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SERVICE DATE - MARCH 29, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-550 (Sub-No. 1X)

R.J. CORMAN RAILROAD COMPANY/ALLENTOWN LINES, INC.–
ABANDONMENT EXEMPTION–IN LEBANON COUNTY, PA

Decided: March 28, 2005

R.J. Corman Railroad Company/Allentown Lines, Inc. (RJC�) filed a notice of exemption under 49 CFR 1152.50 to abandon: (1) the Cornwall Industrial Track between approximately milepost 0.9 and approximately milepost 3.66; and (2) the Lebanon Industrial Track between approximately milepost 18 and approximately milepost 18.6, a distance of approximately 3.36 miles, in Lebanon County, PA. On October 16, 2001, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for Lebanon Valley Rails-to-Trails (LVRT) to negotiate an interim trail use/rail banking agreement with RJC� for the right-of-way involved in this proceeding. The negotiating period was extended several times; the latest extension is scheduled to expire on March 31, 2005.¹

On March 23, 2005, LVRT filed a request for an additional 180-day extension of the negotiating period so that the remaining negotiations with RJC� can be completed. RJC� advised that it supports the extension request.

The negotiation period under the NITU will be extended for 180 days to September 27, 2005. 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 action will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ The most recent extension of the negotiation period under the NITU was authorized by decision served on December 6, 2004.

It is ordered:

1. The request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended until September 27, 2005.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary