

June 7, 2018

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VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

ENTERED
Office of Proceedings
June 8, 2018
Part of
Public Record

Re: FD 36178, Metropolitan Council - Petition for Declaratory Order

Dear Ms. Brown:

The Minnesota AgriGrowth Council ("AgriGrowth") submits these comments in response to the Surface Transportation Board's ("Board or STB") May 22, 2018 decision permitting public comments on the Petition for Declaratory Order ("Petition") filed on April 4, 2018 by the Metropolitan Council ("Met Council"). In that Petition, Met Council requests the Board find that certain proposed transactions involving Met Council, Hennepin County Regional Railroad Authority ("HCRRA") and Soo Line Railroad Company d/b/a Canadian Pacific ("CP") would not require Surface Transportation Board ("Board or STB") authorization and would not result in Met Council becoming a rail common carrier.

AgriGrowth is a nonprofit member organization which advocates for Minnesota's agriculture and food sector. Many of our members are growers and processors of corn, soybeans, wheat, and other commodities and farm inputs which rely on the Twin Cities & Western Railroad Company (TCW) for reliable, effective access to the Twin Cities for connection and transfer to other markets. AgriGrowth is concerned that the proposed Southwest Light Rail Transit Project (SWLRT or Project) could result in a reduction or delays in transit times for these growers, processors, and farm input providers. Any delay in service is especially costly for Minnesota's agriculture and food sector which is Minnesota's second largest economic driver.

As AgriGrowth understands, the construction of SWLRT will involve a construction timeline which will inevitably remove part of the rail line for periods of time. We also understand that the Met Council plans to remove a significant number of existing sidetracks currently used by TCW as part of the Project. TCW has informed AgriGrowth that these sidetracks are a vital and necessary component to ensure that farm goods arrive to the Twin Cities rail terminal timely for distribution to their final customer. Again, any such delay would be costly and create economic hardships and uncertainties for farmers, agribusinesses, their customers, and their suppliers.

The potential delay due to construction coupled with the removal of sidetracks give Minnesota farmers and input providers great pause at a time when the ag economy is already facing existential constraints. Any further hurdles and detriments to our markets will simply compound those existing difficulties.

Therefore, AgriGrowth believes that any Board approval of Met Council's Petition should require that the Met Council agree to a construction and operation agreement with TCW which would protect and maintain existing transit times during every point of construction. Additionally, this agreement should set forth the obligations of the parties with respect to the future shared usage of the corridor and require Met Council to build replacement sidetracks for the benefit of TCW and its shippers. Without such conditions, our members could face significant operational and financial impacts, which adversely impacts Minnesota's ag and food sectors.

Respectfully submitted,



Perry Aasness
Executive Director
Minnesota AgriGrowth Council

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of these comments via prepaid first-class mail to all parties of record in this proceeding or by more expeditious means of delivery.

Dated this 7th day of June, 2018.