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SERVICE DATE - OCTOBER 3, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-43 (Sub-No. 173X)

ILLINOIS CENTRAL RAILROAD COMPANY—ABANDONMENT EXEMPTION—
IN FORREST COUNTY, MS

Decided: September 30, 2003

On March 28, 2003, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for the Pearl & Leaf Rivers Rails-to-Trails Recreational District (District) to negotiate an interim trail use/rail banking agreement with the Illinois Central Railroad Company (IC) for approximately 2.4 miles of a line of railroad known as the Central District Trackage, extending from milepost MH 0.66 to milepost MH 3.06 in Forrest County, MS. The negotiating period under the NITU was scheduled to expire on September 24, 2003.¹

On September 22, 2003, the District filed a request for an extension of the negotiating period for an additional 90 days. The District states that it needs the additional time to finalize the trail use negotiations. On September 25, 2003, IC advised that it agrees to the 90-day extension request.

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 trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d).² Accordingly, the negotiating period will be extended for an additional 90 days from September 24, 2003.

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

It is ordered:

1. The request to extend the NITU negotiating period is granted.

¹ The March 28, 2003 decision also imposed a 180-day public use condition that is scheduled to expire on October 24, 2003.

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

2. The NITU negotiating period is extended until December 23, 2003.
3. This decision is effective on the date of service.

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

Vernon A. Williams
Secretary