



### **Agenda Action Form Overview**

The Board is requested to approve budget ordinance amendment No. 26BCC029 recognizing \$928,445 in state grants, transferring \$100,000 from the PAYGO Fund to the General Fund, and appropriating \$123,000 in General Fund fund balance for the corridor acquisition for the Durham-to-Roxboro Rail Trail, and to approve a TIP Agreement for Project Cost Participation with the NC Department of Transportation in the amount of \$1,151,445. The NC Department of Natural and Cultural Resources has awarded two grants to the project that will result in a net cost to Durham County of \$223,000.

### **Background/Justification**

The Durham-to-Roxboro Rail Trail follows a corridor with deep historical, cultural, and environmental importance in the region. Originally built in 1890 as the Lynchburg & Durham Railroad, the line played a major role in local transportation and commerce, especially for moving agricultural goods like tobacco and textiles. Rail service ended in 1983, and since then, community members and local plans have supported turning the unused rail corridor into a public trail.

Support for this idea goes back decades. Shortly after the railroad ceased operations, the project was first included in the 1985 City Trails and Greenways Master Plan, the 1989 Durham County Open Space Plan, the 1991 Little River Corridor Open Space Plan, and the 1992 Durham County Open Space Corridor System plan. It has continuously been identified in subsequent City, County, and regional open space and transportation plans as a potential greenway project. The 2023 Durham Comprehensive Plan continued this vision, focusing on safer, more connected ways for people to get around without needing a car.

The full corridor stretches about 26 miles from downtown Durham to the City of Roxboro, with 18 miles in Durham County and 8 miles in Person County. In 2024, Person County adopted a trail feasibility study that identified nearly 11 miles of trail within the corridor and another 6 miles outside of it. The Durham-to-Roxboro Rail Trail Plan focuses only on the Durham County section, and a project update was presented to the Board of Commissioners on October 6, 2025, with adoption of the plan report anticipated at a future meeting.

At the southern end, the trail would connect directly to the Downtown Durham Rail Trail, currently in development by the City of Durham. This would create access to downtown and the American Tobacco Trail. The northern end would extend into Person County, helping create a regional trail connection.

The corridor passes through a variety of areas, including the historic Bragtown community, and the rural communities of Rougemont and Bahama. It also runs near schools, parks, nature preserves, and other public lands. While much of the nearby land is privately owned, the trail would connect several public and protected spaces, offering new opportunities for outdoor access and recreation.

Although the rail line has been inactive for many years, it is still fully owned by Norfolk Southern. The Conservation Fund has facilitated the sale of the corridor to the NC Department of Transportation (NCDOT) to occur in late 2025. Durham County's contribution towards NCDOT's ownership of the property will ensure that the land is transferred from private to public ownership and preserved for future transportation purposes. NCDOT would own the corridor as part of its Rail Corridor Preservation program, which would make it available for future public use including for development as a multi-use trail. Following a similar model, NCDOT has demonstrated being a good partner with the City of Durham, Town of Cary, Chatham County, and Wake County for the preservation and development of the American Tobacco Trail corridor.

The total cost of the acquisition of the corridor is \$13,437,500. Federal funding awarded by the Triangle West Transportation Planning Organization (Triangle West), the Kerr-Tar Rural Planning Organization



(KTRPO), and NCDOT will pay for \$10,750,000, or 80 percent. The federal funding has been approved in the State Transportation Improvement Program (TIP) and the Triangle West Transportation Planning Organization (TWTPPO) TIP.

The remaining 20 percent, or \$2,687,500 will be shared by Durham County, the City of Durham, and Person County. Person County will pay \$384,610, and Durham County and the City of Durham will each pay \$1,151,445. NCDOT is requesting a cost participation agreement from Person County, Durham County, and the City of Durham for their respective shares of the project.

The funding split by county is based on the approximate value of the land in each county. Within Durham County, about three miles of the corridor are within the current City of Durham municipal limits and about six additional miles of the corridor are within the Urban Growth Boundary where annexation is more likely to occur in the future. The value of land is generally higher inside of the municipal limits. An equal share by the City and County approximates the value of the land that is currently or is likely to become part of each jurisdiction in the future and demonstrates a shared commitment for this locally and regionally significant project.

While the NCDOT agreement requests the full \$1,151,445 from Durham County, there are two state grants from the NC Department of Natural and Cultural Resources that will be reimbursing the County and contributing towards this non-federal match.

In 2024, the East Coast Greenway Alliance applied for and was awarded \$1,000,000 through the State's Complete the Trail Program. Due to the grant requirements, the East Coast Greenway does not yet have a grant agreement with the State and is not able to convey the grant funding to NCDOT in time for the acquisition. As a result, the East Coast Greenway Alliance has requested that the three local governments temporarily cover a proportionate share of their grant funding with the intention of conveying the funding to the local governments once the state grant requirements are met. The East Coast Greenway Alliance intends to provide Durham County \$428,445 of these state funds. A letter from the East Coast Greenway Alliance is provided in the agenda materials.

In 2025, Durham County was awarded \$500,000 through the State's Great Trails State Program. A grant agreement with the NC Department of Natural and Cultural Resources to accept this grant is included in a separate agenda item, with recognition of revenue in this agenda item. With the two state grants, Durham County's net cost will be \$223,000, which represents 1.7% of the total corridor cost.

The Conservation Fund has completed its due diligence and has a title opinion that affirms that the corridor is owned fee simple by Norfolk Southern. While there has been confusion in the community over the ownership status based on letters that were sent to adjacent property owners by law firms seeking clients, the Conservation Fund has affirmed that the rail corridor is a fee simple acquisition. There is no eminent domain necessary for this acquisition. It is a voluntary sale by Norfolk Southern. No other private properties are included in this sale. Any legal easements that property owners may have with Norfolk Southern for driveways or encroachments will remain in place.

In addition, the Conservation Fund has done a Phase I and II Environmental Site Assessment to identify potential contaminants or environmental risks. The Conservation Fund and their consultants have affirmed that there are no major concerns that would preclude the development of a future trail. Furthermore, since NCDOT is using federal funding for the acquisition costs, a National Environmental Policy Act (NEPA) Categorical Exclusion is being prepared. This document will provide further information about any environmental impacts or concerns, and it can then be used by any project sponsor to inform a future trail development project. Again, the Conservation Fund and their consultants has



affirmed that no major environmental concerns have been identified that would preclude the development of a future trail. Since NCDOT will own the corridor, Durham County will have no liability for the property until such time that the County would enter into a lease agreement with NCDOT for trail development.

As with any project at this stage of development there are still some unknowns associated with the development of a future greenway trail. However, the due diligence, site analysis, and environmental studies indicate a high probability that the corridor will be suitable for a project, and thus it is recommended that Durham County agree to be a financial partner in NCDOT's acquisition of the corridor.

### **Policy Impact**

The Durham-to-Roxboro Rail Trail has been identified in multiple local and regional plans as a high-priority project for improving transportation options and access to green space. Shortly after the railroad ceased operations, the project was first included in the 1985 City Trails and Greenways Master Plan, the 1989 Durham County Open Space Plan, the 1991 Little River Corridor Open Space Plan, and the 1992 Durham County Open Space Corridor System plan. It has continuously been identified in subsequent City, County, and MPO open space and transportation plans as a potential greenway project.

In the long term, the Durham-to-Roxboro Rail Trail is envisioned as a lasting community asset. It would offer a safe, accessible space for walking, running, and biking, for people of all ages and abilities. In addition to recreation, the trail would also serve as a new transportation option, linking neighborhoods, parks, schools, and other destinations while strengthening connections across Durham County and beyond. Durham County's funding contribution will provide the County access to this corridor to pursue the development of a long-standing County priority project.

### **Procurement Background**

N/A

### **Fiscal Impact**

Approval of this NCDOT agreement requires that the County encumber and pay \$1,151,445. Since the FY26 CIP ordinance has already appropriated \$100,000 for the project and there are two state grants totaling \$928,445 supporting the project, the new appropriation needed is \$123,000. Durham County's net cost will be \$223,000, which represents 1.7% of the total corridor cost.

Durham County's CIP has included this project for many years as the Timberlake Rail Trail with a placeholder of \$2,555,000 reserved for the project. Through the pursuit of federal and state grant funding, as well as partnerships with the East Coast Greenway Alliance, the City of Durham, and Person County, we have been able to significantly reduce the cost to the County for this acquisition.

Since NCDOT will own the rail corridor, Durham County will not have any obligations to maintain the property. There is no required additional future funding from the County to enter into this agreement. Should the County decide to advance the development of a segment of the trail in the future, NCDOT would then require a lease agreement with the County that would then require funding for the trail development and agreement to maintain the property.

### **Recommendation**

The County Manager recommends that the Board approve budget ordinance amendment No. 26BCC029 recognizing \$928,445 in state grants, transferring \$100,000 from the PAYGO Fund to the General Fund, and appropriating \$123,000 in General Fund fund balance for the corridor acquisition for the Durham-to-



**Durham County Government**  
**Agenda Action Form Supplemental Document – Non-contract**

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Roxboro Rail Trail and approve a TIP Agreement for Project Cost Participation with the NC Department of Transportation in the amount of \$1,151,445.