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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:

We are writing in strong 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. This is an issue of great importance to NYS, which is experiencing a renaissance with regard to creating more multi-use trails and connecting existing ones - including the magnificent new 750 mile long Empire State Trail!

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, for eventual use by bicyclists, walkers, hikers and other active transportation interests.

This is an issue of personal interest to me. I commute to work, via a bicycle, on the new Albany County Rail Trail, a project that took many years to put together and under the new proposed rule would likely not have been a viable project! The Cattaraugus Rail test in Erie County is an additional example of enlightened, and patient, public policy responding to growing public interest in multi-use trail development we are now experiencing in NYS.

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 state negotiations between railroads and Interim Trail Users almost always extend beyond the short 180-day window.

Thank you for your consideration,

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Winkeller", written in a cursive style.

Paul Winkeller, Executive Director

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