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Office of Chief Counsel
March 11, 2026
Part of
Public Record

March 11, 2026

Patrick Fuchs, Chairman
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Request to Extend a Notice of Interim Trail Use of R.J. Corman Railroad Property Abandonment of the Oneida Line in Scott, Campbell and Anderson Counties, Tennessee, Docket Nos. AB 1296 (Sub-No. 1X) and AB 1296X.

Dear Chairman Fuchs:

Pursuant to 49 C.F.R. § 1152.29(c)(1), Trust for Public Land requests an additional one-year extension of the negotiating period under the Notice of Interim Trail Use (“NITU”) originally issued on April 17, 2020, in the above-referenced docket. Based on the Board’s decision of April 17, 2025, this extension request may be subject to an expression of extraordinary circumstances as provided under the Board’s regulations at 49 C.F.R. § 1152.29(d)(1)(ii).

By Decision of April 17, 2020, an NITU was issued permitting Tennessee Citizens for Wilderness Planning (TCWP) 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. The Board extended the negotiating period three times, until April 17, 2024. See R. J. Corman R.R. Prop., LLC—Aban. Exemption—in Scott, Campbell, & Anderson Cntys., Tenn. (October 2023 Decision), AB 1296X et al.

TCWP sought a fourth extension of the NITU negotiating period in March of 2024, and the Board granted it finding “extraordinary circumstances” on April 16, 2024, in R. J. Corman Railroad Property, LLC—Abandonment Exemption—in Scott, Campbell, & Anderson Counties, Tenn. AB 1296X (April 2024 decision). As noted in the Board’s April 2024 Decision, earlier uncertainty concerning the Oneida Line had a cooling effect on TCWP’s efforts to negotiate a trail use agreement with RJ Corman. This earlier uncertainty arguably spanned from March 2020 (when another railroad commenced its attempt to purchase the Oneida Line) to approximately December 2023 (when the Board provided notice that RJC Railroad Property filed to abandon the line connected to the system by the Oneida Line).

On December 26, 2024, TCWP sought a fifth extension of the negotiating period in which it described its activities since February of 2024. (TCWP Extension Req. 2-5, Dec. 26, 2024.) It added that another year for negotiations would be reasonable given “the number of moving pieces a multi-jurisdictional Rails to Trails project

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entails.” (Id. at 5.) On December 30, 2024, RJC Railroad Property filed a letter consenting to TCWP’s request to extend the NITU negotiating period. 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 current NITU expires 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. (February 2025 Decision), AB 1296X, slip op. at 2 (STB served Feb. 5, 2025).

On March 10, 2025, TCWP and the Trust for Public Land (TPL, collectively Sponsors) submitted a joint filing. Sponsors supplemented the original December 26, 2024, request and sought an extension of the NITU negotiating period and substitute TPL as the trail sponsor. RJC Railroad Property responded on March 11, 2025, that it does not object to either an extension or a substitution. On April 10, 2025, the STB approved the NITU extension until April 17, 2026, and TPL as the new interim trail sponsor.

Supportive Extraordinary Circumstances for Another NITU Extension

The Board acknowledges that the period from March 2020 to December 2023 entailed uncertainty whether the corridor would be available for railbanking due to litigation and qualified as an Extraordinary Circumstance of activity beyond the control of the proposed trail sponsor. The Board’s acknowledgement allowed for TWCP’s fourth and fifth extension requests to be approved by the Board. However, as pointed out by the Board in its April 2024 decision, due to the uncertainty, TWCP could not further negotiations with RJ Corman from April 17, 2020, to December 2023. This nearly three-year period equated to TCWP’s initial NITU request and the three granted extensions. Effectively, TWCP (with TPL as the substitute interim trail use sponsor upon the Board’s April 2025 Decision) has had only from December 2023 to the present to negotiate a trail use agreement with RJ Corman. Therefore, the actual period of time available to negotiate a trail use agreement has been two years and three months well within the opportunity for an applicant to request extensions without triggering the need to demonstrate Extraordinary Circumstances beyond the control of the interim trail sponsor.

Moreover, TPL is pleased to state that TPL 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. This executed purchase agreement, which includes the trail use agreement, demonstrates concrete progress toward consummation of interim trail use and reflects that negotiations are no longer speculative.

