

THE PLANNING PROCESS UTILIZED IN THE CONVERSION OF
ABANDONED RAILROAD RIGHTS-OF-WAY FOR RECREATIONAL PURPOSES

by

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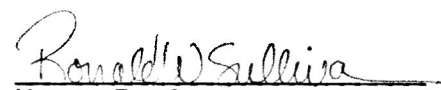
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CHAPTER 1

INTRODUCTION

"God keeps on making children
but he has quit making land"
(CACEQ, 1975:4)

These words summarize one of the most pressing environmental problems facing our Nation. America's fixed land base is continually being called upon to support an ever increasing population and its built environment.

As the competition for land increases it is essential that land resource planners and decision-makers develop and evaluate alternative approaches and innovative techniques to land development. Lands which were previously considered useless or unfit must now be looked upon in a different light because prime sites may now be too costly or no longer available. As land developers, parks and recreation departments are involved in this land use dilemma.

Due to recent economic changes (more families now have or need a two spouse income), additional leisure time, and an increased emphasis on being physically fit, the demand for recreation areas and park facilities will continue to increase (Marshall, 1980:26-27). In order to meet these demands additional lands may need to be acquired or existing facilities improved and expanded. An obvious alternative, but certainly not a unique one, involves the reuse of existing derelict lands. When purchasing additional land for recreation development, abandoned railroad rights-of-way (ARROW) are a viable option. The present and future reuse of abandoned railways for recreation or transportation purposes is appropriate in light of the following:

1. Abandonments Continue. Railroad abandonments continue today making them available for reuse. From July, 1981 to May, 1982 alone, the Interstate Commerce Commission (ICC) allowed railroads to abandon over 4400 miles of rail (Harnik, 1983:24).
2. Historical Value. Reuse may prevent the destruction of railroad corridors and adjacent railway structures that are historically significant (Blair & Tindall, 1977:21).
3. Urban Location and Linkage. The location of these corridors within an urban environment can provide important linkages between existing parks and other city spaces, which may aid in reducing local commuting costs. More importantly, they increase the potential for inexpensive close-to-home recreation which was found to be important to many urban populations (U.S. Dept. of Interior, 1978).
4. Energy Costs. Escalating energy costs continue to decrease the potential for recreational experiences requiring extensive travel. Thus, the increased need for "close to home" recreational opportunities and facilities (Marshall, 1980:26).
5. Transportation. As America's transportation systems become more and more congested, alternate modes of transportation (bicycling, mass transit, etc.) are becoming more important. Utilizing abandoned railways for present transportation needs benefits the general public while preserving the corridor for future rail purposes (Gold, 1980:34).
6. Land Resource Conservation. Reuse can prevent the unnecessary development, destruction, or cost of acquiring new lands.
7. Future Recreation Demands. Reuse insures the potential opportunity to meet future or latent recreation demands.
8. Lower Acquisition Cost. These abandoned linear spaces can sometimes be acquired at a lower cost than traditional recreation areas. In some instances, the right of way may even be donated to a public recreation agency, as in Indiana, where the Department of Natural Resources recently acquired a railway with an estimated value of \$6 million (Indiana DNR, 1984).
9. Preservation of Plants and Wildlife Habitat. Reuse may protect and maintain unique plant species that have existed in these rights-of-way for decades. Additionally, these corridors provide habitat and food for wildlife.
10. Multiple Uses. Abandoned railroad rights-of-way can serve recreational needs of the elderly and handicapped due to their gentle grades and opportunities for passive recreation. In cases where two or more trails are developed within one corridor, both active and passive activities may coexist.
11. Utility Services. Reuse enables the potential multiple use of the corridor for utilities, such as water, sewer and storm sewer pipe lines, electric power lines, etc.

12. Agriculture. Reuse prevents destruction of plant life which may serve as a windbreak for surrounding agricultural lands, preventing soil loss.

13. Functional Space. ARROW, by their very nature, possess maximum amounts of "edge" (people tend to congregate at edges of open spaces as opposed to the center of a space) and are often more highly utilized as a result (Whyte, 1975:17).

Unfortunately, recognition and appreciation of these factors is not enough. In order for the public to realize the potential of these rights-of-way, agencies at all levels of government must plan to utilize these abandoned linear spaces.

Recycling abandoned railroad rights-of-way is not the only solution to meeting the recreational needs of the future. It can, however, be a vital component of a comprehensive recreation plan. Timely and thorough reuse planning can help to preserve these railways which are an important part of our cultural heritage. Converting them for recreation/transportation purposes can insure that they become an integral part of our future.

Value to the Profession

Thorough reuse planning is based on input derived from a variety of professional disciplines, including landscape architecture. Many of the aspects involved in railroad rights-of-way conversions for public use are similar to the scope of projects, concerns, and philosophies of landscape architects. More specifically:

1. As a design oriented profession, participation in the redesign and reuse of derelict lands reinforces the profession's commitment to the conservative use of our nation's fixed land resource.

2. To insure that proposed plans satisfy user needs it is important that interaction between the designer, client, and general public is seen as an integral part of the planning process.

3. Because these unique environments represent a portion of our cultural and economic past they should be preserved, and in this case, also utilized, as the environmental impacts of reuse are minimal.

4. When designing this type of facility, it is important to recognize that it will affect not only the local community, but the region, state, and nation as well.

Projects of this nature (ARROW) require interaction and communication with many other disciplines. This situation provides landscape architects with the opportunity to:

1. Relate and contribute their expertise to the process of making land use decisions.

2. Contribute to project design, coordination, and implementation and evaluation.

3. Develop an understanding of and appreciation for planning approaches utilized by other disciplines.

Many times, the planning process or methodology an agency utilizes is not well documented and is therefore not available to other planners as a learning resource. One of the objectives of this research is to provide an inventory of ARROW planning processes which can be used as a resource by other individuals, groups or agencies involved in the conversion of abandoned rail corridors to recreational uses.

To share the findings of this research, the results will be made available to the National Trails Council. This organization has been involved in railroad conversion programs for many years and is presently collecting various types of information related to ARROW conversion projects. Once this research is submitted to the National Trails Council it can be made available to anyone interested in planning for the reuse of abandoned railways.

Problem Statement/Scope & Limitations

The planning process an agency or group utilizes to acquire and develop an abandoned railroad corridor can be critical to its success or failure. The process is often complicated, time consuming, and requires decisions to be

made in a narrow time frame. For these reasons, final documentation is often neglected, and therefore, unavailable to other agencies or groups attempting conversion. It is for these reasons that this study's purpose is to:

1. Inventory the planning processes of the original ten Heritage Conservation and Recreation Service (HCRS) demonstration projects and two additional projects; Military Ridge State Park Trail, Wisconsin, and The Soo Line, Minnesota. These last two projects are included because the states in which they are located are noted for their success in abandoned railroad conversion projects (See Appendix F, Table 1 for entire project list).

2. Analyze the planning processes utilized in these projects to determine those planning element anomalies which have a positive or negative influence on the acquisition and conversion of abandoned railroad rights-of-way for recreational use.

3. Synthesize process anomalies into a planning process which responds to the problems and issues typical of ARROW conversion programs.

It is anticipated that through the evaluation of these existing processes, certain components will be found which may be of benefit to local governments, recreational planners, and interest groups involved in converting abandoned railway corridors for recreational purposes.

This research will utilize information pertaining to the 12 projects mentioned above and their respective planning processes. This study will not be concerned with the various methods used to evaluate the reuse potential of these railroad rights-of-way. Neither will it attempt to evaluate their post-implementation success or failure. Although these are important considerations, the main focus of this study is concerned with the planning process and how it functions to achieve the acquisition and subsequent development of the corridor.

Methodology

There is no precise formula for the recreation planning process. Methodologies that are based on years of expertise and practice must still

undergo adaptations to meet a consortium of client needs, user demands, and changing times (Gold 1980:27).

The reuse of ARROW, both for recreation and transportation purposes, is a type of project which typically requires a vast amount of preplanning, time, and persistence if it is to be successful. To fulfill the purposes of this study the following activities will be accomplished:

1. Completion of a literature review on (a) the general subject of abandoned railroad rights-of-way conversion projects to determine citations which discuss planning processes associated with reuse, (b) the legislation and legal considerations of reuse, to determine how they facilitate or inhibit reuse, and (c) the recreation planning process to determine its characteristics or components.

2. Establishment of professional contacts at the national level to (a) acquire information specific to the ten Heritage Conservation and Recreation Service demonstration projects, and (b) acquire information concerning current and/or pending federal legislation.

3. Establish professional contacts at the state level to answer questions relative to the twelve projects and to inquire about participation in the questionnaire which will be utilized in this research.

4. Attend the National Trails Council Symposium to learn about recent and/or current ARROW projects, related issues, federal and state legislation, and to become aware of non-profit organizational efforts, problems and solutions and attitudes concerning programs of this nature. The sponsoring organization, National Trails Council, is involved in many aspects of trail development on the national level.

5. Based upon the findings and experience acquired while completing the above tasks, a written questionnaire will be developed to elicit responses from agency personnel who are either presently involved in conversions or who have previous experience with such projects. The questionnaire will require two types of responses, short answer and checking the appropriate blank. Questions will focus on issues, concerns, problems, and other factors which affect the planning process. All questions will be placed into one of the following five categories:

- | | |
|-----------------------|----------------------|
| 1. Project Background | 4. Economic |
| 2. Planning Process | 5. Legal/Legislative |
| 3. Social/Political | |

Respondents will be encouraged to supply photocopies of existing material, if applicable, to decrease survey response time. Participants will be given a choice of responding in a written format or on cassette tape. Pretest respondents will also be encouraged to include comments on questionnaire content or any other suggestions.

6. The questionnaire will then be submitted to the University Human Subjects Committee for approval, before being mailed to the five preselected pretest participants. These participants will be selected for the reasons given in number 7.

7. Based on pretest results and committee recommendations, the questionnaire will be revised. Because the questionnaire is directed at the planning process, respondents (Parks and Recreation Directors, Project Managers, etc.) will be preselected to insure that they have been involved in this phase of the project. These types of agency personnel will be chosen for the following reasons: (a) These individuals would most likely have been associated with the acquisition and planning process of the conversion, (b) The ten respondents representing projects which received federal grants were identified as "contact person" on the HCRS application grants. Furthermore, Tom Ross, of the National Park Service, identified these contact persons as individuals most likely to be knowledgeable about the type of information requested in this questionnaire. Due to the length of time which has passed since these projects were initiated, it will be necessary to see if these individuals are still employed by the agency which developed the project, or if not, can they be located. Once identified and located, the "contact person" will be given a brief explanation of the research and asked if he/she would be willing to participate (this communication will be completed by telephone). If the respondent is willing to participate, he/she will be sent a cover letter which explains the research in further detail, provisions for anonymity, and the planning process questionnaire. If the desired respondent is not available, a person who is most qualified to respond to the questionnaire will be asked to participate, and (c) The two participants representing projects which did not receive federal grants in 1978 (Minnesota and Wisconsin) will also be selected to meet the above respondent criteria.

8. The revised questionnaire and cover letter will be mailed to the participant associated with the 12 case studies.

9. Upon receipt of the questionnaire, the responses will be transferred to a master questionnaire form (Appendix F) for purposes of analysis and evaluation. Each response will be identified by the respective state to protect the respondent's anonymity.

10. Participant responses concerning factors influencing the planning process will then be analyzed by (a) comparison and contrast of planning elements to distinguish variations in planning strategies specifically resulting from this type of project, and (b) discussion of the results obtained from the comparison of planning elements and implications of these process anomalies as they relate to project implementation.

11. Conclusions will be made based on the findings in parts A and B in number 10.

12. Recommendations will be made based on those planning process components which have a positive influence on project implementation. These positive components will then be synthesized into a planning process which will be more conducive in facilitating successful ARROW conversions.

13. Note: The researcher was fortunate in that during the time this study was conducted, his local community became involved in a conversion project. Direct observation of the community's efforts to establish a trail system (using both a local levee and abandoned railroad) provided valuable insight into the problems associated with this type of recreation project.

Operational Definitions

The following definitions will apply throughout this research.

1. **Abandoned railroad right of way** - a railroad right of way which has received a certificate of approval of abandonment issued by the Interstate Commerce Commission or federal court, or any other federal or state agency having jurisdiction over the railroad or railway property (Wis. Stat 85.09, 1983-1984).

2. **"Successful conversion" or "a conversion's success"** - the expression only infers that the abandoned railroad right of way was able to be acquired and developed. It does not pertain to any findings resulting from the completion of a post-construction evaluation of the corridor, such as "Is the trail used?"

3. **Agency** - "a business or service authorized to act for others" (The American Heritage Dictionary, 1982:86).

4. **Bureau of Outdoor Recreation (BOR), Heritage Conservation & Recreation Service (HCRS), and National Park Service (NPS)** - the BOR was the original agency designated to administer the Rails-to-Trails program and grant. The responsibility of administration was later shifted to the HCRS, and finally to the NPS in 1981.

CHAPTER 2

LITERATURE REVIEW

The initial literature search was directed at obtaining information relevant to the general topic of abandoned railroad conversions. Because this form of recreation is still relatively new to the recreation scene a large portion of the literature which does exist is typically informative and related to general project description instead of project analysis. Although projects have been implemented and documented, the written material typically associated with these projects (feasibility studies, planning reports, master plans, etc.) is usually not published or circulated through our library systems, and therefore, not available as a learning resource.

Additional literature was examined for information specific to the planning process and to those factors which have a profound affect on it (ex. public input, legislation, etc.). Information was also gathered from personal contacts who were or had been related to ARROW conversions.

These sources, when combined, demonstrated a need for the following:

1. Improved resource sharing and communication between recreation planners concerning past and current projects, planning methods, implementation problems and solutions, etc. (NTC,1984; Gold, 1980:37).
2. Sensitive, creative, and effective recreation development which encourages public use. Due to their unique characteristics and potential for recreational opportunities, linear corridors (ex. abandoned railways) can fulfill these needs (CACEQ, 1975:4-5).
3. Additional federal funding for ARROW conversion programs and legislation which effectively permits reuse for transportation and recreation purposes.
4. Additional recreational areas located in close proximity to the urban setting: (a) Wisconsin State Recreation Planner Dennis Kulhanek says, "We're finding that trails in more populated areas receive much more use, and we're using that as a guideline for future acquisitions" (Macdonald:1980, 52), (b) By 1980, over 80 percent of all Americans will live in 150 metropolitan areas with populations of 250,000 or more. Unless significant changes are made in the quantity and quality of the urban and suburban parks and

residential environment in these areas, there will be a continuing demand to leave these areas during leisure periods (Gold, 1980:35), (c) Indiana recreationists are taking advantage of close-to-home recreation activities now more than ever before. Properties close to population centers are the most heavily used, and visits tend to be longer (Indiana DNR, 1984:59), (d) "Minnesota finds its trail facilities inadequate in the more urbanized areas meet the area's large trail deficiencies" (Macdonald, 1979:60-61), (e) environment. Recreation trails need to play a vital role in the city.... (Hornbeck,1971:58).

5. The utilization of unused transportation corridors (Marshall, 1980:67).

The following four sections of the literature review are presented in order to provide the reader with a general understanding of the many considerations involved when reusing abandoned rail corridors. Futhermore, this review relates the importance of a planning process as a means to realize reuse.

Historical Perspective

This section consists of two parts. The first part addresses railroad history by presenting factors which influenced railroad development and abandonment. The second section is an overview of the "Rails-to-Trails" program to show that these corridors can be utilized for recreational purposes. Comments on the future outlook of conversion projects are also presented.

Railroad Development and Abandonment

Railroads played a vital role in the expansion and economic development of the United States. The railroad industry began in the early 1830s. The majority of these early railways were localized and often connected towns with strong industrial and commercial relationships. Other rail lines were developed as feeder lines and operated in conjunction with waterways and canals. During the 1830s and 1840s railroad expansion occurred at a slow

pace. This slow pace was primarily due to the unusually large amount of capital required for this type of business venture. Furthermore, Fair and Williams (1959) suggest that during this time "railroading was a pioneer operation with many unknown technical hazards and problems and ... were risky enterprises, indeed, and were not to be lightly undertaken" (Fair and Williams, 1959:62-64). Even with this slow start, nearly 30,000 miles of track had been laid by the beginning of the Civil War. Most of the pre-war rail construction took place in the north where, in time, it gave the Union a decisive advantage in military logistics (Fair & Williams, 1975:6-7).

Because of its technical success and efficient transport of freight and passengers, both before and during the war, the railroad became generally accepted as the most significant and useful mode of cross-country transportation (Fair and Williams, 1959:68).

Following the Civil War, railway expansion accelerated at a rapid rate due to advanced rail technology, homesteading, and federal land grants (Fair & Williams, 1975:7). The various types of interest acquired by railroad companies during this period has caused many of the title problems associated with reuse today (NPS, 1984).

The railroad expansion program reached its peak in 1916, when there were approximately 254,000 total miles of rail in the U.S. (Snow and MacAvoy, 1977:11-12). Since then, very few additional miles have been constructed due to increased competition from other modes of transport (Harper, 1978:201).

The development of the gasoline engine, increased federal funding for roadways, intercity trucking, and new interest in inland waterway development and transportation began to influence the rate of railroad abandonment. The combined impact of these three new modes of transportation, coupled with the Great Depression, was more than the railroad industry could withstand. The effects were disastrous. Approximately one-third of all railroad miles went

into receivership and numerous companies declared bankruptcy. As a result, railway abandonment increased rapidly (Snow, MacAvoy, 1977:12-13).

During the mid to late 1930s, the number of abandonments decreased only slightly due to improved business conditions. But it was not until the railroads received heavy use during World War II that the abandonment rate significantly dropped (Fair & Williams, 1959:80). Later, during the 1950s, a new emphasis on interstate highway construction (1956) and the introduction of jet aircraft (1959) caused a recurrence in the rate of abandonments (Sloss, Humphery, and Krutter, 1974:43). Additional effects of the use of oil versus coal as an energy source, and the transportation of this commodity by ship and pipeline instead of rail also had a dramatic impact on the railroad industry (Snow, MacAvoy, 1977:12). By 1976 nearly 50,000 miles of rail (approximately one-fifth of the nation's total) had been abandoned (CACEQ, 1975:4). Since 1976, the abandonment total has risen to over 88,000 miles, representing over 34 per cent of the nation's total track mileage (ICC, 1983:112). The graphs in Appendix B reveal the history of railway abandonment since the early 1920s.

Although abandonments often have a negative impact on an area, reusing them as recreation/transportation corridors could create an asset for adjacent communities. These rights-of-way can provide physical linkages not only to park and recreation areas within a city, but to suburban, county, and state parks as well.

Converting Rails to Trails

The interest in converting abandoned railroad rights-of-way (known as conversion programs) into trails is the result of several factors which include:

1. The increasing public awareness of these spaces and the potential they possess for multiple-use recreation and transportation purposes.

2. The increasing demand for trail systems, both urban and elsewhere, which enables access to natural open spaces, and providing opportunities for bicycling, hiking, snowmobiling and cross-country skiing (especially in the Great Lakes Region), jogging, horseback riding, etc.

3. The implications of the 1971 National Trails Symposium findings which indicate an inadequate supply of parks and recreation areas across the United States, especially in the urban setting. The federal funding which later occurred in 1978 addressed this urban recreation need (BOR, 1971 and NPS, 1983).

4. The initiation of a federal "Rails-to-Trails" grant program to aid state and local governments interested in acquiring and developing ARROW.

5. The increasing number of abandonments due to changes in existing ICC regulations (Tindall, 1980) and the passage of the Railroad Revitalization and Regulatory Reform Act of 1976 (4R Act).

Recycling abandoned railroads corridors for recreational uses began in the early 1960s. The Elroy-Sparta State Trail in Wisconsin was one of the earliest projects which converted a railroad right of way into a trail. Another forerunner in the conversion program occurred in the Chicago area. In this case, the right of way was wide enough to accommodate multiple uses. The corridor still supports an active interstate and commuter railroad, power lines of a local electric company, and the Illinois Prairie Path (CACEQ, 1975:30).

Interest in this type of linear park continued to rise during the 1970s due to increased energy and transportation costs. Although the popularity and implementation of these ARROW gradually increased, the concept was not supported by any specific federal legislation until the mid 1970s. In 1976, Section 809 of the 4R Act authorized and created a conversion information/funding program to aid state and local governments' acquisition and development of ARROW for recreation and conservation. The first part of this act authorized the completion of a study which concerned ARROW.

Specifically the law stated:

This report shall evaluate and make suggestions concerning the potential alternate uses of, and public policy with respect to the conversion of, railroad rights-of-way on which service has been discontinued or is likely to be discontinued (Public Law 94-210, Section 809 (a)).

The findings of these studies, reported to Congress in 1977, resulted in a federal grant which supported ten (later reduced to nine) Rails-to-Trails projects. This grant, administered through the Bureau of Outdoor Recreation (BOR), provided 5 million dollars in grant assistance to state and local governments desiring to implement conversion programs. Out of 135 applicants (requests totaled over 70 million dollars) ten were chosen as demonstration projects and received various amounts of funding. (Department of Interior (HCRS), 1978). Although the Rails-to-Trails grant was a positive step, the lack of additional federal funding has inhibited further progress. In addition, the dissolution of the BOR (and its successor, the HCRS) as the major federal agency working on projects of this nature, infers that the Rails-to-Trails program may vanish as quickly as it arrived.

Though the outlook is bleak, state government officials continue to express their interest in this form of linear recreation. In the fall of 1979 Senator Magnuson convinced the Senate Committee on Commerce, Science, and Technology to authorize 20 million dollars in further conversion assistance funding under the proposed Railroad Transportation Policy Act. The original appropriations under the 4R Act of 1976 expired in September of 1979 and this new funding would be for the fiscal years 1981, 1982, 1983 (Tindall, 1980:30). Although this amount was later reduced to 10 million by Congressional conference committees, the act was still incorporated as a part of P.L. 96-448, the Staggers Rail Act of 1980. Unfortunately, the authorized funding was never appropriated by Congress (Wash. Scene, 1980:14). Furthermore, Section

402 of this act made the possibility of acquiring ARROW even more precarious by shortening the timeframe for abandonment decisions (ICC, 1981b:249).

In 1982 Congress made another attempt to strengthen the reuse possibilities of America's railway rights-of-way. This time, the legislation (P.L. 98-11) was not directed toward funding, but at enabling state, local governments, and private interest groups to utilize rail corridors without having to purchase them outright. The importance of this National Trails Act Amendment is that the interim use of ARROW for trail use, while the route remains intact for future use, does not constitute an abandonment on behalf of the railroad. The interim use can prevent the abandonment of a rail line if a state, political subdivision, or qualified private organization will assume (1) full responsibility and management of the right of way, (2) legal liability, and (3) payment for all and any taxes levied or assessed against the right of way. Action of this nature eliminates the railroad's responsibilities for the duration of the corridor's interim use while enabling the railroad to retain ownership should they desire to reuse the line (NPS, 1984:23). However, the usefulness of this amendment is questionable because it fails to detail the procedures necessary to create this type of agreement between the railroad company and interested party (NTC, 1984).

Matthew Dickey (Portage City, Indiana, Parks & Recreation Department) reports that their attempts, and those of other agencies, to use this law have not been successful. He feels this lack of success stems from the ICC's unwillingness to deal with the recreational reuse issue. And, in their specific case, to even recognize that their attempts to comply with the provisions of P.L. 98-11, indicate a willingness to assume the responsibilities required by law (Dickey, 1985).

Bob Karotko (NPS) was also not aware of any successful attempts to use this law, although some cases are still pending. He suggested that further

action would be necessary if this trend continues. This might include the development of detailed procedures or additional amendments to the existing law and imposing political pressure on the ICC to insure more favorable rulings for trail reuse (Kerotko, 1985).

One recent piece of legislation may offer a glimpse of hope, though indirectly, to help ARROW conversion programs gain more national attention. This opportunity for increased publicity rests on the chance of being recognized by the proposed National Outdoor Recreation Resources Review Commission (ORRRC). The commission's task will be to review the status and future of outdoor recreation in America. It is possible that the findings of such a report could be instrumental in establishing additional programs and providing funding directed toward trail development, including abandoned railroad corridors.

Although the Senate bill passed in 1983, the House version is still stalled in subcommittee. Continued delays may be overridden if, as reported, the administration establishes the commission by executive order (ASLA, 1984:11).

In spite of the many drawbacks, lack of federal funding, decreased recreational budgets at all government levels, shortened acquisition time frames, and absence of enabling mechanisms, conversion programs are still continuing at state and local levels.

In northern Indiana, about 122 miles of the Erie Lackawanna railroad right of way is in the process of being developed into a trail. The development of this multi-purpose trail facility was made possible when the salvage company donated the right of way (worth approximately \$6 million) to the state (Indiana DNR, 1984b:3). Other efforts to investigate and/or implement ARROW projects are occurring in Kansas, Colorado, Montana, Washington, Wisconsin, Iowa, Maryland, and Minnesota. Additionally, some of

the ten HCRS demonstration projects are proposing extensions to their original trail plans.

The increased emphasis on physical fitness within the past few years will place additional demands on existing facilities. Abandoned railroad corridors have the potential to serve many of these recreational activities. Recreation planners should start and/or continue to examine these rights-of-way for current and future park development.

Potential Reuses

Before reuse can occur, a railway must be abandoned. To abandon a rail line the railroad company must, by law, receive authorization to do so from the ICC. Once the ICC has approved abandonment of a railroad line the opportunity for reuse exists. At this time, if it has not occurred before, railroad ties, rails, bridges, trestles, culverts, and other railway elements are usually removed by a salvage company. Nonrailroad facilities, such as transmission lines, gas, oil, sewer, and water pipelines, often remain in the abandoned corridor because their impact on the redevelopment and reuse of the roadbed and adjacent open spaces is usually minimal.

A variety of alternate uses are possible for these spaces. However, the major public reuse has been directed toward recreation, mainly due to the corridor's linear quality which is especially suitable for trail development. Other uses typically involve single uses such as agriculture, commercial, and industrial which generally reflect existing adjacent land use. Most of these uses destroy the linear integrity of the corridor by dividing the land into numerous parcels, eliminating the potential for other linear uses. Once the linear space is divided or destroyed, the possibility of reestablishing the corridor for future use is greatly diminished. The cost and time required to reestablish the corridor are simply too extensive.

Numerous types of reuse exist for abandoned railway rights-of-way. Some non-linear uses destroy the corridor's linearity, while others preserve and make use of the corridor as a continuous unit of land. As mandated by Congress through the 4R Act of 1976, and carried out by Harbridge House, Inc., a study was made to examine many aspects of reusing abandoned railways. Part of Task 1 of the Harbridge House study was directed toward the inventory and explanation of alternate uses. The following categories have been adapted from Task 1 of the above study.

Conservation/Preservation

The uses in this category include the conservation of undeveloped land, fragile ecosystems, endangered plant species (habitats), and land reverted to its natural state, within or adjacent to the ARROW. Preserving these areas is also important because they support wildlife. Portions of the built environment, usually railroad stations or bridges, can also be preserved (CACEQ, 1975:7). In some instances historic railway stations, railroad tunnels, and other rail facilities have been preserved and utilized in conjunction with the recreational trail. The railway may pass by, through, or link other historic sites as in Minnesota's Luce Line Trail.

Reusing ARROW can also provide agricultural benefits as mentioned previously. Retaining these corridors and the established plant life can aid in reducing soil loss caused by wind erosion by acting as a windbreak. Water erosion on adjacent farmland can also be reduced. Reusing rights-of-way for crop production is another alternate use, but since it usually necessitates the destruction of the corridor, it defeats the main purpose of saving these lands, for linear uses. In general, these uses conserve/preserve resources, making them available to future generations.

Recreation

This category is probably one of the most obvious reuses of abandoned railways, after reuse by adjacent landowners. The possibilities are many, including hiking, jogging, bicycling, hunting, horseback riding, snowmobiling, cross-country skiing, skateboarding, scenic railroads (excursion), trail bikes, etc. Passive recreational uses are also viable. Some include bird watching, nature study, leisure walking, and photography. Trail users are not the only people that benefit from the recreational use of a right of way. In 1974 an economic impact study of six recreation-related projects in Wisconsin found that the trail activities do have a positive influence on local economies (Blair & Tindall, 1977).

Not only can these linear spaces be used for recreation by themselves, but they can be used in conjunction with existing trails or recreation facilities. Many of these rights-of-way bisect the urban fabric in such a fashion that if reuse occurs, they can also provide pedestrian linkage to other non-recreation areas of a community. Preserving these corridors can also help shape future land development by influencing the conservation of open space. The proposed greenbelt can be designed to connect with the abandoned railroad, forming a larger network of open space. Whatever type of use is chosen, the user is generally separated from vehicular traffic patterns, providing a safe recreational experience.

Another important benefit of reusing these railways is that it helps insure their availability to provide for future and latent recreation demands. Just as technology brought about snowmobiles, other forms of recreation may be developed which would be suited to these linear spaces.

Transportation

A railroad right of way can be reused specifically as a transportation

corridor, accommodating a variety of vehicle types. Although autos and trucks may be the first vehicles which come to mind, bicycles are not to be excluded. ARROW which provide direct access to commercial districts may be especially suitable for bicycle commuting.

Rights-of-way widths vary, but most are 60 to 100 feet, which is wide enough to support arterial and collector streets and some small highways. Fixed rail and mass transit systems are also possible reuses for larger cities.

In cases where abandoned railroads parallel existing roadways, the land may be easily converted to vehicular use. Even though the entire length of a right of way may not be used for a specific road, portions of it may be utilized to expand, improve, or correct flaws in an existing network (Manhattan Mercury, 1984). In other instances the right of way may be wide enough to allow both recreation and transportation to occur simultaneously. When this occurs, it is essential that thorough reuse planning take place to insure that adequate safety measures are incorporated into the design.

Finally, and as one of the main reasons for preserving these abandoned railways, the corridor may be reused as a railroad. Lines which formerly carried interstate freight or passengers may be acquired by state or local governments to continue rail operations. By law, the abandonment procedure enables a person or agency to provide financial assistance to either subsidize continued operations or to purchase the railway altogether.

Utilities

This last reuse category includes utilities, both above and underground. Typical uses include communication and transmission lines and oil, gas, sanitary, storm, and water pipelines. The gentle gradients chosen and developed for railroads make them suitable for some above ground pressurized

pipeline systems (oil, gas, water, etc.). Taking advantage of these existing corridors can eliminate the need for expensive pumping stations, often associated with the above systems.

Although railroad rights-of-way are usually wide enough to serve as utility corridors, they may not follow the shortest route available and therefore, may not be suitable. However, when these utilities are placed in a corridor they often have minor impacts on other uses, such as recreation and transportation and can therefore be considered compatible. Furthermore, in some instances these utilities (water, sewer, and electrical) can be used to service proposed trail facilities such as restrooms, lighting, or water fountains. Many possible uses of these narrow strips of land are feasible. However, for these lands to benefit the greatest number of people, those utility uses which preserve the corridor's linear nature and permit multiple-use are preferred.

Conversion Problems and Solutions

The discussion in this section describes some of the factors which influence the acquisition and conversion of ARROW for recreational use. Some of the topics which will be briefly discussed have been addressed in greater detail in previous sections of this study, and therefore, will only be summarized in this section. The major problems associated with conversions have been divided into following four categories: (1) Legal/Legislative, (2) Economic Problems, (3) Political/Social Factors, and (4) Physical Components. These categories parallel those categories identified in the research questionnaire (Appendix F).

Legal/Legislative

Typical legal problems which arise during the acquisition of a right of

way and various types of legislation adopted to encourage or permit reuse are discussed in this category of typical conversion problems.

The legal problems encountered in the reuse of ARROW involve (1) determining parcel ownership, (2) determining the railroad's interest in the right of way, and (3) obtaining legal access for reuse. Furthermore these problems are clouded by differing opinions on whether a public use, such as recreation, can be viewed as a railroad purpose. Resolving this issue usually involves court action.

Before any reuse or acquisition can occur, legal ownership of the right of way parcel(s) must be verified. The completion of a title search often solves this problem. However, the lack of adequate title documents and the need to complete title searches for numerous landowners can easily turn this search into both a lengthy and costly process. Additional costs for land surveys may also be necessary to determine the exact location of the corridor or to resolve problems of encroachment or prescriptive use (Blair & Tindall, 1977:25).

The type of interest the railroad acquired in the right of way is also important. Those lands held by the railroad in fee simple ownership are often more conducive for conversion programs while those held as easements or those acquired by condemnation usually require legal interpretations before reuse can occur.

In Wisconsin, determining the type of title owned by the railroad has been a major problem in many acquisitions (Blachard, 1981:43). Although reuse can occur with any of these types of ownership, the fee simple type is preferred. Each type of ownership may also be encumbered by deed restrictions or limitations thereby lengthening the time frame for court decisions (CACEQ, 1975:27). Because of the limitations restrictions impose on the current and future use of a parcel, a court ruling is often imperative.

Resolving deed restrictions and determining the point at which a railroad becomes abandoned are both necessary before legal access for the purpose of reuse can occur. When a court reaches a decision on abandonment it, in effect, simultaneously resolves deed restrictions. The decision usually determines whether or not the right of way will revert to adjacent landowners. If abandonment is permitted then deed restrictions are upheld and the right of way may revert to adjacent landowners. Conversely, if abandonment is not permitted, deed restrictions will not have a bearing on reuse and the railroad company may sell the land for other purposes. The following explanation of the two viewpoints usually expressed during court proceedings is useful in understanding these situations.

First, the adjacent landowners often contend that the proposed recreational reuse is not consistent with the original intent of establishing the rail corridor. This new use is recreational in nature and not transportation and therefore, violates the original purpose in creating the right of way, as stated in their deeds (CACEQ, 1975: 28). Deed violations can terminate the easement, enabling land to revert to the original owner. The decision reached in Pollonow v. Wisconsin 276 N.W.2nd 738 (1979) supports this viewpoint. This decision stated that the proposed use (recreation) was not reflected in the original easement, so reuse was not permitted.

The opposing view states that: the recreational reuse is not a change in the transportation purpose of the right of way but rather a change in the mode of transportation (Tiedt, 1980). The advocates of this position claim railroads were established for transportation of both people and goods, and its reuse simply enables "pedestrian" transportation to continue while extending the railroad's option to reactivate service in the future. A decision reached by the Supreme Court of Minnesota substantiates this viewpoint. The court ruled that "the change in use of a right of way from a

railroad bed to a public recreational trail does not constitute an abandonment of that right of way for public transportation" (State by Wash. Wildlife Preservation, Inc. v. State, 329 N.W. 2nd 543 (Minn. 1983)).

In Iowa, a District Court reached a similar conclusion. In this case (McKinley v. Waterloo Railroad Company, 1984) the court upheld the transfer of the right of way from the railroad company to a "Rails-to-Trails" group for recreation purposes. The Iowa District Court also cited the Minnesota ruling inferring that their decision could set precedence for future cases. Seeking court action is often necessary in resolving ownership and the subsequent reuse of land. However, other viable solutions are often more conducive in gaining support for this type of linear park.

Present ICC abandonment regulations require railroads to notify a designated state agency of their intent to abandon at least 30 days in advance of filing abandonment applications. This allows interested parties very little time to initiate title investigations, arrange financing, begin planning, etc., before the railroad becomes abandoned (Blair & Tindall, 1977:26). Because of this narrow time frame and the importance of completing other tasks, these problems should be addressed and resolved well ahead of the abandonment process. A more direct solution utilized to overcome title problems involves informing adjacent land owners about the conversion process and related benefits of this type of recreation.

Once abandonment is authorized the next problem is to determine a selling price. The value derived from an appraisal can directly affect the reuse probability for recreation purposes. In early reuse cases the appraisal value (fair market value) was not as critical. Railroads were often willing to sell these lands at bargain prices to avoid unwanted tax burdens. However, this position changed when railroad companies realized their corridors were a

valued asset. As a result, the importance of an accurate appraisal became important (Blair & Tindall, 1977:18).

Appraisals for rights-of-way in rural agricultural settings are generally equitable because adjoining properties usually have similar land use. However, in the urban situation, abutting lands have different uses and fair market values are often skewed by local zoning regulations. If these varied values are transferred to railway parcels, an artificial appraisal may result. Because most of these rights-of-way were created before zoning ordinances, a practice which attaches zoning at the time of abandonment is typically utilized. Unfortunately, once abandonment has occurred, this practice can easily increase acquisition costs beyond the limits of local interest groups or local agencies attempting to purchase the corridor (Tindall, 1977:19). In a Colorado project, the appraisal values of the El Paso County Parks and the Santa Fe Railroad Company (\$297,300 and \$811,050 respectively) were significantly different. This difference caused the County Board to reevaluate their priorities and eventually vote to forgo the acquisition. However, due to continued public support, they later acquired the railroad after initiating condemnation proceedings (EPCPD, 1982:25).

One solution to this appraisal problem may be to implement restrictive zoning for recreation purposes in advance of abandonments (Blair & Tindall, 1977:19). Another equitable approach to this problem is based on an appraisal of the entire corridor as a complete unit instead of a group of individual parcels. This approach takes into consideration the "Highest and Best Use", railroad appurtenances, and other factors generally considered in a normal market approach (Blachard, 1981:26).

Federal legislation has been enacted to address some of these appraisal problems which can result in excessive acquisition costs. As previously mentioned, P.L. 98-11 (enacted in 1983) was designed to enable parties to use

the corridor if certain conditions are fulfilled. Other efforts have been directed at changes in the ICC abandonment regulations. The ICC must accept protests against abandonment and can require that an investigation be initiated to explore public reuse possibilities. If the right of way is found suitable, the ICC can require that "the properties be offered, upon reasonable terms, for acquisition for other public purposes" (CFR, 1983:341). Unfortunately, the decision to investigate is at the sole discretion of the ICC. Furthermore, the time frame allotted for public acquisition is often too short to enable effective responses (Blair & Tindall, 1977:27). Although the use of P.L. 98-11 has not been too successful, its use must be exercised to help establish a record which shows the ICC unwillingness to respond to this type of recreation facility (Dickey, 1985).

State legislation can also be very effective in enabling acquisition to occur. Rights of first refusal and power of eminent domain can be directly vested within certain state, regional, and local agencies (ex. Departments of Parks and Recreation or Transportation). These laws, rights of first refusal and the authority to condemn property can help to insure that the public has an opportunity to benefit from such lands before they revert to adjacent landowners. Some states have taken advantage of these types of laws. In California, the East Bay Regional Park District obtained power of eminent domain through enabling legislation in 1971. Although care must be exercised in its use, it represents a powerful option to exercise, should the need arise (Hornbeck, 1979:42). Other state agencies, such as Wisconsin's Department of Transportation have a first rights to acquire law which enables them to acquire any abandoned railway property before it can revert or be sold to adjacent landowners (Wis. Stat. 85.09, 1983-84:2285).

In summary, the legal problems involved in the acquisition of ARROW are often complicated and time consuming, but not insurmountable. Thorough reuse

planning in advance of proposed abandonments can play a vital role in reducing many of these problems. Additional legislation is needed to alleviate title transfer and interpretation problems which often delay the process. The lack of active federal involvement in this area further reinforces the need for state and local governments to take the initiative and address these problems, if these corridors are to be saved.

Economic Problems

The outlook for financial assistance for both present and future ARROW conversion projects is not encouraging. Generally, attempts to establish funding at the federal level have been ineffective due to the lack of appropriations. Other federal sources of funding have been available (Departments of Housing and Urban Development, Transportation, and Housing) but they were mainly utilized during the Carter administration. The availability of these sources increased hope for continued trail development.

In 1976 the 4R Act set up the National Rails-to-Trails program which was followed in 1978 by the BOR's 5 million dollar grant for conversion projects (Harnik, 1983:27). This funding was the only federal assistance directly earmarked for ARROW conversion projects, but unfortunately, further attempts to expand on this short-lived assistance program have failed. Bob Karotko (NPS) lists this "vanishing federal presence" as one of three stumbling blocks to further trail development. Karotko says, "It's so ironic, just as Congress is giving us better tools to work with, Interior is pulling us out of trail development entirely."(Harnik, 1983:27). Karotko further reports that even though many projects have effectively demonstrated the program's benefits, the Department of Interior still fails to recognize these benefits by appropriating additional funding. He reports that the Department of

Interior suggests the program is one which should be carried on at the state level (Kerotko, 1985).

Trails can be effectively developed without federal funds. However, state and local governments have increased their dependence on federal aid over the last 20 years and this has impacted their ability to develop trail systems. As of 1980, an average of one-third of all local park program budgets included federal allocations (Driver, 1984:10). This dependence has increased the impact of present reductions.

The Land and Water Conservation Fund (LWCF) still serves as a source for future projects, but the recent moratorium on these funds, coupled with drastic appropriation cutbacks has hindered further progress (Kerotko, 1985). The current administration's lack of support for recreation only compounds these problems (Harnik, 1983).

At the state level, new funding sources and strategies are needed to compensate for the absence of federal assistance. Various options are possible. For example, the state of Minnesota uses a variety of methods to fund trail development, some of which include using cigarette taxes, a non-refundable gas tax and registration fee for snowmobiles, a surtax on trails equipment (bicycles, skis, snowshoes, etc.), and user fees (Ledin, 1975:8).

Local governments can also help by including trail development projects in capital improvement programs, passing recreation bonds, encouraging private investments, and involving citizen groups in implementation and maintenance programs. Maintenance costs can be decreased by encouraging local organizations and interest groups to maintain portions of a trail. The outlook for present and future involvement of the federal government in trail development is dismal, at best. If these corridors are to be preserved and utilized, action must be taken at the state, regional, or local level and supported through appropriate legislation.

Political/Social Factors

The social and political problems presented in this section are mainly discussed in relation to those issues and concerns which are typically expressed by adjacent landowners. Although the political climate and framework of the governing body is important, the opinion of the general public can be of greater importance (Earnest, 1985). With these thoughts in mind, this section discusses some of the social and political problems encountered during a conversion project.

Due to the physical nature of ARROW, numerous adjacent landowners are often involved in either support or opposition of a project. When organized, the choice these adjacent landowners make, to support or oppose the project, often has a major impact on the success or failure of a project.

Because this type of recreation development is relatively new to the recreation scene, public uncertainty concerning benefits, costs, associated "use" problems, and in general a fear of the unknown, often instills opposition to projects of this nature (Blair & Tindall, 1977:37).

The approach or method the trail proponents utilize to deal with the opposition is critical to the project's success or failure (Earnest, 1985). Macdonald (1980) and Blair and Tindall (1977) discuss probable means to help reduce public opposition. Both imply that a strategy must be planned in advance due to the time constraints imposed once the abandonment process begins. Some of their other recommendations include:

1. Conduct a thorough investigation of the right of way, both assets and liabilities.
2. Hold initial discussion with local politicians before publicity takes place.
3. Organize active citizens groups to promote the conversion.
4. Incorporate social planning in the process.

5. Establish good will early through personal contacts with adjacent landowners.
6. Gather information on similar projects across the United State reporting specific problems and solutions.
7. Investigate current state and federal laws and judicial decisions to substantiate reuse.
8. Propose development plans which reflect and respond to citizen input.
9. Hold public meetings to discuss proposals and further public involvement.
10. Monitor maintenance and use problems after project is implemented.

Several of these recommendations suggest that public involvement is an essential part of this strategy.

The final suggestion mentioned above (#10) involves the completion of some type of post-construction evaluation. This task should be completed to influence future design. Unfortunately this task is often neglected and results in poor design being incorporated in future designs. The findings of post-construction evaluation or monitoring can provide valuable information which can be used to reduce typical fears and concerns expressed by local opposition. If people are better informed of the past record of these recreational trails, they may be inclined to be more receptive to ARROW conversions.

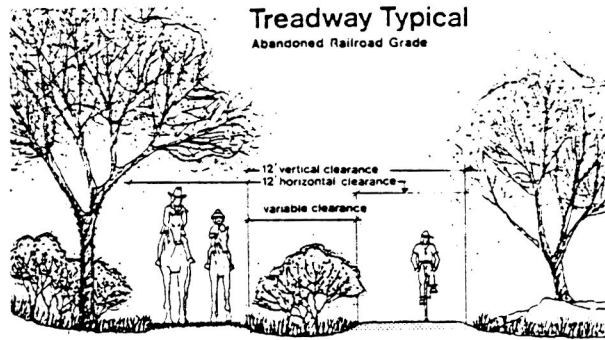
Unfortunately, little if any research has been undertaken to help reduce local landowner's fears of decreased privacy, increased vandalism, litter, trespassing, etc.. One existing study, completed for the East Bay Regional Park District (San Francisco, Ca.) on its Lafayette-Moraga and Alamada Creek Trail, surveyed adjacent landowners and trail users. The survey focused on the impacts these trails have upon trail neighbors, type of users, quantity of use, user's opinion of trail design and operations, maintenance costs, and

operation problems (EBRPD, 1978). Based upon an 85 percent response from adjacent landowners, the study revealed "that fears of adjacent property owners regarding litter, vandalism, loss of privacy, and depreciation of property values do not (emphasis added) occur by the introduction of an interparks trail" (Hornbeck, 1979:43). Studies of this issue as well as general post-construction evaluation findings, can definitely be utilized in reducing the concerns of opposing factions.

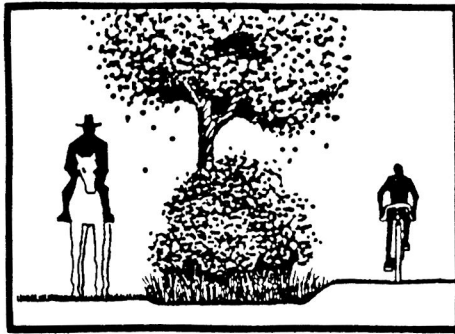
Other social problems and conflicts can occur between trail users once the trail is developed. However, these problems are often minor in comparison to public opposition voiced before a conversion project and can often be resolved through trail design, regulations (seasonal, time, and user type), and law enforcement, if necessary. Seasonal recreation, by nature, reduces some user conflicts, but others such as those between snowmobilers and cross-country skiers, bicyclists and equestrians (Buchholz, 1975), joggers, bicyclists, and skateboarders (Diringer and Demoro, 1984:8) may require other solutions. Safety concerns are especially important on trails where hunting is permitted. Again, restrictions on hunting seasons and general gun safety techniques are usually sufficient to increase user safety (Buchholz, 1975).

In Minnesota, two parallel trails are developed, where possible, within the same corridor, to reduce user conflicts. Few problems have been experienced. Figure 1 illustrates existing solutions used to decrease potential user conflict.

In conclusion, the solution to many political/social problems lies in addressing these issues well in advance of the acquisition and development process.

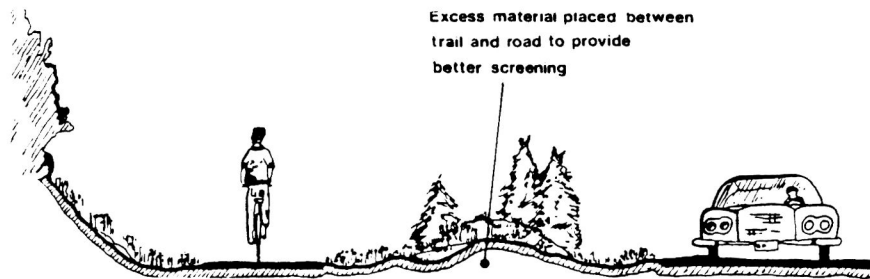


Source: Minnesota Department of Natural Resources. 1980, April. Master Plan For The Douglas Trail. Minnesota Department of Natural Resources: Trails Planning Section-Trails and Waterways. St. Paul, Mn. Figure 8.



Separating treadways to minimize user conflict wherever possible.

Source: Minnesota Department of Natural Resources. 1980, April. Master Plan For The Douglas Trail. Minnesota Department of Natural Resources: Trails Planning Section-Trails and Waterways. St. Paul, Mn. p. 38.



Source: Minnesota Department of Natural Resources. 1979, Oct. Master Plan For The Heartland Trail. Minnesota Department of Natural Resources: Trails Planning Section-Trails and Waterways. St. Paul, Mn. p. 67.

Figure 1

User Conflict Solutions

Physical Components

This category of conversion problems is directed at the presence and physical condition of site elements within the abandoned railway. The basic problem being, if ARROW are acquired after salvage operations have occurred, the potential for reuse is drastically reduced. Reuse may still be possible, but the costs necessary to redevelop the corridor are usually higher.

To access the physical factors of an abandoned railway, a thorough investigation is necessary. This information is essential for estimating proposed acquisition and development costs. Also, to prevent the removal of railway facilities additional laws are needed which restrict any alterations until reuse decisions have been made (Blair & Tindall, 1977).

The problems and issues involved in converting ARROW for recreation, transportation, or other uses are complex and interrelated. Many of these concerns can be addressed, if not solved by utilizing a thorough reuse planning process.

Planning Process

Many attempts have been made to accurately define the word planning. Gold (1980:128) defines it as "... a continuous and incremental process composed of a series of evolutionary and rationally organized steps which develop guidelines for urban growth, development or renewal." Wright, Braithwaite, and Forster (1976:13) provide a more in-depth definition:

The word planning is used to indicate decision-making activity leading to a systematic allocation of land and water areas for various open space, conservation and recreation purposes, and development of implementation measures to guarantee the future protected status and public accessibility of such areas.

Regardless of the definition chosen, the important point relative to this study is that planning does occur, and to optimize the results, the planning

process should begin before the railroad is abandoned.

It would be impractical to devise a formula for the recreation planning process. For this reason, existing processes, often based on years of expertise and practice, must be flexible enough to meet a variety of client needs, projects types, user demands, and keep pace with our changing times (Gold, 1980:27). The process utilized for ARROW conversions is no exception. Similar to other processes, the conversion process is often a combination of two basic approaches to planning. The first approach, and probably the most common, is the traditional planning approach or linear process. It typically follows a series of logical sequential steps. Secondly, there is the conventional, new, or innovative approach, which has evolved over the last few decades (Gold, 1973:186). It can be diagrammed as a cyclical or loop process (Zube, 1980:49-50). Both processes are typically divided into (1) survey and analysis, (2) establishment of goals and objectives, (3) development of alternatives, (4) implementation, and (5) review/revision. Although these five stages or phases are common in many processes, there are important differences in concept and method (Gold, 1973:129).

The differences, similarities, and foundations of these two approaches are explained in the next two sections. This will provide the framework for further discussion of the proposed ARROW reuse planning processes.

Traditional Approach

The traditional recreation planning approach is a linear process and follows a series of logical consecutive steps (Gold, 1980:24). Figure 2 illustrates this linear planning approach.

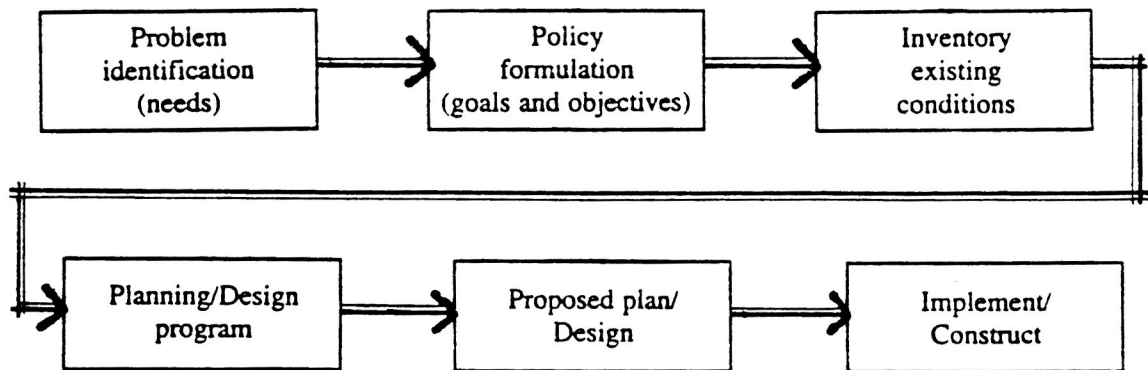


Figure 2

Linear Planning Process

Adapted from: Zube, Ervin H. 1980. Environmental Evaluation: Perception & Public Policy. Brooks/Cole Publishing Co. Monterey, Ca. p. 47.

Gold (1973:129) reports this process has the following characteristics:

1. It is a terminal planning process.
2. It focuses on long range planning.
3. It is associated with professional values, concepts, and methods.
4. Emphasis is placed on output (product) instead of input and process.
5. It is based on rigid planning units related to political or physical boundaries.
6. Emphasis is also placed on (a) quantity over quality, (b) form over function, (c) physical over social objectives, (d) human and resource exploitation vs. conservation, (e) community rather than the individual, and (f) the probable cost and benefit.

Gold suggests this type of planning was typical of the time period between the initiation of the Recreation Movement (late 1800s) and the ORRRC report in January of 1962 (Gold, 1973:186). The ORRRC report identified some of the shortcomings of this country's main approach to recreation planning, and it was one of the first studies to do so. Some of these drawbacks

included: (1) the inventory of only resource based areas (Gold, 1973:25), (2) the mandated exclusion of urban areas by Congress (Gold, 1973:24), and (3) the dependence on planning standards for developing open spaces and facilities requirements (Gold, 1973:192). Furthermore, this type of planning is generally arbitrary, intuitive, and static. It involves little, if any, input of user preferences, and citizen participation, and is not overly responsive to community objectives and goals (Gold, 1973:186). The citizen's role is restricted to reviewing plans and proposals developed by professional planners.

As a result of employing an approach with these characteristics, a single solution, rather than a set of alternative solutions, is often produced (Zube, 1980:47-49). Additionally, the final solution is usually strongly based on national standards or arbitrary guidelines instead of community needs and goals (Gold, 1980:24).

In spite of these negative aspects, and because the process was essentially unchallenged prior to the ORRRC report, the use of standards planning as a means of determining design became, and still is, an accepted practice. Although the concept of "standards planning" is useful, it is important that standards serve only as guidelines or as a point of departure. The problem with standards planning as the sole determinant for recreation development is that it may indicate the need for facilities or activities which do not reflect user demands or needs.

Finally, this traditional approach also fails to incorporate post-construction evaluation techniques as a means of determining user satisfaction. This is not surprising as many of these evaluation techniques rely on user input and feedback which are not typical of the traditional approach. However, this lack of a post-construction evaluation does not infer that each and every project which results from the employment of a planning

process should be evaluated. Certainly the development of project selection criteria would be useful in determining which examples might produce worthwhile user response. Sample projects for conducting post evaluations might include examples from: (1) different population subgroups, such as age, income, ethnicity, etc., (2) various geographic regions, (3) various cultural districts, (4) traditional or innovative designs, and (5) thematic designs (Zube, 1980:106-107).

In summary, if the traditional planning approach had received more critical evaluation and analysis earlier in the Recreation Movement, our parks and recreation areas, particularly in urban areas, might have taken on a different form. The shortcomings of using the traditional approach, along with a growing awareness of them, has reinforced the trend towards a more dynamic innovative approach (Gold, 1975:195).

Innovative Approach

The alternative approach to the planning process has evolved in response to the perceived inadequacies of the traditional approach. One of the major factors which influenced the switch from the traditional to innovative approach is founded in the ORRRC report. Unfortunately and somewhat ironically, the mandate in this law essentially stated that the information about the recreational potential and problems within cities was not important in this endeavor (Gold, 1973:24-25). Specifically it stated:

Outdoor recreation resources shall not mean nor include recreation facilities, programs, and opportunities usually associated with urban development, such as playground, stadia, golf courses, city parks and zoos (U.S. Congress, 1958:Section 2(3)).

The lack of emphasis on, and development of, urban recreation areas, coupled with a drastic increase in recreation use, put a strain on the urban park system. As a result, subtle changes began to occur in recreation

quality, varieties, and types of programs available for the public. User dissatisfaction and frustration with urban park facilities increased and eventually a host of studies (sparked by civil disorders) renewed interest in the urban recreation problems (Gold, 1973:25-26). When one relates these events to the type of planning process utilized in that time (traditional, with little to no citizen input), it can be seen how the public would favor a process more receptive to citizen involvement.

The innovative approach, in contrast to the traditional approach, can be described and diagrammed (Figure 3) as a circular process (Zube, 1973:50).

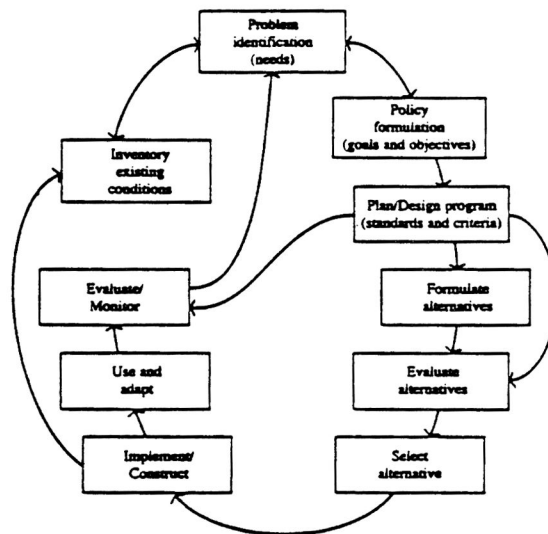


Figure 3

The Innovative Planning Process

Source: Zube, Ervin H. 1980. Environmental Evaluation: Perception & Public Policy. Brooks/Cole Publishing Co. Monterey, Ca. p. 50.

This process' circular delineation suggests one of its positive attributes is the continual introduction of new information which may have an impact upon present and future decisions. According to Gold (1980:22-27)

emphasis is also placed on user participation, values, and community standards. Other characteristics of the innovative approach mentioned by Gold include:

1. The process is dynamic and flexible to meet changes in user demands and preferences and involves continual planning review.
2. The process is based on community goals, objectives, and concept statements.
3. It focuses on short range time horizons.
4. It utilizes flexible planning units based on resources, users, or the problem.
5. Alternatives are developed, evaluated, and redeveloped if necessary.
6. Emphasis is placed on (a) quality over quantity, (b) function over form, (c) social over physical objectives, (d) the individual vs. the community, and (e) the conservation of human and natural resources vs. development.
7. Professionals act as resource persons.
8. The overall process is more time consuming.
9. The result (plan) is based on community standards and not on national standards.

This last point (#10) is especially important because these proposed facilities are being planned for public use. If the proposed facilities are planned and developed based on national standards, they may not adequately meet the needs of the community for which they were designed. Wright, Braithwaite, and Forster (1976) examined this specific problem in their study on Planning for Urban Recreation Open Space: Towards Community-Specific Standards. They suggest that because there is so much diversity in populations, natural landscape features, financial resources, etc., the only adequate solution is for each community to develop its own community standards. This does not imply that communities ignore adjacent cities and towns when planning for recreation development. On the contrary, it

encourages, wherever feasible, multi-community planning of recreation development to increase the benefits to a greater percentage of the population.

Another advantage of this process lies in the incorporation of post-construction evaluation. The findings, both positive and negative, of an evaluation re-enter the process through a feedback loop, which acts to improve future development. Various evaluation techniques can be used, but Zube (1980) warns against the use of cost benefit analysis. He describes it as "an inadequate tool for assessing environmental and quality-of-life attributes that are primarily experiential and perceptual in nature" (Zube, 1980:52).

In conclusion, this examination of the innovative approach to the planning process does not intend to suggest that all current planning is, or should be, accomplished by this method. Most current planning incorporates characteristics of both processes, as will be illustrated in the ARROW processes. However, though most current planning is a mix of both innovative and traditional approaches, the traditional approach is dominant due to constraints on time, money, and the expertise necessary to facilitate change (Gold, 1980:26).

Reuse Planning

Many of the components, characteristics, or phases found in ARROW reuse planning processes are similar to those found in the traditional and innovative approaches. In the following sections, the similarities and differences between the ARROW process and the other two approaches will be discussed. This will be accomplished by examining (1) a proposed reuse planning process, and (2) current events which may affect future ARROW projects.

States have the responsibility to provide for the present and future needs of their citizens, therefore, it is important that their recreational inventories investigate all forms of resources, including the potential reuse of ARROW (Chambers, 1980:2). The reuse potential of linear corridors and adjacent facilities has only been realized within the past two decades (Dueker, 1975:95-96).

The planning processes which have been developed and utilized over the past ten years exist primarily at the state level. At the federal level, involvement has been quite limited and generally reactive in nature as opposed to being planning oriented (Mazzioti, 1974:18). In some respects, this lack of federal involvement is appropriate. Dueker (1975:2) suggests this planning should occur at the state level for several reasons. First, because the state is capable of integrating planning for fairly large areas and they are often authorized with land use regulatory powers. Secondly, because the state is a small enough unit to allow local input to be a part of the planning process. Finally, their familiarity with other related state issues may enable them to develop solutions which are more responsive to local problems and concerns.

ARROW: Proposed Reuse Planning Process. The proposed reuse planning process for ARROW (Mazzioti, 1974) incorporates characteristics of both the traditional and innovative approaches, with greater emphasis on the latter. It is also based on legislation from New York and California. The concepts and characteristics of this process can be recognized by investigating its three phases which are: (1) Pre-abandonment Studies and Local Input Solicitation, (2) Post-abandonment Application Process, and (3) Post-decision Process.

The first step in Phase I (Figure 4) involves the inventory of abandoned lines to identify characteristics such as location, recreational potential, service facilities, and environmental status. The second step involves an inventory of low density lines, including those lines with the potential for abandonment (Mazzioti, 1974:25). As of 1978 every carrier is required to prepare a diagram map of its rail system on a map, designating all lines in its system by category (CFR, 1983). This map (Appendix C) shows five categories of railways, three of which relate to railroad abandonments. These maps are available to the public and can be obtained from the ICC at a reasonable cost (NTC, 1984:2). Obtaining the appropriate map can enable any interested party to begin reuse planning for railroad corridors before they are abandoned.

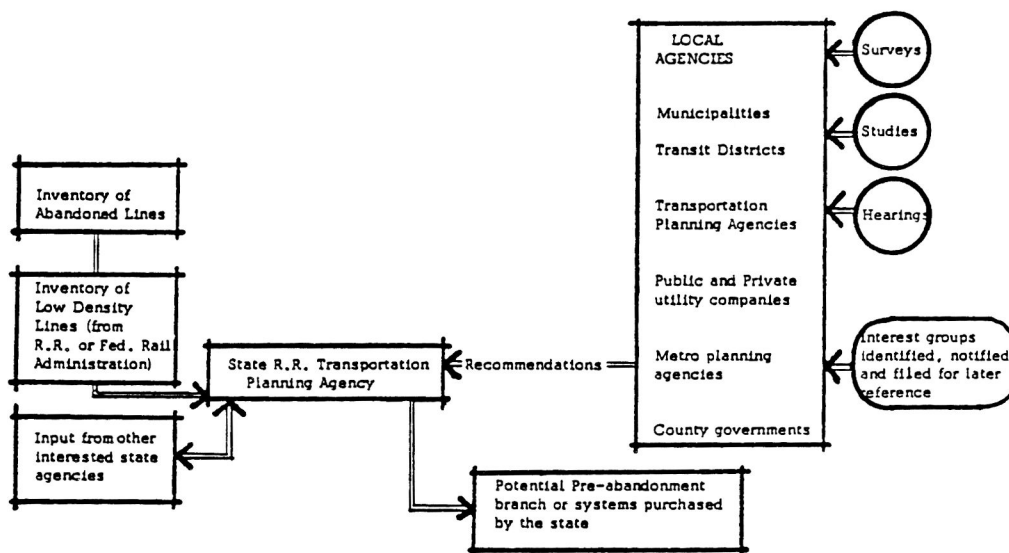


Figure 4

Phase 1. Pre-abandonment Studies & Local Input Solicitation

Adapted from: Mazzioti, Donald F., Mark C. Meyer and Ken J. Dueker. 1974. Railroad Abandonment & Reuse Planning: Relationship With Statewide Transportation Planning & Citizen Participation: Interim Report. Technical Report #33. Institute of Urban & Regional Research. Univ. of Iowa. Iowa City, Iowa. p. 26.

Throughout Phase I (Figure 4) citizen input is solicited, both indirectly, through state agencies, and directly, through local agencies (Mazzioti, 1974:27). Unlike the traditional approach, but similar to the innovative approach, citizen participation is a vital part of the ARROW process. This permits adjacent land owners and local communities, who are often economically dependent upon these railroads, to voice their opinions throughout the process.

The last step in this phase concerns economics. If possible, attempts should be made on behalf of the state to purchase lines before they are abandoned. This can help eliminate escalating land costs and time necessary to exercise condemnation proceedings or other acquisition procedures (Mazzioti, 1974:31).

Phase II of the reuse process (Figure 5) involves various ICC and state notices, hearings, and administrative procedures. The important aspect of this phase is that the abandonment decision is divided into two channels.

Depending on the type of railway (main vs. branch vs. spur, etc.), the decision to grant abandonment will be vested in either the ICC or the State Railroad Transportation Planning Agency (SPA). Federal regulations mandate which agency decides abandonment. This is based upon the type of railroad being abandoned. If the tracks that are to be abandoned are non-interstate commerce lines, spur tracks, or lines not included in the Federal Rail Plan, the SPA makes the abandonment and/or reuse decision. This decision would be made within 60-120 days if the pre-abandonment studies have been previously completed.

When the lines are main or branch lines, the ICC makes the decision. If the ICC makes the decision, the SPA is also notified and they, in turn, notify other agencies interested in abandonments. This notification enables these agencies to participate in the ICC abandonment proceedings.

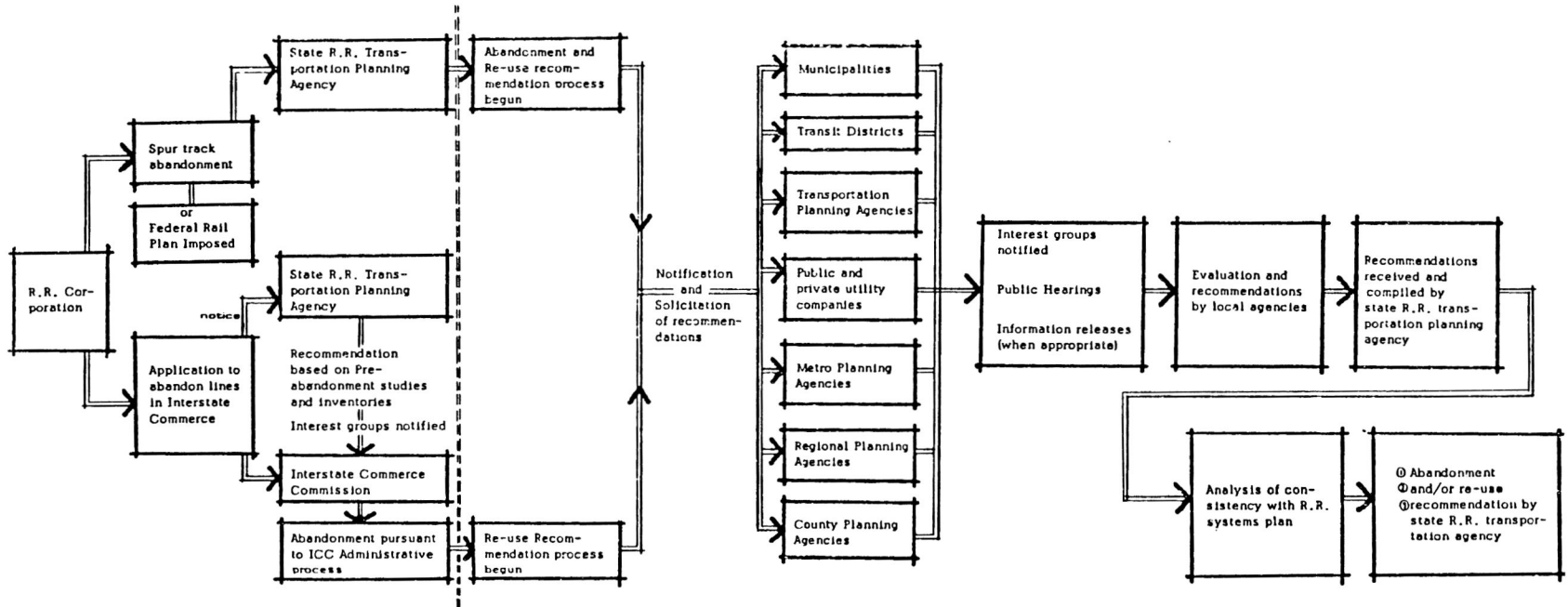


Figure 5

Phase 2. Post-abandonment Application Process

Adapted from: Mazziotti, Donald., Mark C. Meyer and Ken J. Dueker. 1974. Railroad Abandonment and Reuse Planning: Relationship With Statewide Transportation Planning and Citizen Participation: Interim Report. Technical Report #33. Institute of Urban & Regional Research. Univ. of Iowa. Iowa City, Iowa. pp. 28-30.

The remainder of this phase (to the right of the dashed line in Figure 5) occurs after the SPA or ICC decisions are reached. If the abandonment is granted, the interested parties and groups are again notified, public hearings are held, and the evaluations and recommendations for reuse are sent to the SPA for a final decision (Mazziotti, 1974:35-36).

This second notification enables local agencies to revise and present their respective goals and objectives to the SPA in the event that any rail's status or potential use has changed significantly. Public participation in this phase involves attending ICC hearings and providing information to local agencies on changes which might affect the overall reuse plan. Again, user input, as mentioned in the innovative approach, appears throughout the entire process instead of only at the end (Mazzioti, 1974:32).

The third and final phase of this proposed reuse process (Figure 6) is similar to the last stage (evaluate/monitor or post-construction evaluation) of the innovative approach. This phase is often neglected in many types of projects. If completed, the information derived can provide valuable citizen input which may affect future plans or help to rectify existing problems. Mazziotti (1974) suggests the results of these evaluations should be made public to reinforce the community's feelings of importance in the planning process.

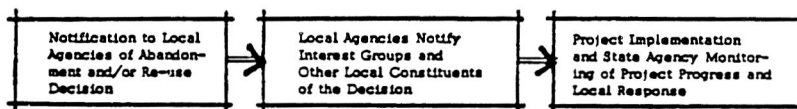


Figure 6

Phase 3. Post-decision Process

Adapted from: Mazzioti, Donald F., Mark C. Meyer and Ken J. Dueker. 1974. Railroad Abandonment & Reuse Planning: Relationship With Statewide Transportation Planning & Citizen Participation: Interim Report. Technical Report #33. Institute of Urban & Regional Research. Univ. of Iowa. Iowa City, Iowa. p. 34.

Although this ARROW reuse planning process is diagrammed in a linear fashion (See Figures 4, 5, and 6), it has many of the attributes of the circular innovative approach. Some of these similarities include:

1. Citizen participation is essential and occurs throughout the process, affecting decision making. In many cases the entire reuse process may be initiated by public interest groups.
2. The final solution, as in the innovative approach, reflects citizen input and is selected from the evaluation of many alternatives.
3. Reuse planning for abandoned railways, because of the railroad's linear nature, can involve any number of communities along the corridor, eliminating political and physical boundaries.
4. The reuse planning process for ARROW includes social planning to address a wide variety of potential users.
5. The main reason for utilizing an ARROW reuse planning process is to preserve these corridors for present and future use.

Many of the ideas and concerns presented in Mazziotti's (1974) reuse planning process model are similar to those contained in the Proposed Abandoned Right-Of-Way Re-use Act developed by Baldus and Grow (1975). Both processes follow the central theme that since railways were created for public transportation, the state should, on or before abandonment, attempt to acquire reuseable railways, thereby protecting them for future public purposes. To facilitate this, both authors suggest the establishment of a state agency to oversee abandonments, complete railroad inventories and analyses, notify and involve the public, and identify those corridors with reuse potential (Mazziotti, 1974:25-27, 31 and Baldus & Grow, 1975:7-9). Essentially this agency would act as a clearing house for railroad abandonment and reuse purposes.

Section 106 of the proposed Baldus & Grow Re-use Act contains a provision which further protects the rail line for reuse possibilities. This section addresses the right of an adjacent landowner to alter the right of way which

is being abandoned, or proposed to be abandoned. Because altering a railroad's physical properties (roadbed, bridges, trestles, etc.) is a major detriment to further linear use, this provision places restrictions on alterations. The provision requires an adjacent owner to notify the designated state planning agency at least 12 months before initiating any alteration to an abandoned or potentially abandoned railroad. Exceptions are possible (Baldus & Grow, 1975:7). Other provisions in this act address acquisition rights, participation in abandonment proceedings, and agency powers and duties.

Some of the recommendations from these two proposed reuse planning processes have been incorporated into laws (P.L.'s 94-210, 96-448, and 98-11) at the national level and were discussed earlier in the literature review. Although these laws represent a step in the right direction, most of them have not been successful. Further reuse research is needed to direct the focus of new laws or amendments which address the specific problems associated with ARROW conversions.

In conclusion, both reuse planning processes infer that state and local governments and interest groups must play an active role in reuse planning. Action taken now can help insure reuse in the future.

ARROW: Existing Reuse Planning Processes. The aforementioned ARROW reuse planning processes relate the importance of a legislative or legal framework to support ARROW projects. The use of our judicial system can also be instrumental in implementing ARROW projects. The following examples reinforce this idea.

In Iowa, no procedure has been established which promotes or focuses attention on the reuse of ARROW (Chambers, 1980:26). The Conservation Commission, one of the state's agencies with responsibility to plan for

particular state and local needs, comments on their ARROW planning frustrations:

To date, we and other public agencies have been reacting largely on a case-by-case basis to abandonments, and too often have delayed action until it was too late to act on a desired tract. As would be expected, we've lost opportunities as we proceeded on this manner. With no clear cut state policy on right of way reuse and no well defined objectives in the form of funding, we can be assured that recreational trail and wildlife reuse or other alternate public uses will be minimal (Iowa Conservation Commission, 1979:3).

Part of the Iowa Conservation Commission's problems are due to a State Code which essentially discourages acquisition of rail corridors for other uses. Chapter 327G of the Iowa Codes burdens State acquisitions by requiring them to cover all fencing costs (construction, maintenance, and repairs) if the corridor is purchased for purposes other than farming. This requirement can be enforced even if the land does not see immediate use (Chambers, 1982:29). Jerald Hayes of the Commission states that this law has been a problem because fencing costs could be as expensive as \$10,000 per mile. He suggested that some form of cost sharing is necessary between the state and adjacent owners to make acquisitions more feasible (Hayes, 1985)

The Iowa Department of Transportation has also been interested in abandoned railroad rights-of-way. Their efforts, however, have not dealt with recreational reuse (Hawkinson, 1985) but with obtaining the authority to acquire ARROW through condemnation for the purpose of preserving them specifically for future railroad use. Previously only railway companies were able to exercise the power of eminent domain to acquire lands for railroad purposes (Chambers, 1982:28). Since the State now has this power (Hawkinson, 1985) it would seem reasonable that some agreement could be arranged, thereby enabling recreation to occur until rail use returns (Chambers, 1982:27-29). Although Iowa's Conservation Commission acquisition attempts have been

limited, they have successfully acquired ARROW for recreational purposes in the eastern part of the state (Hayes, 1985).

Another avenue which can permit reuse involves the use of our judicial system. A recent Iowa District Court decision upheld the transfer of a railroad right of way from a railroad company to a "Rails-to-Trails" group for recreational purposes. This ruling, based upon a similar Minnesota case (State by Wash. Wildlife Preservation, Inc. v. State, 329 N.W. 2nd 543 (Minn. 1983)), said that the transfer of land did not constitute an abandonment because the land will continue other public transportation uses (McKinley v. Waterloo Railroad Co., 1984:10).

Iowa's attempts to reuse ARROW have described only the legal and legislative actions taken to decide reuse. Certainly there are other techniques which can successfully be implemented. However, because of the title problems often involved in reuse, the judicial system is usually involved. Therefore, the existence of laws which are conducive to reuse are essential.

Many other states have drafted laws which support abandoned railroad reuse. In Colorado, after all previous negotiations had failed, the El Paso Board of County Commissioners had to initiate condemnation proceedings to acquire ARROW lands for the New Santa Fe Trail. Once the railroad was confronted with court proceedings, the negotiations continued and portions of the ARROW were eventually acquired for trail development (EPCPD, 1982:24).

In other cases, state agencies have used rights of first refusal to acquire ARROW (CACEQ, 1975:37). Further discussion of this topic will be included in the questionnaire under the Legal/Legislative category.

This literature review has discussed four major issues which have a direct relationship to the success or failure of an attempted abandoned railroad right of way conversion project. Many of the problems mentioned are

not easily resolved, and as a result, the project may either be substantially delayed or eventually defeated. Chapter three examines many of the problems identified in this literature review through the discussion and evaluation of the questionnaire responses.

CHAPTER 3

ANALYSIS AND CONCLUSIONS

This chapter is divided into two sections, the first section is a brief introduction to the Rails-to-Trails demonstration program. The section is supported by additional information found in Appendix G. This information is included to clarify and supplement the questionnaire responses. The second section of this chapter discusses the form and content of the questionnaire (including pre-test results) and then continues with an in-depth discussion of the responses to each question. A copy of the questionnaire and tabulated responses are located in Appendix F.

Rails-to-Trails Demonstration Program/Case Studies

When the Railroad Revitalization & Regulatory Reform Act of 1976 was passed, the Bureau of Outdoor Recreation (BOR) became responsible for the administration of Section 809(b): The Conversion of Abandoned Railroad Rights-of-Way. The authorization of this section represented the nation's first efforts to assist in the conversion of abandoned railway corridors for public purposes.

The Department of Transportation was also mandated, in Section 809(a), to conduct an inventory of abandoned railroads for conversion and other related studies. Their report to Congress in 1977 stated that approximately 3,000 miles in 48 states were available for alternate uses.

In Fiscal Year 1978 Congress appropriated \$5 million to fund a Rails-To-Trails conversion program. The BOR, realizing the monies appropriated would only convert a small portion of the 3,000 miles, established a program and project selection process to demonstrate (a) the acquisition and development of abandoned rights-of-way, (b) the range of recreation and transportation

benefits resulting from such conversion, (c) the potential for inter-community linkages and open space protection, and (d) the practical problems associated with conversions (NPS, 1984:3-4).

Grant applications from state, regional, and local governments were accepted only during the first quarter (two and one-half months, Oct. 1 - Dec. 15) of Fiscal Year 1978. The HCRS received 135 applications which represented \$70 million in total requests. The applications were then evaluated by a review panel, in terms of conformance to a set of established criteria (Appendix D). These criteria were developed by the HCRS to ensure that the selected projects met the objectives of the law. Finally, based on composite scores, ten projects were selected for the 90/10 Rails-To-Trails grants (Appendix F, Table 1). Two of the ten selected projects (Arkansas and Nebraska) later withdrew their requests and a project in Washington State was added in their place.

To include a variety of planning processes (both failures and successes), this study will be based on the original ten recipients of the federal grant, and it will not include the Washington project. Two additional projects (one from Wisconsin and the other from Minnesota) will be included because these states are noted for their many successful ARROW conversions. Appendix G contains information specific to each project. Only eleven projects are included as no response was received from the Pennsylvania participant.

Three types of information are provided for each project. The first type is basically project data such as adjacent land uses, acquisition costs, right of way length and width, etc. The second type is a project description or narrative while the third is project timeline or sequence of events. Together, this information was utilized to gain further insight about the respective planning processes.

Planning Process Questionnaire

The type of research instrument used in this study of the planning processes related to ARROW conversions was a written questionnaire. The questionnaire's purpose was to provide a consistent means of inventorying data, responses, etc., specific to each of the projects under study and to enable the major purpose of this research to be accomplished.

The questions focused on factors which influence the planning process. The questions were developed based upon (1) conversations with federal, state, regional, and local contacts who were or are presently involved in this type of recreation development, (2) issues and problems typically expressed in the literature on this subject, and (3) the opinions and recommendations expressed at the 1984 National Trails Council Symposium. As the questions were developed they were grouped into five major categories: (1) Project Background, (2) Planning Process, (3) Political/Social, (4) Economic, and (5) Legal/Legislative. The questionnaire along with the tabulated responses and the cover letter are located in Appendix F.

Pre-test Results

Once the questionnaire was completed, it was mailed to five preselected participants who were, or had been, involved in an abandoned railroad right of way conversion. They also held similar positions to those who were selected to complete the final questionnaire. Basically, the pre-test results indicated a need for minor editorial changes, such as (1) rephrasing questions so as not to imply or assume that a respondent or project did or did not experience some type of action, (2) adding additional questions to the first category (Project Background) to further substantiate the respondent's familiarity with the type of information desired and the project itself.

One other pre-test result was observed. Since part of the purpose of

this research was to inventory the planning process, respondents were asked to outline or send photocopies of the specific process utilized in their ARROW conversion project. No outlines were included in the pre-test responses. In order to increase the probability that respondents would respond to this question, three changes were made. First the words "or diagram" were added so that the question read "Please outline or diagram the...". Secondly, the new phrase was printed in bold face type. Finally, other questions throughout the questionnaire were referenced to this question so that these related questions could not be answered if the outline or diagram had not been completed. Although including examples of the type of planning process response desired could have been provided, this idea was rejected on the basis that it would bias the overall results. Once these changes were completed, the final questionnaire was administered.

Final Results and Discussion

As previously mentioned, the questionnaire and cover letter were mailed to twelve preselected participants who represented various states and levels of government across the United States. The following discussion is based on the responses from the eleven participants who completed the questionnaires. For the most part, the responses to each question are discussed on an individual basis within their respective categories. In those instances where the questions and responses were closely related, the findings were combined into one general discussion (ex. the entire first category "Project Background" is discussed in this format). Finally, once the entire questionnaire was discussed, conclusions were drawn for each category.

Project Background

The main purpose of the first category of questions was to obtain general

background information specific to both respondent and project. The responses to the questions in this category (questions 1-10) have been recorded in Appendix F and are discussed in the four sections which follow.

Questionnaire Respondents

Because the questionnaire was directed at the planning process, certain types of respondents (Parks and Recreation Directors, Project Managers, Senior Planners, etc.) were selected. These types of agency personnel were chosen because (1) they would most likely have been associated with the acquisition and planning process utilized before and during the conversion, and (2) they were listed as the "contact person" on the HCRS application grants and were also recommended by Tom Ross, of the National Park Service, as the individuals most likely to have an overall knowledge of the project.

As planned, the group of respondents was composed of individuals in supervisory positions. Six of these respondents had been associated with the project for more than three years, while three of these six respondents had been associated with their projects for over six years. This length of time in addition to the fact that the respondents were in fairly high-level positions, indicates they should be well aware of the types of input desired in this study.

Project Duration

As previously mentioned, nine of the case study projects obtained federal funding in 1978. Even though eight of the nine funded projects were initiated prior to or during 1978, only two indicated that development was complete at the time this questionnaire was administered (two projects, one in Arkansas and one in Nebraska were never developed). The delayed completion time, supported by the findings of this study, reinforces similar findings which were discussed in the literature review.

Development Phases

The purpose of question nine which was concerned with phased vs. non-phased development, was to see what type of approach to development is most commonly utilized. The responses indicated six of the projects were being developed in phases while the other five were developed in one time period. This would suggest that either approach is applicable. However, some preference might be implied though if one realizes that two of the three agencies with prior conversion experience were using phased development in their present projects. This relationship, although a weak one, might suggest that due to the time frames and problems inherent with conversions, the phased approach might be more applicable.

The researcher was also interested in seeing if there might be any correlation between a project's success and whether or not it was a phased development. This premise was based on the idea that:

1. the potential acceptance of a phased development plan is more probable because a phased plan can provide the public with an opportunity to experience part of the total plan before additional funds are appropriated or expended for the remaining phases,
2. the amount of funds and the length of time required to acquire a right of way are more conducive to phased development because of limited funds and unforeseen delays in resolving title problems, and
3. phased development can enable one to make improvements and necessary changes to each succeeding phase.

Of the successful projects, six were phased and three were not. Of the two projects which failed only one indicated their project would not have been phased if they had proceeded with the project. These findings, although not conclusive, may suggest that conversions which are planned in phases are more likely to be successful.

Agency Experience

The purpose of question ten was to determine if any of the agencies had any prior experience with this type of recreation planning, and if so, did prior experience have any bearing on project success. If an agency had conversion experience gained through implementation of other ARROW projects, it would be reasonable to assume that the planning process they used this time would be more responsive to the problems dealt with during earlier projects.

The responses to this question, when analyzed in conjunction with others in the questionnaire (ex. 16B & 16C) might indicate how an agency involved in their first conversion could revise their planning process in order to increase their potential for acquisition and development.

Of the 11 respondents, 8 replied that this was their first ARROW project while only three claimed prior conversion experience. Some confusion in interpreting the question may have been caused by using the words "your first" instead of "your agency's first". However, when questions 10, 11, 34, 37, and 39 are analyzed together it is easier to determine whether or not the respondent was answering on behalf of the agency. In most cases (except for Ohio and California) those respondents involved in their first conversion gave responses which represented their agency. The results of this question also indicate that those agencies which had previous conversion experience also had the highest number of successful acquisitions (see question 11 results).

Planning Process

The main focus of this research centered on the planning processes used in ARROW conversions. This category of the questionnaire inventoried those processes for each project and then examined their components to reveal how they responded to problems associated with conversions. Many of the questions

were included to reveal the extent to which various types of planning activities occur before a conversion project is initiated.

11. HOW MANY ARROW HAS YOUR AGENCY/DEPT. ACQUIRED FOR RECREATIONAL USE?

This question qualifies the thoughts presented in #10 by revealing numbers of previous acquisitions (successes and failures). Again, it is reasonable to assume that agencies which have successfully acquired and developed previous projects, must have utilized a process which facilitates success. The word "success" in this context only infers that the agency was able to acquire the abandoned railroad right of way by whatever means, and develop it. It does not relate to post construction success, i.e. do people like or use the trail? Of the 73 attempted acquisitions, 65 were successful (approx. 89%). The states of Minnesota, Wisconsin, and New Jersey reported the highest numbers of successful acquisitions. New York followed with five successful acquisitions and also replied they were presently working on their sixth. As might be expected, the states with the largest number of attempted acquisitions were also the states which had the largest number of successful conversions. Based only upon the numbers of successful acquisitions, the responses from these four states (Minnesota, Wisconsin, New York, and New Jersey) appear, at this point in the discussion, to be using processes which facilitate successful conversions.

12. WHAT RESOURCE(S) DID YOU CONSULT WHEN PLANNING FOR THIS ARROW PROJECT?

The purpose of asking this question was to see what types of resources, were most commonly utilized in preparing for a conversion. Because time and money are important in any project, a knowledge of which resources would be most beneficial to investigate would be helpful. Furthermore, since the element of time is especially critical during the railroad abandonment process, it would seem logical that prior investigations and pre-conversion

studies would be essential before initiating a project. Gaining an understanding of what to expect and preparing for those expectations could prevent costly delays during the actual abandonment process. In fact, prior investigations may even indicate that the conversion of a corridor is not worthwhile or feasible, thereby eliminating the need to participate in the abandonment process.

As might be expected the responses to this question revealed that a variety of resources are used by most agencies when planning for a conversion. However, the four resources with the highest frequency of use were local government officials (10), citizens groups (9), park agencies (9), and feasibility studies (7). These findings imply that four major resources are considered by the respondents to be important in the planning process. The attitudes and positions taken by citizen groups and park agencies can influence local government officials and political figures to accept or reject a project. Therefore, utilizing these people as resources to facilitate project support is important. The attitudes and positions taken by local politicians are also important. They alone can be very instrumental in determining the fate of a particular project, regardless of whether or not support exists. This factor is best illustrated in the Nebraska project, where newly elected politicians ruled against the project's continuation.

One might expect, as experience in this type of recreation increased, fewer resources would be consulted, but this was not the case. It is interesting to note that the three states which had prior conversion experience (Minnesota, Wisconsin, and New York) generally consulted a larger number of resources than those involved in their first conversions. A probable explanation for this might be that even though local governments and citizen groups are important contacts, they are not static. City councils and populations change and these changes can have an impact on previously accepted

plans. Therefore, repeated consultation with these resources is necessary.

Five of the 11 respondents made visits to existing projects. Three of the five respondents who made visits were from states which had successfully implemented previous projects. Although site visits to existing projects do not appear to be vitally important in implementing future projects, the three states which have successfully implemented prior projects seem to imply they are important.

The results obtained from the two unsuccessful projects (Arkansas and Nebraska) were also interesting. Although both failed, the Nebraska project planners consulted 7 resources during their planning while the agency in Arkansas only consulted "other agencies (ex. NPS, State Parks & Recreation Departments, etc.)". This suggests that even though many preplanning resources are often utilized they still cannot guarantee a project's success.

13. WHAT WERE THE CIRCUMSTANCES WHICH CAUSED YOUR AGENCY TO UNDERTAKE A PROJECT OF THIS NATURE?

Conversion projects were initiated for a variety of reasons, including: (1) the potential to expand or provide linkage to existing trail systems, (2) the availability of federal funding (Minnesota and Wisconsin do not apply as they were implemented after the grant), (3) the conservation/preservation of open space, (4) citizen requests or support for its use, and (5) the corridor was proposed for development.

Although the responses to this question were quite varied, the potential to expand or link to existing trail systems was the most common reason for initiating the project. The availability of federal funding was the second most popular reason cited. Some evidence of agency policy or mandate to pursue this type of recreation development was suggested by the responses from Wisconsin, Ohio, and New York. Action of this nature can permit an agency to

investigate proposed abandonments, thus enabling them to be in a position to make important decisions when time is at a minimum.

14. WHAT RESOURCE(S) DOES YOUR AGENCY UTILIZE TO STAY INFORMED ON RAILROAD ABANDONMENTS?

Many resources are available to keep an agency informed of railroad abandonments. Each state has a designated agency which is notified when a railroad applies for abandonment of a particular rail line. Additionally, private citizens may also be informed of railroad abandonments by having their names placed on the ICC mailing list (Harnik, 1983). If an agency stays informed of abandonments on a regular basis they can begin preparations for a conversion at least three years in advance of the actual abandonment. Again, this could allow them enough time to investigate the potential of a particular corridor, thereby decreasing the chances for delays during the abandonment process.

Most agencies indicated that they used at least two sources (mainly the ICC mailing list and interagency channels) to stay informed of abandonments. The state of Ohio used the largest quantity of resources (4) and only one state did not use any resources. The state which used no resources was where one of the projects failed. Although five agencies used only two resources to remain informed of abandonments, it seems as though this action is not directly related to a conversion's success. It may however, reduce some of the problems associated with a conversion.

Again, the data indicate that tracking a railroad's abandonment status prior to the abandonment process seems to provide an agency with the most time and flexibility in determining a railway's potential for acquisition and development.

15. WHAT WAS THE STATUS OF THE RAILROAD RIGHT OF WAY AT THE TIME YOUR AGENCY BECAME INTERESTED IN THIS RAILROAD CORRIDOR?

As previously described in the literature review (Chapter 2), each railroad company is required to develop a system diagram map (See Appendix C) of its rail system, designating all lines in its system by category (CFR, 1981:325). If an agency is proposing a conversion project, the possibility of its success can be increased if the agency participates in the abandonment process. Furthermore, the potential for a successful conversion is often increased if the agency has been in contact with the rail company before the railroad is actually abandoned, as illustrated in the Missouri case study. Early contact enabled them to save existing trestles and roadbed which probably would have been destroyed in normal salvage operations.

Four of the eleven projects were developed on rights-of-way which were already abandoned when the agencies became interested in them for recreation. The two rights-of-way related to the withdrawn projects were also in this condition. Of the nine participants (each represented a federally funded project) who responded to this question on the railroad's status, only two (Missouri and Virginia) indicated that they became interested in the right of way before or during the abandonment process. However, even though Missouri worked with the railroad company in advance of abandonment they still encountered delays in the acquisition and development of the corridor.

Both the Minnesota and Wisconsin rights-of-way were also in the abandonment process when their agencies became interested in the corridors. Wisconsin further clarified their response, replying that they generally track abandonments through all three categories. Because of this action, they are able to act decisively when the corridor is finally abandoned.

Generally, there was no unique relationship between the success of a project and the railroad's status at the time the agency became interested in

it for conversion purposes. Since eight of the ten projects which received federal funds were successful, it appears that an agency's determination and persistence during a project of this type can eventually lead to the establishment of a quality recreation trail.

16. PLEASE DIAGRAM OR OUTLINE THE BASIC STEPS OF THE PLANNING PROCESS YOU UTILIZED FOR THIS SPECIFIC PROJECT.

One of the purposes of this research was to inventory the planning processes utilized by the various agencies in their respective ARROW conversions. This question fulfills that specific purpose. Both diagrams and outlines were provided with the outline being the most popular form of response. To obtain a more thorough understanding of these processes, a timeline (sequential list of events) was developed for each project (See Appendix G). Other questions in this category were also directed at illustrating differences and similarities in the processes. The comparison of these processes revealed the findings which are presented under the following headings.

Innovative vs. Traditional Qualities

At first inspection, all but two of the responses seemed to reflect the traditional planning approach. The tasks that were described and accomplished occurred in a prescribed sequence which generally terminated with project implementation. In only two responses did the outline suggest (Ohio) and the diagram indicate (New York) that the process was a continual or cyclical one. The fact that the process exhibits a cyclical nature does not infer that this quality is the only attribute which distinguishes it from the linear or traditional approach. The literature review, which discussed these two approaches presented many other differences. However, the absence or

presence of this attribute (cyclical form) can at a quick glance, suggest which type of approach the process resembles.

Upon further examination of these processes, and when the responses are related to the findings in question number 21 (Question asked if a post-construction evaluation was completed.), the processes were found to be similar to the innovative approach. In addition to the post-construction step of the process, other qualities further suggested the processes were more similar to the innovative approach than the traditional. Some of these include:

1. The fact that each conversion project is based on the conservation of natural resources, i.e. The reuse of derelict lands instead of acquiring and developing unused lands.

2. Many of the projects involved public participation at one or more times during the process.

3. The fact that public input occurred early on in the process to affect decision making.

Process Components or Steps

The processes were quite varied with the most common step focusing upon public input. Although each project utilized public input at some point in the process, it was interesting to note that the two projects which ultimately failed (Arkansas and Nebraska) and one which had considerable delays (Maryland) included public involvement after the grant was obtained. The processes indicated that public input was sought during the following time periods:

After receiving the federal grant	= NB, AR, MD
Before acquiring the right of way	= OH, MO, VA, WI, NJ, CA, MD
Throughout the process	= NY, MN, WI

The Wisconsin process reveals an interesting planning approach and it may be one which has enabled them to successfully acquire and implement so many

ARROW conversions. The entire outline has the underlying theme of being prepared for a railroad's abandonment. They initiate their planning by tracking rail abandonments throughout all three status categories (see question 15). Additionally, the corridor's potential for trail use is investigated as soon as the proposed abandonment enters Category 2 of the systems diagram map (See Appendix C). When a particular railroad is placed in this category it means that as the railroad company begins studying the line for future abandonment, the Wisconsin Department of Natural Resources is concurrently studying the line for its recreational reuse potential. If no potential exists, the recreation agency need not be concerned or involved in further abandonment proceedings. However, assuming the potential does exist, the agency can then continue further investigation, secure financial support, initiate title searches, and carry out any other tasks necessary to secure and develop the right of way. If the corridor is acquired, the agency immediately completes a master plan and an environmental impact assessment.

The process utilized in the Virginia project also contained an interesting component. Their process was the only one which actually listed public input as the first step to determine whether support for the conversion existed. They also incorporated the project in their five year capital improvement program which established a continual supply of funds. Other process variations included: (1) utilizing inner departmental reviews of the conversion plan (Ohio), (2) incorporating the proposed use of the corridor in other types of plans; recreation, land use, open space, conservation, etc. (all respondents except Minnesota), and (3) utilizing staff and a Citizens Advisory Committee in planning for future acquisition and development plans (Maryland).

In summary, the processes outlined or diagrammed in response to this question were quite varied. Some similarities in the process steps or

components were noted, with the major similarity focusing on the aspect of public involvement. On the other hand, the differences in these processes were more apparent, possibly due to varied interpretations of the term "planning process". Because of these interpretations, some of the processes outlines or diagrams were more similar to timelines instead of planning processes. Although these timeline responses were not as refined or detailed as other inventoried processes, they do suggest that conversion planning took place. Additionally, the researcher assumed that if the planning process responses were not specifically utilized for ARROW conversions (as indicated by the results of 16A), but rather a commonly used recreation process, that some of the responses should have presented a closer representation of those processes.

16A. DOES THE PROCESS YOU OUTLINED/DIAGRAMMED ABOVE DIFFER FROM YOUR NORMAL RECREATION PLANNING PROCESS? IF YES, HOW?

This question was asked to determine if the planning process utilized was unique or specific to ARROW conversions. Five of the respondents said there was no difference between the process used for the ARROW project and their normal recreation planning process and two others suggested only minor differences occurred. The Missouri respondent clarified his response by saying, "although the two processes were in general much the same, the primary difference was the close cooperation between the Legal and Parks and Recreation Departments." This comment, directed at the necessity of legal consultation was mentioned in the literature review relative to the discussion on obtaining clear title to the right of way. The three states which had developed previous projects were also included in this group which said no difference existed between the two processes.

Only two participants indicated there was a difference in the two processes.

These differences were:

1. experiencing a more intensified public coordination (Ohio), and
2. establishing a Citizens Advisory Committee (CAC) for this project, although it is not always necessary for other projects. As mentioned in their planning process outline, this committee was established by the Department of Natural Resources (DNR).

None of the participants mentioned the fact that staying informed of railroad's abandonment status was a task which is unique to this type of recreation development. It might have been assumed that this difference was only due to the uniqueness of the project and because it did not require any major changes in their existing planning process. These participants also saw no need to establish a process unique to ARROW conversions.

From these findings, it appears that an agency's existing planning processes are adequate when dealing with the acquisition and development of ARROW. Although some differences and changes were experienced during the process, in general, the agencies normal recreation planning processes were evidentially flexible enough to accommodate these minor variations.

16B. IDENTIFY THE STEP(S) WHICH WAS MOST INSTRUMENTAL IN ASSURING THE ACQUISITION OF THIS ARROW PROJECT.

Planning processes are comprised of many various steps, but which ones are most instrumental, if any, in assuring the acquisition of abandoned railroad rights-of-way? The responses to this question were almost as varied as the process diagrams and outlines themselves. Basically, only two topics, federal funding and public participation, were commonly identified. But in general, no specific step(s) was identified by a specific majority of the respondents as being most instrumental in assuring the abandoned corridor's acquisition.

Federal Funding

One step which was identified by three states (Missouri, Virginia, and California) was directed at receiving federal funding, but even then, it was mentioned (except by the California respondent) in conjunction with other instrumental steps. Although three additional state's (Maryland, Nebraska, and Ohio) processes stated (in question 13) that the availability of federal funds was one reason they initiated the project, they did not list federal funds as being the most or one of the most, instrumental steps in acquiring the railroad corridor. Therefore, only two states (Missouri and California) were consistent in mentioning that federal funding was a reason for beginning the project and that receiving the grant was instrumental in acquiring the abandoned railroad corridor. Furthermore, it is apparent from examining the Missouri, Maryland, Arkansas, and Nebraska cases, that receiving federal funds in no way ensures the abandoned railroad right of way can be acquired or developed. This does not suggest in any way that federal assistance is not necessary for this type of recreation development. On the contrary, federal monies have provided many fine recreation facilities and many park agencies have become dependent upon their assistance. Driver (1984:10) reports that "by 1980 an average of one-third of all local park-program budgets included federal allocations". These findings further imply that although federal funds may be granted, other problems (public opposition, obtaining clear title, etc.) can substantially delay the expenditure of these monies.

Public Participation

Missouri, Virginia, and New York all mentioned public participation as an instrumental step in assuring the corridor's acquisition. Almost all of the process outlines and diagrams included various forms of public involvement. Due to the fact that this type of project often raises more public attention

than other recreation projects, it was anticipated that this step would have been listed by more respondents as being instrumental to the corridor's acquisition. However, only one state listed public participation by itself, as the most instrumental step, while others listed it in addition to other steps. Although public involvement is important in railroad rights-of-way conversions, it is evidently not, by itself, the most instrumental step in assuring the actual acquisition.

Some of the other instrumental steps mentioned in addition to federal funding and public participation were:

1. making contacts with local units of government and obtaining their support (Minnesota),
2. working with the Department of Transportation on the abandonment process (Wisconsin). This step can directly involve the agency in the ICC abandonment proceedings to help increase the possibilities for reuse, and
3. having the State Board of Public Works approve the condemnation of the right of way (Maryland).

These responses, in addition to public participation and funding further suggest that there is not "a single step" common to many planning processes that can be identified as being "most instrumental" in assuring the acquisition of an abandoned railroad corridor.

In summary, receiving federal funding and active public participation can be instrumental steps in acquiring ARROW, but their importance can be easily diminished by other problems.

16C. IDENTIFY AND EXPLAIN CHANGES, IF ANY, WHICH WERE MADE IN YOUR BASIC PLANNING PROCESS THAT RESULTED FROM UNDERTAKING THIS TYPE OF PROJECT.

Generally, no major changes in the planning process format resulted from undertaking this type of recreation project. Seven of the respondents either gave no response or said that no changes were made. Three responses indicated changes which occurred in their basic planning process, but none were similar

in nature. Changes which occurred included:

1. better and closer cooperation with the city's legal department,
2. more extensive public contact, and
3. a change in project scope and related expenditures due to a co-sponsor's withdrawal from the project. This was a major change but it occurred after the right of way had been acquired.

17. WHAT EFFECT, IF ANY, DID LOCAL ZONING LAWS, ORDINANCES, AND REGULATIONS HAVE ON THIS PROJECT? PLEASE EXPLAIN.

The overall affects of local zoning laws, ordinances, and regulations on these projects were minimal. Six of the eleven respondents stated that these types of restrictions had no effect on their projects. The remaining five responses also indicated that those effects which did occur were quite minimal. Further explanations suggested that the regulations imposed were mainly concerned with allowable uses (horseback riding, snowmobiling, motorcycling, etc.).

In the Arkansas case, their pre-application material indicated that any reuse of an abandoned railroad rights-of-way must be approved by the Arkohoma Regional Planning Commission and the City of Ft. Smith. Additionally these two authorities also control land use through zoning ordinances. These powers could be very instrumental in enabling recreation uses to occur.

18. DID THE RECREATION STATISTICS IN YOUR STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN (SCORP) HAVE ANY INFLUENCE ON THE ACQUISITION OF THIS PROJECT? IF YES, PLEASE EXPLAIN.

The Statewide Comprehensive Outdoor Recreation Plans (SCORP) were essentially utilized to justify the need for or lack of additional recreation facilities that these corridors could provide. Specific reasons given on how the SCORP influenced the ARROW acquisition included:

1. Statistics from the plan were used in preparation of the federal grant (Missouri).

2. The SCORP outlined a need for certain recreation facilities at both the regional (Wisconsin and Missouri) and local levels (Ohio).

3. The SCORP showed an unmet demand in the metropolitan area (Minnesota).

4. The plan reflected a strong interest in and support for public facilities for cycling, hiking, and horseback riding (Virginia).

Although none of the proposed rights-of-way trails may have been specifically identified within the SCORP document, it was useful in justifying the need for the additional facilities which were provided for in these corridors. It is also important to note that even though six of the projects were sponsored by state agencies, only one made reference to the planning process often contained in these SCORPs.

19. WAS THIS ARROW CORRIDOR IDENTIFIED OR INCLUDED IN ANY COMPREHENSIVE LOCAL, REGIONAL, OR STATE PLAN(S)? PLEASE SPECIFY.

The purpose of this question was to see if the conversion projects were reactionary or whether they had been planned prior to acquisition. That is, were they a component or phase of a state, regional, or local master plan or did the agency initiate the project simply because it and the funding became available. It was assumed that those projects which had proposed the corridor's use in previous plans might experience less public opposition than those which made no previous references to incorporate the right of way as a recreation corridor.

Eight out of the eleven respondents indicated that the rights-of-way had been identified in some variety of comprehensive state, regional, or local plan. Even though two of the states said the corridor was not referenced in any other plans (Arkansas and New Jersey), further examination of their pre-application materials indicated they were mentioned in other plans. Therefore, ten out of the eleven responses indicated the corridor's use had been previously mentioned. In most instances the corridor's use was referenced

in at least two studies, while in others it occurred as many as four times.

Typical types of plans included State Park Master Plans, SCORP plans, regional, county, and local land use plans, existing trail plans, and various bikeway plans. Both projects which failed had previously referenced their respective rights-of-way in only one plan. Although the need for this type of facility may have been established in the SCORP, the corridor itself was probably not specifically identified for reuse. However, the identification of a certain corridor could be included in this plan if the agency was aware of the railroad's abandonment status.

When the results of this question are compared to those in question 27 (question asked what type of public opposition was experienced) no apparent correlation existed between those agencies which referenced the corridor's use in previous plans and those which received a variety of types of opposition. The Maryland project best illustrates this point. Even though the proposed use of the right of way was referenced in four documents, it still experienced the greatest variety of public opposition (7 types). Virginia, on the other hand, also referenced four other plan documents, but only experienced four types of opposition.

In summary, the results suggest that referencing the proposed use of a right of way corridor in other documents has no direct bearing on whether or not the conversion, if initiated, will experience public opposition. Although all but one state included or identified their respective ARROW in either local, regional, or state comprehensive plans, the cited plans or studies still only acted to justify the need for such a facility. They did not aid in reducing the types of public opposition which were later experienced.

20. WHAT, IF ANY, FORM OF COMMUNICATION OR SUPPORT DID YOU UTILIZE TO HELP INFLUENCE PUBLIC ACCEPTANCE OF THIS PROJECT? PLEASE PLACE AN ASTERISK BESIDE THE TYPE WHICH WAS MOST EFFECTIVE.

If an agency is aware of the issues and problems associated with ARROW conversions prior to the acquisition and development of the corridor, they can devise and incorporate solutions into their plans which address such issues. This may be especially important if extreme public opposition is expected. A knowledge of which types of communication are most effective would be useful in reducing this opposition.

The responses to this question imply that basically four forms of communication or support were used to influence public acceptance of a project. All but two states used the newspaper as the major type of communication. Political figures were also highly utilized to influence public acceptance, as were both public and private organizations. Political figures and public organizations were also the most common resources utilized when planning for these conversions.

There was no apparent correlation between the types of communication used and a project's success. The Nebraska project used the same forms of communication as did many of the successful conversions, but it failed. The Arkansas conversion attempt which utilized only one form of communication, also failed.

When the communication frequencies for those agencies which were awarded federal funding are compared, a stronger relationship appears. The cases which used a greater number of communication types were also the two which encountered substantial difficulties (Missouri and Maryland) and one which eventually failed (Nebraska). Obviously this relationship does not suggest that an agency should use as few forms of communication as possible in order to be successful. It might however, suggest that those agencies which had substantial problems needed to or should have used additional or perhaps

different types of communication to persuade the public of the project's importance or recreation value of the project. The comment made by the Arkansas respondent in reference to question 25 (question asked if public involvement was a planned step in the planning process) supports this thought. In reference to planned public involvement the Arkansas respondent replied, "No, but it (public involvement) should have been".

On the other hand, three other agencies (Wisconsin, New York and Virginia) utilized a variety of communication types and experienced difficulties. However, the agencies were evidently able to resolve these problems in a shorter period of time to prevent the project's failure.

Based on these findings, four main forms of communication seem to be commonly utilized to influence the public's acceptance of a project. They include newspapers, political figures, and both public and private organizations. Additionally, the variety of communication types utilized by an agency can possibly represent both efforts to persuade public acceptance before initiating a project and to resolve conflicts once the project has started.

Finally, in an effort to derive which type of communication was most important, the respondents were also asked to identify which type was the most effective in influencing public acceptance of the project. Unfortunately, only two responses were received. The responses received were however, two of the types which were also listed as the four most common communication types.

21. DID YOUR AGENCY CONDUCT A POSTCONSTRUCTION EVALUATION OF THIS PROJECT? IF YES, PLEASE EXPLAIN THE RESULTS.

Post-construction evaluations are conducted for many purposes. In the review of the planning process several key points were made relative to the usefulness of this activity and the potential this has to positively affect future development. The discussion on the innovative approach suggested this

evaluation was a necessary, but often neglected, component of the cyclical or innovative planning process.

This question was included to see if agencies are using post-construction evaluations as a part of their planning process. Before discussing the results, it should be noted that none of the respondent's planning process diagrams or outlines specifically indicated the inclusion of such a step and only two states (Ohio and New York) inferred that some type of evaluation was a part of their process.

Although none of the respondents specifically indicated that an evaluation was a part of their process (question #16), at least seven respondents replied that some type of post-construction evaluation had been or would be conducted once the project was completed. Three of these seven were informal evaluations, but it still may be inferred from this data that the agency was concerned about the final product or citizen satisfaction. Even the Nebraska project, which ultimately failed, had plans to complete an evaluation had the conversion had been successful.

Finally, although post-construction evaluations may be typically thought of as being applicable only to the design itself, it should be noted that to refine and improve the planning process itself, a similar evaluation should be completed of the planning process. Hopefully, this would help decrease some of the problems presently associated with railway conversion projects.

22. ARE YOU INVOLVED IN PLANNING FOR ANY FUTURE ARROW PROJECTS? IF SO, HOW MANY?

The purpose of this question was to reveal if the success or failure of this or any previous ARROW project(s) would influence future conversion attempts. Unfortunately, the question should have been directed at the main issue, whether or not the problems in the present project were extensive enough to discourage future conversions. None the less, one could assume that

if an agency is involved in planning for future ARROW conversions:

1. the problems experienced during this conversion were minor or not viewed as insurmountable,
2. the agency has learned from their past experiences, completed any necessary changes to their planning process, and was prepared for another conversion, and
3. possibly, the lack of continued specific federal funding is a hinderance, but perhaps not an obstacle to future recreation projects.

While only one state (New York) indicated that they were planning for future projects, three others replied that they were (1) interested in acquiring more ARROW (California), (2) continuing additional portions of the current project (Maryland), and (3) not completing any planning at this time, but there are several ARROW on the horizon (Minnesota).

Finally, one interesting comment is noted from the Missouri respondent that reiterates the difficulties often encountered during these projects which may act to discourage an agency from attempting future conversion projects.

If the city knew in advance the amount of time-consuming efforts which have gone into this project, I am not sure they would support the project if it were to begin today.... Public interest and support which was initially very high has waned somewhat due to the disappointment in the amount of time it has taken to progress with the acquisition of the right of way, and the fact that it is not officially open to public use (City of Columbia, Mo., 1980).

Political/Social

This section of the questionnaire deals with topics related to political and social aspects of ARROW conversions. Since this type of recreation development often involves the acquisition of numerous parcels of private lands, the majority of the questions were directed at public involvement and its relationship to the planning process. It was assumed that because most public opposition, or support, is generally experienced within the framework of the political system (i.e. public hearings), for the most part, the

decision reached by the governing body will usually reflect citizen input. Other questions in this category were directed towards inquiry regarding the political framework, its composition, and how it acts to influence the reuse of abandoned railroad corridors.

Political and social factors are important aspects to consider when planning, not only for recreation development, but for all forms of development. The influence these factors can have on a project's outcome is clearly demonstrated in both the Nebraska and Arkansas cases, and also implied in the Maryland project.

Before discussing the first question, it is interesting to note that in question twelve, ten of the eleven respondents indicated that local government officials were the main resource consulted when planning for a conversion. This would suggest that agencies might consider this resource as having had a direct bearing on determining their project's acceptance and that securing this type of support was critical, if not essential.

23. WHAT DEGREE OF COOPERATION DID YOU RECEIVE FROM YOUR GOVERNING BODY (BODY WHICH AUTHORIZES PROJECT APPROVAL) CONCERNING THE ACQUISITION OF THIS RAILROAD CORRIDOR?

The results of this question revealed that out of eleven responses, nine indicated some form of positive support was received by the governing body. In this context, the governing body is defined as the body which authorizes or approves the proposed development plan. In many instances the specific wording in the responses (ex. enthusiastic, aggressive (Wisconsin), almost unanimous support (Virginia) gave further evidence that the rights-of-way acquisition was a positive step supported by the governing body.

As might be expected, a governing body can also work to defeat a project. The other two responses inferred that what cooperation did exist, occurred at a low level, if at all. Again, these responses represented the two projects

which ultimately failed. In fact, the response from the Nebraska participant further declared that "They (the governing body) killed it (the project)." This response alone would suggest that the decision reached by the local government officials did not represent the opinions of the public.

In conclusion, where a governing body was cooperative and supportive of a project, the conversion ultimately succeeded. Where cooperation was not experienced, the conversion failed even though the funding had already been received.

24. WHAT WAS YOUR GOVERNING BODY'S GENERAL ATTITUDE TOWARDS THIS PROJECT?

The issue addressed in this question is essentially the same as the previous question. However, here the intent was to reveal general attitudes represented by members of the governing body. The question in part, assumes that it is possible for members of a governing body to cooperate with an agency or the general public, while in fact, they themselves may not be in favor of the project.

The results of this question were almost identical to those found in question 23. This time eight of the eleven respondents replied that the general attitude of their governing body was "favorable, strong support". These eight responses were given by the same respondents to question 23 which identified that they had received cooperation. The Minnesota respondent stated that the governing official's attitude was favorable, with several strong supporters and moderate support from key people. Again, the responses which represented the unsuccessful projects, indicated that the governing body's general attitude was "unfavorable, totally opposed".

In summary, based on the findings from both questions (23 and 24), cooperation and support by a governing body are conducive to a project's success. In those conversions where this type of support was lacking, the

projects failed. Public participation can and does play an important role in an ARROW conversion and the remaining six questions were devoted to this topic.

25. WAS PUBLIC INVOLVEMENT A PLANNED STEP IN YOUR PLANNING PROCESS? IF YES, WHEN DID IT OCCUR IN THE PROCESS. PLEASE NOTE (ASTERISK) THESE TIMES ON YOUR DIAGRAM IN QUESTION 16 AND EXPLAIN BELOW.

This first question deals with public input and provides further insight into the components contained in the respective planning processes. Its purpose was mainly to see if public input is a reactionary measure or is it used to help augment the decision making process. The results indicated that in eight of the eleven responses, public involvement was a planned step in the process. Although three of these eight responses further stated that public involvement occurred more than once during the process, only three indicated exactly when in the process this involvement occurred. The process used for the Virginia project was the only one which listed or diagrammed public involvement as the process' initial step. Although the New Jersey process outline did not include this step, the respondent mentioned that "prior to any acquisition of any project a public meeting is held to inform the ones that are involved with the state's acquisition of their properties". If public input occurs at this location, the opinions generated in these hearings should facilitate a governing body's decision on whether or not to pursue the project's acquisition and/or development. This can also save time and money for both the agency and general public attempting to acquire the corridor. Other locations for public involvement included (1) throughout the entire process (Wisconsin, Minnesota, and New York) and (2) informally at the project's initiation and formally following concept development (Ohio).

The Maryland respondent, who represented one of the projects which experienced lengthy delays, indicated that although public involvement was not

planned, it was anticipated. Based on this response one might conclude that initial public contact can help prevent delays later on in the development phase.

Once again, the Nebraska and Arkansas respondents replied that this phase or step (public involvement) was not a part of their process. The Arkansas participant emphasized this lack of public input by stating:

No, but it should have been.....the whole thrust of the project was frankly done in total isolation with absolutely no communication with the local landowners, and in reflecting back on what could or should have been done, we certainly should have gone through some type of survey procedure or process to (1) inform the people what we were attempting to do, and (2) within that, allay their (what were to me unfounded and unrealistic) fears concerning real estate values and safety.

Furthermore, he reported that:

In reflecting back over these many years, and thinking about what went wrong, I think the primary mistake that occurred in Ft. Smith during Winter and Spring of 78' was the fact that we simply had absolutely no communication or conversation with anybody in the service area. We did the project in the classic 'we know what is best for you approach' with no attempt by myself or anybody on the Planning and Development District or on the staff of the Planning Department of the City to contact the people that wanted the sidewalks. Nowhere in this project did we ever do what was very necessary to achieve this process.

Some of the comments made in response to questions 16B and 16C also relate to public involvement. The New York respondent said public participation was the most instrumental step in assuring the corridor's acquisition. Additionally, two other participants suggested that public participation was one of the critical steps (Virginia), and that it was slightly more extensive in this project than in others (Minnesota).

The responses to this question infer that public involvement is a vital and necessary component of the planning process. Ideally, this public

involvement occurs not only as the first step, but at other times during the process as well.

26. AT WHAT POINT(S), IF ANY, DURING THE PLANNING PROCESS WAS PUBLIC OPPOSITION EXPERIENCED? PLEASE REFER TO YOUR PLANNING PROCESS DIAGRAM IN PLANNING, QUESTION #16, AND THEN EXPLAIN BELOW.

Questions 26 through 28 were included to reveal characteristics specific to any public opposition which may have occurred. The rationale behind these three questions, as in others throughout this questionnaire, is again, to identify components and related information specific to the planning process used in ARROW conversions. Once these components are identified and accompanied by recommendations, the information can be used as a resource to facilitate future ARROW conversions.

The first two questions reveal where in the process opposition occurred and what types of opposition were experienced while question 28 is concerned with methods utilized to deal with opposition.

As might be expected, most of the agencies (ten out of eleven) experienced opposition to their projects. Only in the California project was no public opposition reported. Although the responses indicated opposition occurred throughout the various processes, most of the occurrences seemed to happen either before or at the time of the abandoned corridor's acquisition. However, in the New York project, public opposition was not encountered until the plan implementation phase. These responses suggest that (1) thorough preplanning which includes the resolution of conflicts should occur well in advance of the corridor's acquisition because opposition typically begins at this early stage in the process, and (2) because public opposition appears to happen in most conversions, perhaps more opportunities for public involvement at this point could help reduce this opposition.

It is realized that providing more opportunities for public and agency

interaction may never result in total public support for a project, the above suggestions might certainly help increase the potential for a conversion to occur.

In summary, even though public opposition is occurring, it appears to be happening at a logical place in the process, before additional time and funds are expended. However, if an agency, at the same time the opposition is being experienced, is also having to (1) investigate the corridor's potential for recreation, (2) negotiate the right of way's purchase within a limited time frame, (3) resolve public opposition, and (4) secure necessary funds to enable the acquisition, then the potential for a successful conversion may be substantially decreased.

Based on these reasons and responses to this question, the ideal solution would be for public hearings, planning, corridor evaluation, and fund raising to occur well in advance of the railroad's abandonment. This solution would enable public opposition to be resolved to its fullest extent.

27. WHAT TYPE(S) OF PUBLIC OPPOSITION, IF ANY, DID YOU EXPERIENCE?

Several types of opposition were experienced by a majority of the respondents. Nine out of ten indicated that "negative opinions expressed at public hearings" were the most common form of opposition. The results to this question would have been more conclusive if a related question such as: "From what source did the majority of the opposition come from?" had been included. Other types of opposition with high frequencies included (1) complaints addressed to project staff (eight responses), (2) negative opinions expressed through local media (seven responses), and (3) damage to adjacent landowners' property (six responses).

The quantity of types of opposition experienced by each agency is also informative. Both the Maryland and Missouri projects encountered numerous

problems and delays during their conversions and they also experienced the most forms of opposition (seven and five respectively). Since quantities for each type of opposition are not known, it is unreasonable to say that one type is worse than any of the others. However, it is plausible to conclude that those agencies which experienced more types of public opposition may not have resolved certain public issues which resulted in the use of additional forms of opposition. For example, in an attempted Iowa conversion, two forms of opposition occurred; adjacent landowners burned a bridge and bulldozed the land in the right of way (Old Interurban Trails v. Dennis Rottinghaus and Dennis Logan, 1982).

On the other hand, the Ohio project also experienced seven types of opposition and they had prior conversion experience. The two respondents representing agencies with the most previous conversion experience (Minnesota and Wisconsin) encountered three types of opposition.

Based on these findings it appears as though the public hearing would be the best avenue to utilize to reduce public opposition. Also, as might be expected, those agencies which experienced fewer types of opposition also corresponded to agencies with prior conversion experience. Evidentially, this experience coupled with previous successful conversions is beneficial in reducing opposition to future projects. The responses to the last three questions in this category indicate some methods which can help to decrease public opposition, thereby increasing the potential for a successful conversion.

28. IF PUBLIC OPPOSITION WAS EXPERIENCED, HOW DID YOUR PLANNING PROCESS DEAL WITH IT?

Assuming that public opposition will occur, how can a planning process be structured or what methods can be utilized to facilitate the resolution of these conflicts. The responses to this issue were quite varied and no one

solution was common. Generally, the underlying tone was to increase public outreach through various means, including public information meetings, citizen advisory committees, citizen campaigns, user surveys, meetings with elected officials, and educating the opposition. Other measures taken to reduce opposition were as follows:

1. We considered and addressed all complaints and if necessary, changed plans to mediate objections (Virginia).

2. Alleged problems were investigated to determine their magnitude and trails were rerouted, along with other solutions (Minnesota).

3. We waited patiently on the reversion issue as we needed the reverted ARROW lands to keep project whole. We considered comments made in public meetings in opposition to various uses and made decisions (Wisconsin).

Only one respondent (Ohio) specifically indicated that part of the solution lay in "identifying those problem issues early on and resolving them or mitigating them during the concept development phase. Informing and educating the public was also a valuable tool." Once again, the responses which represented the unsuccessful projects indicated that the methods used were not successful (Nebraska) or that the opposition was not dealt with (Arkansas).

In conclusion, public opposition occurs in many forms but mainly during public hearings and is typically experienced in the early stages of a conversion. To prevent the failure of a project, an agency must adequately address the issues behind these expressed fears. Insuring public understanding by providing a variety of public involvement methods seems to be a common and effective planning approach.

29. AT WHAT POINT(S), IF ANY, DURING THE PLANNING PROCESS WAS PUBLIC SUPPORT EXPERIENCED?

Obviously, public support for a ARROW conversion can override public opposition. Ten out of eleven respondents indicated public support for the

project was experienced and in at least five of these projects it was received throughout the process. However, in the Nebraska case, the project only received support initially and was later overcome by opposition, both from the city commissioners and a large segment of the public. The Arkansas respondent on the other hand, indicated their project was never supported by the public and as a result, it also failed.

In summary, public support for an ARROW conversion is necessary not only to help insure that development plans meet desired needs, but also to offset public opposition against projects deemed worthwhile by the general public. Ideally, public support and involvement should occur throughout the process, but it is especially necessary at the beginning and at points where opposition is expressed or when delays occur. Based on the responses to this question and others in this section, those agencies which attempted to develop what "they thought was in the public's best interest", but without public contact or input, had their project defeated.

The last question in this category (Political/Social) concerns the use of incentives as another means of influencing public acceptance of ARROW conversions.

30. WHAT INCENTIVES, IF ANY, HAVE YOU GIVEN ADJACENT LAND OWNERS TO REACT FAVORABLY TOWARDS THE RECREATIONAL USE OF THE RAILROAD CORRIDOR?

This last question of the Political/Social section of the questionnaire deals with the agencies' use of incentives to encourage adjacent landowners to react favorably towards the reuse of the railway right of way. In questions 25, 26, and 27 references were made to public opposition explicitly expressed by adjacent landowners (Minnesota, Wisconsin, New Jersey, Missouri, and Arkansas). This type of opposition was discussed at greater length within the literature review (Chapter 2) where the point was made that although these fears are typically expressed, they are usually unfounded or result from the

lack of information. Comments made by the Arkansas respondent also supported this idea. Whether or not these fears are unfounded they may still be expressed, and if not resolved, they can potentially delay or defeat the conversion. Therefore, to progress the corridor's acquisition, Blair and Tindall (1977) suggest that an agency can pursue one or more of the following actions: (1) condemn the property, (2) bypass the property, (3) wait for a change in ownership or attitude, or (4) offer to buy other suitable parcels to permit the continuity of the trail.

The results to this question (#30) reveal which actions and incentives were used to help suppress public opposition. Essentially only five of the eleven respondents used one or more types of incentives, with the Wisconsin, Maryland, and Minnesota agencies using the most types of incentives (3, 2, and 2 respectively).

Many of the respondents mentioned the provision of fencing as an incentive to gain acceptance for the conversion. As previously discussed in Iowa's reuse planning process, the presence or absence of this type of an incentive can be a real asset or liability to the agency attempting the acquisition. The choice of the "STATE AGREES TO PAY COST OF FENCING ALONG ADJACENT OWNER'S PROPERTY AND OWNER IS RESPONSIBLE FOR MAINTENANCE" was the most commonly utilized incentive (3 out of 11 responses). Both statements, A and C, were also chosen as common incentives utilized by agencies. Comments made by respondents who chose the "OTHER" choice listed the use of additional incentives, including:

1. a) Allowing farmers to cross the trail with their stock (Wisconsin), b) Promising to patrol the trail to reduce vandalism, etc. (Wisconsin), and c) Becoming involved in cooperative community development (restroom facilities, parking, etc.) which benefit the trail user and the adjacent community (Wisconsin).

2. a) Providing security for the corridor, which did not exist prior to State's purchase (Maryland), (b) Providing adjacent owner access to right of

way if strong need exists (Maryland), and (c) Providing landscape screening along with fencing (Maryland).

3. Incorporating fencing into the project's design whenever it was deemed necessary, given the proximity of the right of way in relation to private property (New York).

4. Sharing the cost of fencing and the planting of plant barriers if needed (Minnesota).

Although this research did not examine any of the issues related to the loss of real estate taxes (previously paid to a community before a conversion occurs), a Wisconsin statute on this subject is worth noting as it essentially provides an incentive for a whole community to react favorably towards a conversion project. Wisconsin Statute 70.113 requires

... the state to pay aids in lieu of real estate taxes to the local township. The first year this amounts to 100% of the property taxes paid to the local government and each succeeding year the sum is reduced 10%. In no year may the sum fall below fifty cents per acre. State aid in lieu of taxes remains equal to the amount paid the tenth year for all succeeding years.

In summary, many types of incentives are being used to facilitate a conversion's acceptance by adjacent landowners. However, for the most part, agencies utilized economic incentives which seemed to focus on providing adjacent landowners with privacy and protection (using fences and plantings). These incentives were funded at least partially, if not entirely at the agencies expense. Again the lack of utilizing incentives appears to work against an agency's attempts to acquire the right of way, while utilizing incentives seems to aid in reducing opposition to the project.

Economical

This fourth category of the questionnaire concerns those sources of funding, whether federal, state, regional, or local, utilized in conversion projects. Since nine of the projects in this research were recipients of

specific federal grants, they were obviously aware of one funding resource. As a condition to receiving this grant the applicant was required to fund ten percent of the total amount. This researcher was interested in discerning what sources were utilized to cover this amount.

It was thought that respondents would have applied for more than one type of grant in an effort to secure at least one funding source. Immediately before the Rails-to-Trails grants in 1978, the United States Department of Transportation included in their study on Availability and Use of Abandoned Rights-of-Way (1977), a survey of federal programs applicable to reuse considerations. The survey results indicated that some 35 programs were potentially applicable to the reuse of abandoned railroad rights-of-way. However, the survey reported that those programs most frequently used were (1) the Land and Water Conservation Fund (LWCF), (2) the Federal Aid Highway Program, and (3) the Urban Mass Transportation Administrations Capital Insurance Grants Program (Harbridge House, 1977:Task 4A. p. IV-A-3). Seven of the responses to question 33 imply that the LWCF is one of the most frequently available sources of funding. None of the other two programs (numbers 2 and 3 above) were mentioned by the respondents.

31. WHAT ARE YOUR SOURCES OF FUNDING FOR ARROW FEASIBILITY STUDIES?

The first question in this category was included to find out what sources of funding are used for ARROW feasibility studies. Each agency mainly used "general funds" applicable to the level of government which they represented. Three respondents specifically stated they used some LWCF monies in addition to state or local funds. Unfortunately, the question did not request the participant to comment on how easily these funds were obtained, i.e. were there problems such as the funding organization being hesitant to authorize the use of money on this type of project, which may have influenced the

project's success or failure. Since most of these studies were funded by federal grants, a more pertinent question might have been "Where in your process, if any, did you conduct a feasibility study for this project?" The responses to this question might have revealed how important this task is in influencing a project's success.

32. WHAT TYPE(S) OF FEDERAL FUNDING DID YOU APPLY FOR IN ORDER TO UNDERTAKE THIS PROJECT? WHICH WERE SUCCESSFUL?

33. TO YOUR KNOWLEDGE, WHAT TYPES OF FEDERAL FUNDING WERE AVAILABLE?

The types of federal funding applied for to undertake these conversion projects as well as the sources which agencies were aware of, were essentially the same. In both cases the reported sources were the Rails-to-Trails grant and the Land and Water Conservation Fund. Obviously, each of the agencies were successful with the Rails-to-Trails grants (this grant occurred before the Minnesota and Wisconsin projects were acquired). Both Ohio and Virginia also used LWCF monies in addition to their federal grants.

Also of interest was the fact that the Minnesota project did not apply for any federal funds, although they were aware of the limited availability of these funds. This response and the one to question 34 might suggest that their sources of funding for state recreational development are substantial enough to cover these costs. The Wisconsin project was partially funded by LWCF. Since both of these funding sources have either been discontinued (Rails-to-Trails) or greatly reduced, it would be interesting to see how other current conversions are being acquired. A plausible approach, phased development, is being used in both the Minnesota and Wisconsin projects and may be part of the answer in responding to the lack of additional federal monies.

In only one of the responses (Virginia) was there any reference to any other programs (besides LWCF) suggested by the United States Department of

Transportation's findings in 1977 concerning programs applicable for ARROW conversion. The Virginia respondent said "Department of Transportation programs were not used by us because of state priorities for highway money".

At the time of this research, federal efforts are concerned with making P.L. 98-11 more effective at enabling reuse. It is anticipated that upcoming changes to this law will allow more reuse (without acquisition) to occur.

34. IF YOU HAVE DONE OTHER ARROW PROJECTS, WHAT TYPES OF FEDERAL FUNDING WERE UTILIZED?

Out of the five respondents which had prior conversion experience (Wisconsin, Ohio, California, and New York), four replied that they had used LWCF for their previous projects. The other respondents either gave no response or replied that no federal funds had been used. It is interesting to note that the reply from the Minnesota respondent was included in this last group which used no federal funds. Although they indicated previous conversion experience based on 11 prior acquisitions, they evidently utilized other sources of funding.

In conclusion, the results of the last four questions indicate a heavy reliance on federal funding which has seen drastic cuts over the last few years and shows no real promise of improvement. This situation places the burden upon state, regional, local, and private funding sources to supply necessary monies for future conversions.

35. WHAT TYPE(S) OF STATE FUNDING DID YOU APPLY FOR IN ORDER TO UNDERTAKE THIS PROJECT? WHICH WERE SUCCESSFUL?

36. TO YOUR KNOWLEDGE, WHAT TYPE(S) OF STATE FUNDING WERE AVAILABLE?

37. IF YOU HAVE DONE OTHER ARROW PROJECTS, WHAT TYPE(S) OF STATE FUNDING WERE UTILIZED?

As might be expected, at the state level a larger variety of funds were available. Only three respondents (Missouri, Nebraska, and Virginia) replied

that "no state funds were applied for or available" while other participants reported that state funds were received from:

1. Outdoor Recreation Act Program (ORPA) - a statewide formula based on assessed valuation for acquisition and development of recreation lands and facilities. Also a bonding program for major developments (Wisconsin).

2. Capital Improvements Funds, which are voted on by the legislature on a biennium time frame (Ohio).

3. State Urban Grant and California Transportation Grant (California).

4. General and State Building Funds (Minnesota).

5. State Environmental Quality Bond Act (EQBA) funds were used to develop the right of way (New York).

6. Outdoor Recreation Land Loan - (Program Open Space), State Side - Reimbursed Federal LWCF, and Operating Budget - General Emergency Fund (Maryland).

When the respondents were requested to comment on any state funding used in previous projects (question 37) their responses were essentially the same as those listed above. These responses indicate that few if any new sources of funding are being utilized to acquire and develop these ARROW.

38. WHAT TYPE(S) OF LOCAL FUNDING, IF ANY, WAS UTILIZED FOR THIS PROJECT?

39. IF YOU HAVE DONE OTHER ARROW PROJECTS, WHAT TYPE(S) OF LOCAL FUNDING WAS UTILIZED?

Finally, at the local level, various types of funding were also available, but not plentiful. The local "general fund" was mentioned by only three respondents and of the seven types mentioned it was the only one that occurred more than one time. Other sources included:

1. Public Improvement Funds Revenue Sharing, and CETA (Missouri).

2. Bond issues and General Funds Revenues were contributed by six local governments (Virginia). The agency's respondent also indicated in question 16 that the plan was incorporated into their five-year Capital Improvement Program.

3. State matched local funds for development of shared use facilities (ex. restroom facilities for ARROW and adjacent village park users (Wisconsin)).

In the New York project, no local funding was utilized by local management and maintenance was expected in return for state/federal acquisition and development. Sources used in previous ARROW conversions were inconclusive as only three responses were received. The three which were received mentioned general, city, and LWCF were used and even some synergistic development was experienced in the Wisconsin project.

40. WERE ANY TYPES OF PRIVATE FUNDING UTILIZED IN THIS PROJECT? IF SO, PLEASE SPECIFY.

The responses to this question revealed that in ten of the eleven projects no sources of private funding were utilized. It was anticipated that as the benefits of this type of recreational development are slowly emerging and as publicity and acceptance are rising, the private sector would become more involved but the responses indicated otherwise. Only in the response from Minnesota was there any indication of this type of support.

41. WHAT SOURCE(S) OF FUNDING, IF ANY, DO YOU UTILIZE TO COVER OPERATIONAL AND MAINTENANCE COSTS OF THE CORRIDOR?

As the federal government plays a decreasing role in financing recreation throughout the United States, other sources of funding will be needed to fill the gap, if recreation development is to keep pace with increasing demands. Additionally, as other costs (operational and maintenance) related to recreation development continue to rise the issue of "Who should pay?" is becoming more vocalized. The emphasis is slowly shifting away from federal subsidies to "the user fee system" (Crandall and Driver, 1984).

Question 41 is directed at the issue of these future costs and how they are financed. It was expected that the responses to this question might

indicate a shift in methods used to cover continuing costs since most of these projects have been in operation for several years. The respondents indicated that almost all of the agencies (nine of eleven) cover most of these expenses by including such expenditures in their annual budgets. While five of the respondents indicated their annual budget was the sole funding source, four others indicated they used both the annual budget and other sources. Some of these included (1) user fees (Wisconsin (15%) and Minnesota), (2) volunteer organizations (Virginia, Wisconsin, and Ohio), (3) property rental values and license fees (Virginia), and (4) requiring local communities to cover operation and maintenance expenses (Maryland). Three of the agencies which used more than one funding source also had prior conversion experience. This might suggest that as experience with this type of project increases, an agency's ability to acquire other forms of financing for these continuing costs also increases.

In conclusion, it appears that based on these findings the annual budget is the main source, if not the only source, utilized to cover continuing maintenance and operation costs. Also, there was some indication by both the Minnesota and Wisconsin respondents that portions of these costs are being shifted to the user.

The responses provided in this section on sources of funding for ARROW conversions suggest that:

1. Federal money (LWCF) was and is still being used to fund these conversions, but present reductions in recreation appropriations will probably necessitate the creation of other sources of financing. The LWCF only provides 50/50 funding so with the federal portion being reduced, the deficiency will need to be covered by other sources if these conversions are to continue.

2. Most agencies utilize annual budgets to cover continuing costs, but the two states which have completed many prior conversions indicated part of these costs are being covered by user fees.

3. Essentially, no private sources of funding have been or are presently being utilized to provide financial support for these projects.

4. Sources of funding at state and local levels were available in most states, especially for the Minnesota project where the acquisition was funded by the State Building Fund.

It is realized that sources of funding will obviously vary for state, regional, and local agencies attempting ARROW conversions. It is hoped that by exposing those sources which were and are being utilized, that agencies attempting future conversions will at least have an idea of the typical sources which have been used.

Legal/Legislative

This final section of the planning process questionnaire discusses one of the most substantial influences affecting the reuse potential of ARROW corridors, i.e. legal and legislative affects. The lack of supportive reuse legislation and litigation can easily cause costly delays for a project or its ultimate failure. The central issue which eventually causes most of the litigation and which is usually addressed in legislation on this topic, involves the interpretation of wording contained in the adjacent landowners' deeds. This topic was discussed in more detail in a section of the literature review entitled Legal/Legislative.

Although current federal laws are aimed at reuse without acquisition, the typical first step in reusing a corridor is acquisition of the right of way. If a state, regional, or local agency is planning for a conversion, it is essential that they investigate the extent to which applicable laws support this type of recreation development. Although some federal legislation applies to this specific type of reuse, individual state, regional, and local laws can be equally, if not more, influential in enabling reuse.

42. WHICH, IF ANY, OF YOUR STATE STATUTES, CODES, OR LAWS ARE SPECIFICALLY DIRECTED AT THE REUSE OF ARROW FOR RECREATION PURPOSES? (EX. FIRST RIGHTS TO ACQUIRE STATUTES).

The purpose of this question was to inventory specific attributes which influence the planning process. In this case the inventory was directed at the types of laws, codes, statutes, or legislation which enable the reuse of abandoned railroad rights-of-way. Collectively, these various laws, statutes, etc., are often termed "enabling acts". This term is defined as the "expressed authority from a state legislative body for a local body to carry on a certain activity such as landuse planning or zoning" (Ring and Dasso, 1981:697). However, in this research the term will be used in reference to legislation, resolutions, etc., which allow any level of government to carry on reuse planning, acquisition, or development of ARROW.

Based on this definition, the six projects which were implemented by state departments (typically Departments of Natural Resources) would need to receive authorization from a state legislative body to permit acquisition and reuse. The remaining five projects were developed by regional or local agencies. Therefore, the authority enabling reuse would be derived from regional or local bodies of government. Although this process of receiving authorization is not uncommon, it represents the first hurdle to overcome before a project can begin. Furthermore, authorization must be received even when the ICC has conditioned an abandonment for public use. Therefore, the agency or interest group desiring to acquire the corridor must still operate within the limits of their existing laws before pursuing the acquisition. For these reasons the presence or absence of these legal directives, whether at the state or local level, are of the utmost importance when planning for reuse.

As Dueker and Zimmerman (1975:29) point out in their discussion on this issue,

Several states have acted to create and implement formal procedures designed to deal with these issues, and legislative proposals are pending in other states. However, the large majority of the states lack substantial authority to act on the issues, and a very few states have developed methods to provide an informational basis for whatever authority they have authority to exercise.

The discussion of the responses to this question on legal/legislative aspects will hopefully reiterate the importance of this factor as a determinant for reuse. It was anticipated that the responses would:

1. reflect the agencies' general position on the recreational reuse issue, i.e. an agency or state which supports ARROW reuse that would have laws, statutes, etc. to enable reuse to occur with the least amount of difficulties, and

2. indicate whether the authorizing directives are all inclusive (applicable to all railroad abandonments) or whether they are established each time an abandonment and reuse is proposed, as is found in the Vermont legislation described below.

The type of information desired from this question is related in the following example of the legislation which applies to the State of Vermont.

A unique approach to the problem possible only in a smaller state with few abandonments has been the Vermont practice of passing special legislation to deal with each instance of abandonment. After the Vermont Public Service Board holds hearings the State passes a special statute granting authority to purchase the company's right, title, and interest in the real and personal property involved. Upon acquisition the State may either lease the railroad to a private corporation for operation or convert the property to another public use. If the hearings reveal no public need, the railroad company disposes of its property by sale or reversion as the case may be (Dueker and Zimmerman, 1975:30).

The important aspect of this piece of legislation is that even though each abandonment is treated as a separate case, the mechanism permitting reuse still exists.

The responses to question number 42 relate other types of legislation which are utilized by other state, regional, and local agencies. Although there were seven responses to this question, the discussion mainly focuses on the laws reported from those respondents who represent agencies with prior conversion experience (New York, Ohio, California, Minnesota, and Wisconsin). The specific characteristics of each law, statute, etc., as reported by each respondent, have been summarized in Appendix H, Table 1. The following discussion corresponds to the three major categories (excluding the "state" and "comments" categories) which appear across the top of Table 1.

Legislation Reported by Agencies
With Prior Conversion Experience

It can be seen from the responses in Table 1, Appendix H, only two of the respondents (Wisconsin and New York) said their agencies had preferential rights to acquire abandoned rights-of-way for public purposes. This attribute goes beyond federal legislation so that even if an abandonment is not conditioned for public reuse purposes by the ICC, reuse can still be realized through state laws. Conversely, in the other three states (Ohio, California, and Minnesota) an agency's best chance for acquisition essentially depends on their ability to influence the ICC's abandonment decision. If they are ineffective, the acquisition may still be possible after abandonment occurs, but then reverter clauses become a major obstacle to acquisition.

Essentially, the difference between these two approaches is that, in the latter situation, no state laws provide a mechanism which enables the potential for reuse. Although these state laws are only one mechanism which enable reuse, they can substantially increase the potential for a conversion. Of the five responses, both the Wisconsin and New York laws appear to provide the greatest potential for reuse. Therefore, passing legislation of this nature would be an asset to any agency planning an ARROW conversion.

Other mechanisms for reuse are also possible. For example, in Minnesota and Ohio, the Commissioner of the Department of Natural Resources have the authority to acquire these lands. Although the laws do not suggest that this individual has the first right to acquire, they still represent another effective method to realize reuse. Additionally, the Minnesota law enables the Commissioner to take action which will insure the corridor's acquisition, but no explanation was included to reveal what type of action this would entail.

Legislation Which Addresses Acquisition Methods. From the five responses, those acquisition methods listed and authorized through legislation were, in most cases, very similar. Many of these laws authorized acquisition by gift and purchase, while other less common methods included donation, condemnation, trustee, and by lease agreement. The authority to condemn land, an unpopular but effective method to insure right of way continuity, was only mentioned by two respondents (Wisconsin and California). Although the type of method authorized is important, the more methods available to an agency for acquisition, the better their chances are for reuse. Based on only the number of types of authorized acquisitions, the Ohio laws appear to be the most flexible. Further explanation of acquisition types actually used in these projects is contained in responses to questions 43 and 44.

Legislation Which Addresses ARROW Inventories. On this topic, only one respondent (Ohio) reported a specific law which required the completion of an inventory related to ARROW. Although Minnesota Statute 84.03 authorizes the Commissioner to have one completed, no evidence that one had been completed was provided. The state of New York probably has the most extensive and thorough inventory of ARROW, but no reference was made to a law which required an inventory or that it be continually updated. Finally, neither Wisconsin or

California legislation mandates the completion of an inventory. However, in Wisconsin's case, their close contact with the State's Department of Transportation would provide them with a good idea of the current abandonment situation. They also reported in an earlier response that a feasibility study is completed when a line enters the second abandonment status category. Although a completed inventory of abandoned lines is not essential, it can definitely provide an agency with an advantage when planning for a conversion.

In summary, the specific characteristics of the enabling laws from these five states are all generally conducive to reuse. However, the preferential rights to acquire clauses (seen in the Wisconsin and New York laws) provide a distinct advantage for an agency desiring to acquire a corridor. Furthermore, being authorized to utilize a variety of acquisition methods and being informed on ARROW through completed inventories, are additional provisions which can act to increase the potential for a successful conversion.

Legislation Reported By Agencies With No Conversion Experience

Generally, the responses representing the other projects were less detailed. No state statutes were listed by the Maryland respondent, but since the project was sponsored by the Department of Natural Resources it might be assumed that the authority to acquire was granted by their state legislative body. However, the respondent did report that the state's position was based on P.L. 98-11, Section 208, which infers that a right of way is not abandoned because it is still in use for public purposes. This was the only response which explicitly made reference to a federal law.

The only response which represented a project completed at the local level of government was received from the Missouri respondent. In this case, the City Council authorized the city administration (by resolution) to become

involved in the abandonment proceedings for the line in question so that the right of way could be acquired before it was sold to adjacent landowners. The ICC conditioned the abandonment (in accordance with the 4R Act) and the city was, after resolving numerous legal considerations, finally able to acquire most of the right of way. The respondent also noted that one condemnation was still in progress. Therefore, at this local level, the use of a federal law provided a local government with the opportunity to negotiate the abandoned corridor's acquisition.

Finally, the Nebraska respondent indicated that, as in other states, the acquisition of a abandoned railroad corridor by a state agency must be approved by the state legislature. However, as mentioned in their preapplication for federal funding, the County also had the right to take property by eminent domain for recreational purposes. The agency further implied that they were prepared to do so if the situation presented itself.

43. WHAT METHOD(S) DID YOUR AGENCY UTILIZE TO ACQUIRE THIS ARROW?

Once an agency has been authorized to proceed with the acquisition of a right of way, what methods do they most commonly use to acquire the corridor? The last two questions in this section pertain to the specific methods which have been or are presently being utilized to acquire abandoned railway rights-of-way.

Based on the responses provided, the majority of the corridors were acquired through direct negotiations with the parcel's owner. And, in nine out of eleven cases, at least part of the right of way was obtained in fee simple ownership. This form of ownership is the most complete type and is usually desired as it provides the new owner with more specific rights when dealing with the parcel's management.

Condemnation (the right of eminent domain) was the next most common acquisition method utilized, but out of the four respondents who used it, only one specified that it was successful. It is assumed that this method would not be the first approach taken by an agency to acquire land as it is controversial in nature and may create negative feelings toward the agency acquiring the right of way. It is, however, a useful tool when all previous acquisition methods fail. In both the Maryland project and one presently under development in Colorado, this method was initiated to resolve the problem of unwilling sellers. However, the threat of using this type of action was sufficient in itself and finally both acquisitions were realized before court proceedings began.

Three respondents indicated that both direct negotiations and condemnation proceedings were used to acquire rights-of-way. Out of the eleven respondents only one reported using or gaining an easement to the right of way. While these results were not unexpected, the combined affects of increasing land costs and decreased funding for recreational facilities may force agencies to focus on other acquisition methods to enable reuse. Presently, P.L. 98-11 has partially addressed this acquisition issue because it is designed to permit reuse without acquisition.

44. IF YOUR AGENCY HAS DONE OTHER ARROW PROJECTS, WHAT ACQUISITION METHODS HAVE BEEN USED?

When the respondents were asked what acquisition methods had been used in other ARROW projects, the direct negotiation (fee simple) choice was again the most common approach utilized. The comparison of the success frequencies for this approach revealed that both the Minnesota and Wisconsin agencies possessed the highest number of successes (+ or - 20 successes and 12 successes respectively). Also, as in the previous question results, condemnation proceedings were utilized, but this time they were used in only

two instances, as were direct negotiations (easements). The New York respondent reported that "eminent domain is often used because of the large numbers of reverter clauses associated with ARROW." The "lease agreement" and "gift donation" choices were used in past projects but not in any of the cases in this research.

In summary, this section of the questionnaire (Legal/Legislative) has inventoried and examined some of the legislation which enables the reuse of ARROW. The inventoried laws were discussed in two groups, the first of which included those agencies with prior conversion experience and the second group was composed of those agencies without conversion experience.

Based on the characteristics of each law and the responses to questions 43 and 44 concerning those acquisition methods used in this project and others, conclusions were reached on what attributes were most conducive in permitting reuse. Generally, the analysis revealed that the enabling laws from Wisconsin and New York were more conducive to reuse as they provide agencies with another opportunity to acquire ARROW if that chance is not granted by the ICC. These laws function not only to encourage reuse, but also by providing various avenues to realize the acquisition.

Questionnaire Conclusions

This questionnaire examined and inventoried numerous aspects of the planning process utilized in the conversion of abandoned railroad rights-of-way for recreation purposes. The questions were divided into five basic categories with each category focusing on a specific factor which influences the planning process. The following conclusions are based on the questionnaire responses and are presented in their respective categories.

Project Background

The purpose of this section was to inventory general background information related to the project and questionnaire respondents. Analysis of the responses revealed:

1. The respondents were well informed, represented three levels of governments, and were qualified to provide the type of information desired in this research.

2. A substantial amount of time passes from the time an abandoned railroad corridors acquired to the time when the trail is open for use. Many of the projects are still being implemented even though the grants were awarded in 1978.

3. Phased development, although not strongly supported by these findings, appears to be the most applicable approach to a project's implementation due to the problems typically encountered in this form of recreational development. However, the type of development approach used did not have a direct relationship to the project's success.

Planning Process

The main focus of this research centered on the planning processes used in ARROW conversions. This section inventoried those processes for each project and then examined their components to reveal how they respond to problems associated with conversions. Many of the questions were included to reveal how much and what types of preplanning activities occur before a conversion project is initiated. Specific conclusions include:

1. A large percentage of the attempted conversions are successful and prior conversion experience appears to have a positive influence on future acquisitions. Out of the total number of acquisitions (73) reported, approximately 89 percent were successful.

2. The more contact an agency has with its constituents, the greater its potential is for a successful conversion. Local government officials, citizen groups, and park agencies were the most common sources consulted when planning for a conversion.

3. Conversion experience and past success do not preclude public participation. Agencies with a large number of prior conversions still consulted more resources when planning than did those working on their first conversions. They also seemed to encounter fewer conversion problems as a result of these contacts.

4. Conversions are initiated primarily because of their potential to expand, or provide linkage to, existing trail systems. The availability of federal funds was the second most common reason given for initiating a project.

5. Interagency communication and being aware of the railroad abandonment status throughout the state increases the potential for thorough reuse planning. However, these efforts still do not insure a successful acquisition.

6. Participation in the abandonment process provides a distinct advantage in realizing an acquisition and reducing development costs.

7. The term planning process has many definitions. To some it was thought inferred to be a timeline of events, while others interpreted it as a general procedure used to facilitate project implementation.

8. The use of an established but flexible planning process has a positive influence on a conversion's success.

9. Existing recreation planning processes are adequate for ARROW conversions and there appeared to be no need for a separate specialized process.

10. Federal funding is important and necessary, but other, more prevalent problems can significantly delay a conversion to freeze the usefulness of the acquired funding.

11. Strong public participation is essential, but it must be integrated with other interest groups or individuals such as local political figures and private or public organizations. There is no one component or step which, by itself, is most instrumental in assuring a successful conversion.

12. Minor adjustments in a planning process can be expected, with determination and persistence being important characteristics necessary to overcome numerous problems typical of conversions.

13. Local zoning ordinances do not have any major influence on a project. Those influences which do occur mainly concern restricting allowable uses of the established corridor.

14. State SCORP plans were commonly utilized to justify the need for certain recreational facilities; ARROW conversions can meet these needs.

15. Referencing the use of an abandoned corridor in other recreational development plans does not substantially reduce opposition to a project. The recreation plans cited only appear to be useful in justifying the need for facilities as did the SCORP plans.

16. Communication with the public can influence the acceptance of a project. Most agencies rely on four forms of communication to influence public acceptance of a project (newspapers, political figures, public and private organizations).

17. Conversions which failed or encountered problems generally used more types of communication than those projects which encountered less problems.

18. Post-construction evaluations of some variety are often completed, but not specifically designated in the agency's process outline or diagrams.

19. The problems encountered in previous conversions were not extensive enough to discourage agencies from attempting or planning for future conversions.

Political/Social

This third section of the questionnaire primarily focused on two important issues which influence the planning process. The first issue was concerned with attitudes which result from the interaction of the agency proposing the conversion and the governing body which must authorize it. Secondly, and examined in greater depth, was the issue of public involvement. Based on the responses to the questions in this category and subsequent analysis of them, the following conclusions were made:

1. Local political figures play an important role in determining a project's acceptance. The Minnesota respondent reported that making contact with local units of government and obtaining their support was the most instrumental step of the planning process in assuring the corridor's acquisition.

2. Public involvement is vital to the ultimate success of a ARROW conversion. When it occurs during the initial stages of planning, both the agency and general public have a better chance to realize a successful conversion.

3. Timely and thorough planning can produce plans which respond to fears which cause opposition to a project.

4. The public hearing format provides the best opportunity for an agency to influence public acceptance of a project.

5. The most logical approach to resolving public opposition is to keep the public informed and involved through various means and also by identifying and resolving problem issues early in the process.

6. Ideally, public support should occur throughout a project, but it is especially important at the onset and at other times when strong opposition occurs.

7. The use of incentives, both economic and other types, appear to have an affect on reducing public opposition to a conversion.

Economical

Obviously, securing sources of funding is a vital and necessary task for any type of recreational development. This fourth category of the questionnaire focused on this problem of securing funding. Since nine out of the eleven respondents represented agencies which received federal grants, the results were not as conclusive as, for instance, if this research had utilized eleven current projects. However, in light of this fact, the responses still suggest a variety of potential resources for funding ARROW conversions. Conclusions derived from these responses in relation to others in this questionnaire include the following:

1. Sources of funding are quite varied and in only a few instances were projects developed without some form of federal support.
2. The immediate usefulness of any source of funding can be thwarted by other more pressing problems.
3. The change in becoming more reliant on other sources of funding, besides federal funds, is, if at all, occurring at a slow rate.
4. Private financial support for these projects is rarely experienced. A possible cause for this lack of support is that this type of recreation is relatively new on the recreation scene. Also little research has been completed to oppose many of the fears which create opposition to these conversion projects.
5. In spite of the current trend to pass costs (in this case operational and maintenance costs) on to the user, the majority of agencies still utilize monies allocated out of their annual budgets to cover continuing costs.

Legal/Legislative

The types of laws utilized by, and authorities vested in, various state, regional, and local agencies have a direct bearing on the potential reuse of ARROW. The laws reported by respondents and some of their characteristics are tabulated in Table 1, Appendix H. Different aspects of these laws (first

rights to acquire, acquisition methods, etc.) were discussed, resulting in the following conclusions:

1. Those states which draft and pass reuse legislation obviously support the reuse of these abandoned corridors, realizing that they can be of benefit to the general public.

2. The passage of first rights to acquire laws can provide agencies with a distinct advantage in acquiring these lands.

3. Excluding other reuse influences, those agencies representing states which have passed reuse laws have produced more successful ARROW conversions.

4. The nature of these laws, especially at the state level, appear to provide certain agencies with a unique opportunity to acquire these lands.

5. The more types of authorized acquisition methods an agency has at its disposal, the greater their opportunity is to realize reuse.

6. Although fee simple ownership is often the most common and desired approach utilized to acquire these rights-of-way, being authorized to use condemnation can be beneficial when dealing with reversionary interests.

Conclusions

This research has examined many factors which influence the recreation planning process. These influences were grouped into five categories, with each category providing insight as to those positive planning components which, when utilized in conjunction with an existing recreation process, can increase the potential for a successful conversion.

Finally, this research does not encourage the abandonment of railroad rights-of-way, but it strongly suggests that when they do occur, their potential for transportation/recreation purposes be considered by all levels of government.

CHAPTER 4

SYNTHESIS AND RECOMMENDATIONS

This chapter presents and briefly discusses six key components which can supplement an existing recreation planning process. The relationship between the components of this process are also illustrated in a flow chart format. The chapter concludes with suggestions for future research.

Planning Process

This study of recreation planning processes has revealed many attributes, components, and specific characteristics (both negative and positive) which influence an agency's potential for a successful ARROW conversion. As is typical of many planning processes, there may not be a certain step or component which is considered to be the most instrumental in making a whole process effective. Rather, the process's performance may be determined by a number of key components, which, when combined, make the process effective. This is one of the main findings of this research. It might then be assumed that incorporating as many of these key components as possible into an existing recreation planning process would increase the potential for a successful conversion.

It is realized that the synthesis of a final planning process for ARROW conversions will not be applicable in all situations or locations. Although the proposed process is based on attributes of processes which represent state, regional, county, and local levels of government, other factors may exert a stronger influence and determine the project's ultimate success or failure. None-the-less, the recommended planning process which follows can still be of benefit to an agency anticipating an ARROW conversion by providing insight on those factors which directly it. Based on the conclusions from the

analysis of the questionnaire responses an existing recreation planning process could be supplemented with the following key components when planning for the acquisition and development of a ARROW corridor. These components or steps appear in a flow chart format in Figure 7.

The main determinant for the sequence of these components or steps is the element of timing. To effectively influence the ICC's abandonment decision, an agency should complete investigative activities concerning the corridor and its acquisition. Furthermore, due to the time required to complete these tasks, they should be scheduled and completed before the ICC abandonment hearings begin. Obviously, the more time allotted for these investigations, the better prepared an agency can be to affect the abandonment decision. For these reasons, the first three components or steps occur before the ICC abandonment process is initiated. The remaining steps in this proposed process are based on the decision reached by the ICC, and therefore, they are diagrammed to occur after Component 4 (the ICC abandonment hearings). Although the diagram illustrates these components in a particular sequence, it should be understood that this order is provided only as an example of how they might be arranged. Certainly, other unforeseen factors may dictate a entirely difference sequence. The important point is, that to increase the potential for a successful conversion, some of these steps (Components 1, 2, and 3) need to occur before ICC abandonment process is initiated.

The six components included in this model of an ARROW planning process are as follows: (1) Activate the Existing Planning Process, (2) Develop/Revise Citizen Input Program, (3) Plan/Prepare for the Conversion Project, (4) Participate in the Abandonment Proceedings, (5) Utilize State Legislation, and (6) Monitor and Publish.

Component i - Activate the Existing Planning Process

The implementation of any type of development is typically guided by a set of documents which govern how, or in what order, the development should take place. These documents, which are the result of planning efforts, must obviously be prepared in advance of the actual development.

Based on the responses to question 16A (question asked if the process used for the ARROW project was different from their normal recreation planning process) the following three statements relate reasons why this component (activate the existing planning process) should be included in a ARROW planning process.

First, by simply indicating there were essentially no differences between the ARROW process and the normal recreation planning process, the responses imply that a recreation planning process does exist. Second, because no major differences were noted between the two processes, the agency's existing process would be a logical one to activate for future conversions. Finally, because the word planning implies preparation for a future event, activating and utilizing a planning process (in this case an existing one), to insure goals and objectives are met, should be the first step in an ARROW process.

Once a planning process has been activated (either by staff or other interest groups), the planning staff and public should decide whether or not this type of recreation development will address current needs and demands. Obviously, to make this decision, certain investigative activities concerning the corridor must be completed. Again, both the planning staff and interested public can work together on the completion of these tasks.

Because of the influence legal mechanisms have on conversion projects, federal, state, regional, and local laws should be examined to determine how or if the corridor can be acquired. Other investigations may be concerned with financing, determining right of way ownership, inventorying physical

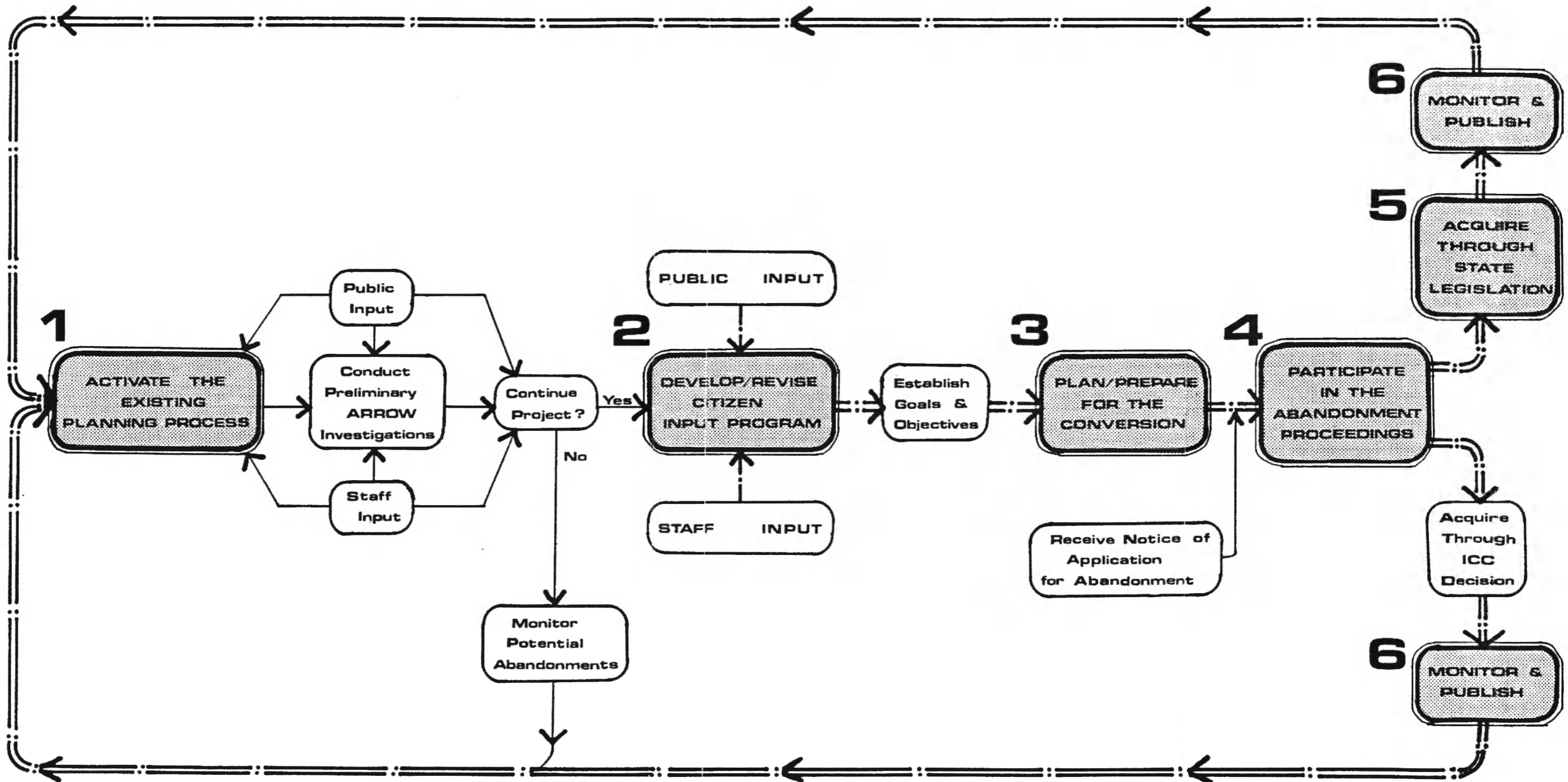
characteristic of the corridor, becoming aware of other conversion problems and solutions, etc. All of these preliminary investigations are completed to affect the decision either for or against the project.

If the decision is in favor of continuing the project, then each of these inquiries will be examined in greater detail later on in the process (Component 3). However, if for example, the examination of applicable laws, legislation, and other characteristics reveal that numerous problems will be encountered, then the agency may decide to (1) forgo the project, or (2) initiate efforts to change existing legislation and resolve conflicts and proceed with the project. When the choice to terminate the conversion is made, an agency can still opt to monitor the abandonment status of other corridors by establishing contacts with the designated state agency which receives notices of abandonment application (each state has at least one such agency, often the Department of Transportation). This course of action can enable an agency to plan for future ARROW conversions.

If, on the other hand, the agency and public decide to proceed with the acquisition and development, then the second component is implemented. Although this proposed process is based on the activation of an existing planning process, it should be flexible enough to facilitate the implementation of the other five components.

Component 2 - Develop/Revise Citizen Input Program

Public participation is essential throughout the process, but especially at the point where recreation goals and objectives are being established. Three of the respondents indicated public involvement was one, if not the most instrumental step, in their process which insured the corridor's acquisition. To insure that public involvement can occur during each phase of the conversion planning, possibly including corridor's implementation, a citizen



- a proposed -

ARROW PLANNING PROCESS

Figure 4

input program should be established. If a program already exists, it should be examined to make sure it is applicable to this type of recreation project. If no such program exists, one should be devised. Public involvement at this early stage is necessary to insure proposed plans address and represent the expressed needs of the local community, county, region, or state.

Public involvement can occur in many ways, such as public hearings, workshops, field trips, citizen advisory committees, surveys, news releases, newsletters, etc. Whatever forms are chosen, the important point is that the public be permitted to determine how they would like to be involved, if at all. Ideally, and as illustrated in the proposed process diagram, public involvement occurs throughout the process to affect decision-making.

Finally, the program must be designed to allow ample opportunities for the resolution of conflicts. This opportunity is especially important because these corridors, due to their linear nature, typically affect numerous landowners who are often opposed to such development. A public involvement program which is designed to address and resolve these conflicts can increase the potential for a successful conversion. If the public is not informed from the project's beginning, the outcome may be similar to the Arkansas and Nebraska projects, which both failed. Once the citizen input program is established or revised, preparation for the conversion can continue. In the proposed process diagram the dash-dot line illustrates continued public involvement which is determined during the completion of Component 2.

Component 3 - Prepare for the Conversion

Preparing for a conversion project before the railroad is actually abandoned, is a vital step in the planning process. Much of the work to be completed in this step was initiated on a preliminary basis as a part of Component 1. At this point in the process, many of these tasks should be

examined in greater detail. As mentioned earlier, the overall purpose of completing these investigations is to prepare an agency so that it can effectively influence the ICC abandonment hearings. Essentially, the tasks to complete (including those mentioned in Component 1) can be divided into three categories: (1) communication, (2) legislation, and (3) corridor investigations/analysis.

Develop Lines of Communication. Once an agency begins to plan for the acquisition of a right of way, it is vitally important to establish lines of communication with either the ICC or the state agency which is designated to receive abandonment notices. Establishment of these contacts will enable an agency to monitor a railroad's abandonment status so that they can complete the necessary pre-abandonment studies before the railroad abandonment is authorized. Additionally, developing contacts with the state agency which controls reuse (typically the same agency which receives abandonment notices) and informing them of the interest in and intent to acquire a specific corridor, can strengthen the possibility for reuse.

Utilize or Create Effective Legislation. Preparing for a conversion should involve the investigation of applicable laws and legislation. This research also concluded that the passage of new legislation (especially at the state level) as well as strengthening existing legislation is of the utmost importance in enabling reuse. If an agency is aware of the legal framework it must operate in, then if necessary, it can implement measures to work around these limits. Becoming aware of legal restrictions at the time of the ICC's abandonment proceedings can cause costly project delays.

Obviously, if state laws already permit this form of recreation development to occur, then an agency simply needs to work within that framework to further their conversion plans. However, if no applicable laws

exist, an agency should initiate steps necessary to influence the drafting of reuse legislation to affect the current project or future projects. The preliminary examination of this legislation as a part of the first step (Activate the Existing Planning Process), would dictate, at this point in the process, which course of action should be followed. Some of the legislative factors to consider include: (1) acquisition methods (see discussion of responses to question 42, Chapter 3), (2) legal action taken and decisions reached in other conversion projects, and (3) identification of those agencies authorized to acquire these ARROW.

Revising existing regulations is also important at all levels of government. Presently, revisions are underway at the federal level for Public Law 98-11 which concerns the interim use of abandoned corridors. The ICC, which governs railroad abandonment, is currently receiving comments and suggestions on their proposed regulations which further clarifies their role in determining a railroad's reuse. If the proposed changes (submitted on behalf of nationwide trail users) are adopted, the regulations may effectively reduce title and acquisition problems by allowing reuse to occur without an agency actually having to acquire the desired right of way.

Continue ARROW Investigations/Analysis. As indicated by the findings of this research, abandonment inventories and investigations should be completed before the abandonment application is filed with the ICC, if they are to be utilized to their maximum potential. The time allotted for abandonment protests during the abandonment process is simply too short to complete these studies and then utilize the results to affect the ICC's abandonment decision. Some of the characteristics associated with the corridor which should be investigated include: (1) physical characteristics (roadbed condition, presence or absence of rails, ties, bridges and trestles, vegetation

overgrowth, etc.), (2) points of access and special interest, and (3) proximity and linkage to other city spaces (CACEQ, 1975:20-21). A knowledge of this type of information is vital in determining whether or not the project is feasible and also for the designing of development plans. Additionally, if this information is inventoried and analyzed before the abandonment process begins, the findings may, even at this point in the process, indicate that the corridor is not suitable for reuse, thus negating the need for involvement in the abandonment process.

Component 4 - Participate in the Abandonment Hearings

The underlying purpose of all these pre-planning activities is to affect the ICC's abandonment decision. During the abandonment process, parties interested in the public reuse of these corridors can present their case to the ICC. Being prepared for, and persuasive during, these hearings are important because (1) the ICC has not been overly responsive to this type of reuse, and (2) the decision on whether to investigate a protested abandonment for public reuse purposes is solely at the ICC's discretion. For these reasons, the protest presentation must be substantiated by facts in order to persuade the ICC on the corridor's value to the general public.

Based on these hearings, the ICC can decide on one of two courses of action. The ICC can (1) condition the abandonment, or (2) approve the abandonment.

If the ICC finds that the rail line is suitable for use for other public purposes they may "condition" the abandonment certificate up to 180 days. Essentially this condition requires the railroad company to offer the corridor, upon reasonable terms, for acquisition to any interested public agency. The ICC can also designate which public agency has first rights to acquire the corridor. When this option is taken, the corridor, for purposes of

interpreting reversion clauses contained in deeds, is not considered abandoned. Therefore, the rights-of-way parcels do not revert to adjacent landowners. If the parcels did revert, the corridors linearity would be broken and the public reuse would become ineffective. Of the two courses of action available to the ICC, this decision (abandonment conditioned) can permit reuse within a shorter time frame. Unfortunately, as mentioned above, the ICC does not often choose this option.

When the ICC approves an abandonment (second course of action) the railroad company is free to dispose of the corridor as it sees fit. For example, they can deal with other interested parties besides public agencies. Unfortunately one of the drawbacks, at least for agencies desiring to reuse these corridors in a linear fashion, is that some of these right of way parcels must revert to adjacent landowners, because of deed restrictions. When this happens, the agency, as was mentioned by the Wisconsin respondent, is forced to deal with numerous landowners. It is at this point that the importance of state legislation (Component 5) becomes apparent. In summary, if the ICC permits the abandonment, the agency desiring to acquire the corridor is left to their own resources.

Component 5 - Utilize State Legislation

If the ICC authorizes the abandonment of a rail line state laws which pertain to the abandonment or rail properties are activated, if they exist. As previously mentioned in the third component, the presence or absence of state enabling laws can directly affect the potential for reuse. The importance of these laws is more easily understood if one realizes that when the ICC permits an abandonment (that is, they reject its suitability for other public use purposes) the potential for reuse is greatly reduced because the railroad is not obligated to sell the corridor to any specific agency or

interest group. However, if state, regional, or local reuse laws exist, the railroad may (depending on the specific wording in the legislation) be required to sell the abandoned property (that which has not reverted to adjacent landowners) to the designated state agency or obtain its permission to sell to other prospective buyers. Essentially then, these laws can provide an agency with an additional opportunity to realize the acquisition of ARROW.

Because of the role these laws play in enabling reuse it is to an agency's best advantage to stay in contact with the state agency which has first rights to acquire abandoned railroad property. In some instances, these state agencies can acquire the corridor and then sell it to other interested parties. If the agency wishing to use the corridor previously contacted the state agency and informed them of their reuse plans, then the potential for reuse is increased.

In conclusion, the existence of these enabling laws are important because (1) they provide an agency with a second means to realize reuse, and (2) before a corridor can be used, it must be acquired, and these laws enable acquisition to occur.

Component 6 - Monitor and Publish

This last key component of the process is essential if past or present problems are to be eliminated from future projects. Although many of the respondents indicated a post-construction evaluation of some form was completed, only a few of the process outlines and diagrams mentioned or designated the evaluation as a part of their respective process. To emphasize the importance of this evaluation as a vital part of the overall process, it is illustrated as the last component in the proposed ARROW planning process. The findings of this evaluation can influence future conversions and this

aspect is illustrated in the diagram by the line which departs from Component 6 and enters Component 1.

In addition to the completion of the evaluation, it is also recommended (as brought out in the literature review) that the findings of these evaluations be made public. Accomplishing this task can provide further insight in understanding the various aspects of ARROW conversions.

These six components or steps do not guarantee an abandoned corridor can be acquired, but they can help increase the potential for a successful acquisition and development. As previously mentioned the sequence of these components in the process is dynamic. That is, the completion of many of the steps may overlap. Again, the important point is that an agency be prepared to affect the ICC abandonment proceedings, especially if state enabling laws do not exist to provide another opportunity for acquisition and development to occur.

Future Research

The following issues and thoughts have surfaced during the course of this research. They are provided as suggestions for future research.

1. Public Input. This topic was briefly examined in this study and future research could investigate, in greater detail, what specific forms or types of public involvement are most beneficial to conversion projects.

2. Post-construction Problems. There is a definite need for additional research which examines attitudes (both before and after implementation) of adjacent landowners as they can have a dramatic influence of the potential for reuse. A study completed by the East Bay Regional Park District in San Francisco, Ca. could serve as a model for this research.

3. Central Clearinghouse. Resource sharing could have a greater impact if an agency at both the national and regional level were established to act as clearinghouse for all types of information on ARROW conversions. The National Trails Council has been involved in establishing such a network and future work could be directed at the development of other communication methods.

4. Enabling Laws. This research indicated the presence of these laws can be a real asset in realizing reuse. Future studies could investigate these laws using a larger sample.

5. Present Projects. This research inventoried planning information relative to ten past projects and two current ones. Additional studies could utilize a larger sample of projects currently being planned or implemented. It would be interesting to see if current projects are still experiencing the same difficulties as those utilized in this study.

6. Additional Topics. Many other concerns could be examined, some include: (a) applying computer technology to evaluate abandoned railroad corridors, (b) resolving design problems associated with reuse, (c) developing criteria to determine compatibility of types of trail users, (d) the ICC's role in railroad abandonment, (e) investigating new sources of funding to replace the decreasing availability of Land And Water Conservation Funds and (f) resolving problems related to appraisal techniques.

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APPENDIX A

ABBREVIATIONS AND ACRONYMS

The following abbreviations and acronyms are used throughout this document:

ARROW - ABANDONED RAILROAD RIGHTS-OF-WAY
BOR - BUREAU OF OUTDOOR RECREATION
CAC - CITIZEN'S ADVISORY COUNCIL
CALTRAN - CALIFORNIA TRANSPORTATION DEPARTMENT
CETA - COMPREHENSIVE EMPLOYMENT TRAINING ACT
DEPT. - DEPARTMENT
DNR - DEPARTMENT OF NATURAL RESOURCES
EX. - EXAMPLE
HCRS - HERITAGE CONSERVATION AND RECREATION SERVICE
ICC - INTERSTATE COMMERCE COMMISSION
LWCF - LAND AND WATER CONSERVATION FUND
MKT - MISSOURI, KANSAS AND TEXAS RAILROAD COMPANY
NPS - NATIONAL PARK SERVICE
ORRRC - OUTDOOR RECREATION RESOURCES REVIEW COMMISSION
r/w - RIGHT OF WAY
SCORP - STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN
SPA - STATE RAILROAD TRANSPORTATION PLANNING AGENCY
4R ACT - RAILROAD REVITALIZATION AND REGULATORY REFORM ACT

STATES

AR - ARKANSAS	MO - MISSOURI	OH - OHIO
CA - CALIFORNIA	NE - NEBRASKA	VA - VIRGINIA
MD - MARYLAND	NJ - NEW JERSEY	WI - WISCONSIN
MN - MINNESOTA	NY - NEW YORK	

APPENDIX B

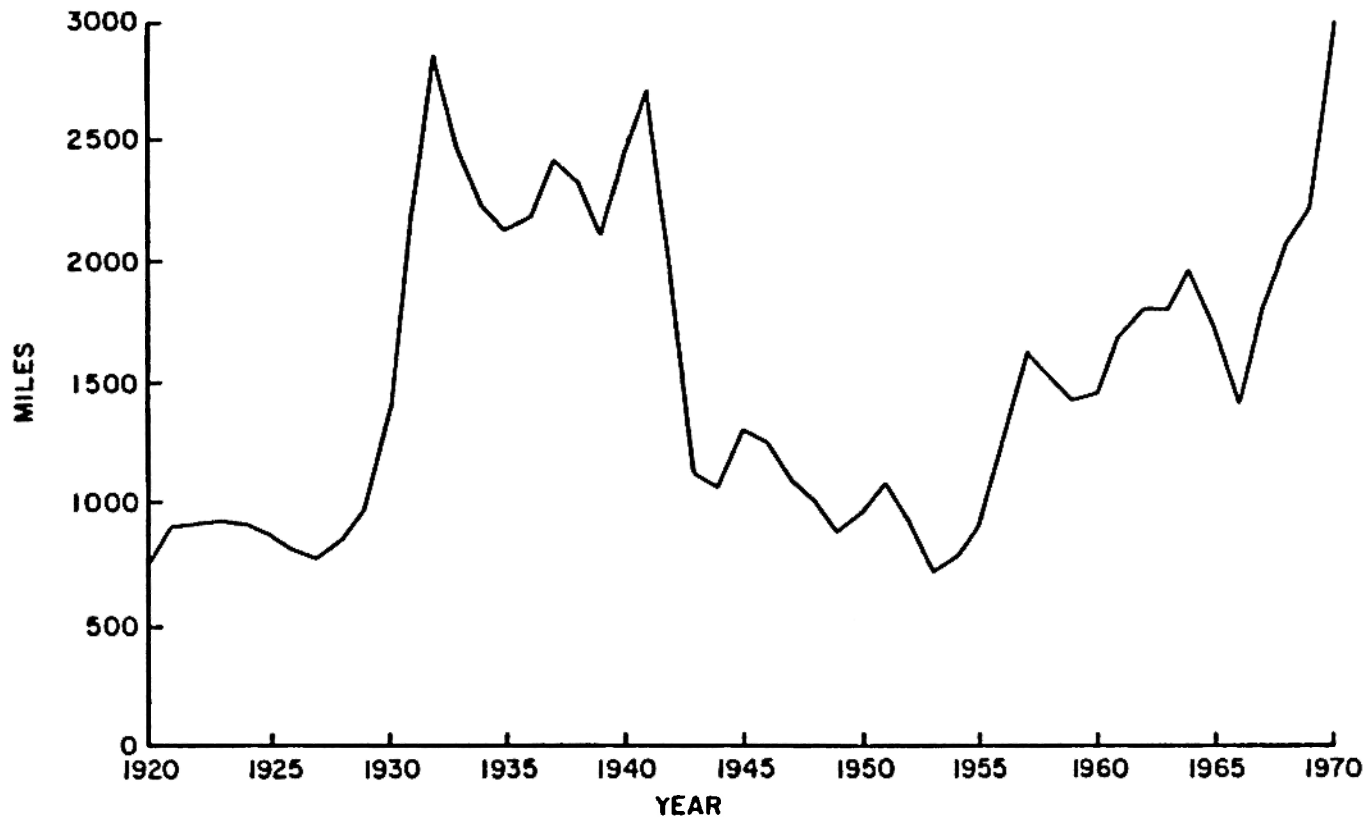
GRAPHS OF RAILROAD ABANDONMENT

GRAPH A

ABANDONMENT APPLICATIONS
(1920-1970)

GRAPH B

ABANDONMENT APPLICATIONS AND APPROVALS
(1960-1984)



Railroad route-miles per year represented by abandonment applications filed with the Interstate Commerce Commission, 1920-1970. 3 year moving averages.

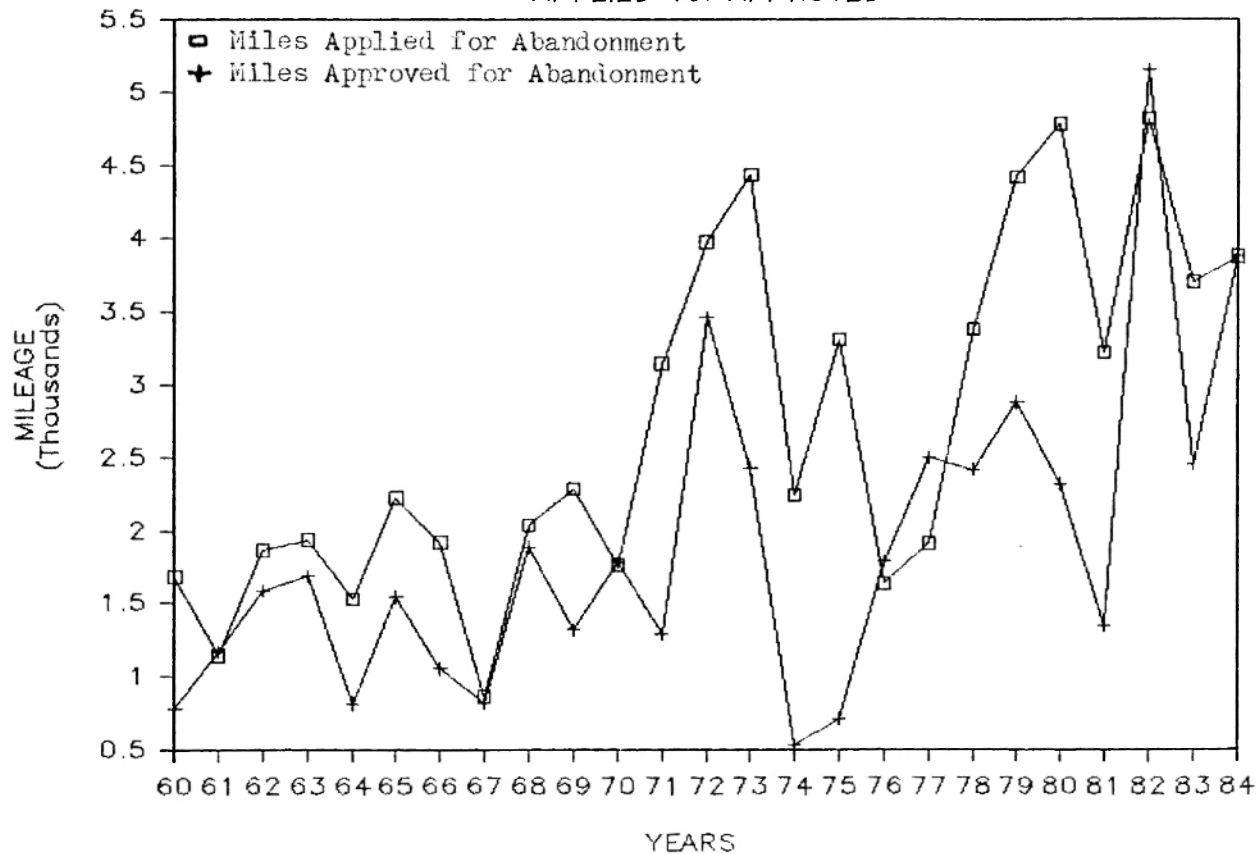
Graph A

Abandonment Applications
(1920-1970)

Source: Sloss, James., Thomas J. Humphery, and Forrest N. Krutter. 1974. An Analysis and Evaluation of Past Experiences in Rationalizing Railroad Networks. U.S. Dept. of Transportation. Washington, D.C. p. 42A.

RAILROAD ABANDONMENTS

APPLIED VS. APPROVED



Graph B

Abandonment Applications & Approvals
(1960-1984)

Source: Interstate Commerce Commission (ICC). 1960-1984. Interstate Commerce Commission Annual Report. U.S. Government Printing Office. Washington, D.C.

APPENDIX C

SYSTEM DIAGRAM MAP

The following information provides instructions to rail carriers on how the system diagram map is to be prepared. According to Chapter 10, Part 1152.10 of the Interstate Commerce Commission's rules and regulations (also 49 U.S.C. 10903) which govern abandonment of rail lines and discontinuance of rail service:

(a) Each carrier shall prepare a diagram of its rail system on a map, designating all lines in its system by the categories established in paragraph (b) of this section.

(b) All lines in each carrier's rail system shall be designated into the following categories:

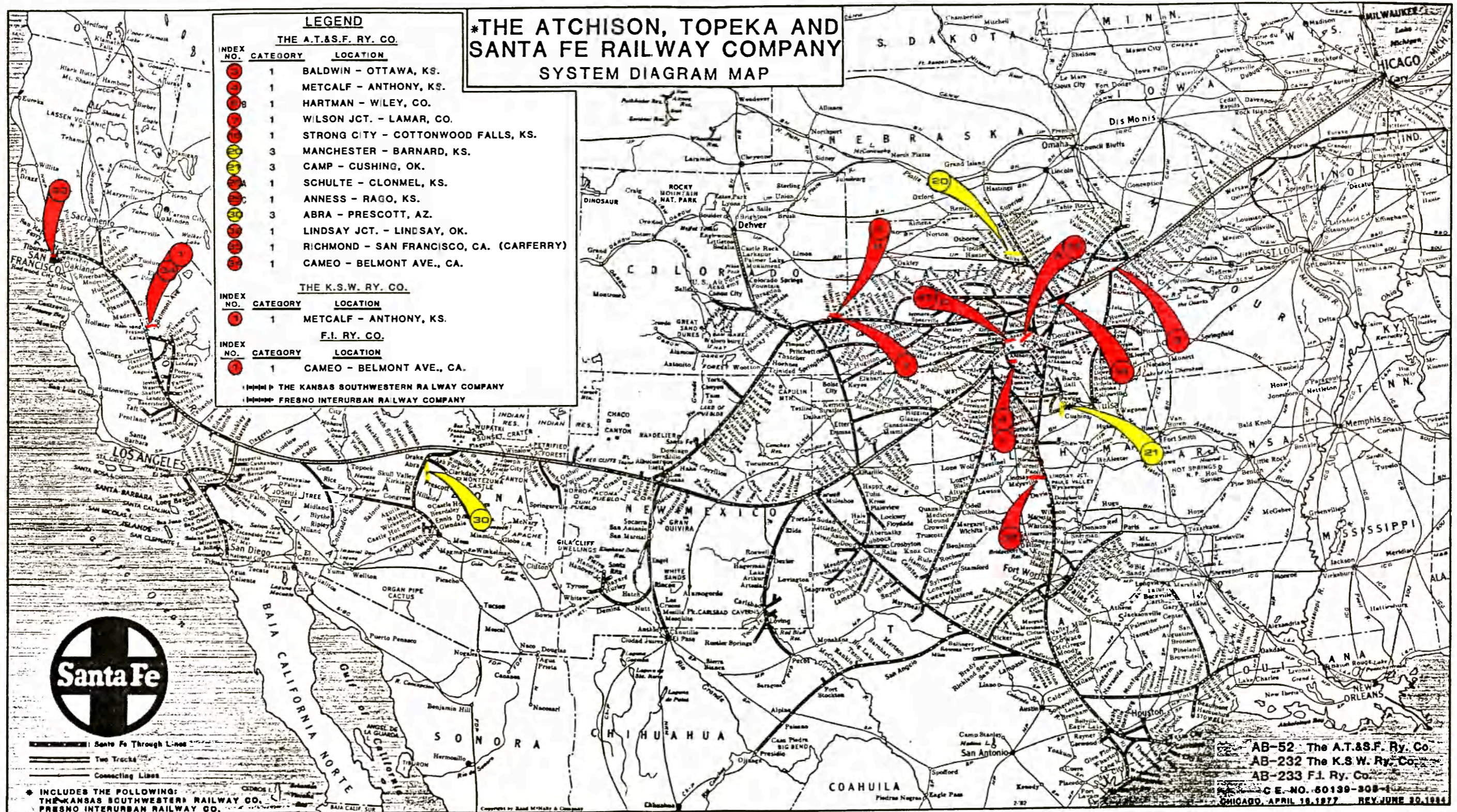
(1) Category 1 (designate in red on map). All lines which the carrier anticipates will be the subject of an abandonment or discontinuance application to be filed within the 3-year period following the date upon which the diagram, or any amended diagram, is filed with the Commission;

(2) Category 2 (designate in green on map). All lines or portions of lines potentially subject to abandonment are those which the carrier has under study and believes may be the subject of a future abandonment application because of either anticipated operating losses or excessive rehabilitation costs, as compared to potential revenues;

(3) Category 3 (designate in yellow on map). All lines or portions of lines for which an abandonment application is pending before the Commission on the date upon which the diagram, or any amended diagram, is filed with the Commission

There are two additional categories, but for the purposes of this research, only the three listed above are important. An example of a typical system diagram map and accompanying descriptions is provided on the following pages.

Source for map and descriptions: Santa Fe Southern Pacific Corporation
Public Relations
224 S. Michigan Ave.
Chicago, Ill. 60604
(Used with permission)



System Diagram Map

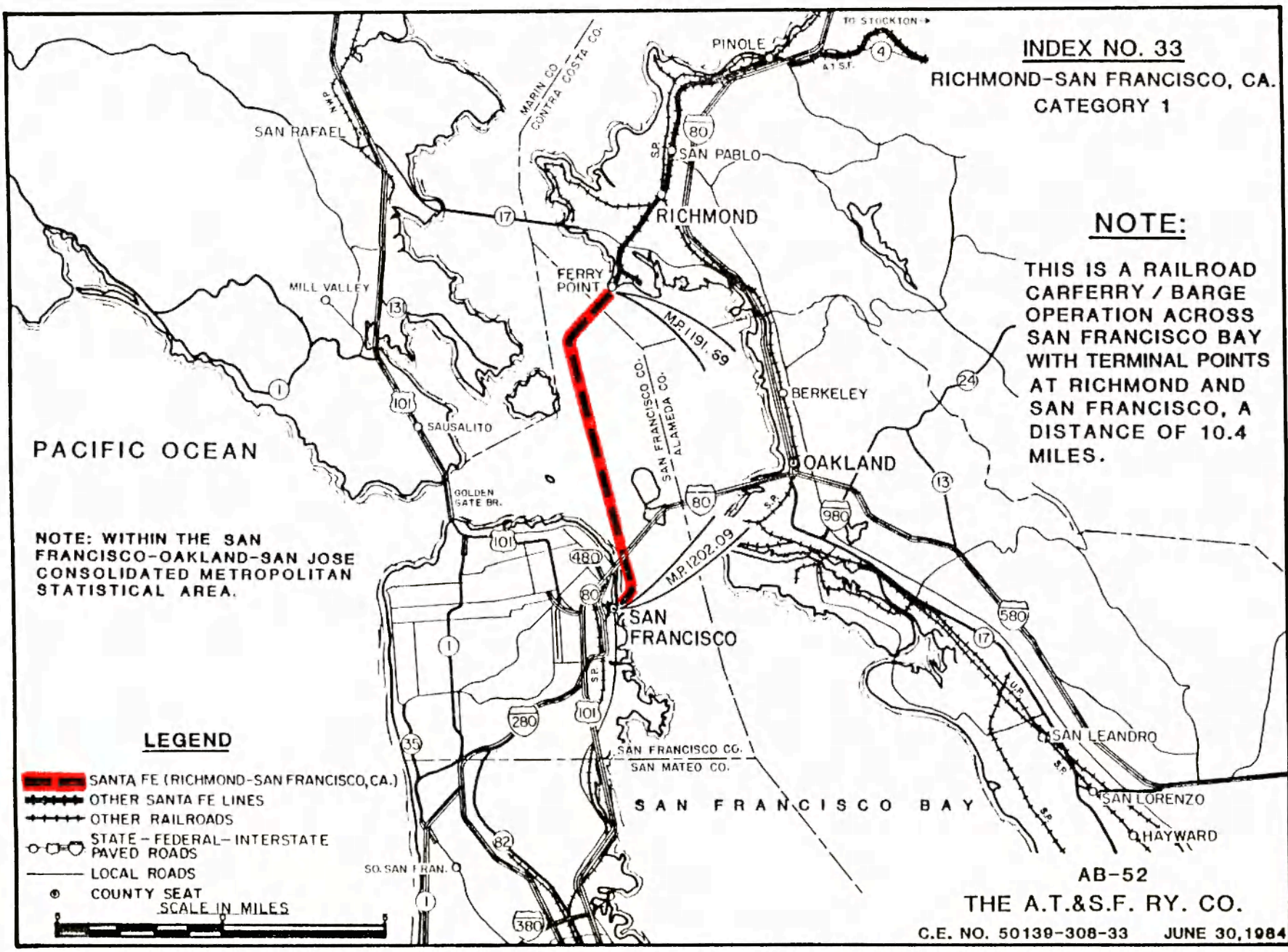
INDEX NO. 33

**RICHMOND-SAN FRANCISCO, CA.
CATEGORY 1**

NOTE:

**THIS IS A RAILROAD
CARFERRY / BARGE
OPERATION ACROSS
SAN FRANCISCO BAY
WITH TERMINAL POINTS
AT RICHMOND AND
SAN FRANCISCO, A
DISTANCE OF 10.4
MILES.**

137



**NOTE: WITHIN THE SAN
FRANCISCO-OAKLAND-SAN JOSE
CONSOLIDATED METROPOLITAN
STATISTICAL AREA.**

LEGEND

- SANTA FE (RICHMOND-SAN FRANCISCO, CA.)
 - OTHER SANTA FE LINES
 - OTHER RAILROADS
 - STATE - FEDERAL - INTERSTATE
PAVED ROADS
 - LOCAL ROADS
 - COUNTY SEAT
- SCALE IN MILES

**AB-52
THE A.T.&S.F. RY. CO.**

C.E. NO. 50139-308-33 JUNE 30, 1984

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

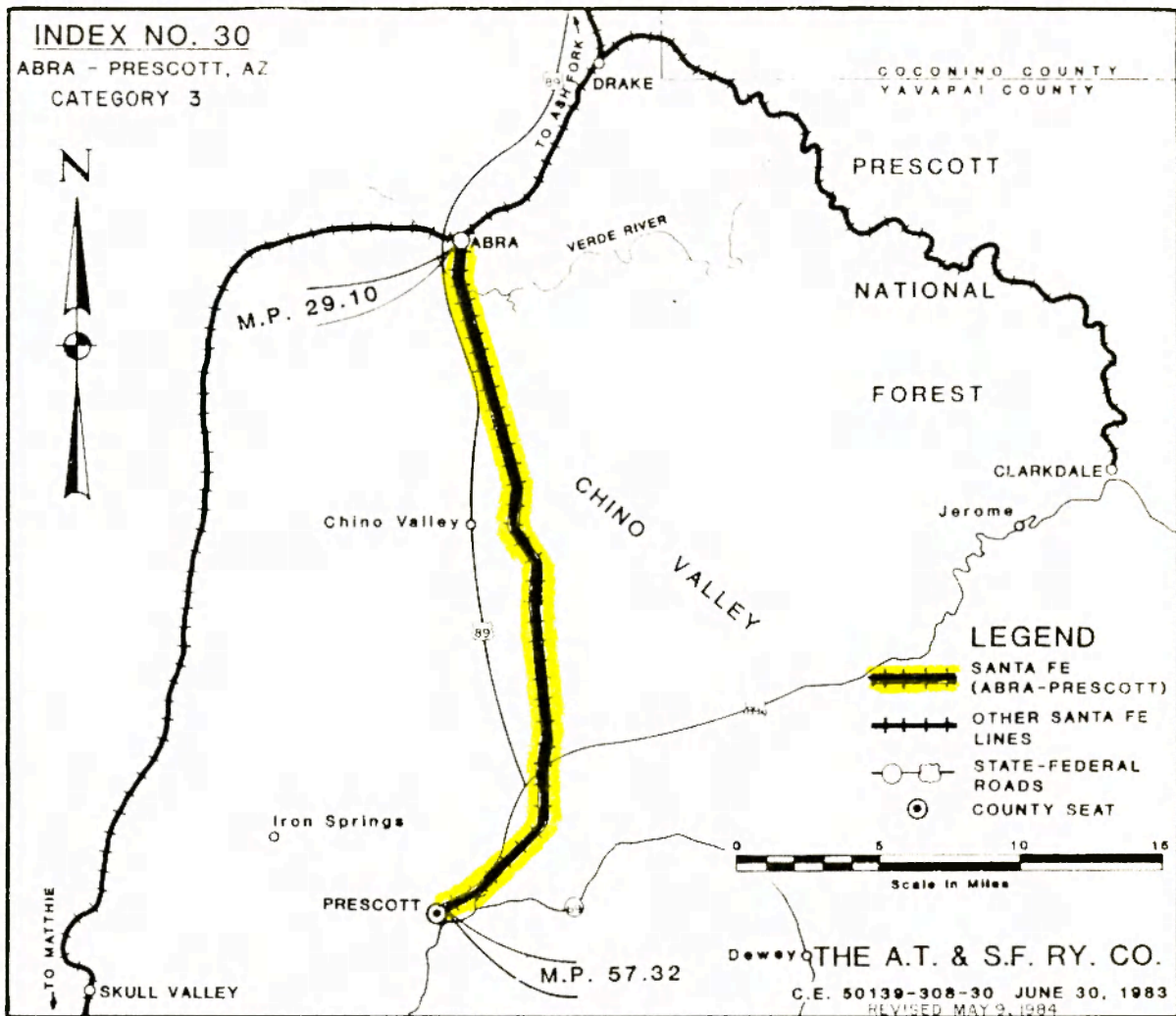
Description of Lines to Accompany
The Revised System Diagram and Detail Map

Category (1)

All lines or portions of lines which the carrier anticipates will be the subject of an abandonment or discontinuance application to be filed within the three-year period following the date upon which the diagram, or any amended diagram, is filed with the Commission.

Map Code (Index No. 33) - California

- (a) Richmond to San Francisco. This is a railroad carferry/barge operation across San Francisco Bay with terminal points at Richmond and San Francisco, a distance of 10.4 miles.
- (b) Located entirely within the State of California.
- (c) Located in Contra Costa and San Francisco Counties.
- (d) Milepost 1191.69 at Richmond to Milepost 1202.09 at San Francisco.
- (e) Agency station at Richmond.



THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

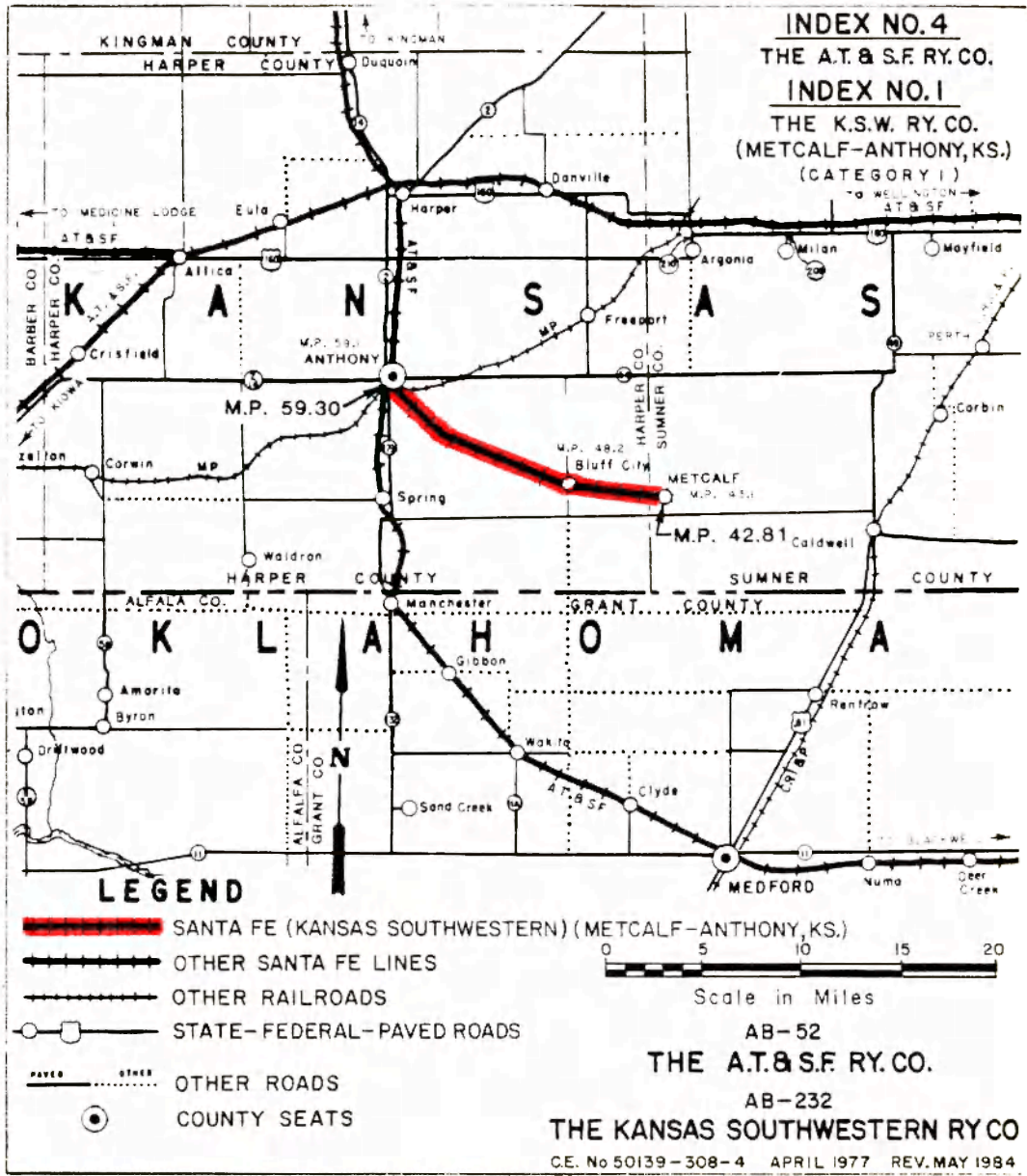
Description of Lines to Accompany
 The Revised System Diagram and Detail Map

Category (3)

All lines or portions of lines for which abandonment or discontinuance application is pending before the Commission on the date upon which the diagram, or any amended diagram, is filed with the Commission.

Map Code (Index No. 30) - Arizona

- (a) Abra to Prescott: entire Prescott District, 28.22 miles.
- (b) Located entirely in the State of Arizona.
- (c) Located entirely in Yavapai County.
- (d) Milepost 29.10 to 57.32.
- (e) No agency stations on segment. Agency service provided from regional freight office at Glendale, Arizona.



THE TCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY
and
THE KANSAS SOUTHWESTERN RAILWAY COMPANY

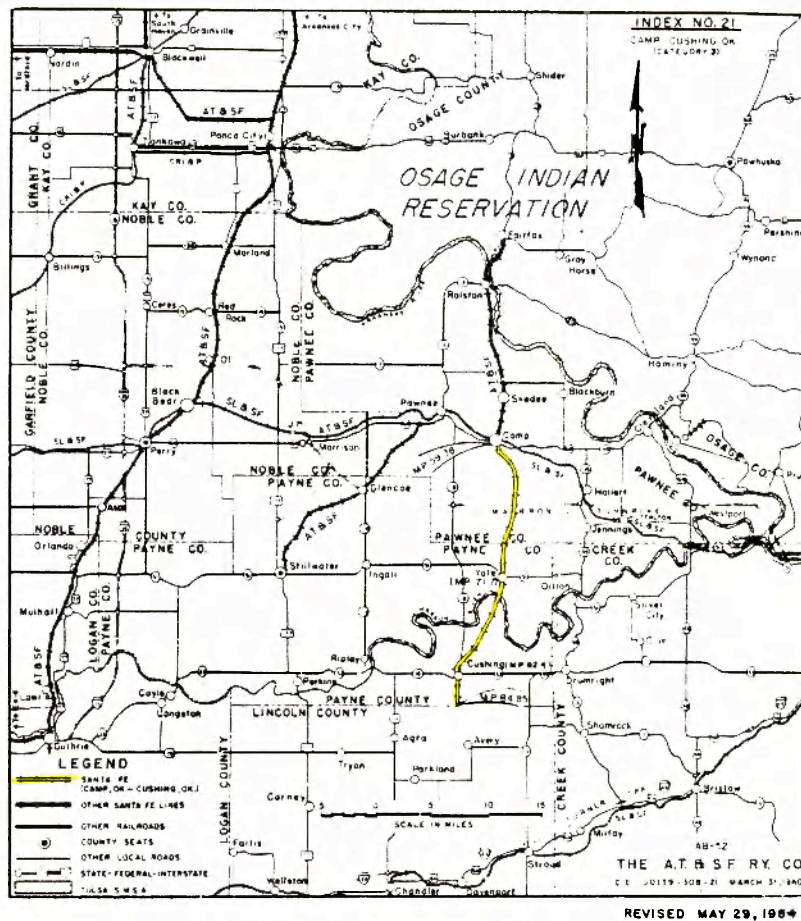
Description of Line to Accompany
The Revised System Diagram and Detail Map

Category (1)

All lines or portions of lines which the carrier anticipates will be the subject of an abandonment or discontinuance application to be filed within the three-year period following the date upon which the diagram, or any amended diagram, is filed with the Commission.

Map Code (Index No. 4, AB-52) - Kansas
Map Code (Index No. 1, AB-232) - Kansas

- (a) Metcalf to Anthony: entire Anthony District, 16.49 miles.
- (b) Located entirely in the State of Kansas.
- (c) Located in Sumner and Harper Counties.
- (d) Milepost 42.81 to 59.30.
- (e) No agency stations on segment. Agency service provided from regional freight office at Harper, Kansas.



THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

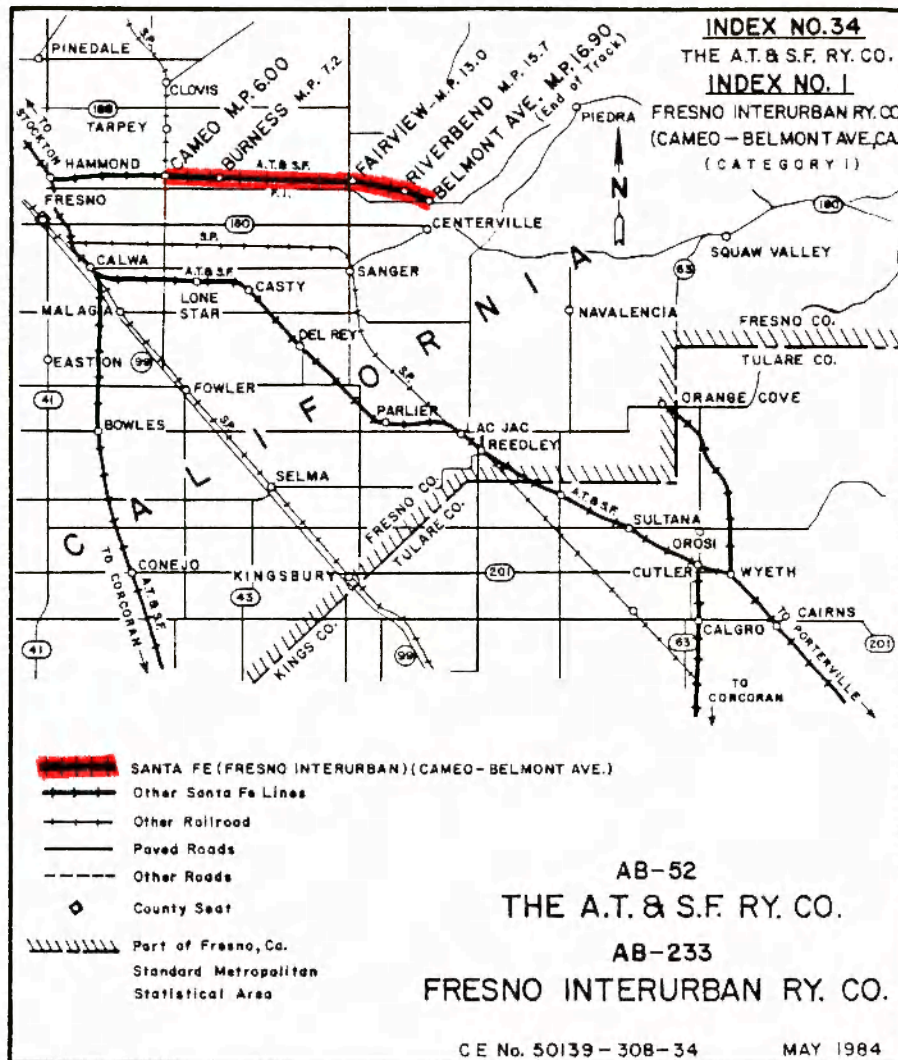
Description of Lines to Accompany
The Revised System Diagram and Detail Map

Category (3)

All lines or portions of lines for which abandonment or discontinuance application is pending before the Commission on the date upon which the diagram, or any amended diagram, is filed with the Commission.

Map Code (Index No. 21) - Oklahoma

- (a) Camp to Cushing, a 25.47 mile segment of the Cushing District.
- (b) Located entirely in the State of Oklahoma.
- (c) Located in Payne and Pawnee Counties.
- (d) Milepost 59.38 to 84.85.
- (e) Agency station at Cushing (Milepost 82.4).



THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY
and
FRESNO INTERURBAN RAILWAY COMPANY

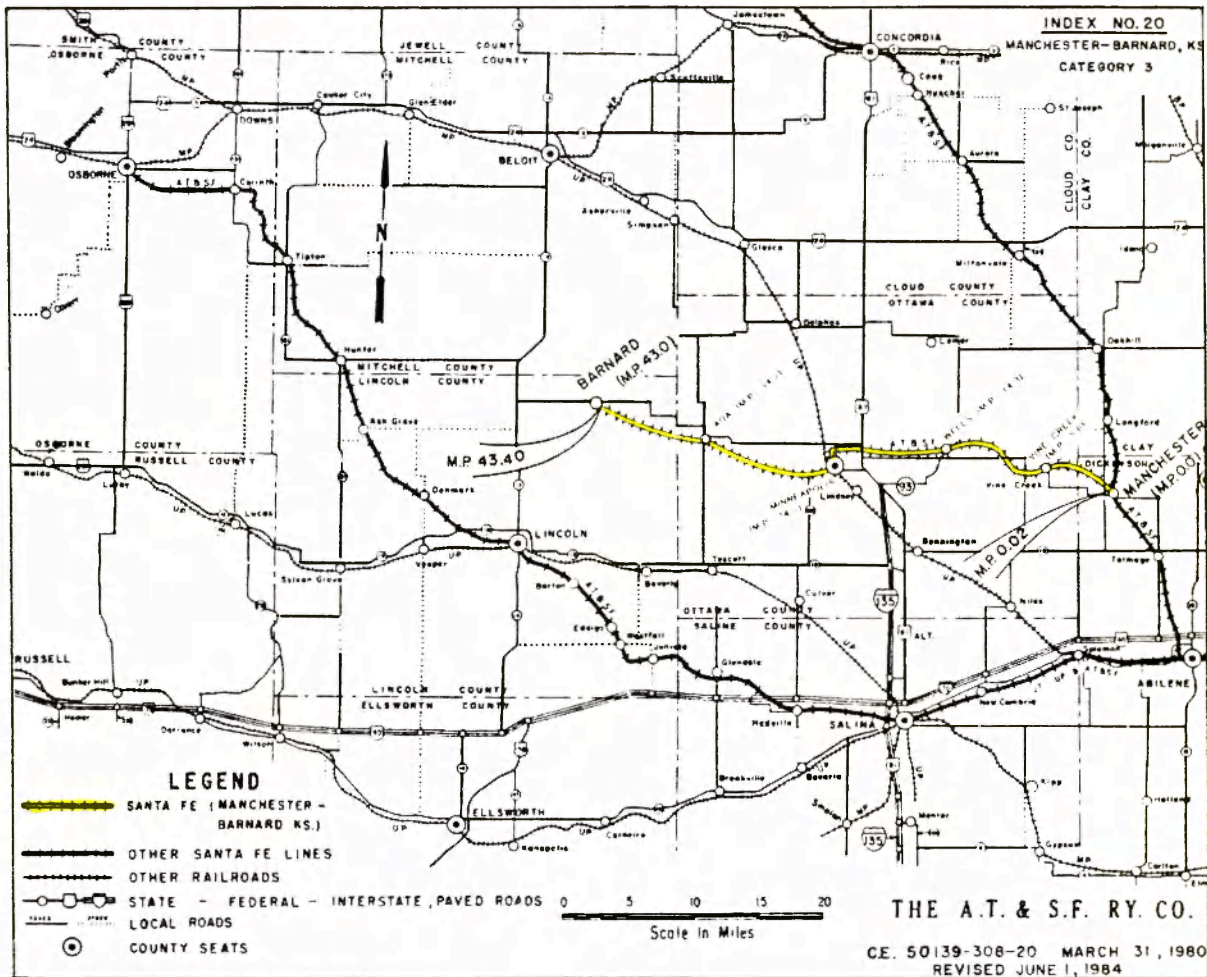
Description of Lines to Accompany
The Revised System Diagram and Detail Map

Category (1)

All lines or portions of lines which the carrier anticipates will be the subject of an abandonment or discontinuance application to be filed with the three-year period following the date upon which the diagram, or any amended diagram, is filed with the Commission.

Map Code (Index No. 34, AB-52) California
Map Code (Index No. 1, AB-233) California

- (a) Cameo to Belmont Avenue, a 10.90 mile segment of the Fresno Interurban District.
- (b) Located entirely in the State of California.
- (c) Located entirely in Fresno County.
- (d) Milepost 6.00 to milepost 16.90 (end of line).
- (e) No agency stations on segment. Agency service provided from regional freight office at Fresno, California.



THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

Description of Lines to Accompany
 The Revised System Diagram and Detail Map

Category (3)

All lines or portions of lines for which abandonment or discontinuance application is pending before the Commission on the date upon which the diagram, or any amended diagram, is filed with the Commission.

Map Code (Index No. 20) - Kansas

- (a) Manchester to Barnard: entire Minneapolis District, 43.38 miles.
- (b) Located entirely in the State of Kansas.
- (c) Located in Dickinson, Ottawa and Lincoln Counties.
- (d) Milepost 0.02 to 43.40.
- (e) No agency stations on segment. Agency service provided from regional freight office at Abilene, Kansas

APPENDIX D

HERITAGE CONSERVATION AND RECREATION SERVICE PROJECT SELECTION CRITERIA

Those projects which best meet the following criteria will be selected to receive assistance:

1. Projects which have cleared abandonment procedures and for which sufficient control and tenure of land can be assured, in order that the project can be accomplished shortly after project approval.
2. Projects which are located or originate in Standard Metropolitan Statistical Areas.
3. The degree to which the project results in a facility which demonstrates maximum beneficial public use of the property acquired. (For example, the diversity of recreation/conservation opportunities provided).
4. The ease of accessibility to large numbers of potential users.
5. The effectiveness of the project in enhancing existing Federal, State, or local recreation/conservation resources. (For example, the ability of the project to tie together existing recreation/conservation resources).
6. Whether use of the right-of-way for recreation/conservation purposes has been identified in existing Federal, State, or local plans.
7. The degree to which the project advances new ideas in recreation/conservation use and promotes nonmotorized forms of transportation such as commuting by bicycle.
8. The recreation/conservation potential of the environment traversed by the right-of-way.
9. The energy conservation potential of using the right-of-way for recreation and/or commuting.
10. The urgency of the acquisition as reflected by the plans of the owner of record to sell the property to persons other than the project sponsor.
11. The degree to which Federal, State or local land use controls will protect the recreation and conservation values of the right-of-way from encroachment by conflicting uses of surrounding land.

12. State and local projects involving the development of abandoned railroad rights-of-way which do not include the acquisition of the rights-of-way will be given lower funding priority than projects involving both acquisition and development.

Source: U.S. CFR. 1981. Title 36, Chapter 12. Part 1226. pp. 657-664.

APPENDIX E

SAMPLE QUESTIONNAIRE/COVER LETTER
(SEE APPENDIX F FOR QUESTIONNAIRE)

Date

Address

Dear _____:

This letter is in reference to our conversation of _____ concerning your participation in completing a recreation questionnaire. As a graduate student in Landscape Architecture I have chosen as my thesis topic the study of planning processes utilized in the acquisition and conversion of abandoned railroad rights of way for recreation.

One of the typical problems encountered by individuals in many past and present conversion projects involves the acquisition of the abandoned railroad right of way. It has been noted that in order to facilitate the timely acquisition of this type of real estate it is imperative that local, regional, or state recreational planning agencies have at their disposal a planning process which addresses and responds to the unique problems and issues related to this type of recreational development. Also of importance and necessity are state codes, laws, and statutes which provide the legal framework for abandoned railroad rights-of-way conversion programs.

With these ideas in mind my research proposes to:

1. Inventory the planning methodologies of ten Heritage Conservation and Recreation Service demonstration projects and two additional projects; Military Ridge, Wisconsin, and The Soo Line, Minnesota.
2. Analyze these methods to determine those planning element variations which have a positive or negative influence on the acquisition and conversion of abandoned railroad rights of way (ARROW) for recreational reuse.
3. Synthesize methodology variations into a planning process which responds to the problems and issues typical of ARROW conversion programs.

Name
Date
Page 2

It is anticipated that the inventory, analysis, and synthesis of these existing methodologies will provide future recreation planners with a resource on which to base planning decisions concerning the acquisition of ARROW and its recreational reuse.

With these objectives in mind, I would value your professional expertise and input in completing the enclosed questionnaire. University Policy requires that I inform participants concerning safeguards utilized to protect subject's privacy. Please refer to the attached notice (page 3).

Although the questionnaire suggests responses in a written format, please, wherever possible, include photocopies of any information which may expedite written responses. I am willing to cover reproduction costs. Any additional project information or comments concerning related issues not presented in the questionnaire are welcome and appreciated.

In order to help insure the success and quality of this research and my graduate study, please respond to questions with accuracy and candor. Please return your questionnaire by December 14.

Thank you for your time and I look forward to hearing from you.

Sincerely,

Mark A. Holsteen
L.A. Graduate Student

Enclosures

Name
Date
Page 3

NOTICE TO QUESTIONNAIRE RESPONDENTS

University Policy requires researchers to inform their participants that:

1. Your participation is entirely voluntary.
2. The information you provide will not be referenced to your name, but by project name and/or state.
3. The original information you provide, written or cassette tape, will be destroyed upon completion of research documents.
4. The researcher may be called at any point in time to clarify questions pertaining to the questionnaire, subjects rights, or status of thesis completion (Home phone 913-539-5109 Tues. 8-5, Wed. 1-5 or leave message at KSU L.A. office. You may also contact Ron Sullivan, Thesis Committee Chairman, for further questions concerning this research. Should you desire further explanations of your rights as a human subject, you may contact Lyn Norris-Baker (Chair, College of Arch. & Design Subcommittee of the Committee on Research Involving Human Subjects) at the following number (913-532-5953).
5. By completing and returning this questionnaire you are giving consent for the inclusion of your responses in the research document.

APPENDIX F

PLANNING PROCESS QUESTIONNAIRE AND TABULATED RESPONSES

PLANNING PROCESS QUESTIONNAIRE - TABULATED RESULTS

THIS QUESTIONNAIRE IS BEING USED TO HELP IDENTIFY VARIATIONS IN RECREATION PLANNING PROCESSES AS THEY RELATE TO THE ACQUISITION AND CONVERSION OF ABANDONED RAILROAD RIGHTS OF WAY FOR RECREATIONAL USE. THE QUESTIONS ARE DIVIDED INTO THE FOLLOWING CATEGORIES:

1. PROJECT BACKGROUND
2. PLANNING PROCESS
3. POLITICAL/SOCIAL
4. ECONOMIC
5. LEGAL/LEGISLATIVE

WHERE APPLICABLE, RESPONDENTS ARE ENCOURAGED TO INCLUDE PHOTOCOPIES FROM EXISTING REPORTS, MANUALS, OR OTHER REFERENCES WHICH MAY EXPEDITE RESPONSE TIME. THE RESEARCHER IS WILLING TO COVER REPRODUCTION COSTS.

ABBREVIATIONS: ARROW = ABANDONED RAILROAD RIGHTS OF WAY
ICC = INTERSTATE COMMERCE COMMISSION
nr = No response
na = Not applicable
* = When next to a letter or number means "most important"

RESPONDENTS: AR = ARKANSAS NJ = NEW JERSEY
CA = CALIFORNIA NY = NEW YORK
MD = MARYLAND OH = OHIO
MN = MINNESOTA VA = VIRGINIA
MO = MISSOURI WI = WISCONSIN
NE = NEBRASKA

*****PROJECT BACKGROUND*****

1. RESPONDENT'S NAME : _____
2. TITLE/POSITION : _____
3. DURATION OF EMPLOYMENT IN THIS POSITION :
_____ YEARS _____ MONTHS
4. LENGTH OF TIME ASSOCIATED WITH THIS PROJECT :
_____ YEARS _____ MONTHS
5. PROJECT NAME : _____
6. APPROXIMATE DATE OF PROJECT INITIATION : _____
7. DATE AND COST OF ACQUISITION: _____

8. PROJECT STATUS : 3 DEVELOPMENT COMPLETE (CA, OH 1/3, WI 1/3)
 5 DEVELOPMENT IN PROGRESS WITH AN
 EXPECTED COMPLETION DATE OF : (MO,MD,NJ,NY,VA)
 3 OTHER (EX. PROJECT DISCONTINUED, ACQUISITION
 COMPLETE, BUT NO DEVELOPMENT TO DATE, ETC.)
 (AR & NE discontinued, MN - Planning under way)

9. WAS THIS PROJECT DEVELOPED IN PHASES?

 6 YES (CA, MD, MN, OH, WI, VA)
 NUMBER OF PHASES
 NUMBER OF PHASES COMPLETED
 5 NO (MO, NJ, NY, AR & NE - would not have been
 even if project was developed)
 OTHER, PLEASE EXPLAIN

10. WAS THIS YOUR FIRST ARROW PROJECT?

 8 YES (CA,MD,MO,VA,AR,NE,NJ,OH) 3 NO (MN, WI, NY)
 IF NO, NUMBER OF PREVIOUS PROJECTS

*****PLANNING PROCESS*****

11. HOW MANY ARROW HAS YOUR AGENCY/DEPT. ACQUIRED FOR RECREATIONAL USE?

a 73 # OF ATTEMPTED ACQUISITIONS
 b 65 # OF SUCCESSFUL ACQUISITIONS
 c ARROW ACQUIRED BY ANOTHER AGENCY, OUR RESPONSIBILITY
 WAS TO DEVELOP AND MANAGE. PLEASE NAME AGENCY.

a. MO 1, VA 1, WI 12, NJ 36, OH 2, NE nr, CA nr, MN 15, NY 5, MD 1, 10
 b. MO 1, VA 1, WI 12, NJ 30, OH 2, NE 0, CA 2, MN 11, NY 5, MD 1, 10
 c. MD ("x" was inserted in blank, see notes below) 1

**** Notes ****

MO Because all the railroad easement reverted to original property owners,
 the city has had to acquire from approximately 50 different owners. At
 least 1 acquisition is still in condemnation.

NY Currently working on our 6th r/w

AR nr

MD Maryland Dept. of General Services in conjunction with the Maryland Dept.
 of Natural Resources.

