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Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Dear Ms. Brown:

These comments to the Surface Transportation Board (STB) from the National League of Cities (NLC) are in response to Docket No. EP 749 (Sub-No. 1): Limiting Extensions of Trail Use Negotiating Periods. NLC is in opposition to the proposed rule to require the number of extensions of the trail use negotiation period be less than three years and to not exceed six extensions.

On behalf of the 19,000 cities, towns and villages we represent, NLC requests that the STB carefully weigh the benefits of railbanking to communities and to their transportation networks against the disruption and cost that changing rules can create for communities. NLC encourages the STB to review the comments from the communities such as Seattle, WA, Chicago, IL, and others who have moved through this process carefully so that the overall experience and trends are clear.

Preserving maximum flexibility for reasonable railbanking extensions to localities is in the best interest of communities. Communities are taking the initiative to explore new trail routes for their citizens through railbanking. In cities of all sizes across the country, trails and biking routes are picking up popularity both among those who use them and those who see them as an important asset to their communities. From bikers and outdoor enthusiasts, to healthcare providers, to relators and economic developers, to the oldest and youngest residents, the demand and interest in using trails is present in many communities.

Railbanking preserves railroad corridors and allows for interim trail use while the negotiations move forward, which allows the trail to be available to citizens throughout the process. This is significant because any extensions granted does not interrupt these immediate benefits to the community. Railbanking has transformed communities across the country and the success speaks

for itself - thousands of miles of rail corridors that might otherwise have been abandoned are now active and available to local citizens.

Imposing a limitation on railbanking negotiations may be seen by many cities engaged in the process as arbitrary and unlikely to serve the best interests of their community. According to data collected by the Rails-to-Trails Conservancy, with only about 65 out of the 393 identified railbanked corridors taking more than three years to complete, this suggested change does not imply a trend where intervention is needed. Most communities are achieving their negotiations in less than three years. Setting up an unnecessary shot clock in a process that most projects are clearing and removing discretion creates an unnecessary burden on projects that may be complex but will benefit their communities.

Each railbanking project is not the same in every community due to a variety of laws and regulations that reflect the values and conditions of that place. There may be procedural improvements at the federal and state level where transparency could be beneficial, especially for the public's benefit, but there are also a variety of legitimate and circumstantial factors that could vary a railbanking project's timeline. Therefore, allowing maximum flexibility to work through the process in a good faith manner is needed. Cutting short the process could bring irreversible harm to a community. NLC acknowledges that reassembling these corridors outside of the railbanking process is unlikely, if not impossible.

Finally, railbanking keeps rail corridors intact as much as possible to ensure maximum connectivity which is a key goal of communities' as they plan to renew and expand their transportation networks. The expansion of multimodal options and benefits to communities is a strategic goal of many places, and the regionally connectivity of an area is very valuable to commuters, cities and state transportation planners.

In closing, we welcome the opportunity for open dialogue with the STB to discuss and probe the issues at hand to ensure any change is measured and effective. If you have any questions, please do not hesitate to contact Brittney Kohler at kohler@nlc.org or 202-626-3164.

Thank you,

Irma Esparza Diggs
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