Despite this progress there is insufficient time remaining before the current NITU expiration date of April 17, 2026, to complete the necessary due diligence required to consummate the purchase of the corridor and thereby effectuate the interim trail use agreement. TPL 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.

Lastly, since previous extension requests by the Tennessee Citizens Wilderness Planning organization, in its prior capacity as the initial proposed interim trail use manager, which TPL assumed upon the Board’s April 2025 Decision, included with this request are several supportive resolutions from local governments of the proposed rail-trail project.

In accordance with 49 C.F.R. §1152.29(f), TPL notifies the Board of the following:

1. Copies of the initial NITU decision from April 17, 2020, and the final extension decision dated April 16, 2025, are included as attachments.
2. TPL's previously provided Statement of Willingness to Assume Financial Responsibility and map depicting the subject rail line is included as an attachment.
3. TPL acknowledges that interim trail use remains subject to the right-of-way's potential reconstruction and reactivation for rail service.

Conclusion:

For the reasons described above, the parties respectfully submit that with a trail use agreement established with RJ Corman awaiting completing of due diligence to enable consummation of the purchase of the line by TPL, extraordinary circumstances exist that warrant granting an additional one-year extension of the NITU negotiating period. Granting this request would further the Board's rail-banking and interim trail use objectives while preserving the corridor for potential future rail service.

Accordingly, the undersigned parties respectfully request that the Board extend the NITU negotiating period for an additional one year from the current expiration date.

Respectfully submitted,



Doug Hattaway, AICP
Southeast Region Conservation Director

CC: Parties of Record

Additional Enclosures: Local Government Resolutions of Support

CERTIFICATE OF SERVICE

I, Douglas Hattaway, hereby certify that on March 9, 2026, I served the foregoing with all attachments using the email addresses below on all parties of record in this proceeding.

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SURFACE TRANSPORTATION BOARD

DECISION AND NOTICE OF INTERIM TRAIL USE OR ABANDONMENT

Docket No. AB 1296X

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

Decided: April 17, 2020

R. J. Corman Railroad Property, LLC (RJC Railroad Property), filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments and Discontinuances of Service to abandon a railroad 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 Line).¹ On March 9, 2020, notice of the exemption was served and published in the Federal Register (85 Fed. Reg. 13,696). The exemption was scheduled to become effective on April 8, 2020. However, Arkansas-Oklahoma Railroad Co., a Class III rail carrier, filed a notice of intent to file an offer of financial assistance to purchase the Line, which stayed the effective date of the exemption until April 18, 2020.²

On April 7, 2020, Tennessee Citizens for Wilderness Planning, Inc., and Cumberland Trail Conference, Inc. (collectively, the Sponsors), late-filed a request for the issuance of a notice of interim trail use or abandonment (NITU) to negotiate with RJC Railroad Property for acquisition of the Line for use as a trail under the National Trails System Act (Trails Act), 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29.³ Pursuant to 49 C.F.R. § 1152.29, the Sponsors submitted a statement of willingness to assume financial responsibility for the right-of-way and acknowledged that the 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. In a response filed on April 14, 2020, RJC Railroad Property notified the Board that it agrees to negotiate for interim trail use.

¹ The verified notice also embraced Docket No. AB 875 (Sub-No. 1X), R. J. Corman Railroad Company/Bardstown Line—Discontinuance Exemption—in Scott, Campbell, & Anderson Counties, Tenn., in which R. J. Corman Railroad Company/Bardstown Line sought an exemption to discontinue service over the Line.

² No offer of financial assistance was filed by the April 8, 2020 deadline. See 49 C.F.R. § 1152.27(c)(2)(ii)(B).

³ In Abandonment & Discontinuance of Rail Lines & Transportation Under 49 U.S.C. § 10903, 1 S.T.B. 894 (1996) and 2 S.T.B. 311 (1997), the Board retained the policy of accepting requests after the due date when good cause is shown. Because there is no indication that the Sponsors' late-filed request will prejudice any party, it will be accepted.

