

BEFORE THE SURFACE TRANSPORTATION BOARD

ENTERED
Office of Proceedings
January 10, 2025
Part of
Public Record

Ex Parte 777

**JOINT PETITION FOR RULEMAKING TO CONSIDER AMENDMENTS TO
REGULATIONS GOVERNING INTERIM USE OF RIGHTS-OF-WAY AS TRAILS
(49 C.F.R. PART 1152)**

**PETITION OF THE U.S. DEPARTMENT OF THE INTERIOR AND THE U.S.
DEPARTMENT OF JUSTICE’S ENVIRONMENT AND NATURAL RESOURCES**

Expedited Request of Rails to Trails Conservancy for Extension

On December 20, 2024, the U.S. Department of Interior and the U.S. Department of Justice (“Government”) filed a petition for rulemaking to amend the Surface Transportation Board’s (“STB” or “Board”) rules regarding the process governing interim use of railroad rights of-way as trails under Section 8(d) of the National Trails Systems Act Amendments, 16 U.S.C. §1247(d) (“Railbanking Law”). Under Board rules, replies to the petition would be due January 10, 2025.¹ On January 8, 2025, this Board granted the request of the Association of American Railroads (“AAR”), for an extension to file a response to the petition, up to January 29, 2025

The Rails to Trails Conservancy (“RTC”) has today been informed by the Deputy Director of this Board’s Office of Public Assistance that the extension request was granted specifically as to AAR and does not apply broadly to all potential commenters/stakeholder. Accordingly, RTC now requests, pursuant to 49 C.F.R. § 1104.7, an extension of time to file a response to the petition up to and including January 29, 2025. Given the pre-holiday filing of

¹ January 9, 2025 was a federal holiday to observe the funeral of President Jimmy Carter.

the petition and intervening holidays, more time is needed to respond. RTC is a national nonprofit organization which has over 100,000 members and supporters, was formed in 1985 to support use of the railbanking law to accomplish its statutory purpose of creating and fostering trails on otherwise to-be-abandoned railroad rights-of-way. RTC therefore has an interest in the petition's proposed changes to the process governing railbanking procedures at the Board. RTC requests this time to provide an appropriate reply to the petition.

Counsel for RTC conferred with counsel for the Government, and the Government has consented to the requested extension. RTC appreciates the Board's expedited consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Ferster', with a stylized flourish at the end.

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