

National Association of Reversionary Property Owners (NARPO)
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RE AB 1314-0X Elk River Railroad Inc. Abandonment Exemption in Kanawha and Clay
Counties, WV

Elk River Railroad Inc. (TERRI) seeks an exemption for an abandonment of its rail line. TERRI also seeks to use the Rails to Trails Act, 16 USC 1247(d), to rail bank the rail line after abandonment approval by the STB. Abandoned rail line(s) can be railbanked if the line being abandoned is/are connected to the national rail system. In the case of AB 1314-0X, TERRI is not connected to the national rail system as TERRI noted in their Petition for Exemption for merger with Buffalo Creek and Gauley Railroad. In the STB Decision of 11/5/2020, the STB noted that TERRI is not connected to the national rail system, see page 3 top paragraph quoting TERRI's Petition for Exemption for merger.

NARPO requests the STB to not allow railbanking if the STB approves the Petition for Exemption for Abandonment.

All Parties of Record have been served via email on 7/28/2021.

Richard Welsh--NARPO