Because the Sponsors' request complies with the requirements of 49 C.F.R. § 1152.29 and RJC Railroad Property is willing to negotiate for interim trail use, a NITU will be issued. The parties may negotiate an agreement for the right-of-way during the one-year period prescribed below.⁴ 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, RJC Railroad Property may fully abandon the Line, subject to any outstanding conditions. 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.

In their April 7, 2020 filing, the Sponsors also requested imposition of a public use condition under 49 U.S.C. § 10905 for the right-of-way. The Sponsors ask that RJC Railroad Property be prohibited from disposing of the corridor, other than the tracks, ties, and signal equipment, except for public use on reasonable terms, for a 180-day period from the effective date of the abandonment authorization and request an order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts, and tunnels. The Sponsors state that the corridor has considerable value for recreational trail purposes and is in accordance with local plans. They further state that the 180-day period is needed to assemble and review title information, complete a trail plan, and begin negotiations with RJC Railroad Property.

As an alternative to interim trail use under the Trails Act, the right-of-way may be acquired for public use as a trail under 49 U.S.C. § 10905. See Rail Abans.—Use of Rights-of-Way as Trails, 2 I.C.C.2d 591, 609 (1986). Under § 10905, the 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). Because the Sponsors have satisfied these requirements, a public use condition will be imposed requiring RJC Railroad Property 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 180 days, commencing from April 18, 2020, the effective date of the exemption. If a trail use agreement is reached for a portion of the right-of-way prior to October 15, 2020, RJC Railroad Property must keep the

⁴ Effective February 2, 2020, the Board modified its rules regarding the number and duration of, and standard for granting, extensions of the NITU negotiating period (as well as the duration of the initial NITU negotiating period). See Limiting Extensions of Trail Use Negotiating Periods, EP 749 (Sub-No. 1) et al. (STB served Dec. 4, 2019).

remaining right-of-way intact for the remainder of the 180-day public use condition period to permit public use negotiations.

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, RJC Railroad Property is not required to deal exclusively with the Sponsors but 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. The Sponsors' late-filed requests for a NITU under 16 U.S.C. § 1247(d) and a public use condition under 49 U.S.C. § 10905 are accepted and granted.
3. Upon reconsideration, the notice served and published in the Federal Register on March 9, 2020, exempting the abandonment of the Line described above is modified to the extent necessary to implement interim trail use/rail banking as set forth below to permit the parties to negotiate for trail use for the Line for a period of one year from the service date of this decision and notice, until April 17, 2021, and to permit public use negotiations as set forth below for the Line for a period of 180 days commencing from the effective date of the abandonment exemption, until October 15, 2020.
4. Consistent with the public use and interim trail/rail banking conditions imposed in this decision and notice, RJC Railroad Property 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 October 15, 2020, to enable any state or local government agency, or other interested person, to negotiate the acquisition of the right-of-way for public use. If an interim trail use/rail banking agreement is executed before expiration of the 180-day public use condition period, the public use condition will expire to the extent the trail use/rail banking agreement covers the same portion of the right-of-way.
5. If an interim trail use/rail banking agreement is reached, it must require the Sponsors 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 they 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.

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

7. 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).

8. If interim trail use is implemented, and subsequently the Sponsors intend to terminate trail use on all or any portion of the right-of-way covered by the interim trail use agreement, they 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 17, 2021, for the right-of-way, interim trail use may be implemented. If no agreement is reached, RJC Railroad Property may fully abandon the Line, subject to any outstanding conditions.

10. This decision is effective on its service date.

By the Board, Allison C. Davis, Director, Office of Proceedings.

SERVICE DATE – APRIL 11, 2025

SURFACE TRANSPORTATION BOARD

DECISION AND NOTICE OF INTERIM TRAIL USE OR ABANDONMENT

Docket No. AB 1296X

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

Decided: April 10, 2025

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 three times, until April 17, 2024. See R. J. Corman R.R. Prop., LLC—Aban. Exemption—in Scott, Campbell, & Anderson Cntys., Tenn. (October 2023 Decision), AB 1296X et al. (STB served Oct. 11, 2023). The October 2023 Decision noted that TCWP could seek a further extension subject to a showing of extraordinary circumstances as provided under the Board’s regulations at 49 C.F.R. § 1152.29(d)(1)(ii). October 2023 Decision, AB 1296X et al., slip op. at 7.

TCWP sought a fourth extension of the NITU negotiating period in March of 2024, and the Board granted it in R. J. Corman Railroad Property, LLC—Abandonment Exemption—in Scott, Campbell, & Anderson Counties, Tenn. (April 2024 Decision), AB 1296X (STB served Apr. 16, 2024). The Board noted that when adopting its rules limiting extensions of NITU negotiating periods beyond three one-year extensions to “extraordinary circumstances,” 49 C.F.R. § 1152.29(d)(1)(ii), “[a] showing of ‘extraordinary circumstances’ will depend on the specific facts of each case” and that “[i]t is unlikely that issues within negotiators’ control . . . will constitute extraordinary circumstances.” 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 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 since February of 2024. (TCWP Extension Req. 2-5, Dec. 26, 2024.) It added that another year for negotiations would be reasonable given “the number of moving pieces a multi-jurisdictional Rails to Trails project entails.” (*Id.* at 5.) On December 30, 2024, RJC Railroad Property filed a letter consenting to TCWP’s request to extend the NITU negotiating period. 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 current NITU expires 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. (February 2025 Decision), AB 1296X, slip op. at 2 (STB served Feb. 5, 2025).²

On March 10, 2025, TCWP and the Trust for Public Land (TPL, collectively Sponsors) submitted a joint filing. Sponsors supplement the original December 26, 2024 request and again seek an extension of the NITU negotiating period. They also request that the Board substitute TPL as the trail sponsor. RJC Railroad Property responded on March 11, 2025, that it does not object to either an extension or a substitution.

NITU Extension Request.

Sponsors explain that since the December 2024 filing, TCWP’s primary focus has been on securing support from the City of Oneida and Scott County, within whose jurisdictions most of the Oneida Line lies. (Sponsors Extension Req. 2, Mar. 10, 2025.) Sponsors also state that the mayor of the City of Oneida has advised that an additional year would significantly improve the chances of gaining official support. (*Id.* at 3.) TCWP adds that a larger organization with more resources and experience in rail-trail projects would be better suited to pursue certain aspects of the project. (*Id.*) As such, Sponsors explain that TPL joined the endeavor and will take the lead on negotiating the purchase of the Oneida Line while TCWP continues working

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

² On February 27, 2025, RJC Railroad Property filed a request to extend the deadline for consummating the abandonment of the Oneida Line.

with all three counties to build public and official support for the project. (*Id.*) Sponsors note that TPL and RJC Railroad Property are working to finalize and execute a binding purchase agreement. (*Id.* at 4.) Once the purchase agreement is executed, TPL states that it will be able to commence the necessary property due diligence. (*Id.*)

The NITU negotiating period will be extended one more time. As noted in the April 2024 Decision, earlier uncertainty concerning the Oneida Line had a cooling effect on TCWP's efforts. April 2024 Decision, AB 1296X, slip op. at 2. This earlier uncertainty arguably spanned from March 2020 (when another railroad commenced its attempt to purchase the Oneida Line) to approximately December 2023 (when the Board provided notice that RJC Railroad Property filed to abandon the line connected to the system by the Oneida Line). However, 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. See Limiting Extensions of Trail Use Negotiating Periods, EP 749 (Sub-No. 1) et al., slip op. at 7. Here, one "extraordinary circumstances" extension has already been granted. In light of the unusual procedural history that may have contributed to delays in the trail use negotiations, the requested extension, to April 17, 2026, will be granted. The parties should take note, however, 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.

NITU Substitution Request.

Sponsors request that the Board issue a replacement NITU designating TPL as the new trail sponsor. (Sponsors Extension Req. 4, Mar. 10, 2025.) The request includes a copy of the extant NITU and a statement of TPL's willingness to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against, the right-of-way, as required by 49 C.F.R. § 1152.29. TPL acknowledges that the 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.

The request complies with the requirements of 49 C.F.R. § 1152.29(f), and RJC Railroad Property consents to the substitution. Accordingly, the proceeding will be reopened and a replacement NITU will be issued.³ For the reasons noted above, the replacement NITU issued to TPL will not be subject to further extension requests. See CSX Transp., Inc.—Aban. Exemption—in Alachua Cnty., Fla., AB 55 (Sub-No. 718X), slip op. at 3 (STB served Apr. 16, 2020) (the Board will consider the negotiating periods cumulatively for purposes of determining both whether the "extraordinary circumstances" standard applies and the availability of the one-year transitional extension).

