



SURFACE TRANSPORTATION BOARD

FOR RELEASE

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CHAIRMAN FUCHS PROVIDES UPDATES ON OUTSTANDING PROCEEDINGS

Continuing the agency's efforts to promote transparency and accountability, Surface Transportation Board Chairman Patrick Fuchs provided updates today on recent actions to facilitate and expedite the resolution of several outstanding Board proceedings.

- Great Redwood Trail Agency—Adverse Abandonment—in Mendocino County, Cal. (AB 1305 (Sub-No. 1)). In April 2024, the Great Redwood Trail Agency filed an application under 49 U.S.C. § 10903 requesting that the Board authorize the third-party, or “adverse,” abandonment of an approximately 40-mile stub-ended rail line owned by Mendocino Railway between Fort Bragg and Willits, California. Chairman Fuchs has offered a draft action for consideration by the full Board and expects the Board to issue a decision in February 2026.
- Consolidated Rail Corp.—Abandonment Exemption—in Hudson County, N.J. (AB 167 (Sub-No. 1189X)). This long-standing proceeding involves a request from Consolidated Rail Corporation (Conrail) for authority to abandon an approximately 1.36-mile portion of a line of railroad, known as the Harsimus Branch, located in the City of Jersey City, New Jersey. In May 2025, the Board, through the Acting Director of the Office of Proceedings, rejected the City of Jersey City’s Offer of Financial Assistance to purchase certain of Conrail’s interests in the Harsimus Branch, which has been appealed to the full Board. Chairman Fuchs has offered a draft action for consideration by the full Board and expects the Board to issue a decision in February 2026.
- The Great Walton Railroad Company—Petition for Declaratory Order (AB 1242 (Sub-No. 1)). This long-standing proceeding involves a request for the Board to issue a declaratory order clarifying that a portion of the Great Walton Railroad Company’s runaround track in Hart County, Georgia, is a rail line subject to the agency’s exclusive jurisdiction. Chairman Fuchs intends to offer a draft action for consideration by the full Board and expects the Board to issue a decision in February 2026.
- Improving STB Environmental Regulations. Consistent with Executive Order 14154, *Unleashing American Energy*, issued January 20, 2025, and related guidance from the Council on Environmental Quality issued in September 2025, Chairman Fuchs has

offered a draft action for consideration by the full Board and expects the Board to issue a decision in February 2026.

- Atchison, Topeka & Santa Fe Railway—Operating Rights—Southern Pacific Transportation Co. (FD 22218). In May 2023, the Board granted a petition by Union Pacific, as successor to Southern Pacific, to reopen this proceeding to revise conditions governing trackage rights of BNSF, as successor to the Atchison, Topeka & Santa Fe Railway, over a 67.8-mile UP-owned rail line between Kern Junction and Mojave, California, known as the Tehachapis Line. In February 2025, following a discovery dispute, the Board restarted the procedural schedule. Chairman Fuchs intends to offer a draft action for consideration by the full Board in February 2026.
- National Association of Reversionary Property Owners—Petition for Rulemaking (EP 778). On August 11, 2025, the National Association of Reversionary Property Owners filed a petition for rulemaking requesting that the Board institute a proceeding to revise to the agency's regulations implementing the National Trails System Act, 16 U.S.C. § 1247(d). Chairman Fuchs intends to offer a draft action for consideration by the full Board in February 2026.
- CPKC Oversight Canadian Pacific Railway—Control—Kansas City Southern (General Oversight) (FD 36500 (Sub-No. 6)). In March 2023, the Board approved the acquisition of control by Canadian Pacific of Kansas City Southern, resulting in Canadian Pacific Kansas City (CPKC). The Board's approval is subject to a seven-year oversight period, during which the Board is closely monitoring CPKC's compliance with, and the effectiveness of, the conditions imposed by the Board. In September 2025, Norfolk Southern and Union Pacific filed separate letters with the Board raising concerns related to service commitments made by CPKC in the merger proceeding regarding the Meridian Speedway, a rail line between Meridian, Mississippi, and Shreveport, Louisiana. Chairman Fuchs intends to offer a draft action for consideration by the full Board in February 2026.
- Ohio Rail Development Commission—Petition for Declaratory Order (FD 36822). In December 2024, the Ohio Rail Development Commission (ORDC) filed a petition for declaratory order asking the Board to find that (1) a rail line owned by ORDC, which extends 43.2 miles from North Warren to Ashtabula, Ohio (the Line), remains subject to the Board's jurisdiction; (2) certain state law adverse possession claims asserted by an individual with respect to the Line are preempted; and (3) the Line was railbanked pursuant to federal law prior to the issuance of the railbanking regulations. In March 2025, the Board instituted a proceeding and set a procedural schedule. Chairman Fuchs intends to offer a draft action for consideration by the full Board in March 2026.
- Richmond Waterfront Industrial Park, LLC—Petition for Declaratory Order (FD 36710). On July 28, 2023, Richmond Waterfront Industrial Park, LLC (RWIP), filed a petition for a declaratory order requesting that the Board declare that a purported railroad easement owned by the Philadelphia Belt Line Railroad and traversing RWIP's property is not, and has never been, subject to the Board's jurisdiction. In May 2024, the Board instituted a

