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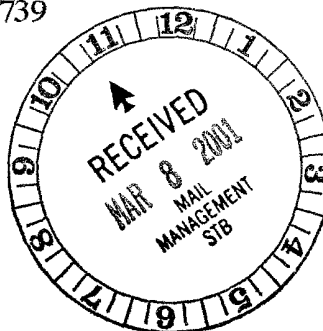
Part of
Public Record

**GCS PROPERTIES, LLC
GOODRICH CONSTRUCTION, INC.**

Ronald L. and Barbara S. Goodrich
Route 7, Box 378-A
North Mankato, MN 56003
507 388-1004
Fax: 507 388-0739

3 March 2001

Victoria J. Rutson
Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K Street N.W.
Washington, D.C. 20423-0001



Dear Victoria,

We are writing to comment on the Draft Environmental Impact Statement(DEIS) for the Dakota Minnesota & Eastern Railroad Corporation(DM & E) Powder River Basin Expansion Project. As owners of GCS Properties, LLC and Goodrich Construction, Inc., and citizens of North Mankato, this project is of great concern to us.

In February 1998, GCS Properties, LLC purchased property at 1700 Third Avenue in Mankato for the purpose of expanding our construction company and making it more efficient, to lease space to tenants for present and future income, and to consider use of the spur line either for our use or for that of our tenants. Three months after our purchase we learned of this impending project. The building is approximately fifty(50) feet from the current Union Pacific rail line to the south. There are three tenants currently occupying the building. At this location, there is in excess of fifteen employees, more than twenty three vehicles and various delivery trucks that use this building on a daily basis for our business.

Along the way, there has been a variety of studies, plans, agreements, etc. done regarding this project. To our knowledge, there was a DM & E preliminary plan done, a Community Partnership Agreement executed and later withdrawn, a noise and vibration study done by the city of Mankato, the DEIS and the city of Mankato mitigation plan. Little or no effort was made for our input. How can this expansion project get this far without the voice of the people being heard?

We agree with the DEIS that alternative M-3, which would involve the construction of a new rail line within the existing Union Pacific right-of-way through Mankato, would have significant negative impacts to the community, environment, businesses, etc. It

should not be considered for this project.

If the M-3 alternative is chosen as the preferred route, the mitigation measures taken for this project must at least meet what the city of Mankato has stated in its mitigation plan (dated February 2, 2001). In our opinion, this mitigation plan, while it constitutes a good framework, still falls short of addressing all of the specific mitigation requirements. Particularly, our building with such close proximity to the rail line and Third Avenue, stands to be excessively impacted. Portions of the structure are actually on the property line/right-of-way at both Third Avenue and the existing railroad corridor. (See attached plat map.)

There are some major items missing from the DEIS which causes us to ask the following questions regarding the M-3 alternative:

- 1) If there is no Community Partnership Agreement between the city of Mankato and the DM & E, how is the project going to be handled if the M-3 alternative is chosen?
- 2) Where is the information regarding the impacts on the community of each alternative? What about the city of North Mankato?
- 3) Why are there not any specific mitigation plans?
- 4) Since there are no recommendations for grade separations nor grade crossing closures, where and when do our comments come into play if this alternative is chosen? It may be too late by then.
- 5) Where are the recommendations regarding noise and vibration attenuation for those communities adversely impacted?
- 6) Who pays for the mitigation measures?

Please remove alternative M-3 from consideration when making your decision. All impacts have not been identified nor has a definitive mitigation plan been developed.

In the unlikely event that the M-3 alternative is chosen, please understand that we agree with the seventeen general requirements stated in the city of Mankato's DM & E Railway Corridor Mitigation Plan with the exception of paragraph #8 referring to grade separations. It puts us in the lurch for years to come because it is so vague. Will an overpass be five years or ten years down the road? Who knows?

The following items would directly impact us and should be included as requirements in the mitigation plan if the M-3 alternative is ordered by the STB:

A. Traffic studies performed by the city of Mankato on the Third Avenue area indicate the construction of an overpass on Third Avenue is not needed. This area is fully developed. Given the existence of the Highway 14 intersection and overpass, we feel any increase in traffic will likely flow north of that intersection. We feel that a four quadrant crossing on Third Avenue with warning lights to the north and to the south would meet traffic and safety needs. This would be a cost-effective and safe alternative without sacrificing time delays. (See attached

traffic study of May 1, 1998.)

B. If an overpass is constructed, it would most likely be two blocks in length with a twenty five foot or higher wall built adjacent to our building supporting the elevated roadway. It would remove our north access to the building and severely alter the south access which is the access used by our tenants as well as our employees.

C. The overpass will also impact the visibility of our building. Essentially it will "disappear" from view. How can we expect our businesses to thrive when people can't easily find us?

D. When the third track is built to the south of the existing UP line, what will be the effect of the right-of-way issue? Currently, a portion of the building stands on the existing fifty foot right-of-way. We agree with the city of Mankato that a sound wall is required to mitigate noise. (See Study Area: Section 8 of the DM & E Railway Corridor Mitigation Plan) Retention of limited access to our north loading dock is also of great importance. Within the right-of-way, is there room for:

- i. the third track for DM & E with minimal setbacks, and
- ii. the sound wall as proposed by the city of Mankato, and
- iii. an easement for GCS Properties, LLC access to north dock?

E. All of these modifications point to the possible elimination of our existing spur line. At the time we purchased this property, we considered this spur line to be an asset. We wanted to give it future consideration for either our business or for that of our tenants. If eliminated, we wish to be compensated for lost value.

F. Noise and vibration issues will be of great concern to us being well within the one hundred foot zone. We believe that a properly designed and constructed sound wall could effectively reduce the impact of noise and vibration to our facility. However, we are not engineers and therefore would rely on the expertise of engineers and the DM & E railroad to guarantee the effectiveness of any noise and vibration mitigation efforts to our property.

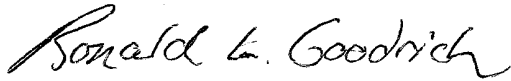
G. This expansion project, with or without the overpass, will significantly reduce our property value due to the previously stated issues. We will expect to receive full market value and all relocation costs in the event that our property is acquired as a whole for this project. Alternately, we will expect partial compensation for reduced property value in the event these changes take place adjacent to our property.

H. We request that as property owners at the Third Avenue and DM & E/UP intersection, we be included in, but not limited to: mitigation plan development, design, all discussions between the affected parties (STB, DM & E, city of Mankato, UP and any other parties as it pertains to the Third Avenue

intersection) and any other activities that would affect us as property owners at the Third Avenue intersection.

We would appreciate acknowledgment of receipt of this letter and enclosed documents. Please take these concerns into serious consideration when making your decision. Thank you for your time.

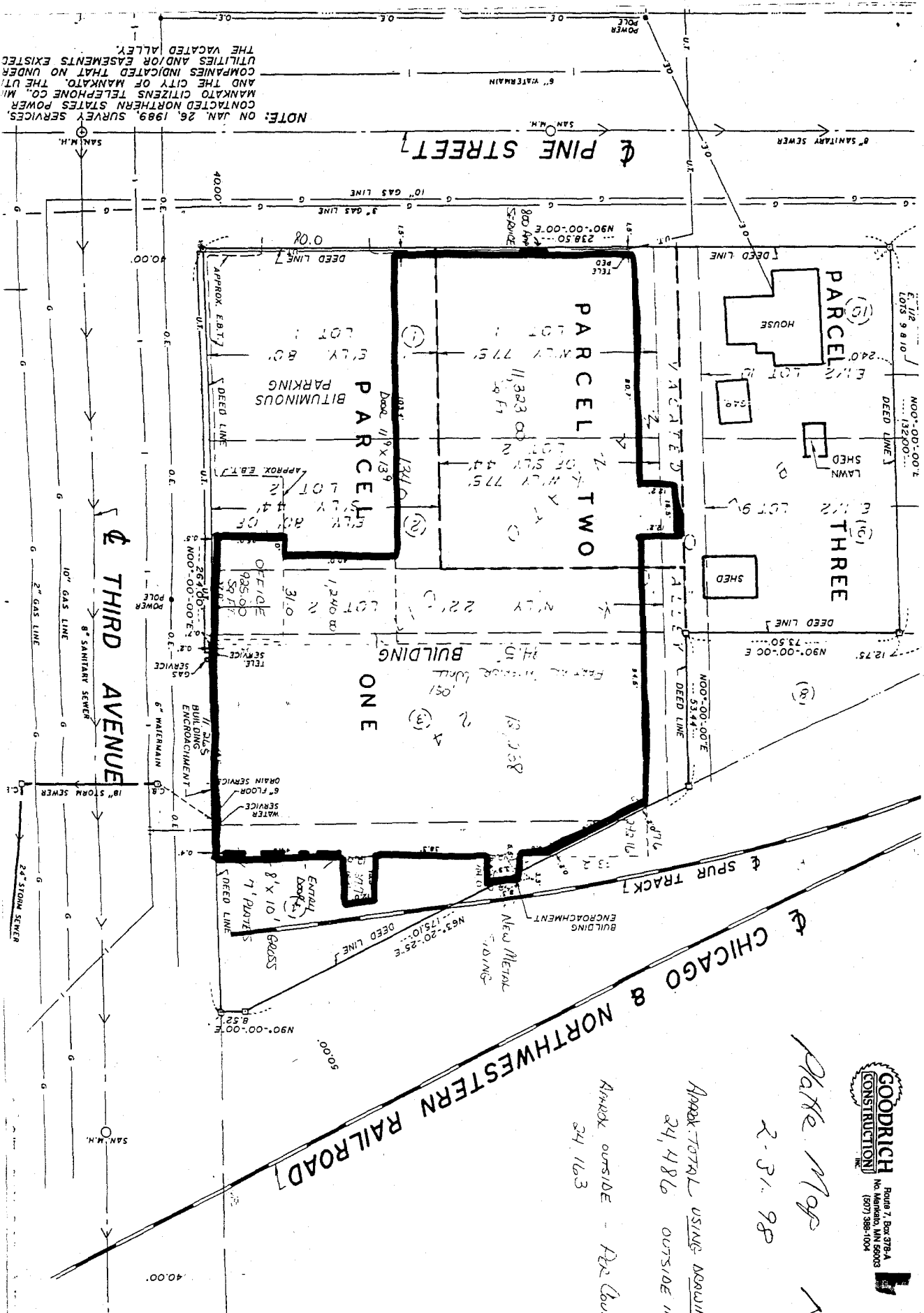
Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Goodrich".

Ronald L. Goodrich

A handwritten signature in cursive script that reads "Barbara S. Goodrich".

