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SERVICE DATE - AUGUST 14, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 123X)

UNION PACIFIC RAILROAD COMPANY--ABANDONMENT
EXEMPTION--IN BUTLER COUNTY, IA

Decided: August 8, 2000

On August 27, 1998, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for the Iowa Trails Council (ITC) to negotiate an interim trail use/rail banking agreement with Union Pacific Railroad Company (UP) for a 5.95-mile line of railroad on the Bristow Branch from milepost 288.8 near Clarksville to milepost 294.75 near Allison, in Butler County, IA.¹ At the request of ITC, the negotiating period under the NITU was extended by decisions served January 29, 1999, August 20, 1999, and February 9, 2000, for a portion of the right-of-way from milepost 288.8 to milepost 294.40.² The latest extension is scheduled to expire on August 17, 2000.

On August 7, 2000, ITC filed a request for an additional 180-day extension of the negotiation period in which to complete negotiations for the acquisition of the right-of-way. Also on August 7, 2000, UP advised the Board that it concurs with the requested 180-day extension of the NITU.

The negotiating period under the NITU will be extended for 180 days to February 13, 2001. 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(d) (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 trail 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.

¹ Notice of the exemption under 49 CFR 1152 subpart F was served and published in the Federal Register on July 29, 1998 (63 FR 40581-82).

² On January 19, 1999, UP notified the Board that the portion of the line from milepost 294.40 to milepost 294.75 would be reclassified as yard trackage.

It is ordered:

1. The negotiating period under the NITU is extended to February 13, 2001.
2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary