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SERVICE DATE - OCTOBER 25, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-586 (Sub-No. 1X)

NORTH CENTRAL RAILWAY ASSOCIATION, INC.–
ABANDONMENT EXEMPTION–IN FRANKLIN COUNTY, IA

Decided: October 18, 2002

North Central Railway Association, Inc. (NCRA) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 6.25-mile line of railroad between milepost 184.75 near Hampton and milepost 191.0 near Geneva, in Franklin County, IA.¹ On October 23, 2001, a decision and notice of interim trail use or abandonment (NITU) was served that reopened the proceeding and authorized a 180-day period for Iowa Trails Council (ITC) to negotiate an interim trail use/rail banking agreement with NCRA for the entire line. At the request of ITC the negotiating period was extended by decisions served May 9, 2002, and June 27, 2002. The latest extension expired on September 19, 2002.

On September 16, 2002, ITC filed a request for an additional 90-day extension of the negotiating period. On October 17, 2002, NCRA notified the Board that it is not agreeable to an extension of the trail use negotiation period. Because trail use is voluntary with the carrier, and NCRA advised that it is not agreeable to a further extension, an extension of the negotiating period cannot be granted. Therefore, ITC's request will be denied.

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

It is ordered:

1. ITC's request to extend the NITU negotiating period is denied.

¹ Notice of the exemption was served and published in the Federal Register on September 24, 2001 (66 FR 48908-09).

2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary