

ROCK COUNTY, WISCONSIN



243152

ENTERED
Office of Proceedings
May 16, 2017
Part of
Public Record

Board of Supervisors

51 South Main Street
Janesville, WI 53545
(608)757-5510
Fax (608)757-5511

May 12, 2016

Dave Navecky
Surface Transportation Board
Attn: Docket# FD-35952
395 E. Street SW
Washington, DC 20423-0001

RE: Opposition to Motion for Protective Order
Great Lakes Transportation, Inc., Application of May 1, 2017

Dear Mr. Navecky:

On May 1, 2017 Rock County Board of Supervisors submitted an application to the Surface Transportation Board (STB) to construct and operate a rail line. The application included a Motion for Protective Order to keep the identity of their shareholders and their "interests held" secret.

The Rock County Board of Supervisors has gone on record opposing the proposed route (See Resolution 16-12A-190). We are opposed to the Motion for Protective Order and request that the Motion for Protective Order be denied. Approval of the Motion for Protective Order would be detrimental to Rock County property owners in denying their rights to find out the parties that would force the sale of land under threat of eminent domain.

Thank you for the opportunity to let our concerns be known.

Sincerely,

A stylized, bold black ink signature of J. Russell Podzilni. The signature consists of a large, sweeping 'J' followed by a 'Y' shape.

J. Russell Podzilni, Chair
Rock County Board of Supervisors

Attachment: Rock County Board of Supervisors Resolution #16-12A-190

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
CO:tv1Jv!ITTEE
INITIATED BY



THOMAS SWEENEY
DRAFTED BY

NOVEMBER 16, 2016
DATE DRAFTED

LAND CONSERVATION
COMMITTEE
SUB:tv.ITITED BY

**CONTINUED OPPOSITION TO THE GREAT LAKES BASIN TRANSPORTATION, INC
RAIL PROJECT IMPACTING ROCK COUNTY'S
AGRICULTURAL AND NATURAL RESOURCES**

- 1 **WHEREAS**, Resolution 16-SA-026 titled Opposition To The Proposed Great Lakes Basin
- 2 Transportation, Inc. Rail Project passed County Board on May 12, 2016 which opposed the Great Lakes
- 3 Basin Transportation, Inc. proposal to construct a new rail project in the eastern section of Rock County,
- 4 which commenced east of the City of Milton and headed south to and east until it reached the most
- 5 southeastern. corner of Rock County dissecting some of Rock County's most prime farmland; and,
- 6
- 7 **WHEREAS**, the Great Lakes Basin Transportation, Inc. has since amended said preferred route
- 8 commencing east of City of Milton traveling in a southerly direction and then westerly crossing the
- 9 Rock River, just south of West Beloit Rock Townline Rd. and then in a south westerly direction to the
- 10 State Line, west of the City of Beloit. The amended route continues to transect Rock County's prime
- 11 farmland; and,
- 12
- 13 **WHEREAS**, the Great Lakes Basin Transportation, Inc. continues to state their intent is to purchase a
- 14 two hundred foot wide corridor over the project route, approximately thirty (30) miles, which is
- 15 estimated to remove approximately six hundred and twenty six (626) acres of prime farmland from
- 16 production increasing the potential loss of farmland by 56 acres over the previous route, also the loss of
- 17 woodlots increases to over sixty three (63) acres; and,
- 18
- 19 **WHEREAS**, the Rock County Board of Supervisors continues their commitment to the preservation of
- 20 Farmland within in Rock County by virtue of the adoption of the Rock County Purchase of Agricultural
- 21 Conservation Easements Program (PACE) in 2011 and adoption of the Farmland Preservation Plan in
- 22 1977 and all its' amendments to present. The County Board has also granted yearly allocations of
- 23 financial resources for the implementation and continuation of these programs; and,
- 24
- 25 **WHEREAS**, the Land Conservation (LCC) and the Planning and Development Committees continues to
- 26 support the preservation of farmland by participating in the Wisconsin Farmland Preservation Program
- 27 since 1977. This program has allowed the development of zoning ordinances within the townships of the
- 28 county for the long term protection of the County's farmland; and,
- 29
- 30 **WHEREAS**, the County Board supports all the aforementioned activities associated with the
- 31 preservation of farmland within the county's boundaries with the understanding that agriculture is a vital
- 32 component of the total Rock County Economy. According to University of Wisconsin Extension Service
- 33 the loss of agricultural production and loss to the agriculture service sector associated with the amended
- 34 route is estimated at six hundred seventy eight thousand seven hundred and eighty one dollars (\$678,781)
- 35 annually (2016 dollars); and,
- 36
- 37 **WHEREAS**, the LCC understands the construction of the proposed rail line Will not only remove the
- 38 estimated prime farmland from production but Will also fragment numerous farms and fields leading to
- 39 an increase in production costs of agricultural commodities to those impacted; and,
- 40
- 41 **WHEREAS**, the amended mapped route of the rail line Will also impact the established surface and
- 42 subsurface drainage networks that keeps thousands of acres of prime farmland productive, resulting in an
- 43 increased number of surface and subsurface drainage systems needing to be updated; and,

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CONTINUED OPPOSITION TO THE GREAT LAKES BASIN TRANSPORTATION, WC. RAIL
PROJECT IMPACTING ROCK COUNTY'S AGRICULTURAL AND NATURAL RESOURCES
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WEEREAS, there are numerous negative impacts that haven't been considered., including but not limited to the :fragmentation of woodlots, impacts to wetlands, impacts to wildlife habitat resources, and impacts to the surface and groundwater resources of the county; and,

WEEREAS, all the towns that will be directly impacted by the initial proposed rail project, Milton, Johnstown, Bradford, and Clinton have gone on official record in opposition to the proposed rail line and the townships impacted by the amended route, Milton, Johnstown, La Prairie, Turtle and Beloit have also gone on record in opposition to the rail line; and,

WHEREAS, Rock County has been a member of the Wisconsin River Rail Transit Commission (WRRTC) since 1982 with nine other counties in Southern Wisconsin and the WRRTC is the ovroer and is responsible for safe and reliable local rail service of the existing infrastructure that the proposed rail line will connect into; and,

WHEREAS, Rock County along with nine other Counties have invested over five hundred thousand dollars (\$500,000) each for capital improvements for the safe and efficient local rail service; and,

WHEREAS, the 'WRRTC and Wisconsin Department of Transportation is under a lease agreement with the Wisconsin Southern. Railroad for use and maintenance of all WRRTC infrastructure; and,

WHEREAS, the 'WRRTC has expressed concern regarding the costs associated with the needed rail improvements with the proposed increase in rail traffic which will force the commission to upgrade the current rail from a Class I to a Class II system with an estimated cost of nine hundred thousand (\$900,000) per mile of rail. The Rail Commission estimates approximately 40 miles needing this upgrade at a total cost to exceed thirty six million dollars (\$36,000,000); and,

WHEREAS, The Rock County Board of Supervisors sent a letter date June 3, 2016 to the Surface Transportation Board regarding the Great Lakes Basin Transportation, Inc. Rail Project which identifies a desired alternative route by expanding the Chicago's CREATE program. rail initiatives north to directly connect to Class I rail operators and the Port of Milwaukee.

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this day of D@ 2016, goes on record in opposition to the Great Lakes Basin Transportation, Inc., rail project or any amendments to the proposed routes that will impact the Rock County's agricultural sector, its untold impacts to the County's natural resources and the financial implications to Rock County for upgrading the existing rail infrastructure. The County continues to support the alternative route by expanding the Chicago's CREATE program. rail initiatives north; and,

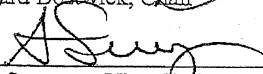
BE IT FURTHER RESOLVED that the County Clerk forward this Resolution to Wisconsin Governor Scott Walker; Secretary of the Department of Natural Resources, Cathy Stepp; Secretary of the Department of Agriculture Trade and Consumer Protection, Ben Brancel; Senator Steven Nass; Senator Janis Ringhand; Representative Don Vtuwink; Representative Deb Kolste; Representative Amy Loudonbeck; Representative Mark Spreitzer; US Senator Ron Johnson; U.S. Senator Tammy Baldwin; U.S. Representative Mark Pocan, U.S. Representative Paul Ryan, and Dave Navecky, Office of Environmental Analysis, Surface Transportation Board.

