

# NORTH CAROLINA RAIL-TRAILS

## Little Toot

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Winter 1993

### Grant Helping Spur Public Involvement

NCRT efforts to involve local planners and citizen volunteers in the transportation planning process, as mandated by the Intermodal Surface Transportation Act (ISTEA), are receiving support from the Bryan Family Foundation of Greensboro. The foundation's \$5,000 grant is being used by NCRT to encourage and assist local initiatives for balanced transportation systems.

ISTEA requires North Carolina's 17 Metropolitan Planning Organizations (MPOs) to develop long-range plans for inclusion in the state Transportation Improvement Program. The federal act gives MPOs greater authority to determine their own transportation needs. Rural counties outside the MPOs also are encouraged to submit local transportation recommendations for the state TIP.

Very few of the state's local planning areas have the diversified, long-range transportation plans in place that are needed for compliance with the ISTEA mandates. The state and local plans are required to weigh transit, rideshare, bicycle and pedestrian facilities as transportation options. ISTEA planning also must consider environmental and land-use impact.

NCRT officers are monitoring USDOT/NCDOT briefings for local governments on these subjects. NCRT also is assembling a library of regulatory and advisory bulletins from the federal government and other national sources.

Local planners and interested citizens seeking information or assistance with ISTEA initiatives are encouraged to write to NCRT or to call one of the directors listed on the back page of this newsletter.

All local governments and MPOs are urged by NCRT to include in their transportation plans this or a similar policy statement:

*"To preserve and protect abandoned rail corridors for future transportation options and for compatible interim uses."*

By attending NCDOT district hearings last fall and through word-of-mouth, NCRT has learned that several county governments have placed new rail-to-trail conversion projects in their transportation requests. NCRT would appreciate hearing from any county, city or regional government agency that has or intends to submit railbanking projects for state or federal funding.

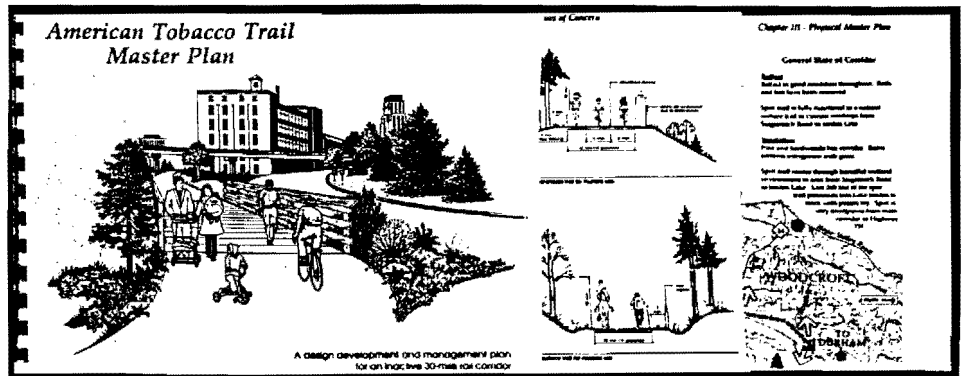
Of those that are known, the most ambitious railbanking request is that put forth by the Research Triangle Regional Public Transportation Authority. Five of the authority's 10 proposals are for acquiring rail corridors in the Triangle.

### State Biking Group Merges With NCRT

Citing the need for a strong common advocacy, the North Carolina Bicycle Federation has moved to merge its membership with North Carolina Rail-Trails. The merger came about through discussions initiated by NCBF Pres. Bob Jamison and NCRT Pres. Al Capehart.

Several factors, including the planning and funding provisions of the Intermodal Surface Transportation Efficiency Act (ISTEA), bring the two organizations' interests together. A growing demand for safe bicycle lanes and off-road trails for mountain biking enthusiasts also create a common ground.

"We urge all bicycling interests to get involved in ISTEA Bicycle and Pedestrian Program planning at the local level," said Capehart. "We need to bring all non-motorized transportation interests forward with a unified voice, especially to the attention of the state's 17 Metropolitan Planning Organizations."



The completed American Tobacco Trail Master Plan is now in print, thanks to a donation by GTE. The final draft was compiled by Greenways Inc. after two years of work by a number of local, state and federal agencies, businesses and private organizations. The plan outlines strategies for acquiring, developing and managing 27 miles from downtown Durham to Bonsal, plus a three-mile spur to Jordan Lake.

**"To Preserve Rail Corridors and Promote Rail - Trails"**

# Task Force Expresses Need To Protect State's Corridors

*The Governor's Rail Task Force reported its findings in January after nearly four years of study. While the bulk of the report focused on improving passenger service on the Charlotte-Raleigh corridor and to points beyond, the Task Force did express the need to encourage intrastate shortline freight operations and to preserve abandoned corridors that are essential to future rail operations. The following is the report's text on "essential" corridor preservation. - Ed.*

Since the 1920s, many miles of valuable rail corridors have been lost in North Carolina. Also lost has been the opportunity to return them to productive freight and passenger use for which they were intended. Besides being detrimental to economic development, loss of rail corridors has a potentially serious impact on the state's ability to meet its future transportation needs.

