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**SURFACE
TRANSPORTATION BOARD**



Newton Trails

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234582



July 25, 2013

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
1925 "K" Street, NW
Washington, DC 20423-0001

FILED

JUL 26 2013

**SURFACE
TRANSPORTATION BOARD**

Re: Central of Georgia Railroad Company Abandonment in Newton County, Georgia,
STB Docket Number: AB_290_343_X

Dear Ms. Brown:

This request is filed on behalf of Newton County Trail Path Foundation, Inc. which is a private public interest organization interested in conservation and/or recreation, which is hereinafter referred to as 'proponent'.

While not taking a position on the merits of this abandonment, proponent requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between railroad milepost E 65.80 and railroad milepost E 80.70.

A. Public Use Condition

Proponent requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except of public use on reasonable terms. The justification for this condition is that the corridor touches four of the five incorporated municipalities in the county, it has great value as an alternative transportation corridor, a passive recreation space, and a nature preserve. It is proponent's intent to preserve this corridor until such time as proponent can build a planned greenway from Porterdale, through the cities of Covington and Mansfield, to a terminus on the southeastern boundary of the town of Newborn. In 2001 the "Master Plan for Downtown Covington" developed by the firm of Duany Plater-Zyberk recommended the development of a greenway system that included use of the corridor, which was being operated at the time as the Great Walton Railroad ("GWRR"). In 2005, a Livable Centers Initiative ("LCI") study funded by the Georgia Department of Community Affairs recommended adoption of the greenway plan and specified the greenway project on the GWRR corridor as a top priority project (see Attachment A). The LCI recommendations were formally adopted by both the



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Covington City Council and the Newton County Board of Commissioners and subsequently incorporated into their respective comprehensive plans. As recently as April 2012, the City of Covington commissioned another study by local non-profit, The Center for Community Preservation & Planning, which again recommend acquiring the corridor for greenway use, as well as a utility right of way to move water from the planned Bear Creek Reservoir (see Attachment B).

The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time because proponent needs this time to complete negotiations with the carrier and due diligence.

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 C.F.R. §1152.29, proponent is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Central of Georgia Railroad.

The property extends from railroad milepost E 65.80 (at the point of the line's crossing of Route 229 in Newborn) to railroad milepost E 80.70 (near the intersection of Washington Street, SW, and Turner Lake Road, SW, in Covington) a distance of 14.90 miles in Newton County, Georgia. The line traverses United States Postal Service Zip Codes 30014, 30055, and 30056. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB_290 (Sub-No. 343X).

A map depicting the right-of-way is attached (see Attachment C).

Proponent acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon Central of Georgia Railroad Company c/o Robert A. Wimbish, Baker & Miller PLLC, 2401 Pennsylvania Ave., N.W., Suite 300, Washington, D.C. 20037, by U.S. Mail, postage prepaid, first class, on July 25, 2013.



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On behalf of the Newton County Trail Path Foundation, Inc., thank you for your consideration of this petition.

Respectfully submitted,

Florian Pohl, Chairman

On behalf of Newton County Trail Path Foundation, Inc.

ATTACHMENT A: Livable Centers Initiative (“LCI”) study funded by the Georgia Department of Community Affairs

ATTACHMENT B: The Center for Community Preservation & Planning Recommendation

ATTACHMENT C: Map Depicting Right of Way

cc: Central of Georgia Railroad Company

ATTACHMENT A

Livable Centers Initiative (“LCI”) study

funded by the Georgia Department of Community Affairs

LCI Final Recommendations

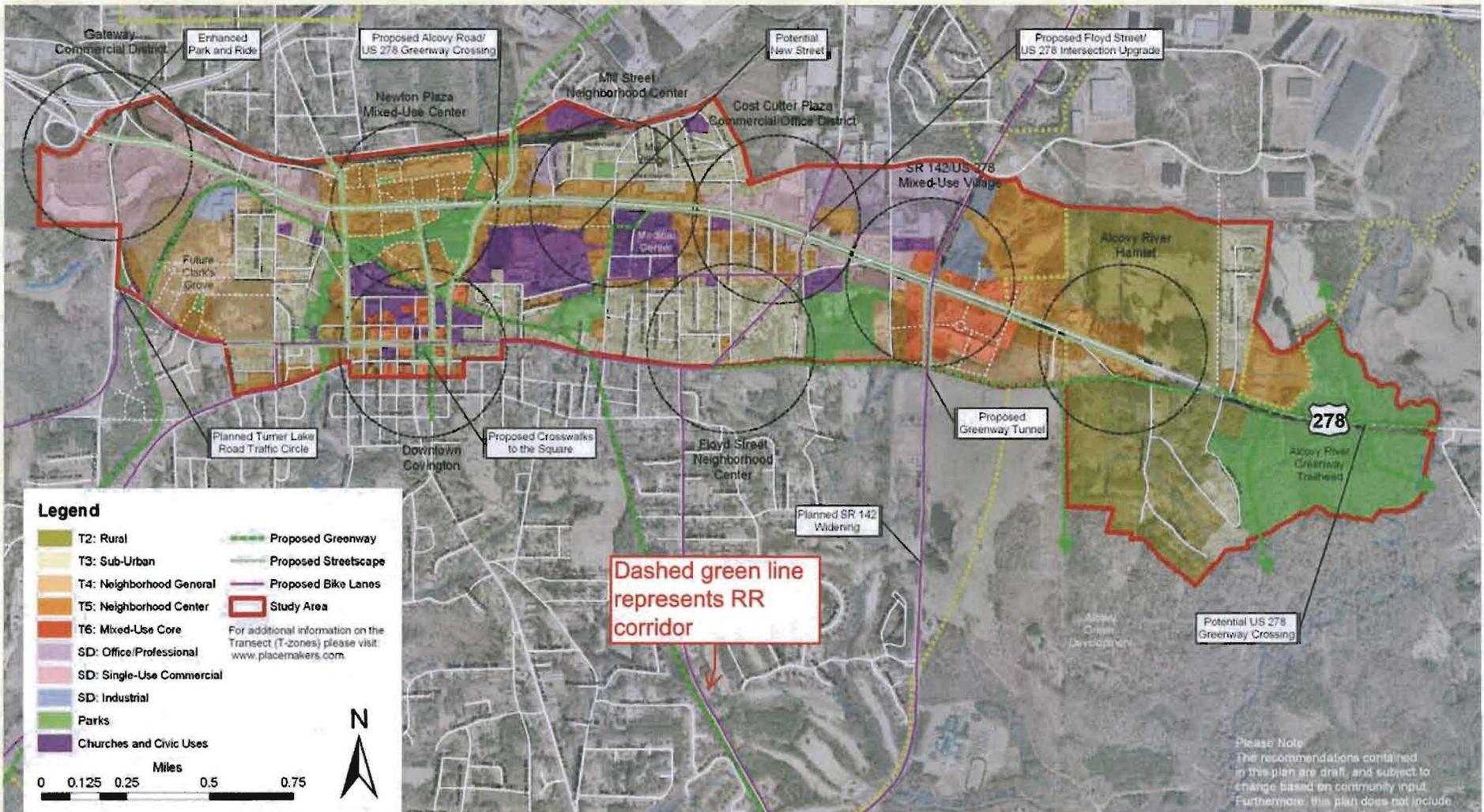
Covington Highway 278 Corridor LCI Study

December 8, 2005



Marketek, Inc.
URS Corporation

Transportation: Overall



LCI Final Recommendations

Covington Highway 278 Corridor LCI Study

December 8, 2005



Marketek, Inc.
URS Corporation

Transportation: Bicycle

- Support the greenway plan established in the Duany Plater-Zyberk plan



Greenway network proposed by Duany Plater-Zyberk & Co. in the Master Plan for Downtown Covington

LCI Final Recommendations

Covington Highway 278 Corridor LCI Study

December 8, 2005



Marketek, Inc.
URS Corporation



Priority
Project

Transportation: Bicycle

➤ Create greenways along:

- *Dried Indian Creek* (\$389,000)
- *GWRR* (\$728,000)
- *Elm Street* (\$157,000)
- *Industrial Blvd.* (\$588,000)
- *Martin St.* (\$43,000)
- *Alcovy River with trail head* (\$725,000)
- *Trail head at US 278 between Robinson and Emory Streets* (\$300,000)
- *Trail crossing at SR 142* (\$200,000)

Total Cost = \$2,830,000



ATTACHMENT B

The Center for Community Preservation & Planning Recommendation

THE PORTERDALE TO SHADYDALE RAIL CORRIDOR

ECONOMIC AND COMMUNITY BENEFITS OF OWNERSHIP

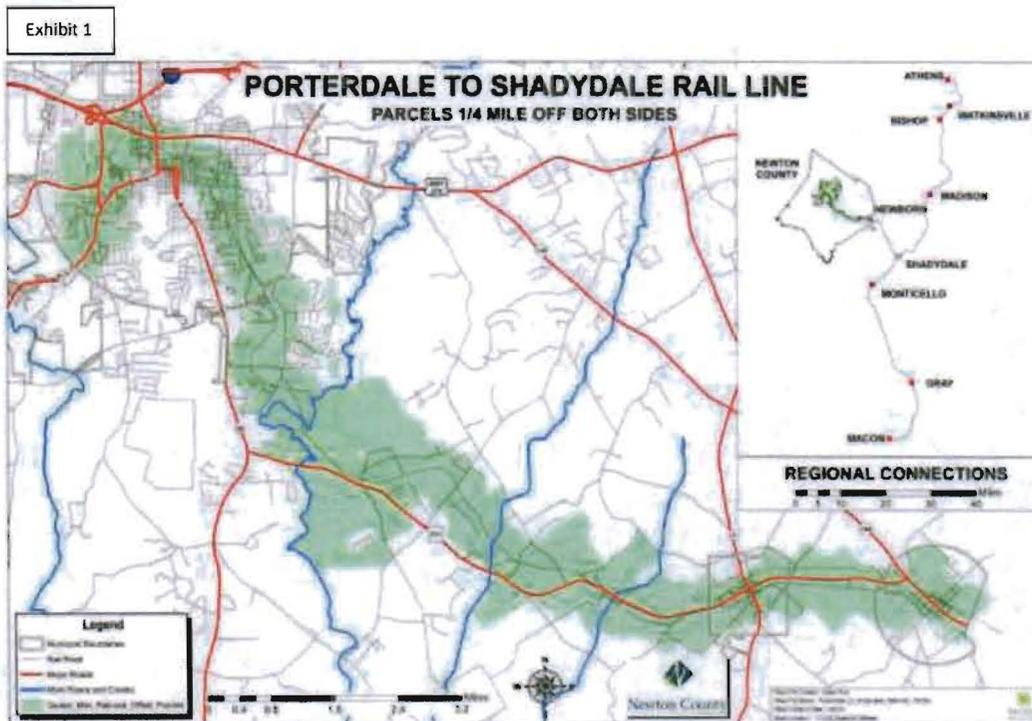
Prepared April 2012

The City of Covington has a once-in-a-lifetime opportunity to acquire 32+ miles of linear right-of-way, accumulated since 1849, that runs from the Town of Porterdale to the Town of Shadydale. Targeted use of the right-of-way can provide significant economic and community benefit to future generations of Covington and Newton County citizens.

THE CORRIDOR

The rail corridor extends from Porterdale southeast through Mansfield and Newborn to Shadydale in Jasper County where it intersects an active rail line that connects Athens to Macon.

Sixteen point five miles (16.5 miles) of the corridor lies within Newton County and is surrounded by more than 2,000 parcels of land. With right-of-way widths ranging from 7 to 50 feet, the line's total land mass inside Newton County is approximately 115 acres. Assuming a similar right-of-way pattern along Jasper County's 16+ miles of rail line, the total acreage of the corridor is approximately 230 acres. (see exhibit 1)

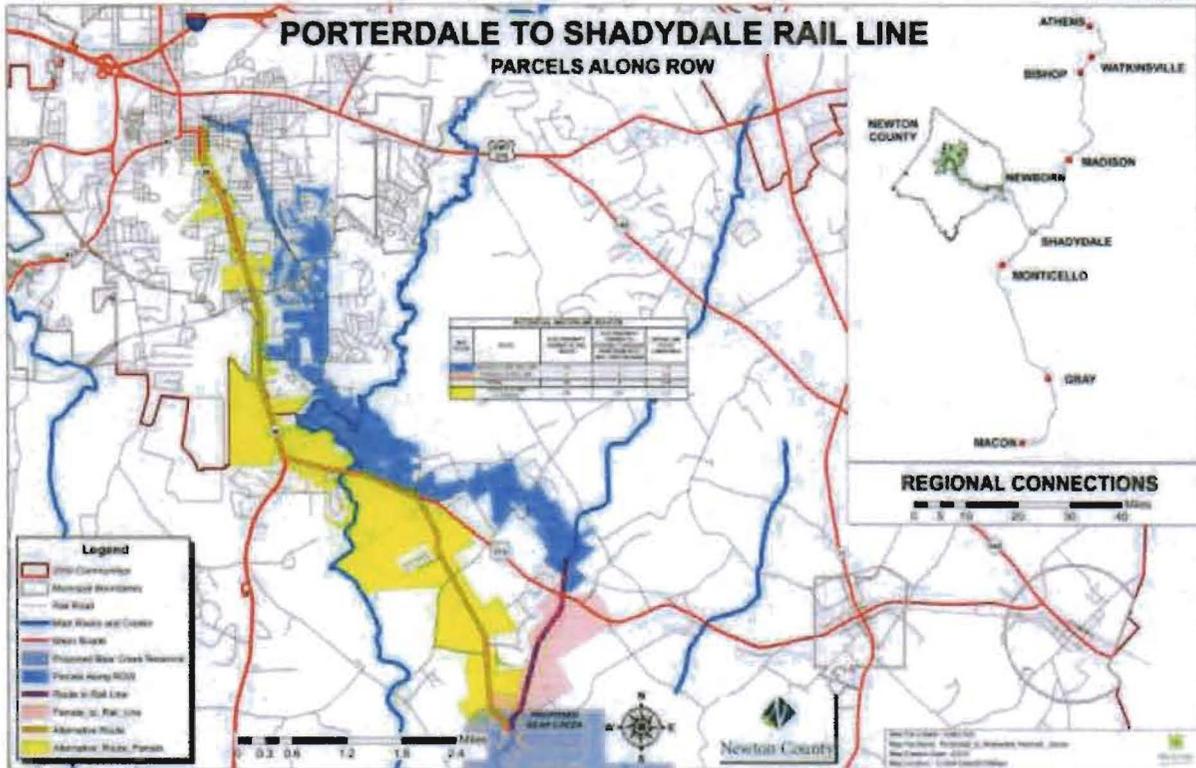


ECONOMICS OF CORRIDOR

As a Right of Way

The corridor's central location to southeast Newton County suggests that its acquisition could provide a variety of infrastructure savings. For example, the corridor is positioned to be an obvious route to transport water from Bear Creek Reservoir to the City of Covington and other compact communities. Should the rail corridor not be available there are 161 affected land owners from whom separate easements would be required. On the other hand, availability of the rail corridor would reduce the number of affected landowners to a total of 9, resulting in an obvious decrease in the cost of ROW acquisition. (see exhibit 2)

Exhibit 2



An alternative transportation route like the rail corridor that intersects with roads, retail, recreation, and all existing compact communities adds one more amenity to the community's already long list of assets – giving Covington and Newton County an opportunity to become a top destination for tourism in Georgia. (see exhibits 3 and 4)

THE RAIL CORRIDOR CONNECTS 4 OF THE 5 EXISTING CITIES, AND THEIR NUMEROUS AMENITIES.

Exhibit 3



Exhibit 4

ALONG THE CORRIDOR LIES 160+ ACRES OF CITY AND COUNTY-OWNED LAND.

THE GOVERNMENT LAND'S ADJACENCY TO THE CORRIDOR GIVES AN ECONOMIC DEVELOPMENT ASPECT TO THE PROPERTY SHOULD THE AGENCIES WISH TO ENCOURAGE RETAIL OR OTHER SPECIFIC DEVELOPMENT.



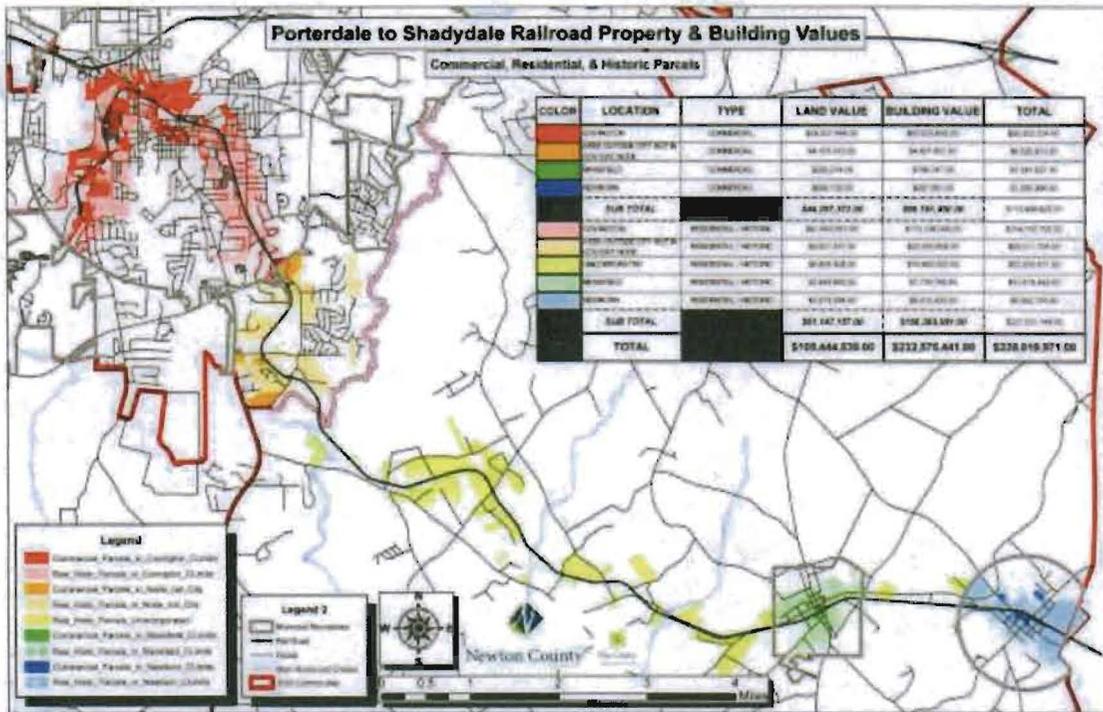
As a Linear Park

A study by the Trust for Public Land shows that being located within a quarter-mile of a park increases the value of commercial and residential property by an average of 10%. Small business owners prefer to operate near parks, because businesses near parks on average have higher sales. People are willing to pay more to live near parks. Both commercial and residential properties have higher occupancy rates when located near parks. Converting Newton County's rail line to a linear park and trail would similarly increase property values and demand, as well as property tax revenues.

To study the impact to property tax revenues if the corridor were converted to a linear park, we first assessed current land values of property within Newton County. (see exhibit 5)

Exhibit 5

COLOR	LOCATION	TYPE	LAND VALUE	BUILDING VALUE	TOTAL
Orange	COVINGTON	COMMERCIAL	\$39,327,649.00	\$60,025,985.00	\$99,353,634.00
Yellow	AREA OUTSIDE CITY BUT IN COV/OKF NODE	COMMERCIAL	\$4,105,315.00	\$4,421,657.00	\$8,526,972.00
Green	MANFIELD	COMMERCIAL	\$255,274.00	\$795,247.00	\$1,041,521.00
Blue	NEWBORN	COMMERCIAL	\$609,135.00	\$657,851.00	\$1,266,986.00
SUB TOTAL			\$44,297,373.00	\$69,900,740.00	\$114,198,113.00
Pink	COVINGTON	RESIDENTIAL / HISTORIC	\$41,843,657.00	\$113,109,045.00	\$154,952,702.00
Yellow	AREA OUTSIDE CITY BUT IN COV/OKF NODE	RESIDENTIAL / HISTORIC	\$9,921,037.00	\$22,390,868.00	\$32,311,905.00
Yellow	UNINCORPORATED	RESIDENTIAL / HISTORIC	\$6,955,508.00	\$19,680,063.00	\$26,635,571.00
Green	MANFIELD	RESIDENTIAL / HISTORIC	\$2,848,660.00	\$7,729,785.00	\$10,578,445.00
Blue	NEWBORN	RESIDENTIAL / HISTORIC	\$3,078,295.00	\$6,474,430.00	\$9,552,725.00
SUB TOTAL			\$63,647,152.00	\$169,384,188.00	\$233,031,340.00
TOTAL			\$107,944,525.00	\$239,284,928.00	\$347,229,453.00



Once current land values were established, the following assumptions were applied:

- Commercial properties increase in value by 10%
- Residential properties in the Covington/Oxford compact community increase in value by 10%
- Residential properties outside the compact community increase in value by only 5%

These modest increases would significantly increase Newton County's tax digests. The City of Covington would gain over \$80,000 per year. The County's collective agencies would gain over \$489,000 per year. (see exhibit 6)

Expected Property Tax Gains

<u>Revenue</u>	<u>Increased Digest</u>	<u>Millage Rate</u>	<u>Increased Property Tax</u>
Covington	\$25,410,603	8.208	\$ 83,428
Mansfield	633,074	5.58	1,413
Newborn	634,336	1.935	491
Newton County	31,628,660	10.91	138,025
Schools	31,628,660	21.073	<u>266,599</u>
TOTAL			\$ 489,956

Exhibit 6

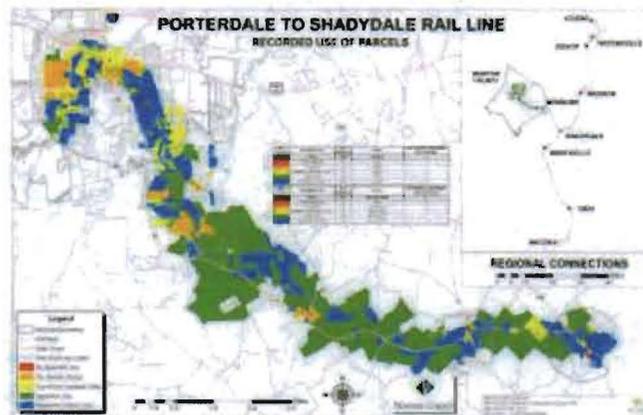
COMMUNITY BENEFIT OF THE CORRIDOR

The corridor connects many of Newton County's most beautiful natural areas. Its conversion to an alternative transportation route could provide residents with attractive recreational and wellness opportunities. (see exhibit 7)

For example, one mile south of the City of Covington, the City and County own 160 acres along the rail corridor. This natural area could be converted, at minimal expense, to a passive recreation park with trails for hiking, running, and even mountain biking. Because of its central location, Covington residents and close neighbors would easily be able to run, walk, or bicycle to the park along the converted rail line and then enjoy the wooded trails, open areas, and the Alcovy River. These natural areas already exist, but the rail corridor would make them accessible to the general public.

Recognizing these needs and opportunities, Newton County's 2050 Plan explores a variety of ways to link people, places, and resources in the county. Greenways, such as trails, waterways, and protected natural corridors, are a central part of this connectivity system.

Exhibit 7



IN CONCLUSION

The Newton Rail corridor is a unique opportunity for its owner to meet several objectives.

1. Produce cost efficiencies for government, such as access to the Bear Creek reservoir
2. Create a valuable asset for Newton County businesses, residents, and tourists, spurring economic growth
3. Connect several population centers to conservation and recreation, providing opportunities to walk, bike, enjoy nature, and improve personal wellness
4. Support Newton County's goals for connectivity and a multi-modal transportation network

If preserved, the corridor will benefit all citizens of Covington and Newton County by:

- a) successfully connecting people to jobs, services, recreation, nature, and personal wellness
- b) providing distinct amenities that draw visitors
- c) offering ways to increase tax revenue
- d) offering ways to decrease government infrastructure cost

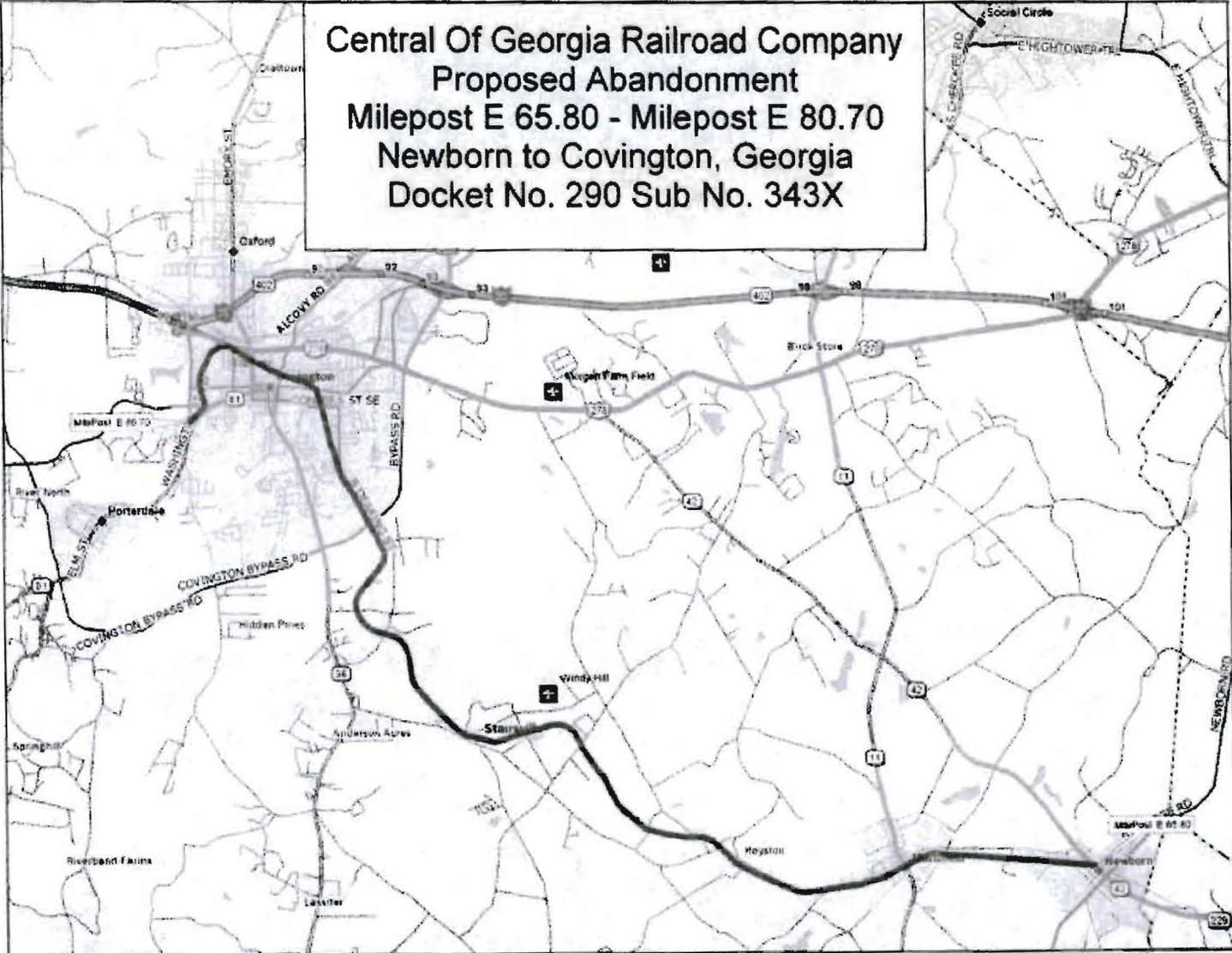
The foundation has been laid over the last 150 years to gain rights to the rail corridor extending from Porterdale to Shadydale. Circumstances have led to this point where a group of leaders can choose to purchase an unusual and beneficial asset for Covington and Newton County. If leaders are stagnant and do not act, the opportunity to do so will likely not occur again in this lifetime.

Reference

Crompton, John L., "The Impact of Parks and Open Spaces on Property Taxes," in, *The Economic Benefits of Land Conservation*, edited by Constance T. F. de Brun (The Trust for Public Land, 2007).

Jeffrey Dorfman, University of Georgia

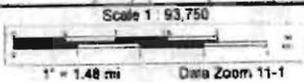
**Central Of Georgia Railroad Company
 Proposed Abandonment
 Milepost E 65.80 - Milepost E 80.70
 Newborn to Covington, Georgia
 Docket No. 290 Sub No. 343X**



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Map Depicting Right of Way

ATTACHMENT C