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SERVICE DATE - MAY 13, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-534 (Sub-No. 1X)

LAKE STATE RAILWAY COMPANY--ABANDONMENT
EXEMPTION--IN ALPENA COUNTY, MI

Decided: May 10, 1999

On November 18, 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 Lake State Railway Company (Lake State) for an 8-mile line of railroad between milepost 0.0 near Alpena, and milepost 8.0 near Hillman, in Alpena County, MI.¹ At the request MDNR, the negotiation period under the NITU was extended by decisions served May 15, 1998, and November 19, 1998. The latest extension is scheduled to expire on May 10, 1999.

On May 6, 1999, MDNR filed a request for an additional 180-day extension of the negotiation period to November 6, 1999. MDNR states that the parties are continuing to negotiate towards an agreement and expect to complete an agreement within 180 days. By letter filed May 7, 1999, Lake State advised the Board that it is agreeable to the extension request.

As Lake State has indicated a willingness to continue to negotiate, the extension request will be granted. The requested extension will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d).

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 November 6, 1999.

¹ Notice of the exemption was served and published in the Federal Register on October 17, 1997 (62 FR 54155-56).

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2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary