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SERVICE DATE - JANUARY 16, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-434 (Sub-No. 2X)

WINCHESTER & WESTERN RAILROAD COMPANY--
ABANDONMENT EXEMPTION--IN WINCHESTER, VA

Decided: January 10, 2001

Winchester & Western Railroad Company (W&W) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 0.63-mile line of railroad between milepost 115.27 and the end of the line at milepost 115.9 inside the city limits of Winchester, VA. Notice of the exemption was served and published in the Federal Register on December 18, 2000 (65 FR 79155). The exemption is scheduled to become effective on January 17, 2001.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on December 22, 2000. In the EA, SEA initially stated that the Board had not received comments from the Virginia Department of Historic Resources (SHPO) and recommended that W&W be required to consult with the SHPO prior to salvage of the rail line to determine if the proposed abandonment is consistent with the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA). A staff member from SEA subsequently contacted the SHPO regarding whether any structures on the line proposed for abandonment are potentially eligible for inclusion on the National Register of Historic Places. The SHPO advised that the proposed abandonment is under review and that the coal trestle located on the right-of-way may be of historic importance and may be eligible for listing in the National Register of Historic Places. Therefore, SEA now recommends that W&W be required to retain its interest in and take no steps to alter the historic integrity of the coal trestle until completion of the section 106 process of NHPA.

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 rail line described above is subject to the condition that W&W retain its interest in and take no

steps to alter the integrity of the coal trestle until completion of the section 106 process of NHPA.

3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary