

Little Toot

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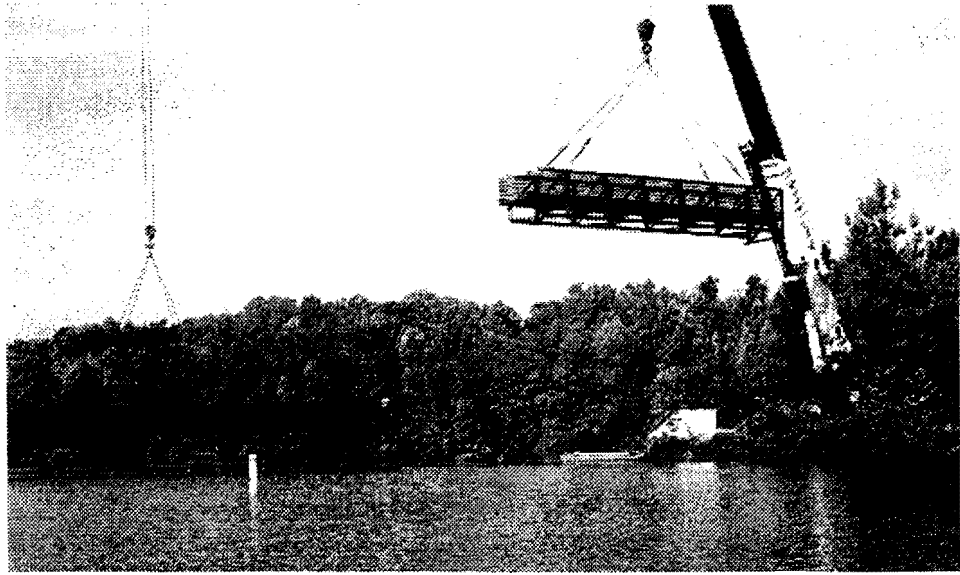
Council gives okay on plans to mend ATT Durham Gap

While most people view railroads as flat grades, the path from rail to trail usually presents steep ups and downs. That was demonstrated again on the American Tobacco Trail project when just weeks after fighting back an attempted Blue Devil Ventures raid on trail and greenway funding, proponents gained unanimous Durham City Council approval for a solution to the problematic "Durham Gap" segment of the ATT. At press time, advocates were seeking the same go-ahead nod from the Durham County Commission.

Support for the preferred solution near the I-40 crossing was presented by a united front of the Durham Open Spaces and Trails Commission, Triangle Rails-to-Trails Conservancy, and the joint Durham City-County Planning agency. The presenters received public back-up support from Durham advocates and other Triangle citizens. The ATT is the spine of regional greenway and trail planning. Durham itself has plans for several major greenway trails that will connect to the ATT.

The ATT solution was one of several Durham Trails and Greenways Master Plan amendments put before the council. The preferred "Gap" solution requires acquiring new right-of-way around commercial developments near Fayetteville Road and NC 54, then back to the railbed before crossing I-40 via a proposed pedestrian bridge. The second option is to detour the ATT west to the planned Third Fork Greenway, then south

Durham Gap . . . continued on page 2



The greenways connection

The setting of a Lake Brandt replacement bridge has reconnected major pieces of the extensive Greensboro and Guilford County greenway trail system. The \$137,500 structure, which was donated by the Weaver Foundation, replaces a greenway railroad bridge that was destroyed by arsonists three years ago.

While short on "rail", the lake link is long on regional "trails." The new bridge reconnects greenway trails north and south of Lake Brandt in northern Greensboro. Paving of the Lake Brandt extension is progressing as funds become available. Dedication of the Lake Brandt connection will be at 10:00 a.m. Saturday, Oct. 18.

The new 140-ft. clear span bridge was made possible when the Piedmont Land Conservancy applied a Weaver Foundation grant to the vital Lake Brandt link. Coordination with Starmont Corporation's Woodberry residential development creates a new easement south of the lake to re-establish a rail corridor link to downtown Greensboro

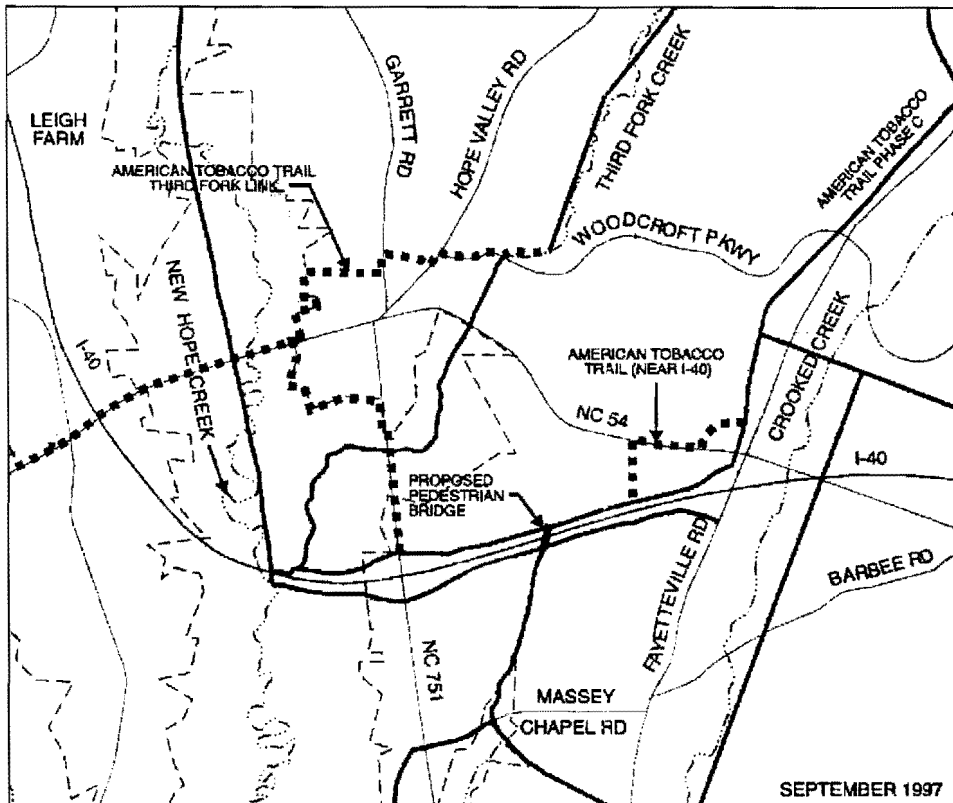
and potential extension of the High Point-to-Greensboro Bicentennial Trail.

Sears department stores recently closed a distribution warehouse in downtown Greensboro, thus increasing potential to use more of the rail corridor. A little over one mile of the rail corridor is now paved south of Guilford Courthouse National Military Park.

NCRT 1997 Annual Meeting
10:30 a.m. Saturday, Oct. 11
Dillard Barb-B-Que
3912 Fayetteville Street
Durham, NC

A brief business meeting will be followed by a round table review of rail-trail projects throughout North Carolina.

A tour of the Durham sections of the American Tobacco Trail will begin after lunch. The public is invited to attend both the meeting and tour.



Durham Gap . . . continued from page 1

Council clears way for ATT development

and back east to the I-40 crossing. Both options have complex property and cost issues that will require further study.

However, strong council approval was a boost to getting not only the ATT, but other long-planned Durham greenway projects underway. The rail-trail's importance to the city and to Triangle commuting and recreation options was recognized by the council.

In other developments, the TRTC has mustered volunteers to brush, mow and sign three miles of the ATT corridor on either side of I-40. The stretch from Rocky Creek south to NC 54 has been improved for public display. Work crews now are clearing the corridor south from Massey Chapel Road.

And a section of paving to accommodate the ATT has been poured at a new Eckerd Drug development in the "Gap" area. The new shopping facility incorporated the trail in its development plan.

During the summer, Durham, Chatham and Wake counties petitioned NC DOT and BOT to give high priority to completing acquisition of the remaining South

Durham-to-Wake County section of the ATT corridor, most of which is in Chatham County.

Heartland supporters form new rail-trail committee

The Carolina Heartlands Rail-Trail Committee has been formed to acquire recreational easements and to develop the first five-mile section of the former Southern Railroad Anson Branch. The committee is concentrating on the section from McFarlan, on the South Carolina state line, north to Morven, according to Myla Warfel, CHRTC president.

The advocate group is drawing supporters from Anson and surrounding counties. For more information call the Anson Chamber of Commerce at 704-694-4181 or e-mail ansoncoc@vnet.net.

PLEASE RENEW YOUR NCRT MEMBERSHIP, NOW!

Elapsed memberships and complimentary copies will be removed from this newsletter mailing list.

Thank you.

Cities and counties sign N-S petition

Two cities and two county commissions signed a joint petition urging Norfolk-Southern to participate with Preservation North Carolina in federal railbanking of the entire 12-mile Oxford- Henderson line in Granville and Vance counties.

The petition cites the potential need for commuter rail connections between Durham, Oxford, Henderson and Raleigh as the area north of the Triangle develops. The line could be an essential corridor in a Triangle light rail outer loop.

Norfolk-Southern first agreed to negotiate a federal Section 8(d) railbanking, then changed its position due to "business interests," which could mean preventing another railroad from using the line or playing the line as a pawn in renegotiation of the North Carolina Railroad Company lease between Morehead City and Charlotte.

After the initial positive talks on the entire line, Norfolk-Southern said it would keep the Oxford-Homer section in Granville County for possible operations, abandon and remove tracks on the rural section in both counties, and participate in railbanking the remainder that is in Henderson.

Preservation North Carolina, a statewide historical land trust, has petitioned the federal Surface Transportation Board to extend the Public Use Condition negotiating period to allow further discussions with the railroad company.

NORTH CAROLINA RAIL-TRAILS, INC

A registered NC nonprofit organization
Statement of Financial Position
As of December 31, 1995

CURRENT ASSETS

Cash	\$25,410
Refundable advance	3,697
Inventory	800
Total assets	\$29,907

LIABILITIES AND NET ASSETS

Current liabilities	
Accounts payable	\$ 1,152
Net assets	28,755
Total liabilities and net assets	\$29,907

WHICHTEA tastes BEST?

