

Overcoming Barriers to Trail Construction



rails-to-trails
conservancy

Greater Cleveland Trails & Greenways Conference
Mayfield Village, Ohio
June 12, 2014

- Real Estate
 - Rail-with-Trail
 - NIMBY
 - Roadways
- Financial
 - Unique Funding
- Legal
 - Supreme Court Decision

RWT = shared-use path on or directly adjacent to active rail corridor



Cedar Lake Trail, Minnesota

Rails-with-Trails are Common



- 167 trails (nearly 10% of rail-trails)
- 1,437 miles (39% parallel to rail)
- 41 states

Rails-with-Trails are Growing

60+ rails-with-trails in development



Camp Chase Trail,
Ohio

Rails-with-Trails are Safe

One known fatality
involving trail user
& train on RWT:
South Bay Trail in
Bellingham, WA
(2008)





MLK Promenade

San Diego, California



Charlotte Trolley Trail

North Carolina



San Clemente Beach Trail

California

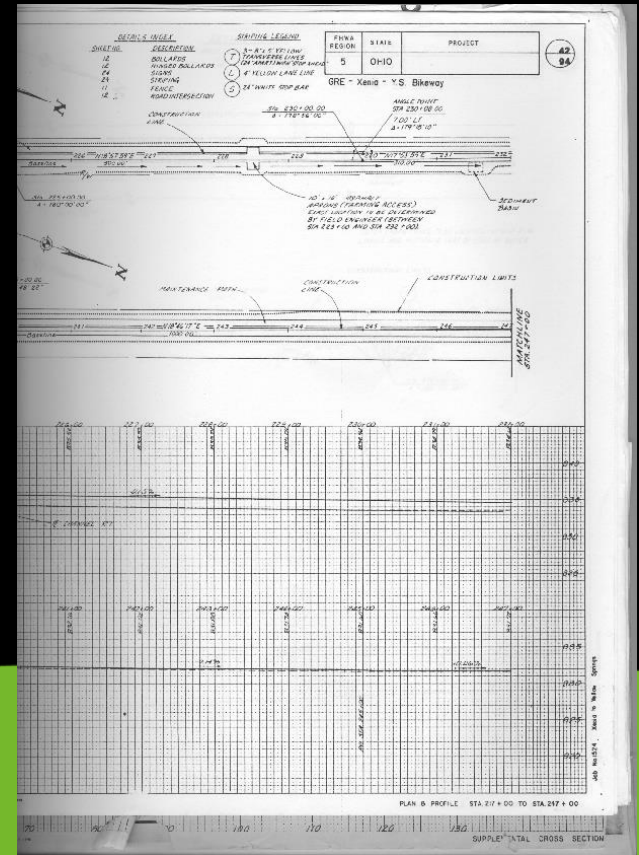
NIMBY

- An Ohio County Farm Bureau had an issue.



NIMBY

- Agricultural access issues



Roadways

- Barrier?????

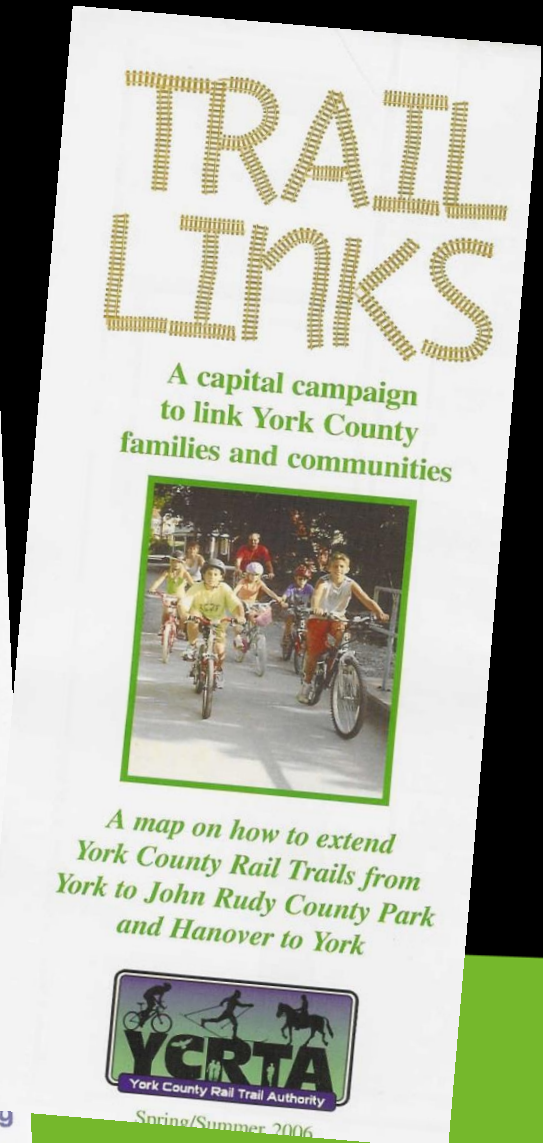


Local Municipal Funding

- Washington, D.C.- five cents plastic bag tax – revenue is directed to Anacostia Watershed Conservation, including trail improvements
- Colorado Springs, CO- \$4 excise tax on new bikes sold goes wholly to bikeway improvements
- Seattle, WA- Property tax levy
- St. Louis, MO- 0.1% sales tax for parks & open space created Great Rivers Greenway District

Creative Funding

- Bonds – Maine initiative
- Capital Campaign - York County Rail-Trail Authority



Creative Funding

- Salvage rails, ties, ballast
- Partner with a utility company
- Hold fundraising events
- Trail for sale
- Find volunteers



Creative Funding

- Look for organizations \ Industries with shared interests



Legal

- Clinton County Rails-to-Trails
 - Purchased 20 years ago
 - Attempt to use Clean Ohio Funding
 - Rejected at last minute by commissioners
 - Suit filed by landowners
 - Justice????

Supreme Court Case



Medicine Bow Rail-Trail



RAIL-TRAIL SUPREME COURT DECISION

On March 10, 2014, the U.S. Supreme Court handed down a decision in the case involving a rail corridor formerly on federal land that is now privately owned (Marvin M. Brandt Revocable Trust et al. v. United States). The ruling affects a specific type of rail corridor that does not meet the criteria below.

How will the decision affect my local rail-trail?

If you answer YES to ANY of the following questions, your local rail-trail will NOT be affected by the Supreme Court decision.

Has the rail-trail been railbanked?*



Was the corridor originally acquired by the RR through federal lands before 1875?



Was the RR corridor originally acquired from a private landowner?



Does the trail manager own the land adjacent to the RR corridor?



Has the trail manager acquired full title (fee simple) to the corridor?



Does the RR corridor fall within one of the original 13 colonies?



**NO
EFFECT**

Questions about a specific trail? Please contact the manager of that trail or contact RTC at railtrails@railstotrails.org.

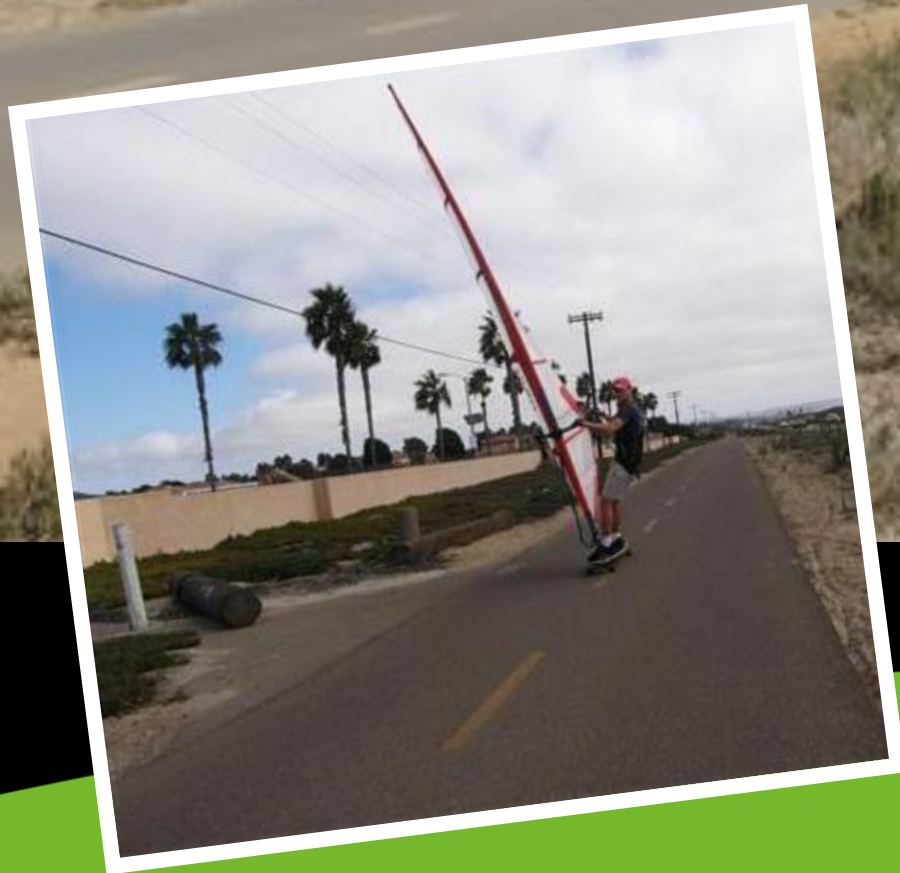
*Railbanking is the federal process of preserving former railway corridors for potential future railway service by converting them to multi-use trails in the interim.

LEARN MORE: www.railstotrails.org/SupremeCourt

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