

PUBLIC & MEDIA ADVISORY: SURFACE TRANSPORTATION BOARD TO HOLD JULY 8 PUBLIC HEARING ON IMPACT, EFFECTIVENESS, FUTURE OF RAIL BANKING

The Surface Transportation Board announced today that it will hold a public hearing on **July 8, 2009** to examine the impact, effectiveness, and future of rail banking under Section 8(d) of the National Trails System Act (Trails Act).

Rail banking is the preservation of railroad corridors for possible future rail use. In 1983, Congress amended the Trails Act to create a program [codified at 16 U.S.C. 1247(d)] to allow rail banking to permit rail corridors that otherwise would be abandoned to be used as recreational trails on an interim basis. Such trails are subject to restoration as rail corridors at any point in time. The Trails Act and the Board's implementing regulations give interested parties the opportunity to negotiate voluntary agreements for trails on rail rights-of-way slated for abandonment. A trail sponsor is required to assume responsibility for trail management, liability in connection with a trail's use, and payment of property taxes on the right-of-way. In turn, the railroad owning the right-of-way may salvage its track and discontinue service on the line. If parties reach a Trails Act agreement, the right-of-way can be used as a trail until (if ever) a railroad decides to restore service over line.

In recent years, an increasing number of questions have been brought to the Board, both formally and informally, regarding various aspects of the rail banking program. Accordingly, the Board is inviting parties to comment on the rail banking program in general and on the future of rail banking in an era of constrained rail infrastructure.

The **Wednesday, July 8** public hearing will begin at **9:00 a.m.** in the Board's **Hearing Room** on the **1st Floor** of the agency's headquarters at **Patriot's Plaza, 395 E Street, S.W., Washington, D.C.**

Any party wishing to speak at the hearing should file with the Board a combined written notice of intent to participate and the party's written testimony, and should identify the party, the proposed speaker, the time requested, and topic(s) to be covered, as soon as possible, but no later than **June 29, 2009**. Written submissions by interested persons not wishing to appear at the hearing also will be due by **June 29**.

The Board's notice announcing the **July 8** public hearing was issued to the public today, May 21, 2009, in [Twenty-five Years of Rail Banking: A Review and Look Ahead, STB Ex Parte No. 690](#). The notice will be published in the *Federal Register* and is available for viewing and downloading on the agency's Web site, at <http://www.stb.dot.gov>, under "E-LIBRARY" on the home page, then under "Decisions & Notices," beneath the date "05/21/09."

The hearing will be webcast via the agency's site under "Information Center" / "Webcast" / "[Live Video](#)" on the home page.

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