

32285  
DO

SERVICE DATE - NOVEMBER 7, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 598X)

CSX TRANSPORTATION, INC.--ABANDONMENT  
EXEMPTION--IN GREENBRIER COUNTY, WV

Decided: November 6, 2001

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 13.6-mile line of railroad between Rubert Junction at milepost CAH-7.2 and Clearco at milepost CAH-20.8 in Greenbrier County, WV. Notice of the exemption was served and published in the Federal Register on October 12, 2001 (66 FR 52180-81). The exemption is scheduled to become effective on November 11, 2001.<sup>1</sup>

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on October 19, 2001. In the EA, SEA states that the West Virginia State Historic Preservation Officer (SHPO) has not completed the review of the proposed abandonment. Therefore, SEA recommends imposition of a condition requiring CSXT to retain its interest in and take no steps to alter the historic integrity of the line in its entirety until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA).

Additionally, SEA states that the National Geodetic Survey (NGS) has identified five 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 CSXT notify NGS 90 days prior to salvage activities in order to plan for the relocation of the markers.

The recommended conditions 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. Upon reconsideration, the exemption of the abandonment of the line described above is subject to the conditions that CSXT shall: (a) retain its interest in the line in its entirety until

---

<sup>1</sup> A notice to the parties issued on October 19, 2001, stated that November 11, 2001, was the correct effective date for the exemption.

completion of the section 106 process of the NHPA; and (b) consult with the NGS and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic station markers.

2. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary