

29234
DO

SERVICE DATE - MAY 15, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-534 (Sub-No. 1X)

LAKE STATE RAILWAY COMPANY--ABANDONMENT
EXEMPTION--IN ALPENA COUNTY, MI

Decided: May 14, 1998

On November 18, 1997, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for the Michigan Department of Natural Resources (MDNR) to negotiate an interim trail use/rail banking agreement with Lake State Railway Company (Lake State) for an 8-mile line of railroad between milepost 0.0 near Alpena, and milepost 8.0 near Hillman, in Alpena County, MI.¹ The 180-day period under the NITU is scheduled to expire on May 15, 1998.

On May 5, 1998, MDNR filed a request for an additional 180-day period in which to continue negotiations with the railroad. By letter filed May 11, 1998, Lake State also request an extension of the NITU for an additional 180 days. The parties state that negotiations are continuing and expect to complete an agreement within the 180 days.

The negotiation period under the NITU will be extended to November 11, 1998. It 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 November 11, 1998.
2. The decision is effective on its service date.

¹ Notice of the exemption was served and published in the Federal Register on October 17, 1997 (62 FR 54155-56).

STB Docket No. AB-534 (Sub-No. 1X)

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

Vernon A. Williams
Secretary