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SERVICE DATE - FEBRUARY 9, 2001

SURFACE TRANSPORTATION BOARD

DECISION

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

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

Decided: February 5, 2001

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.<sup>1</sup> At the request of ITC, the negotiating period under the NITU was extended by decisions served January 29, 1999, August 20, 1999, February 9, 2000, and August 14, 2000, for a portion of the right-of-way from milepost 288.8 to milepost 294.40.<sup>2</sup> The latest extension is scheduled to expire on February 13, 2001.

On January 30, 2001, ITC filed a request for an extension of the negotiation period for an additional 60 days. ITC states that an agreement has been drafted but that all of the details have not been completed. On January 31, 2001, UP advised the Board that it concurs with the requested 60-day extension of the NITU.

The negotiating period under the NITU will be extended for 60 days to April 14, 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 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.

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<sup>1</sup> 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).

<sup>2</sup> 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 April 14, 2001.
2. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary