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SERVICE DATE - DECEMBER 9, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-303 (Sub-No. 17X)

WISCONSIN CENTRAL LTD.--ABANDONMENT EXEMPTION--
IN MARQUETTE AND ALGER COUNTIES, MI

Decided: December 6, 1999

On December 19, 1997, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for the Michigan Department of Natural Resources (MDNR) to negotiate an interim trail use/rail banking agreement with Wisconsin Central Ltd. (WCL) for an approximately 37.3-mile line of railroad on the Marquette-Munising Line, between milepost 154, at a point east of Marquette, and milepost 116.7 in Munising Junction, in Marquette and Alger Counties, MI.¹ At the request of MDNR and WCL, the negotiating period under the NITU was extended by decisions served June 17, 1998, December 14, 1998, and June 11, 1999. The latest extension is scheduled to expire on December 11, 1999.

By facsimile received on November 4, 1999, and letter-request filed on November 8, 1999, WCL has requested to extend the negotiating period for an additional 180 days. In a separate facsimile received on December 3, 1999, MDNR also requested that the NITU be extended for an additional 180 days. The parties state that they are continuing to negotiate an interim trail use/rail banking agreement and expect to complete an agreement within 180 days.

A further extension of the NITU negotiating period is warranted. The requested extension will promote trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d) (Trails Act). The purpose of the Trails Act is to preserve rail corridors for possible reactivation of rail service by permitting and encouraging their interim use as recreational trails. See Policy Statement on Rails to Trails Conversions, Ex Parte No. 274 (Sub-No. 13B) (ICC served Feb. 5, 1990). The requested extension of the negotiation period under the NITU will be granted.

This decision 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 NITU is extended to June 8, 2000.

¹ Notice of the exemption under 49 CFR 1152 Subpart F--Exempt Abandonments was served and published in the Federal Register on November 21, 1997 (62 FR 62401-02).

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2. The decision is effective on its service date.

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

Vernon A. Williams
Secretary