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SERVICE DATE – JULY 2, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 612X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–
IN GREENVILLE, SC

Decided: June 26, 2003

By decision and notice of interim trail use or abandonment (NITU) served on July 15, 2002, a 180-day period was authorized for the City of Greenville (the City) to negotiate an interim trail use/rail banking agreement with CSX Transportation, Inc. (CSXT) for approximately 1.31 miles of rail line between Valuation Station 47+50 and Valuation Station 115+11.5 in Greenville, Greenville County, SC. The negotiating period under the NITU was scheduled to expire on January 11, 2003, but was extended to July 10, 2003, by decision served December 20, 2002.¹

By letter filed on June 16, 2003, the City requests an extension of the negotiating period for an additional 180 days to complete its Phase II Environmental process and surveys, and states that CSXT agrees. By facsimile received on June 20, 2003, CSXT states that it agrees to the extension and is willing to continue negotiations with the City.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.² An extension of the negotiating period will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the NITU negotiating period will be extended for an additional 180 days from July 10, 2003.

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

¹ The July 15 decision also imposed a 180-day public use condition that expired on December 8, 2002.

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

It is ordered:

1. The request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended until January 6, 2004.
3. This decision is effective on the date of service.

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

Vernon A. Williams
Secretary