TABLE 1
 PLANNING PROCESS QUESTIONNAIRE RESULTS
 (QUESTIONS 1-10)

PART 1: RESPONDENT DATA

PROJECT NAME	STATE	APPLICANT	RESPONDENT'S TITLE/POSITION	DURATION OF EMPLOYMENT IN THIS POSITION	TIME ASSOC. WITH THIS PROJECT	FIRST-ORDER PROJECT?
CITY OF FORT SMITH SUBURBAN RECREATIONAL TRAIL SYSTEM	ARIZONA	CITY OF FORT SMITH	ACTING CITY MANAGER	5 YEARS	1 YEAR (APPROX.)	YES, FIRST ORDER PROJECT
NORTHWEST PACIFIC RAILROAD RIGHT-OF-WAY PROJECT	CALIFORNIA	COUNTY OF MARIN, DNR OF NATURAL RESOURCES	PARKS & REC. DIR.	1 YEAR, 2 MTHS	7 YEARS	YES
NORTHERN CENTRAL RAILROAD TRAIL	MARYLAND	MARYLAND DNR	RECREATION ADMINISTRATOR	1 YEAR, 2 MTHS	4 YEARS, 1 MTH	YES
S&D LINE TRAIL	MINNESOTA	MINNESOTA DNR	TRAIL PLANNER	3 YEARS, 6 MTHS	2 YEARS	NO, PREVIOUS
COLUMBIA MKT PARKWAY	MISSOURI	CITY OF COLUMBIA, MO.	SUPV. OF PARK PLANNING AND DEVELOPMENT	1 YEAR, 6 MTHS	1 YEAR, 6 MTHS	YES
DOUGLAS COUNTY MULTI-PURPOSE RECREATION TRAIL	NEBRASKA	DOUGLAS COUNTY	DOUGLAS COUNTY ENGINEER	4 YEARS	2 YEARS	DOUGLAS COUNTY FIRST
CAPITAL STATE PARK	NEW JERSEY	NEW JERSEY DEPT. OF ENVIRONMENTAL PROTECTION	PRINCIPAL NEGOTIATOR	13 YEARS	1 YEAR	YES
CRESCENT RANCH BIKEWAY	NEW YORK	NEW YORK STATE PARKS & RECREATION DEPARTMENT	SENIOR INT. RES. PLANNER, TRAILS COORDINATOR	1 YEAR	2 YEARS	NO, OTHER AGENCIES HAVE LAID OUT LOCAL/MUNICIPAL PROJECTS. HAS DONE STATE AGENCIES, EVAL. OTHER AGENCIES OF STATE EVAL.
LITTLE HIAWASSEE RAILROAD	OHIO	OHIO DNR	STATE LANDS PLANNER	7 YEARS, 3 MTHS	1 YEAR, 1 MTH	YES
WASHINGTON & OLD DOMINION RAILROAD RECREATIONAL PARK	VIRGINIA	NORTHERN VIRGINIA REG. PARK AUTHORITY	CAPITAL PROGRAMS DIRECTOR	10 YEARS	15 YEARS	YES
MILITARY RIFLE STATE PARK TRAIL	WISCONSIN	WISCONSIN DNR, SOUTHERN DISTRICT OFFICE	PLANNER/SR. L.A.	15 YEARS	1 YEAR	NO, 3 PREVIOUS

TABLE 1 CONTINUED
 PLANNING PROCESS QUESTIONNAIRE RESULTS
 (QUESTIONS 1-10)

 PART B: PROJECT BACKGROUND

PROJECT NAME	STATE	APPROX. DATE OF ROW ACQUISITION	ACQUISITION COST	APPROX. DATE OF PROJECT INITIATION	PROJECT MILEAGE	PROJECT STATUS	PROJECT DEVELOPED IN PHASES?
CITY OF FOR SMITH SUBURBAN RECREATIONAL TRAIL SYSTEM	ARKANSAS	NEVER ACQUIRED	\$15,000.00	DEC. 1977	1.3	PROJECT DISCONTINUED	NO, WOULD NOT HAVE BEEN
NORTH EAST PACIFIC RAILROAD RIGHT-OF-WAY PROJECT	CALIFORNIA	SEPT. 17, 1980	\$714,184.00	DEC. 1977	2.3	DEVL. COMPLETE	YES, 2 PHASES
NORTHERN CENTRAL RAILROAD TRAIL	MARYLAND	OCT. 27, 1980	\$125,000.00	JULY 7, 1976	7.0	DEVL. IN PROGRESS 7.5 MILES DEVL. COMPLETE 1930	YES, 4 PHASES. 1 COMPLETE, WILL CONTINUE TO DEVELOP AS MUCH AS FUNDING WILL ALLOW
SO LITE TRAIL	MINNESOTA	AUG. 1934	\$2,000,000.00	FEB. 1972	8.7	PLANNING UNDERWAY	YES, 4 PHASES
COLUMBIA MKT PARKWAY	MISSOURI	JUNE 1972-PRESENT	\$150,000.00 (APPROX.)	JULY 1977	8.5	DEVL. IN PROGRESS, EXPECT COMPLETE 7/1/85	NO, DEFINITIVE SINCE 5/78
DODD COUNTY MULTI-PURPOSE RECREATIONAL TRAIL	NEBRASKA	NEVER ACQUIRED	\$115,000.00	SEPT. 1977	8.7	PROJECT DISCONTINUED	PROJECT KILLED
CALIFORNIA STATE PARK	NEW JERSEY	AUG. 1982	\$1,219,275 TO DATE	SEPT. 10, 1978	7.8	DEVL. IN PROGRESS, EXPECT COMPLETE 1985	NO, ADDITIONAL DELETIONS FROM TIME TO TIME
CRESCENT BRANCH BIKEWAY	NEW YORK	OCT. 1901	\$71,313.00	1979	3.3	DEVL. COMPLETE, PLAN TO PAVE IN FUTURE	NO, BASICALLY 1 DEVL., WITH REHAB. PROJECT SINCE DEVL.
LITTLE MIAMI SCENIC RAILROAD	OHIO	AUG. 1979	\$595,000.00	JULY 1979	44.8	1/3 DEVL. COMPLETE, MORE DEPENDS ON FUTURE BUDGET, ADDITIONAL ACQUISITION IS PROPOSED FOR FUTURE	YES, 3 PHASES, 1 COMPLETE
WASHINGTON & OLD DOMINION RAILROAD REGIONAL PARK	VIRGINIA	1977-1973	\$3,750,000.00	1970	4.1	DEVL. IN PROGRESS AND EXPECT COMPLETE: 1970	YES, 8 PHASES, 5 COMPLETE
MILITARY RIDGE STATE PARK TRAIL	WISCONSIN	1971-1984	\$502,000.00	LATE 1981	39.6	1ST PHASE COMPLETED 15% OF TOTAL, 15% MORE DURING FISCAL 85-87, FINAL 10% IN FISCAL 1987-1989	YES, 3 PHASES, 1 COMPLETE

 ABBREVIATIONS: ACQ. = ACQUISITIONS
 DEPT. = DEPARTMENT
 DEVL. = DEVELOPMENT
 DIR. = DIRECTOR
 DIR. = DEPARTMENT OF
 NATURAL RESOURCES
 L.A. = LANDSCAPE ARCHITECT
 LAND = LAND AREA
 CONSERVATION FUND
 MTHS = MONTHS
 MUNIC. = MUNICIPAL
 NAT = NATURAL
 DPRNP = OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION
 REC. = RECREATION
 REG. = REGIONAL
 REHAB. = REHABILITATION
 RES. = RESOURCES
 SR. = SECTOR
 SUPT. = SUPERINTENDENT

12. WHAT RESOURCE(S) DID YOU CONSULT WHEN PLANNING FOR THIS ARROW PROJECT?
(MORE THAN ONE CHOICE MAY BE CHECKED)

- A 3 PERSONAL EXPERIENCE FROM PARTICIPATING IN PREVIOUS ARROW PROJECTS
- B 5 VISITS TO EXISTING ARROW PROJECTS
- C LITERATURE PLEASE LIST TYPES:
 - 1 1 BOOKS 4 7 MASTER PLANS
 - 2 3 PERIODICALS 5 1 OTHER, PLEASE SPECIFY
 - 3 8 FEASIBILITY STUDIES
- D 10 LOCAL GOVERNMENT OFFICIALS
- E 9 CITIZENS GROUPS
- F 3 CONSULTANTS
- G 9 PARK AGENCIES (EX. NPS, STATE PARKS & REC.)
- H 6 OTHER AGENCIES, PLEASE LIST TYPES _____
- I 2 OTHER RESOURCES, PLEASE LIST _____

a.	WI, MN, NY,	3	MN - 9
b.	WI, NE, MN, NY, MD,	5	OH - 9
c1.	MD,	1	NY - 8
c2.	VA, OH, NE,	3	WI - 7
c3.	MO, VA, WI, OH, NE, MN, NY, MD	8	NE - 7
c4.	MO, WI, NJ, OH, MN, NY, MD	7	VA - 6
c5.	MD	1	MD - 5
d.	MO, VA, WI, NJ, OH, NE, CA, MN, NY, MD,	10	MO - 5
e.	MO, VA, WI, OH, NE, CA, MN, NY, MD,	9	CA - 4
f.	VA, OH, NE,	3	NJ - 3
g.	VA, WI, NJ, OH, NE, CA, MN, NY, MD,	9	AR - 1
h.	MO, OH, CA, MN, NY, AR,	6	
i.	OH, MN,	2	

*****Notes*****

- MO h. Bicycle commission, Columbia track club.
- WI g. Our P & R, not State P & R.
- OH h. Planning agencies
- i. Natural, historical, and cultural resources.
- NY h. NYS Dept. of Transportation
- CA h. State Highway Dept.
- MD c5. Federal reports
- MN h. County and City Public Works
 Mayors offices
 Police and Sheriff
- i. Public at large
- AR h. Regional Planning and Development

13. WHAT WERE THE CIRCUMSTANCES WHICH CAUSED YOUR AGENCY TO UNDERTAKE A PROJECT OF THIS NATURE?

*****notes*****

MO Notice of abandonment published in local newspaper at about the same time park and rec. staff became aware of railroad revitalization grant program. Staff then began to discuss the possibility of acquiring the corridor for hiking, jogging, and bicycling purposes. (grant and rec. pot) RESEARCHER'S NOTES IN PARENTHESES

- VA Citizen interest in preserving the r/w as a continuous parcel, coupled with the recognition that it would be ideal for trail purposes. (citizen request for preservation, rec pot)
- WI Our State DNR leads the nation in the use of ARROW for recreational trails. Our goal is to develop a network of trails (somewhat similar to those used in Great Britian). (expand)
- NJ Conservation and restoration of the canal for recreational use, such as hiking, biking, canoeing, jogging, etc. (conservation, rec pot)
- OH
 - a. Departmental priority for expanding trail systems.
 - b. Available Federal funds (grant) Rails to Trails for acquisition.
 - c. Uniqueness of the project and strong local support for such a development.
 - d. Availability of 44 mile uninterrupted r/w (expand, grant, citizen support)
- NE
 - a. Abandonment of railroad line which connected two recreation lakes.
 - b. Availability of federal funds. (linkage, grant)
- CA Applied for Rails to Trails Grant from federal government when we knew the right of way was abandoned. Right of way was part of our Master plan for trails. (grant, proposed use)
- MN We needed a way of getting an existing state trail into downtown St.Paul from its endpoint in the east suburbs. The Soo Line provided the connecting link. (linkage)
- NY The Crescent Branch Project was implemented as part of the Barge Canal Recreationway Devl. Plan initiated in the early 1970s to provide a system of parks along the 500 miles of waterway linked by trails, with the ultimate plan for a continuous trail across NY state from Albany to Buffalo. COPY OF REPORT IS ATTACHED. (proposed)
- MD
 - a. ARROW adjacent to Gunpowder Falls State Park.
 - b. Availability of special federal funds.
 - c. Originally State was to acquire ARROW and the local government - (Baltimore County Department of Recreation & Parks) was to develop and manage r/w as multi-use recreation trail. (grant, linkage)
- AR Earlier requests by individuals in the area to develop a sidewalk system to provide access to a local school. (citizen - linkage)

14. WHAT RESOURCE(S) DOES YOUR AGENCY UTILIZE TO STAY INFORMED ON RAILROAD ABANDONMENTS?

- a. 2 NOTICES IN LOCAL OR REGIONAL NEWSPAPERS
- b. 6 ICC MAILING LIST
- c. 1 READING THE FEDERAL REGISTER
- d. 6 INTERAGENCY CHANNELS
- e. 1 NONE
- f. 2 OTHER, PLEASE LIST _____

- | | | | | |
|----|-------------------------|---|-------------------------|---|
| a. | MO, CA, | 2 | OH | 4 |
| b. | MO, WI, OH, CA, MN, NY, | 6 | MO, MN, WI, CA, NJ, NY, | 2 |
| c. | OH, | 1 | NE, MD | 1 |
| d. | WI, NJ, OH, MN, NY, MD, | 6 | | |
| e. | NE, | 1 | | |
| f. | NJ, OH, | 2 | | |

*****notes*****

VA nr, just this comment. This was a unique project for our agency. Future projects involving other ARROW are not anticipated.

- WI d. State Dept. of Transportation
 NJ f. Railroad wanting to sell.
 OH f. ORTA - OHio Railroad Transportation Authority.
 NY d. Via NY Dept. of Transportation
 AR nr

15. WHAT WAS THE STATUS OF THE RAILROAD RIGHT OF WAY AT THE TIME YOUR AGENCY BECAME INTERESTED IN THIS RAILROAD CORRIDOR?

- a. _____ ICC CATEGORY 1 (LINE ANTICIPATED TO BE SUBJECT OF ABANDONMENT, APPLICATION WITHIN 3 YEARS)
 b. 1 ICC CATEGORY 2 (LINES UNDER STUDY FOR ABANDONMENT APPLICATION)
 c. 3 ICC CATEGORY 3 (PETITION TO ABANDON CURRENTLY PENDING)
 d. 6 RAILROAD ABANDONED AND FOR SALE
 e. 1 OTHER, PLEASE SPECIFY.

- | | | |
|----|-------------------------|---|
| a. | | 0 |
| b. | MO, | 1 |
| c. | VA, WI, MN, | 3 |
| d. | NJ, OH, NE, CA, NY, AR, | 6 |
| e. | MD, | 1 |

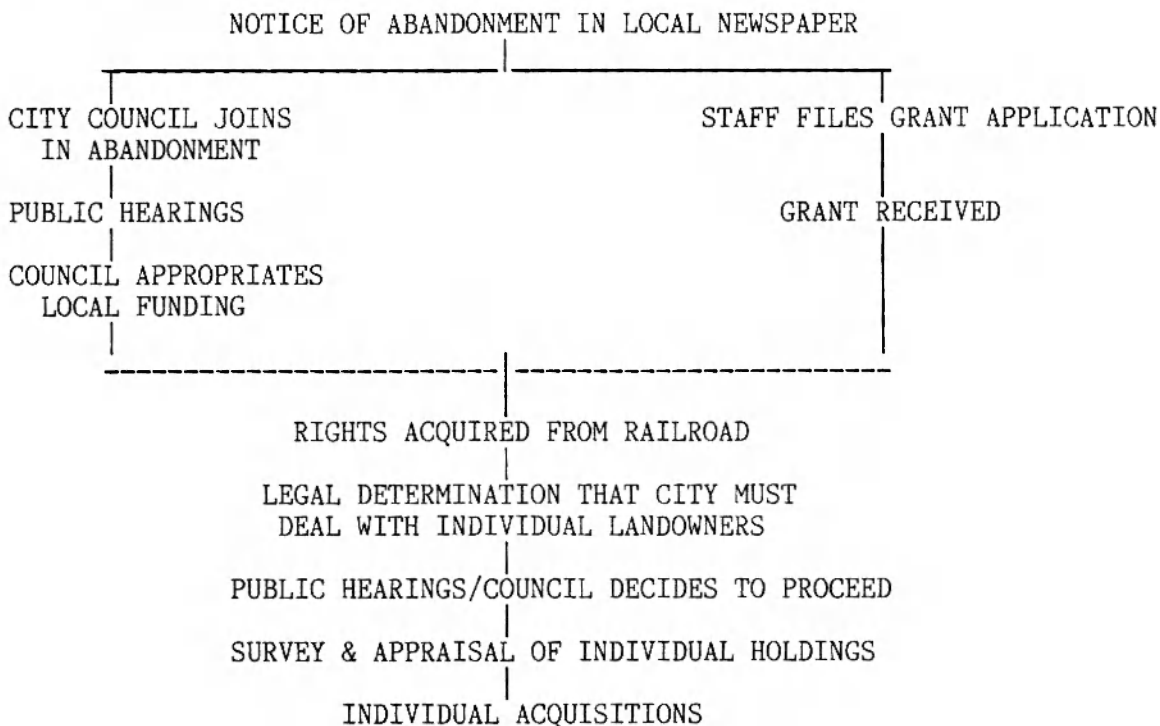
*****notes*****

WI We generally track abandonment through all three categories.

MD e. Regional Rail Reorganization Act of 1973: Penn Central Transportation Company began to dispose of its interest in ARROW. Properties for sale must first be offered for public use. The Maryland Dept. of Transportation gave notice to this Department and inquired about our interest in any of six different ARROW owned by Penn Central Transportation Company.

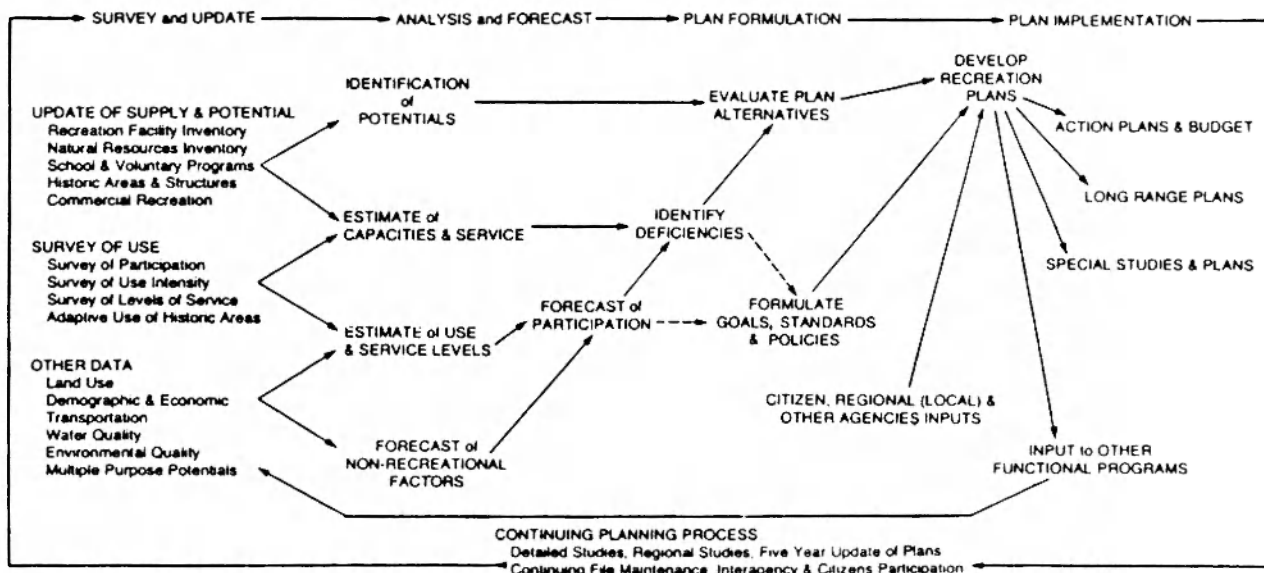
16. PLEASE DIAGRAM OR OUTLINE THE BASIC STEPS OF THE PLANNING PROCESS YOU UTILIZED FOR THIS SPECIFIC PROJECT. (PLEASE, IF POSSIBLE, SEND PHOTO-COPIES OF YOUR PROCESS FROM YOUR EXISTING MANUALS).

Missouri Planning Process

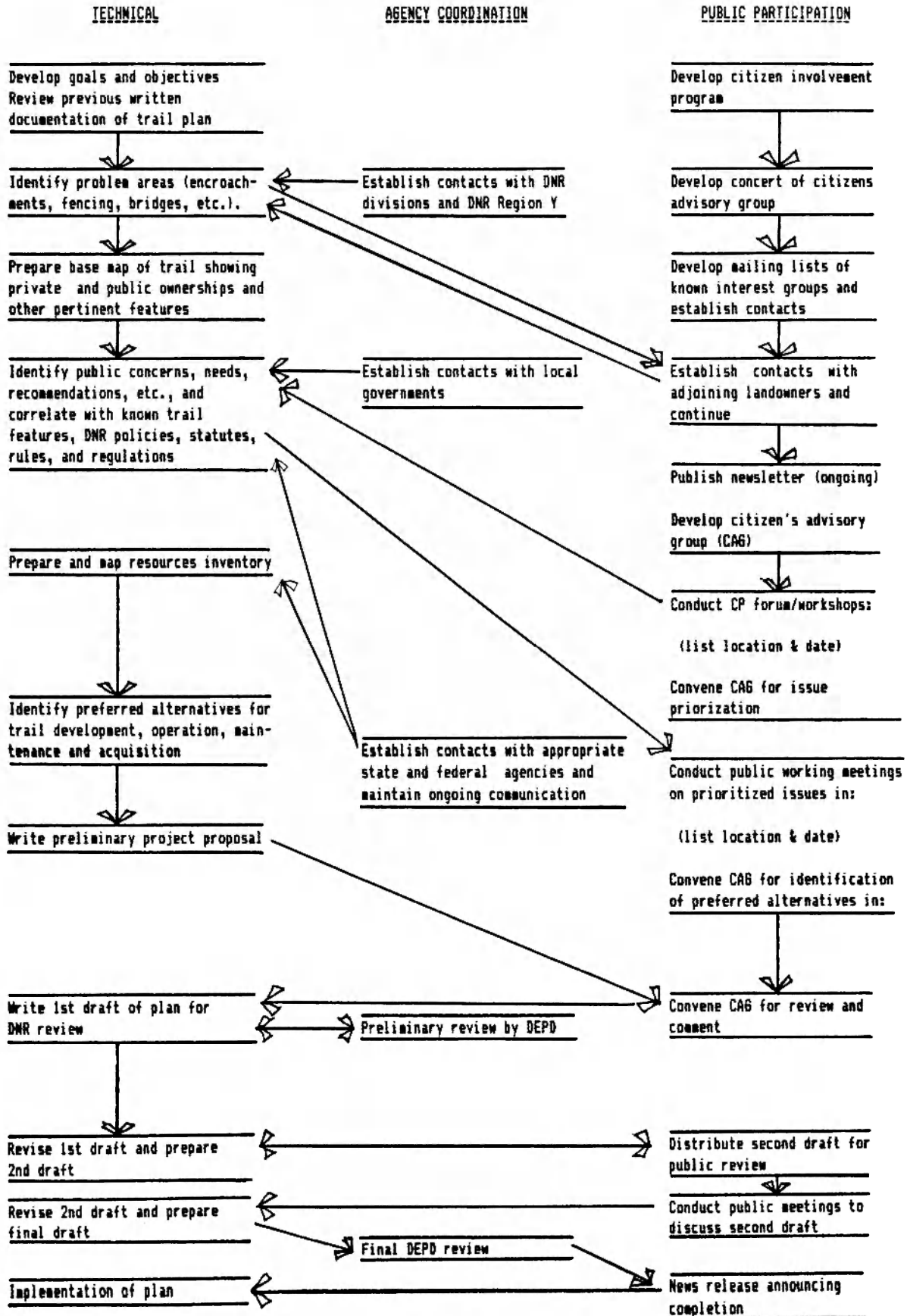


New York Planning Process

NEW YORK STATEWIDE RECREATION PLANNING PROCESS



MINNESOTA - PLANNING PROCESS



- VA *1. Public hearings to determine public support for our acquisition and development of the r/w for park purposes. (The * before the number one indicates this was identified as a point of public involvement as requested in number 25).
2. Incorporation of project in five-year capital improvement program for purpose of establishing a funding program.
 3. Initiation of negotiation to purchase, lease or otherwise acquire use rights.
 4. Application for federal funds for acquisition purposes.
- WI 1. We follow abandonment proceedings through Wisconsin Dept. of Transportation.
2. A feasibility study on ARROW potential for recreation trail may be done if abandonment enters category 2. Feasibility studies are not always done, especially if ARROW connects with other former ARROW now being used as recreation trails.
 3. A master plan is written upon acquisition of the ARROW (see attached plan for format).
 4. An environmental impact assessment is written with the master plan.
- *** Note that at all times in the planning process, the public is involved via news releases, public meetings and/or hearings, and citizen advisory committees.
- NJ 1. Preservation of the canal. Historic groups.
2. Need for recreation use.
- OH 1. INVENTORY/SITE ANALYSIS of existing conditions and resources, problem areas, potential issue oriented identification.
2. ASSESS PUBLIC NEEDS, identifying existing nearby trail facilities and local proposed trail development plans.
 3. ESTABLISH AN ACCEPTABLE LEVEL OF DEVELOPMENT identifying compatible recreation trail uses and the suitability of these developments to the land base r/w.
 4. DEVELOPED CONCEPTS for inter departmental review by various divisions (Forestry, Wildlife, Parks, Natural Areas).
- * 5. CONDUCTED PUBLIC MEETINGS to identify local concerns, problem areas, etc. (* means "point of public input" as requested in #25).
6. REVISED, COMBINED DEVELOPMENT CONCEPTS AND FORMULATE THE MASTER PLAN
 7. Assisted in developing management related policies.
 8. Reviewed and supervised development plan implementation.
- NE 1. Developed feasibility study and grant application.
2. Met with neighborhood groups.
(note: they had hearings and the decisions reached at these meetings lead to the projects discontinuance)

- CA 1. Made railroad r/w throughout county part of countywide trail system approved in Marin County Bikeways Master Plan and made part of County General Plan. This process went through all necessary public hearings and was approved by P & R Commission, Planning Commission, and Board of Supervisors.
2. The application for the grant was approved by Board of Supervisors -- \$835,200.
3. Department of Motor Vehicles "Caltran" contributed \$92,800 and a State Parks grant \$74,675.

MN See attached information.

NY SEE ATTACHED DIAGRAM --- Planning process for the Barge Canal Recreationway began in the early 70s. Plan implementation has been implemented along its entire length as funds, lands, and support are generated.

- MD 1. Secure Federal Grant.
 2. Acquire Property.
 3. Design 7.5 miles of trail (in-house staff)
 4. Public Information Meeting on proposed development.
 5. Bid construction.
 6. Secretary of Dept. of Natural Resources appoints Citizen Advisory Committee.
 7. Request emergency operation funds.
 8. Construction of Trail.
 9. Trail open to public.
 10. Staff works with Citizens Advisory Committee on future development and acquisition plans.
 11. Request in Budget for future construction funds.

AR The application was prepared, at city direction, by a staff member of the Southwest Arkansas Planning & Development District.

16A. DOES THE PROCESS YOU OUTLINED/DIAGRAMMED ABOVE DIFFER FROM YOUR NORMAL RECREATION PLANNING PROCESS? IF YES, HOW?

MO In general much the same. All projects are conceived by staff, submitted to city council, public hearing are held, and projects either are approved or disapproved by the council. The primary difference was the close cooperation between the Legal Department and the Parks and Recreation Department.

VA WI, NJ, CA, NY, All 5 said "No".

OH Yes. A more intensified public coordination.

NE None done before or since.

MN Not materially. (See 16c. Said changes involved a more extensive public involvement.)

MD Yes. Citizens Advisory Committee is not always necessary. Emergency operation funds are rarely requested - operation funds are usually a budget requested item.

AR Only in that it was our first effort to secure this type of demonstration project.

16B. IDENTIFY THE STEP(S) WHICH WAS MOST INSTRUMENTAL IN ASSURING THE ACQUISITION OF THIS ARROW PROJECT.

MO 1. grant received
2. determined that city must acquire the individual parcels
3. council's approval to proceed once the above determination was made. ALL ABOVE EQUALLY IMPORTANT!

VA All steps were critical.

1. Public hearings to determine public support for our acquisition and development of the r/w for park purposes.
2. Incorporation of project in five-year capital improvement program for purpose of establishing a funding program.
3. Initiation of negotiation to purchase, lease or otherwise acquire use rights.
4. Application for federal funds for acquisition purposes.

WI Step 1. Work with Department of Transportation on abandonment proceedings. (see section for state law - right of acquisition).

NJ OH, NE, AR All 4 gave no response.

CA Receiving the Rails-to-Trails grant.

MN Making contacts with local units of government and obtaining their support.

NY Public participation.

MD State Board of Public Works approving condemnation of ARROW. This helped in achieving a negotiable settlement.

16C. IDENTIFY AND EXPLAIN CHANGES, IF ANY, WHICH WERE MADE IN YOUR BASIC PLANNING PROCESS THAT RESULTED FROM UNDERTAKING THIS TYPE OF PROJECT.

MO Better and closer cooperation with the city's legal dept.

VA CA Both said "None".

WI NJ, NE, NY, AR All 5 gave no response

OH na

MN If there was any material change it was in the area of more extensive public contact. But public contact and consultation are actually routine in our planning.

MD Originally the local government (Baltimore County) was to be responsible for design, construction, operation, and maintenance. Local government withdrew from joint project because of local opposition. This occurred after the State acquired the ARROW.

17. WHAT EFFECT, IF ANY, DID LOCAL ZONING LAWS, ORDINANCES, AND REGULATIONS HAVE ON THIS PROJECT? PLEASE EXPLAIN.

MO NJ, OH, NE, CA, AR All 6 said "None"

VA None had out of the ordinary effects.

WI None, although the village of Mount Horeb was discussing passing an ordinance banning snowmobiles, an accepted winter use of the trail.

MN These items influenced allowable uses (horseback riding and motorized) and may require some reroutes around industrial areas (but only at our discretion).

NY None. However local ordinances do prohibit the use of motorized recreation vehicles within city limits. Hence, motorized rec. was prohibited on the bikepath. Ohio Parks and Recreation Historic Preservation (OPRHP) has never permitted a particular form of recreation that is unacceptable to a municipality through which the trail corridor passes.

MD None. It was entirely within an existing state park.

18. DID THE RECREATION STATISTICS IN YOUR STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN (SCORP) HAVE ANY INFLUENCE ON THE ACQUISITION OF THIS PROJECT? IF YES, PLEASE EXPLAIN.

MO Yes. Statistics were used in preparing the grant application.

VA Probably - They reflected strong public interest in and support for public facilities for cycling, hiking, & horseback riding.

WI Yes - SCORP outlined a need for bicycling, hiking and snowmobiling opportunities in this region of the state. This region is the 2nd most popular area of the state.

NJ NE, CA All 3 said "No."

OH We utilized this document to identify local needs.

MN Yes. SCORP showed unmet demand in the Metro Area.

NY Yes. See Planning Process Diagram attached.

MD Yes. SCORP identifies need for facilities in the Baltimore Region that will enhance recreation opportunities for such activities as hiking, bicycling, horseback riding, etc.

AR As I remember, we made reference to a lack of a local trail system and called this the first link in a to-be developed system.

19. WAS THIS ARROW CORRIDOR IDENTIFIED OR INCLUDED IN ANY COMPREHENSIVE, LOCAL, REGIONAL, OR STATE PLAN(S)? PLEASE SPECIFY.

VA Yes - It was incorporated in local, regional, and state plans as a result of our including the project in our Capital Improvements Program.

WI The Dane County Regional Planning Commission (RPC), the major one affected by the project, identified the grade as well as the Southwestern Wisconsin RPC. Both recognize the value of ARROW. Also, the Wisconsin State Rail Plan mentioned the abandonment.

NJ. No. (Note: Preapplication listed 1977 the SCORP & City of Trenton Improvement Plan)

AR nr. (Note: Preapplication listed the 1976 Comprehensive Bicycle Facilities Plan)

OH Federal -- North County Trail
State -- Buckeye Trail
Local -- established bike routes were adjacent by not identified for the r/w.

NE Yes, local bike trail plan. Bikeway System Plan for Omaha-Council Bluffs Area

CA Marin County Bikeways Master Plan and County General Plan.

MN None to my knowledge.

NY Yes. 1. NYS Barge Canal Recreationway Devl. Plan prepared by this agency and the NYS Dept. of Transportation in 1973.
2. NYS SCORP Plan - 1978 and 1983.

MD Maryland Outdoor Recreation and Open Space Plan (SCORP).
Baltimore County Outdoor Recreation and Open Space Plan.
Gunpowder Falls State Park Master Plan.
Maryland Trails Study of 1983.

20. WHAT, IF ANY, FORM OF COMMUNICATION OR SUPPORT DID YOU UTILIZE TO HELP INFLUENCE PUBLIC ACCEPTANCE OF THIS PROJECT? (MORE THAN ONE CHOICE MAY BE CHECKED) PLEASE PLACE AN ASTERISK BESIDE THE TYPE WHICH WAS MOST EFFECTIVE.

- a 9 NEWSPAPER
- b 3 RADIO
- c 2 TELEVISION

- d 7 PRIVATE ORGANIZATIONS, PLEASE SPECIFY.
- e 7 PUBLIC ORGANIZATIONS, PLEASE SPECIFY.
- f 8 POLITICAL FIGURES
- g 1 NONE
- h 2 OTHERS, PLEASE LIST

a. MO, VA, WI, OH, NE, CA, MN, NY, MD,	9	MO, WI = 6
b. MO, WI, MD,	3	MD = 5
c. MO, WI,	2	OH, NY, NE, VA = 4
d. MO, VA, WI, OH, NE, *NY, MD,	7	MN, CA = 2
e. MO, *VA, WI, OH, NE, CA, MD,	7	NJ, AR = 1
f. MO, VA, WI, NJ, OH, NE, MN, NY,	8	
g. AR,	1	
h. NJ, NY, MD	3	

*****notes*****

- MO d. Columbia track club
e. Bicycle Commision
- VA e. This type of communication (public organizations) was designated as the most effective type.
- WI d. Local service clubs, environmental groups - supportive, community development Associations.
e. County boards, town boards, community councils - supportive
f. Assemblymen, State Senator - supportive, cocal elected officials, town Chairman, etc.
- NJ h. Delaware and Raritan Commission (15 member group). For more information contact the Executive Director Canal Commission
- OH d. Support already existed.
e. Held pre-concept development meetings to establish prior acceptance.
f. existing support.
- NE d. Bicycle clubs.
e. Metropolitan Area Planning Association
- CA e. Bike organizations.
- MN f. Mayors and council people, county commissioners, state legislators.
- NY d. Said "communication with private organizations" was the most effective type of communication. Local running and bicycle organizations.
f. Communications with local, state and federal officials.
h. Concerned citizens and adjacent landowners.
- MD d. MD Assoc. of Bicycle Organizations Baltimore Bicylc Club
Trout Unlimited, MD Chapter Mountain Club of MD
Baltimore Road Runners Club League of MD Horsemen
Historical Societies

- e. Baltimore County Commission of Physical Fitness
Baltimore Environmental Center, Inc.
Parkton Community Association, MD Environmental Trust, etc.
- h. Public meetings

21. DID YOUR AGENCY CONDUCT A POSTCONSTRUCTION EVALUATION OF THIS PROJECT?
IF YES, PLEASE EXPLAIN THE RESULTS.

MO No. Project is not yet complete.

VA Yes - public hearings and internal staff evaluations.

WI Yes - Generally favorable except for some erosion caused by improper precautions on slope grading. The project was a bit too rushed to meet funding deadlines. Some confusion over recreation user types on eastern quarter of trail.

NJ nr

OH We are presently doing so, we are unable to provide the results.

NE No, but one was planned had the project succeeded.

AR No. (project was not implemented)

CA Only through our final inspection of the project, which we were satisfied with.

MN Informal. We determined that local initiative and support for such projects was highly effective in getting them implemented.

NY Yes. Project is plagued with drainage problems which have been corrected through rehabilitation projects and/or will be addressed in future local and state rec./transportation projects.

R/w trail receives considerable use from joggers. However, use by bicyclists is not what we expected: perhaps due to:

1. the crushed stone surface (adjacent bikepath has paved surface)
2. the fact that the r/w traverses a very urban area and is not as aesthetically pleasing to the recreationist.
3. conflicting use/impacts by motorized recreation vehicles who are not permitted access to the trail but use it anyway.

MD 7.5 miles of trail developed to date constructed of compacted crusher run. Staff feels portion of trail needs to be paved to better accommodate the handicapped and bicyclists.

22. ARE YOU INVOLVED IN PLANNING FOR ANY FUTURE ARROW PROJECTS? IF SO, HOW MANY?

MO WI, AR, NE, NJ All 5 said "no"

- VA No - other than continued phases of this project.
- OH None at the present time.
- MN Not at this time. There are several on the horizon.
- CA We are interested in acquiring about 15 more miles of ARROW within the county. There is a three county task force working the acquisition from Sonoma, Marin, and San Francisco County for transit and bikes.
- NY Yes. Currently progressing the acquisition of approximately 26 miles of r/w for local and state devel. as a trail corridor.
- MD Only the continuation of the Northern Central Railroad Trail for an additional 12.5 miles to the Maryland-Pennsylvania line. No new ARROW projects - except providing State funds to aid Anne Arundel County in acquiring and developing the Baltimore and Annapolis ARROW in Anne Arundel County.

*****POLITICAL/SOCIAL*****

23. WHAT DEGREE OF COOPERATION DID YOU RECEIVE FROM YOUR GOVERNING BODY (BODY WHICH AUTHORIZES PROJECT APPROVAL) CONCERNING THE ACQUISITION OF THIS RAILROAD CORRIDOR?

- MO Strong cooperation throughout project including the appropriation of approximately \$190,000 in local funds.
- VA Almost unanimous support
- WI Enthusiastic, aggressive, highly supportive.
- NJ All are very supportive.
- OH a. Legislation provided or approved the state share of the federal matching fund which was available.
b. Recreation Resources Committee approved development plans.
- NE They killed it.
- CA All we needed.
- MN Moderate - high. (State legislature)
- NY Agency supported project and provided funds for development of the r/w (federal funds were used mainly in the acquisition).
- MD The State Board of Public Works (Governor, Comptroller, Treasurer) supported and authorized project funding.
- AR The local body declined to accept the grant.

24. WHAT WAS YOUR GOVERNING BODY'S GENERAL ATTITUDE TOWARDS THIS PROJECT?

- a 2 UNFAVORABLE, TOTALLY OPPOSED
- b FAVORABLE, BUT LITTLE ENTHUSIASM
- c 8 FAVORABLE, STRONG SUPPORT
- d NOT APPLICABLE
- e 1 OTHER, PLEASE SPECIFY.

- a. NE, AR 2
- b. 0
- c. MO, VA, WI, NJ, OH, CA, NY, MD, 8
- d. 0
- e. MN 1

***** Notes *****

MN Favorable, moderate support among key people, several strong supporters.

25. WAS PUBLIC INVOLVEMENT A PLANNED STEP IN YOUR PLANNING PROCESS? IF YES, WHEN DID IT OCCUR IN THE PROCESS. PLEASE NOTE (ASTERISK) THESE TIMES ON YOUR DIAGRAM IN QUESTION 16 ABOVE, AND EXPLAIN BELOW.

MO Yes. It occurred each time the project was brought before the City Council for council action.

VA Yes - This was the first step (see question #16 reply).

WI Yes - Township, Village, County, Planning Commission meetings (governing bodies), as well as public meetings upon presentation of plan.

NJ Prior to any acquisition of any project a public meeting was held to inform the ones that are involved with the state acquiring their properties.

OH Informally initiated at the project's beginning, formally public meetings were programmed halfway through the planning process.

NE No

CA The project became a regular item on the P & R Commission agenda.

MN Yes. Still ahead of us. Probably will not be as extensive as on chart (will be no Citizens Advisory Group for example). Since this is a short trail and mostly uncontroversial, we may have only 1 or 2 public informational meetings.

NY Yes. (did not show location)

MD Was not planned, but anticipated. Normally such a Citizens Advisory Committee would have had input in the planning process during the planning of the Gunpowder Falls State Park Master Plan.

AR No, but it should have been.

26. AT WHAT POINT(S), IF ANY, DURING THE PLANNING PROCESS WAS PUBLIC OPPOSITION EXPERIENCED? PLEASE REFER TO YOUR PLANNING PROCESS DIAGRAM IN PLANNING, QUESTION #16, AND THEN EXPLAIN BELOW.

MO Opposition was experienced from the point when the city's intent to acquire the ARROW was made public. Opposition was almost entirely from adjacent land owners and was most vocal at the public meetings.

VA There have been minor objections in all phases, but the overwhelming public reaction is strong support.

WI Minimal opposition at public meetings on presentation of plan. Primary opposition was against acquisition of reversions and opposition to snowmobiling.

NJ At the above mentioned meetings or when I meet with them to discuss the acquisition of their parcels.

OH Some minor opposition/concerns basically because of a lack of knowledge.

NE Opposition surfaced as soon as project was announced.

CA None

MN At the point where we established contacts with adjoining landowners we found several industries whose wish it was that we reroute the trail so they could acquire the railroad grade in their vicinity.

NY Plan Implementation Phase.

MD Opposition first occurred prior to acquiring ARROW and some opposition still exists.

AR There was a perception, aided and abetted by an attorney named ----- that this trail would bring undesirables into their backyards.

27. WHAT TYPE(S) OF PUBLIC OPPOSITION, IF ANY, DID YOU EXPERIENCE? (MORE THAN ONE CHOICE MAY BE CHECKED)

- a 2 LEGISLATIVE ACTION
- b 4 LEGAL ACTION
- c 8 COMPLAINTS ADDRESSED TO PROJECT STAFF
- d 5 COMPLAINTS ADDRESSED TO GOVERNING BODY
- e 9 NEGATIVE OPINIONS EXPRESSED AT PUBLIC HEARINGS
- f 7 NEGATIVE OPINIONS EXPRESSED THROUGH LOCAL MEDIA
- g 3 DAMAGE TO EXISTING OR PROPOSED PARK PROPERTY
- h 6 DAMAGE TO ADJACENT LANDOWNERS PROPERTY (EX. TRESPASS, VANDALISM, ETC.)
- i _____ NO OPPOSITION EXPERIENCED
- j _____ OTHER, PLEASE EXPLAIN

- a. MN (very little), MD, 2 MD = 7
- b. WI, NJ, OH, NE (threats), 4 OH = 7
- c. MO, VA, NJ, OH, NE, MN, NY, MD, 8 MO = 5

d. MO, VA, OH, NE, MD,	5	NE,NY = 4
e. MO, VA, WI, NJ, OH, NE, NY, MD, AR	9	NJ,VA = 4
f. MO, VA, WI, NJ, OH, NY, MD,	7	MN,WI = 3
g. MO, OH, MD,	3	AR = 2
h. OH, NE, MN (very little), NY, MD, AR	6	
i.	0	
j.	0	

*****notes*****

WI b. With respect to dispute over reversions.
 e. Opposition to snowmobiling or bicycling.
 f. Reversions

CA nr

MD a. Local funds cut from County Budget by Councilman.
 b. Numerous threats, but no legal action yet.

28. IF PUBLIC OPPOSITION WAS EXPERIENCED, HOW DID YOUR PLANNING PROCESS DEAL WITH IT?

MO 1. Allowed the opposition to vent their frustrations and points of view in public meetings.
 2. MUCH individual communication.

VA All complaints are considered and addressed. Frequently, changes are made in plans to mediate objections.

WI Patiently on the reversions issue. We needed the reverted ARROW lands to keep project whole. Considered comments from public meeting on opposition to various uses and made decisions.

NJ Explaining the need of the project.

OH By identifying those problem issues early on and resolving them or mitigating them during the concept development phase, also public education and information was valuable tool.

NE Poorly, we met with several groups with no success.

CA nr

AR It wasn't dealt with.

MN Investigated alleged problems to determine magnitude of problem. Available recourses included no action other than periodic contact, rerouting the trail, and everything in between.

NY a. Additional input/participation at city Common Council meetings
 b. Greater interaction with local supporting trail groups.
 c. Citizen campaign.
 d. User survey.

MD Tactfully ---

1. Educated opposition - attended town meetings, met with elected officials.
2. Appointed Citizens Advisory Committee.
3. Hold public information meetings.

29. AT WHAT POINT(S), IF ANY, DURING THE PLANNING PROCESS WAS PUBLIC SUPPORT EXPERIENCED? PLEASE REFER TO YOUR PLANNING PROCESS DIAGRAM IN THE PLANNING PROCESS SECTION, QUESTION #16, AND THE EXPLAIN BELOW.

MO At virtually every point opposition was expressed, public support was also heard, especially at the public hearings. Considerable support was expressed from local media as well as public officials.

VA Public support experienced in all phases.

WI The public, both private individuals and government bodies such as communities in the path of the Arrow were generally supportive from the beginning. The City of Madison, on the east end of the Arrow was very supportive as it has one of the highest percentage of bicycle users in the U.S.

OH From the very beginning, acquisition to development, we experienced certain sector of public support.

NE When plan was announced.

NJ. nr

CA Throughout

AR Never

MN At most points - we received periodic phone calls and letters in support.

NY Public support from bicyclists, runners youth groups and some local residents was experienced throughout the implementation phase for this project. Public support for the Barge Canal Recreationway Plan has been evident throughout the entire planning process, especially in the Rochester, Syracuse, and Capital District areas.

MD Public support existed prior to applying for Federal Rails-to-Trails Grant. Public support still exists and is growing stronger with the completion of the first phase of development.

30. WHAT INCENTIVES, IF ANY, HAVE YOU GIVEN ADJACENT LAND OWNERS TO REACT FAVORABLY TOWARDS THE RECREATIONAL USE OF THE RAILROAD CORRIDOR?

a 2 ADJACENT OWNERS MAY RE-LEASE PORTIONS OF THE ARROW AT MINIMAL OR NO COST.

b 3 STATE AGREES TO PAY COST OF FENCING ALONG ADJACENT OWNERS PROPERTY AND OWNER IS RESPONSIBLE FOR MAINTENANCE.

c 2 STATE AGREES TO PAY COST OF FENCING ALONG ADJACENT OWNERS PROPERTY WHEN PROBLEMS ARISE, IF OWNER CAN PROVE DAMAGES RESULTED FROM ARROW USE.

d 4 NO INCENTIVES USED

e 5 OTHER, PLEASE SPECIFY.

2	a. MN ("or no cost" was crossed out), MD	WI =3
3	b. MO, WI, NE,	MD =2
2	c. WI, MD,	MN =2
4	d. NJ, OH, NY, AR	NE,MO,NY,CA,VA =1
5	e. VA, WI, CA, MN, MD,	NJ,OH,AR =0

*****notes*****

MO b. (Researcher notes ** The word "state" was crossed out and the word "city " inserted as this was a city sponsored project).

VA e. Generally none - adjacent land owners (with a few exceptions) have not objected.

WI c. If not paid by agency - State Claims Board can review claim.
e. Allow farmers to cross the trail with their stock. Promised to patrol the trail to reduce vandalism, etc. In communities involved in cooperative development (public toilets, parking) which benefit the community and the trail user.

f. (Researcher notes ** From Military Ridge Master Plan: Wis. Stat. Section 70.113 requires state to pay aids in lieu of real estate taxes to the local township. The first year this amounts to 100% of the property taxes paid to the local government and each succeeding year the sum is reduced 10%. In no year may the sum fall below fifty cents per acre. State aid in lieu of taxes remains equal to the amount paid the tenth year for all succeeding years.

CA e. We bought their rights to their portion of the right of way.

MN e. State will share cost of fencing, will plant privacy barriers if needed.

NY f. Fencing is incorporated in project design whenever it is deemed necessary, given the proximity of the ROW in relation to private property.

MD e. 1. Provide security for ARROW, which did not exist prior to State's purchase.
2. Provide adjacent owner access to r/w if strong need exists.
3. Landscape screening along with fencing.

31. WHAT ARE YOUR SOURCES OF FUNDING FOR ARROW FEASIBILITY STUDIES?

MO No additional ARROW feasibility studies have been made. If one was undertaken, it would be with city monies, most likely general fund or revenue sharing.

VA Local (Park Authority) funds only.

WI Bureau Funds - generally those funds needed to pay the planner - This is not an extravagant process - low key as feasibility studies go. Staff study.

NJ State funds.

OH State funding.

NE Federal and local.

CA General fund.

MN General fund appropriations

NY Part of the statewide comprehensive recreationway process funded by the Dept. of Interior through the Nat'l Park Service.

MD Operating Budget and Capital Budget - State Reimbursed LWCF (Fed) State Side Use

AR The regional agency handled expenses.

32. WHAT TYPE(S) OF FEDERAL FUNDING DID YOU APPLY FOR IN ORDER TO UNDERTAKE THIS PROJECT? WHICH WERE SUCCESSFUL?

MO Railroad Revitalization Act of 1976 -- \$283,309 grant received

VA "Rails-to-Trail" - Demonstration Grant Program -- Successful
LWCF -- Successful

AR nr

WI LWCF

NJ The state submits for funding and they will fund what they approve.

OH LWCF
Rails to Trails (Revitalization Act) fund/grant. BOTH VERY SUCCESSFUL

NE nr

CA Rails-to-Trails -- Feds. -- \$835,200.

MN None

NY Rails-to-Trails funds were requested and received.

MD Federal "Rails-to-Trails" - U.S. Dept. of Interior
Railroad Revitalization Act and Regulatory Reform Act of 1976.

33. TO YOUR KNOWLEDGE, WHAT TYPES OF FEDERAL FUNDING WERE AVAILABLE?

MO Railroad Revitalization Act
LWCF

VA a. Rails-to-Trails
b. LWCF
c. Dept. of Transportation programs which were not used by us because of
state priorities for highway money.

WI LWCF

NJ AR Both gave no response

OH Rails-to-Trails and LWCF

NE Rails-to-Trails grant.

CA Rails-to-Trails
LWCF

MN Some LWCF

NY Federal LWCF and Rails-to-Trails.

MD Railroad Revitalization (Rails-to-Trails)
LWCF

34. IF YOU HAVE DONE OTHER ARROW PROJECTS, WHAT TYPES OF FEDERAL FUNDING
WERE UTILIZED?

MO This is the only abandoned project we have attempted.

VA na

WI LWCF

MD MN Both said "none"

NJ NE, AR All 3 gave no response

OH LWCF

CA None, both of the Rails-to-Trails and LWCF programs have been greatly
reduced in available funds.

NY Federal LWCF funds have been progressed through this agency to local municipalities for local trail acquisition and development.

35. WHAT TYPE(S) OF STATE FUNDING DID YOU APPLY FOR IN ORDER TO UNDERTAKE THIS PROJECT? WHICH WERE SUCCESSFUL?

MO NE, Both said "none"

VA None - no state programs available

WI ORPA (Outdoor Recreation Act Program) - a statewide formula based on assessed valuation for acquisition and development of recreation lands and facilities. Also a bonding program for major developments.

NJ AR, Both gave no response

OH Capital Improvements Funds which are voted on by the legislation on a bienium time frame.

CA State Urban Grant -- received \$74,675
Caltran Grant -- received \$92,800

MN General fund appropriation
State Building Fund - received it.

NY State Environmental Quality Bond Act (EQBA) funds were used to develop the r/w.

MD Outdoor Recreation Land Loan - (Program Open Space)
State Side - Reimbursed Federal LWCF
Operating Budget - General Emergency Fund

36. TO YOUR KNOWLEDGE, WHAT TYPE(S) OF STATE FUNDING WERE AVAILABLE?

MO No state funding was available.

VA NE, Both said "none"

WI Outdoor Recreation Act Program (ORAP)

NJ Green Acres Bond Act.

OH Capital Improvements Funds which are voted on by the legislature on a bienium time frame.

CA State Urban Grant -- received \$74,675
Caltran Grant -- received \$92,800

MN General fund appropriations, state building fund.

NY State Environmental Quality Bond Act funds.

MD Maryland Outdoor Recreation Land Loan - (Program Open Space)
State Side - Reimbursed Federal LWCF
Operating Budget - General Emergency Fund

AR nr

37. IF YOU HAVE DONE OTHER ARROW PROJECTS, WHAT TYPE(S) OF STATE FUNDING WERE UTILIZED?

MO VA Both said "not applicable"

WI Outdoor Recreation Act Program

NJ NE, AR All 3 gave no response

OH Capital Improvements Funds which is voted on by the legislature on a bienium time frame.

CA Caltran Trail Program: \$110,000 acquisition
\$110,000 development

MN General Fund appropriations, State building fund.

NY Environmental Quality Bond Act funds.

MD The only other ARROW project in the State is currently being accomplished by a local county, Anne Arundel County Department of Recreation & Parks. It was the former B & A Railroad near Annapolis. The county obtained a State grant for acquisition and development from Program Open Space. This is a State fund source administered by the Maryland Department of Natural Resources.

38. WHAT TYPE(S) OF LOCAL FUNDING, IF ANY, WAS UTILIZED FOR THIS PROJECT?

MO General Fund -- \$75,250
Public Improvement Fund -- \$66,000
Revenue Sharing -- \$47,500
CETA -- \$1,706

VA General Fund Revenues and Bond Issues
** Both as contributions to our agency from 6 local governments.

WI Matched local funds for development of shared use facilities, eg. A toilet building used on the Arrow and village parks adjacent to trail.

NJ OH, MN, All said "None"

NE County

CA \$25,000 General Fund.

NY None. Local management and maintenance is expected in return for state/federal acquisition and development.

MD Local funding not utilized.

AR nr

39. IF YOU HAVE DONE OTHER ARROW PROJECTS, WHAT TYPE(S) OF LOCAL FUNDING WERE UTILIZED?

MO VA, OH, MD, All said "Not applicable"

WI none

NJ NE, AR All gave no response

CA City of Larkspur \$5,000
General Fund \$15,000

MN None for acquisition. There was some synergistic development adjacent to the trail.

NY Local ARROW projects have used LWCF which have been matched by local funds 50%/50%. Specific types of local funds are unknown.

40. WERE ANY TYPE(S) OF PRIVATE FUNDING UTILIZED IN THIS PROJECT? IF SO, PLEASE SPECIFY.

MO VA, WI, NJ, NE, CA, NY, All 7 said "No"

OH none

MN No. Several industries have indicated willingness to bear part of the cost of rerouting (by donating land) and this may yet happen.

MD na

41. WHAT SOURCE(S) OF FUNDING, IF ANY, DO YOU UTILIZE TO COVER OPERATIONAL AND MAINTENANCE COSTS OF THE CORRIDOR? (MORE THAN ONE CHOICE MAY BE CHECKED)

a <u>9</u>	COMPONENT OF ANNUAL BUDGET	d <u>2</u>	USER FEES
b <u> </u>	PRIVATE CONTRIBUTIONS	e <u>2</u>	OTHER, PLEASE
c <u>3</u>	VOLUNTEER ORGANIZATIONS		

a. MO, VA, WI (85%), NJ, OH, NE, CA, MN, MD,	9	WI = 3
b.	0	VA = 3
c. VA, WI, OH,	3	MN = 2
d. WI (15%), MN,	2	OH = 2
e. VA, NY,	2	

*****notes*****

VA e. Property rental revenues and license fees.

NY e. Operation and maintenance are a local responsibility.

AR nr

*****LEGAL/LEGISLATIVE*****

42. WHICH, IF ANY, OF YOUR STATE STATUTES, CODES, OR LAWS ARE SPECIFICALLY DIRECTED AT THE REUSE OF ARROW FOR RECREATION PURPOSES? (EX. "FIRST RIGHTS TO ACQUIRE" STATUTES). PLEASE LIST AND BRIEFLY EXPLAIN OR PROVIDE PHOTOCOPY OF STATUTE, LAW, OR LEGISLATION.

MO See attach history of MKT dated Nov. 1978 which references the appropriate Missouri case laws which are applicable to this project.

WI Third right to acquire. First goes to other rail companies to continue line; second right goes to state, county and local highways for transportation; 3rd to agency for recreational trail purposes.

The Wisconsin Supreme Court has held that land owned by the railroad purchased by fee title may be sold to anyone according to the "right to acquire law". However, where the railroad used condemnation to acquire or where there is no record of ownership, the land reverts to the adjacent landowner of record. This poses a problem to us in that we potentially have to deal with quite a number of "unwilling sellers".

Researcher's Note: From Military Ridge Master Plan. Section 195.199 of Wis. Stats. say Dept. of Transportation has first right to acquire. This may mean the Dept. of Transportation has first rights after other railroadss have waived their rights to acquire and operate the line.

NJ AR, CA, VA, All 4 gave no responses

OH See attached trails legislation.

NE State law forbids state agencies from acquiring abandoned r/w without approval of legislature.

MN Minnesota Statutes 85.015 (enabling laws for each trail)
" " 84.029 (power to acquire land for recreation)
" " 86A.05 subd.4 (description of state trails as components of the Outdoor Recreation System)
Minnesota Statutes 86A.09 (requirement of master plan).

NY Chap. 998 of the laws of 1973 which amended Section 18 of the NYS Transportation Law - extends to all State agencies, transportation authorities and municipalities the preferential right to acquire, for public purposes, abandoned railroad transportation property. (1st rights to acquire).

Subdivision 7-a of Section 3.09 of the Parks, Recreation and Historic Preservation Law authorizes OPRHP to acquire ARROW for the purpose of establishing recreational trails.

MD No State statutes apply to my knowledge. State's position : Federal Law P.L. 98-11, section 208, Right of way has not been totally abandoned since it is still in use for public transportation as a trail.

43. WHAT METHOD(S) DID YOUR AGENCY UTILIZE TO ACQUIRE THIS ARROW? (MORE THAN ONE CHOICE MAY BE CHECKED)

- a 4 CONDEMNATION PROCEEDINGS, WAS IT SUCCESSFUL?
- b DIRECT NEGOTIATIONS WITH OWNER
 - 1 9 FEE SIMPLE
 - 2 LEASE AGREEMENT
 - 3 1 EASEMENT
 - 4 GIFT/DONATION, # OF DONORS
- c 1 OTHER, PLEASE SPECIFY

- a. MO (yes), NJ, NY, MD, 4
- b1. MO, VA, WI, NJ, OH, NE, CA, MN, MD (quit claim deed) 9
- b2. 0
- b3. NJ, 1
- b4. 0
- c. NJ 1

*****notes*****

WI b1. Willing seller, willing buyer policy

OH b1. Penn Central Railroad Corporation.

NY a. Yes. By "eminent domain"

MD a. Condemnation was authorized by State Board of Public Works, but was settled before going to court.

NJ c. The railroad was built on land owned by a canal company. The 1830 charter to the canal company required that they surrender to state ownership their real property upon its abandonment of use.

AR nr

44. IF YOUR AGENCY HAS DONE OTHER ARROW PROJECTS, WHAT ACQUISITION METHODS HAVE BEEN USED?

- a 2 CONDEMNATION PROCEEDINGS

NUMBER OF SUCCESSES

NUMBER OF FAILURES

COMMENTS _____

b _____ DIRECT NEGOTIATIONS WITH OWNER

1 5 FEE SIMPLE

NUMBER OF SUCCESSES _____

NUMBER OF FAILURES _____

COMMENTS _____

2 1 LEASE AGREEMENT

NUMBER OF SUCCESSES _____

NUMBER OF FAILURES _____

COMMENTS _____

3 2 EASEMENT

NUMBER OF SUCCESSES _____

NUMBER OF FAILURES _____

COMMENTS _____

4 1 GIFT/DONATION

5 _____ OTHERS, PLEASE SPECIFY.

c _____ OTHER, PLEASE SPECIFY.

a. WI (one proceeding, 2 succ., 1 fail), NY (4)

b1. CA, WI (+ or - 20 succ. and 2 fail), OH (2 succ. & 1 fail: additional r/w acquisition was unsuccessful), NY 1 succ., MN (12 succ. and 3 fail)

b2. CA (1 suc.)

b3. CA (1 suc.), NY 1

b4. CA

b5.

c.

*****notes*****

MO VA, MD All said not applicable

WI a. one proceeding, 2 succ.

b1. Plus or minus 20 succ. and 2 fail, Ended up going around by purchasing from adjacent landowners.

NJ NE, AR All gave no response

NY a. Eminent domain is often used because of the large numbers of reverter clauses associated with ARROW, which otherwise prevents clear title to the corridor.

b3. Easement for trail use on r/w owned by Niagara Mohawk Power Corp.

ADDITIONAL COMMENTS OR RECOMMENDATIONS FOR AGENCIES BEGINNING AN ARROW PROJECT.

MO, VA, NJ, OH, NE, CA, MN, NY All gave no response

MD Good luck!

WI The state of Michigan passed a law doing away with reversions on ARROW. Their law states the title is in the name of current owner (the railroad). This law has not been tested in the courts.

AR The following information was provided on cassette tape.

With respect to this project I probably did not do a very good job of answering the questionnaire and perhaps in listening to this tape you will have a little bit better understanding as to why I was not able to

answer some of those questions. The point in time that we dealt with this application coincided with the then city manager, _____, leading the city in early 1978 and my taking over as acting city manager. Some two or three days after ___ left, the city was hit with a illegal wildcat walkout from the American Federation of State, County, and Municipal Employees and so for that period of time after that strike through the eventual failure of the city council to approve what was a very important project, I frankly did not spend the amount of time that would have been required to see the project through suc cessfully. Quite simply, the project was done by this young gentleman on the staff of the Southwest Arkansas Planning Development District, but the whole thrust of the project was frankly done in total isolation with absolutely no communication with the local landowners, and in reflecting back on what could or should have been done we certainly should have gone through some type of survey procedure or process to: (1) inform the people what we were attempting to do, and (2) within that, allay their, what were to me unfounded and unrealistic, fears concerning real estate values and safety.

I still remember some five years later the meeting where the city council and Ft. Smith turned down the project. The meeting was held in one of our community centers. The room had space for about 200 people and was absolutely packed with individuals who were opposed to the project because of fear for their real estate values and other reasons. This one gentleman, (_____, an attorney) had very skillfully addressed some of their very basic fears. But anyhow, the question then from the mayor, _____, was "How many people in the room are opposed to the project?" I had gone through a brief explanation of what we were attempting to do and how we were attempting to tie this in to our efforts to address what had been an expressed need of that local part of the community, "sidewalks into the schools". And, had done what I thought was a pretty good explanation of what we were attempting to achieve. In reply to the Mayor's question, almost everybody in the room stood up. By standing up, it sure made the vote very short. There was a gentleman at that meeting who had come in from the HCRS and before the meeting he was fairly irritated that the project was apparently going to be voted down and expressed a desire to speak up in favor of the project, but he never did. I never saw him after the meeting. In reflecting back over these many years, and thinking about what went wrong I think the primary mistake that occurred in Ft. Smith in winter and spring of 78' was the fact that we simply had absolutely no communication or conversation with anybody in the service area. We did the project in the classic "we know what is best for you" approach with no attempt by myself or anybody on the Planning and Development District or on the staff of the Planning Department of the City to contact the people that wanted the sidewalks. No where in this project did we ever do what was very necessary to achieve this process.

TIME SPENT TO COMPLETE QUESTIONNAIRE? _____

APPENDIX G

PROJECT DESCRIPTIONS

The information relative to each of the 11 projects contained in this appendix was derived from:

1. Rails-to-Trails Preapplication/Final Application and other material kept on file by the National Park Service, Recreation Grants Division, Washington, D.C. (All projects except AR, NE, MN, and WI).
2. Literature which accompanied the questionnaire responses (all projects).
3. Office of the Surveyor-Engineer, Douglas County, Nebraska. (Nebraska project).
4. City of Fort Smith, Ft. Smith, Arkansas. (Arkansas project).

PROJECTS

1. ARKANSAS - CITY OF FT. SMITH SUBURBAN RECREATION TRAIL SYSTEM
2. CALIFORNIA - NORTHERNWESTERN PACIFIC RAILROAD RIGHT OF WAY PROJECT
3. MARYLAND - NORTHERN CENTRAL RAILWAY
4. MINNESOTA - SOO LINE TRAIL
5. MISSOURI - MKT PARKWAY
6. NEBRASKA - DOUGLAS COUNTY MULTI-PURPOSE RECREATION TRAIL
7. NEW JERSEY - CANAL STATE PARK
8. NEW YORK - CRESCENT BRANCH BIKEWAY
9. OHIO - LITTLE MIAMI SCENIC RAILROAD
10. VIRGINIA - WASHINGTON AND OLD DOMINION REGIONAL TRAIL
11. WISCONSIN - MILITARY RIDGE STATE PARK TRAIL

ARKANSAS - CITY OF FORT SMITH SUBURBAN RECREATIONAL TRAIL SYSTEM

SPONSOR : CITY OF FORT SMITH
PROPOSED USE : RECREATION: WALKING, BIKING, SCHOOL WALKWAY
ADJACENT LAND USE : RESIDENTIAL
POPULATION AFFECTED : 68,000
ROW LENGTH/WIDTH : 1.32 MILES / 100 FEET WIDE
ACRES : 6.75
ACQUISITION COST : \$15,000.00
PER ACRE : \$2,222.00
PER MILE : \$11,363.00
DEVELOPMENT COST : \$199,788.00
COMMENTS :

PROJECT DESCRIPTION

The City of Ft. Smith's proposed Suburban Recreational Trail System would have been the first step in a series of planned trails for pedestrians (especially school children), bicyclists, and joggers. The trail (8 foot wide concrete) route involved the use of existing street rights-of-way and an abandoned railroad right of way. Eventually it, and other connected bike trails, were to tie the Ft. Smith City Park System together with the recreation resources at nearby schools.

Prior to this project the city had established the need for this type of trail facility through two studies; (1) Ft. Smith and Van Buren 1975 Bicycle Usage Survey, and (2) Comprehensive Bicycle Facilities Plan (a Bi-State Transportation Study). The former study indicated that many local residents prefer to either walk or ride a bicycle to work or school if a trail was provided. They also said the reason they did not walk or ride was that they felt it was unsafe for themselves or children due to motorized traffic. Unfortunately, a relatively small, but organized, group (120) of people from an adjacent subdivision were able to halt the entire project.

Ironically, at the same public hearing in which the rails-to-trails project was defeated, the city approved a related safety issue, upgrading the city's stop and yield signage. They also voted to delay any decision on the city's sidewalk construction program.

Atypical of many conversions the acquisition of this right of way would

have been relatively easy. The right of way was abandoned and for sale and although some portions had already been sold for land development, those portions necessary for the proposed trail were still for sale. Additionally, the Missouri-Pacific Railroad Co. also held the position that any unsold parcels essentially become easements to the city. Futhermore, when a railroad is abandoned the Arkhoma Regional Planning Commission (ARPC) must authorize a reuse before it can occur. This provision can help protect these abandoned corridors for recreation and conservation purposes instead of enabling other non-linear uses.

Unfortunately, in Ft. Smith these lands will no longer be able to benefit the public they were originally created to serve.

TIMELINE

- : PROPERTY OWNERS APPROACH CITY OFFICIALS ABOUT FEDERAL RAILS-TO-TRAILS PROGRAM ASKING HOW THE CITY CAN HELP
- DEC. 9, 1977 : LOCAL SCHOOL ASST. SUPERINTENDENT ENDORSES PROJECT
- DEC 26, 1977 : CITY STAFF SUBMITS PREAPPLICATION TO HCRS
- DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT
- APRIL 21, 1978 : HCRS SELECTS ARKANSAS AS ONE OF TEN PROJECTS TO RECEIVE FEDERAL FUNDS
- MAY 4, 1978 : INTERIM CITY ADMINISTRATOR NOTIFIES MAYOR AND BOARD OF DIRECTORS OF PROJECTS ACCEPTANCE BY HCRS
- MAY 9, 1978 : FT. SMITH BOARD OF DIRECTORS DECIDE TO DISCUSS RAILS TO TRAILS PROPOSAL AT NEXT MEETING MAY 16, ALONG WITH A SIDEWALK CONSTRUCTION PROGRAM
- MAY 16, 1978 : BOARD SCHEDULES PUBLIC HEARING FOR MAY 30
- MAY 30, 1978 : PUBLIC HEARING: APPROXIMATELY 120 ATTEND
 - 1. SUBDIVISION RESIDENTS OVERWHELMINGLY VOTE AGAINST PROJECT.
 - 2. BOARD OF DIRECTORS TELLS CITY STAFF TO FORGO FINAL HCRS APPLICATION FOR FUNDING
- MAY 31, 1978 : CITY STAFF NOTIFIES HCRS, REJECTING REQUEST FOR FUNDING

CALIFORNIA - NORTHWESTERN PACIFIC RAILROAD RIGHT
OF WAY PROJECT

SPONSOR : MARIN COUNTY PARKS & RECREATION DEPT.
PROPOSED USE : RECREATION: BICYCLING, HORSEBACK RIDING, HIKING, AND JOGGING
ADJACENT LAND USE :
POPULATION AFFECTED : 100,000
ROW LENGTH/WIDTH : 2.3 MILES / AVERAGE WIDTH IS 60 FEET
ACRES : 20.8
ACQUISITION COST : \$613,017.00
PER ACRE : \$266,529.00
PER MILE : \$29,471.00
DEVELOPMENT COST : \$389,658.00
COMMENTS : TWO BRIDGES/TWO TRESTLES

PROJECT DESCRIPTION

This ARROW conversion project is located on the western shore of upper Richardson Bay in Marin County, California. It is approximately six miles from the Golden Gate Bridge. This project, when completed will facilitate travel for all types of residents, especially children and teenagers, as the trail is located in a densely populated area which contains an unusual number of educational, recreational, and conservation facilities. Some of the facilities which are located near the trail system include: (1) Mill Valley Bayfront Park, (2) community center with equestrian ring, (3) elementary, middle, and high schools, (4) a ferry terminal, (5) a large shopping center (6) Angel Island State Park, (7) Richardson Bay, (8) K.W.S. Marsh Restoration Area, and (9) the Federal Bike Centennial Trail.

The trail surface accommodates pedestrians, equestrians, and bicyclists by using a trail width of 16 feet (eight feet are red rock and 8 feet are asphaltic concrete). The corridor's location increases the safety of its users by eliminating three major and very difficult intersections. This safety aspect promotes a large number of pedestrian and bicycle school trips which were previously made by auto.

TIMELINE

- OCT. 14, 1971 : ICC GRANTS RAILROAD ABANDONMENT
- DEC. 16, 1977 : MARIN COUNTY PARKS & RECREATION DEPT. (MCPR) SENDS IN PREAPPLICATION TO HCRS
- DEC. 21, 1977 : MARIN COUNTY BOARD OF SUPERVISORS APPROVES PREAPPLICATION HCRS PROJECT OFFICER INSPECTS SITE
- DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT
- MAY 23, 1978 : MCPR NOTIFIES STATE HISTORIC RESOURCES COMMISSION TO INQUIRE IF THE ABANDONED RAILWAY IS ELIGIBLE FOR NATIONAL REGISTER OF HISTORIC PLACES
- MAY 31, 1978 : MCPR NOTIFIES HCRS NO FLOOD INSURANCE IS NEEDED AS NO STRUCTURES WILL BE PLACED ON THE RIGHT OF WAY
- JUN. 5, 1978 : CITY COUNCIL OF MILL VALLEY VOTES TO SUPPORT PROJECT
- JUN. 6, 1978 : MARIN COUNTY BOARD OF SUPERVISORS AUTHORIZES MCPR TO SEND IN FINAL APPLICATION FOR FEDERAL FUNDING
- JUN. 8, 1978 : HCRS APPROVES NO FLOOD INSURANCE FOR PROJECT, BUT RECOMMENDS OTHER FACILITIES (RESTROOMS, BRIDGES, ETC.) BE INSURED AS A PRECAUTIONARY MEASURE
- JUN. 12, 1978 : MCPR NOTIFIES HCRS THAT NO ENDANGERED SPECIES WILL BE AFFECTED BY THE DEVELOPMENT
- JUN. 22, 1978 : HCRS APPROVES ENDANGERED SPECIES CONSIDERATION
- JUL. 8, 1978 : MCRP SENDS IN FINAL APPLICATION TO HCRS
- JUL. 13, 1978 : SAN FRANCISCO BAY CONSERVATION & DEVELOPMENT COMMISSION NOTIFIES MCPR THAT THEY (THE COMMISSION) HAVE JURISDICTION OVER HOW THE TRAIL CROSSES THE SAN FRANCISCO BAY AND WHERE IT IS WITHIN 100 FEET OF THE LINE OF HIGHEST TIDAL ACTION. MCPR WILL NEED A PERMIT IN THESE AREAS
- JUL. 21, 1978 : ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) APPROVES PROJECT
- JUL. 24, 1978 : STATE OFFICE OF HISTORIC PRESERVATION NOTIFIES MCPR THAT THE RIGHT OF WAY IS NOT ON THE NATIONAL REGISTER OF HISTORIC PLACES, BUT SOME SITES ARE ADJACENT THE RIGHT OF WAY AND SHOULD BE INVENTORIED THROUGH FIELD RECONNAISSANCE TO DETERMINE SPATIAL LIMITS
- JUL. 31, 1978 : STATE CLEARINGHOUSE OKS PROJECT
- AUG. 1, 1978 : MCRP NOTIFIES STATE OFFICE OF HISTORIC PRESERVATION THAT NO INVENTORY WILL BE COMPLETED AS THE HISTORIC SITES ARE LOCATED OUTSIDE THE RIGHT OF WAY AND NOT UNDER THE JURISDICTION OF THE MCPR

AUG. 11, 1978 : HCRS NOTIFIES MCPR THAT NO ENVIRONMENTAL IMPACT STATEMENT IS
REQUIRED

AUG. 25, 1978 : HCRS APPROVES FINAL APPLICATION

AUG. 24, 1980 : HCRS EXTENDS COMPLETION DATE FROM AUG. 25, 1980 TO AUG. 25,
SEPT. 7, 1980 : RIGHT OF WAY AQUIRED

MARYLAND - NORTHERN CENTRAL RAILWAY

SPONSOR : MARYLAND DEPT. OF NATURAL RESOURCES

PROPOSED USE : RECREATION/TRANSPORTATION; TRAIL RUNS FROM COCKEYSVILLE TO MARYLAND STATE LINE AND CONNECTS TO AN EXISTING TRAIL IN PENNSYLVANIA. ONLY THE ASHLAND TO CORBETT PORTION IS DEVELOPED.

ADJACENT LAND USE : RURAL PORTIONS OF BALTIMORE COUNTY; AGRICULTURE. THE AREA THROUGH WHICH THE TRAIL PASSES IS DESIGNATED FOR PERMANENT WATERSHED PROTECTION

POPULATION AFFECTED : 250,000

ROW LENGTH/WIDTH : 20 MILES ORIGINALLY PLANNED, LATER REDUCED TO 7 MILES (ASHLAND TO CORBETT SECTION). WIDTH = 66'

ACRES : 289.5 ORIGINALLY, LATER REDUCED TO APPROXIMATELY 66 ACRES

ACQUISITION COST : \$125,000.00

PER ACRE : \$2,232.00

PER MILE : \$16,666.00

DEVELOPMENT COST : \$200,000.00

COMMENTS :

PROJECT DESCRIPTION

This particular recreation trail generally proceeds north out of Cockeysville (in the Baltimore Metropolitan area) to the Maryland State Line. At the Maryland-Pennsylvania State Line it connects to another abandoned railroad trail which continues north to the city of York, Pa. The two projects when combined provide over 40 miles of trail for recreation/transportation possibilities between these two populated areas.

The center portion of the Maryland trail is adjacent Gunpowder Falls State Park providing access to state recreation facilities as well as Gunpowder Falls. The right of way parallels these falls for approximately seven miles and eventually flows into the Loch Raven Reservoir which is near Cockeysville. This trail then, forms an ideal link between the State Park and the reservoir recreation areas.

This railroad conversion, in comparison to the other Federally funded projects, has experienced lengthy delays in its development. In June of 1984, the State Board of Public Works finally approved the conversion into a recreational trail enabling the State to use the funds they were granted back

in 1978. Delays occurred due to acquisition problems and because the co-sponsor (Baltimore County) who was to develop and maintain the trail, withdrew their support after the State had already acquired the right of way. As a result, the State had to reduce the scope of the project and obtain additional funding for development, operation, and maintenance. The State was originally only to acquire the right of way. In spite of these delays and problems the Maryland Department of Natural Resources developed the first seven miles and plans to continue development as future funding becomes available.

TIMELINE

- FEB 27, 1976 : PENN CENTRAL TRANSPORTATION CO. GIVES NOTICE THAT RAIL SERVICE IS BEING TERMINATED
- SEPT. 29, 1977 : BALTIMORE COUNTY (EXECUTIVE OFFICE) NOTIFIES DNR OF THEIR COMMITMENT TO MAINTAIN THE RIGHT OF WAY IF DNR WILL ACQUIRE IT
- OCT. 10, 1977 : CITIZENS BICYCLE STUDY MANAGEMENT COMMITTEE URGES MD. GOVERNOR TO SUPPORT ACQUISITION
- OCT. 17, 1977 : BALTIMORE BICYCLING CLUB URGES SECRETARY OF NATURAL RESOURCES TO ACQUIRE RAILROAD RIGHT OF WAY
- OCT. 18, 1977 : BALTIMORE ENVIRONMENTAL CENTER URGES GOVERNOR TO SUPPORT ACQUISITION
PARKTON COMMUNITY ASSOC. INC. URGES GOVERNOR TO ACQUIRE RIGHT OF WAY
- OCT. 24, 1977 : SAVE OUR STREAMS OF BALTIMORE COUNTY URGES GOVERNOR TO ACQUIRE RIGHT OF WAY
- OCT. 26, 1977 : DEADLINE FOR INTERESTED PARTIES TO BID ON ACQUISITION OF RIGHT OF WAY
- OCT. 27, 1977 : BALTIMORE AREA BICYCLIST ASSOC. URGES DNR TO ACQUIRE RIGHT OF WAY
- OCT. 29, 1977 : SIERRA CLUB - GREATER BALTIMORE GROUP URGES DNR TO ACQUIRE RIGHT OF WAY
- NOV. 1, 1977 : MD. ENVIRONMENTAL TRUST NOTIFIES DNR OF THEIR SUPPORT FOR THE PROJECT
- NOV. 17, 1977 : BALTIMORE COUNTY - OFFICE OF PLANNING AND ZONING APPROVES RESOLUTION FOR DNR TO ACQUIRE AND BALTIMORE COUNTY WILL PROVIDE MAINTENANCE
- NOV. 25, 1977 : LEAGUE OF MD. HORSEMEN, INC. URGES DNR TO ACQUIRE RIGHT OF WAY

NOV. 28, 1977 : BALTIMORE COUNTY NOTIFIES DNR THEY APPROVED RESOLUTION FOR DNR TO ACQUIRE RIGHT OF WAY AND BALTIMORE COUNTY WILL MAINTAIN IT

DEC. 5, 1977 : MD. ORNITHOLOGICAL SOCIETY, INC. - BALTIMORE CHAPTER NOTIFIES DNR OF THEIR SUPPORT FOR THE ACQUISITION

DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT

DEC. 20, 1978 : HCRS APPROVES PROJECT FUNDING.

OCT. 29, 1980 : MARYLAND DNR ACQUIRES RAILROAD RIGHT OF WAY

APR. 21, 1982 : MD. DNR RECEIVES EXTENSION ON COMPLETION DATE FROM DEC. 15, 1981 TO DEC. 15, 1982

FEB. 16, 1983 : MD. DNR RECEIVES COMPLETION DATE EXTENTION FROM DEC. 15, 1982 TO DEC. 15, 1983

JUN. 24, 1983 : BALTIMORE COUNTY EXECUTIVE NOTIFIES DNR THAT NEWLY ELECTED COUNTY BOARD OFFICIALS HAVE REASSESSED THE PROJECT DUE TO SIGNIFICANT OPPOSITION FROM RESIDENTS AND AS A RESULT, THE PROJECT WAS REMOVED FROM THE CAPITAL BUDGET.

NOV. 18, 1983 : MD.STATE LIAISON OFFICER CONTACTS DIRECTOR OF U.S. DEPT. OF INTERIOR REQUESTING ONE YEAR EXTENSION FROM DEC. 15, 1983 TO DEC. 15, 1984

PROJECT SCOPE IS REDUCED FROM 20 MILES TO 7+ MILES (ASHLAND TO CORBETT) DUE TO BALTIMORE COUNTY'S WITHDRAWAL FROM PROJECT

FEB. 8, 1984 : STATE LIAISON OFFICER CONTACTS NPS REGIONAL DIRECTOR TO INFORM HIM THAT THE MD. DNR WILL PROVIDE OPERATIONS AND MAINTENANCE AND THE MD. PARK SERVICE WILL BE RESPONSIBLE FOR MANAGEMENT

MAR. 16, 1984 : STATE LIAISON OFFICER CONTACTS NPS REGIONAL DIRECTOR TO INFORM HIM THAT THE MD. DNR IS GOING AHEAD WITH PLANNED SHCEDULE EVEN THOUGH EXTENSION HAS NOT BEEN APPROVED

MAR. 20, 1984 : STATE SENATOR KELLY NOTIFIES DNR OF HIS AND OTHER OFFICIAL'S AND CITIZEN'S OPPOSITION TO THE PROJECT

MAR. 22, 1984 : REPRESENTATIVE OF THE TENTH LEGISLATIVE DISTRICT OF BALTIMORE COUNTY NOTIFIES U.S. REP. LONG URGING HIM TO OPPOSE THE GRANT EXTENSION

MAR. 23, 1984 : COUNCILMAN FROM THIRD DISTRICT NOTIFIES U.S. REP. LONG THAT BALTIMORE COUNTY ELECTED OFFICIALS AND CITIZENS OPPOSE THE PROJECT AND ITS COMPLETION DATE EXTENSION. THEY URGE THE PROJECT DEADLINES NOT BE EXTENDED.

NPS CONDITIONALLY APPROVES EXTENSION

MAR. 28, 1984 : NORTHERN BALTIMORE COUNTY CITIZENS COMMITTEE OPPOSES TRAIL DEVELOPMENT AND PROJECT DEADLINE EXTENSION

MAR. 29, 1984 : MARYLAND U.S. REP. OF 2ND DISTRICT NOTIFIES NATIONAL PARK SERVICE REGIONAL DIRECTOR THAT HIS CONSTITUENTS ARE VEHEMENTLY OPPOSED TO THE TRAIL DEVELOPMENT. SUGGESTS THE DNR IS CIRCUMVENTING OPPOSITION AND REQUESTING EXTENSION OF GRANT DEVELOPMENT DEADLINES

APR. 6, 1984 : DESIGN IS SENT TO DEPT. OF GENERAL SERVICES FOR BID PROCESS

APR. 27, 1984 : BID ADVERTIZEMENT APPEARS IN MD. REGISTER

MAY 3, 1984 : STATE LIAISON OFFICER NOTIFIES NPS PROJECT IS NOW BEING SHARED BY MD. DNR AN MD. DEPT. OF GENERAL SERVICES BECAUSE OF BALTIMORE COUNTIE'S WITHDRAWL FROM THE PROJECT.

MAY 29, 1984 : LAST DATE TO SUBMIT BIDS; BIDS OPENED

JUN. 27, 1984 : STATE BOARD OF PUBLIC WORKS APPROVES CONVERSION OF 7 MILES OF RIGHT OF WAY AND THE CONTRACT AWARD. CONDEMNATION PROCEEDINGS WERE INITIATED AGAINST PENN CENTRAL RR. BUT AN OUT OF COURT SETTLEMENT WAS REACHED.

JUL. 27, 1984 : CONSTRUCTION WORK BEGINS

NOV. 20, 1984 : CONTRACTOR MAKES FINAL INSPECTION

DEC 1, 1984 : PROJECT IS DEDICATED

DEC. 5, 1984 : FINAL INSPECTION FOR GRANT COMPLIANCE

DEC. 15, 1984 : TOTAL PROJECT COMPLETION INCLUDING REIMBURSEMENT DOCUMENTATION

MINNESOTA - SOO LINE TRAIL

SPONSOR : MINNESOTA DEPARTMENT OF NATURAL RESOURCES

PROPOSED USE : RECREATION: SKI-TOURING, BICYCLING, HIKING, AND HORSEBACK RIDING PROVIDES ST. PAUL RESIDENTS ACCESS TO DOWNTOWN ST. PAUL AND OTHER CITY FACILITIES.

ADJACENT LAND USE : RESIDENTIAL

POPULATION AFFECTED : APPROXIMATELY 2,000,000 IN THE TWIN CITY METRO AREA

ROW LENGTH/WIDTH : 8.7 MILES / WIDTH OF 100-150 FEET

ACRES : APPROX. 151

ACQUISITION COST : \$2,000,000.00

PER ACRE : \$13,245.00

PER MILE : \$229,885.00

DEVELOPMENT COST : \$2,000,000.00 CHECK THIS OUT

COMMENTS : THE DNR ALSO ACQUIRED 9.8 MILES OF THE SOO LINE CORRIDOR IN AUGUST OF 1980.

PROJECT DESCRIPTION

The Minnesota Department of Natural Resources has been involved in trail development on ARROW for many years. Presently, over 1300 miles of trail have been developed on abandoned railroad rights-of-way, lands under jurisdiction of the state, and on other authorized lands. This present development, on the Soo Line corridor, is located within an urban setting, unlike many previous projects.

To continue the expansion of this type of linear development, the DNR has acquired approximately 19 miles of the abandoned Soo Line Railroad grade. This corridor was acquired in two sections. The first portion (9.8 miles) was purchased for \$460,000. The litigation which resulted from this acquisition was eventually heard by the Minnesota Supreme Court which decided the acquisition was legal. The other section of abandoned right of way (8.7 miles) was acquired at a cost almost four times the cost of the first section. It was bought in August of 1984 and planning is still underway. Both sections of this corridor, when developed, will be incorporated into the Minnesota-Wisconsin Boundary Trail.

Like many other of the State's trails, this one is also designed for all types of users, except for motorized uses. This trail will see a higher level of development resulting in a more park-like appearance, due to its urban location. In the area where the trail connects to the Minnesota-Wisconsin

Boundary Trail, approximately one mile of the trail will be divided into two separate treadways (one for equestrians). In most other locations, one paved trail will be provided.

This new trail, and through it linkage to other state trails, will provide local residents and other trail users, access to downtown St. Paul and other portions of the St. Croix River Valley.

TIMELINE

- 1884-1885 : ST. PAUL AND ST. CROIX RAILROAD CO. AND THE MINNESOTA ST. CROIX AND WISCONSIN RAILROAD CO. LINE WAS LATER TRANSFERRED TO THE SOO LINE RAILROAD CO.
- OCT. 1977 : RAIL USE TERMINATES
- AUG. 1984 : DNR ACQUIRES 8.7 MILES OF THE ABANDONED SOO LINE RAILROAD IN WASHINGTON COUNTY, NEAR THE TWIN CITIES

MISSOURI - MKT PARKWAY

SPONSOR : CITY OF COLUMBIA, PARKS & RECREATION DEPARTMENT

PROPOSED USE : RECREATION; TRAIL RUNS FROM THE CITY'S CENTRAL CORE TO THE TOWN OF MCBAIN NEAR THE MISSOURI RIVER

ADJACENT LAND USE : AGRICULTURE, RESIDENTIAL, CITY SEWER PLANT, UNIV. OF MISSOURI, STEPHENS COLLEGE, CITY GOLF COURSE, PRIVATE NEIGHBORHOOD PARK

POPULATION AFFECTED : 60,000

ROW LENGTH/WIDTH : 8.5 MILES / 100 FEET WIDE

ACRES : 51.6

ACQUISITION COST : \$350,000.00 (FROM QUESTIONNAIRE)

PER ACRE : \$6,782.00

PER MILE : \$41,176.00

DEVELOPMENT COST : \$173,000.00 TO DATE (FROM QUESTIONNAIRE)

COMMENTS : 18 TRESTLES ON ROUTE REQUIRED NON-STANDARD SLAVAGE TECHNIQUES NECESSARY TO SAVE RAILBED AND TRESTLES

PROJECT DESCRIPTION

The MKT Parkway originates in the business and industrial area of downtown Columbia. From this location it extends to the southwest through city and University of Missouri public properties in addition to residential areas. Once outside these developed portions of the city, the adjacent lands are either undeveloped or used for agricultural purposes. The trail terminates at the town of McBaine, which is located near the Missouri River.

Over its entire length corridor users are exposed to many varieties of scenery including agricultural land, stream beds, rock cuts, open meadows, a neighborhood park, and the University of Missouri golf course. In addition, the corridor provides habitat for small game wildlife and many species of song birds! The corridor is also vegetated with many native species of wild flowers, shrubs, and trees. Trail users also have the opportunity to cross numerous bridges and trestles of various lengths and construction types.

Like many other ARROW conversions, the development of the MKT Parkway has taken longer than originally anticipated. And, similar to other projects, these delays were caused by a variety of circumstances including (1) legal problems in negotiating the acquisition of the property from numerous abutting landowners, (2) cost incurred from negotiating and purchase of right of way (caused reduction in project scope), (3) sale of some portions of

the right of way at inflated prices, after the City's initial appraisal, (4) complications experienced by the University of Missouri being able to sell its portion of the right of way to the City, and (5) cost of rerouting the trail due to the trestles, which totaled over 500 feet in length (landowners have also bulldozed out all existing vegetation in some areas adjacent to the railbed.

In spite of these obstacles and setbacks, development continued. As of Spring 1984, approximately five miles of right of way had been acquired of which three were open to public use. The entire project was to be completed by the end of 1984.

TIMELINE

- 1898 - 1901 : MISSOURI MIDLANDS RAILROAD ACQUIRES RIGHT OF WAY FROM MAINLINE TO COLUMBIA RIVER IN BOTH QUIT CLAIM AND WARRANTY DEED
- 1901 - 1977 : OWNERSHIP TRANSFERS THROUGH SEVERAL RAIL COMPANIES
- 1968 -- : CITY COUNCIL APPROVES COLUMBIA PARK & RECREATION GENERAL PLAN 1968-1985 AND AMENDS IT IN 1972. BOTH PLANS SHOW PROJECT SITE AS PART OF A GREENBELT RECREATION/CONSERVATION SYSTEM
- MAY 1972 : CITY OF COLUMBIA PARKS AND RECREATION (CCPR) GENERAL PLAN INCLUDES PORTION OF RIGHT OF WAY WITHIN THE CITY'S GREENBELT SYSTEM
- 1975 -- "TRAILS SYSTEM PLAN FOR THE STATE OF MISSOURI" SHOWS BOONE COUNTY NEEDS 78 MILES OF BICYCLE TRAILS AND 73 MORE MILES WILL BE NEEDED BY 1980
- MAY 1975 : CENTRAL AREA MASTER PLAN IDENTIFIES NORTHERN TERMINUS OF PROJECT AS AN OPEN SPACE PARKWAY TO REDEVELOP FOR PEDESTRIANS AND BICYCLES
- MAY 3, 1977 : CCPR CONTACTS MKT AND ASKS TO BE NOTIFIED WHEN THE RIGHT OF WAY IS BEING ABANDONED
- JUN. 1977 : CITY APPOINTS COLUMBIA BICYCLING COMMISSION TO DEVELOP MASTER BIKEWAY PLAN WHICH PROPOSES TO USE THE RIGHT OF WAY
- JUL. 8, 1977 : MKT NOTIFIES CCPR OF INTENT TO ABANDON AND THAT NOTICE WILL BE FILED IN EARLY AUGUST. NOTICE HAS GONE TO NEWSPAPER CO. TODAY AND MKT WILL BE GLAD TO NEGOTIATE WITH CCPR CONVEYANCE OF RIGHT OF WAY
- JUL. 27, 1977 : MKT PLACES FIRST ADVERTIZEMENT IN LOCAL PAPERS INDICATING "INTENT TO ABANDON"
- AUG. 1977 : CITY OF MISSOURI JOINS IN AGANDONMENT PROCESS
- AUG. 12, 1977 : MKT FILES ABANDONMENT APPLICATION WITH ICC

- SEPT. 1977 : CITY COUNCIL ADOPTS 1978-1982 CAPITOL IMPROVEMENT PLAN WHICH IDENTIFIES THIS RIGHT OF WAY FOR PUBLIC OPEN SPACE. RECOMMENDS ACQUISITION AND DEVELOPMENT OF THE CORRIDOR
- SEPT. 14, 1977 : MISSOURI DEPT. OF NATURAL RESOURCES - STATE OUTDOOR RECREATION PLANNER & RESOURCE PLANNER REQUESTS ICC CONSIDER PUBLIC USE CONDITION ON ABANDONMENT CERTIFICATE
- SEPT. 19, 1977 : CITY COUNCIL AUTHORIZES CITY MANAGER AND CITY ADMINISTRATOR TO APPLY FOR FINANCIAL AND TECHNICAL ASSISTANCE FROM MISSOURI DEPT. OF NATURAL RESOURCES
- SEPT. 30, 1977 : ICC AUTHORIZES ABANDONMENT WITH PUBLIC USE CONDITION FOR 180 DAYS
- OCT. 7, 1977 : ABANDONMENT BECOMES EFFECTIVE
- DEC. 15, 1977 : CCPR SENDS IN PREAPPLICATION TO HCRS
- DEC. 27, 1977 : CITY OF COLUMBIA SUPERINTENDENT OF PARKS PLANNING AND DEVELOPMENT CONTACTS MID-MISSOURI COUNCIL OF GOVERNMENTS FOR PROJECT CLEARANCE
- CITY OF COLUMBIA SUPERINTENDENT OF PARKS PLANNING AND DEVELOPMENT CONTACTS MISSOURI CHIEF OF GRANTS DIVISION, DIVISION OF BUDGET & PLANNING (STATE CLEARINGHOUSE) FOR PROJECT CLEARANCE
- DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT
- JAN. 13, 1978 : MISSOURI STATE HIGHWAY COMMISSION NOTIFIES MID-MISSOURI STATE CLEARINGHOUSE THAT HIGHWAY RIGHT OF WAY SHOULD BE EXCLUDED FROM PROJECT AND THAT PROVISIONS BE MADE FOR EXISTING AND PROPOSED HIGHWAYS WHICH MAY CROSS THE PARKWAY
- JAN. 19, 1978 : MISSOURI STATE CLEARINGHOUSE GIVES PROJECT CLEARANCE
- JAN. 26, 1978 : MID-MISSOURI COUNCIL OF GOVERNMENTS NOTIFIES CCPR OF PROJECT CLEARANCE
- PUBLIC HEARING ON PROJECT IS HELD. OF THE APPROXIMATELY 100 PEOPLE PRESENT, NO ONE EXPRESSES THE IDEA THAT THE CITY NOT ATTEMPT TO ACQUIRE THE RIGHT OF WAY. CITY COUNCIL PASSES A RESOLUTION TO ACQUIRE THE PROPERTY. THE FOLLOWING GROUPS SUPPORT THE PROJECT:
1. COLUMBIA AUDUBON SOCIETY
 2. PAST CHAIRMAN OF MAYORS COMMITTEE ON BICYCLE SAFETY, 1971
 3. CHAIRMAN OF ENVIRONMENTAL & NAT. RES. COMMISSION
 4. COLUMBIA TRACK CLUB
 5. DOWN TOWN OPTIMIST CLUB
 6. BIKE PLANNING TASK FORCE
 7. HANDICAPP STUDENT ASSOCIATION
 8. SIERRA CLUB - OSAGE GROUP OF OZARK CHAPTER
 9. MISSOURI STUDENTS ASSOC. - CITY AFFAIRS DIV.

10. HICKMAN HIGH SCHOOL BIOLOGY CLUB
11. SECONDARY SCIENCE DEPT. - COLUMBIA PUBLIC SCHOOL
12. DIRECTOR OF THE MISSOURI DIVISION OF PARKS & RECREATION
13. MISSOURI CONSERVATION DEPT., PLANNING DIVISION BOONE COUNTY PLANNING & RECREATION COMMISSION
14. VARIOUS RESIDENTS

- JAN 31, 1978 : MKT NOTIFIES CCPR OF THEIR OFFER TO SELL THE RIGHT OF WAY
1. 50 ACRES OF RIGHT OF WAY HELD IN FEE SIMPLE FOR \$17,725.00 IN CASH
 2. 54.69 ACRES OF RIGHT OF WAY HELD IN EASEMENT FOR \$1.00 AND OTHER VALUABLE CONSIDERATION
 3. ALL BRIDGES WITHIN THE RIGHT OF WAY FOR \$10,000.00 CASH MKT GIVES CCPR 100 DAYS TO CONSIDER THE OFFER AND NOTES THEY CAN NOT ASSURE MKT HAS LEGAL RIGHT TO CONVEY THOSE PARCELS HELD IN EASEMENT
- MAR. 8, 1978 : HCRS RECEIVES LETTERS FROM TWO RESIDENTS OPPOSING THE PROJECT. CCPR REPLY THAT NO OPPOSITION WAS EXPRESSED IN THE JAN. 26, 1978 PUBLIC HEARING
- MAR. 20, 1978 : PUBLIC HEARINGS HELD AND CITY COUNCIL APPROPRIATES \$70,250.00 FOR ACQUISITION OF RIGHT OF WAY
- APR. 3, 1978 : CITY COUNCIL PASSES ORDINANCE WHICH FURTHER DESCRIBES PROJECT SCOPE, COSTS, AND PLAN OF ATTACK
- APR. 9, 1978 : THE 180 DAY NEGOTIATION PERIOD REQUIRED BY ICC ABANDONMENT RULING ENDS. THE MKT IS NOW UNDER NO OBLIGATION TO SELL TO THE CITY OF COLUMBIA
- MAY 23, 1978 : CCPR NOTIFIES HCRS REQUESTING "WAIVER OF RETROACTIVITY" FOR RIGHT OF WAY ACQUISITION
- MAY 26, 1978 : MKT RECEIVES LETTER FROM ADJACENT LANDOWNER'S LEGAL COUNSEL ADVISING MKT NOT TO PROCEED WITH SALE OF CLIENT'S RIGHT OF WAY OR COURT ACTION WILL BE INITIATED
- MAY 30, 1978 : HCRS NOTIFIES CCPR AUTHORIZING "WAIVER OF RETROACTIVITY" FOR ACQUISITION OF RIGHT OF WAY
- MAY 31, 1978 : CITY OF COLUMBIA MANAGER NOTIFIES HCRS THAT THEY ARE SPENDING \$7,500.00 FOR THE COUNCIL ON ENVIRONMENTAL QUALITY TO CONTRACT WITH THE AMERICA ARBITRATION ASSOC. TO ASSIST IN THE ACQUISITION PROCESS. THEY REQUEST THAT THIS AMOUNT BE INCLUDED IN THE GRANT AMOUNT IF ANY ADDITIONAL MONEY BECOMES AVAILABLE
- JUN. 1978 : MKT SELLS 50 ACRES OF RIGHT OF WAY TO CITY BY SPECIAL WARRANTY AND QUIT CLAIM DEED FOR \$17,725.00

JUN. 7, 1978 : MKT NOTIFIES CCPR THAT:

1. DUE TO LEGAL COUNSEL AND COMPLAINTS FROM ADJACENT LANDOWNERS - THE LAND HELD IN EASEMENT IS WITHDRAWN FROM THEIR SALE OFFER
2. COST FOR BRIDGES WILL NOW BE \$8,000.00
3. MKT HAS HAD TWO OTHER SALE OFFERS AND CITY SHOULD RESPOND AS SOON AS POSSIBLE

JUN. 19, 1978 : CCPR CONTACTS THE MISSOURI STATE OFFICE OF HISTORIC PRESERVATION FOR INPUT ON USING THE TRESTLES IN THE RIGHT OF WAY

JUN. 23, 1978 : MISSOURI HISTORIC PRES. APPROVES PROJECT AND REPORTS THERE ARE NO PROBLEMS IN USING THE EXISTING TRESTLES

JUN. 30, 1978 : HCRS NOTIFIES CITY OF COLUMBIA THEY WILL CONSIDER THE EXTRA FUNDING REQUEST IF THE FUNDS BECOME AVAILABLE

JUL. 1, 1978 : CCPR ACQUIRES 17 TRESTLES FROM MKT

JUL. 19, 1978 : CCPR SENDS IN FINAL APPLICATION TO HCRS

AUG. 9, 1978 : PUBLIC HEARING HELD TO DETERMINE VIEWS OF ADJACENT LANDOWNERS

FALL 1978 : MKT REMOVES TIES AND RAILS AND LEAVES BRIDGES

SEPT. 18, 1978 : HCRS APPROVES FUNDING GRANT FOR \$240,000.00

AUG. 13, 1979 : HCRS APPROVES INCREASED FUNDING (\$43,000.00) TO MAKE PORTIONS OF TRAIL ACCESSIBLE TO HANDICAPPED

DEC. 8, 1980 : COLUMBIA CITY COUNSELOR NOTIFIES HCRS OF PROBLEMS WITH APPRAISAL METHODS AND ADJACENT OWNERS CLAIMING RIGHT OF WAY FIXTURES AND/OR RIGHT OF WAY. CITY STATE THE PROBLEMS AND TIME INVOLVED WERE MUCH GREATER THAN THE CITY ANTICIPATED.

DEC. 15, 1980 : SUPERINTENDENT OF PARKS PLANNING AND DEVELOPMENT NOTIFIES HCRS THAT:

1. THE CITY IS STILL ACQUIRING PARCELS BECAUSE THEY HAVE HAD TO DEAL WITH OVER 50 OWNERS
2. THE CITY HAS TITLE TO 29.6 ACRES
3. SALVAGE OPERATORS HAD TO UTILIZE SPECIAL SALVAGE TECHNIQUES TO REMOVE TIES AND RAILS TO SAVE TRESTLES
4. THE CITY IS DEALING WITH THE UNIV. OF MISSOURI TO ARRANGE FOR LAND TRADES
5. TWO OF THE RIGHT OF WAY BRIDGES WERE BURNT
6. TWO AREAS OF THE RIGHT OF WAY WERE BULLDOZED COMPLETELY REMOVING ALL OF THE TREES

MAY 20, 1982 : PROJECT COMPLETION DATE EXTENDED FROM JUNE 30, 1980 TO JUNE 30, 1983

DEC. 2, 1983 : PROJECT SCOPE IS AMENDED BY CCPR:

1. ACREAGE IS REDUCED TO 51.6
2. SHELTER/RESTROOM AND 2 PARKING AREAS ARE ELIMINATED
3. CITY WILL COMPLETE 2 BRIDGES, PRIMARY PARKING LOT AND TRAIL HEAD, AND ASPHALT FOR PART OF THE TRAIL
4. CONSTRUCTION COMPLETED BY OCT. 1, 1984

NEBRASKA - DOUGLAS COUNTY MULTI-PURPOSE RECREATION TRAIL

SPONSOR :DOUGLAS COUNTY SURVEYOR

PROPOSED USE :RECREATION; ROW WOULD BECOME PART OF A 23 MILE TRAIL SYSTEM CONNECTING 7 EXISTING AND PROPOSED RECREATION AREAS OF NORTHERN OMAHA.

ADJACENT LAND USE :EXISTING AND PROPOSED RESIDENTIAL, AGRICULTURE, INDUSTRIAL, AND RETAIL.

POPULATION AFFECTED :540,142 (OMAHA-COUNCIL BLUFFS AREA)

ROW LENGTH/WIDTH :8.7 MILES (TWO SECTIONS 5.3 AND 3.4); 100' ON THE AVERAGE WITH SOME PORTIONS WIDER.

ACRES :127

ACQUISITION COST :\$165,000

PER ACRE :\$1300

PER MILE :\$18,965

DEVELOPMENT COST :\$502,000

COMMENTS :

PROJECT DESCRIPTION

The purpose of this project was for Douglas County to acquire and develop for recreational purposes 127 acres of abandoned Chicago and North Western Transportation Company right of way.

The right of way to be acquired under this project was located in two unconnected sections which ran along the north and northwest side of Douglas County, Omaha. The east section was about 3.5 miles long and contained 49 acres while the west section was about 5.2 miles long and contained 78 acres. The eastern section of the project was surrounded by residential and proposed residential. The western right of way was surrounded by agricultural land and was not expected to see development for at least ten years.

A short section of railroad between these two sections was not being abandoned because of expected industrial development adjacent to it. The proposed trail was accessible from ten county roads or city streets. The project falls within the zoning jurisdictions of Omaha and the Village of Bennington, both were expected to protect the public investment in this project.

Except for the roadbed, the right of way was in a natural state, heavily forested, and served as a refuge for wild birds and animals of all kinds. All

tracks and appurtenances were removed by the Chicago and North Western before Douglas County had the opportunity to purchase the property, with the exception of four bridges which Douglas County requested remain in place.

The development of the right of way would have consisted of minor grading to provide adequate drainage and safe road crossings, construction of a ten-foot wide and two-inch thick asphalt mat on the existing roadbed. Also included were the construction of a bridge over 78th Street, appropriate signing, and sufficient fencing at road crossings to keep vehicles off the right of way. The intent was to minimize the disturbance of the right of way and to maintain its natural state.

The completed would have been used primarily for recreational purposes including bicycling, hiking, jogging, snowmobiling, cross-country skiing, and horseback riding. Some of the eastern leg of the project was expected to be used for bicycle commuting to schools, work, and shopping areas. The trail, along with other proposed and existing trails, would have connected five park and recreation areas including (1) a proposed lake and recreation area of about 3150 acres, (2) an existing lake and recreation area covering 1500 acres, (3) an existing lake and recreation area covering 685 acres, (4) a City of Omaha park of 353 acres, and (5) a fully developed city park of 80 acres located in the heart of north Omaha.

This project was scheduled to have been completed in the Fall of 1979. Since it was never developed, the right of way has probably reverted to adjacent landowners.

TIMELINE

- 1888 : CHICAGO AND NORTHWESTERN PURCHASE ROW FROM ADJACENT LANDOWNERS. ALL DEEDS CONTAIN REVERSIONARY CLAUSES STATING, "IF RAILROAD IS ABANDONED, ROW REVERTS TO ORIGINAL OWNERS"
- 1974 : BIKEWAY SYSTEM PLAN FOR OMAHA-COUNCIL BLUFFS AREA PROPOSES TO USE THIS ROW FOR A BICYCLE TRAIL
- 1975 : TRAILS TASK FORCE OF THE RIVERFRONT DEVELOPMENT COMMITTEE PREPARES BICYCLE TRAIL MAPS FOR OMAHA AREA WHICH PROPOSE TO USE THIS ROW
- 1976 : TRAILS TASK FORCE OF THE RIVERFRONT DEVELOPMENT COMMITTEE IDENTIFIES ACQUISITION OF ROW AS A PRIORITY PROJECT.
- NOV. 8, 1976 : ICC ISSUES "CERTIFICATE AND ORDER" AUTHORIZING ABANDONMENT OF 6.5 MILES (WEST SECTION OF PROPOSED TRAIL) OF RAILROAD OWNED BY CHICAGO NORTH-WESTERN TRANSPORTATION COMPANY (CNWTC).
- NOV. 11, 1977 : ABANDONMENT BECOMES EFFECTIVE
- JUN. 8, 1977 : ICC ISSUES "CERTIFICATE AND ORDER" AUTHORIZING ABANDONMENT OF 5.3 MILES (EAST SECTION OF PROPOSED TRAIL) OF RAILROAD OWNED BY CNWTC.

JUN. 14, 1977 : ABANDONMENT BECOMES EFFECTIVE (SERVICE DATE). DOUGLAS COUNTY SURVEYOR (APPLICANT, HEREAFTER DCS) GIVEN 120 DAYS TO ACQUIRE RIGHT OF WAY.

AUG. 29, 1977 : DOUGLAS COUNTY SURVEYOR (HEREAFTER DCS) SEEKS COST ESTIMATE FOR COPIES OF RIGHT OF WAY DEEDS.

SEPT. 17, 1977 : DCS UNABLE TO ACQUIRE ROW WITHIN 120 DAY TIME FRAME; ICC AUTHORIZES AN ADDITIONAL 120 DAYS ON DCS'S REQUEST.

NOV. 1, 1977 : DCS INITIATES ABSTRACT OF TITLE FOR ROW PROPERTIES

DEC. 14, 1977 : DCS'S ROW ACQUISITION STILL INCOMPLETE. CNWTC SAYS NEGOTIATIONS WITH ADJACENT LANDOWNERS WILL BEGIN IF DCS CAN NOT ACQUIRE THE ROW WITHIN 2-3 MONTHS.

DEC. 20, 1977 : DOUGLAS COUNTY BOARD OF COMMISSIONERS (HEREAFTER DCBOC) HOLD REGULAR MEETING. ADJACENT LAND OWNERS, MAYOR OF BENNINGTON, AND OTHER CITIZENS EXPRESS OPPOSITION TO TRAIL PLANS, CITING FEARS OF DECREASED PROPERTY VALUES, INCREASED VANDALISM, AND TRESPASSING PROBLEMS DUE TO HUNTERS AND MOTORCYCLES.

BOARD AUTHORIZES DCS TO SUBMIT PREAPPLICATION TO BUREAU OF OUTDOOR RECREATION (BOR).

DEC. 21, 1977 : DCS REQUESTS WAIVER FROM BOR TO BEGIN ACQUISITION OF ROW BEFORE PROJECT IS APPROVED.

DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT

JAN. 3, 1978 : DCS ASKS PARKS & RECREATION DIRECTOR TO SUPPORT PROJECT AT NEXT HEARING.

JAN. 12, 1978 : TRAILS TASK FORCE OF THE RIVERFRONT DEVELOPMENT COMMITTEE MEETS WITH DCS TO DISCUSS PROJECT. MIXED EMOTIONS ARE EXPRESSED FROM OTHER CITIZENS ATTENDING THE MEETING.

JAN. 13, 1978 : DCBOC PUBLISHES NOTICE OF PUBLIC HEARING SETTING DATE FOR JAN. 24TH.

JAN. 23, 1978 : LOCAL LAW FIRM NOTIFIES DCBOC THAT COUNTY CLUB MANOR RESIDENTS HAVE VALID TITLE TO ROW BY VALID REVERSIONARY CLAUSES IN DEEDS AND WILL OPPOSE ACQUISITION BY DCS.

JAN. 24, 1978 : PUBLIC HEARING - PUBLIC SENTIMENT WAS MIXED.

JAN. 29, 1978 : TRAILS TASK FORCE NOTIFIES ITS MEMBERS URGING SUPPORT OF PROJECT BY SENDING LETTERS TO DCBOC (3 OF 5 COMMISSIONERS ARE RUNNING FOR REELECTION).

FEB. 1978 : DCS SUBMITS PLANS TO METROPOLITAN AREA PLANNING AGENCY (MAPA)

MAR. 30, 1978 : MAPA MEETS AND DECIDES TO TAKE NO ACTION -- ESSENTIALLY A NO COMMENT SITUATION.

MAY 1978 : BOR APPROVES PREAPPLICATION

JUN. 7, 1978 : SANITARY IMPROVEMENT DISTRICT 121 SUPPORTS PROJECT AS "HEALTH TRAIL" AND MAKES THEIR ADJACENT LAND AVAILABLE AS A "REST-PICNIC AREA".

JUN. 13, 1978 : DCBOC PASSES RESOLUTION ENABLING DCS TO SUBMIT FINAL APPLICATION TO BOR

JUL. 13, 1978 : DCS DECIDES NOT TO USE AMERICAN ARBITRATION ASSOCIATION TO ASSIST IN ACQUISITION NEGOTIATIONS.

JUL. 27, 1978 : TRANSPORTATION PLANNING DEPT. (MAPA) NOTIFIES DCS THAT NO ACTION WILL BE TAKEN ON THE PROPOSED TRAIL PLAN.

AUG. 3, 1978 : DCS INVESTIGATES USE OF AERIAL PHOTOS OF ROW.

AUG. 17, 1978 : DCS SUBMITS FINAL APPLICATION TO BOR.

DEC. 8, 1978 : DCS SUBMITS FIRST QUARTER PERFORMANCE REPORT TO BOR STATING :

1. ENTIRE ROW IS SURVEYED
2. ABSTRACT TITLES 90% COMPLETE
3. DESIGN 10% COMPLETE
4. REQUIRED PUBLIC HEARING SET FOR LATE DEC. OR JAN. ACQUISITION TO BEGIN 30 DAYS AFTER HEARING.

JAN. 9, 1979 : DCS REQUESTS DCBOC TO SET PUBLIC HEARING DATE FOR ROW ACQUISITION.

JAN. 24, 1979 : PUBLIC HEARING IS HELD

MAR. 20, 1979 : DCBOC HEARS FURTHER STATEMENTS ON TRAIL PROJECT AND VOTES TO CANCEL ACQUISITION AND DEVELOPMENT OF ROW.

DCS NOTIFIES ADJACENT LANDOWNER TO REMOVE 2 BRIDGES WHICH THEY CONTRACTED TO REMOVE EVEN IF THE PROJECT WAS NEVER DEVELOPED.

NEW JERSEY - CANAL STATE PARK

SPONSOR : NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
PROPOSED USE : RECREATION: HIKING, BIKING, JOGGING, WALKING
ADJACENT LAND USE : CANAL STATE PARK
POPULATION AFFECTED : 157,935
ROW LENGTH/WIDTH : DEVELOP 8.2 MILES; ACQUIRE ONLY 2.25 AS OTHER PARCELS
ARE ALREADY OWNED BY THE STATE
ACRES :
ACQUISITION COST : \$225,000
PER ACRE :
PER MILE : \$100,000.00
DEVELOPMENT COST :
COMMENTS : PORTIONS OF TRAIL ARE ACCESSIBLE TO THE HANDICAPPED.
ACQUISITION WENT TO U.S. DISTRICT COURT FOR SETTLEMENT
AS STATE CLAIMED THE LAND REVERTS TO STATE WHEN THE
CANAL WAS ABANDONED.

PROJECT DESCRIPTION

This recreation trail runs parallel to the abandoned Delaware and Raritan Canal feeder which was already developed for recreation purposes. Therefore, the abandoned railroad right of way and subsequent development simply expanded the existing recreation facility.

The trail is located in what is commonly referred to as the urban corridor, which extends from New York City to the city of Philadelphia. The project was the focal point of the Canal State Park. It links two major state recreation areas - Trenton Battle Monument and Washington Crossing State Park. It also passes through the city of Trenton's largest park, Cadwalader Park. In addition, the corridor passes through three municipalities and provides access to all residents through numerous on-grade crossings.

Similar to other ARROW, the corridor's development for recreation also preserves its vegetation and wildlife. Two general categories of vegetation are present along the right of way - upland and floodplain marsh. Since most of the trail's length is located in the Delaware River floodplain, the species of vegetation which characterized floodplains in the region dominate the landscape. As might be expected, these types of vegetation also support numerous types of wildlife (including white tailed deer, fox, raccoon, and

woodchucks) in addition to many species of fish (both in the canal and Delaware River). Over 200 species of birds have been sighted near the main canal and its feeder while at least 92 species nest in the Primeton Wildlife Refuge at the main canal.

The trail surface is smooth and was developed for bicyclists and hikers. Some sections of the trail are developed for persons confined to wheelchairs. Improvements included fencing, comfort stations, landscaping, bike racks, benches, and historic markers.

TIMELINE

1834 : DELAWARE AND RARITAN CANAL CONSTRUCTION COMPLETE

1937 : LAND CONVEYED TO STATE BY PENN CENTRAL AND UNITED NEW JERSEY RAILROAD

1974 : DELAWARE AND RARITAN CANAL STATE PARK IS CREATED BY NEW JERSEY STATE LEGISLATURE

APR. 4, 1977 : RAILROAD ADJACENT THE CANAL IS ABANDONED

AUG. 16, 1977 : RIGHT OF WAY IS ADVERTIZED FOR SALE

AUG. 25, 1977 : RIGHT OF WAY FOR SALE PERIOD ENDS

DEC. 30, 1977 : NEW JERSEY DEPT. OF ENVIRONMENTAL PROTECTION SUBMITS PREAPPLICATION TO BUREAU OF OUTDOOR RECREATION

DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT

JUL. 31, 1978 : BUREAU OF OUTDOOR RECREATION RECEIVES APPLICATION FOR FUNDING

SEPT. 15, 1978 : BUREAU OF OUTDOOR RECREATION APPROVES PROJECT

NEW YORK - CRESCENT BRANCH BIKEWAY

SPONSOR : NEW YORK STATE PARKS AND RECREATION DEPARTMENT
PROPOSED USE : RECREATION: HIKING, BIKING, AND COMMUTING
ADJACENT LAND USE : OPEN FIELDS, RESIDENTIAL, BUSINESS, INDUSTRIAL (SHALE QUARRY), AND FARMLAND
POPULATION AFFECTED :
ROW LENGTH/WIDTH : 5.1 MILES / 66' WIDE
ACRES : 46.4
ACQUISITION COST : \$55,680.00
PER ACRE : \$1,200.00
PER MILE : \$10,917.00
DEVELOPMENT COST : \$75,000.00
COMMENTS :

PROJECT DESCRIPTION

The New York respondent provided a good description of this project, stating:

The Crescent Branch project was implemented as part of the Barge Canal Recreationway Development Plan initiated in the 1970s to provide a system of parks along the 500 miles of waterway linked by trails, with the ultimate plan for a continuous trail across New York State from Albany to Buffalo.

The Crescent Branch Bikeway runs between Colonie Town Park and Green Island, a distance of about five miles. Although this trail is only five miles in length, it provides linkage to many facilities, including (1) Peebles Island State Park, (2) Waterford Flight Canal Park, (3) the proposed Hudson-Mohawk Heritage Trail, (4) Colonie Town Park, and (5) Cohoes Hike and Bike Trail. Additionally, the trail complete a vital link in the 46-mile regional bike-hike trail (Mohawk-Hudson Greenway) which serves the Capital District of New York State.

The trail was constructed of crusher-run limestone with future plans for pavement. The right of way contains a variety of pioneer vegetation and crosses several streams, providing a pleasant environment to its many users.

TIMELINE

- MAY 1, 1977 : EFFECTIVE DATE FOR RIGHT OF WAY ABANDONMENT
- DEC. 27, 1977 : NEW YORK STATE PARKS & REC. SENDS IN PREAPPLICATION FOR 5
ABANDONED RAILROAD RIGHTS-OF-WAY PROJECTS
- DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT
- JAN. 15, 1978 : BUREAU OF OUTDOOR RECREATION (NORTHEAST REGIONAL OFFICE)
RANKS THE 5 PROJECTS AND SUBMITS THEM TO THE WASHINGTON
OFFICE
- JUN. 6, 1978 : HISTORIC PRESERVATION BUREAU APPROVES THE PROJECT
- JUL. 14, 1978 : REGIONAL DESIGN ENGINEER REPORTS THE PROPOSED HIGHWAY
ADJACENT THE RIGHT OF WAY WILL POSE NO PROBLEMS FOR
ACQUISITION
- AUG. 2, 1978 : ENVIRONMENTAL MANAGEMENT BUREAU REPORTS NO ENVIRONMENTAL
IMPACT STATEMENT IS NEEDED.
- AUG. 3, 1978 : DEPUTY COMMISSIONER FOR PLANNING AND OPERATIONS AUTHORIZES
THE FINAL PLAN
- AUG. 4, 1978 : STATE PARK COMMISSIONER APPROVES THE PROJECT
- AUG. 15, 1978 : HCRS PROJECT OFFICER REPORTS NO ENVIRONMENTAL IMPACT
STATEMENT IS REQUIRED
- SEPT. 14, 1978 : HCRS OKS FINAL FUNDING APPLICATION

OHIO - LITTLE MIAMI SCENIC RAILROAD

SPONSOR : OHIO DEPARTMENT OF NATURAL RESOURCES

PROPOSED USE : RECREATION TRAIL (43.6 MILES) AND A SCENIC RAILROAD (28 MILES)

ADJACENT LAND USE : PROPOSED SCENIC RAILROAD AND SCENIC RIVER CORRIDOR

POPULATION AFFECTED :

ROW LENGTH/WIDTH : 43.6 MILES/ THE MAJORITY OF THE RIGHT OF WAY IS 66 FEET WIDE

ACRES : 435

ACQUISITION COST : \$595,000.00

PER ACRE : \$1,368.00

PER MILE : \$13,646.00

DEVELOPMENT COST :

COMMENTS : RIGHT OF WAY COMPOSED OF ABOUT 180 SPEARATE PARCELS IN THE RIGHT OF WAY ITSELF AND 78 ADJACENT THE RIGHT OF WAY

PROJECT DESCRIPTION

The Little Miami Scenic Railroad is located in the heavily wooded Little Miami River Valley. The abandoned rail line lies adjacent to the Little Miami River, which is both a State and National Scenic River. The development of this abandoned railroad corridor includes a recreational trail as well as a scenic railroad. The trail, connecting the Cincinnati and Payton metropolitan area, will not only buffer the Little Miami Scenic River, but provide access to it as well.

Multiple use is obviously one of the objectives of this development. In addition to an eight foot paved asphalt bikeway (presently 13 miles in length) and natural surface bridle trail (sand/clay mixture), the corridor supports a 28 mile scenic railroad. Furthermore, since the trail's development, three major trail systems have been relocated onto the abandoned right of way. The trail also provides linkage to other park facilities such as Fort Ancient State Memorial, Caesar Creek State Park, Deerfield Gorge State Nature Preserve, Mather's Mill, and Glenn Island.

Future developments include (1) extending the paved bicycle trail, (2) modifying 55 railroad bridge structures, and (3) acquiring approximatley 19 more miles of the abandoned railroad corridor.

TIMELINE

- MAY 1973 : OHIO KENTUCKY INDIANA (OKI) REGIONAL COUNCIL OF GOVERNMENTS' REGIONAL OPEN SPACE PLAN ADVOCATES PRESERVATION OF THE CORRIDOR ALONG THE MIAMI RIVER
- OCT. 1973 : OKI'S REGIONAL DEVELOPMENT PLAN ADVOCATES ESTABLISHMENT OF A "SPECIAL PURPOSE CONSERVATION REGION" ALONG THE FLOODPLAIN OF THE MIAMI RIVER
- NOV. 1975 : OKI DEVELOPS PLAN OF ACTION TO ACQUIRE AND PRESERVE THE RIVER COORIDOR. IT RECOMMENDS:
1. THE OHIO DNR ACQUIRE THE RIGHT OF WAY FOR LINEAR RECREATION.
 2. THE OHIO DNR LEASE TRACKS FOR A SCENIC RAILROAD.
 3. MUTIPLE USE OF THE COORIDOR.
 4. LITTLE MIAMI SCENIC BIKEWAY SHOULD BE RELOCATED IN THE RAILROAD RIGHT OF WAY.
 5. THE RIGHT OF WAY SHOULD BE MORE FORMALLY ESTABLISHED FOR HIKERS.
 6. THAT HORSEBACK RIDING BE PROHIBITED IN THE AREA WHERE THE SCENIC RAILROAD IS LOCATED.
- JAN. 1976 : LEAGUE OF WOMEN VOTERS OF CINCINNATI AREA SUPPORT THE PRESERVATION OF THE RIVER CORRIDOR
- OCT. 18, 1977 : GOVERNOR NOTIFIES PENN CENTRAL TRANSPORTATION CO. THAT HE AND OTHER POLITICIANS SUPPORT THE PROJECT AND URGES THEM TO DEAL WITH THE OHIO DNR FOR THE PURCHASE OF THE RIGHT OF WAY
- DEC. 28, 1977 : WARREN COUNTY REGIONAL PLANNING COMMISSION SUPPORTS THE PROJECT
- DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT
- JUL. 10, 1978 : HCRS RECEIVES FINAL APPLICATION FROM THE OHIO DNR
- JUL. 12, 1978 : HCRS PROJECT OFFICER VISITS SITE
- AUG. 14, 1978 : HCRS PROJECT OFFICER REPORTS NO ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED
- SEPT. 6, 1978 : HCRS OKS THE PROJECT
- MAY 11, 1979 : OHIO DNR NOTIFIES HCRS OF CONVERSION PROGRESS
- AUG. 1979 : ICC ORDERS RAILROAD TO NEGOTIATE FOR CONVERSION TO OTHER PUBLIC PURPOSES (NOTE: DNR WAS ALREADY NEGOTIATING WITH THE RAILROAD). OHIO DNR ACQUIRES RIGHT OF WAY IN AUGUST.

VIRGINIA - WASHINGTON AND OLD DOMINION REGIONAL TRAIL

SPONSOR : NORTHERN VIRGINIA REGIONAL PARK AUTHORITY (NVRPA)
PROPOSED USE : RECREATION: WALKER, HIKERS, BIKERS, AND HORSEBACK RIDERS
ADJACENT LAND USE : FAST PACED SUBURBAN GROWTH
POPULATION AFFECTED : 35,000
ROW LENGTH/WIDTH : 4.1 MILES AND 100 FEET WIDE
ACRES : 48.6
ACQUISITION COST : THIS SPECIFIC PORTION COST \$534,372.00 NVRPA MADE A DEAL WITH THE VIRGINIA ELECTRIC POWER CO. (VEPCO) TO ACQUIRE THE ENTIRE RIGHT OF WAY (42 MILES (480 ACRES WITHIN 5 YEARS (1977-1983) FOR THE LUMP SUM OF 3.6 MILION DOLLARS.
PER ACRE : \$7812.00
PER MILE : \$89,285.00
DEVELOPMENT COST :
COMMENTS : CROSSES TWO MAJOR HIGHWAYS

PROJECT DESCRIPTION

The Washington and Old Dominion Regional Trail (W & OD) is an example of an ARROW conversion project where a trail and power lines use the same corridor. The right of way was originally owned by the Virginia Electric and Power Company (VEPCO) and later acquired by the Northern Virginia Regional Park Authority over a five year period.

Although the entire trail is 42 miles long, the grant obtained through the Federal Rails-to-Trails program, was only to acquire and develop 4.1 miles of the abandoned corridor. This four mile section lies between the towns of Falls Church and Vienna.

This linear park is especially important as it is located in northern Virginia, a region where fast paced suburban growth has (1) diminished areas of open space, (2) created deficiencies in transportation systems, (3) increased auto traffic and pollution, and (4) generally caused a shortage of safe places to walk, jog, or bicycle. This corridor offers solutions to all these problems.

An eight foot wide trail surface serves all types of recreators and provides linkage to a number of parks, two Metro stations, a town recreation

complex (Vienna), four schools, varied parking areas, and other community facilities. Additionally, the trail feeds into an adjacent county's trail which connects to the George Washington Parkway Bike Trail via a Corps of Engineers' project.

As mentioned the trail is located in a densely populated area, and therefore, the provision of safe crossings was a major concern to users and planners alike. Through cooperation with the Virginia Department of Highways and Transportation approximately \$500,000 was spent in the construction of bridges over two major interstate highways (Washington Beltway and I-66).

To show its support for the project and to provide its citizens with access to it, Falls Church has incorporated the trail into its bikeway and sidewalk network. The neighboring town of Fairfax has also improved its sidewalk and trail construction program to improve community access to the W & OD Trail.

TIMELINE

- 1951 : WASHINGTON AND OLD DOMINION RAILROAD TERMINATES PASSENGER SERVICE (HARNIK, 1983)
- 1968 : WASHINGTON AND OLD DOMINION ABANDONMENT OCCURS

VIRGINIA DEPT. OF HIGHWAYS AND TRAFFIC BUYS THE RIGHT OF WAY AND USES PART OF IT FOR A HIGHWAY, SELLING THE REST TO VIRGINIA ELECTRIC POWER CO. VEPCO SELLS TRACKS AND TIES, REMOVES BRIDGES, AND ERECTS HIGH TENSION LINES.
- DEC. 31, 1977 : FINAL APPLICATION DEADLINE FOR FEDERAL GRANT
- JUN. 5, 1978 : HCRS RECEIVES APPLICATION FOR FUNDING FROM NVRPA
- JUN. 21, 1978 : HCRS APPROVES NVRPA PROJECT
- MAY 27, 1978 : PROJECT OFFICER INSPECTS SITE AND REPORTS TWO TRAIL PROBLEMS WHICH MUST BE ADDRESSED: THE NEED FOR A BRIDGE OVER THE CAPITOL BELTWAY AND A HIGHWAY UNDER CONSTRUCTION CUTS INTO THE RIGHT OF WAY ABOUT 16 FEET ABOVE THE RIGHT OF WAY GRADE
- JUN. 8, 1978 : PROJECT OFFICER APPROVES PROJECT AND REPORTS NO ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED. A MORE ADEQUATE APPRAISAL IS REQUESTED.

WISCONSIN - MILITARY RIDGE STATE PARK TRAIL

SPONSOR : WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PROPOSED USE : RECREATION: SKI TOURING, BICYCLING, HIKING, JOGGING.
GOAL IS TO DEVELOP A NETWORK OF TRAILS SIMILAR TO THOSE
IN GREAT BRITAIN

ADJACENT LAND USE : TRAIL PROCEEDS WEST FROM MADISON, WISCONSIN. PASSING
THROUGH FARMLAND, FORESTS, AND COMMUNITIES (FITCHBURG,
VERONA, MT. HOREB, BLUE MOUNDS, BARNEVELD, AND RIDGEWAY)

POPULATION AFFECTED : 12 MILLION PEOPLE (1980) WITHIN 150 MILES OF THE TRAIL.
MADISON (POP. 350,000) ENVELOPES THE EAST END OF THE
TRAIL

ROW LENGTH/WIDTH : 39.6 MILES AND 100 FEET WIDE

ACRES : 472.6 WITH A GOAL OF 490 APPROX. 490

ACQUISITION COST : \$502,000.00

PER ACRE : \$1,062.00

PER MILE : \$12,676.00

DEVELOPMENT COST : \$930,000.00 -- 1ST PHASE = \$660,000.00
2ND PHASE = \$270,000.00
3RD PHASE = UNDETERMINED

COMMENTS : THERE ARE APPROXIMATELY 33 BRIDGES TOTALING ABOUT 2000
FEET IN LENGTH. TWENTY-THREE ARE WATER CROSSINGS, TWO
ARE HIGHWAY CROSSINGS AND EIGHT ARE DRY CROSSINGS. ONE
SIGNIFICANT BRIDGE IS A 122-FOOT TRESTLE OVER A HIGHWAY
NEAR MT. HOREB AND ANOTHER IS A 85-FOOT STREET OVERPASS
IN MT. HOREB.

PROJECT DESCRIPTION

The State of Wisconsin has been involved in abandoned railroad conversions since the mid 1960's when they developed the Elroy-Sparta Trail. At that time agency support came haltingly and with reluctance. That lack of support has long since dissappeared and is evidenced by the fact that the State's Department of Natural Resources is now involved in their tenth conversion (Military Ridge State Park Trail). They have also acquired another rail corridor (Cottage Grove to Waukesha) for future development. When the Military Ridge Trail is completed, the Department of Natural Resources will have developed over 290 miles of trails through the aquisition of abandoned railroad rights-of-way.

Although initial acquisitions and developments were located in

predominantly rural areas of the state, present conversions are occurring closer to urban areas. Dennis Kulhanek, of the Wisconsin DNR reports that although rural trails are still very popular (mainly to non-residents) and receive heavy use, rural acquisitions are receiving low priority and funds are being shifted to conversions near urban areas to meet higher acquisition costs and the needs of larger populations. For Wisconsin, this shift in location of trail development means future trails will be located in the southeast part of the state (Kulhanek, 1984).

The Military Ridge State Park Trail, as one of the 12 case studies included in this research, is located in the south central portion of Wisconsin. It generally proceeds west from the city of Madison for approximately 40 miles and parallels a major east-west intrastate highway. As in other Wisconsin conversion projects, this trail will provide two-way traffic for bicycling, hiking, snowmobiling, and other non-motorized winter uses. The trail passes over springs, creeks, and rivers, by a lake and two state parks, and through forests and farmland, exposing the user to the scenic countryside of Wisconsin.

TIMELINE

- 1835 - 1836 : ROW IS BUILT TO OPEN SOUTHWESTERN PORTION OF WISCONSIN FOR SETTLEMENT, PASSENGER SERVICE, AGRICULTURE, AND TIMBER HARVESTING
- 1870S : RAILROAD CONSTRUCTED
- 1881 : CHICAGO-TOMAH RAILROAD COMPANY CONSTRUCTS MT. HOREB TO DODGEVILLE SECTION OF RAILROAD
- 1883 : CHICAGO NORTH WESTERN TRANSPORTATION CO. (CNW) PURCHASES THE RAILLINE
- MAY 14, 1971 : CNW APPLIES FOR ABANDONMENT WITH ICC.
- OCT. 10, 1974 : CNW APPLIES FOR ABANDONMENT (2ND TIME)
- MAR. 8, 1976 : WISCONSIN DNR COMPLETES STATE TRAIL FEASIBILITY STUDY FROM KLEVENVILLE WESTWARD TO DODGEVILLE.
- DEC. 1, 1979 : ICC APPROVES ABANDONMENT OF RAIL LINE
- AUG. 25, 1980 : ENVIRONMENTAL IMPACT ASSESSMENT IS COMPLETED
- OCT. 1, 1980 : ENVIRONMENTAL IMPACT ASSESSMENT APPROVED
- MAY 27, 1981 : THE NATURAL RESOURCE BOARD ESTABLISHES THE 23.5 MILE MILITARY RIDGE STATE PARK TRAIL BETWEEN MT. HOREB AND DODGEVILLE.
- MAY 12, 1982 : CNW APPLIES FOR ABANDONMENT ON 16.1 MILES BETWEEN MT. HOREB AND MADISON

JUN. 18, 1982 : CNW AUTHORIZED TO ABANDON RAILROAD BETWEEN MT. HOREB AND MADISON

JUL. 1982 : NATURAL RESOURCES BOARD AUTHORIZES DNR TO ENTER INTO NEGOTIATIONS FOR PURCHASE OF MT. HOREB TO MADISON

JAN. 26, 1983 : NATURAL RESOURCES BOARD ESTABLISHES PARK FOR 16.1 MILES MT. HOREB TO MADISON. TOTAL LENGTH IS NOW 39.6 MILES

APR. 30, 1983 : DEPT. OF DNR TAKES POSSESSION OF THE MT. HOREB TO MADISON LINE (16.1 MILES)

JUL. 25, 1983 : DNR SEEKS ADVICE FROM WILD RESOURCES ADVISORY COUNCIL ON POTENTIAL AS A WILD RESOURCE PROJECT. COUNCIL ENDORSES PROJECT BUT SUGGESTS IT HAS LITTLE OR NO VALUE FOR THE WILD RESOURCES PROGRAM

AUG. 1, 1983 : STATE OWNS 472.6 ACRES OF 490 DESIRED

AUG. 2, 1983 : BUREAU OF PARKS AND REC. PROVIDES INFORMATION ON MANAGEMENT OF ADJACENT NATURAL AREAS SUGGESTING BIOLOGICAL INVENTORY BE COMPLETED IMMEDIATELY.

APPENDIX H

TABLE 1

ARROW ACQUISITION LEGISLATION

TABLE I
ARROW ACQUISITION LEGISLATION

STATE	DESCRIPTION OF LAW, STATUTE, LEGISLATION, ETC.	AUTHORIZED ACQUISITION METHODS	COMPLETED INVENTORY OF ABANDONED RR RIGHTS-OF-WAY	COMMENTS
CALIFORNIA	<p>California Statutes. Chapter 774. (1972)</p> <p>Section 1</p> <p>California Transportation Commission (CTC) receives abandonment notices from all railroad companies. The CTC in turn notifies each city, county, transit district, regional transportation planning agency, etc. to inform these agencies where the line is located.</p> <p>CTC then conducts studies of transportation uses in cooperation with public entities and public utilities.</p> <p>CTC makes findings and recommendations within 45 days of receiving notices of application for abandonment.</p> <p>Section 2</p> <p>This section simply states that the public utilities commission shall notify the CTC about abandonment notices within 10 days after receiving such notices.</p>	<p>Not specified, agency's discretion to deal with railroad company.</p> <p>From questions 43 & 44 agency can use :</p> <p>gift, purchase, donation, lease agreement or easement</p>	<p>Not mentioned</p>	<p>The law does not contain provision for preferential acquisition rights.</p> <p>State findings do not bind railroad company to deal with agency desiring to acquire the ARROW</p>
OHIO	<p>Senate Bill 247</p> <p>Section 1519.02</p> <p>Authorizes Dir. of Dept. of Nat. Res. to acquire property for purposes of trail establishment along railroads and other properties.</p> <p>Section 1545.11</p> <p>Board of Park Commissioners may acquire lands, either with or without the park district for conversion into forest reserves and for the conversion of the natural resources of the state.</p> <p>Section 1519.03</p> <p>Directs the Dir. of Dept. of Nat. Res. through the Chief of Parks and Recreation to prepare and maintain a current inventory of trails ... abandoned roads, streets, utility easements, abandoned railroad rights-of-way, canals, ...</p>	<p>Not specified. From questions 43 & 44 agency can use :</p> <p>gift, purchase, donation, lease with or without purchase agreement, trustee, and appropriations</p>	<p>Specific directive to prepare and maintain an ARROW inventory.</p>	<p>No specific wording suggests ARROW be acquired, may only be implied.</p>
NEW YORK	<p>Chap 998 Laws of New York (1973) (Amends Section 18 of New York State Transportation Law)</p> <p>Law extends to all State agencies, transportation authorities, and municipalities the right to acquire, for public purposes, abandoned railroad transportation property (first rights to acquire for DOT). Legislation is divided into two sections, the first of which declares findings and purposes of reuse while the second part is procedural for disposition of lands.</p> <p>Any agency desiring to acquire ARROW contacts the DOT. DOT must contact the railroad within 120 days of abandonment application to exercise their preferential rights. DOT resolves conflicts between agencies making acquisition requests.</p> <p>Section 3.09 Subd. 7a Parks, Recreation, and Historic Preservation Law</p> <p>Authorizes the Office of Parks and Recreation and Historic Pres. to acquire ARROW for purposes of establishing trails.</p>	<p>Not specified. From questions 43 & 44 agency can use :</p> <p>condemnation purchase easement</p>	<p>Yes, very extensive, ten volumes</p>	<p>Contains preferential right to acquire clause.</p>

TABLE 1 CONTINUED
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STATE	DESCRIPTION OF LAW, STATUTE, LEGISLATION, ETC.	AUTHORIZED ACQUISITION METHODS	COMPLETED INVENTORY OF ABANDONED RR RIGHTS-OF-WAY	COMMENTS
MINNESOTA	<p>Minnesota Statutes</p> <p>84.029 Subd. 2</p> <p>Authorizes Commissioner of DNR to acquire ...land for trails, and recreational uses related to trails ... or other public lands under the jurisdiction of the Commissioner, when railroad rights-of-way are abandoned ... and when needed to complete trails established by legislature.</p> <p>85.015</p> <p>Authorizes Commissioner of DNR to acquire lands and lists specific enabling laws for each project.</p> <p>86A.05 Subd. 4</p> <p>Describes state trails as components of Outdoor Recreation System. Trail must meet established criteria to become a State Trail.</p> <p>86A.09</p> <p>Reveals master plan is required and must be approved by State Planning Agency within 60 days.</p>	<p>Gift, purchase by fee or easement, lease, or other interests.</p>	<p>Not specified, but authority to do so exists in 84.03</p>	<p>Phrase "when abandoned" implies action can only be taken once ICC grants abandonment. However, Section 85.015 Subd. 8 says the Commissioner can take steps to insure acquisition, contingent on abandonment.</p> <p>Incorporates all proposed trails in with existing system.</p>
WISCONSIN	<p>Wisconsin Statutes</p> <p>Section 85.09</p> <p>Gives DOT (state, county, and local highways) first right to acquire after any railroad company has relinquished their rights to acquire to continue service. Dept. of Nat. Res. has right to acquire after DOT relinquishes their rights.</p> <p>No person owning abandoned property or to whom abandoned property reverts can convey it until the DOT gives up their right to acquire. Any railroad company can require the DOT to make their purchase decision within 90 days. At this point any agency can make recommendations to the DOT on whether or not to acquire the corridor. If the DOT decides to acquire the corridor, they get 180 days more to acquire it. If no acquisition is planned, state and local units get six months to exercise acquisition rights.</p> <p>Note: The Wisconsin Supreme court has held:</p> <p>a) If a railroad acquired rights-of-way in fee simple, they can convey it according to the right to acquire law.</p> <p>b) If a railroad acquired rights-of-way by condemnation or if the records are lost, the land reverts to adjacent landowners.</p>	<p>Gift, purchase, and condemnation</p>	<p>Not specified, but they work closely with the DOT on abandonment status</p> <p>The Wisconsin respondent had mentioned that the DOT's cooperation was the most instrumental step in assuring the corridor's acquisition.</p>	<p>Contains preferential acquisition rights once the ICC has granted abandonment.</p> <p>DNR essentially receives 3rd right to acquire.</p> <p>Railroad can not convey without DOT's approval. Agencies acquire through the DOT.</p> <p>DOT has final authority to say if any agency can acquire the ARROW.</p> <p>This creates numerous unwilling sellers for any agency wishing to acquire the right of way.</p>

Sources: California - California Statutes. 1972. Chapter 774. p. 1388.

Ohio - Ohio Senate Bill 247. 1972, Jul. 21. Amendments to the Revised Code. pp. 74-90.

New York - New York Law. 1973. Chapter 99B.
- New York Parks, Recreation, and Historic Preservation Law. Section 3.09, Subd. 7-a.

Wisconsin - Wisconsin Statutes. 1983-83. Section 85.09. Acquisition of Abandoned Property. pp. 2284-2286.

Minnesota - Minnesota Statutes. 1969. Section 84.029, Subd. 2. Recreational Areas on Public Lands. p. 1738.

----- 1971. Section 85.015, Subd. 1. State Trails p. 1835.

----- 1975. Section 86A.05, Subd. 4. pp. 1834-1835.

----- 1975. Section 86A.09. Development and Establishment of Units. pp. 1840-1841.

THE PLANNING PROCESS UTILIZED IN THE CONVERSION OF
ABANDONED RAILROAD RIGHTS-OF-WAY FOR RECREATIONAL PURPOSES

by

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AN ABSTRACT OF A MASTER'S THESIS

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ABSTRACT

As competition for land use increases, land resource planners and developers will need to consider other non-prime sites for land development. Reuse planning of abandoned railroad rights-of-way for recreation/transportation purposes is a viable option available to many land use planners.

The purpose of this research is to examine recreation planning processes utilized in the conversion of abandoned railroad rights-of-way for recreation purposes. The study examines and discusses, using responses from a written questionnaire completed for 11 case studies, five categories of influential factors which affect the planning process.

Based on the responses to the questionnaire, the study indicates the planning processes used in abandoned railroad rights-of-way conversion projects are quite varied, but effective in establishing this type of recreation facility. The responses further indicate that the completion of pre-investigation studies can help reduce many of the conflicts which are associated with this type of recreation development.

The analysis of the responses suggest that six planning components can be identified as those "most conducive" in influencing the potential for a successful conversion. Finally, these components are diagrammed in a flow chart format to reveal how they can be intergrated into existing recreation planning processes.