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Ms. Allison C. Davis
Acting Director
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

RE: Docket No. EP 749 (Sub-No. 1) – Limiting Extensions of Trail Use Negotiating Periods; Docket No. EP 753 – Rails-to-Trails Conservancy – Petition for Rulemaking

Dear Ms. Davis,

The Trust for Public Land appreciates the opportunity to file comments in support of the rule modification proposed by the Surface Transportation Board (STB) to establish a one-year period for any initial interim trail use negotiating period, instead of the existing 180 days; to permit up to three one-year extensions of the negotiating period; and to permit additional one-year extensions if the trail sponsor and the railroad agree and good cause is shown.

The Trust for Public Land (TPL) has successfully used railbanking to develop trails across the country including in Florida, Georgia, Ohio and Pennsylvania. TPL's projects conserve rail corridors to ensure healthy, livable communities. The current timelines for railbanking have, at times, created a chilling effect and we welcome the establishment of a one-year initial negotiating period with additional flexibilities. This update will better reflect the actual time needed to complete many railbanking negotiations, alleviating project uncertainty and reducing burdens. We also support the decision to revise the prior outstanding notice of proposed rulemaking to substitute the more lenient "good cause" standard for the "extraordinary circumstances" standard initially proposed.

We agree with the STB that the proposal effectively balances the interests of all affected parties and stakeholders and urge the Board to adopt the rule modification proposed in Docket No. EP 749 (Sub-No.1) et al. Should you have any questions, please contact Alex Schaefer with The Trust for Public Land's Federal Affairs Office (alex.schaefer@tpl.org or 202-330-4732).

Thank you for your consideration,

A handwritten signature in blue ink that reads "W.P. Lee".

Bill Lee

Senior Vice President, Policy, Advocacy & Government Relations
The Trust for Public Land