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SERVICE DATE - DECEMBER 20, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 612X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN GREENVILLE, SC

Decided: December 13, 2002

By decision and notice of interim trail use or abandonment (NITU) served on July 15, 2002, a 180-day period was authorized for the City of Greenville (the City) to negotiate an interim trail use/rail banking agreement with CSX Transportation, Inc. (CSXT) for approximately 1.31 miles of rail line between Valuation Station 47+50 and Valuation Station 115+11.5 in Greenville, Greenville County, SC. The 180-day extension is scheduled to expire on January 11, 2003.¹

By letter filed on December 2, 2002, the City requests an extension of the negotiating period for an additional 180 days to complete its Phase II Environmental process, and states that CSXT agrees. By facsimile received on December 5, 2002, CSXT states that it 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.² An extension of the negotiating period 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 an additional 180 days from January 11, 2003.

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

¹ The July 15 decision also imposed a 180-day public use condition that expired on December 8, 2002.

² 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 July 10, 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