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SERVICE DATE - JANUARY 20, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-557X

TRUSTEES OF THE CINCINNATI SOUTHERN RAILWAY--  
ABANDONMENT EXEMPTION--IN HAMILTON COUNTY, OH

Decided: January 14, 1999

The Trustees of the Cincinnati Southern Railway (CSR) and The Cincinnati, New Orleans & Texas Pacific Railway Company (CNO&TP) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments and Discontinuances for CSR to abandon and CNO&TP to discontinue service over a 1.2-mile line of railroad between Stations 722+19 and Stations 71+11 in Cincinnati, Hamilton County, OH. Notice of the exemption was served and published in the Federal Register on December 22, 1998 (63 FR 70841-42). The exemption is scheduled to become effective on January 21, 1999.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on January 6, 1999.<sup>1</sup> In the EA, SEA states that the National Geodetic Survey (NGS) has identified three geodetic station markers 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 CSR 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 CSR consult with the NGS and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic station markers.

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<sup>1</sup> The EA served on January 6, 1999, inadvertently stated that the environmental condition recommended applied to the discontinuance portion of this proceeding in STB Docket No. AB-290 (Sub-No. 187X), The Cincinnati, New Orleans & Texas Pacific Railway Company--Discontinuance of Service Exemption--in Hamilton County, OH. The environmental condition applies only to the abandonment portion of this proceeding, STB Docket No. AB-557X.

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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