

34763  
DO

SERVICE DATE - JUNE 28, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-6 (Sub-No. 412X)

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY--  
ABANDONMENT EXEMPTION--IN PONCA CITY, KAY COUNTY, OK

Decided: June 25, 2004

The Burlington Northern and Santa Fe Railway Company (BNSF) filed a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments to abandon a 4.14-mile line of railroad between BNSF milepost 138.00 and milepost 142.14 in Ponca City, Kay County, OK. Notice of the exemption was served and published in the Federal Register on May 28, 2004 (69 FR 30746-47). The exemption is scheduled to become effective on June 29, 2004.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on June 4, 2004. In the EA, SEA states that the National Geodetic Survey (NGS) has identified three geodetic station markers that may be affected by the proposed abandonment. Therefore, SEA recommends that BNSF provide NGS with 90 days' notice before beginning any salvage activities to plan for their relocation. Comments to the EA were due by June 21, 2004. No comments were received by the due date. Accordingly, the environmental condition recommended by SEA in the EA 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 line described above is subject to the condition that BNSF provide NGS with 90 days' notice before beginning any salvage activities to plan for the relocation of the geodetic station markers.

3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary