



May 15, 2025

To: Rep. Andrew Gray, Chair, House Judiciary Committee and members of the Committee

Emailed to: House.Judiciary@akleg.gov; hjud@akleg.gov

Dear House Judiciary Committee Members,

Thank you, Chairman Gray and members of the Judiciary committee for the opportunity to testify today on the committee substitute for HB 136.

My name is Diana Rhoades. I am an Anchorage resident and am the program director for the Anchorage Park Foundation.

The Foundation is one of the lead advocates for the Fish Creek Trail, which will connect the existing Fish Creek trail to the Tony Knowles Coastal Trail in the Railroad ROW for one mile.

The public has spoken very clearly about its support for this trail. They voted YES on 5 separate bonds to raise \$1.75 million to provide the 9 percent match for \$15 million in federal dollars to build the trail. It is currently scheduled to begin construction in 2026.

Thank you to Representative Mina and members of the House Transportation for offering an amendment in House Transportation to clarify the purpose of House Bill 136.

Unfortunately, we believe the Committee Substitute for House Bill 136 still causes legal uncertainty for the Fish Creek Trail. The uncertainty centers around the very narrow area that can be used to build the trail.

The Alaska Legislature created the AK Railroad in 1985. And that State Act gave the AK Railroad exclusive uses – for transportation, communications and transmission. The transportation exclusive is what allows the Fish Creek Trail to be built in the Railroad Right of Way.

The Alaska Department of Transportation is leading the Fish Creek Trail project and doing the hard work of threading the needle of the many uses of the ROW while avoiding adjacent private land. We can't build the trail on top of the Marathon gas pipeline or the Anchorage Wastewater Utility road or on the private land adjacent to the railroad right of way. It is a

miracle they found a way to squeeze it in, and we are concerned this legislation may have unintended consequences.

We are also concerned about public uses for the railroad right of way in the future.

Across the country, states are working with railroads and their citizens to build the Great American Rail-Trail.

The Rails to Trails Conservancy (RTC) is the national non-profit leading that project, which will span 3,700+ miles between Washington, D.C., and Washington State. The trail is 50% complete, is bikeable and walkable, and is separated from vehicle traffic.

In Alaska, many of us dream of the Alaska Long Trail, which may need access to Alaska Railroad right of way in some sections between Seward and Fairbanks, also using Alaska's the legal exclusive use of transportation.

For anyone on this committee who sees the value of railroad rights of way for existing and future public purposes, please continue to be cautious about unintended consequences of this legislation.

Thank you for your time.

Diana Rhoades

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