



3/31/2025

**Dear House Transportation Committee,**

I am writing to ask for your help in opposing HB 136 and HB 142, two bills introduced by Rep. Chuck Kopp that threaten the Fish Creek Trail Connection project, a long-planned, community-supported trail in west Anchorage that would fill a critical gap in our community's non-motorized transportation network.

For nearly three decades, the Fish Creek Trail Connection has been part of Anchorage's long-term vision for safe, accessible, and connected trails. It will fill a one-mile gap between existing multi-use trails, improving access to outdoor recreation and providing a safer route for people walking and biking.

Anchorage voters have repeatedly shown their support by approving four bonds to fund the project since 2020, and a petition in support of Fish Creek last fall received nearly 1,000 signatures. To date, over \$1 million has been spent on planning, design, and environmental work, and the project is strongly backed by citizens and organizations like Bike Anchorage, the Anchorage Park Foundation, and community councils.

These two bills would create new legal barriers for public trails built along railroad corridors:

- HB 136 would prioritize the desires of private landowners near railroad easements over public trails and other such projects that benefit the whole community.
- HB 142 would require the approval of adjacent landowners before a trail could be built within a railroad easement, giving a small number of wealthy individuals veto power over major public infrastructure projects.

These bills tie back to a larger legal fight involving the 2023 case *Flying Crown Subdivision v. Alaska Railroad Corporation*, which also addressed private landowners wishing to use railroad easements as an extension of their own property. It was decided in favor of the Railroad, upheld at the Ninth Circuit Court of Appeals, then appealed to the Supreme Court. One landowner near the proposed Fish Creek Trail project signed onto an amicus brief in this case for the explicit purpose of creating a legal mechanism to stop the trail. The Supreme Court declined to overturn the Railroad's victory in this case, and HB 136 and HB 142 have now emerged as an attempt to achieve the same result through legislation.



If these bills pass, the Fish Creek Trail project, and potentially other trails locally and statewide, could be delayed indefinitely or stopped altogether. The city could also be required to repay more than \$1 million in federal funds already allocated to the project.

Trails are an essential part of our communities, providing safe spaces for recreation, commuting, and enjoying the outdoors. It's not right for a few wealthy landowners to override established community priorities and long-term public investments. We ask for your support in keeping the Fish Creek Trail moving forward by opposing HB 136 and HB 142.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Alexa Dobson", is positioned below the word "Sincerely,".

Alexa Dobson  
Executive Director, Bike Anchorage