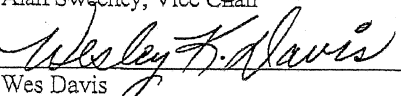
CONTINUED OPPOSITION TO THE GREAT LAKES BASIN TRANSPORTATION, INC. RAIL
PROJECT IMPACTING ROCK COUNTY'S AGRICULTURAL AND NATURAL RESOURCES
Page 3

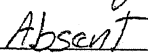
Respectfully submitted:

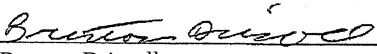
LAND CONSERVATION COMMITTEE

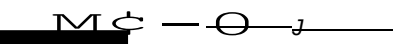

Richard Bostwick, Chair

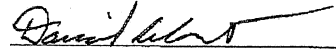

Alan Sweeney, Vice Chair

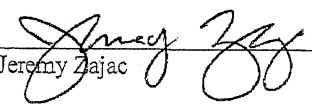

Wes Davis


Absent
Anders Dowd

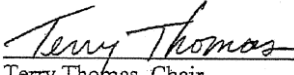

Brenton Driscoll

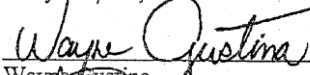

M - O - J

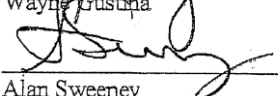

David Rebut, USDA-FSA


Jeremy Zajac

RAIL TRANSIT COMMISSION

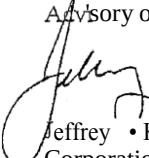

Terry Thomas, Chair


Wayne Justina


Alan Sweeney

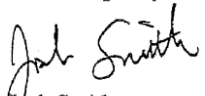
LEGAL NOTE:

Advisory only.


if!F
Jeffrey • Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Matter of policy.


Josh Smith
County Ad:m.mistrator

FISCAL NOTE:

No fiscal impact at *this* time.

Finance Director

EXECUTIVE SUMMARY

This resolution is advisory.

The Land Conservation Committee remains opposed to the construction of the proposed Great Lakes Rail project through Rock County due to impacts on Agriculture community. Rock County has a rich history in the protection of farmland through participation in the following programs, the Wisconsin Farmland Preservation Program and the Rock County PACE Program. Even though the programs differ in their approach to the protection of farmland the net result is that productive farmland is protected from development.

The loss in production from converting over 626 acres of crop land to the rail corridor is estimated by UWEX Ag Agent Nick Baker. Per Mr. Baker the estimate is based on the following information. The typical crop Rotation of 2 years corn 1 year soybeans and using the Rock County average revenue as a base benchmark the expected minimum revenue per acre would be \$769.50. This would be an immediate economic reduction to any farm that the proposed Rail would cross through. Using the proposed map of the most updated route there would be a loss of over 626 acres of crop land from production in Rock County, with a loss of revenue exceeding \$481,707 annually in the form of reduced crop production. It should be noted that actual yields and revenue could be higher and that these values are a baseline county average representing the minimum expected losses to Agriculture Production in Rock County. Mr. Baker also noted that the loss of revenue from the Agriculture service industry is estimated at \$197,074. This estimate includes losses associated with providing seed, fertilizer, herbicide, agronomy services, fuel, equipment and financial support to the acres removed from production. Using the United States average operating costs of \$356.92 per acre of corn and \$180.65 per acre of soybean production the additional economic impact in losses to local businesses would exceed \$197,074 annually in lost sales and services. The total estimated impact in loss revenue from the farmland conversion is estimated to be \$678,781 annually (2016 dollars).

