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April 9, 2019

ENTERED

Office of Proceedings

Ms. Cynthia T. Brown, Chief April 15, 2019

Section of Administration

Surface Transportation Board

Office of Proceedings

395 E Street, SW

Washington, DC 20423-0001

Part of
Public Record



Re: Lehigh Valley Rail Management, LLC – Abandonment Exemption – In Cambria County, PA – STB Docket No. AB-1265 X

Dear Ms. Brown:

Enclosed for your information is a copy of the March 12, 2019 letter from Cambria County Conservation and Recreation Authority requesting the issuance of a public use condition as well as a Certificate of Interim Trail Use. The purpose of my letter today is to request that the Board waive the filing fee of \$300.00 in as much as the Authority is a governmental instrumentality of Cambria County.

Thank you for your attention to this matter.

Very truly yours,

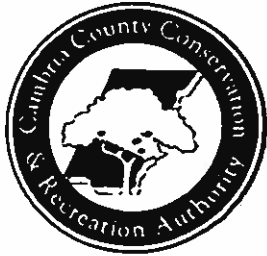
RICHARD R. WILSON, P.C.

Richard R. Wilson, Esq.
Attorney for Cambria County Conservation and
Recreation Authority

RRW/bab
Enclosure

xc: Mr. Clifford Kitner
Eric Hocky, Esq.

FILING FEE WAIVED



Cambria County Conservation & Recreation Authority

401 Candlelight Drive, Suite 240, Ebensburg, PA 15931
(814) 472-2110 • Fax: (814) 472-0686 • ckitner@co.cambria.pa.us
www.cambriacconservationrecreation.com

March 12, 2019

Ms. Cynthia T. Brown, Chief
Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street, SW
Washington, DC 20423-0001



Re: Lehigh Valley Rail Management, LLC – Abandonment Exemption – In Cambria County, PA – STB Docket No. AB-1265 X

Dear Ms. Brown:

This request is filed on behalf of the Cambria County Conservation and Recreation Authority which is an agency of Cambria County, PA, hereinafter referred to as "Proponent". While not taking a position on the merits of this abandonment, Proponent requests issuance of a public use condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization.

A. Public Use Condition

Proponent requests the STB find that this rail right of way is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An Order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The justification for this condition is that the corridor would make an excellent recreational trail that will allow recreational use. This will provide a recreational trail that can be joined to existing recreational trail facilities operated by the Proponent. The time period sought is 180 days from the effective date of the Abandonment Authorization. Proponent needs this much time because it has not had an opportunity to assemble and complete a trail plan or commence negotiations with the carrier.

2. An Order barring removal or destruction of potential trail related structures such as bridges, tressels, culverts, or tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes and will be required in the event that the line is returned to railroad service in the future.

B. Interim Trail Use

The railroad right of way in this proceeding is suitable for railbanking. In addition to the public use condition sought above, Proponent also makes the following statement:

Statement of Willingness to Assume Financial Responsibility

In order to establish interim trail use and railbanking under §8(d) of the National Trail Systems Act, 16 U.S.C. §1247(d), and 49 C.F.R. §1152.29, the Proponent is willing to assume full responsibility for (1) management of, or any legal liability arising out of the transfer or use of the right of way, and (2) for the payment of any and all taxes that may be levied or assessed against the right of way. The property to which this request pertains is a 6.4 mile section of rail line as described in the Environmental and Historic Report filed with the Board on February 14, 2019. The Proponent acknowledges the use of the right of way is subject to its continuing commitment to meet its responsibilities described above and subject to possible future construction and reactivation of the right of way for railroad purposes. By my signature below, I certify service on Lehigh Valley Rail Management, LLC, c/o Eric Hocky, Esq., Clark Hill PLC, 1 Commerce Square, 2005 Market Street, Ste. 1000, Philadelphia, PA 19103 by U.S. Mail, postage prepaid, first class on March 29, 2019.



Clifford Kitner, Executive Director
Cambria County Conservation and
Recreation Authority
401 Candlelight Drive, Ste. 240
Ebensburg, PA 15931

xc: Eric Hocky, Esq.