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SERVICE DATE - AUGUST 20, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 123X)

UNION PACIFIC RAILROAD COMPANY--ABANDONMENT
EXEMPTION--IN BUTLER COUNTY, IA

Decided: August 19, 1999

On August 27, 1998, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for the Iowa Trails Council (ITC) to negotiate an interim trail use/rail banking agreement with Union Pacific Railroad Company (UP) for a 5.95-mile line of railroad on the Bristow Branch from milepost 288.8 near Clarksville, to milepost 294.75 near Allison, in Butler County, IA.¹ By decision served January 29, 1999, the negotiation period under the NITU was extended at the request of ITC to August 23, 1999, for a portion of the right-of-way from milepost 288.8 to milepost 294.40.²

On August 13, 1999, ITC filed a request for an additional 180-day extension of the negotiation period. ITC states that it and UP are continuing negotiations, but have not been able to complete negotiations to their satisfaction. By letter filed August 16, 1999, UP agreed to the extension request.

The negotiation period under the NITU will be extended for 180 days to February 19, 2000. An extension of the negotiation period will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247 (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.

¹ Notice of the exemption under 49 CFR 1152 subpart F was served and published in the Federal Register on July 29, 1998 (63 FR 40581-82).

² On January 19, 1999, UP notified that Board that the portion of the line from milepost 294.40 to milepost 294.75 would be reclassified as yard trackage.

It is ordered:

1. The negotiating period under the NITU is extended to February 19, 2000.
2. The decision is effective on its service date.

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

Vernon A. Williams
Secretary