

Dear Surface Transportation Board,

Multiple times the public has longed for real information on the proposed Great Lakes Basin Transportation rail line. It was believed that the promised application was delayed a year so that full truthful transparency could occur. Great Lakes Basin Transportation (GLBT) is a private company that has for the most part kept the full truth private yet could forever change our livelihoods and family life by one vote and the use of eminent domain.

You will likely not hear from the majority of the farmers in the eleven counties because Mr. Patton's timing again comes at the most critical time of planting. While Mr. Patton was extended multiple extensions, it is now a hardship on the public with no extension granted. Farmers are frustrated that just when they are supposed to be doing real work, their land is being threatened once again. Most of them do not have the time to write an evidential comment. I have listened to many of their concerns about GLBT's application and have attempted to summarize them below

**Summarized below are ten application concerns.** You can see the numbered points following the summary with further explanation and often supporting material and evidence.

1. Patton asked for application extensions to accomplish things not included in the application.
2. Lack of transparency.
3. Public has had to rely on media reports for information that has changed drastically.
4. None of the eleven counties had this by-pass in their long-term plans or goals.
5. None of the major GLBT "experts" has an understanding of modern agriculture. The well being of the present agriculture industry and rural life has been ignored in this application. We are not greenfield, we are an industry with road and bridge infrastructures that our taxes have paid for. We are an industry that has taken unproductive land and made it productive to help feed the world.
6. No local environmental experts were consulted.
7. Justification for the project is based on speculation and private opinion.
8. Finances- we submitted most of our financial concerns in an early comment to the STB but I am also concerned that the application figure for land acquisition is too low and that government money could still be used.
9. The application conveniently ignores all the other solutions that are occurring to address improving Chicago rail traffic or avoiding Chicago.
10. This application should be rejected in that it is incomplete and unsubstantiated.

Further explanation of my top ten concerns

**1. Patton asked for extensions on his application so he could:**

- include input from potential customers- but the application has identified none.
- Include input from shippers- but the application has identified none.
- Include input from other parties of support- again none identified.

**2. Meanwhile our public input has been restricted by a lack of transparency.**

**Still Unknown by the public are:**

- Which rail companies are committed to the project
- Which shippers are committed to the project
- Why the rail yard footprint is so excessive

- How the landowners in the rail yard footprint will be compensated
- What utilities could be put in the right of way
- Which roads could be closed

### **3. So, public input has had to rely on Patton's ever-changing story about....**

- Cost numbers from 3 to 3.5 to 6 to 8 and now 2.8 billion dollars.
- Project funding from 100% private investors to 90% government loans
- Routes, for example- 1<sup>st</sup>-Winnebago, then Boone, now back to Winnebago
- Achieving a quiet zone with grade separated intersections to now closing country roads or have communities agree to no horn and rely on gates.
- Rail project is now part of proposed grand transportation corridor that costs \$8 B.
- Justification of the excessive right of way- originally Patton declared it was to sell to utilities to help fund the project- now that has changed to GLBT may need it for five rail lines. I suppose when Patton discovered he could not get eminent domain for utility uses through this process, that he had to change his story again.
- Justification of the excessive rail port size- originally included warehouses according to Giblin (an early rail advisor to GLBT)- to now just for train and rail work.
- Promised free electricity to now with restrictions to only to homes in that parcel- and only for so many years.

What has not changed is Patton's threat to use eminent domain and give us less than the \$20,000 per acre he has "promised".

### **4. Local communities did not have this Chicago by-pass route in their long-term plans, thus this by-pass is not considered a public convenience or a public necessity by any community in the impacted 11 counties.**

As an example, I am including a link to Boone County's comprehensive plan, which makes no mention of desiring to be part of a freight rail route that had no stops in our county.

<http://www.boonecountyiil.org/sites/default/files/Boone%20County%20Comp%20Plan.pdf>

Boone County desired a passenger rail as you can see in the map linked below.

<http://www.boonecountyiil.org/sites/default/files/Full%20County%20Transportation%20Map.pdf>

GLBT even lacks support from Chicago Metropolitan Area Planners. They do not see it as being public necessity.

This week, Great Lakes Basin Transportation, Inc. [applied](#) to the federal [Surface Transportation Board](#) for permission to build and operate a 261-mile new rail line connecting southern Wisconsin, northeastern Illinois, and northwestern Indiana. Chicago-area rail congestion. [Progressive Railroading](#), [International Railway Journal](#), the [Times of Northwest Indiana](#), and [Post-Tribune](#) reported on the application. The proposed rail line is intended to bypass the Chicago region. Also, [Crain's Chicago Business](#) reported on Hunter Harrison, new CEO of CSX, and his effort to divert freight away from the region in spite of the company's plans for an [intermodal terminal](#) in Crete. [CMAP believes that the highest priority for rail in Chicago must be completion of the CREATE program.](#)

### **5. The application ignores the health, safety and welfare of the impacted rural families nor does any resume or comment by GLBT group demonstrate an understanding of agriculture:**

- The application calls the 11 counties greenfields or undeveloped land when we have invested countless dollars and decades of time into developing productive farmland.

