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CAMERON COUNTY COMMISSIONERS
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County of Cameron

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September 29, 2003

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Mercury Building #711
Washington, DC 20423-0001

ENTERED
Office of Proceedings

OCT 14 2003

Part of
Public Record



Re: Allegheny and Eastern Railroad, Inc. Rail Abandonment, Cameron County,
Pennsylvania; STB Docket No. AB-854 (X)

Dear Mr. Williams:

This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of the County of Cameron which is a unit of local government interested and is hereinafter referred to as "Commenter," and is being filed in cooperation with the County of Elk.

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between Milepost 131 near St. Marys, Elk County, Pennsylvania and Milepost 149.9 near Emporium, Cameron County, Pennsylvania.

A. Public Use Condition

Commenter requests the STB to find that this property 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 of public use on reasonable terms. The justification for this condition is that the corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. Additionally, the trail would connect the communities of Emporium and St. Marys, Pennsylvania. The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time because we have not had an opportunity to assemble or to review title information, 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, trestles, culverts, and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period

requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

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

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails Systems Act, 16 U.S.C. §1247(d), and 49 C.F.R. §1152.29, the County of Cameron is willing to assume financial responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right of way owned and operated by Allegheny and Eastern Railroad, Inc.

The property extends from milepost 131 near St. Marys, Elk County, Pennsylvania and milepost 149.9 near Emporium, Cameron County, Pennsylvania, a distance of 18.9 miles in Elk and Cameron Counties. The right of way is part of a line of railroad proposed for abandonment in STB Docket No. AB-854 (X).

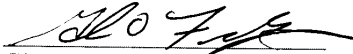
A map depicting the right of way is attached.

The County of Cameron acknowledges that use of the right of way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right of way for rail service.

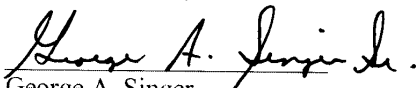
By our signatures below, We certify service upon Allegheny and Eastern Railroad, Inc. 316 Pine Street, Warren, PA 16365 by U.S. Mail postage prepaid, this 7th day of October, 2003.

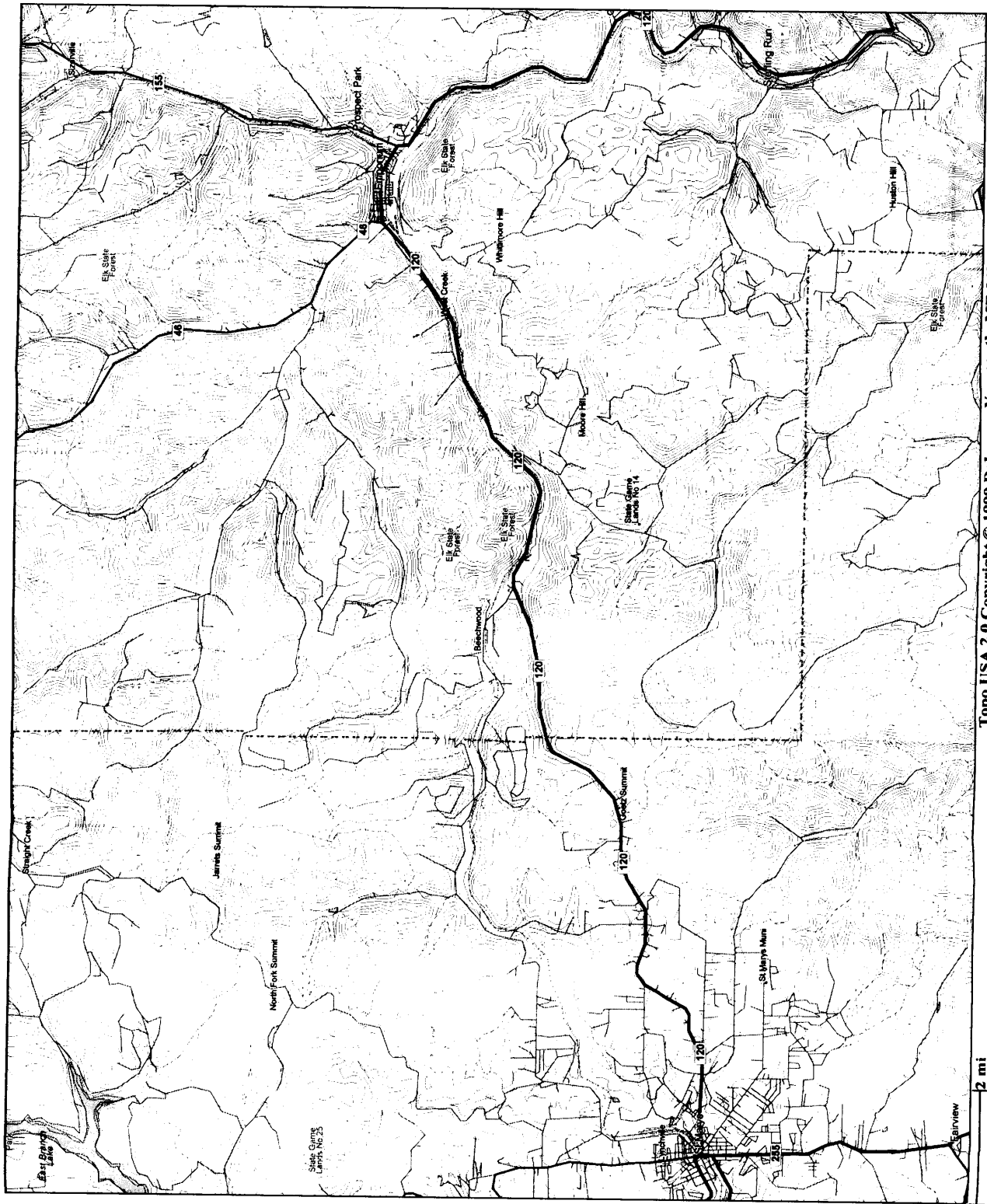
Respectfully submitted,

CAMERON COUNTY COMMISSIONERS


Glen D. Fiebig, Chairman


Anthony C. Moscato


George A. Singer



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Allegheny and Eastern, Inc. Rail Line (Mile Post 131-149.9)

