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SERVICE DATE – APRIL 15, 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 15, 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). 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 became effective on April 8, 2026.

On April 7, 2026, the Board issued a decision that, among other things, granted a request by the City of Kokomo, Ind. (City), for a notice of interim trail use or abandonment (NITU) under the National Trails System Act (Trails Act), 16 U.S.C. § 1247(d), for the Tipton Industrial Segment. Cent. R.R. of Indianapolis—Aban. Exemption—in Howard Cnty., Ind. (Apr. 7 Decision), AB 511 (Sub-No. 8X), slip op. at 3, 5 (STB served Apr. 7, 2026). The Board, however, denied the City's request for a NITU for the Marion Subdivision Segment because CERA had not indicated that it was willing to negotiate an interim trail use agreement for that segment. Id. at 3.

On April 9, 2026, CERA filed a letter stating it inadvertently failed to inform the Board that it also is willing to negotiate trail use over the Marion Subdivision Segment. Accordingly, CERA requests that the Board accept its late-filed reply in which it states that it is willing to negotiate interim trail use/railbanking with the City for this segment. (CERA Letter 1-2, April 9, 2026.) CERA notes that in past cases the Board has accepted and considered late-filed statements for trail use as long as the agency retains jurisdiction over the involved right-of-way and that here, CERA has not yet consummated the abandonment of the Marion Subdivision Segment. (Id.)

As noted in the April 7 Decision, the City's request for a NITU over the Marion Subdivision Segment (filed on February 4, 2026) complies with the requirements of 49 C.F.R. § 1152.29. Pursuant to its April 9, 2026 letter, CERA has now notified the Board it is willing to

negotiate for interim trail use/railbanking over that segment. Therefore, a NITU for the Marion Subdivision Segment will be issued.¹ 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 Marion Subdivision 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.

It is ordered:

1. This proceeding is reopened.
2. CERA's late-filed consent to the City's request for a NITU under 16 U.S.C. § 1247(d) for the Marion Subdivision Segment is accepted.
3. 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 15, 2027.
4. The City's request for issuance of a NITU for the Marion Subdivision Segment (from milepost 180.87 to milepost 181.26) 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

¹ The Board routinely grants late-filed requests for the issuance of a NITU if the abandonment has not been consummated and the railroad indicates a willingness to negotiate. See, e.g., BNSF Ry.—Aban. Exemption—in Cook Cnty., Ill., AB 6 (Sub-No. 493X), slip. op. at 1 n.2 (Nov. 23, 2016).

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 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.

9. If an agreement for interim trail use/rail banking is reached by April 15, 2027, for the right-of-way, interim trail use may be implemented. If no agreement is reached, CERA may fully abandon the segment, subject to any outstanding conditions.

10. This decision is effective on its service date.

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