

SERVICE DATE - SEPTEMBER 29, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-508X

THE LAND CONSERVANCY OF SEATTLE AND KING COUNTY--ABANDONMENT  
EXEMPTION--IN KING COUNTY, WA

Decided: September 26, 1997

On June 11, 1997, The Land Conservancy of Seattle and King County (TLC) filed a petition seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903-05<sup>1</sup> to abandon a line of railroad known as the Sammamish or Issaquah Branch, extending from milepost 7.30 near Redmond to the end of the line at milepost 19.75 in Issaquah, a distance of 12.45 miles, in King County, WA. Pursuant to 49 U.S.C. 10502(b), the Board published a notice in the Federal Register (62 FR 35540-41) on July 1, 1997, instituting an exemption proceeding.

TLC acquired the 12.45-mile line of railroad from The Burlington Northern and Santa Fe Railway Company (BNSF) in The Land Conservancy of Seattle and King County--Acquisition and Operation Exemption--The Burlington Northern and Santa Fe Railway Company, STB Finance Docket No. 33389 (STB served Apr. 30, 1997).<sup>2</sup> On July 14, 1997, the United Transportation Union (UTU) filed a petition seeking revocation of the acquisition and operation exemption and requested that, pending disposition of the revocation request, the Board hold in abeyance the processing of TLC's abandonment petition for exemption in this proceeding. By decision served September 26, 1997, the Board granted UTU's petition to revoke the acquisition and operation exemption in STB Finance Docket No. 33389 and ordered TLC immediately to reconvey to BNSF the 12.45-mile rail line. Accordingly, TLC's petition for exemption filed in this proceeding is now moot and will be dismissed.<sup>3</sup>

This action will not significantly affect either the quality of the human environment or conservation of energy resources.

It is ordered:

1. The notice, served and published in the Federal Register on July 1, 1997, in this proceeding is vacated.
2. TLC's petition for exemption is dismissed.
3. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

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<sup>1</sup> In its petition, TLC also requested exemptions from the offer of financial assistance provisions of 49 U.S.C. 10904 and the public use provisions of 49 U.S.C. 10905.

<sup>2</sup> Notice was published in the Federal Register on April 29, 1997 (62 FR 23291).

<sup>3</sup> On September 11, 1997, The Redmond-Issaquah Railroad Preservation Association (RIRPA) filed a motion to compel TLC to furnish information pursuant to the financial assistance procedures at 49 CFR 1152.27(a)(1)-(3). Because the petition for exemption is being dismissed, RIRPA's request is moot and will not be considered.