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SERVICE DATE - NOVEMBER 29, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-303 (Sub-No. 17X)

WISCONSIN CENTRAL LTD.–ABANDONMENT EXEMPTION–IN
MARQUETTE AND ALGER COUNTIES, MI

Decided: November 26, 2001

On December 19, 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 Wisconsin Central Ltd. (WCL) for an approximately 37.3-mile line of railroad on the Marquette-Munising Line, between milepost 154, at a point east of Marquette, and milepost 116.7 in Munising Junction, in Marquette and Alger Counties, MI.¹ The negotiation period was extended several times; the latest extension is scheduled to expire on November 30, 2001.²

By facsimile filed on November 21, 2001, MDNR requests an additional 180-day extension of the negotiating period. MDNR states that negotiations are continuing and are expected to be completed within 180 days. WCL agrees to the extension request.

A further extension of the NITU negotiating period is warranted. The requested extension will promote trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d) (Trails Act). The purpose of the Trails Act is to preserve rail corridors for possible reactivation of rail service permitting and encouraging their interim trail use as recreational trails.³ Accordingly, the NITU negotiating period will be extended for 180 days from November 30, 2001 (until May 29, 2002).

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

¹ Notice of the exemption was served and published in the Federal Register on November 21, 1997 (62 FR 62401-02).

² The negotiating period under the NITU was extended by decisions served June 17, 1998, December 14, 1998, June 11, 1999, December 9, 1999, June 30, 2000, December 14, 2000, and June 12, 2001.

³ See Policy Statement on Rails to Trails Conversions, Ex Parte No. 274 (Sub-No. 13B) (ICC served Feb. 5, 1990).

It is ordered:

1. The negotiating period under the NITU is extended to May 29, 2002.
2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary