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SERVICE DATE - APRIL 25, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-570 (Sub-No. 1X)

PALOUSE RIVER & COULEE CITY RAILROAD, INC.--ABANDONMENT
EXEMPTION--IN LATAH COUNTY, ID

Decided: April 24, 2003

Palouse River & Coulee City Railroad, Inc. (PRCC) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 26-mile portion of its rail line between milepost 21.0 at Harvard and milepost 47.0 at Bovill, in Latah County, ID. Notice of the exemption was served and published in the Federal Register on October 6, 2000 (65 FR 59891). On November 6, 2000, a decision and notice of interim trail use or abandonment (NITU) was served, that reopened the proceeding and authorized a 180-day period for Latah County Board of County Commissioners (Latah County) and the Latah Trail Foundation Inc. (LTF) to negotiate an interim trail use/rail banking agreement with PRCC for the right-of-way involved in this proceeding. At the request of Latah County and PRCC, the negotiation period under the NITU was extended several times; the latest extension is scheduled to expire on April 26, 2003.¹

On April 14, 2003, PRCC filed a request to extend the negotiation period for an additional 180 days. PRCC states that it has not consummated the abandonment of the line and is continuing to negotiate with Latah County.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.² Under the circumstances, an extension of the negotiating period is warranted and will promote trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the negotiation period will be extended for an additional 180 days from April 26, 2003 (until October 23, 2003).

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

¹ The most recent extension of the negotiation period under the NITU was authorized by decision served October 24, 2002.

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

It is ordered:

1. The request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended until October 23, 2003.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary