

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB-33 (Sub-No. 90X)

UNION PACIFIC RAILROAD COMPANY--ABANDONMENT EXEMPTION--  
IN SUTTER COUNTY, CA (YUBA CITY BRANCH)

Decided: June 25, 1997

By decision and notice of interim trail use or abandonment (NITU) served on March 29, 1996, a 180-day period was authorized for the County of Sutter, CA (the County) to negotiate an interim trail use/rail banking agreement with the Union Pacific Railroad Company (UP) for a 5.20-mile portion of the Yuba City Branch line between milepost 0.00 near Colusa Jct., and the end of the line at milepost 5.20 near Sutter, in Sutter County, CA. Subsequently, the negotiation period under the NITU was extended by decisions served on September 19, 1996, and December 20, 1996. The last extension expired on June 22, 1997.

By letter filed June 16, 1997, the County seeks to extend the NITU negotiation period for an additional 180 days. The County states that its funding source required an additional hazardous waste investigation and that more time is needed to continue and complete negotiations. By letter filed June 18, 1997, UP consents to the extension.

Because an extension of the negotiation period will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d), and the parties agree on the necessity for the extension, the request will be granted. *See Policy Statement on Rails to Trails Conversions*, Ex Parte No. 274 (Sub-No. 13B) (ICC served Feb. 5, 1990). Accordingly, the NITU negotiation period will be extended until December 19, 1997.

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

*It is ordered:*

1. The County's request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended until December 19, 1997.
3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary