

302800

ENTERED
Office of Proceedings
July 29, 2021
Part of
Public Record

John P Walker

17 Lynn Lane

Scott Depot, WV 25560

911 address

168 Swinging Bridge Lane

Elkhurst, WV

Ms. Cynthia T, Brown,

Chief Section of Administration Office of Proceedings

Surface Transportation Board

395 E Street S. W> Washington, DC 20423

Re: Docket No. AB 1314 OX, The Elk River Railroad, INC Abandonment- in Kanawha and Clay Counties, WV

I heard the tail end of Chris Lawrence's show this weekend about trails in Fayette County and listened with great interest as the guest, Ed McGuire at the Department of Environmental Protection, talked about the recreational and economic benefits of providing trails for residents and visitors to enjoy the Great Outdoors in WV.

All of this is good and I support the development of trails to make areas of the State accessible.

We must remember that one of the main goals of Government is not to increase the misery index for residents.

The development of the Elk River Trail from Braxton to Kanawha Counties will increase the misery index for many residents who live, either permanently or seasonally, along the abandoned B&O Right of Way in Braxton, Clay, and Kanawha Counties if it is not executed in thoughtful and sensitive manner.

The B&O abandoned the Elk River ROW about 50 years ago and the rails and cross ties were removed in several sections.

In many cases the ROW provided a better means of access to property than county roads and for 50 years some sections of the ROW have been used for this purpose.

Here is a specific example where the development of the Elk River Trail, if not executed thoughtfully, will increase the **misery index** for both year around and seasonal residents.

Almost 20 years ago, the WV DOH closed the Elkhurst, Clay County suspension bridge across the Elk River. Admittedly, the structure was old and was not able to handle traffic safely and the DOH was justified in closing the bridge. The DOH was sensitive to the residents of the Elkhurst community by leasing about 2.5 miles of the abandoned B&O ROW and by paving and installing guardrails. This provided the residents with an all-weather road and avoided having to travel a much greater distance over Beechy Ridge. Portions of the Beechy Ridge Road are dangerous, and the road cannot be considered an all-weather road in its entirety.

Sometime later, the DOH stopped paying the lease on this section of the B&O ROW. However, residents of Elkhurst and the surrounding hills still use the B&O ROW daily. It provides an easy, timely access to Elkhurst and also enables 911 calls to be answered quickly.

Residents are now being told that the Elk River Trail will take the B&O ROW and vehicular traffic will be banned. Some residents were told that they would have to leave their vehicles on the other side of the Elk River and to use boats to access their property. Residents on the B&O ROW side of the river will no longer have access to garbage disposal service and delivery services such as UPS and Federal Express.

Government economic development should not be at the expense of others and should not increase the Misery Index for citizens.

The easiest, but costly solution for Elkhurst is to repair or replace the bridge. However, another and less costly solution is to make some sections of the Elk River Trail dual purpose by widening and erecting a barrier to separate the road into two sections. This is a low cost solution and would please everyone.

Making part of the Elk River Trail dual purpose would also open up large sections of the Elk River to future development for seasonal homes. The population of Elkhurst doubles on weekends in good weather and during the summer as many former residents return to their family property to enjoy the easy pace of life there and to hunt and fish.

Government economic development should not be at the expense of others and should not increase the Misery Index for citizens.

Sincerely,

John P Walker

walkerjp@frontier.com

(304) 610-7066

CC: " All Parties of Record"