- Application quotes:

“We specified an all-greenfield route (with very few exceptions) which avoided all population centers and environmentally sensitive locations while meeting the footprint, gradient and curvature standards described above. Indeed, our goal was not to displace a single homeowner. The path to the route we are proposing was not direct, as the environmental record in this proceeding demonstrates. As we learned more about the area GLBT would serve, we made significant changes in the preferred route and identified a number of route alternatives for the Board’s Office of Environmental Analysis to consider in developing the Environmental Impact Statement for the project. ....” “We understand our preferred route will cross parcels of farmland and some landowners have expressed concern about access and water drainage. GLBT will work with all landowners to establish private crossings or alternative access to divided parcels. Cooperating with adjoining landowners and drainage districts, we will address water management issues with culverts, drain tiles and other appropriate measures to minimize flooding. We have a common interest with landowners in effective water management, since flowing and ponding water can be just as damaging to roadbed and track structure as it can be to standing crops. “

My response: The agriculture industry has taken land that was unproductive and sometimes even uninhabitable and made it productive to help feed the world. We have developed this land with channels, waterways, drainage tile, conservation plantings, windbreaks, etc. The route through Boone County went through multiple pristine woods, wetlands, and restored prairies that farmers, landowners, and conservation groups have sought to preserve. Even the small footprint of underground pipelines have caused multiple year issues and problems with water movement, I cannot even fathom what a 200 foot ROW with all the soil moved to achieve 1% gradient will do. Cutting across waterways and tile in elevated areas will be particularly difficult. When GLBT cuts through higher elevations to achieve 1% gradient, GLBT cannot stop the flow of water that will flow from those higher elevations into their 200 ROW. Because GLBT could be securing the majority of their land against the landowner’s wills, I think there may be little cooperation by neighboring landowners to help GLBT drain their ROW. Before you vote, I surely hope you will travel the entire route with particular attention to the topography and hydrology. In the application they write that they intend to be excellent neighbors. I cannot comprehend how that will occur, as land purchases could be the result of potentially contentious court hearings. And then the neighbors who are not in the footprint and receive no compensation could likely suffer multiple consequences from closed roads, to surface water flooding, to noise, to increased travel times. Drainage tile is connected to multiple farms- will GLBT compensate them all when tile is damaged and new flooding and wet spots occur? Will GLBT avoid construction and road closures for creating gated intersections and grade separations during planting and harvest seasons? GLBT’s rail line is not compatible with agriculture and cannot be considered a good neighbor. In Boone County’s case, being sited totally away from our other industries and with no stops, GLBT was merely using us as land to be destroyed.

- Our property, fuel, and income taxes have paid for the roads and bridges (both not greenfield) that GLBT is considering closing. We rely on this infrastructure to move our livestock and grain. We rely on those roads to bring already sometimes slow to arrive emergency vehicles. We rely on those roads to deliver inputs to our farms. We are not greenfield. We have our private grain storage located where we can easily access it from the rest of our fields. GLBT intends to cut off fields from main operations increasing our travel time and making the remaining open roads more dangerous with increased farm traffic. We have established what grain elevators we deal with- yet farmers could have to travel miles more to reach that elevator.
- From the GLBT application: “These engineering standards and principles have evolved over the years for the purpose of creating a rail transportation system that is safe, reliable, efficient, and

profitable to both the owner and to the shippers who will use this system, while being friendly to the environment. “

What about the safety of those residents in the 11 counties?

What about the harm to the efficiency and profitability to the farmers impacted with new flooding patterns, severed fields and closed roads? What about the potential harm to our drinking water and our soils?

- GLBT fails to understand that separating a dairy barn from pasture grounds could destroy a farm or that creating small severed parcels are not economic to farm. Not understanding the economic loss from making smaller fields, loosing waterways, making irrigation unaffordable, changing drainage patterns, impacting flood plains, closing roads. GLBT fails to understand that bloodlines in livestock sometimes took generations to develop and that livestock cannot be evacuated quickly, especially if they are in a pasture. The application says- we avoided population groups and industries- but they did neither as they encroached valuable livestock herds which are part of the agriculture industry.
- Often the investment in a livestock facility and the livestock is greater than the farmer's house- the application continues to state – we avoided houses- but fails to mention all the livestock and their facilities they impacted.
- From application: “The GLBT preferred route is generally not adjacent to any existing industry.” Agriculture has been an export for the state of Illinois. Our Illinois agriculture industry produces \$8.2 B exports to other countries. Please refer to the Illinois Department of Agriculture to support this evidence. This proposed rail could plow through our important industry merely to make a few unknown investors some money.

