

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 200X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—  
IN FRANKLIN AND BUTLER COUNTIES, IA

Decided: March 24, 2004

On September 26, 2003, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for the Iowa Trails Council (Council), on behalf of the Franklin and Butler Counties Conservation Boards, to negotiate an interim trail use/rail banking agreement with Union Pacific Railroad Company (UP), for a 23.61-mile line of railroad, known as the eastern portion of the Bristow Subdivision, extending from milepost 318.36 near Hampton to milepost 294.75 near Allison, in Franklin and Butler Counties, IA.

On March 22, 2004, the Council filed a motion to extend the NITU negotiating period for an additional 180 days. The Council states that it is making arrangements to finance its acquisition of the right-of-way, but that more time is needed to finalize these arrangements. On March 23, 2004, UP filed a letter stating that it agrees to the request for an extension.

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 trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d).<sup>1</sup> Accordingly, the NITU negotiating period will be extended for an additional 180 days from March 24, 2004.

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

It is ordered:

1. The motion of the Council to extend the NITU negotiating period is granted.
2. The negotiating period under the NITU is extended for 180 days until September 20, 2004.

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

3. This decision is effective on its service date.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams  
Secretary