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SERVICE DATE - OCTOBER 11, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-167 (Sub-No. 1161X)

CONSOLIDATED RAIL CORPORATION--ABANDONMENT EXEMPTION--
IN VERMILION AND CHAMPAIGN COUNTIES, IL

Decided: October 8, 2002

On February 7, 1997, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for Champaign County Design and Conservation Foundation (CCDC Foundation) to negotiate an interim trail use/rail banking agreement with Consolidated Rail Corporation (Conrail) for approximately 24.50 miles of railroad known as the Pekin Secondary Track from approximately milepost 4.00 to approximately milepost 28.50, in Vermilion and Champaign Counties, IL. At the request of the CCDC Foundation and CSX Transportation, Inc. (CSXT), which is the successor to Conrail's interest in this proceeding, the negotiation period under the NITU was extended several times; the latest extension is due to expire on October 14, 2002.¹

On September 23, 2002, CSXT filed a request for an extension of the negotiating period until January 31, 2003. CSXT states that the parties are unable to finalize the transaction prior to October 14, 2002.

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 to January 31, 2003.

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

¹ The most recent extension of the negotiation period under the NITU was authorized by decision served June 24, 2002.

² See Rail Abandonment--Supplemental Trails Act Procedures, 4 I.C.C.2d 152 (1987).

It is ordered:

1. The negotiating period under the NITU is extended to January 31, 2003.
2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary