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SERVICE DATE - JUNE 24, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-167 (Sub-No. 1161X)

CONSOLIDATED RAIL CORPORATION--ABANDONMENT EXEMPTION--  
IN VERMILION AND CHAMPAIGN COUNTIES, IL

Decided: June 14, 2002

On February 7, 1997, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for Champaign County Design and Conservation Foundation (CCDC Foundation) to negotiate an interim trail use/rail banking agreement with Consolidated Rail Corporation (Conrail) for approximately 24.50 miles of railroad known as the Pekin Secondary Track from approximately milepost 4.00 to approximately milepost 28.50, in Vermilion and Champaign Counties, IL. At the request of the CCDC Foundation and CSX Transportation, Inc. (CSX), the negotiation period under the NITU was extended several times; the latest extension is due to expire on July 14, 2002.<sup>1</sup>

On June 10, 2002, CSX filed a request for an extension of the negotiating period until October 14, 2002. CSX states that the parties are unable to finalize the transaction prior to July 14, 2002.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended. 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).<sup>2</sup> Accordingly, the negotiating period will be extended to October 14, 2002.

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

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<sup>1</sup> The negotiation period under the NITU was extended by decisions served February 7, 1997, August 1, 1997, February 3, 1998, August 14, 1998, January 29, 1999, August 3, 1999, January 24, 2000, August 4, 2000, January 30, 2001, July 17, 2001, and December 28, 2001.

<sup>2</sup> See Rail Abandonment--Supplemental Trails Act Procedures, 4 I.C.C.2d 152 (1987).

It is ordered:

1. The negotiating period under the NITU is extended to October 14, 2002.
2. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary