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SERVICE DATE - FEBRUARY 12, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 634X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–IN MONROE  
COUNTY, IN

Decided: February 10, 2004

On July 1, 2003, CSX Transportation, Inc. (CSXT), filed a petition seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 to abandon a 2.95-mile line of railroad, in CSXT's Western Region, Great Lakes Division, extending from milepost 00Q-219.55 to milepost 00Q-222.50, in Bloomington, Monroe County, IN (the line). By decision and notice of interim trail use or abandonment served on October 17, 2003 (October 2003 decision), the petition for exemption was granted subject to certain conditions, including the condition that CSXT take no steps to alter the historic integrity of the right-of-way until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470(f).

After completing an analysis of the proposed abandonment, the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (the State Historic Preservation Office or SHPO), identified two properties that meet the criteria to be considered eligible for inclusion in the National Register of Historic Places (National Register), and seven properties that are listed in the National Register. However, the SHPO concluded that the proposed abandonment would not be expected to result in any alterations to the characteristics of these historic properties that would qualify them for inclusion in or eligibility for the National Register. Therefore, the Board's Section of Environmental Analysis concludes that no historic properties would be affected by the proposed abandonment and recommends that the historic preservation condition imposed in the October 2003 decision be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.<sup>1</sup>

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<sup>1</sup> The October 2003 decision also imposed the employee protective conditions in Oregon Short Line R. Co.–Abandonment–Goshen, 360 I.C.C. 91 (1979), trail use and public use conditions, and a condition that requires CSXT to contact EPA Region 5 concerning removal and salvage methods, final disposition of crossties preserved with creosote, procedures for storing and fueling of

(continued...)

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 October 2003 decision is removed.
3. This decision is effective on its date of service.

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

Vernon A. Williams  
Secretary

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<sup>1</sup>(...continued)

construction equipment, procedures for the prevention and/or control of spills, and potential revegetation activities to be utilized during abandonment activities prior to commencement of any salvage activities CSXT may conduct on the line. Those conditions remain in effect.