Barbara S. Goodrich

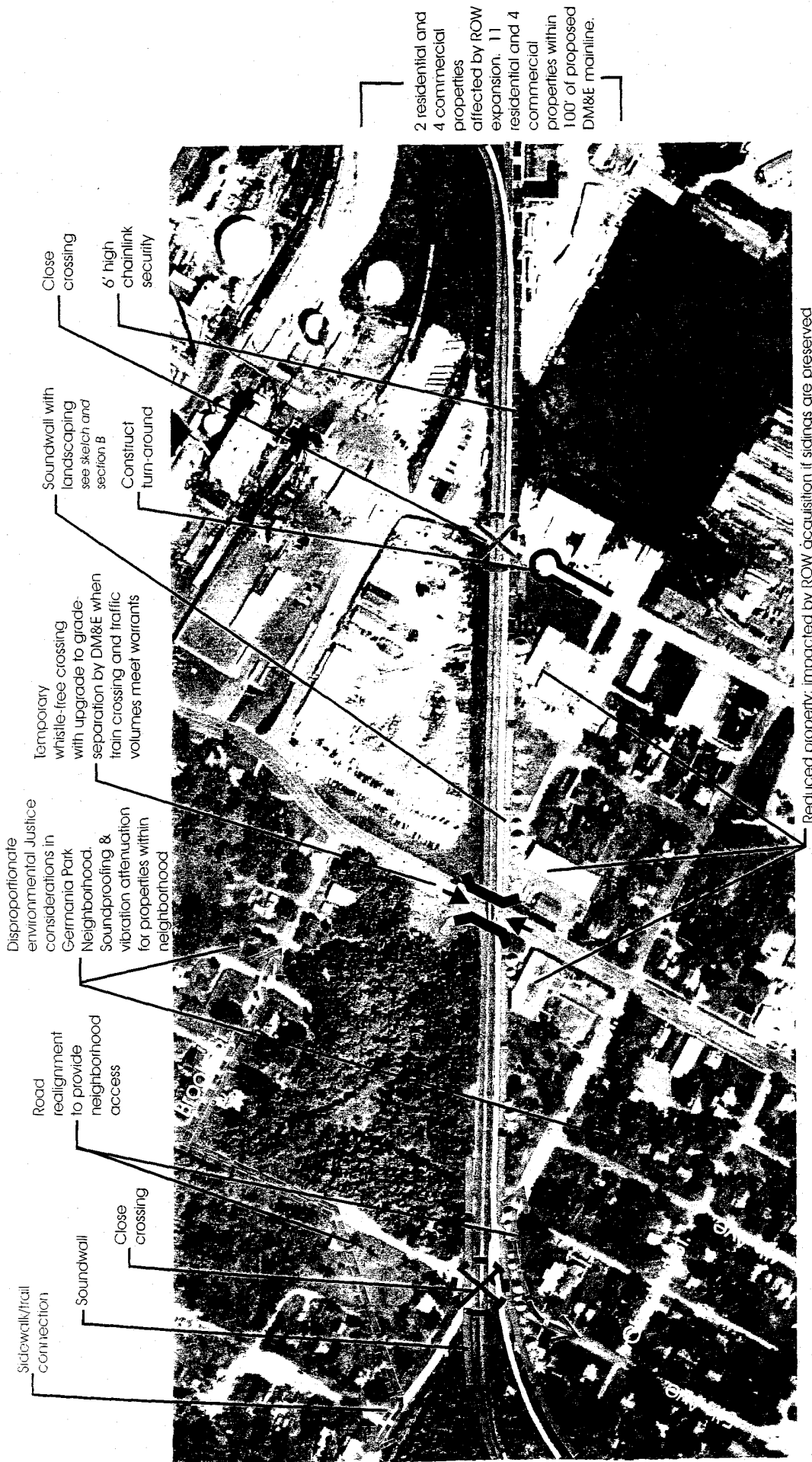


Route 7, Box 374
Mankato, MN 56003
(507) 586-1004

Plate Map N →
2-31-98

Approx TOTAL USING DRAWING
24,486 OUTSIDE MEASUREMENTS

Area outside - Per County 997
24,163



Reduced property impacted by ROW acquisition if sidings are preserved

Key:

- DM&E Railroad
- UP Railroad
- Siding (other sidings as shown on photo)
- Sound Wall
- Moderate Landscaping
- Proposed Trail

- Security Fence
- Proposed Road



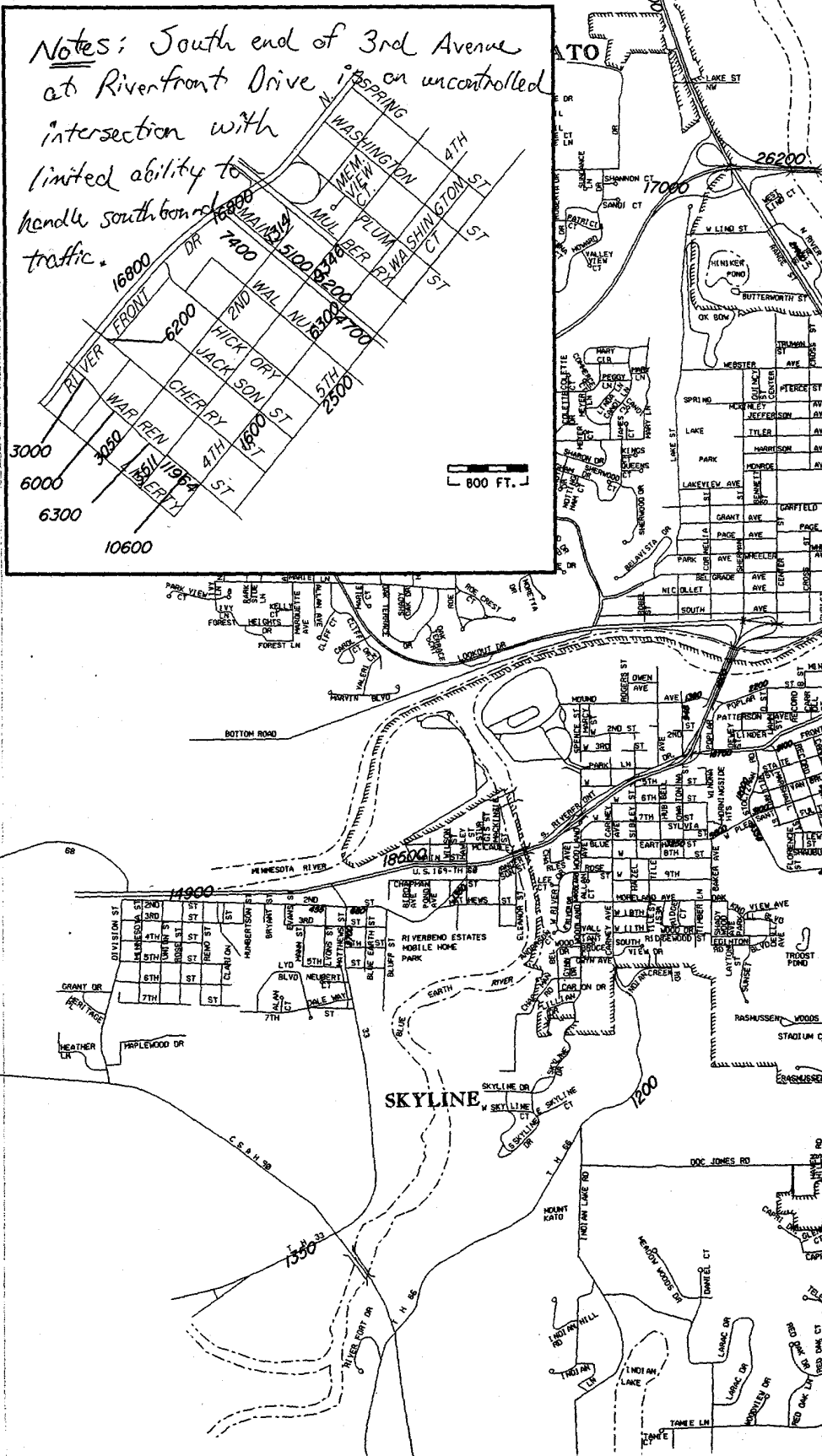
Study Area: Section 8 DM&E Railway Corridor Mitigation Plan Mankato, Minnesota

