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SERVICE DATE – AUGUST 22, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 55 (Sub-No. 819X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—IN PHILADELPHIA
COUNTY, PA.

Decided: August 22, 2025

CSX Transportation, Inc. (CSXT), filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon an approximately 0.69-mile rail line extending between milepost BCE 1.41 and milepost BCE 2.1, on its Northern Region, Philadelphia Subdivision, Delaware Industrial Track in Philadelphia County, Pa. (the Line). Notice of the exemption was served and published in the Federal Register on July 14, 2025 (90 Fed. Reg. 31,562). The exemption is scheduled to become effective on August 23, 2025.¹

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) served a Draft Environmental Assessment (Draft EA) on July 18, 2025, recommending that one conditions be imposed on any decision granting abandonment authority. OEA explained that CSXT notified the Pennsylvania Coastal Resource Management Program (PCRMP) of the proposed abandonment, but that PCRMP had not provided comments. Accordingly, OEA recommended that any decision granting abandonment authority include a condition requiring CSXT to consult with PCRMP and obtain state coastal management consistency certification, if necessary.

In the Draft EA, OEA also stated that the right-of-way may be suitable for other public use following the abandonment and salvage of the Line.

Comments on the Draft EA were due by August 1, 2025. OEA issued its Final Environmental Assessment (Final EA) on August 8, 2025, stating that two new comments were received but that no additional mitigation is required based on those comments. Accordingly, OEA recommends that the one condition previously recommended in the Draft EA be imposed upon any decision granting abandonment authority. Based on OEA's analysis, the condition recommended in the Final EA will be imposed.

¹ On July 24, 2025, Philadelphia Belt Line Railroad Company, Inc. (PBL), filed a notice of intent to file an offer of financial assistance (OFA) to purchase a segment of the Line. The filing automatically stayed the effective date of the exemption from August 13, 2025, until August 23, 2025, see 49 C.F.R. § 1152.27(c)(2)(i), but PBL did not ultimately file an OFA.

Public Use.

On August 1, 2025, the City of Philadelphia, Pa. (the City), asked the Board to impose a public use condition pursuant to 49 U.S.C. § 10905. Under § 10905, the Board may prohibit 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).

Here, the City requests that CSXT be barred “from removing or destroying any and all bridges, culverts, rail siding, roadbed, or other improvements on the [Line] and from selling or otherwise transferring any interest CSXT holds, if any, in the underlying real estate in the [Line], other than for public use for 180 days from the effective date of the decision authorizing abandonment, unless the properties have first been offered, on reasonable terms, for sale for public purposes.” The City states that the Line “would make an excellent trail, recreational facility, and potential local rail transportation option for residents and visitors to the City.” The City requests 180 days for negotiations and suggests pursuing relief under the National Trails System Act (Trails Act), 16 U.S.C. § 1247(d).²

The City has satisfied the requirements of 49 C.F.R. § 1152.28(a)(2) and a public use condition will be imposed. CSXT 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 August 23, 2025, the effective date of the exemption, until February 19, 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, CSXT may engage in negotiations with other interested persons as well.

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. The notice served and published in the Federal Register on July 14, 2025, exempting the abandonment of the Line described above is modified to the extent necessary to permit the public use negotiations as set forth below, for a period of 180 days commencing from the

² If the City wishes to pursue interim trail use/railbanking of the Line under the Trails Act, it must request issuance of a NITU pursuant to 49 C.F.R. § 1152.29.

effective date of the exemption, until February 19, 2026. The abandonment is also subject to the following condition:³

Pursuant to the Coastal Zone Management Act (16 U.S.C. § 1451 et seq.) and the Board's environmental regulations at 49 C.F.R. § 1105.9, CSXT shall consult with the Pennsylvania Coastal Resource Management Program and obtain state coastal management consistency certification, if necessary. CSXT may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until it reports the results of these consultations in writing to the Board's Office of Environmental Analysis, and the Board has removed this condition.

3. CSXT shall keep intact the right-of-way, including potential trail-related structures such as bridges, trestles, culverts, and tunnels, for a period of 180 days from the effective date of the exemption, until February 19, 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.

4. This decision is effective on its service date.

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

³ If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. 112.29 is reached for the Line (or a portion thereof), compliance with this condition would not be required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.