SERVICE DATE – AUGUST 18, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 497 (Sub-No. 8X)

MINNESOTA NORTHERN RAILROAD, INC.—ABANDONMENT EXEMPTION—IN NORMAN AND POLK COUNTIES, MINN.

Decided: August 18, 2026

Minnesota Northern Railroad, Inc. (MNN) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon approximately 11.14 miles of rail extending from milepost 40.20 at approximately the north end of the Marsh River Bridge south of Shelly to milepost 51.34 at approximately the north side of Golf Course Lane, north of Climax, in Norman and Polk Counties, Minn. (the Line). Notice of the exemption was served and published in the Federal Register on July 20, 2026 (91 Fed. Reg. 45,313). The exemption is scheduled to become effective on August 19, 2026.

The Board's Office of Environmental Analysis (OEA) served a Draft Environmental Assessment (Draft EA) on July 24, 2026, for public review and comment. In the Draft EA, OEA concluded, based on the information provided to date, that the proposed action would not significantly impact the quality of the human environment. The Draft EA also determined that no historic properties would be affected as a result of the proposed abandonment. Comments on the Draft EA were due by August 7, 2026.

On August 14, 2026, OEA issued its Final Environmental Assessment (Final EA) indicating that one comment was received. By letter dated August 7, 2026, the Minnesota Department of Natural Resources (MNDNR) provided information on ecologically significant remnant prairie areas along the right-of-way and recommendations to limit disturbance of lands during any construction or salvage activities. In addition, MNDNR requested that the bridges be removed as part of any salvage activities related to abandonment of the Line unless the bridges would be part of interim trail use. MNDNR notes that bridge removal may require a permit from MNDNR. To address MNDNR's concerns, OEA recommends a condition requiring MNN to consult with MNDNR prior to the commencement of any abandonment-related salvage. Based on OEA's analysis and recommendation, the condition recommended in the Final EA will be imposed.

Additionally, on August 14, 2026, the Norman County Highway Department (Norman County) filed a request for issuance of a public use condition and a request for a notice of interim trail use (NITU). As noted in the notice served and published in the Federal Register on July 20, 2026, any requests for public use conditions under 49 C.F.R. § 1152.28 were due by August 10,

2026. See 49 C.F.R. § 1152.28(a)(3). Accordingly, the late-filed request for a public use condition will be denied.[1]

As noted above, Norman County's August 14 filing also included a request for a NITU to negotiate with MNN to establish interim trail use and rail banking for the Line, under the National Trails System Act, 16 U.S.C. § 1247(d). On the same date, MNN filed a letter indicating that it is "amenable to negotiating an interim trails use agreement with Norman County, and accordingly, consents to issuance of the requested NITU." Although Norman County's NITU request was filed late, pursuant to the Board's regulations at 49 C.F.R. § 1152.29(e)(1), the "Board routinely grants late-filed requests for the issuance of a notice of interim trail use if the abandonment has not been consummated and the railroad indicates a willingness to negotiate." Ala. & Fla. Ry.—Aban. Exemption—in Geneva, Coffee, & Covington Cntys., Ala., AB 1073 (Sub-No. 1X), slip op. at 2 n.2 (STB served Mar. 24, 2022). Norman County's request for a NITU complies with the requirements of 49 C.F.R. § 1152.29, and MNN has notified the Board that it is willing to negotiate with Norman County toward an agreement for interim trail use. Therefore, a NITU will be issued for the Line. The parties may negotiate an agreement during the one-year period prescribed below. 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. 49 C.F.R. § 1152.29(d)(2) & (h). If no agreement is reached within one year, MNN may fully abandon the Line, 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.

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 20, 2026, exempting the abandonment of the Line described above is subject to the condition that prior to the commencement of any abandonment-related salvage activities, MNN shall consult with MNDNR regarding its concerns about the bridges and potential impacts to ecologically significant remnant prairie areas along the right-of-way.[2]

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[1] Although Norman County's request was dated August 6, 2026, it was not filed until August 14, 2026. Additionally, as discussed below, although the request for a public use condition will be denied, Norman County's request for a NITU—which appears to support the same or similar goal Norman County sought with the public use condition—will be granted.

[2] If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 is reached for the Line (or a portion thereof), compliance with the condition in ordering

3. The notice served and published in the Federal Register on July 20, 2026, is further modified to the extent necessary to implement interim trail use/rail banking as set forth below to permit Norman County to negotiate with MNN for trail use for the Line for a period of one year from the service date of this decision and notice, until August 18, 2027.

4. 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) and (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 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 an agreement for interim trail use/rail banking is reached for the Line by August 18, 2027, interim trail use may be implemented. If no agreement is reached, MNN may fully abandon the Line, subject to any outstanding conditions.

9. This decision is effective on its service date.

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

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paragraph 2 is not required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.