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SERVICE DATE – JANUARY 10, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 55 (Sub-No. 794X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—IN PINELLAS  
COUNTY, FLA.

Decided: January 10, 2025

On August 20, 2019, CSX Transportation, Inc. (CSXT), filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exemption Abandonments to abandon an approximately 0.86-mile segment of rail line located in downtown St. Petersburg, Pinellas County, Fla. (the Line). Notice of the exemption was served and published in the Federal Register on September 9, 2019 (84 Fed. Reg. 47,339), and the exemption became effective on October 9, 2019.

On August 29, 2019, the City of St. Petersburg (City) filed a request for issuance of a public use condition under 49 U.S.C. § 10905 and (as supplemented on September 4, 2019) 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 49 C.F.R. § 1152.29. The Georgetown and High Line Railway Company, LLC (GHL), also requested a NITU on August 29, 2019. Subsequently, CSXT notified the Board that it was willing to negotiate an agreement for interim trail use/railbanking with GHL but not with the City.

In a decision and NITU served January 13, 2020, GHL's request for a NITU was granted and the City's request for a NITU was denied. CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla., AB 55 (Sub-No. 794X) (STB served Jan. 13, 2020). Thereafter, CSXT and GHL jointly notified the Board that they had entered into an interim trail use/railbanking agreement for the Line. However, for reasons detailed in a prior decision in this docket, the Board revoked the NITU issued to GHL and reinstated CSXT's authority to abandon the Line. See CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla., AB 55 (Sub-No. 794X) (STB served Nov. 14, 2023).

On December 14, 2023, the City filed a new request for issuance of a NITU, to which CSXT replied on December 20, 2023, agreeing to negotiate with the City. By decision and NITU served January 12, 2024, the Board granted the City's request for a NITU. CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla., AB 55 (Sub-No. 794X), slip op. at 3-4 (STB served Jan. 12, 2024). The Board's decision permitted the parties to negotiate for a one-year period, until January 12, 2025.

On January 7, 2025, the City filed a request to extend the NITU negotiating period until January 12, 2026. On January 8, 2025, CSXT consented to the requested extension.

Pursuant to 49 C.F.R. § 1152.29(d)(1)(ii), up to three one-year extensions of an initial NITU negotiating period may be granted if the trail sponsor and the railroad agree. Here, the City's request for an extension, to which CSXT consents, is the first such request and therefore will be granted.

It is ordered:

1. The City's request to extend the NITU negotiating period is granted; the negotiating period is extended until January 12, 2026.
2. This decision is effective on its service date.

By the Board, Valerie O. Quinn, Acting Director, Office of Proceedings.