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SERVICE DATE - MARCH 19, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-325 (Sub-No. 1X)

FLORIDA MIDLAND RAILROAD COMPANY, INC.--  
ABANDONMENT EXEMPTION--IN POLK COUNTY, FL

Decided: March 17, 1999

Florida Midland Railroad Company, Inc. (FMID) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon an approximately 0.18-mile line of railroad on the Lake Wales Spur from milepost SV-967.47 at Scenic Highway to milepost SV-967.65 at Fourth Street, in Lake Wales, Polk County, FL. Notice of the exemption was served and published in the Federal Register on February 18, 1999 (64 FR 8161-62). The exemption is scheduled to become effective on March 20, 1999.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on March 2, 1999. In the EA, SEA states that the National Geodetic Survey (NGS) has identified three geodetic station markers (V 63, RV 867, and U 63) that may be affected by the proposed abandonment. NGS requests that it be notified 90 days in advance of any activities that may disturb or destroy these markers to plan for their relocation. Therefore, SEA recommends that a condition be imposed requiring FMID to consult with the NGS and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic markers. The condition will be imposed.

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

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the line described above is subject to the condition that FMID consult with the NGS and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic station markers.

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3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary