

SERVICE DATE – OCTOBER 23, 2026

SURFACE TRANSPORTATION BOARD

DECISION AND NOTICE OF INTERIM TRAIL USE OR ABANDONMENT

Docket No. AB 603 (Sub-No. 5X)

V AND S RAILWAY, LLC
—ABANDONMENT EXEMPTION—
IN FRANKLIN COUNTY, MO.

Decided: October 23, 2026

V and S Railway, LLC (V&S), filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon an approximately 9.71-mile segment of rail line in Franklin County, Mo., between approximately milepost 61.89 at Union and milepost 71.6 at Beaufort (the Line). Notice of the exemption was served and published in the Federal Register on October 24, 2022 (87 Fed. Reg. 64,303). The exemption became effective on November 23, 2022.

By a decision and notice of interim trail use or abandonment (NITU) served on November 18, 2022, this proceeding was reopened and a one-year period was authorized for the Missouri Department of Natural Resources (MDNR) to negotiate an interim trail use/rail banking agreement with V&S, pursuant to the National Trails System Act (Trails Act), 16 U.S.C. § 1247(d). By decisions served on November 1, 2023, October 11, 2024, and November 18, 2025, the negotiating period was extended until November 18, 2026.

On October 16, 2026, the American Trails Association, Inc. (American Trails), filed a letter indicating that, with MDNR's consent, American Trails intends to replace MDNR as the trail sponsor for the Line. Pursuant to § 1152.29, American Trails submitted with that letter a statement of its willingness to assume financial responsibility for the right-of-way, and has 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. American Trails seeks expedited consideration of the NITU substitution request because the interim trail use negotiation period will end on November 18, 2026.

In a letter filed on October 20, 2026, V&S states that it is willing to negotiate an interim trail use agreement with American Trails. Because the request complies with the requirements of 49 C.F.R. § 1152.29(f) and the record indicates V&S's consent to the substitution of the trail sponsor, a NITU applicable to American Trails will be issued. The parties may negotiate an agreement for the right-of-way until November 18, 2026. 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) and (h). If no agreement is reached by November 18, 2026, V&S may fully abandon the Line, subject to any

outstanding conditions.¹ 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.

Accordingly, this proceeding will be reopened, the NITU issued to MDNR will be vacated, and a replacement NITU will be issued to American Trails.

It is ordered:

1. This proceeding is reopened.
2. The NITU served on November 18, 2022 is vacated.
3. A replacement NITU applicable to American Trails as interim trail sponsor for the Line is issued, effective on the service date of this decision and notice, to permit American Trails to negotiate with V&S for trail use of the Line, until November 18, 2026.
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 trail 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 by November 18, 2026, for the right-of-way, interim trail use may be implemented. If no agreement is reached, V&S may fully abandon the Line, subject to any outstanding conditions.
9. This decision and notice is effective on its service date.

¹ The decision served on November 18, 2022 imposed certain conditions on V&S's abandonment pursuant to recommendations by the Board's Office of Environmental Analysis. The substitution of the trail sponsor does not remove or modify or these conditions.

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