Numerous environmental impacts that include but not limited to the fragmentation of woodlots, impact to wetlands, and impacts to wildlife habitat resources. The construction of the rail line as proposed will fragment large tracts of woodlots resulting in further fragmentation the existing blocks of wildlife habitat in the immediate area of the line. Studies have shown that as land is divided by manmade structures, various terrestrial wildlife populations shrink. The rail line will intercept numerous large and small wetland complexes within the County. The filling of wetlands leads to reductions in many valuable functions, including retaining stormwater, filtering pollutants, protecting shorelands, and providing habitats for fish and wildlife.

The Wisconsin River Rail Transit Commission (WRRTC) has expressed concern of the financial impacts the proposed Great Lakes rail line will have on the existing rail infrastructure: The net result of the proposal will be a cost of approximately \$900,000 per mile of rail to change from a Class I to a Class II rail to accommodate the expected increase in traffic. This cost will be borne to the WRRTC and hence the taxpayers of the state.

The Land Conservation Committee continues to support the expansion of Chicago's CREATE Program to the North to directly connect to Class I rail operators and an opportunity to access the Port of Milwaukee.

ROCK COUNTY, WISCONSIN



Board of Supervisors

51 South Main Street

Janesville, WI 53545

(608)757-5510

Fax (608)757-5511

June 3, 2016

Dave Navecky
Surface Transportation Board
Docket No. FD35952
395 E. Street SW
Washington, DC 20423-0001

Dear Mr. Navecky:

Thank you for accepting comments on the alternative routes for the Great Lakes Basin Rail Line from Rock County, Wisconsin and Boone County, Illinois. Rock and Boone Counties suggest alternative routes to the proposed Great Lakes Basin Rail Line that would serve our industrial and agricultural partners. These alternative routes would have a much better return on investment and complement our existing rail infrastructure. We see the Great Lakes Basin Rail Line's Wisconsin subdivision terminal at MP 243 as problematic given it is over 36 miles to the nearest Class I rail operator.

Rock and Boone Counties' suggested routes would include expansion of the CREATE program to the north to directly connect to Class I rail operators and an opportunity to access the port of Milwaukee. Other suggested routes would include using short connections on Class I rail companies' infrastructure in DeKalb, Kane northbound to McHenry, Kenosha, Racine and Waukesha Counties. There are also opportunities for enhanced local industrial service for Rock County via CPRS's sixth subdivision.

Rock and Boone Counties share more than a geographical border. We share a commitment to our comprehensive planning process. We also share a commitment to our agricultural soils and industrial and business partners. We are eager to further discuss these and other alternatives with the Surface Transportation Board.

Sincerely,

J < ? J

J. Russell Podzilni, Chair
Rock County Board of Supervisors

SURFACE TRANSPORTATION BOARD

DOCKET# FD_ 35952_0

GREAT LAKES BASIN TRANSPORTATION, INC.-
RAIL CONSTRUCTION AND OPERATION-IN ROCK COUNTY, WISC.,
WINNEBAGO, OGLE, LEE, LASALLE, GRUNDY, AND KANKAKEE
COUNTIES, ILL., AND LAKE AND PORTER COUNTIES, IND.

CERTIFICATE OF SERVICE

I, Randolph D. Terronez, of Janesville, Wisconsin, being sworn, state that on May 15, 2017, mailed properly enclosed in a postpaid container the May 12, 2017 letter to Dave Navecky, Re: Opposition to Motion for Protective Order, Great Lakes Transportation, Inc., Application of May 1, 2017 and the May 12, 2017 letter to Dave Navecky, Re: Opposition to Great Lakes Basin Transportation, Inc., Application of May 1, 2017 together with their attachments: Rock County Board of Supervisors Resolution# 16-12A-190 and a June 3, 2016 letter from J. Russell Podzilni addressed to each of the following named persons, at the address listed:

Party Of Record:	Beaman, Chris 7824 McNair Rd Rockford, IL 61102
Party Of Record:	Blaszak, Michael W. Great Lakes Basin Transportation, Inc. 23860 State Line Road Crete, IL 60417
Party Of Record:	Block Glb Railroad Lasalle County, Ill. P.O. Box 538 Earlville, IL 60518
Party Of Record:	Buenker, Kenneth Ups 316 Pennsylvania Ave, Se, Suite 300 Washington, DC 20003
Party Of Record:	Carlson, Laura Jean 4415 N. Meridian Rd Rockford, IL 61101-7204
Party Of Record:	Casbon, Allyson 260 S Imperial Ct Hebron, IN 46341

