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SERVICE DATE - LATE RELEASE MAY 7, 2002

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: May 7, 2002

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. 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. The negotiating period under the NITU was extended by decisions served May 22, 2001, and December 27, 2001. The latest extension was scheduled to expire on May 1, 2002.

On May 1, 2002, PRCC filed a request to extend the negotiation period for an additional 180 days. PRCC states that it has not consummated the abandonment and that it is continuing to negotiate with Latah County.

Where, as here, the carrier has not consummated the abandonment at the end of the previously imposed negotiating period and is willing to continue trail use negotiations, the Board retains jurisdiction and the NITU negotiating period may be extended.<sup>1</sup> Accordingly, the NITU negotiating period will be extended to October 28, 2002.

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 October 28, 2002.

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<sup>1</sup> See Rail Abandonments–Supplemental Trails Act Procedures, 4. I.C.C.2d 152, 157-58 (1987).

2. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary