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SERVICE DATE - APRIL 17, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-434 (Sub-No. 2X)

WINCHESTER & WESTERN RAILROAD COMPANY--
ABANDONMENT EXEMPTION--IN WINCHESTER, VA

Decided: April 10, 2001

Winchester & Western Railroad Company (W&W) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 0.63-mile line of railroad between milepost 115.27 and the end of the line at milepost 115.9 inside the city limits of Winchester, VA. Notice of the exemption was served and published in the Federal Register on December 18, 2000 (65 FR 79155).

By decision served January 16, 2001, the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to the condition that W&W retain its interest in and take no steps to alter the integrity of the coal trestle until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

SEA states that, by facsimile dated April 2, 2001, W&W submitted stamped indication by the Virginia Department of Historic Resources that the proposed abandonment will have no effect on historic properties. Because this completes the section 106 process, SEA recommends that the historic preservation condition imposed in the January 16, 2001 decision be removed. The condition will accordingly be removed.

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 section 106 historic preservation condition imposed in the decision served January 16, 2001, is removed.

3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary