

SERVICE DATE – APRIL 7, 2026

SURFACE TRANSPORTATION BOARD

DECISION AND NOTICE OF INTERIM TRAIL USE OR ABANDONMENT

Docket No. AB 511 (Sub-No. 8X)

CENTRAL RAILROAD COMPANY OF INDIANAPOLIS—
ABANDONMENT EXEMPTION—IN HOWARD COUNTY, IND.

Decided: April 7, 2026

Central Railroad Company of Indianapolis (CERA) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon two rail lines extending approximately 1.77 miles in the City of Kokomo, Howard County, Ind. (the Lines). According to CERA’s verified notice of exemption, filed January 5, 2026, the Lines consisted of the Tipton Industrial Lead, extending from milepost 54.3 to milepost 55.6 (the Tipton Industrial Segment), and the Marion Subdivision, extending from milepost 180.87 to milepost 181.26 (the Marion Subdivision Segment). Notice of the exemption was served and published in the Federal Register on January 23, 2026 (91 Fed. Reg. 2987).¹

On February 4, 2026, CERA filed a letter stating, among other things, that in its verified notice of exemption, it erroneously described one of the endpoints for the Tipton Industrial Segment as being at milepost 55.6, but the milepost should have been milepost 55.66, a discrepancy of 0.06 miles (or 317 feet). (CERA Letter 1, Feb. 4, 2026.) In a February 12, 2026 decision, the Board directed CERA to take certain remedial actions to comply with the Board’s regulations with respect to the additional 0.06 miles of rail and to certify to the Board when it had done so. Cent. R.R. Co. of Indianapolis—Aban. Exemption—in Howard Cnty., Ind. (Feb. 12 Decision), AB 511 (Sub-No. 8X), slip op. at 2-3 (STB served Feb. 12, 2026). The decision stated that once CERA had done so, the Board would republish notice of the abandonment with the corrected milepost in the Federal Register, setting forth the effective date and any further relevant filing or Board deadlines. Id. at 3. On February 17, 2026, CERA filed a supplement that included the necessary certifications. A revised notice of exemption with the corrected milepost was served and published in the Federal Register on March 9, 2026 (91 Fed. Reg. 11,372). The exemption is scheduled to become effective on April 8, 2026.

¹ By order served on February 2, 2026, due to a lapse in the Board’s appropriation and resulting cessation of operations, the effective date of the abandonment exemption was stayed, and any relevant filing or Board deadlines on or after February 2, 2026, were postponed until further order of the Board. Cent. R.R. of Indianapolis—Aban. Exemption—in Howard Cnty., Ind., AB 511 (Sub-No. 8X), slip op. at 1 (STB served Feb. 2, 2026). The Board resumed operations on February 4, 2026.

On January 28, 2026, the City of Kokomo, Ind. (City), filed a request for issuance of a notice of interim trail use or abandonment (NITU) under the National Trails System Act (Trails Act), 16 U.S.C. § 1247(d), and for imposition of a public use condition under 49 U.S.C. § 10905 for the rights-of-way on both Lines. On February 4, 2026, CERA filed a letter agreeing to negotiate with the City toward an interim trail use agreement only for the Tipton Industrial Segment.

The Board's Office of Environmental Analysis (OEA) served a Draft Environmental Assessment (Draft EA) on January 30, 2026. In the Draft EA, OEA stated that the Indiana Department of Natural Resources Division of Historic Preservation and Archaeology (SHPO) submitted comments on November 25, 2025, indicating that the Lines crossed the Lake Erie and Western Depot Historic District, which is listed in the National Register of Historic Places (National Register), and that salvage activities within the historic district would require further consultation. In addition, the Draft EA stated that comments were received from the Howard County Historical Society and Kokomo Review Board and Indiana Landmarks expressing concerns about potential impacts to a historic building adjacent to the Lines, 904 N. Buckeye Street.

Because OEA had not completed the historic review process under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, when the Draft EA was served, OEA recommended a condition requiring CERA to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register until completion of the Section 106 process.

