



COUNTY OF ORANGE

EDWARD A. DIANA
COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

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DAVID CHURCH, AICP

COMMISSIONER

April 15, 2008

Middletown & New Jersey Railway Co., Inc.
140 East Main Street
Middletown, NY 10940

Re: **STB Docket No AB 762 X**, Middletown and New Jersey Railway, Inc. –
Abandonment – Notice of Exemption in Orange County, New York

Dear Mr. Winant:

We are in receipt of your letter dated March 21, 2008 in regard to your intention to file a Notice of Exemption from regulation according to 49 CFR 1152, which would permit the abandonment of a 7.5 mile section of long unused railroad.

Orange County is not opposed to the abandonment of this section of railroad by M&NJ if the right-of-way remains intact. We strongly oppose an abandonment which would result in the right-of-way not being kept intact. We believe that an abandonment should proceed using the spirit and intent of the national rails-to-trails program. Orange County is very interested having the railroad right of way abandoned to the County for future trail use in accordance with one of M&NJ's stated alternatives and as provided in 49 CFR 1105.7(e)(1). If for some reason that did not or could not happen, we would support its abandonment to the towns. In no event should the rail right of way be broken up into multiple parcels which would severely constrain future use as a trail or even another public transportation utility.

The County is presently working to complete the development of the Heritage Trail, a popular travel and recreation trail for our residents and tourists, which utilizes the former Erie Lackawanna Main Line right of way. The completed 10 mile section of this trail was designated last year by the Secretary of Interior as a National Recreation Trail. We strongly support the rails to trails program and would be very hopeful that in the future the M&NJ right of way could also provide valuable benefits as a trail (serving to keeping the right of way intact). One terminus for a potential M & NJ trail is located in the Village of Unionville, which is adjacent to, and would provide a great connection to, the current Appalachian Trail.

Because no map was submitted to this office as referenced in the letter, I also respectfully request a copy be sent to this office at your earliest convenience.

Very truly yours,

David Church
Commissioner

cc: Edward A. Diana, County Executive
Surface Transportation Board, Section of Environmental Analysis
Lewis Lain, Supervisor, Town of Minisink
John Razzano, Supervisor, Town of Wawayanda
Richard Ludwick, Mayor, Village of Unionville