Party Of Record: Chancellor, Regina J
11206 Belshaw Road
Lowell, IN 46356

Party Of Record: Christensen, Emily
5095 Red Fox Trail
Rockford, IL 61101

Party Of Record: Chung, Kathleen
Wisconsin Department Of Transportation
4802 Sheboygan Ave., Room 115B P. O. Box 7910
Madison, WI 53707-7910

Party Of Record: Citizens Against The Glb Railroad, Boone County, Ill.
9498 Edson Road
Capron, IL 61012

Party Of Record: Cochart, Lacey
Wisconsin Dept. Of Agriculture, Trade And Consumer Protection
2811 Agriculture Drive
Madison, WI 53718-6777

Party Of Record: Conard, Bennett
4802 Sheboygan Avenue, Room 115-B P.O. Box 7910
Madison, WI 53707

Party Of Record: Defiore, Maureen
3328 Deerpath Lane
South Chicago Heights, IL 60411

Party Of Record: Downing, Karley
Wisconsin Dept Of Agriculture, Trade And Customer Protection
2811 Agriculture Drive
Madison, WI 53718-6777

Party Of Record: Dvorscak, Mark
17206 Clay Street
Hebron, IN 46341

Party Of Record: Ekhoﬀ, Debra
10564 N 12000E Road
Grant Park, IL 60940

Party Of Record: Forburger, Tom
6643 N. 16000 E. Rd
Mokena, IL 60454

Party Of Record: Garcea, Bonny
1117 Santa Fe Ave
Davis Junction, IL 61020

Party Of Record: Garcea, Jeffrey

1117 Santa Fe Ave.
Davis Junction, IL 61020

Party Of Record: Gaspar, Paul
7900 N 6000W Rd
Manteno, IL 60950

Party Of Record: Gaw, Virginia
800 West Oakton
Arlington Heights, IL 60004

Party Of Record: Gilman, Rex
924 S State Road 231
Hebron, IN 46341

Party Of Record: Harmon, Laura
Illinois Agricultural Association® And Affiliated Companies
P.O. Box 2901
Bloomington, IL 61702

Party Of Record: Hayes, Mark
12611 East Mowers Road
Kings, IL 61068

Party Of Record: Jensen, Thomas F.
Ups
316 Pennsylvania Ave, Se, Suite 300
Washington, DC 20003

Party Of Record: Kankakee County, Ill. Block Glb
3156 North 9000 West Road
Bonfield, IL 60913

Party Of Record: Kokos, Julie
8454 E 11000 N Rd Sumner Township
Grant Park, IL 60940

Party Of Record: Lewke, Nancy J.
8806 N 12000 E Rd.
Grant Park, IL 60940-5090

Party Of Record: Mandel, Warren G.
1884 Monhegan
Beecher, IL 60401-3183

Party Of Record: Manley, Torin
6967 Shirland Rd.
Rockton, IL 61072

Party Of Record: Mcfarland, Thomas F.
Thomas F. Mcfarland, P.C.
208 South Lasalle Street, Suite 1666

Chicago, IL 60604-1228

Party Of Record: Mckay, Sharon Kay
201 N. Lincoln Street
Hebron, IN 46341

Party Of Record: McMahan, Martha A.
1910 Stoneview Tr.
Rockford, IL 61107

Party Of Record: Mink, Julie
9082 E 165Th Ave
Hebron, IN 46341-9001

Party Of Record: Mockus; Michele
5983 Yale Bridge Road
Rockton, IL 61072

Party Of Record: Mussman, Patricia L.
11821 West 185Th Avenue
Lowell, IN 46356

Party Of Record: Olszewski, Lorrie
5701 W. Liberty Ave
Beloit, WI 53511

Party Of Record: Pass-waters, Charles Dean
14308 Hauley Rd
Durand, IL 61024

Party Of Record: Powers, Dawn
8316 Towermont Dr.
Rockford, IL 61102

Party Of Record: Railed, Laporte, Porter & Lake Counties, Ind.
112 West 450 South
Kouts, IN 46347

Party Of Record: Rock Against The Rail, Llc (Rock County, Wis.
8608 East Rye Drive
Clinton, WI 53525

Party Of Record: Russakoff, Lisa
924 S State Road 2
Hebron, IN 46341

Party Of Record: Scheppler, Abraham
212 North Owen
Mount Prospect, IL 60056

Party Of Record: Scheppler, Dennis
212 North Owen

Mount Prospect, IL 60056

Party Of Record: Scheppler, Fred
2144 North 40Th Road
Serena, IL 60549

Party Of Record: Scheppler, Laura
212 North Owen
Mount Prospect, IL 60056

Party Of Record: Scheppler, Mary
2144 North 40Th Road
Serena, IL 60549

Party Of Record: Smith, Carole.
32808 N. 3300 EastRd.
Reddick, IL 60961

Party Of Record: Smith, Lee R.
4423 N Meridian Road
Rockford, IL 61101

Party Of Record: Spangler, Karen
310 N. Griffin St.
Grant Park, IL 60940

Party Of Record: Thorsen, Scott A
3256 East 1951St Rd
Ottawa, IL 61350

Party Of Record: Vanhorn, Jeanne M
4717 E 9ThRd
Earlville, IL 60518-6208

Party Of Record: Varda, John
Dewitt Ross & Stevens Law Firm
Two East Fifflin Street, Ste 600
Madison, WI 53703

Party Of Record: Viney, James
3103 Danbury Dr W
Janesville, WI 53546

Party Of Record: Viney, Linda B
3103 Danbury Drive West
Janesville, WI 53546

Party Of Record: Von Qualen, Janis E.
1716 S. Whittier Ave
Springfield, IL 62704

Party Of Record: Voorhees, Tyler

4423 N Meridian Rd
Rockford, IL 61101

Party Of Record: Vorgias, Susan
19906 Cline Ave
Lowell, IN 45356

Party Of Record: Winnebago County Against The Glb Railroad
7889 Cemetery Road
Winnebago, IL 61088 8860

Member Of Congress: Kelly, Honorable Robin
1239 Longworth House Office Building
Washington, DC 20515

Member Of Congress: Kinzinger, Honorable Adam
1221 Longworth Hob
Washington, DC 20515

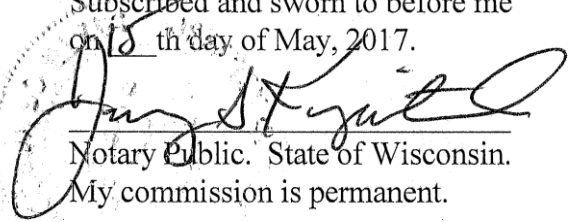
Member Of Congress: Loudenbeck, Honorable Amy
Wisconsin State Representative 31st Assembly District
306 East State Capitol
Madison, WI 53708 8952

e:On

~~Assistant to the County Administrator~~

51 S. Main Street
Janesville, WI 53545

Subscribed and sworn to before me
on 15 th day of May, 2017.


Notary Public. State of Wisconsin.

My commission is permanent.

ROCK COUNTY, WISCONSIN

Office of the Rock County Clerk
51 South Main Street
Janesville, WI 53545

Lisa Tollefson, Rock County Clerk
Jenny Stanek, Deputy County Clerk



Office (608) 757-5660

Fax (608) 757-5662

www.co.rock.wi.us

Lisa.Tollefson@co.rock.wi.us

May 16, 2017

I certify that I have this day, May 16, 2017, served copies of this document upon all parties of record in this proceeding by e-mail.

A handwritten signature in black ink, appearing to be "Lisa Tollefson", is written over a horizontal line.

Lisa Tollefson
Rock County Clerk

Subscribed and sworn to before me

This 16th day of May 2017

Notary Public, Rock County, WI

A handwritten signature in black ink, likely of the Notary Public, is written over a horizontal line.

Commission Expires 8/10/18