As noted above, after the original notice of exemption was served and published in the Federal Register, CERA filed a letter stating that it had used an incorrect milepost when describing the Lines and therefore requested that an additional 0.06 miles of rail line be included as part of the abandonment proceeding. Pursuant to the February 12 Decision, CERA was not required to file a revised Environmental and Historic Report to include the additional 0.06 miles of rail line. Feb. 12 Decision, AB 511 (Sub-No. 8X), slip op. at 3. Instead, CERA was directed to inform the necessary federal, state, and local agencies by letter, explaining that these consulting agencies and the public may submit comments to the OEA with respect to abandonment of the additional 0.06 miles of rail line during the Draft EA comment period, which was extended to March 9, 2026. Id. CERA was directed to include in the letter information on how the consulting parties and the public may submit comments. The corrected notice of exemption stated that any comments received regarding the 0.06 miles of rail line would be addressed in the Final Environmental Assessment (Final EA). Cent. R.R. of Indianapolis—Aban. Exemption—in Howard Cnty., Ind., AB 511 (Sub-No. 8X), slip op. at 3 n.3 (STB served Mar. 9, 2026).

OEA served its Final EA on April 3, 2026. The Final EA stated that the SHPO submitted a letter on February 24, 2026, concurring with OEA's determination of no adverse effect for the proposed abandonment because salvage activities would not be conducted within the Lake Erie and Western Depot Historic District. In its letter, the SHPO also requested that any prehistoric or historic archaeological artifacts or human remains uncovered during salvage be reported to the

Indiana Department of Natural Resources in accordance with Indiana Code §§ 14-21-1-27 and 29.

Accordingly, OEA determined that the proposed abandonment would not adversely affect historic properties listed in or eligible for listing in the National Register and stated in the Final EA that it no longer recommended the Section 106 condition proposed in the Draft EA. Instead, OEA recommends a condition requiring that, in the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during abandonment-related salvage activities, CERA will immediately cease all work and notify OEA, interested federally recognized tribes, and the SHPO pursuant to 36 C.F.R. § 800.13(b) and Indiana Code §§ 14-21-1-27 and 29. OEA will then consult with the SHPO or the Tribal Historic Preservation Officer (THPO), interested federally recognized tribes, CERA, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.

Interim Trail Use. In its NITU request, the City has submitted a statement of willingness for the Lines, as required at 49 C.F.R. § 1152.29, and has acknowledged that the use of the rights-of-way for trail purposes is subject to future reconstruction and reactivation of the rights-of-way for rail service. As noted above, CERA has notified the Board that it is willing to negotiate an agreement for interim trail use with the City for the Tipton Industrial Segment.

Because the City's request complies with the requirements of 49 C.F.R. § 1152.29 and CERA is willing to negotiate for trail use for the Tipton Industrial Segment, a NITU for that segment will be issued.² The parties may negotiate an agreement during the one-year period prescribed below. If an interim trail use agreement is reached (and thus, interim trail use is established), the parties shall jointly notify the Board within 10 days that an agreement has been reached. 49 C.F.R. § 1152.29(d)(2) & (h). If no agreement is reached within one year, CERA may fully abandon the Tipton Industrial Segment, subject to any outstanding conditions. See 49 C.F.R. § 1152.29(d)(1). Use of the right-of-way for trail purposes is subject to possible future reconstruction and reactivation of the right-of-way for rail service.

As noted, the City's NITU request also included the Marion Subdivision Segment. CERA's response, however, did not indicate that it is willing to negotiate an interim trail use agreement for that segment. Under the Trails Act, the trails use program is voluntary and consensual between the railroad and the trail sponsor. See 49 C.F.R. § 1152.29; Citizens Against Rails to Trails v. STB, 267 F.3d 1144 (D.C. Cir. 2001); Nat'l Wildlife Fed'n v. ICC, 850 F.2d 694, 699-702 (D.C. Cir. 1988); Rail Abans.—Use of Rights-of-Way as Trails, 2 I.C.C. 2d 591, 598 (1986). Because CERA has not consented to negotiate with the City for the Marion Subdivision Segment, the NITU issued here does not include that segment.

Public Use. As noted above, the City also requested imposition of a public use condition over the Lines under 49 U.S.C. § 10905 and 49 C.F.R. § 1152.28. Under 49 U.S.C. § 10905, the

² The City requested a NITU for the Tipton Industrial Segment from milepost 54.28 to milepost 55.66. However, CERA has clarified that one of the endpoints of the Tipton Industrial Segment is at milepost 54.3, not 54.28. (CERA Letter 1, Feb. 4, 2026.) Accordingly, the NITU issued here will extend from milepost 54.3 to milepost 55.66.

Board may prohibit the disposal of rail properties that are proposed to be abandoned and are appropriate for public purposes for a period of not more than 180 days after the effective date of the decision approving or exempting the abandonment. To justify a public use condition, a party must set forth: (i) the condition sought; (ii) the public importance of the condition; (iii) the period of time for which the condition would be effective; and (iv) justification for the imposition of the period of time requested. 49 C.F.R. § 1152.28(a)(2).