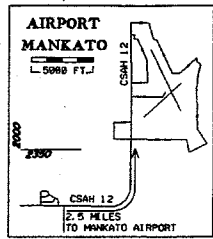
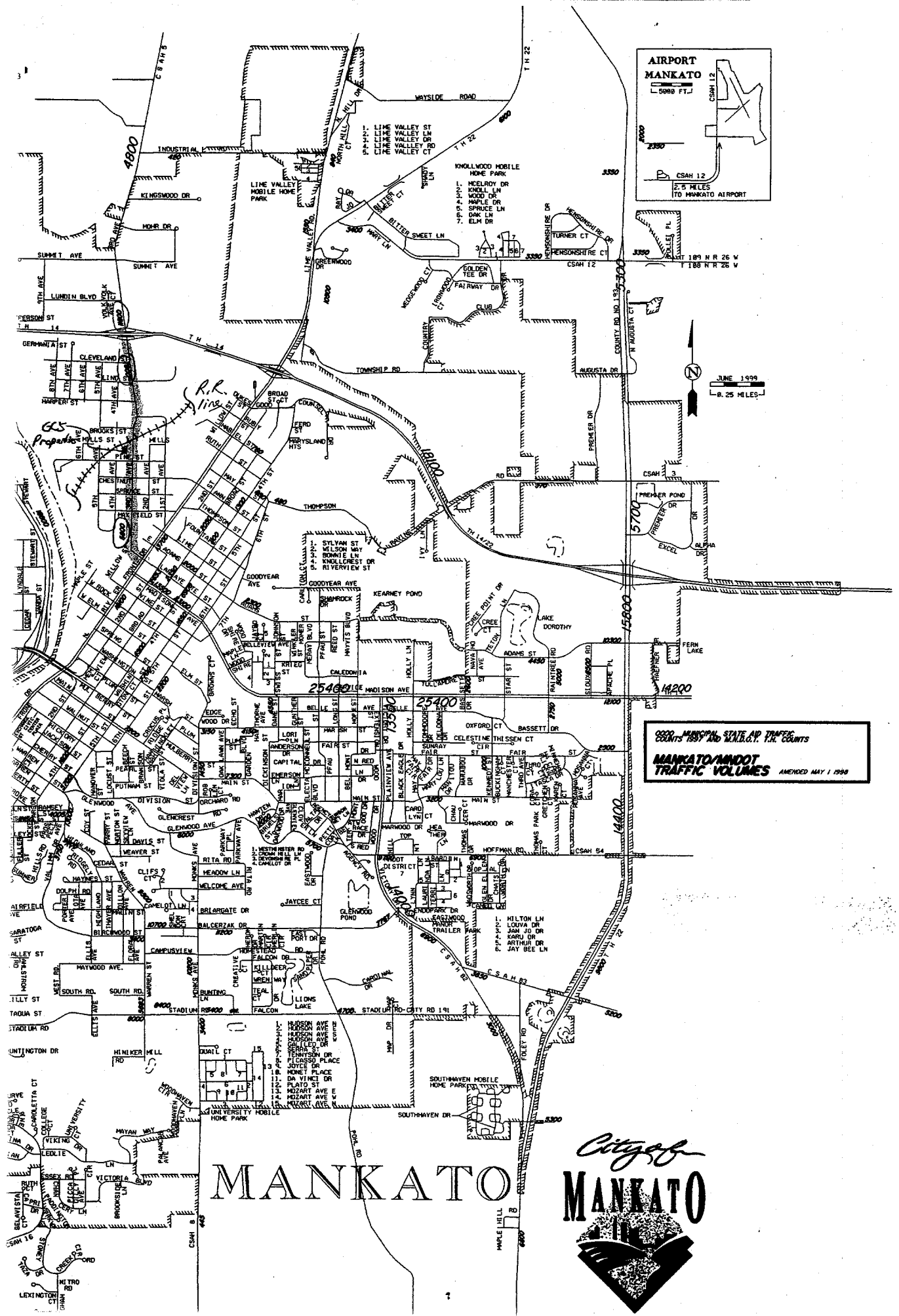


GOODRICH
CONSTRUCTION
INC.

MANKATO/MNDOT TRAFFIC VOLUMES

Notes: South end of 3rd Avenue
at Riverfront Drive is an uncontrolled
intersection with
limited ability to
handle southbound
traffic.





2000 MANKATO STATE A.P. TRAFFIC
COUNTS 1997 AND M.D.C.T. TRAFFIC COUNTS
**MANKATO/ANDOT
TRAFFIC VOLUMES** AMENDED MAY 1 1998

MANKATO