³ Sponsors also filed their substitution request in Docket No. AB 1296 (Sub-No. 1X), the proceeding concerning the connecting line which appears to be in error as there was no NITU ever issued in that docket. Furthermore, RJC Railroad Property filed a notice of consummation of that abandonment on February 14, 2025, and therefore a NITU can no longer be issued for that line. See N. Coast R.R. Auth.—Aban. Exemption—in Mendocino, Trinity, & Humboldt Cntys., Cal., AB 1305X, slip op. at 5 (STB served May 17, 2022).

Motion to Extend Consummation Date.

RJC Railroad Property asks the Board to extend the deadline by which the railroad may consummate the abandonment of the Oneida Line to March 1, 2026. (RJC R.R. Prop. Mot. 1, Feb. 27, 2025.) RJC Railroad Property explains that after receiving abandonment authority, it instructed its third-party contractor to initiate salvage operations on the Oneida Line but that it does not anticipate the contractor being able to finish salvage by mid-June, 60 days after the current NITU negotiating period expires. (Id.)

Because the trail use negotiating period will be extended to April 17, 2026, and that extension is a barrier to consummation, the request to extend the consummation deadline to March 1, 2026, is unnecessary and will be denied as moot.

It is ordered:

1. Sponsors' requests to extend the NITU negotiating period and for substitution are granted, as discussed above.
2. RJC Railroad Property's motion to extend the consummation date is denied as moot.
3. This proceeding is reopened.
4. The NITU served on April 17, 2020, for the Oneida Line is vacated.
5. A replacement NITU is issued to TPL as the new interim trail sponsor for the Oneida Line's right-of-way effective on the service date of this decision and notice, until April 17, 2026.
6. 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.
7. 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 6 above.
8. If an interim trail use/rail banking agreement is reached (and thus, interim trail use/rail banking 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).
9. If interim trail use/rail banking 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/rail banking agreement, it must send the Board a copy of this decision and notice and request that it be vacated on a specified date.

10. If an agreement for interim trail use/rail banking is reached by April 17, 2026, interim trail use/rail banking may be implemented. If no agreement is reached, RJC Railroad Property may fully abandon the Oneida Line, subject to any outstanding conditions.

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

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

RESOLUTION NO. 852

A RESOLUTION IN SUPPORT OF THE HIGHLANDER TRAIL RAILS TO TRAILS PROJECT

WHEREAS, the Tennessee Citizens for Wilderness Planning, Inc. (TCWP), is a non-profit corporation located in Oak Ridge whose mission is to preserve wild places and waters through protection, advocacy, stewardship and education; and

WHEREAS, the TCWP has requested formal City support for a proposed rails-to-trails project, known as the Highlander Trail, on a 41-mile rail line that runs from Devonia to Oneida that has been abandoned by RJ Corman Railroad Company; and

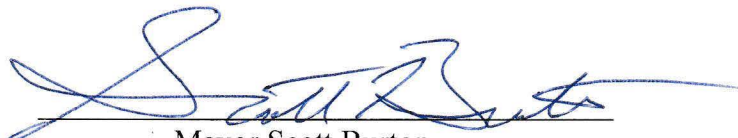
WHEREAS, the proposed Rails to Trails project would convert this 41-mile rail line into a biking and hiking trail extending through Anderson, Campbell, and Scott Counties, connecting communities and providing new opportunities for recreation, health, tourism and quality of life; and

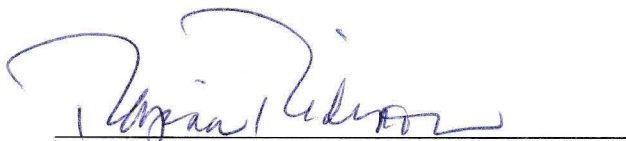
WHEREAS, the City of Clinton acknowledges that trails such as these preserve scenic corridors, encourages healthy lifestyles, and strengthens local and regional economies by attracting visitors and supporting small businesses; and

WHEREAS, the City of Clinton wishes to show its support for this project as an investment in the region's future;

NOW, THEREFORE BE IT RESOLVED, that the City of Clinton, Tennessee hereby supports the Highlander Trail project and encourages its development as a means to promote recreation, health, tourism and quality of life in Anderson County as well as Campbell and Scott Counties.

