

247637

ENTERED
Office of Proceedings
May 2, 2019
Part of
Public Record

Docket #: AB 6 (Sub-No. 498 X)

Comments

Richard Welsh
1100 Bellevue Way NE Ste 8A PMB719

Bellevue, Washington 98004-98004
dick156@earthlink.net
NARPO

On April 30, 2019, the STB Office of Proceedings published a decision on the abandonment of 0.74 miles of rail line in Pawnee, OK. The Office of Proceedings decision mentioned that Trail Use requests could be submitted.

BNSF said in their original abandonment exemption request that the track on both ends of the proposed abandonment were abandoned in 1972, and the BNSF maps supplied with their abandonment exemption request show the tracks were abandoned in 1972. The tracks set for abandonment are not connected to the existing BNSF mainline that parallel the tracks set for abandonment.

Accordingly there can be no trail use on this abandonment as the abandonment is not connected to the National Rail System, see RLTD v STB, 166 F3d 808, 6th Circuit, 1999. A correction to the April 30, 2019 Decision should be made as to reflect that Trail Use Requests are not possible much like decisions in rail Discontinuances are published.

Richard Welsh

NARPO emailed a copy of the Comment to snural@steptoe.com.