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SERVICE DATE - LATE RELEASE NOVEMBER 1, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-43 (Sub-No. 171X)

ILLINOIS CENTRAL RAILROAD COMPANY—ABANDONMENT EXEMPTION—IN
McLEAN COUNTY, IL

Decided: November 1, 2002

By decision and notice of interim trail use or abandonment (NITU) served on May 6, 2002, a 180-day period was authorized for the Village of Heyworth (the Village) to negotiate an interim trail use/rail banking agreement with Illinois Central Railroad Company (IC) for approximately 3.08 miles of a line of railroad, known as the Heyworth Spur, extending from milepost 783.42 to the end of the line at milepost 786.5 in Heyworth, McLean County, IL. The 180-day negotiating period is scheduled to expire on November 2, 2002.

On October 30, 2002, the Village filed a request for an extension of the negotiating period for an additional 180 days. The Village states that the owners of the right-of-way, IC and Canadian National Railroad, have indicated that they have no objection to the requested extension.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.¹ An extension of time will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the NITU negotiating period will be extended for an additional 180 days from November 2, 2002.

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

It is ordered:

1. The Village's request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended until May 1, 2003.

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

3. This decision is effective on the date of service.

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

Vernon A. Williams
Secretary