#### **6. Absent in the application is communication with local experts who knew their environment.**

- The application states they avoided all environmentally sensitive locations. Yet the latest route goes through Nygren wetland area. See below for the potential damage they could of done to Boone County.
- Hydrology as GLBT narratives declared no wetlands in many of the sections- when in fact there were many. GLBT relied on outdated maps- thus homes and designated conservation areas have been located in the route. The route through Boone County went through multiple pristine woods, wetlands, restored prairies, that farmers, families and landowners have sought to preserve
- Boone County's local soil and water and conservation districts learned about GLBT after the route and narrative had been complete. Boone County Conservation Department found not only the route in one of the areas our taxpayers bought and developed but learned GLBT engineers put a potential spur right in the middle of it. See filings EI- 22740, 22907, and 22914 for some of the environmental concerns Boone County had to defend.

#### **7. Application is full of speculation with no supporting evidence.**

Application quote:

“Equipment productivity would be improved, shippers' inventory costs would be reduced, service reliability and public safety would be enhanced, and air pollution from idler locomotives would be diminished'----all of which are public benefits justifying approval of the application. “

Wilson concluding statement which has no actual evidence of any rail company participating- Wilson should of used the word could instead of would.....“To summarize, GLBT is proposing an audacious and challenging project to construct an all-new railroad around the Chicago area. The railroad would

greatly improve the velocity of existing freight traffic, speeding shipments from coast to coast and from Canada to Mexico. Just as important, it would provide new capacity to carry the higher traffic volumes of the future safely and efficiently. The substantial transportation benefits of the project would be enjoyed by shippers, industries and consumers throughout the nation."

My comment: I find the above quotes from the application to be pure speculation. With no commitments by any rail line, GLBT is merely speculating that Class I rail companies and rail shippers "would" be willing to pay the toll. Shippers may find that saving a few hours is not worth the toll. With the addition of rail crossings over 11 counties and trains up to 70 mph- how can they even imagine public safety will be enhanced. With the closure of roads, how will rescue and emergency traffic be enhanced? Children and teen-age drivers unfamiliar with 70 mph trains, and farm traffic at private crossing will be prime for accidents. With flooding and snowstorms can they really guarantee more reliable service?

Already rail companies are looking to use natural gas and other means to reduce air pollution.

- The GLBT application uses a 2014 population forecast.

Though we did not factor these mathematically into our traffic estimates, population growth projections support the traffic growth expectations as well. The U.S. Census Bureau and CMAP Population Forecast project Chicagoland growth of 2.7 million ....by 2040.  
Yet this more recent data predicts a different trend.

<http://www.chicagotribune.com/news/local/breaking/ct-chicago-census-population-loss-met-20170322-story.html> "The Chicago metropolitan area as a whole lost 19,570 residents in 2016, registering the greatest loss of any metropolitan area in the country. It's the area's second consecutive year of population loss: In 2015, the region saw its first decline since at least 1990, losing 11,324 people.....By most estimates, the Chicago area's population will continue to decline in the coming years."

GLBT's application is without clear and completely honest data, no real commitments by rail companies or shippers yet writes they are of public necessity with the following terms:

"Wide range of projections"

"Anticipated"

"Assumptions"

"Theoretical answer"

"Cannot speak for them" (rail companies)

"Attempting to predict"

"Expects the project to be financed entirely from private sources"- (notice no pledge or commitment)

"Assume"

"Approximate"

"GLBT has not obtained financing commitments for this entire amount" (how does the public know if that will occur before eminent domain process begin)

I agree with the phrase used in the GLBT application

"GLBT made certain assumptions".

What concerns the existing industry of agriculture is that those assumptions could be all wrong with no decommissioning of this rail (restoration to its present use) that it will be a thorn to our industry and communities and maybe a trail someday that pays no taxes. Please do not let our lives and farms be

forever harmed because assumptions were considered more valuable than the facts and evidence provided by the rail industry, government agencies, citizens, agriculture organizations and environmental groups. Evidence from those who oppose this proposed rail line greatly exceeds what this application merely assumes.

#### **8. Additional financial concerns:**

Finances: "GLBT plans to build the proposed railroad using the latest technology and construction methods without public funding. ...We do not plan to request any Federal, State, or local government funding."

My comment: Does not say they won't- they just don't plan on it.

Legal costs: Of all the landowners I have spoken to in multiple counties, only one landowner was willing to accept Patton's price, the rest are preparing to go to court to fight being taken against their will. In our small court systems, not only will this take a long time, several well know eminent domain lawyers are already making their services known. If Illinois House bill 2532 moves forward, eminent domain hearings will be settled by a jury trial adding both costs and time.

#### **9. The GLBT application does not take into account all the other solutions/trends that are taking place to reduce or improve downtown Chicago rail traffic.**

- Panama canal: <http://www.chicagobusiness.com/article/20160624/NEWS10/160629897/what-will-expanded-panama-canal-mean-for-chicago-freight>

*"The expanded Panama Canal is expected to reach its full operational capability within a few years. In practical terms, this means critical growth in such areas as:*

- Vessel throughput: Currently 6 Neopanamax vessels a day, gradually rising to 10-12;
- Capacity: 340 million tons today, rising to 610 million tons;
- Unit costs: Expected 10-12% lower means the Canal will be capturing volumes from the intermodal system;
- Area of influence: Higher volumes and lower costs have extended the Canal's influence to six more states, including Illinois. " (Silvia de Marucci presentation on May 24, 2017)

- the Mississippi River and other inland rivers:  
<http://www.chicagotribune.com/news/local/breaking/ct-river-locks-trump-infrastructure-met-20170213-story.html>  
<http://chronicleillinois.com/news/local-news/chicago-st-louis-freight-shuttle-planned-illinois-river/>
- Private cooperation sought between Rail companies operating in Chicago to avoid bottleneck points. "Canadian Pacific and CSX Transportation are discussing a joint marketing and operating agreement that would, among other things, create run-through trains to bypass choke points in Chicago." May 26, 2017  
<http://trn.trains.com/news/news-wire/2017/05/26-csx-cp-cooperation>
- Private investments by actual rail companies  
<http://www.railwaypro.com/wp/usd-85-million-illinois-infrastructure/>  
UP and Metra team in Maywood  
<https://thevillagefreepress.org/2017/04/21/in-maywood-officials-break-ground-on-100m-railroad-project/>
- improved ports on the Great Lakes, <https://www.biztimes.com/2016/industries/manufacturing-logistics/cross-lake-shipping-service-planned-between-milwaukee-muskegon-ports/>
- Joliet rail port,

<http://www.odysseylogistics.com/news-events/press-releases/odyssey-opens-new-intermodal-center/>

- State and Federal funding to improve Chicago rail efficiency. Multiple grants but here is the latest: \$20 M in May 2017.  
<https://www.fra.dot.gov/eLib/details/L18716>
- Crete rail yard  
<https://www.csx.com/index.cfm/about-us/projects-and-partnerships/crete-intermodal-terminal/>
- Rochelle rail yard  
<https://www.up.com/customers/intermodal/intmap/int-chi/rochelle/index.htm>
- improvements to Ohio rail terminal “Geographically, the region is easily accessible to the US East and West coasts and offers interline connectivity for eastern and western railways while bypassing infamous Chicago congestion. Shippers moving goods through the Ohio Valley can reduce transit times by as much as 24 hours. Railways, meanwhile, have said the traditionally low-volume corridor offers an opportunity to convert shipments from highway to rail.”  
[http://www.joc.com/rail-intermodal/inland-ports/its-expands-ohio-valley-harness-intermodal-potential\\_20170426.html](http://www.joc.com/rail-intermodal/inland-ports/its-expands-ohio-valley-harness-intermodal-potential_20170426.html)
- expansion of St. Louis rail activity: <http://www.foodlogistics.com/news/12336375/st-louis-regional-freightway-sets-top-transportation-infrastructure-project-funding-priorities>
- Midwest Inland port.  
“The port’s focus is on broad-based economic development throughout the central Illinois region and on relieving rail and highway congestion in Chicago.”  
<http://www.nowdecatour.com/2017/05/08/bateman-named-executive-director-of-midwest-inland-port/>
- Use of pipelines and decreased demands for freight:  
Freight revenues from industrial products were \$4.8 billion in 2016, a decline of 14.2 percent. The decrease reflects lower volumes, primarily for petroleum products as crude production fell and what was pumped moved to pipelines. In addition, there was lower demand for steel and taconite, partially offset by increased plastics products volume.  
<http://trn.trains.com/news/news-wire/2017/02/27-bnsf-earnings>

10. I am requesting, along with thousands of property owners whose lives and livelihoods could be significantly harmed, that the STB finds this application not only incomplete but without evidence. This GLBT rail proposal is nothing more than speculation by a man who does not even have a command of the rail industry, agriculture and rural life. And furthermore, Mr. Patton lacks any significant or evidential support from the rail industry. Shippers do not count if the rails will not use it.

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