Adopted this 22nd day of September, 2025.



Mayor Scott Burton

Regina Ridenour, City Recorder



RESOLUTION NO. #27-2025

**A RESOLUTION OF THE CITY OF NORRIS, TENNESSEE, IN SUPPORT OF THE HIGHLANDER TRAIL
RAILS TO TRAILS PROJECT**

WHEREAS, the City of Norris recognizes the importance of outdoor recreation, safe transportation alternatives, and economic development opportunities for its citizens; and

WHEREAS, the City of Norris recognizes that R.J. Corman has abandoned the 41-mile rail line that ran from Oneida to Devonia; and

WHEREAS, the proposed Rails to Trails project would convert this 41-mile rail line into a biking and hiking trail extending through Anderson, Campbell, and Scott Counties, connecting communities and providing new opportunities for recreation, health, tourism, and quality of life; and

WHEREAS, the City of Norris acknowledges that rails such as these preserve scenic corridors, encourages healthy lifestyles, and strengthens local and regional economies by attracting visitors and supporting small businesses; and

WHEREAS, the Highlander Trail Rails to Trails project represents a significant partnership between counties, cities, nonprofit organizations, and community members working together for the common good; and

WHEREAS, the City of Norris wishes to show its support for this project as an investment in the region's future;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORRIS AS
FOLLOWS:**

Section 1: The City of Norris hereby supports the Highlander Trail Rails to Trails project and encourages its development as a means to promote recreation, community health, conservation, and economic vitality.

Section 2: The City of Norris further encourages local, state, and federal agencies, as well as nonprofit and private partners, to collaborate in advancing this project to completion.

Section 3: Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Norris at a regular meeting thereof held on September 8, 2025:

ATTEST:


City Recorder


Mayor

RESOLUTION #2025- 23

A RESOLUTION IN SUPPORT OF THE RAILS TO TRAILS PROJECT

WHEREAS, the town of Oneida recognizes that RC Corman has filed to abandon the 41-mile rail line that ran from Oneida to Devonia, and

WHEREAS, the Trust for Public Lands is a nonprofit organization working with RJ Corman to acquire the abandoned railbed and who is working closely with the Town of Oneida, as an adjacent property owner on this line, and

WHEREAS, the Town of Oneida recognizes the importance of outdoor recreation for its citizens, making every effort to make recreational opportunities accessible and available to all residents; and

WHEREAS, a proposed Rails to Trails project could convert this 41-mile rail line into a public trail extending through Anderson, Campbell and Scott Counties, connecting communities and providing new opportunities for recreation, health, tourism, and quality of life; and

WHEREAS, the Town of Oneida acknowledges that trails such as these preserve scenic corridors, encourage healthy lifestyles, and strengthen local and regional economies by attracting visitors and supporting small businesses; and

WHEREAS, the Highlander Trail project represents a significant partnership between counties, cities, nonprofit organizations, and community members working together for the common good; and

WHEREAS, the Town of Oneida wishes to show its strong support for this project as an investment in the region's future;

NOW, THEREFORE, BE IT RESOLVED by the Town of Oneida, Tennessee, that:

Section 1. The town of Oneida hereby strongly supports the Highlander Trail project and encourages its development as a means to promote recreation, community health, conservation, and economic vitality.

Section 2. The Town of Oneida further encourages local, state, and federal agencies, as well as nonprofit and private partners, to collaborate in advancing this project to completion.

THIS RESOLUTION, 2025-23, IS HEREBY ADOPTED

THIS 18 DAY OF September, 2025.

Signed by:

Signed: _____
Lori Phillips-Jones, Mayor

Signed by:

Attested: _____
J. Brent Ellis, Recorder/Treasurer

RESOLUTION

A RESOLUTION IN SUPPORT OF THE HIGHLANDER RAILS TO TRAILS PROJECT PROPOSED TO BE LOCATED ON AN ABANDONED RAIL LINE THAT RAN FROM ONEIDA, TENNESSEE, LOCATED IN SCOTT COUNTY THROUGH CAMPBELL COUNTY TO DEVONIA, TENNESSEE, LOCATED IN ANDERSON COUNTY.

