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SERVICE DATE - OCTOBER 24, 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: October 21, 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. 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 negotiating period under the NITU was extended several times; the latest extension is due to expire on October 28, 2002.¹

On October 7, 2002, Latah County filed a request to extend the negotiation period for an additional 180 days. By letter filed October 11, 2002, PRCC stated that it is agreeable to a 180-day extension of the NITU negotiation period.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended. Under the circumstances, an extension of the negotiation 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 October 28, 2002 (until April 26, 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 May 2, 2002.

It is ordered:

1. The request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended to April 26, 2003.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary