

SERVICE DATE – MARCH 24, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 1296X

R. J. CORMAN RAILROAD PROPERTY, LLC—ABANDONMENT EXEMPTION—
IN SCOTT, CAMPBELL, AND ANDERSON COUNTIES, TENN.

Decided: March 24, 2026

In February 2020, R. J. Corman Railroad Property, LLC (RJC Railroad Property), filed a verified notice under the two-year out-of-service class exemption at 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon a rail line extending from milepost 0.95 at or near Oneida, Tenn., to the end of the line at milepost 42.0 at or near Devonia, Tenn., a distance of approximately 41.05 miles in Scott, Campbell, and Anderson Counties, Tenn. (the Oneida Line). Notice of the exemption was served and published in the Federal Register on March 9, 2020 (85 Fed. Reg. 13,696).

On April 17, 2020, a notice of interim trail use or abandonment (NITU) was issued permitting Tennessee Citizens for Wilderness Planning, Inc. (TCWP), and Cumberland Trail Conference, Inc., to negotiate with RJC Railroad Property for interim trail use/railbanking of the Oneida Line under the National Trails System Act (Trails Act), 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29. Thereafter, the NITU negotiating period was extended four times, until April 17, 2025. See R. J. Corman R.R. Prop., LLC—Aban. Exemption—in Scott, Campbell, & Anderson Cntys., Tenn. (April 2024 Decision), AB 1296X (STB served Apr. 16, 2024).

When granting the fourth extension in the April 2024 Decision, the Board noted that its rules limit extensions of NITU negotiating periods to three one-year extensions, after which time any further extensions will only be granted based on a showing of “extraordinary circumstances.” See 49 C.F.R. § 1152.29(d)(1)(ii); Limiting Extensions of Trail Use Negotiating Periods, EP 749 (Sub-No. 1) et al., slip op. at 10-11 (STB served Dec. 4, 2019). The Board found that TCWP had demonstrated that extensive litigation involving the Oneida Line and a connecting rail line,¹ and the resulting uncertainty surrounding the eligibility of the Oneida Line

¹ In 2022, after the NITU had been in place for some two and a half years, the Board granted in part a petition to reopen the abandonment proceeding and conditioned the abandonment on abandonment of a connecting, potentially “stranded,” line segment. See R. J. Corman R.R. Prop., LLC—Aban. Exemption—in Scott, Campbell, & Anderson Cntys., Tenn., AB 1296X (STB served Nov. 17, 2022). That abandonment was authorized in March 2024, R.J. Corman R.R. Prop., LLC—Aban. Exemption—in Campbell Cnty., Tenn., AB 1296 (Sub-No. 1X) (STB served Mar. 1, 2024), and consummated on February 14, 2025, RJC R.R. Prop.

for abandonment, had a cooling effect on the negotiations for trail use and that the uncertainty was not of its own making. The Board concluded that, in that instance, the uncertainty constituted extraordinary circumstances. See April 2024 Decision, AB 1296X, slip op. at 2.

On December 26, 2024, TCWP sought a fifth extension of the negotiating period in which it described its activities during the prior year. (TCWP Extension Req. 2-5, Dec. 26, 2024.) In a decision served on February 5, 2025, TCWP's request was found to be premature given that there was still ample time to conduct negotiations before the NITU expired on April 17, 2025. However, the decision stated that TCWP could file a supplement if it anticipated not being able to reach a trail use agreement before that date. See R. J. Corman R.R. Prop., LLC—Aban. Exemption—in Scott, Campbell, & Anderson Cntys., Tenn., AB 1296X, slip op. at 2 (STB served Feb. 5, 2025).

On March 10, 2025, TCWP and the Trust for Public Land (TPL) submitted a joint filing. TCWP and TPL (collectively, Sponsors) requested that the Board substitute TPL as the trail sponsor and again sought an extension of the NITU negotiating period. Sponsors added that TPL and RJC Railroad Property were working to finalize and execute a binding purchase agreement. (Sponsors Extension Req. 4, Mar. 10, 2025.) TPL stated that once the purchase agreement was executed, it would be able to commence the necessary property due diligence. (*Id.*)

The Board reopened the proceeding, issued a replacement NITU with TPL as sponsor, and granted the fifth extension (among other things) in R. J. Corman Railroad Property, LLC—Abandonment Exemption—in Scott, Campbell, & Anderson Counties, Tenn. (April 2025 Decision), AB 1296X (STB served Apr. 11, 2025). In that decision, however, the parties were told that this extension should more than sufficiently compensate for any cooling effect that was caused by the earlier uncertainty in this proceeding, and they should not expect any further extension to be granted. April 2025 Decision, AB 1296X, slip op. at 3.

On March 11, 2026, TPL sought a sixth extension of the NITU negotiating period. It argues that another extension is warranted, pointing to the cooling effect discussed above, as well as the progress it has made with RJC Railroad Property. Specifically, TPL states that it “has reached a trail use agreement with RJ Corman in December 2025. This trail use agreement is part of a binding purchase agreement for the corridor between TPL and RJ Corman. This purchase agreement establishes a clear and enforceable pathway toward acquisition, with a planned closing in January 2027.” (TPL Extension Req. 2, Mar. 11, 2026.) It adds that it “has already commenced due diligence on the corridor, specifically title work and an appraisal. A Phase 1 environmental site assessment, and boundary survey are pending. These remaining steps are substantial but defined, and the requested extension would allow the parties to complete them in accordance with the agreed-upon transaction schedule.” (*Id.*)

RJC Railroad Property submitted a letter stating that it does not object to an extension. It states that TPL “has executed an agreement with RJC Railroad Property outlining its right to purchase the rail corridor and the terms of a trail use agreement, if such right is exercised.” (RJC

Notice of Consummation 2, R.J. Corman R.R. Prop., LLC—Aban. Exemption—in Campbell Cnty., Tenn., AB 1296 (Sub-No. 1X).

R.R. Prop. Letter 1, Mar. 9, 2026.) On March 11, 2026, the National Association of Reversionary Property Owners filed in opposition to a further extension.

The request for a one-year extension of the NITU will be denied. The Board indicated in its April 2025 Decision that the parties should not expect additional extensions. April 2025 Decision, AB 1296X, slip op. at 3. That decision noted the need to allow parties enough time to complete their negotiations and finalize an interim trail use/railbanking agreement must be balanced against the need to conclude the Trails Act process within a reasonable amount of time and that one “extraordinary circumstances” extension had already been granted. Id. The work that TPL has left to do, however, is not beyond its control, nor is it extraordinary for this type of negotiations. As the agency has noted, it is unlikely that issues within negotiators’ control, such as insurance coverage, title review, appraisal issues, or personnel turnover, will constitute extraordinary circumstances. See CSX Transp.—Aban. Exemption—in Logan Cnty., W. Va., AB 55 (Sub-No. 763X), slip op. at 2 (STB served Oct. 7, 2022) (citing Limiting Extensions of Trail Use Negotiating Periods, EP 749 (Sub-No. 1) et al., slip op. at 11).)

Both TPL and RJC Railroad Property here indicate that some sort of agreement has been reached, although they offer competing descriptions. In any event, while the Board does not define what constitutes an interim trail use agreement,² it does require a joint filing to ensure that the parties both believe that such an agreement has been reached. See Nat’l. Trail Sys. Act & R.R. Rts.-of-Way, EP 702, slip op. at 12. Because the parties have not jointly filed the required notice, the agency will not construe the current filings as an indication that a trail use agreement has been reached. See 49 C.F.R. § 1152.29(h). Under 49 C.F.R. § 1152.29(h), TPL and RJC Railroad Property have until April 27, 2026 (10 days after the NITU negotiating period expires) to jointly provide notice that they have reached a trail use agreement.

It is ordered:

1. TPL’s March 11, 2026 request to extend the NITU negotiating period is denied.
2. This decision is effective on its date of service.

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

² See Nat’l. Trail Sys. Act & R.R. Rts.-of-Way, EP 702, slip op. at 12 (STB served Apr. 30, 2012) (choosing not to define whether an agreement refers to an agreement in principle (i.e., an agreement to agree), a definitive contract for sale (subject to customary due diligence or financial conditions), or a formal conveyance of a property interest as the involved parties can themselves determine when an agreement has been reached).