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SERVICE DATE - AUGUST 27, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-303 (Sub-No. 23X)

WISCONSIN CENTRAL LTD.—ABANDONMENT EXEMPTION—
IN FOREST AND LANGLADE COUNTIES, WI

Decided: August 23, 2002

By decision and notice of interim trail use or abandonment (NITU) served on September 12, 2000, a 180-day period was authorized for the Wisconsin Department of Natural Resources (WisDNR) to negotiate an interim trail use/rail banking agreement with Wisconsin Central Ltd. (WCL) for a 26-mile line of railroad known as the Crandon-White Lake Line, between milepost 254 south of Crandon and milepost 280 near White Lake, in Forest and Langlade Counties, WI. The 180-day negotiating period was extended through September 2, 2002, by decisions served March 9, 2001, September 6, 2001, and March 5, 2002.

On August 12, 2002, WisDNR¹ and WCL jointly filed a petition for an extension of the negotiating period for 180 days. Petitioners state that, while negotiations are currently continuing in good faith between WisDNR and WCL, more time is needed to finalize negotiations.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.² Petitioners have shown that the additional time is necessary to complete negotiations. An extension of time will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the NITU negotiating period will be extended for a period of 180 days from September 2, 2002.

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

¹ The Wisconsin Department of Transportation is filing on behalf of WisDNR.

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

It is ordered:

1. Petitioners' request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended until March 1, 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