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SERVICE DATE - FEBRUARY 27, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-535X

WEST CENTRAL OHIO PORT AUTHORITY--ABANDONMENT  
EXEMPTION--IN CLARK COUNTY, OH

Decided: February 20, 1998

West Central Ohio Port Authority (WCOPA) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 5.6-mile line of railroad between milepost 123.86 at or near Glen Echo and milepost 129.46 at the north edge of Warden Street, in Springfield, Clark County, OH. Notice of the exemption was served and published in the Federal Register on November 18, 1997 (62 FR 61583), and became effective on December 18, 1997. By decision served December 17, 1997, the exemption was made subject to the conditions that WCOPA: (a) consult with the National Geodetic Survey (NGS) and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic markers identified by NGS that might be affected by the abandonment; and (b) retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

On December 15, 1997, the Friends of Clark County Park District (Friends) late-filed a request for the issuance of a notice of interim trail use (NITU), under the National Trails System Act, 16 U.S.C. 1247(d), and for a public use condition under 49 U.S.C. 10905, so that it could negotiate with WCOPA for use of the line as a trail. By letter filed January 7, 1998, WCOPA stated that it is not willing to negotiate with Friends for interim trail use. WCOPA also requested that the Board delay the issuance of a decision in response to the request for a public use condition, stating that it had been advised that Friends would be withdrawing its request for a public use condition.

By letter filed February 18, 1998, Friends requested that its December 15, 1997 filing seeking a NITU and a public use condition be withdrawn. The request will be granted.

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

It is ordered:

1. Friends' request to withdraw its request for issuance of a notice of interim trail use/rail banking and for issuance of a public use condition are granted.
2. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary