

SERVICE DATE - AUGUST 1, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-167 (Sub-No. 1161X)

CONSOLIDATED RAIL CORPORATION--ABANDONMENT EXEMPTION--
IN VERMILION AND CHAMPAIGN COUNTIES, IL

Decided: July 28, 1997

On February 7, 1997, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for Champaign County Design and Conservation Foundation (CCDC Foundation) to negotiate an interim trail use/rail banking agreement with Consolidated Rail Corporation (Conrail) for approximately 24.50 miles of its line of railroad known as the Pekin Secondary Track from approximately milepost 4.00 to approximately milepost 28.50, in Vermilion and Champaign Counties, IL. The 180-day period under the NITU is scheduled to expire on August 8, 1997.

On July 16, 1997, CCDC Foundation, with the consent of Conrail, filed a request for an extension of the negotiation period for an additional 180 days. CCDC Foundation states that it and Conrail have reached a verbal agreement on almost all issues, but that additional time is needed to complete negotiations and to prepare documents to evidence and implement a final agreement.

Because Conrail consents to the request for extension of the negotiating period, an extension will be granted until February 4, 1998.¹ This extension of time will promote the establishment of trails 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 by permitting and encouraging their interim use as recreational trails. *See Policy Statement on Rails to Trails Conversions*, Ex Parte No. 274 (Sub-No. 13B) (ICC served Feb. 5, 1990).

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 February 4, 1998.
2. The decision is effective on its service date.

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

Vernon A. Williams
Secretary

¹ Where, as here, the carrier seeks a continuation of the negotiation period and has not abandoned the line at the end of the previously imposed negotiation period, the Board's regulatory jurisdiction is not terminated and the negotiation period may be extended. *See Missouri Pac. R. Co.--Aband.--In OK*, Docket No. AB-3 (Sub-No. 63) (ICC served Jan. 2, 1990).