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SERVICE DATE - MAY 15, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 596X)

CSX TRANSPORTATION, INC.–ABANDONMENT
EXEMPTION–IN LORAIN COUNTY, OH

Decided: May 10, 2002

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 1.17-mile line of railroad between milepost BJ-161.00 and milepost BJ-162.17 in Lorain, Lorain County, OH. Notice of the exemption was served and published in the Federal Register on August 24, 2001 (66 FR 44664-65).

By decision served September 24, 2001, the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to the condition that CSXT retain its interest in and take no steps to alter the historic integrity of the line in its entirety until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470(f).

By letter dated April 16, 2002, CSXT requests that the historic preservation condition be removed. In support of its request, CSXT attached a letter which included an indication by the Ohio Historical Society that there are no properties listed in or eligible for inclusion in the National Register of Historic Places within the proposed abandonment. Therefore, SEA recommends that the historic preservation condition imposed in the September 24, 2001 decision be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.¹

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ The September 24 decision also imposed a National Geodetic Survey (NGS) condition that required CSXT to consult with the NGS and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic marker in order to plan for its relocation. That condition remains in effect.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the decision served September 24, 2001, is removed.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary