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SERVICE DATE - MAY 3, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 113)

UNION PACIFIC RAILROAD COMPANY--DISCONTINUANCE OF TRACKAGE RIGHTS
AND ABANDONMENT--IN NATRONA AND CONVERSE COUNTIES, WY

Decided: April 30, 1999

On November 12, 1997, a decision and certificate of interim trail use or abandonment (CITU) was served in the above proceeding, which authorized a 180-day period for the City of Casper, WY (City), to negotiate an interim trail use/rail banking agreement with the Union Pacific Railroad Company (UP) for portions¹ of a 17.8-mile line of railroad extending from milepost 590.0 to the end of the line at milepost 607.8 near Casper (Air Base), in Natrona County, WY. In a decision served May 12, 1998, the negotiating period was extended to November 5, 1998. Subsequently, in a decision served November 5, 1998, the negotiating period was extended to May 4, 1999.

On April 26, 1999, the City filed a request for an additional 180 days from the May 4, 1999 expiration of the current negotiating period, in which to continue negotiations with the railroad. The City states that the parties have diligently negotiated most issues, but that the parties require further time to resolve certain environmental issues that have arisen. The City adds that UP has not consummated abandonment of the line. By letter filed April 22, 1999, UP states that it is agreeable to the extension.

An extension of the trail use negotiating period may be granted as long as the Board retains jurisdiction over the involved railroad right-of-way and the carrier is willing to continue negotiations. Inasmuch as UP has indicated a willingness to continue to negotiate, and has not consummated the abandonment, the extension request can be granted.

The requested extension will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the extension request will be granted.

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

¹ These portions are located between mileposts 590.0 and 599.6 and between mileposts 603.5 and 607.8.

It is ordered:

1. The request to extend the interim trail use negotiating period is granted.
2. The CITU negotiating period is extended to November 1, 1999.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary