

Gautho, Julia

From: John <jxmulry@gmail.com>
Sent: Thursday, March 13, 2025 11:23 AM
To: City Council; Gautho, Julia
Cc: Gerry Jensen; Joe Clarke
Subject: Capitola City Council applying for Railbanking with city limits

Hello Neighbors

We more than qualify for Railbanking within city limits. This only requires a council vote to start the process.

Here's the RTC FAQ on railbanking. See Q16 - "Another approach would be for a third party, such as the RTC, to petition the STB for an adverse abandonment." ... or the City of Capitola.

"Adverse abandonment is more complicated and comes with a heavier burden to demonstrate that the public convenience and necessity require that the operator's common carrier obligations be extinguished."
"

Capitola has reached that threshold - public convenience necessitates the use of the rail corridor for a trail, including the trestle. Forcing thousands of cyclists onto already congested surface streets like Cliff Dr and through the village is not safe.



Fact Sheet and Frequently Asked Questions (FAQs) Railbanking on the Santa Cruz Branch Rail Line

Railbanking is a method by which freight rail lines proposed for abandonment can be preserved for future freight rail use through interim conversion to trail use and other uses.

To preserve the national railroad system, the federal government established railbanking in 1983 through the National Trails System Act (Rails to Trails Act). The Rails to Trails Act provides an alternative to completely abandoning a railroad right-of-way by allowing a railroad to negotiate a trail use agreement with a prospective trail sponsor. The prospective trail sponsor must be willing to assume financial liability to preserve the rail line for future re-activation to freight rail use.

Most people associate railbanking with projects that remove the rails and repurpose infrastructure for a multi-use trail. When a railroad owns easements, the same property rights issues exist, regardless as to whether the trail replaces the rail or is built adjacent to the rail. Underlying landowners of rail easements can claim that rail easements do not include a trail, whether the rail is removed or not. However, if the corridor is railbanked, a trail can be built either adjacent to or in place of the rail line. In either case, freight railroad easements would be protected from reverting to underlying property owners.

Decisions as to where to build the trail and whether and when to pursue commuter rail is separate from railbanking. Railbanking does not require the rail to be removed. Under railbanking, the RTC can proceed with constructing either a rail-with-trail or a rail-to-trail project. The RTC has not taken any action to railbank the Santa Cruz Branch Rail Line.

FAQs

Q1: What does it mean to abandon a rail line or portion of a rail line?

Abandonment of a rail line or portion of a rail line is a process through which railroads remove a rail line or portion of a rail line from the national freight rail network and jurisdiction of the Surface Transportation Board (STB) and eliminate the railroad's obligation to provide freight service over and along the rail line. After abandonment, any property where a railroad only owned an easement for rail purposes would revert to the underlying property owner.

Railbanking-Fact-Sheet-and-FAQ_final
PDF Document · 194 KB

I prefer Railbanking because it only affects freight rail, it does not in any way limit passenger rail options. Building the corridor to passenger not freight standards also helps solve the budget impossibilities.

There is no chance we will ever be able to produce the billions we will need to pony up to build a Freight line. San Jose is spending 12.5B for a 6 mile BART extension and even after fed and state grants they had

to find their 20% minimum. We don't have the ability to bleed billions of dollars from our county budgets for urban renewal like this.

I get people don't like me. But I haven't been wrong yet. And this is math folks. We all know building to Freight is well beyond our county's means. Sara from RTC knows it. The ZEPRT report straight up says it in governmentese.

Please don't brick Capitola because your career is better served representing state over local interests. FORT hides its donor list because it has names like Chevron and ConocoPhillips on it.

Tonight I request you ask speakers who wish to, to identify if they RESIDE in Capitola. Representative democracy means you represents YOUR voting constituency not the county. It's pretty clear what residents want.

Measure D then Measure L then a new Measure D in 2022, all three votes have been clear majorities for a trail on the rail corridor. In Capitola both our supervisor districts voted for folks who believe the trail should remain on the corridor. I have no illusions about what sort of residents show up to the city council meetings,

I believe the argument we should respect the voters is the correct one. The voters want the trail on the corridor. They voted against the DCC endorsement machine en masse this cycle. Gerry crushed Melinda. Take our politicians I think Melinda had less than 10 local donors. Manu and Kim were chosen over Lani and Kristen and Kim even had more local donors from Capitola than Kristen.

If you are going to appeal to the argument the voters have spoken, at minimum actually vote for what the voters have voted for.

And again, whatever else, your job is listen to your constituents and not a fossil fuel industry backed organization's identity driven members. These folks don't even care about passenger trains or south county. If they did they would be focused on Pajaro station like real local rail advocates such as RailNow. They will turn around and ago again that the trail should never be diverted from the corridor as they have before when it becomes convenient. They say whatever is needed to keep Freight moving forward for their fossil fuel funders.

Please ask Jamie and Sara if it is realistic to believe our budgets can fund such projects even in the rosiest grant scenarios. Then ask what the grants' environment looks like for the next few years.

The ATP grant is good through 2027. Monterey has an outstanding grant from 2018 they have extended twice. This grant too can be extended easily.

Let's wait for the ZEPRT report. Park Ave will still be there in September. That's a nothing amount of time by government standards and most of our federal funding is likely to be pulled in September too so we'll have the data needed to make a responsible decision.

Warmly JM