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Bicycle Federation of Wisconsin
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RE: Docket EP-749-1 – Proposed Rulemaking to Limit NITU's to a Maximum of Six (6) 180-Day Extensions

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, filed on behalf of Bicycle Federation of Wisconsin are in opposition to a proposed rule by the STB to require that the number of extensions of the trail use negotiation period not exceed six, or essentially three years.

The purpose of railbanking is to preserve our country's railroad corridors and allow for interim trail use. Railbanking has not only transformed thousands of communities across the country by providing safe public spaces for recreation and transportation, it has also preserved thousands of miles of rail corridors that would otherwise have been abandoned. Assembly of these rights-of-way in modern times would be nearly impossible. Railbanking keeps rail corridors intact.

Imposing a 3-year limitation on negotiations would greatly obstruct – and in some cases prevent – railbanking to occur. Of the 393 successfully railbanked corridors, 65 of them took more than 3 years of negotiation between the railroad and the CITU/NITU holder to complete. There are a variety of reasons that negotiations may extend, including: federal and state regulatory processes (environmental assessment, e.g.), the trail manager's ability to secure state or federal funds for acquisition, and appraisal disputes. There is no reason to limit railbanking negotiations. The process of railbanking, including agreement to extend negotiations, is completely voluntary for the railroad. "Reversionary property owners" have available to them means of compensation through this process as well.

The Bicycle Federation of Wisconsin (Wisconsin Bike Fed) represents the 2.5 million people that get on a bicycle in Wisconsin each year. We appreciate the economic value railbanking trails bring to Wisconsin. With offices in Milwaukee and Madison, we see daily, the benefits the Oak Leaf Trail brings to

Milwaukee providing a comfortable corridor from the north and the south sides of the community making it possible for many people to choose to ride a bicycle to work, school, errands and social events.

The Cannonball Trail in Dane County has made it possible to get from near downtown Madison to Fitchburg, a southern suburb crossing over a busy four lane highway and connect to a hub of four other trails.

As we travel across the state we see the growing number of bicyclists out on the trails contributing to the economy of our state through purchases of food and beverages at restaurants, participation in local concerts and events and purchases of clothing and bicycles at our retailers.

As an organization, the Wisconsin Bike Fed focuses on road safety. We know that the number of people bicycling increases when people have a safe and comfortable place to ride. Railbanked trails provide a comfortable place for people to ride, increasing the number of people riding for many purposes.

If the STB were to consider changes related to railbanking negotiations, a suggested improvement would be to change the initial railbanking/interim trail negotiating period to establish a one-year period (instead of 180 days) for any initial and subsequent negotiating periods. From experience in our , negotiations between Milwaukee, Wisconsin railroads and Interim Trail Users almost always extend beyond the short 180-day timeframe, creating additional and unnecessary obstacles for both the railroad and the Interim Trail User.

Thank you for your consideration,

A handwritten signature in black ink, reading "David Salabowke". The signature is written in a cursive, flowing style. The first name "David" is written with a large, prominent "D". The last name "Salabowke" is written in a more compact, cursive script. The signature is positioned on a light-colored, slightly textured background.

Executive Director