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Subject: Update on Rail Trail Development in Littleton

Good Morning Andrew

I wanted to give you some quick updates on the status of the rail removal and trail development project in Littleton. We have been busy and have not been able to schedule the rail removal yet. Part of it is working on a proposal that would allow the contractor to be able to surplus the rail, for the steel value, to offset the overall cost of removal. This makes it more involved than a standard bid for services.

As you and I previously spoke about, the NHDOT did go out with me the day after our public information session in October. We reviewed the rail and all other items on the line to determine what NHDOT would like to keep for future reuse, and what does not have a value for future rail use. Overall, the rail is lower weight than they would want to reuse on another rail corridor and it has significant wear on it. There is some heavier gauge rail near Industrial Park Drive that they wish to keep and have transported to their storage facility in Wakefield, and some smaller rail support features in that same area, plus all of the joint bars. The joint bars will require each section of rail to be separated and the bars kept for NHDOT reuse.

The more significant update is that we have had additional conversations with NHDOT and they have located additional files that actually do show that the section of the Berlin Branch, from Industrial Park Drive north to Whitefield, was in fact purchased using Federal Highway Administration Transportation Enhancement funds. This was discussed several years ago, however we were not able to specifically identify the funds were used specifically and all discussions over the past several years have been to continue all existing uses of the Ammonoosuc Recreational Trail north through Littleton. This was to include OHRV use. TE funds come with federal restrictions (basically an easement) that do not allow for 'Motorized Wheeled Vehicle' use on TE funded projects. We did question the purchase and location of the funds use. There were 2 rail corridors purchased at the same time and TE funds were only used on one of them, while state funds were used for the purchase of the other line. It has been confirmed that this section in Littleton was the portion purchased with TE funds. There is a process in the federal regulations that allow the US Secretary of Transportation to grant a waiver to the restrictions, however that has never been done before and in previous discussions with the Federal Highway Administration it is unlikely to occur. We also know from previous discussions that the funds cannot be paid back and the restrictions lifted. If the funds were to be paid back the restrictions would remain in place unless the US Congress voted to lift them (I am giving you a very condensed version of previous discussions and processes). The existing Ammonoosuc Recreational Trail was not purchased with TE funds and it will continue to be open for all of the recreational uses that are permitted on it today.