



MIAMI VALLEY

Regional Planning Commission

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April 17, 2019

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

ENTERED
Office of Proceedings
April 17, 2019
Part of
Public Record

RE: **Docket EP 753** - Petition for Rulemaking

Dear Ms. Brown:

These comments filed on behalf of Miami Valley Regional Planning Commission are in support of a petition by Rails-to-Trails Conservancy (RTC) for the Surface Transportation Board (STB) to establish a one-year period for any initial interim trail use negotiating period and codify the STB's authority to grant extensions of the negotiating period for good cause shown.

Several of MVRPC's member jurisdictions and park districts have in the past used railbanking to secure segments of abandoned rail for additions to the Miami Valley Trails. Additional segments that would be potentially subject to railbanking regulations are on MVRPC's Regional Bikeways Plan for future extensions and connections to the network.

Unfortunately, given the lengthiness and complexity of the funding processes, securing funding can take longer than the current 180-day maximum time-frame established by the STB. This reality ultimately requires project staff to prepare and submit numerous extension requests – a task consuming time that would be better spent on negotiations. Specifically, the City of Dayton has filed at least three extension requests for one project for a critical urban greenway trail project to serve downtown and the east side neighborhoods. Extending these deadlines to a full year would be of benefit to such projects.

In addition to reducing the staff time required to prepare and submit extension requests, a smaller number of petitions to the STB would reduce the chances of a missed opportunity to convert an abandoned railroad corridor into a multiple-use trail due to an unfavorable STB decision on an extension request.

Based on these real-world concerns with railbanking negotiations before the STB, we urge the Board to adopt RTC's proposed rule in Docket No. EP 753.

Thank you for your consideration.

Brian O. Martin, AICP
Executive Director