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SERVICE DATE – LATE RELEASE APRIL 21, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-771X

MOUNT VERNON TERMINAL RAILWAY COMPANY L.L.C.—ABANDONMENT  
EXEMPTION—IN SKAGIT COUNTY, WA

Decided: April 21, 2005

Mount Vernon Terminal Railway Company L.L.C. (MVT) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon and discontinue service on the southern portion of its line of railroad between milepost 0.369 and milepost 1.172, in the City of Mount Vernon, in Skagit County, WA, a distance of 4,240 feet. Notice of the exemption was served and published in the Federal Register on March 23, 2005 (70 FR 14752-53). The exemption is scheduled to become effective on April 22, 2005.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on March 28, 2005. In the EA, SEA states that the U.S. Department of Commerce, National Geodetic Survey (NGS), has not yet completed its review of the proposed abandonment. Therefore, SEA recommends that a condition be imposed requiring MVT to consult with NGS prior to beginning salvage activities, and, if NGS identifies any station markers that may be affected by the proposed abandonment, MVT shall notify NGS 90 days prior to conducting salvage activities to plan for their possible relocation.

Comments to the EA were due by April 12, 2005. By letter dated March 29, 2005, NGS indicated that it has completed its review of the proposed abandonment and that three geodetic station markers have been identified that may be affected by the proposed abandonment. In response to NGS's comment, SEA recommends that the previously recommended NGS condition be changed to: MVT shall notify NGS 90 days prior to conducting salvage activities to plan for the possible relocation of the station markers identified on the line.

Accordingly, SEA's latest recommended environmental condition 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 rail line described above is subject to the condition that MVT notify NGS 90 days prior to conducting salvage activities to plan for the possible relocation of the station markers identified on the line.
3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary