy) to negotiate an interim trail use/rail banking agreement with CSPR. On January 6, 2003, the second CITU was vacated and replaced by a third CITU that substituted BG & CM Railroad, Inc. (BG & CM), in lieu of the Conservancy as the interim trail manager. See Camas Prairie RailNet Inc.—Aban.—in Lewis, Nez Perce, & Idaho Cntys., Idaho, AB 564, slip op. at 2 (STB served Jan. 6, 2003). The request for substitution noted that CSPR was selling an interest in the right-of-way to BG & CM. (CSPR Joint Pet. 3-4, Dec. 17, 2002.) The parties subsequently reached a trail use/rail banking agreement. See Camas Prairie RailNet Inc.—Aban.—in Lewis, Nez Perce, & Idaho Cntys., Idaho, AB 564, slip op. at 1 n.3 (STB served Sept. 12, 2003).

In a decision served on October 17, 2003, in Docket No. FD 34399, the Board granted a petition by BG & CM for exemption from the requirements of 49 U.S.C. Subtitle IV pertaining to its acquisition, operation, and abandonment of the line. See BG & CM R.R.—Exemption From 49 U.S.C. Subtitle IV (October 2003 Decision), FD 34399 et al. (STB served Oct. 17, 2003). The Board reasoned that providing the exemption would allow for restoration of rail service over an economically marginal, railbanked line—albeit on a contract rather than common carrier basis—that would not occur but for the exemption. Id. at 3. The October 2003 Decision also vacated the CITU between mileposts 0.0 and 52.0, where rail service would take place, but not between mileposts 52.0 and 66.8. October 2003 Decision, FD 34399 et al., slip op. at 5-6; see also Camas Prairie RailNet Inc.—Aban.—in Lewis, Nez Perce, & Idaho Cntys., Idaho, AB 564, slip op. at 3 (STB served May 3, 2004) (clarifying the status of the various line segments and that BG & CM is the owner and interim trail manager of the segment of the line between milepost 52.0 and milepost 66.8 that remains rail banked). In addition, the October 2003

Decision imposed certain conditions, including that if BG & CM chooses to abandon any portion of the line no longer covered by the CITU it must comply with the remaining environmental conditions imposed on CSPR's abandonment. October 2003 Decision, FD 34399 et al., slip op. at 4.

On June 17, 2026,¹ BG & CM filed a petition under 49 C.F.R. § 1152.29(c)(2) to partially vacate the remainder of the January 6, 2003 CITU, which now only covers the segment between milepost 52.0 and milepost 66.8. Specifically, BG & CM asks the Board (1) to vacate the CITU on the segment extending from milepost 59.5, at Fenn, Idaho, to end of track at milepost 66.8, at Grangeville (the End Segment) and (2) to issue a replacement CITU in favor of BG & CM for the segment extending between milepost 52.0 and milepost 59.5 (the Remaining Segment). (BG & CM Pet. 1, June 17, 2026.) It notes that it wishes to “relinquish trails use status” over the End Segment and dispose of it for non-rail use. (Id. at 4-5.) BG & CM adds that it intends to continue acting as trail sponsor for the Remaining Segment and to continue holding the reactivation rights for that segment. (Id.)

BG & CM has complied with the requirements of 49 C.F.R. § 1152.29(c)(2) regarding a request to modify a CITU for a portion of the right-of-way. Therefore, this proceeding will be reopened and a replacement CITU will be issued for the Remaining Segment. BG & CM may fully abandon the End Segment, subject to it satisfying any outstanding conditions that were imposed on the 2000 abandonment authorization. See October 2003 Decision, FD 34399 et al., slip op. at 4 n.8.² Notwithstanding the Subtitle IV exemption, for purposes of clarity, BG & CM is asked to timely file a notice of consummation as set forth under the Board's rules at 49 C.F.R. § 1152.29(e)(2).

¹ BG & CM submitted its petition on June 10, 2026, and filed a supplement on June 17, 2026.

² These conditions are: (1) notify the National Geodetic Survey not less than 90 days prior to commencement of salvage operations, if such operations are expected to destroy or disrupt any of the 23 geodetic station markers listed in CSPR's Environmental Report; (2) consult with the City of Cottonwood's Highway Engineer prior to conducting salvage activities at or near grade crossings; (3) consult with the U.S. Environmental Protection Agency and secure all necessary permits prior to initiation of salvage or disposal activities; and (4) obtain from the Idaho Department of Environmental Quality all required discharge permits and plans to prevent hill/slope mass wasting prior to initiation of salvage or disposal activities. See October 2003 Decision, FD 34399 et al., slip op. at 4 n.8. BG & CM also agreed to abide by the terms of that portion of the Memorandum of Agreement (MOA) agreed to by CSPR, the Nez Perce Tribe, the Idaho State Historic Preservation Office, the Advisory Council on Historic Preservation, and the Board governing stream restoration activities affecting Lapwai Creek and its tributaries. Id. However, because BG & CM is not a signatory to the MOA, compliance is left to signatory CSPR. Id. The Board also imposed a condition on BG & CM to the effect that it may not take any actions that would undermine the fulfillment by CSPR of its obligations under the MOA. Id.

It is ordered:

1. This proceeding is reopened.
2. The CITU served in this proceeding on January 6, 2003, is vacated.
3. A replacement CITU applicable to BG & CM for the Remaining Segment is issued.
4. Interim trail use/rail banking is subject to the future restoration of rail service and to the sponsor's continuing to meet the financial obligation for the right-of-way.
5. If the trail sponsor intends to terminate trail use, it must send the Board a copy of this decision and certificate and request that it be vacated on a specified date.
6. BG & CM may fully abandon the End Segment, subject to the outstanding environmental conditions listed above.
7. This decision and certificate is effective on its date of service.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.