Five ISTEA reauthorization brews were boiled down over the summer to the House BESTEA and Senate ITA. As the official Sept. 30 end of the original ISTEA drew near, much of the original act remained. Two obvious differences between the two reauthorization bills are time and money. Both bills are expected to face serious scrutiny from budget balancers.

House: Three-year, \$103 billion BESTEA (H.R. 2400)

The House Building Efficiency Through Surface Transportation Act demonstrates that ISTEA is here to stay. It is a clear victory for ISTEA supporters given the prevailing block grant philosophy of the Republican majority in Congress and the on-going attacks on ISTEA.

House Transportation Committee Chairman Bud Shuster's bill continues the ISTEA program structure and changes few of the details. All of the existing programs are maintained and a few additional ones are created. It reauthorizes ISTEA for three years, while spending five years of budget authority.

Senate: Six-Year, \$135 billion ITA (S. 1173)

On Sept. 12, Members of the Senate Environment and Public Works Committee introduced an Intermodal Transportation Act. The legislation retains CMAQ and transportation enhancements as separate programs and increases funding for both—without any of the more controversial provisions included in the original House bill.

Bill attacks federal railbanking protection

Anti-trail property rights backers launched a new attack on Section 8(d) federal railbanking in a U.S. House bill that would end National Trails System Act protection and thus allow state laws on railroad easements to destroy surplus railway corridors.

H.R. 2438 was introduced Sept. 9 by Rep. Jim Ryun (R-KS) and 22 other Republican co-sponsors, all but two of whom represent western states. Seven of the co-sponsors sit on the House Committee on Resources, to which the bill was assigned. One of the co-sponsors, Don Young (R-AK) is the Resources committee chair. Three co-sponsors are on the Resources' National Parks and Public Lands Subcommittee, with one holding that chair. The makeup suggests the co-sponsors can fend off opposition to the bill in committee.

"My bill would change the law and restore private property rights issues to the state," Rep. Ryun said in his introductory remarks. He added that his proposed amendments would make federal rail abandonment law conform to the U.S. Constitution.

His reference was to 16 U.S.C. 1247(d), the section of the NTSA that since 1983 has allowed first the ICC and now the Surface Transportation Board to hold open future rail options by forestalling corridor losses through railbanking. The act permits interim public trails on these surplus rail lines. The Ryun bill strikes corridor preservation from the NTSA purpose and reduces the STB's "shall" interim trail use mandate to a vague "may."

The constitutionality of Section 8(d)

was upheld by the U.S. Supreme Court in 1990. Subsequent appeals have gone back and forth on what constitutes a taking and what compensation may be due to underlying fee holders of railroad easement property. No property owner has yet received federal compensation.

Rep. Ryun, who gained fame as an Olympic runner, claimed it is not the intention of his Railway Abandonment Clarification bill to scuttle the National Trails System Act, but rather to turn rail corridor decisions over to the states.

However, nearly all states allow railroad easements to revert to adjoining property owners, most often without any public options.

The NTSA section was passed to help slow the massive loss of railroad infrastructure. Less than two percent of the national system reduction has been put into the federal railbank through Section (d) or saved by other local rail-trail projects. The rest has disappeared through state law reversions and is lost to transportation or other public purposes.

Please note NCRT's
change of address to:

North Carolina Rail-Trails
PO Box 61348
Durham NC 27715-1348

Stop by the Info Depot:

<http://www.NCRail-Trails.org>

JOIN THE NORTH CAROLINA RAIL-TRAILS INITIATIVE. NOW!

Name _____ Address _____
City _____ State _____ ZIP _____
Telephone: Home _____ Work _____ Best Time _____
Reason for interest in rail-trails _____

NCRT annual memberships: Individual - \$20, Corporate - \$100

Mail to North Carolina Rail Trails, PO Box 61348, Durham NC 27715-1348

(Fall 97)

THANK YOU FOR JOINING NCRT



Virginia sees Tar Heel trail potential; plans developments at state line

The Virginia Creeper National Recreation Trail will soon present a fresh old look to the many Tar Heel visitors who make up an overwhelming majority of the user base. Funding is being obtained from the U.S. Forest Service, VDOT ISTEA Enhancements and private sources to build a replica depot, rebuild the turntable and add visitor facilities at White Top Station on the Virginia-North Carolina state line.

The project sponsors noted that a rapidly growing number of North Carolina hikers, bicyclists and saddle riders are utilizing the Virginia Creeper. The popular 35-mile rail-trail begins at Abingdon, VA, and ends at White Top. The historic railroad line continued another 42 miles into North Carolina and ran trains as far south as West Jefferson until service ended in the 1970s.

Interested in acquiring a scenic mountain trailside retreat?
 For more information, call 704-495 4472
 e-mail infodepot@ncrail-trails.org

North Carolina RAIL-TRAILS

PO Box 61348
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Address Correction Requested

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