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

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ENTERED
Office of Proceedings
July 26, 2021
Part of
Public Record

Re: Docket No. AB 1314 0 X, The Elk River Railroad, Inc. –
Abandonment Exemption – In Kanawha & Clay Counties, WV

Dear Ms. Cynthia T Brown,

In the 20 years I have owned my residence adjacent to the proposed Rails to Trails, I have used the railroad tracks to get to my residence. There has never been any signs or regulations imposed. Residents residing along my portion of the tracks have maintained them, grading, graveling, cutting fallen trees and filling holes.

On June 23, 2016, the river flooded my home, losing it and everything in it. My children's and parents' keepsakes were gone forever. This area was my home, and I chose to apply for help in rebuilding. The WV RISE program was established to help rebuild from the devastating flood. HUD granted WV over \$150 million to rebuild. With that assistance, the state built me a new home on my property, and I was able to move in July of 2020. The contract states I must live in my home for at least 3 years or I forfeit my home. Little did I know, I would be in jeopardy of losing access to my home with the Rails to Trails project as there had never been an issue with access in the 20 years I owned the property.

Recently my neighbors and I contacted Elk River railroad and leased property to make a cut through from the county road near my property onto the railroad "road". This was a one-year lease renewable each year. With the WVDOH and several thousands of dollars raised by our community this was accomplished. They have since notified this lease will be cancelled within 90 days. This allowed us to avoid using an impassible portion of the road we have used for over 20 years. It has come to my attention that the paved county road was also leased to the WVDOH for over 20 years also. It is ditched and paved and maintained by the WVDOH and their lease will also be cancelled shortly adding another 20 homes to the long list of land locked homes.

If I can't get to my property, I'm not sure if I will be able to keep my home. Losing another home will be devastating. I am a retired public employee who gave my service to helping people for 36 years. I just want to enjoy the rest of my life on the River I have called home for 20 years. It's a shame we survived a 100 year anomaly of a 100 year flood only to find that our homes will now be lost again with one stroke of the pen.

Thank you for your consideration,
Pam Miller Street
Retiree WV Department of Medicaid Service

**CC: A. Rebecca Williams Attorney The Elk River Railroad, Inc. c/o Slover & Loftus LLP 1224
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