In order to facilitate future rail passenger service, North Carolina's rail system must be preserved. There can be little hope for future rail passenger travel unless rail lines exist between places to be served, or can be economically constructed

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**"They must not be ignored into oblivion ...many public laws, policies and attitudes tend to do just that."**

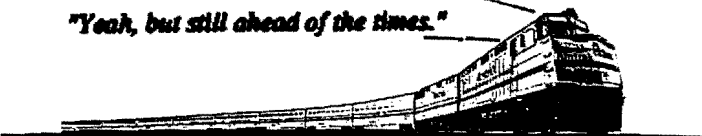
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when there is need for them. Our railroads not only are important now, but also offer significant available capacity and potential for future freight and passenger transportation needs. They must not be ignored into oblivion. There is evidence that many public laws, policies and attitudes tend to do just that. A close examination is needed of those public actions which, perhaps inadvertently, discourage or otherwise make it difficult for the private railroads to be legitimate players in the nation's total transportation system. Retention and improvement of rail service now is an investment in the future economic and transport viability of the state, as well as being a prudent conservation of public funds.

If a "moderate threat scenario" of a 750-mile loss over six to 10 years occurred, the projected preservation cost could be about \$80 million. Yet the alternative to preservation could be worse. It may be prohibitively expensive to return a rail corridor that has been converted to other non-transportation, non-linear use to rail use. A rail corridor lost is probably gone forever.

*"Are we behind schedule?"*

*"Yeah, but still ahead of the times."*



**Transportation - Conservation - Recreation - Preservation**

## Quick-Clip ISTEA Funding

*This is a quick guide to ISTEA funding sources for rail-trails and other bicycle-pedestrian projects. This simplified overview will help you determine under which programs your project may qualify for federal funding.*

**National Highway System** - A state may spend NHS funds for bicycle and pedestrian facilities on land adjacent to any non-Interstate Highway in the National Highway system. Although still under definition, the system generally includes all Interstate and Primary highways. It is conceivable that a rail-trail which borders and parallels a NHS road could be eligible for NHS funding. Another possibility is an underpass or overpass to cross a NHS roadway. Note, however, that NCDOT has a longstanding policy against even building new sidewalks in conjunction with highway projects. Current FY 1993 state allocation is \$83 million.

**Surface Transportation Program** - All types of surface transportation projects are in competition for these funds. All projects are to be weighed on their relative transportation value. Current FY 1993 state allocation is \$136 million. The state has the option to transfer additional funds from NHS.

**Surface Transportation Program Enhancements** - This is a sub-category which sets aside a minimum 10 percent of STP funds for 10 types of enhancement projects. More than 10 percent can be used if a state so wishes. Of the 10 project types, two are of primary interest: 1 - Facilities for pedestrian and bicycles and 2 - Preservation of abandoned railway corridors including conversion and use for pedestrian and bicycle trails. A third type, rehabilitation and operation of historic transportation buildings, structures and facilities, can be applied to depots, trestles and other structures.

**Congestion Mitigation and Air Quality Improvement** - This program is aimed at helping metro areas meet Clean Air Act requirements. Both on-road and off-road projects, even rail-trails, are eligible for CMAQ funding. The relative contribution to cutting pollution is the primary consideration. North Carolina has four metro areas that are not in compliance with the Clean Air Act: Charlotte, Durham, Fayetteville and Raleigh.

**National Recreational Trails Fund** - This provides funds for acquiring, developing and maintaining recreational trails. Allocations must be on a 40-30-30 split for joint-use, non-motorized and motorized trails. North Carolina received \$170,000 for FY 1993. With full federal funding, that could climb to \$680,000, plus state recreational fuel tax revenues, in subsequent years. The funds are being administered by NCDEHNR, which has decided that they will be distributed to local governments on an 80-20 state to local match.



## Whistle Stops:

### Thinking About Tomorrow

The Governor's Rail Task Force has reported on the state's future railroad needs. That's all well and good. Now, the next logical step: Let's expand the study to the *corridor system* itself; give rail corridors the same consideration as our system of waterway resources.

By focusing only on rail use the task force did not address the other corridor options. And that makes it easy for the various state departments and divisions to ignore the options into oblivion.

It's time to stop treating rail corridors as worthless relics of the past. Instead, let's open our minds and expand our vision to the ways unused and underused corridors can benefit our state.

Corridor preservation for telecommunication and utility lanes is intelligent land-use and infrastructure planning. Non-motorized commuting paths are transportation options. Regional trails are sound investments in public recreation and the state's tourism industry. Mixed utilization is smart business.

An ISTEA-mandated inventory of corridors is soon due to Congress, anyway. Let's do it right. Let's use ISTEA planning as a vehicle to examine the broad potential of our remaining corridors. What say an open agenda Governor's Rail Corridor Task Force?  
- DA

### Feels Like Talking To A Tunnel

A number of rail-trail initiatives, even some generated by local governments, have experienced maddening frustrations in getting Norfolk Southern to come to the negotiations table. The railroad's responses have been, at best, vague; more often, no response at all.

Now, even the NCDOT Rails and Public Transportation Section has been left at the table without any given reason. The rails section was negotiating to purchase 20 miles of the old Lynchburg & Durham line from Durham to southern Persons County. Suddenly, Norfolk Southern walked away, saying only that it may no longer be interested in selling the corridor.

Hey, guys, this is the 1990s, not the 1890s. Is this any way to run a railroad? Or to be sitting on your assets? - DA

## Railbanking Wins Another Favorable Decision In Landmark Preseault Case

Railbanking under the National Trails System Act got another boost in November when the U.S. Court of Claims ruled in Preseault vs U.S. that interim use as a recreational trail did not constitute an additional taking of property. The decision means that the Burlington, VT, underlying property owner was not entitled to compensation when the railbanked line became an interim trail.

The decision settled an issue that was left hanging when the U.S. Supreme Court held in its landmark 1990 Preseault vs I.C.C. decision that railbanking and interim trail use were constitutional. The Supreme Court declined to rule on the additional taking question because Preseault had not sought compensation under the Tucker Act in the federal claims court.

The claims court relied on a South Carolina case in which the purchaser of property adjacent to a railroad assumed the burden of an existing right-of-way easement on his acquisition and thus the property was not entitled to additional compensation.

The railbanking provisions were amended to the federal trails act in 1983. Only 11 lines were railbanked under the act until the high court's 1990 decision. Since that time, some 60 trail projects have been railbanked under the act. The settling of the taking issue is expected to produce an even large surge in railbanking.

### Dan River Asks For Danville-Milton Lease

The Dan River Trail Association wrapped up another active year by initiating an offer to lease the Danville, VA, to Milton, NC, portion of the abandoned Norfolk, Franklin and Danville line from Norfolk Southern. The association conducted a holiday greenery sale to begin raising money for the project.

Norma Howard of Ringgold, VA, (804-822-5725) was elected 1993 chair and Joe Ciezkowski of Danville was named 1994 chair-elect at the association's annual awards night. Dorothy Ciezkowski, Danville, was elected Virginia vice-chair and Forrest Altman, Semora, NC, the North Carolina vice-chair.

## ENLIST TODAY IN THE NORTH CAROLINA RAIL-TRAILS MOVEMENT!

Name \_\_\_\_\_ Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Work \_\_\_\_\_ Best Time \_\_\_\_\_

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

Member of other conservation/recreation/historical organization? \_\_\_\_\_

NCRT annual memberships: Individual - \$15, Family - \$20, Corporate - \$100  
Mail to North Carolina Rail Trails, Suite 124, 703 9th St., Durham, NC 27705

THANK YOU FOR JOINING NCRT

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**"To Preserve Rail Corridors and Promote Rail - Trails"**

## NEXT MEETING MARCH 13

NCRT's quarterly meeting will be held at 10 a.m. Saturday, March 13 at the Bur-Mills Clubhouse near Greensboro. The public is invited to all NCRT meetings.

Take Highway 220 to one mile north of the Greensboro city limits, then on Owls Roost Road to Bur-Mills Road and the Bur-Mills City Park.



NCRT wishes to express its appreciation to Mr. and Mrs. Sid Harrell for their donation of a computer and a printer. Also, our thanks to John Setzler for donating a computer modem.

If you have an old XT, AT or MAC computer gathering dust in your closet or office, you can turn it into a tax deduction by donating it to NCRT. Small copy and fax machines also are needed. Please call 704-495-4472 or drop a note to NCRT.

### NORTH CAROLINA RAIL TRAILS INC. BOARD

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Wake County	Leslie Kennedy	919-362-4011

### NOTEWORTHY RESOURCE PEOPLE

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NC Govt. Trail Spec.	Tom Potter	919-778-9488
Rails-to-Trails Cons.	Mariane Fowler	202-797-5400
National Park Service	Tom Iuriono	202-343-3709

## NCRT Director Goes On National Board

NCRT Vice-Chair Daniel Arrasmith of Hickory has been elected director-at-large by American Trails, a national umbrella organization which promotes all trails interests. The announcement was made at the National Trails Symposium in Missoula, MT.

He has been active in NCRT since 1989 and has been on the board since the 1990 incorporation.

Before moving to North Carolina, Arrasmith was active in forming Iowa Rails-to-Trails and the umbrella Iowa Trails Council. Starting in the late 1970s, IRT worked to acquire and develop that state's first two regional rail-trails, totally 80 miles. Since that beginning, Iowa has developed over 600 miles of railroad conversions, approximately 10 percent of the nation's present rail-trail total. ITC was largely responsible for bringing about the first Section 8(d) ICC railbankings under the 1983 National Trails Act amendments.

Mariane Fowler, manager of government relations for the national Rails-to-Trails Conservancy, also was named to the American Trails board.

## NORTH CAROLINA



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