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SERVICE DATE – DECEMBER 20, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 684X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—IN SHELBY  
COUNTY, TN

Decided: December 19, 2007

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon a 13.34-mile rail line on CSXT's Southern Region, Nashville Division, Memphis Terminal Subdivision, between milepost ONI 210.66 near Cordova and milepost ONI 224 in Memphis, known as the Cordova Branch, in Shelby County, TN. On September 27, 2007, notice of the exemption was served and published in the Federal Register (72 FR 54977-78). The exemption was scheduled to become effective on October 27, 2007.

By decision served on October 26, 2007 (October 2007 decision), the Board granted the exemption, subject to the condition that CSXT shall retain its interest in and take no steps to alter the historic integrity of all historic properties, including sites, buildings, structures, and objects within the proposed abandonment's right-of-way that are eligible for listing or are listed in the National Register of Historic Properties (National Register) until the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470(f), has been completed, and report back to the Board's Section of Environmental Analysis (SEA) regarding any consultations with the Tennessee State Historic Preservation Officer (SHPO) or the public regarding this matter. The Board also required that CSXT not file its consummation notice or initiate any salvage activities related to the abandonment (including removal of tracks and ties) until the section 106 process has been completed and the Board has removed this condition.

On November 26, 2007, CSXT submitted a letter from the SHPO dated August 14, 2007. The letter stated that there are no National Register listed or eligible for listing properties affected by the proposed abandonment. Therefore, based on the information provided, SEA recommends that the section 106 historic preservation condition be removed.

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

As conditioned, this decision 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.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the October 2007 decision 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