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SERVICE DATE - JULY 23, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-167 (Sub-No. 1182X)

CONSOLIDATED RAIL CORPORATION--ABANDONMENT
EXEMPTION--IN INDIANA COUNTY, PA

Decided: July 21, 1999

On July 31, 1998, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for the Cambria and Indiana Trail Council (CITC) to negotiate an interim trail use/rail banking agreement with Consolidated Rail Corporation (Conrail) for an 11.80-mile portion of the Blairsville Secondary Track between milepost 5.70± and milepost 17.50± in Indiana County, PA. The 180-day negotiating period under the NITU was scheduled to expire on January 27, 1999, but was extended through July 26, 1999, by a decision served February 2, 1999.¹

On July 16, 1999, CITC filed a request to extend the negotiating period for an additional 180 days, until January 26, 2000.² CITC states that, due to the acquisition of certain Conrail assets by Norfolk Southern Corporation (NS), and the resulting transition period, negotiations between CITC and the NS affiliate, Norfolk Southern Railway Company (NSR), which is the carrier currently responsible for operations over the line, will require more time. By facsimile dated July 19, 1999, NSR advised that it supports a 180-day extension of the negotiation period.

The negotiation period under the NITU will be extended for 180 days to January 22, 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.

It is ordered:

¹ Notice of the exemption was published in the Federal Register on March 12, 1998 (63 FR 12148-49).

² As the NITU is scheduled to expire on July 26, 1999, a 180-day extension would run until January 22, 2000.

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1. The negotiating period under the NITU is extended to January 22, 2000.
2. The decision is effective on its service date.

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

Vernon A. Williams
Secretary