proceeding and set a procedural schedule, which was extended several times at the parties' request. Chairman Fuchs intends to offer a draft action for consideration by the full Board in March 2026.

- Norfolk Southern Corporation—Acquisition of Control—Norfolk & Portsmouth Belt Line Railroad Company (FD 36836). In February 2025, Norfolk Southern (NS) sought Board approval to acquire control of Norfolk & Portsmouth Belt Line Railroad Company, a Class III rail carrier operating in Norfolk, Portsmouth, and Chesapeake, Virginia, that NS has effectively controlled for 42 years. In March 2025, the Board found the transaction to be "significant" under the Board's regulations. NS filed a supplement in June 2025, and in July 2025 the Board found that the application was complete and adopted a procedural schedule. Chairman Fuchs expects the Board to issue a decision in April 2026.
- Joint Petition for Exemption of Arbitration Rule from Application of 49 U.S.C. § 10706 and Motion to Dismiss (EP 334 (Sub-No. 8A)). In March 2024, the Railway Supply Institute (RSI) filed a petition requesting that the Board reopen this proceeding, review Rule 25 of the Code of Car Hire (the Rule), and either condition or terminate the agency's approval of the Rule. The Rule, which established the process for setting car-hire rates, was approved in 1992. In April 2025, the Board held the matter in abeyance to permit private review of the Rule, and that review has concluded. Chairman Fuchs intends to offer a draft action for consideration by the full Board in April 2026.
- Policy Statement on Preemption. In September 2025, the Board received a letter from a coalition of six railroad and shipper organizations requesting that the Board issue guidance on the scope and application of federal preemption under the ICC Termination Act of 1995. Board members issued a joint response letter that month, noting the coalition's consensus of views and stating that the Board was considering issuing a policy statement on preemption. Chairman Fuchs intends to offer a draft action for consideration by the full Board in May 2026.
- BNSF Railway Company—Terminal Trackage Rights—Kansas City Southern Railway Company (FD 32760 (Sub-No. 46)). In this long-standing proceeding, the Board in July 2016 granted BNSF terminal trackage rights over the Rosebluff Lead, a single track approximately nine miles in length jointly owned by Kansas City Southern and Union Pacific in the Lake Charles area of Louisiana. In 2020, pursuant to a request by BNSF, the Board established conditions of use for BNSF to directly serve a LyondellBasell facility and set forth a procedure for setting compensation. The Board received extensive briefing and analysis, held a technical conference, and required the submission of supplemental analysis and data. Chairman Fuchs intends to offer a draft action for consideration by the full Board in May 2026.