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SERVICE DATE - JUNE 13, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 70)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT—WALLACE BRANCH, ID

Decided: June 7, 2001

By decision and certificate of interim trail use or abandonment served on June 26, 2000, the Board gave final approval to the Union Pacific Railroad Company (UP) to salvage its 71.5-mile Wallace Branch rail line in Benewah, Kootenai, and Shoshone Counties, ID, subject to four environmental conditions and other terms and conditions. The Board also authorized UP to negotiate an interim trail use agreement with the State of Idaho and the Coeur d'Alene Tribe pursuant to section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d) (Trails Act). A decision served on December 20, 2000, extended the period for negotiating an interim trail use agreement to June 21, 2001.

By letter filed June 6, 2001, UP requests an extension of the negotiating period for an additional 90 days. UP indicates that, while the parties are close to an agreement, a final agreement will not be reached by June 21, 2001.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.¹ UP has shown that the additional time is necessary to complete negotiations. Under the circumstances, an extension of the negotiating period is warranted and will promote the establishment of trail use and rail banking consistent with the Trails Act. Accordingly, the negotiating period will be extended to September 19, 2001.

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 is extended to September 19, 2001.

¹ See Rail Abandonments—Supplemental Trails Act Procedures, 4 I.C.C.2d 152 (1987).

2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary