



## Legislation Text

**File #:** Res 1747-2001, **Version:** \*

Res. No. 1747

Resolution calling upon the Governor of the State of New York, the Mayor of the City of New York and the Metropolitan Transportation Authority ("MTA") to take all necessary steps to obtain a Certificate of Interim Trail Use from the United States Surface Transportation Board ("STB") in connection with "railbanking" the elevated railroad viaduct running from 75-95 Gansevoort Street through 547-55 West 34th Street, Manhattan (commonly referred to as the "High Line").

By Council Members Miller, Quinn, Berman, Carrion, Freed, Moskowitz, Nelson, O'Donovan, Rodriguez and the Public Advocate (Mr. Mark Green); also Council Member Harrison

Whereas, In the 1930s the City of New York, the State of New York, and the New York Central Railroad agreed to move dangerous railroad activity from street level to elevated structures along Tenth Avenue in Manhattan as part of the West Side Improvement project; and

Whereas, This 1.45 mile-long elevated structure, known as the "High Line," was paid for in part with public funds and operated as a commercial freight railroad until 1980; and

Whereas, The Congress of the United States, in adopting the National Trails System Act, has established a policy of creating and maintaining recreation, scenic, historic, and connecting or side trails "...to provide for the ever-increasing outdoor recreation needs of an expanding population and...to promote the preservation of, public access to...outdoor areas...primarily near the urban areas of the Nation"; and

Whereas, Congress has directed the STB, in administering the Railroad Revitalization and Regulatory Reform Act of 1976, to "...encourage state and local agencies and private interests to establish appropriate trails"; and

Whereas, It is the policy of the United States government to "...preserve established railroad rights-of-way for future reactivation of rail service, to protect rail transportation corridors, and to encourage energy efficient transportation use..."; and

Whereas, The Friends of the High Line ("FHL"), a 501(c)(3) not-for-profit organization, which has extensive public support and the support of numerous elected officials at all levels of government, has done extensive preliminary work to create a "rails-to-trails" program for the High Line; and

Whereas, In 1992 the STB issued a conditional demolition order allowing the owners of the High Line, CSX Corporation and Conrail (collectively, the "Railroads"), to negotiate with the underlying property owners regarding matters such as insurance and indemnification in order to secure a final demolition order; and

Whereas, Nine years after the issuance of that conditional demolition order, the Railroads and property have not yet reached agreement; and

Whereas, Even if the STB were to permit abandonment and demolition of the High Line, the outcome of statutorily-required state and local environmental and land use reviews is unknown and, if the required permits/approvals are not obtained, may result in the inability to demolish the High Line; and

Whereas, In the nine years since issuance of the conditional demolition order there have been significant changes in that part of New York City where the High Line is located with regard to zoning, development, transportation and traffic, recreation, and open-space needs; now, therefore, be it

Resolved, That the Council of the City of New York hereby calls upon the Governor of the State of New York, the Mayor of the City of New York and the Metropolitan Transportation Authority to take all necessary steps to obtain a Certificate of Interim Trail Use from the United States Surface Transportation Board in connection with "railbanking" the elevated railroad viaduct running from 75-95 Gansevoort Street through 547-55 West 34th Street, Manhattan (commonly referred to as the "High Line").