

34016
DO

SERVICE DATE - SEPTEMBER 26, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 627X)

CSX TRANSPORTATION, INC.–ABANDONMENT
EXEMPTION–IN FLOYD COUNTY, KY

Decided: September 25, 2003

By decision served on April 3, 2003, a 180-day period was authorized for the Floyd County Fiscal Court and Floyd County, KY (Floyd), to negotiate an interim trail use/rail banking agreement with CSX Transportation, Inc. (CSXT), for the approximately 13.4-mile line of railroad between milepost CON 3.1 at Salisbury and milepost CON 16.5 near Clear Creek Junction, in Floyd County, KY. The negotiating period is scheduled to expire on September 30, 2003.

By letter filed on September 2, 2003, CSXT states that it is currently in negotiations with Floyd but requires additional time to continue negotiations. Accordingly, CSXT requests an extension of the negotiating period, until March 30, 2004.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.¹ An extension of the negotiating period will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the negotiating period will be extended to March 30, 2004.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the notice of interim trail use is extended to March 30, 2004.

¹ See Rail Abandonments–Supplemental Trails Act Procedures, 4 I.C.C.2d 152, 157-58 (1987).

2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary