



Agenda Action Form Overview

The Board is requested to approve a capital project ordinance amendment transferring \$100,000.66 from the Durham-to-Roxboro Rail Trail capital project and a budget ordinance amendment appropriating \$406,945 of budgeted PAYGO funding to the Transportation Operating Budget for the Durham-to-Roxboro Rail Trail corridor acquisition. The Board is also asked to approve an amended TIP Agreement for Project Cost Participation with NCDOT totaling up to \$1,658,390. This represents a \$506,945 increase from the original participation of \$1,151,445. Durham County will also receive a \$500,000 grant from the NC Department of Natural and Cultural Resources and the East Coast Greenway Association has pledged to reimburse at least \$145,313 and up to \$355,313, resulting in an anticipated net county cost of \$803,076 to \$1,013,077.

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. 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.

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 was adopted by the Board of County Commissioners in November 2025.

Although the rail line has been inactive for many years, it is still fully owned by Norfolk Southern. 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.

Since November 2025, several changes have occurred that necessitate an increase in project costs for the Durham-to-Roxboro Rail Trail Corridor Acquisition. The survey and title research identified approximately 60 additional acres of land owned by Norfolk Southern, resulting in higher acquisition expenses and increased closing costs. A new appraisal has been completed, a revised sales price has been agreed upon, and the purchase is scheduled to close in fall 2026. NCDOT remains committed to the acquisition, and Norfolk Southern continues to support finalizing the sale. Due to the increased acreage, additional local funding is required. The total acres of land in the purchase is now approximately 327 acres, an increase of 60 acres from the original 267 acres.

The Conservation Fund 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.



The Conservation Fund also conducted a Phase I and II Environmental Site Assessment to identify potential contaminants or environmental risks and 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 has been prepared. This document provides 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. 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.

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 was continuously identified in subsequent City, County, and regional open space and transportation plans as a potential greenway project up until the creation and adoption of the 2025 Durham-to-Roxboro Rail Trail Plan which showed strong community support for a multi-modal trail in Durham.

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

Total Project Cost and Federal Funding

The total cost of acquiring the corridor is now \$16 million which represents an increase of approximately \$2.6 million. Most of this increase is offset by \$2 million in additional federal funding allocated directly to NCDOT, rather than through the County's budget. Overall, federal funding awarded by the Triangle West Transportation Planning Organization (Triangle West), the Kerr-Tar Rural Planning Organization (KTRPO), and NCDOT will cover \$12,750,000 or 80 percent of the total corridor acquisition costs, the maximum allowed, pending approval in the State Transportation Improvement Program (TIP) and the TWTPO TIP.

Local Funding Distribution and Cost Participation

The remaining \$3.2 million will be shared by Durham County (42 percent), the City of Durham (42 percent), and Person County (16 percent). The funding split reflects the approximate value of the land in each jurisdiction. Within Durham County, about three miles of the corridor lie within current City limits and another six miles fall within the Urban Growth Boundary. Since land values are generally higher inside the City, an equal City-County share aligns with where the corridor currently is, or is likely to become, in each jurisdiction and demonstrates shared commitment to this regional project. NCDOT is requesting cost participation agreements from all three jurisdictions. Each jurisdiction's local match has increased proportionally. Durham County's local match increased from the original request of \$1,151,445 to up to \$1,658,390, a difference of \$506,945.



Great Trails State Grant Award

To help offset Durham County's costs, the County was awarded \$500,000 from the NC Department of Natural and Cultural Resources' (NCDNCR) Great Trails State Program in 2025. This grant was formally accepted by the Board of County Commissioners in November 2025. This state grant will reimburse a portion of the County's contribution.

East Coast Greenway Alliance Commitment

Recent changes in closing cost allocations have affected the East Coast Greenway Alliance's reimbursement commitment, which was previously \$428,445 and is now projected to be between \$145,313 and \$355,313. The decrease is due to some closing costs now being funded directly by the East Coast Greenway instead of through NCDOT. The range is due to a pending additional \$500,000 state grant that the East Coast Greenway Alliance is pursuing. The County's net cost will ultimately depend on the outcome of this reimbursement. If the lowest anticipated ECGA reimbursement is received, the net cost Durham County will be \$1,013,077, or 6 percent share. If the highest anticipated ECGA reimbursement is received, the net cost will decrease to \$803,077, resulting in a 4.8 percent share of the total project cost.

Funding Request and Ownership Overview

To address these changes in project costs, staff is requesting an appropriation of additional funding. Durham County has maintained a funding allocation for this project in its Capital Improvement Plan (CIP), listed under the Timberlake Rail Trail placeholder at \$2,555,000. The existing FY27 CIP appropriation for the rail trail corridor is \$100,000.66 and \$406,945 additional is requested to pay for the NCDOT funding agreement.

Thanks to federal and state grants, as well as collaborative partnerships with the City of Durham, Person County, and the anticipated involvement of the East Coast Greenway Alliance, the County's actual financial commitment has been substantially reduced.

At this stage of the project, NCDOT will retain ownership of the corridor. Under the current agreement, Durham County and its partner jurisdictions will have no maintenance obligations or future funding commitments. However, if the County decides to develop trail segments in the future, it would enter into a lease agreement with NCDOT, which would require funding for trail construction and ongoing maintenance.

Recommendation

The County Manager recommends that the Board approve capital project ordinance amendment transferring \$100,000.66 from the Durham-to-Roxboro Rail Trail capital project and a budget ordinance amendment appropriating \$406,945 of budgeted PAYGO funding to the Transportation Operating Budget for the Durham-to-Roxboro Rail Trail corridor acquisition and approve an amended TIP Agreement for Project Cost Participation with the NC Department of Transportation in the amount of up to \$1,658,390, a \$506,945 increase from the original commitment.