

## Pitt joins downeast rail corridors study

Pitt County has accepted an invitation from Beaufort and Martin counties to join in a regional rail-trail study committee. The NC Department of Agriculture's will build the Northeastern NC Equestrian Center at Williamston and the region is looking for opportunities to create day trip and overnight riding trails.

The rail-trail committee has looked at the Jamesville and Washington Railroad, a line that stopped operating a century ago and has since been utilized by Weyerhaeuser Lumber Company as a multi-lane logging road.

The study now is being expanded and includes the Washington to Parmale section of the historic Wilmington & Weldon Railroad, which was abandoned by the Atlantic Coast Line in 1982. Segments of the corridor are in all three counties.

Martin County Travel and Tourism Director Crystal Baity got the ball rolling last year and has enlisted the help of the Commerce Department's Division of Community Assistance, DEHNR Parks and Recreation Division and NCRT. James Rhodes, Pitt County senior planner, and Ruth Leggett and Tom Richter of the Washington Regional Community Assistance Office worked with Baity to bring the third county into the study committee.

The eastern quarter of the state contained many of North Carolina's earliest railroads. Hundreds of miles of those early rail corridors are relatively undisturbed and hold potentials for creating a large multi-use trail network that could lead to a new inland tourism industry for the region.



What better way to take Dad fishing than a family trail outing? Even if he doesn't land dinner it's still a great way to spend National Trails Day on the Virginia Creeper and Holston River.

## Railroad agrees to leasing, state holds keys

The CSX railroad has responded positively to a request from the Roanoke Valley Trail Association to lease the rail corridor from Thelma in Halifax County to Norlina in Warren County. However, there is a major condition: That the NC Attorney General recognize the railroad charter research conducted by NCRT during formation of the RVTA and agrees that CSX has sufficient control of the corridor to enter a lease.

The corridor was part of the old Raleigh and Gaston Railroad, dating back to 1836. The line was at times under state and private ownership. That created a tangle of charters and transactions that is one of the state's most unusual and

complex histories. CSX ended service on the line in 1985.

Another condition is that the NC DOT Rail Division not object to the proposed lease. The division says that it is studying a high speed line from Raleigh to Richmond and that the Thelma-Norlina corridor could be part of the route. That study is expected to be completed two years from now.



## Militia out-maneuvers state on corridors

The grapevine has it that new clandestine groups are undergoing maneuvers in various areas of North Carolina. What sets these rumors apart from garden variety militia sightings is that these new groups are not clad in Wally-Mart camouflage. Instead the casual uniform is a mix of sweats, imprinted tees, jeans and ragged polyester. They cleverly disguise themselves as ordinary citizens.

It is said that the new militias hold maneuvers on old railroad corridors. They reportedly are armed with limb loppers, shovels, hammers, wrenches and chain saws. A few groups have heavy mobile equipment, such as tractors with loaders and bush hogs.

We sent our junior staffer to find out what's going on. Guided by a yellowed 1948 Rand-McNally railroad map, our staffer cruised back roads before dawn. Fresh tracks were found entering an old right-of-way. Afoot, he soon came upon a squad bagging trash and clearing brush from the overgrown railbed.

Our lad was taken for a recruit in the faint light. He was promptly issued loppers with orders to clear the right flank. He dug into the brush next to an elderly woman wearing tattered sweats and wielding a very large chain saw.

"Get cracking, son, we've got to reach the objective before zero-seven-forty-five hours," she barked over the whining chain saw.

What's the objective, our reporter asked?

"We're taking the bridge at milepost ninety-three, sonny."

"What do we do when we reach the bridge, sir . . . er, Mammmm?"

"We secure it, of course," she wheezed through exertion from rolling aside a fallen tree trunk. "You know, inspect it, make repairs."

Upon reaching the objective, a man carrying a rolled-up map ordered a 10-minute juice and granola break before tackling the bridge. In his faded poly leisure suit he looked more like an accountant than a para military commander.

"Do I know you," he asked with a squint in the growing light?

"No, sir," our staffer admitted, "I was sent here by North Carolina Rail-Trails."

"About time they sent someone," the leader snapped. "Do you have ID and clearance? We can't be too careful, you know."

Why the secrecy, the leader, known only as "Mr. Bob", was asked?

"Well, we're taking protective custody



of this rail corridor," Mr. Bob disclosed. "It's a citizen training exercise for when this state comes to its senses."

But isn't that illegal?

"Well, now it is, yes, but," Mr. Bob acknowledged, "somebody's gotta do it. The state won't stand up for these corridors. If we don't take overt action, this one's soon gonna be another open dump, hog waste spillway or spontaneous linear junkyard. The only way to save it is to establish protective custody."

Our reporter asked Mr. Bob to stand on the bridge for a photograph.

"Can't do it, son," Mr. Bob declined. "Too dangerous. We're on easement, a legal minefield. If the state's attorney general finds out what we're up to, this line is history."

