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July 9, 2019

Ms. Allison C. Davis
Acting Director
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

ENTERED
Office of Proceedings
July 9, 2019
Part of
Public Record

RE: Docket No. EP 749 (Sub-No. 1) – Limiting Extensions of Trail Use Negotiating Periods; Docket No. EP 753 – Rails-to-Trails Conservancy—Petition for Rulemaking

Dear Ms. Davis,

This letter is being submitted in support of the Surface Transportation Board ("STB") proposed rule modifications including the establishment of a one-year period for any initial interim trail use negotiating period instead of the existing 180 days; the allowance of up to three one-year extensions of the negotiating period; and the authorization of additional one-year extensions if both parties are in agreement and good cause is shown.

We agree with the STB that the proposal effectively balances the interests of all affected parties and stakeholders. We also applaud the STB's conclusion, presented in RTC's rulemaking petition, that the establishment of a one-year initial negotiating period would more closely reflect the actual time needed to complete railbanking negotiations, while reducing burdens on trail use proponents, railroads and the STB alike. We also support the decision to revise the prior outstanding notice of proposed rulemaking to substitute the more lenient "good cause" standard for the "extraordinary circumstances" standard initially proposed.

We urge the Board to adopt the rule modification proposed in Docket No. EP 749 (Sub-No.1) et al., including the "good cause" standard for granting extensions.

Thank you for your consideration.

Sincerely,


Martha Sullivan Sapp
Director