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SERVICE DATE - NOVEMBER 18, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 166X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—
IN ADAMS AND HALL COUNTIES, NE (HANSEN INDUSTRIAL LEAD
BETWEEN HASTINGS AND HANSEN, NE)

Decided: November 13, 2002

By decision and notice of interim trail use or abandonment (NITU) served on May 21, 2001, a 180-day period was authorized for the City of Hastings, NE (the City), to negotiate an interim trail use/rail banking agreement with Union Pacific Railroad Company (UP) for a 6.5-mile line of railroad known as the Hansen Industrial Lead, extending from milepost 1.0 near Hastings to the end of the line at milepost 7.5 at Hansen, in Adams and Hall Counties, NE. The 180-day negotiating period was extended through November 12, 2002, by decisions served on January 18, 2002, and May 21, 2002.

By facsimile received on November 5, 2002, the City requests an extension of the negotiating period for an additional 180 days. According to the City, the parties are negotiating but need more time to complete negotiations. UP agrees to the extension and is willing to continue negotiations with the City.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.¹ The parties 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 November 12, 2002.

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

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

It is ordered:

1. The request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended until May 11, 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