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I am writing to express my opposition to the Board's proposed rulemaking. I am leading the efforts for the City of Lodi (City), a small agricultural community in California's Central Valley, to develop a rail-trail project on a disused rail spur line. Our project is an excellent case study in why the Board's current regulations are reasonable and necessary, and why the proposed rulemaking would be a disservice to this struggling community.

Union Pacific owns in fee an approximately 1.75 mile spur or branch line in the City which had a General Mills plant as its sole rate-paying user for decades until the plant closed in 2015. Union Pacific has not filed a notice of exemption for abandonment of this line, although the railroad became eligible to do so this year.

Over the last few months, the City has been preparing a grant application that it intends to submit next month requesting state funding to develop a feasibility study of whether the right-of-way would be suitable for a rail-with-trail or rail-to-trail use, either of which would connect some of the poorest census tracts in California with regionally-important outdoor recreation opportunities at the City's riverfront park as well as employment opportunities at the site of the former General Mills factory. This concept has been termed the Lodi Greenline. The state funding would become available in October 2019 and the City estimates its feasibility study would be complete by Spring 2021.

Limiting the number of CITU/NITU negotiation periods to six, effectively just three years, could kill this project before it gets off the ground. If Union Pacific were to file for abandonment today, the City would be ill-prepared to understand the process, practicality, or even desirability of pursuing a railbanking agreement and trail development costs without the results of the feasibility study, results which are still at least several years away. The City has acted diligently in starting the planning process for this unique situation, a situation that a small town is ill-equipped to quickly understand. Moreover, the feasibility study period does not account for the time the City will need to negotiate the actual acquisition, corral implementation funding (likely made up of federal, state, and local monies, each pursued over a different funding cycle), or evaluate any environmental conditions on site.

The concern that three years of transportation planning, community engagement, fundraising, and acquisition negotiations lead to extensions "ad infinitum" is misplaced; the City and its community-based organizations are neophytes in the realm of railbanking, but are doing their utmost to plan for a productive use for the spur line right-of-way. Nor am I confident that the City could rely on a newly-developed "extraordinary circumstances" exception to avert a premature death of this concept.

For the foregoing reasons, I respectfully request that the Board decline to adopt the proposed rulemaking.