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November 1, 2018

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

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

Dear Ms. Brown,

I am writing today as the Deputy City Engineer of the City of Hilliard, Ohio as well as Co-Chair of the Trail Development Subcommittee of the Central Ohio Greenways Board. These comments 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.

As you are aware, 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 today would be nearly impossible. Railbanking keeps rail corridors intact and allows for a highly regarded public use: trails.

Imposing a 3-year limitation on negotiations would greatly obstruct – and in some cases prevent – railbanking to occur. Negotiation with a railroad can be incredibly time consuming. 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.

In our community and throughout Central Ohio, our citizens have consistently ranked trails as the #1 amenity and the public is requesting more trails in record number. As central Ohio becomes more urbanized and our demographics shift, the use of trails for transportation purposes has increased

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dramatically. Trails are critical to recreation, transportation, health, and sustainability of our community.

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 community, negotiations between railroads and Interim Trail Users has always extended beyond the short 180-day timeframe, creating additional and unnecessary obstacles for both the railroad and the Interim Trail User.

We urge you to reconsider this proposed Rulemaking to Limit NITU's to a Maximum of Six (6) 180-Day Extensions. Thank you.

Sincerely,



Letty Schamp, P.E.
Deputy City Engineer

LS/lis

Copy: Central Ohio Greenways Board