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April 15, 2024

308208

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

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Office of Proceedings
April 15, 2024
Part of
Public Record

Re: Allegheny Valley Railroad Company
– Abandonment Exemption –
In Allegheny County, PA
Surface Transportation Board Finance Docket AB 1233 (Sub-No. 2X)

Dear Ms. Brown:

Enclosed for filing in the above referenced docket are letters in support of the Pop-Up Metro, LLC Petition for a Notice of Interim Trail Use.

If you have any questions related to this filing, please let me know.

Sincerely,

A handwritten signature in blue ink that reads 'Justin J. Marks'.

Justin J. Marks
Pop-Up Metro, LLC

cc: Parties on the Service List
Enclosure



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April 15, 2024

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Re: Allegheny Valley Railroad Company
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Surface Transportation Board Finance Docket AB 1233 (Sub-No. 2X)

Dear Ms. Brown,

I am writing to give my support for the Pop-Up Metro, LLC (Pop-Up Metro) petition for interim trail use filed in the above referenced docket. I have recently been made aware of the initiative by Pop-Up Metro to file a Petition for a Notice of Interim Trail Use in the abandonment of the Brilliant Branch in Pittsburgh by proposing a Rails-With-Trails concept.

I am a founding (1989) board member of the Montour Trail Council, the Allegheny Trail Alliance (1995), now the Great Allegheny Passage Conservancy, a former working railroader having traveled in every state in the continental U.S. on freight trains to expedite special shipments, the retired Contributing Illustrator for Trains and Classic Trains Magazines, where I created hundreds of national and international railroad maps over 14 years and a touring bicyclist since 1981. I am also the author of the Great Allegheny Passage Companion, a comprehensive guidebook to the GAP Trail.

I have biked dozens of rail trails and observed dozens of operations both rail trails and rails with trails. Locally, the Montour Trail maintains the Westland Branch as a 4-mile-long rails-with-trails operation and the Western Maryland Scenic Railroad operates 15 miles as rails-with-trails. Both are single track railroads that have operated safely for years with much narrower right of ways than the Brilliant Branch. The Westland Branch carries hazardous materials and the Western Maryland is an excursion railroad. Both have excellent safety records.

I have no doubt that due to its strategic location as a connecting railroad between the Allegheny River and the NS Pittsburgh Division, and a scenic trail, the Brilliant Branch will be an excellent and safe rails-with-trails operation.

Sincerely,

Bill Metzger, Publisher, Three Wheel Press

April 15, 2024
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Washington, DC 20024

Re: Allegheny Valley Railroad Company
– Abandonment Exemption –
In Allegheny County, PA
Surface Transportation Board Finance Docket AB 1233 (Sub-No. 2X)

Dear Ms. Brown:

This is a letter for filing in the above referenced docket. I support the Pop-Up Metro, LLC (Pop-Up Metro) petition for interim trail use. I am supporting the petition because the decision in this case may provide a national precedent with respect to the creation of side-by-side rails with trails.

Rails with trails exist and are operated safely in many parts of the United States, but not many have presented their creation in a regulatory context such as this one. I understand that Allegheny County through its Redevelopment Authority has negotiated the right to purchase the line for trail use. Pop-Up Metro's proposal would accomplish the objectives of Allegheny County and at the same time accommodate rail transit. In view of the above, I support Pop-Up Metro's petition in this abandonment docket.

I make the above comments based on my former capacities as - among other things - Chairman of the Rails to Trails Conservancy; President of the short line holding company Genesee & Wyoming; and former Chief Commercial Officer of Conrail, the railroad that sold the Brilliant Branch to the Allegheny Valley Railroad. I am not representing those organizations in this proceeding, but I have had experience with the creation of successful rails-with-trails for all three of those organizations.

I will add in my capacity as an informed member of the rail-trails community that I am distressed at the number of instances in which trail projects have artificially served to terminate potentially viable segments of the national rail network. This case is an example of how a well-intentioned movement can result in unintended consequences. Specifically, this case could result in abandonment of a potentially useful rail segment that can continue to exist beside a needed and welcome trail. The Board should not inadvertently create barriers to rail preservation at the same time that it is encouraging useful trail projects.

I am grateful for the opportunity to comment on this transaction. At stake is the signal that this case will give to future rail-with-trail projects..

Sincerely,

Charles N. Marshall