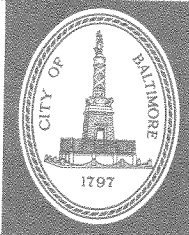


CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

March 6, 2007

The Honorable Vernon A. Williams
Secretary, Surface Transportation Board
395 E. Street SW
Washington, DC 20024
Via E-Filing

Re: *James Riffin d/b/a The Northern Central Railroad-
Acquisition and Operation Exemption - in
Baltimore City, MD*
Finance Docket No. 34982

Dear Secretary Williams:

It has recently come to the attention of the Mayor and City Council of Baltimore (the "City") that on January 12, 2007, James Riffin, "doing business as" the Northern Central Railroad, filed a "Verified Notice of Exemption" relating to a proposed railroad line somewhere within the Jones Falls Valley of Baltimore City, apparently between Pennsylvania Station and 29th Street. In response to Mr. Riffin's filing, a number of parties, including the Baltimore Streetcar Museum ("BSM"), the Mass Transit Administration (the "MTA" or the "State"), and CSX Transportation, Inc. ("CSX"), have filed various comments in opposition to the proposal, as well as a Petition for Stay and a Petition to Revoke the Exemption.

The City joins in these efforts to revoke Mr. Riffin's exemption for the following reasons:

a) The City is unable to discern from Mr. Riffin's proposal the precise geography of the railroad line he seeks to build;

b) To the extent that Mr. Riffin seeks to use land along Falls Road, bisecting Falls Road, or within the public right of way of Falls Road, the City owns or has rights to this property;



c) The City has no intention to transfer rights to its property to Mr. Riffin, is not in the process of negotiating with him to do so, nor did Mr. Riffin notify the City that he desired to acquire rights to City property;

d) The property in question has various important uses, including a lease with the BSM for its museum and trolley car tour, a Department of Transportation salt storage facility, and a bike trail along Falls Road;

e) The above-referenced bike trail (the "Jones Falls Trail") from Druid Hill Park to Pennsylvania Station was recently constructed pursuant to a public contract managed by the City's Department of Recreation and Parks, at a cost of over 1 million dollars, 80% of which was financed by the Federal Highway Administration;

f) At the very least, Mr. Riffin's proposal for a railroad line either making use of, traversing, or bisecting the Jones Falls Trail would be incompatible with the current use of the land by the public for recreational purposes;

g) Adjacent to the City's public right of way, is the Jones Falls itself and Mr. Riffin has provided no explanation with regard to the environmental impact his proposed line would have on the stream;

h) Mr. Riffin has not explained why the public interest would be served by reviving a railroad line apparently abandoned many years ago, or for that matter, who would be using this line;

i) Finally, the City has had previous dealings with Mr. Riffin, d/b/a The Northern Central Railroad, wherein he sought to convert important watershed property near Beaver Run Lane in Baltimore County, which is used in connection with the Loch Raven Reservoir. See F. D. No. 34484, *James Riffin d/b/a the Northern Central R. - Acquisition and Operation Exemption - In York Co., PA, and Baltimore Co., MD, slip op.* (Service Date April 20, 2004) ("Riffin I"); and F.D. 34501, *James Riffin D/B/A The Northern Central railroad - Acquisition and Operation Exemption - in York Co, PA, (slip op.)* (Service Date February 23, 2005) ("Riffin II"). In both of these matters, the Surface Transportation Board ("STB") agreed that it was

inappropriate for Mr. Riffin to invoke the expedited procedure of the Notice of Exemption and revoked the Notices.

For the reasons stated above, the City respectfully requests that the STB revoke the Notice of Exemption filed by Mr. Riffin in this proceeding.

Sincerely,



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