The City requests that the Board issue an order prohibiting CERA from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The City states that such a condition is justified because the corridor on which the Lines runs would allow a trail to connect an urban population center to schools, churches, and businesses. The City also requests that the Board issue an order barring removal or destruction of potential trail-related structures such as bridges, trestles, ballast, culverts and tunnels. The City states that such a condition should be imposed because the Lines traverse through a heavily urbanized area that would benefit greatly from a pedestrian trail. The City requests that the conditions be imposed for 180 days from the effective date of the abandonment authorization because it will need that much time to review title information and begin negotiations with the carrier.

The City has satisfied the requirements of 49 C.F.R. § 1152.28(a)(2), and a public use condition will be imposed. CERA will be required to keep intact the right-of-way (including trail-related structures such as bridges, trestles, culverts, and tunnels) and refrain from disposing of the corridor, other than tracks, ties, and signal equipment, for a 180-day period from April 8, 2026, the effective date of the exemption, to October 5, 2026. A public use condition is not imposed for the benefit of any one potential purchaser but rather to provide an opportunity for any interested person to acquire the right-of-way that has been found suitable for public purposes, including trail use. Therefore, with respect to the public use condition, CERA may engage in negotiations with other interested persons.

This decision, and the proposed abandonment if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served and published in the Federal Register on March 9, 2026, exempting the abandonment of the Lines described above is modified to the extent necessary to implement interim trail use/rail banking as set forth below to permit the City to negotiate with CERA, for a period of one year from the service date of this decision and notice, until April 7, 2027. The abandonment is also subject to the following condition:³

³ If the City implements trail use on the Tipton Industrial Segment (or a portion thereof), compliance with this condition is not required with respect to any portion of the segment designated for trail use for the duration of such use.

In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during abandonment-related salvage activities, CERA will immediately cease all work and notify OEA, interested federally recognized tribes, and the SHPO pursuant to 36 C.F.R. § 800.13(b) and Indiana Code §§ 14-21-1-27 and 29. OEA will then consult with the SHPO (or THPO), interested federally recognized tribes, CERA, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.

3. The City's request for issuance of a NITU for the Marion Subdivision Segment is denied.

4. The City's request for issuance of a NITU for the Tipton Industrial Segment (between milepost 54.3 and milepost 55.66) is granted. If an interim trail use/rail banking agreement is reached, it must require the trail sponsor to assume, for the term of the agreement, full responsibility for: (i) managing the right-of-way; (ii) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability); and (iii) the payment of any and all taxes that may be levied or assessed against the right-of-way.

5. Interim trail use/rail banking is subject to possible future reconstruction and reactivation of the right-of-way for rail service and to the trail sponsor's continuing to meet its responsibilities for the right-of-way described in paragraph 4 above.

6. If an interim trail use agreement is reached (and thus, interim trail use is established), the parties shall jointly notify the Board within 10 days that an agreement has been reached. See 49 C.F.R. § 1152.29(d)(2), (h).

7. If interim trail use is implemented, and subsequently the trail sponsor intends to terminate trail use on all or any portion of the right-of-way covered by the interim trail use agreement, it must send the Board a copy of this decision and notice and request that it be vacated on a specified date.

8. If an agreement for interim trail use/rail banking is reached by April 7, 2027, interim trail use may be implemented. If no agreement is reached, CERA may fully abandon the Tipton Industrial Segment, subject to any outstanding conditions.

9. The City's request for a public use condition is granted. Abandonment of the Lines described above is modified to the extent necessary to permit public use negotiations as set forth below for the Lines for a period of 180 days commencing from the effective date of the abandonment exemption, until October 5, 2026.

10. Consistent with the public use condition imposed in this decision, CERA shall keep intact the right-of-way (other than the tracks, ties, and signal equipment), including potential trail-related structures on the Lines, such as bridges, trestles, culverts, and tunnels, for a period of 180 days from the effective date of the abandonment exemption, until October 5, 2026, to enable

any state or local government agency, or other interested person, to negotiate the acquisition of the right-of-way for public use.

11. Pursuant to 49 C.F.R. § 1152.29(e)(2), CERA shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned Lines. If consummation of the Lines has not been effected by CERA's filing of a notice of consummation by March 9, 2027, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire. If a legal or regulatory barrier to consummation exists at the end of the one-year period, the notice of consummation must be filed no later than 60 days after satisfaction, expiration, or removal of the legal or regulatory barrier.

12. This decision and notice is effective on its service date.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.