Our junior staffer returned late that night, worn out and tattered. "Found 'em," he reported, "and they're a tough bunch. I don't think they'll surrender an inch of right-of-way without a scrap. A mad granny with chainsaw is awesome"

## Federal trail filing fee draws protest

NCRT has joined rail-trail advocates throughout the country in protesting a \$650 fee that would be imposed by the Surface Transportation Board for filing an interim trail use petition under the National Trails System Act.

The STB, which is under the US DOT, took over administration of Section 8(d) railbanking on Jan. 1 when the Interstate Commerce Commission went out of existence.

NCRT protested that the fee was unnecessary since railroads are charged administrative fees for filing to abandon service. It was also noted that those who oppose interim trail use are not charged for filing petitions.

In a letter to the STB, NCRT stated: "The compressed period for public notification of abandonment procedure or exemption already is an imposing hurdle. The added burden of quickly obtaining funds for an unreasonable filing fee detracts from the primary task of organizing responsible citizen/government corridor management partnerships in a constricted time frame."

The normal time from public notification to trail use application deadline is only 30 days. However, in the majority of rail line abandonments, exemption from the normal procedure cuts reaction time to 10 days.

NCRT has attempted to use the federal interim trail use procedure several times. None has been successful, primarily because of local governments being intimidated by adjacent landowners wanting corridor property reversion.

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## Whistle Stops:

The vast majority of North Carolina railroads were built under charters that allowed the rail builders to use the state's power of eminent domain to establish routes.

Such sweeping powers were granted because they served a public purpose. And that clear public purpose was transportation.

If an old corridor can serve a new public transportation purpose is it not clearly in the public interest?

The present problem is that many old state charters read "for the purpose of building a railroad" from point A to point B.

If only all those charters had read "for the purpose of public transportation."

It is an oversight that can be corrected by hindsight.

## Media ink thrown at trail

The Brevard rail-trail proposal turned into a spirited local media debate when a group of adjacent landowners formed Transylvania Citizens for Responsible Recreational Planning to pour cold water over the Land of Waterfalls Rails-Trails Association's growing community support.

While warning of vandalism and other unsubstantiated threats to the community, TCRRP's primary erroneous claim is that the trail will be a property taking.

A thorough title search by LWRTA has substantiated Norfolk Southern's position that it holds fee simple title to the Transylvania Railroad corridor.

Trail supporters have gathered over 1,500 petition signatures to offset some two dozen property owner signatures on a petition that was put before the Brevard City Council.

## DOT takes turn listening

The spring session of the NC DOT Environmental Round Table continued a move toward middle ground as environmental regulators and interest groups had their say while DOT staff listened up. The rule for the session was that DOT staff could only respond to direct questions.

The sessions at NC State began 18 months ago and have slowly evolved to a better balance of give and take. The spring meeting tuned up the DOT hearing aid with regulators and environmentalist vocalized their concerns about highway and transportation issues.

Al Capehart is representing NCRT on the Issues Statement and the Enhancement Funding work groups.



Ride-through service lane at basic C-store on Virginia Creeper Rail-Trail

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Reason for interest in rail-trails \_\_\_\_\_

NCRT' annual memberships: Individual - \$15, Family - \$20, Corporate - \$100

Mail to North Carolina Rail Trails, 703 9th St. Drawer 124, Durham, NC 27705 (Spring 96)

THANK YOU FOR JOINING NCRT

## Trailbuilder Notebook

Past columns have concentrated on determining whether rail corridors are fee simple or easement property. The neighboring property owners also are important, even if the railroad owns the corridor property in fee simple. And the neighbors *will* have to be dealt with, sooner better than later.

Due to state laws, many corridor neighbors are expecting the rail line to revert to them, even when a railroad owns the property in fee.

It is best to visit the county tax office and there compile a list of all adjoining property owners. Once the neighbors are identified they should be individually contacted to introduce the rail-to-trail concept. This is best done face-to-face, one-on-one.

Besides measuring individual reactions and concerns about a trail, you'll also get a reading on what their beliefs are regarding corridor property ownership and how strongly they feel about it.

The most strongly stated concerns and objections (privacy, vandalism, noise, litter, etc.) often are used to mask a strong desire to acquire a piece of the corridor at no cost to themselves.

Don't argue; just record the comments so that they can be responded to later in an organized, thoughtful and consistent community education campaign.

### South Carolina stages rail-trail meet

*Rail-Trails 101*, a conference to spark the South Carolina movement, is being held May 31 at the North Augusta Community Center. NCRT will be one of the presenting participants.

The meeting is sponsored by Palmetto Trails, SC Parks, Recreation and Tourism, the Palmetto Greenways Initiative and the City of North Augusta, which is dedicating a trail on June 1.

#### Next meeting June 8 at Brevard

NCRT's next quarterly meeting will be 10:30 a.m. Saturday, June 8, at Oh' Susanna's, 230 W. Main St., Brevard. Following the business session and lunch at the restaurant, members and guests will tour the proposed Transylvania Railroad trail corridor.

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