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SERVICE DATE - NOVEMBER 12, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-290 (Sub-No. 239X)

THE ALABAMA GREAT SOUTHERN RAILROAD COMPANY—ABANDONMENT
EXEMPTION— IN NEW ORLEANS, LA

Decided: November 7, 2003

The Alabama Great Southern Railroad Company (AGS) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon approximately 1.28 miles of railroad between milepost 1.22-NT and milepost 2.50-NT, in New Orleans, LA. Notice of the exemption was served and published in the Federal Register on October 14, 2003 (68 FR 59237-38). The exemption is scheduled to become effective on November 13, 2003.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on October 17, 2003. In the EA, SEA states that the National Geodetic Survey (NGS) has identified two geodetic station markers that may be affected by the proposed abandonment. Therefore, SEA recommends that AGS consult with NGS and provide NGS with 90 days' notice prior to any salvage activities in order to plan for the relocation of the geodetic markers. SEA also states that the Louisiana Office of Cultural Development (the State Historic Preservation Office or SHPO) has not completed its review of the potential impact of this project on historic resources. Accordingly, SEA recommends that a condition be imposed requiring AGS to take no steps to alter the historic integrity of the right-of-way until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA). Comments to the EA were due by October 31, 2003. No comments were received by the due date. Accordingly, the conditions recommended by SEA in the EA will be imposed.

As conditioned, 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 conditions that AGS shall: (1) consult with NGS and provide NGS with 90 days' notice prior to any salvage activities in order to plan for the relocation of the geodetic markers; and (2) take no steps to alter the historic integrity of the right-of-way until completion of the section 106 process of the NHPA.

3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary