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August 17, 2015

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Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

32659 (Sub-No. 2)

**Re: STB Finance Docket ~~32659~~, Caldwell Railroad Commission – Exemption From
49 U.S.C. Subtitle IV**

Dear Ms. Brown:

On June 11, 2015 Caldwell Railroad Commission (“Caldwell”) filed a Petition for Partial Revocation of Exemption and Request for Expedited Action seeking a partial revocation of an exemption from regulatory requirements that would allow it to seek Board approval for an abandonment and rail-banking of a 3.91 mile segment of Caldwell’s HG Line. That Petition remains pending.

We have recently become aware that the National Park Service (“NPS”) plans for the 3.91-mile segment at issue in this proceeding to become part of its Overmountain Victory National Historic Trail (“Trail”) should abandonment and rail-banking be approved under the Board’s abandonment and Rails to Trails rules. As explained in the attached letter from John Slaughter of NPS, this segment would be a key part of the NPS effort to develop the Trail and of NPS’s celebration of that agency’s 100-year anniversary in 2016. The NPS letter thus supports the grant of Caldwell’s pending Petition so that, as explained in that Petition, the rail banking process may be initiated.

The NPS interest in this section of the HG Line is clear evidence that a partial revocation of exemption would further the rail transportation policy of 49 U.S.C. § 10101, as discussed in Caldwell’s Petition. Use of the rail banking process would greatly facilitate the ability of

Caldwell County and NPS to establish this important new section of the planned Trail while preserving the corridor for possible future rail use and reducing regulatory barriers to exit from the industry by allowing Caldwell the higher degree of certainty that follows from adherence to the Board's process.

Respectfully,



David H. Coburn
Attorney for Caldwell Railroad Commission

cc: Jenny Wheelock, City of Lenoir
John Slaughter, National Park Service



IN REPLY REFER TO:

United States Department of the Interior

National Park Service

Southern Campaign of the American Revolution Parks Group



Cowpens National Battlefield
338 New Pleasant Road
Gaffney, SC 29341
864-461-2828
Fax 864-461-7077

Ninety Six National Historic Site
1103 Hwy 248
Ninety Six, SC 29666
864-543-4068
Fax 864-543-2058

Kings Mountain National Military Park &
Overmountain Victory National Historic Trail
2625 Park Road
Blacksburg, SC 29702
864-936-7921 / 864-936-3477

August 13, 2015

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

32659 (Sub-No. 2)

RE: STB Finance Docket ~~32659~~, Caldwell Rail Commission – Exemption from 49 U.S.C. Subtitle IV

Dear Ms. Brown,

The purpose of this letter is to communicate the National Park Service's support for the petition filed by the Caldwell Rail Commission ("CRC") for Partial Revocation of Exemption so that CRC may begin the rail banking process with the intent that the rail banked section of the HG line in Caldwell County will be used as a certified and protected corridor of the Overmountain Victory National Historic Trail ("OVNHT").

The OVNHT was Congressionally-designated in 1980 as the route traveled by the Overmountain Patriot Militia on their way to the pivotal Revolutionary War battle at King's Mountain in 1780. The OVNHT is a 330 mile corridor spanning four states, fourteen counties and, seven Congressional Districts.

In 2013, the National Park Service ("NPS") entered into a cooperative agreement with Caldwell County Pathways ("CCP"), a non-profit organization, to fund the development of a master plan for a 20 mile segment of the OVNHT from Lenoir to Morganton, North Carolina. This master plan identifies the 3.91 miles of HG line (between mileposts 108.79 and 112.7) as the preferred trail alignment for the OVNHT as it passes through the City of Lenoir in Caldwell County, North Carolina. The master plan is anticipated to be adopted by Caldwell County Pathways and the five participating local government entities by the end of 2015.



It is my understanding that Caldwell County Pathways has been working closely with CRC to rail bank this section of line since at least 2013 and that CRC has been and continues to be a willing partner in realizing this vision. Construction of this rail-trail is the critical first step towards building out the Lenoir-to-Morganton 20 mile corridor---an especially significant section of the OVNHT due to its central location.

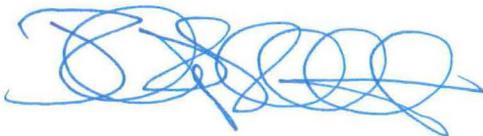
This trail segment is positioned to be one of the first locations to use the new NPS OVNHT branding elements – creating opportunities to promote the NPS, the centennial “Find your park” campaign, and the OVNHT. If CRC is unable to successfully rail bank the discontinued rail segment, it will be a major setback not only to the local greenway network, but to the entire 330 miles of the OVNHT.

In concluding, I would again like to express resolute support from the National Park Service for the petition filed by the Caldwell Rail Commission so that the rail-banking process can begin and construction of the Lenoir to Morganton corridor of the Overmountain Victory National Historic Trail can become a reality in the near future. As much as possible, expedited action on this petition is encouraged as the National Park Service enters into its 100th year of preserving the nation’s natural and cultural resources in 2016. In celebrating and strategizing for the next 100 years of National Parks, the OVNHT is a key focus area of the Southern Campaign of the American Revolution parks group with a goal of 100 miles of certified and protected trail constructed by end of the NPS Centennial Celebration.

Acceptance of the petition filed by CRC will clear the way for the Overmountain Victory National Historic Trail in North Carolina and beyond, establishing a tangible way for Americans to experience their nation’s history.

Thank you for consideration of the CRC’s petition and its favorable impact on construction of the Overmountain Victory National Historic Trail. Please do not hesitate contact me with any questions.

Respectfully,



John Slaughter
Group Superintendent
Southern Campaign of the American Revolution Parks
National Park Service