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SERVICE DATE - APRIL 22, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-406 (Sub-No. 8X)

CENTRAL KANSAS RAILWAY LIMITED LIABILITY COMPANY--  
ABANDONMENT EXEMPTION--IN HARPER COUNTY, KS

Decided: April 19, 1999

Central Kansas Railway Limited Liability Company (CKR) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon an approximately 8-mile line of its railroad on the Spring Branch between milepost 69.0 at Anthony and milepost 77.0 at Spring, in Harper County, KS. Notice of the exemption was served and published in the Federal Register on March 26, 1999 (64 FR 14789-90). The exemption is scheduled to become effective on April 25, 1999.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on March 31, 1999. In the EA, SEA states that the National Geodetic Survey (NGS) has identified thirteen geodetic station markers 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 these markers to plan for their relocation. Therefore, SEA recommends that a condition be imposed requiring CKR to consult with the NGS and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic markers. The condition will be imposed.

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 CKR consult with the NGS and provide NGS with 90 days' notice prior to disturbing or destroying any 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