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SERVICE DATE - AUGUST 16, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-473 (Sub-No. 1X)

WEST TEXAS & LUBBOCK RAILROAD COMPANY--ABANDONMENT
EXEMPTION--IN LUBBOCK COUNTY, TX

Decided: August 13, 2002

West Texas & Lubbock Railroad Company, Inc. (WTLR) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 1.1-mile line of railroad from milepost 1.1, at University Avenue, eastward to milepost 0.0, at the interchange with The Burlington Northern and Santa Fe Railway Company near North Avenue U, in the City of Lubbock, Lubbock County, TX. Notice of the exemption was served and published in the Federal Register on July 17, 2002 (67 FR 47032). The exemption is scheduled to become effective on August 16, 2002.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on July 22, 2002, preliminarily concluding that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. SEA requested comments by August 6, 2002.

On August 5, 2002, the National Geodetic Survey (NGS) filed a comment advising SEA that there is one geodetic station marker 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 this marker in order to plan for its relocation. Therefore, SEA recommends that a condition be imposed requiring WTLR to consult with the NGS and provide NGS with 90 days' notice prior to disturbing or destroying the geodetic marker in order to plan for its relocation.

The recommended 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 WTLR consult with NGS and provide NGS with 90 days' notice prior to disturbing or destroying the geodetic station marker in order to plan for its relocation.

3. This decision is effective on its service date.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams
Secretary