



CITY OF PITTSBURGH

Department of Mobility and Infrastructure

William Peduto, Mayor

Karina Ricks, Director

July 16, 2019

248232

Ms. Cynthia Brown
Chief of Section of Administration Surface Transportation Board
Office of Proceedings
395 E Street, S.W.
Washington, DC 204230001

ENTERED
Office of Proceedings
July 18, 2019
Part of
Public Record

Re: CSX Transportation, Inc. Abandonment in Allegheny County, Pennsylvania, Docket No. AB-55 (Sub-No.793X)

Dear Ms. Brown:

This request is filed on behalf of City of Pittsburgh which is a municipality within Allegheny County, working with our partners, Friends of the Riverfront, to connect the Three Rivers Heritage Trail, which is hereinafter referred to as 'proponent'. The City of Pittsburgh will be working closely through the process with our local trail organization through the abandonment and development process to ensure an equitable and accessible trail is developed.

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 Val. Sta. 40+75 and Val. Sta. 85+76, the end of line, in Pittsburgh, Allegheny County, PA.

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 reason able terms. The justification for this condition is that the rail corridor in questions is along a scenic river and will extend the existing Three Rivers Heritage Trail an additional .85 miles. The corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. In addition, the corridor provides important wildlife habitat and greenspace and its preservation as a recreational trail is consistent with that end. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time because we have not had an opportunity commence negotiations with the carrier.
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

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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, the City of Pittsburgh 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 CSX Transportation, Inc and operated by Allegheny Valley Railroad Company.

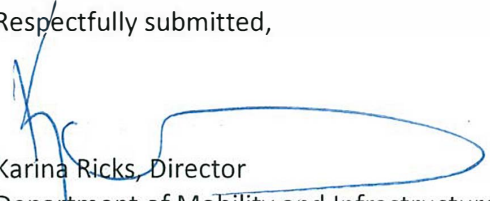
The property, known as the River Branch, Baltimore Division, P & W Subdivision extends from railroad milepost Val. Sta. 40+75 to railroad milepost Val. Sta. 85+76 near a distance of .85 miles in Allegheny County, Pennsylvania. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB55 (Sub 793X).

A map depicting the right-of-way is attached.

City of Pittsburgh 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 CSX Transportation, Inc., by U.S. Mail, postage prepaid, first class, on July 16, 2019.

Respectfully submitted,



Karina Ricks, Director
Department of Mobility and Infrastructure
City of Pittsburgh

CC:
Catherine Adkins - CSX Transportation, Inc.
Friends of the Riverfront
Allegheny County Executive Rich Fitzgerald
Urban Redevelopment Authority of Pittsburgh
District 7 Councilwomen Deb Gross
Riverlife

