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SERVICE DATE - FEBRUARY 4, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 540X)

CSX TRANSPORTATION, INC.--ABANDONMENT EXEMPTION--
IN LOGAN COUNTY, WV

Decided: January 27, 1999

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon approximately 10.83 miles of its line of railroad between milepost CLF-51.76 at Sharples and milepost CLF-62.59 at Kelly, in Logan County, WV. Notice of the exemption was served and published in the Federal Register on March 24, 1997 (62 FR 13935).

By decision served April 22, 1997, the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to the condition that CSXT retain its interest in and take no steps to alter the historic integrity of the line in its entirety until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

SEA indicates that the Advisory Council on Historic Preservation, on December 24, 1998, signed and accepted the Memorandum of Agreement (MOA) developed to mitigate the adverse effects of this proceeding on historic properties. SEA states that the acceptance of the MOA completes the section 106 process and recommends removal of the historic preservation condition. Therefore, SEA recommends that the historic preservation condition imposed in the April 22, 1997 decision be removed.

Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.

This action 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.

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2. Upon reconsideration, the section 106 historic preservation condition imposed in the decision served April 22, 1997, is removed.

3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary