



City of St. Anthony
420 N Bridge, Suite A
St. Anthony, ID 83445



208-624-3494

247098

ENTERED
Office of Proceedings
February 12, 2019
Part of
Public Record

February 5, 2019

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street, S.W.
Washington, DC 204230001

Re: Eastern Idaho Railroad Abandonment in Fremont County Idaho, STB AB-1252x

Dear Ms. Brown:

This request is filed on behalf of the City of St. Anthony which is a political subdivision, which is hereinafter referred to as 'proponent'. While not taking a position on the merits of this abandonment, proponent requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between Egin and Parker.

A. Public Use Condition

Proponent requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

- 1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except of public use on reasonable terms. The justification for this condition is that the corridor would make an excellent recreational trail that will allow ATV, UTV and other legal 4 wheeler access to the City of St. Anthony. This will be a big economic boost to the City plus a benefit to the over 250,000 recreational users who come to the St. Anthony Sand Dunes every year. The time period sought is 180 days from the effective date of the abandonment authorization.**

FILING FEE WAIVED

Proponent needs this much time because we have not had an opportunity to assemble or to review title information, complete a trail plan or commence negotiations with the carrier.

2. An order barring removal or destruction of potential trailrelated structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad rightofway in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 C.F.R. §1152.29, The City of St. Anthony is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the rightofway owned by Eastern Idaho Railroad. The property extends from railroad milepost 28.80 near Egin, Fremont County, Idaho to railroad milepost 33.80 near Parker, Fremont County, Idaho a distance of 5 miles in Fremont County, Idaho. The rightofway is part of a line of railroad proposed for abandonment in STB Docket No. AB1252X. A map depicting the rightofway is attached. The City of St. Anthony acknowledges that use of the rightofway is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the rightofway for rail service. By my signature below, I certify service upon Eastern Idaho Railroad, Karl Morell, 440 1st Street, N.W., Suite 440 Washington, DC 20001 (202) 595-9045, by U.S. Mail, postage prepaid, first class, on February 5, 2019.



Donald Powell, Mayor
City of St. Anthony
208-604-1550

2018.12.21 ID. AB-1252 sub 0x

2018.12.21 ID AB-1252 sub
0x.kmz



AB-1252 sub 0x (Fremont
County, ID)