WHEREAS, the Tennessee Citizens for Wilderness Planning, Inc. (TCWP), is a non-profit corporation located in Oak Ridge whose mission is to preserve wild places and waters through protection, advocacy, stewardship, and education; and

WHEREAS, the TCWP has requested formal City support for a proposed rails-to-trails project, known as the Highlander Trail, on a 41-mile rail line that runs from Devonia (Anderson County) to Oneida (Scott County) that has been abandoned by RJ Corman Railroad Company; and

WHEREAS, the proposed Highlander Trail would connect communities and provide new opportunities for recreation, health, tourism, and quality of life; and

WHEREAS, the City of Oak Ridge acknowledges that trails such as these preserve scenic corridors, encourage healthy lifestyles, and strengthen local and regional economies by attracting visitors and supporting small businesses; and

WHEREAS, the Highlander Trail project represents a significant partnership between counties, non-profit organizations, and community members working together for the common good; and

WHEREAS, the City of Oak Ridge wishes to show its support for this project as an investment in the region's future.

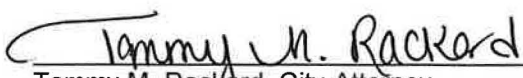
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

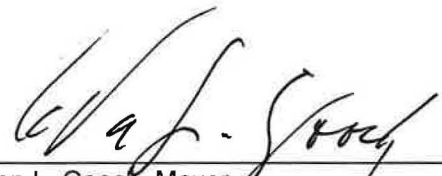
That the City of Oak Ridge hereby supports the Highlander Trail project and encourages its development as a means to promote recreation, health, tourism, and quality of life for Anderson County as well as Campbell and Scott Counties.

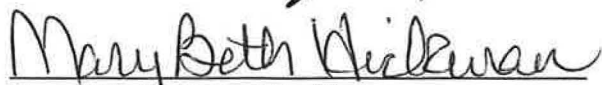
BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 8th day of September 2025.

APPROVED AS TO FORM AND LEGALITY:


Tammy M. Rackard, City Attorney


Warren L. Gooch, Mayor


Mary Beth Hickman, City Clerk

RESOLUTION No. 403-25

**A RESOLUTION OF THE CITY OF WARTBURG, TENNESSEE, IN SUPPORT OF THE
HIGHLANDER TRAIL RAILS TO TRAILS PROJECT**

WHEREAS, the City of Wartburg recognizes the importance of outdoor recreation, safe transportation alternatives, and economic development opportunities for its citizens; and

WHEREAS, the City of Wartburg recognizes that R.J. Corman has abandoned the 41-mile rail line that ran from Oneida to Devonia; and

WHEREAS, the proposed Rails to Trails project would convert this 41-mile rail line into a biking and hiking trail extending through Anderson, Campbell, and Scott counties, connecting communities and providing new opportunities for recreation, health, tourism, and quality of life with the hopes that it one day connects into the Cumberland trail that travels into downtown Wartburg; and

WHEREAS, the City of Wartburg acknowledges that rails such as these preserve scenic corridors, encourage healthy lifestyles, and strengthen local and regional economies by attracting visitors and supporting small businesses; and

WHEREAS, the Highlander Trail Rails to Trails project represents a significant partnership between counties, cities, nonprofit organizations, and community members working together for the common good; and

WHEREAS, the City of Wartburg wishes to show its support for this project as an investment in the region's future;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
WARTBURG AS FOLLOWS:**

Section 1: The City of Wartburg hereby supports the Highlander Trail Rails to Trails project and encourages its development as a means to promote recreation, community health, conservation, and economic vitality.

Section 2: The City of Wartburg further encourages local, state, and federal agencies, as well as nonprofit and private partners, to collaborate in advancing this project to completion.

Section 3: Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPORVED, AND ADOPTED by the City council of the City of Wartburg at a regular meeting thereof held on **MONDAY, OCTOBER 13, 2025:**

ATTEST:



City Recorder



Mayor