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SERVICE DATE - JANUARY 14, 1998

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB-167 (Sub-No. 1148)

CONSOLIDATED RAIL CORPORATION--ABANDONMENT--BETWEEN
WALKERS MILL AND BURGETTSTOWN, IN ALLEGHENY AND WASHINGTON
COUNTIES, PA

Decided: January 9, 1998

By decision and certificate of interim trail use or abandonment (CITU) served July 14, 1995, a 180-day period was authorized for National Pike Trail Council (NPTC) and Allegheny County, PA, to negotiate an interim trail use/rail banking agreement with Consolidated Rail Corporation (Conrail) for the 15.7-mile right-of-way between milepost 11.00 at Walkers Mill and milepost 26.7 at Burgettstown, in Allegheny and Washington Counties, PA. At NPTC's request, the 180-day trail use negotiating period was extended through January 5, 1998, by decisions served December 22, 1995, August 22, 1996, January 14, 1997, and July 14, 1997.

By letter filed December 31, 1997, NPTC requests another 180-day extension of the trail use negotiating period stating that the additional time is needed to continue negotiations, build political support, further assemble and review title information, and evaluate structures on the corridor. NPTC states that Conrail has consented to the extension.

Where, as here, the carrier has not abandoned the line at the end of the previously imposed negotiating period and is willing to continue trail use negotiations, the Board's jurisdiction is not terminated and the negotiating period may be extended.¹ Under the circumstances, a further extension is warranted and will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the CITU negotiating period will be extended for an additional 180 days from January 5, 1998.

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

It is ordered:

1. The CITU negotiating period is extended through July 4, 1998.
2. This decision is effective on the date of service.

¹ See Rail Abandonments - Supplemental Trails Act Procedures, 4 I.C.C.2d 152, 157-58 (1987).

Docket No. AB-167 (Sub-No. 1148)

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

Vernon A. Williams
Secretary

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