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OEA

SERVICE DATE – DECEMBER 15, 2023

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

SUPPLEMENTAL FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 1327X

**Flats Industrial Railroad Company – Abandonment Exemption –
in Cleveland, Ohio**

ABANDONMENT TYPE

The time for comments on the Draft Environmental Assessment (Draft EA) has expired in this:

☒ Notice of Exemption ☐ Petition for Exemption ☐ Regulated Abandonment

☐ **NO NEW COMMENTS WERE RECEIVED**

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In this proceeding, Flats Industrial Railroad Company (FIR) filed a notice of exemption with the Surface Transportation Board (Board) under 49 C.F.R. § 1152.50 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Cleveland, Ohio. The rail line proposed for abandonment extends approximately 1.85 miles from Milepost 10 to Milepost 11.85 near West 41st Street. By decision served on September 14, 2023, the Board imposed a coastal zone condition, pursuant to the Coastal Zone Management Act (CZMA), 16 U.S.C. § 1451 et seq. and the Board's environmental regulations at 49 C.F.R. § 1105.9.

On November 29, 2023, FIR filed a letter with the Board from the Ohio Department of Natural Resources (ODNR), Office of Coastal Management stating that ODNR concurs with FIR's coastal zone consistency determination and that no further coordination is required. FIR also requested that the Board remove the previously imposed CZMA condition so that it has the option to consummate its abandonment authority upon expiration of the public use condition period. Accordingly, the Board has satisfied its responsibilities under 16 U.S.C. § 1451 et seq. of the CZMA, and OEA is recommending that the Board remove the coastal zone condition.

Conclusions

OEA recommends that the Board remove the coastal zone condition imposed in its September 14, 2023 decision.

By the Board, Danielle Gosselin, Director, Office of Environmental Analysis.