

201662

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March 6, 2001

Elaine K. Kaiser
Chief of Section of Environmental
Analysis
Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423-0001

ENTERED
Office of the Secretary

MAR -7 2001

Part of
Public Record



Att: Victoria Rutson

Re: Finance Docket No. 33407
DM&E Railroad Project

Dear Ms. Rutson:

I am enclosing ten copies of the following submissions by Citizens Against Rochester's Bypass, commenting on the Draft Environmental Impact Statement:

- (1) Comments of the Citizens Against Rochester's Bypass on Draft Environmental Impact Statement on the Dakota, Minnesota & Eastern Railroad Project, STB Finance Docket No. 33407.
- (2) Olmsted County Minnesota Family Land Business, with locator maps. These submissions are keyed to the DEIS maps from Volume V of the DEIS.
- (3) Cultural and Historic Structures in Olmsted County Along Bypass Route.
- (4) Maps of Bypass Route Prepared by Rochester-Olmsted County Planning Department, Long Range Division.
- (5) Exhibits To Comments of Citizens Against Rochester's Bypass on DEIS.

Very truly yours,

STEPHEN J. SMTIH

SJS:jm
Enclosures

201662

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EXHIBITS TO COMMENTS OF
CITIZENS AGAINST ROCHESTER'S BYPASS
ON DEIS

Finance Docket No. 33407

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February 4, 2001

Surface Transportation Board

ATTN: Vicki Ruston

The Salem Township Board would like to express their unanimous opposition to the proposed Rochester bypass for DM&E. The negative aspects of a busy rail route through our mixed agricultural and residential area cannot be overstated.

This so called "alternative route" would cross every east - west road we have. Of these roads, as many as half could be closed because they would not meet minimum vehicle counts to merit a crossing. The existing route through Rochester has been in place for 130 years. The city has been built around the existing rail line and many safety and traffic issues have been mitigated. A new route through Salem Township would block east - west routes for farmers moving from farm to farm; for commuters, school buses, emergency services and farm to market vehicles. Costs for road maintenance would greatly increase due to closed roads and constant backtracking. In fact, a road system which took generations of taxes to build would be reduced to a fraction of its former efficiency.

The farmland bisected by the rail route is not the same land it was 100 years ago. It has been custom built with drainage, terraces, field roads, windbreaks, livestock facilities, erosion control structures and many historic buildings. An impassable barrier such as the bypass cutting through these family owned farms could spell the end for many of them. And Salem is only one of seven townships decimated by this totally senseless and unnecessary bypass.

The Salem Town Boards is also very apprehensive about ecological, environmental, and geological impacts caused by the proposed bypass. In Salem section 19 the route goes directly off a 90 foot limestone bluff wall (see enclosed pictures). That would destroy the natural beauty of this river valley as well as require massive excavation of sensitive karst-limestone sub-structure. Protected wetlands exist along the route including ultra rare wetlands with a unique biology.

We urge the S. T. B. to quickly put an end to Rochester's bypass. We believe it does not have widespread support in Rochester and instead is largely being promoted by the Mayo Clinic. The impact of fast quiet trains running on new tracks would pale when compared with the effects of a 36 mile bypass dividing the southern half of the county.

Ex. A

The DM&E serves the economy of the northern plains as well as the city of Rochester which gets its coal by rail. The bypass is unfair, illogical, destructive and incredibly expensive. If required to be built with local taxes it will not have anywhere near majority support. We ask that you give our township and the others the careful consideration we deserve, even though unlike Rochester, we have no lobbyists and no tax funded propaganda machine.

Thank you.

Chairman	<u>John Connelly</u>
Supervisor	<u>Harry Meyer</u>
Supervisor	<u>Elmer Egan</u>
Clerk	<u>Lula Bud</u>
Treasurer	<u>Marian Dotson</u>

Salem Township Board

Ex. A-1





Ex. A-2

February 5, 2001

Office of the Secretary
Case Control Unit
STB Finance Docket No 33407
1925 K Street NW
Washington, DC 20423-0001

Attn: Victoria Ruston
Environmental Project Manager
Environmental Filing

Re: DM&E Bypass proposal for Rochester, MN

The Rock Dell Town Board is again stating its opposition to the Rochester proposed bypass. The bypass route would border the west boundary of the township and then run east 1/2 mile north of US highway #30 along the entire length of the township. The route directly cuts through eight sections and divides the township in half.

We oppose the bypass for these reasons:

I. Closes township roads

Minnesota state statute provides for closing of low traffic volume roads crossing a railroad track. MN Statute Sec 219.073

1. Emergency response time will be increased. See enclosed maps.
2. Higher road maintenance costs due to doubling back on closed roads.
 - a. Road grading
 - b. Snow plowing
 - c. Rocking roads
 - d. Mowing right of way
3. Mail delivery will be delayed.
4. Travel costs to farmers hauling products: ex: grain, vegetables etc will be higher.
5. Veterinary emergency response time will be longer.
6. Fields will be split and farmers will have to travel many miles to the other side. No field crossings.

II Safety

1. MN State Patrol Chief Anne Beers quoted from a Mayo Today Dec 1999 article:
"Response time is critical in our rural areas. In Minnesota 30% of miles traveled are on rural roads - yet this is

Ex. B

where 70% of our fatal crashes occur."

2. Byron Schools will have 96 more exposures to the train, Hayfield Schools will have 32 exposures, and Stewartville Schools will have 168 exposures. All three school districts will have exposures in Rock Dell Township. Hayfield and Stewartville Schools do not have any exposures to trains currently.

III Environment

1. Conservation practices and tile lines will be affected. Conservation practices are cost-shared with Federal funds.
2. Two Department of Natural Resources (DNR) areas in Rock Dell are within the concerned area; The Nelson Fen and the Suess Wildlife Management Area.
3. Calcareous Fens, wetlands, and Palmsmuck soils have been identified in the route area.
4. Prime agricultural land will be lost to production.

IV Economic Impact

1. People in Rock Dell will lose their homes.
2. Rock Dell Township will lose tax base, at the same time incurring increased expenditures. See I-2.
3. Tax dollars will be needed to build the bypass, requiring taxes be raised.

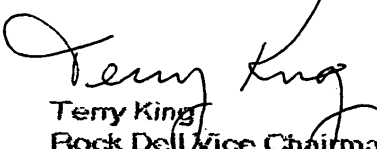
The City of Rochester should work with the railroad and address the issues of the upgrade on the current line. Neither Rochester nor Mayo Clinic will crumble with an upgraded railroad in the city.

In conclusion the Rock Dell Town Board requests the STB eliminate the Rochester bypass as a solution to Rochester's perceived problems.

Thank you for your time.


Martin Nelson
Rock Dell Chairman


Roland Nelson
Rock Dell Supervisor


Terry King
Rock Dell Vice Chairman

Besty Kleinworth
Rock Dell Clerk

ATTEST: 

< 150 vehicles per day = road closure possible - MnDOT Route Study p.17

< 100 ADT regular number

Table 1					
DM&E RAILROAD CORRIDOR STUDY					
1998 TRAFFIC ESTIMATES AND 2008 TRAFFIC PROJECTIONS / BYPASS SOUTH OF AIRPORT					
Crossing #	Highway	Notes	1998	2008	
1	North Frontage Road / TH 14		2340	3100	Paved
2	TH 14	No grade separation assumed for comparative cost estimate	11870	13700	Paved
3	19th Ave NW		170	200	Gravel
4	Frontier Rd		88	100	Gravel
5	10th St SW		100	128	Gravel
6	18th St SW		28	30	Possible Closure
7	CSAH 26		388	548	Paved
8	CSAH 17		388	478	Paved
X 9	80th St SW		80	88	Gravel
X 10	CSAH 26		388	580	Paved
X 11	80th St		88	78	Gravel
X 12	110th Ave SW		48	80	Possible Closure
X 13	CSAH 3		830	780	Paved
X 14	80th Ave SW		88	88	Possible Closure
X 15	80th Ave SW		78	100	Gravel
X 16	CSAH 18		280	300	Paved
X 17	80th Ave SW		110	180	Gravel
18	CSAH 6		1780	2810	Paved
19	NN 30	Assume realignment would eliminate easterly crossing	1740	2140	Paved
20	31st Ave SW		10	10	Possible Closure
21	TH 63	No grade separation assumed for comparative cost estimate	18900	23740	Paved
22	2nd Ave SE	Only function would be to provide field access	1	1	Possible Closure
23	80th St SE	No crossing traffic as Bypass would cross at end of road	0	0	Possible Closure
24	CSAH 20		700	740	Paved
25	20th Ave SE / 80th St SE	Corridor would become dead-end with Bypass	40	80	Gravel
26	CSAH 1		1888	2888	Paved
27	80th St SE east of CSAH 1	Only function is to provide field access	8	8	ALTY ACCESS
28	88th St SE	Access to one farmstead and field access	20	28	Gravel
29	TH 52	Grade separation retained due to topographical factors	18300	24400	Grade Separation
30	CR 123 (Old Marion Rd)		680	1000	Paved
31	CR 123 (North of Grove's End)		240	270	Gravel
32	70th Ave SE	Provides access to farm field and billboard site only	1	1	Private access
33	77th Ave SE	No crossing traffic as Bypass would cross at end of road	0	0	Possible Closure
34	CSAH 19		210	288	Paved
35	CSAH 23		310	388	Paved
36	CR 103		80	80	Gravel
37	30th St SE		80	88	SIDING / CLOSE
38	110th Ave SE		70	78	SIDING / CLOSE
39	19th St SE		80	70	SIDING / CLOSE

ANALYSIS OF AMBULANCE AND FIRE INCREASED RESPONSE TIME IF RR CROSSINGS ARE BLOCKED ALONG THE POSSIBLE DM & E BYPASS

This analysis was prepared in response to a request from elected officials representing areas potentially affected by the construction of a bypass of the DM & E railroad around Rochester. The scenario presented to the Rochester-Olmsted County Transportation Planning staff to work with was "what could the delay time be for ambulance and fire units responding to calls at a variety of locations if, because of a train malfunction or accident, crossings were blocked". It's important to note that the assumption used herein is that the train blocking the crossing is immobile, and not to assume that emergency vehicles use detours when encountering trains in normal operation at crossings.

The method used in doing this analysis involved comparing a direct route to a particular home site to the shortest detour route. In developing this information, representatives of each of the ambulance and fire districts serving areas along the bypass were contacted to determine the most likely direct and detour routes that would be used to respond to the various parts of the southern part of Olmsted County. **[NOTE: This report is an attachment to two maps: one for ambulance service and one for fire service.]**

Assumptions:

1. Certain assumptions were made in this analysis. It is assumed that an emergency vehicle will travel 65 mph on the hard surface roads and will travel 40 mph on the gravel roads. In determining added time for a detour, the times were produced separately for the hard surface vs gravel surface. This would explain why the detour minutes can be different for similar mileage's used for the various sites.
2. The assumption is made that the emergency vehicle drivers do not know the RR crossing is blocked until they encounter the blockage. Therefore the detour is the maximum detour in all instances.
3. The minutes and mileage for the detours are determined by taking the totals for the detour from that point at the RR crossing to the emergency site, less the miles/time that the more direct route would have used if the detour was not needed.
4. If a bypass were constructed it is assumed that there would be grade separations at TH 52, TH 63, and TH 14.
5. A number of road closures are shown along the bypass; these are assumed to occur based on very low traffic cross volume.
6. Since an ambulance will usually be making a second trip, i.e. usually to St. Mary's Hospital or Olmsted Medical Center both located in Rochester, there may be a second crossing of the RR bypass. This could involve a detour as well, however, it may or

**HIGH FOREST TOWNSHIP BOARD
STEWARTVILLE, MN 55976**

December 05, 2000

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Attn. Victoria Rutson
Environmental Project Manager
Environmental Filing

RE: Bypass proposed for the Rochester, MN area

Dear Ms. Rutson and Surface Transportation Board

This letter is in regards to our concerns of the proposed DM & E Railroad Bypass in rural Rochester, MN.

Our Township is currently dissected by Interstate 90, which has caused many dead end roads by overpasses and no at grade crossings, just as the bypass will do. The interstate has also slowed our emergency response time to our residents by making our fire and rescue travel longer and farther, just as the bypass will do.

The bypass will increase our road maintenance costs, manpower expenses and travel time from township roads to overpasses and back in order to grade or plow roads, just as the interstate has.

Our school bus transportation expense has also increased because of the Interstate and now the proposed bypass. The extra miles that our buses have to travel will increase time that the kids have to spend on the bus, increasing the chances of the children being in an accident because of the crossings or having weather related problems. **The bypass would create 96 new stops for Byron, 32 for Hayfield, 168 for Stewartville, 96 for Rochester and 32 new stops for Eyota schools.**

There is also the increase in business expenses for the farmers with the extra miles to get to fields separated by the Interstate and now the proposed bypass. Nor should their farms have to be split, as well as loss of building sites and their homes.

The limited number of residents in the townships cannot be expected to pay for the taxes and expenses incurred by the DM&E.

Ex. C

may not be as long as the original detour since the ambulance driver now knows of the RR blockage.

Note: This written report is an attachment to two poster size graphics: one depicting potential detours for ambulance calls and one for fire calls. Each graphic shows township names such as Salem, Rochester, Eyota, etc. These should not be confused with the names of cities in Olmsted County which may have the same name but not the same boundaries.

Discussion of Individual Emergency Sites for Ambulance Calls.

Site #1

Gold Cross would respond to this call from their main station near downtown Rochester via TH 14. The detour would involve crossing TH 14 to get to the Byron frontage road on the north side and then traveling to the Dodge County road (colored red) to go south and then east to reach the site. It is assumed that the township road 19th Ave SW no longer connect to TH 14 in conformance with MNDOT's plans for TH 14.

Site #2

Gold Cross would respond to this call from its south station located on the south side of the City of Rochester.

Site #3

This call would be answered by Hayfield Community Ambulance. Once the ambulance had made the crossing of the bypass, there would be no further detour to reach one of the hospitals.

Site #4

The assumption here is that the bypass is blocked to the immediate south of Site #4 and not for example, back at US 30 (as is the case with Sites 5 and 6).

Sites #5 and #6

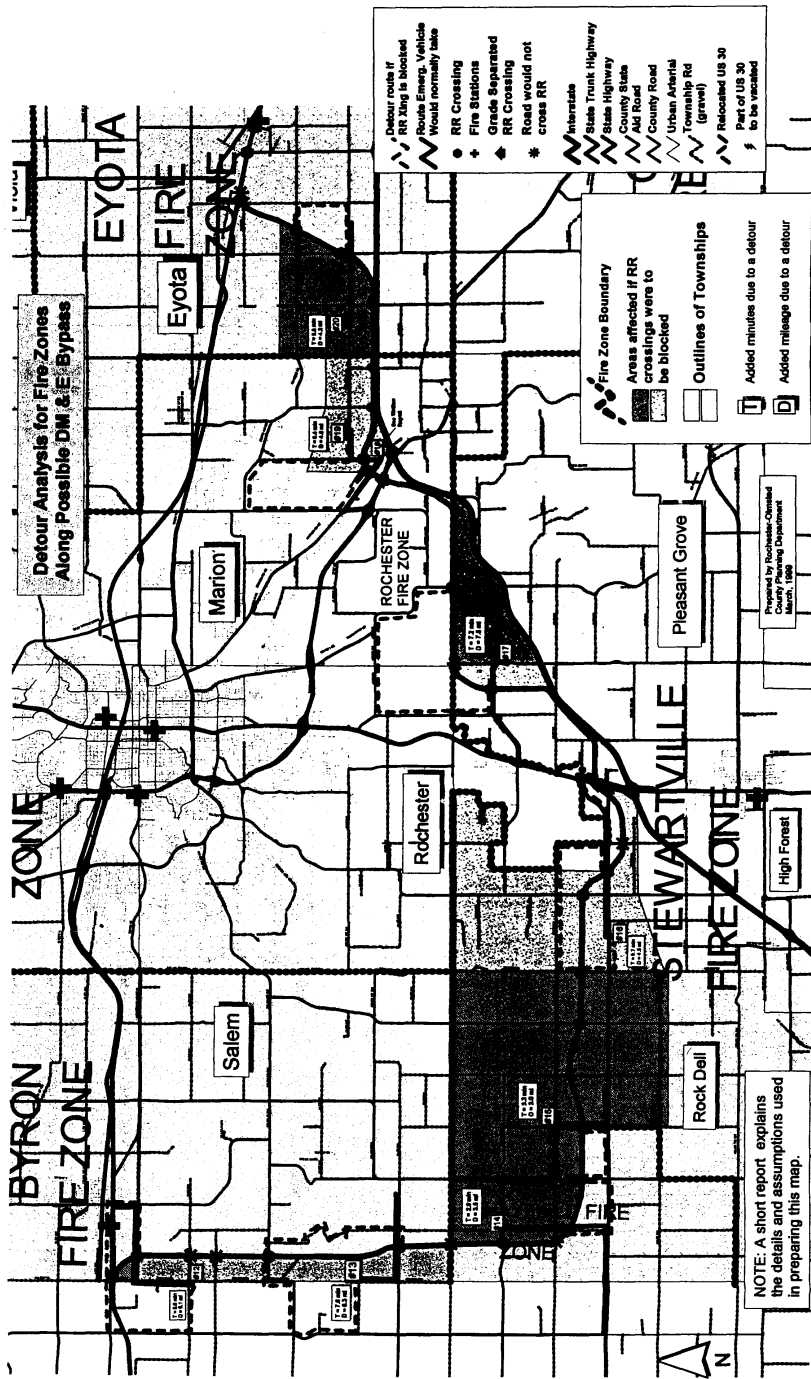
It is assumed that the crossings being blocked include both US 30 and County Rd 8 in this example.

Sites #7 and #8

The detours would be the same whether the call was answered via US 63 or St Bridgets Rd.

Site #9

A detour is not shown for this site since the assumption is that a train would be blocking both of the alternative crossings into the affected area. Mayo does operate an ambulance helicopter that could be called out to this site.



Site #10

This call would be answered via TH 52 and County Rd 11.

Site #11

This call would be answered by the Eyota Volunteer Ambulance Service. The location of the station is in the City of Eyota.

Discussion of Individual Emergency Sites for Fire Calls.

Site #12

The Byron Fire Department would respond to this call from their station just north of TH 14 located on the Frontage Road. The detour would involve crossing TH 14 to get to the Byron frontage road on the north side and then traveling to the Dodge County road (colored red) to go south to reach the site. It is assumed that the township road 19th Ave SW would be closed onto TH 14 in conformance with MNDOT's plans for TH 14.

Site #13

Since this call is also located in Salem Township, the Byron Fire Department would be the responding unit.

Site #14

This call would be answered by Hayfield Fire Department.

Site #15

The assumption here is that the bypass is blocked to the immediate south of Site #15 and not for example, back at US 30 (as is the case with Site 16).

Site #16

It is assumed that the crossings being blocked include both US 30 and County Rd 8 for this example.

Site #17

The detours would be the same whether the Rochester Fire Department answered the call via US 63 or St Bridgets Rd.

Site #18

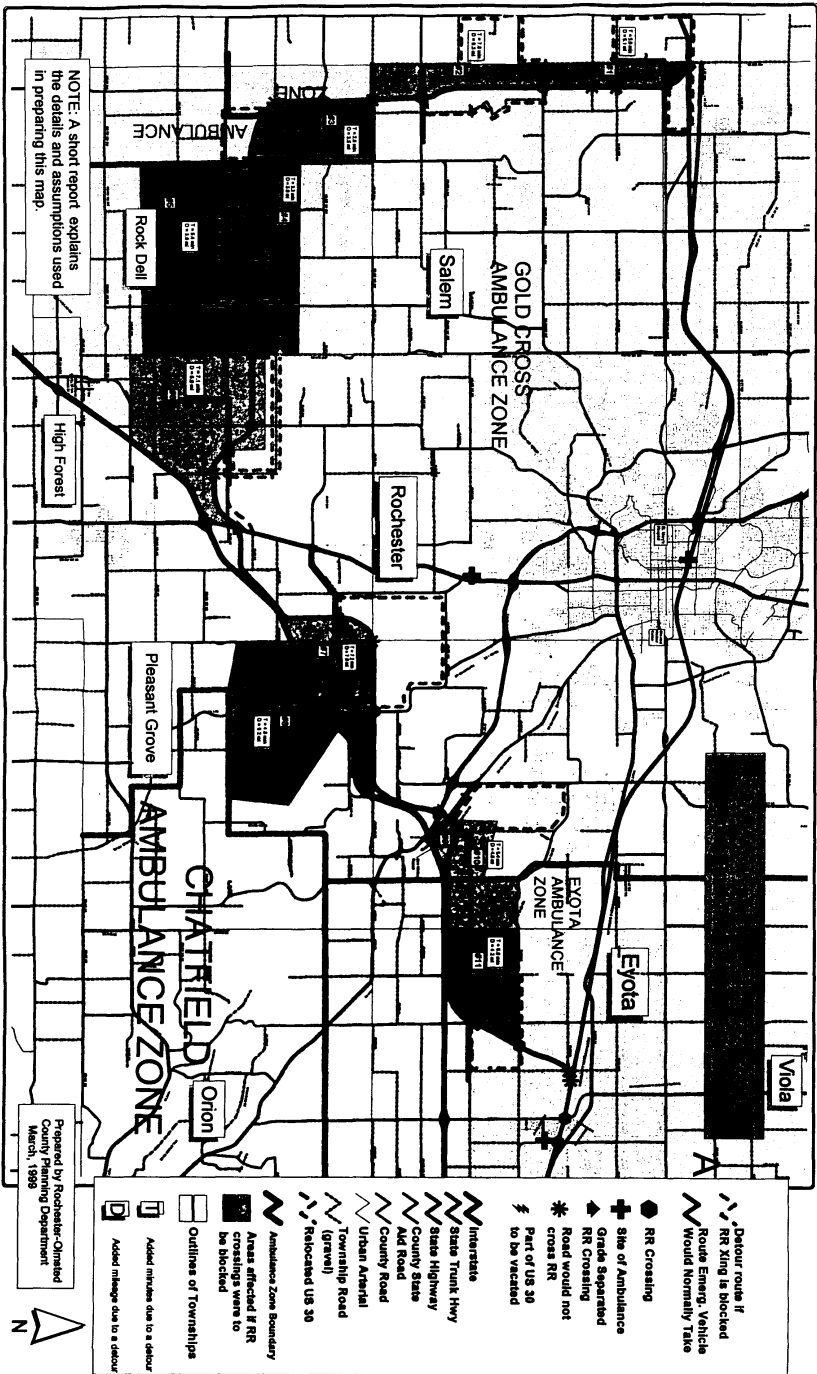
A detour is not shown for this site since the assumption is that a train would be blocking both of the alternative crossings into the affected area.

Site #19

This call would be answered via TH 52 and County Rd 11.

Site #20

This call would be answered by the Eyota Volunteer Fire Fighters. The location of the station is in the City of Eyota.



**HIGH FOREST TOWNSHIP BOARD
STEWARTVILLE, MN 55976**

December 05, 2000

Office of the Secretary
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There is also the increase in business expenses for the farmers with the extra miles to get to fields separated by the Interstate and now the proposed bypass. Nor should their farms have to be split, as well as loss of building sites and their homes.

The limited number of residents in the townships cannot be expected to pay for the taxes and expenses incurred by the DM&E.

Ex. C

The High Forest Townboard feels the proposed bypass will greatly increase these problems, just as I-90 did when it dissected our southern part of the township if you allow the bypass to dissect our northern part.

We feel that the railroad has a track location that is viable for the expansion and this track should be used and upgraded with under and overpasses, sound barriers and be Whistle free through Rochester.

The Mayo Clinic and the City of Rochester should not have the right to dictate what should happen in the rest of Olmsted County. Our emergency response time is just as important as it is in the City of Rochester.

Sincerely,

The High Forest Townboard
C/O Dave Hildebrandt
9651 Co Rd 8 SW
Stewartville, MN 55976
507-533-6310

PLEASANT GROVE TOWNSHIP
Olmsted County

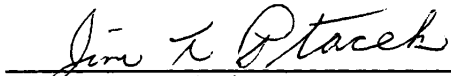
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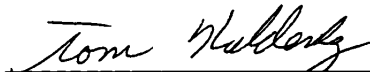
Attn: Victoria Rutson
Environmental Project Manager
Environmental Filing

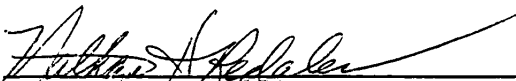
We the Supervisors of Pleasant Grove Township are against a bypass. The bypass would create a devastating situation for the property owners in it's path. Interstate 90 was a problem for many landowners when it was graded. We don't feel the need for a repeat with a bypass.

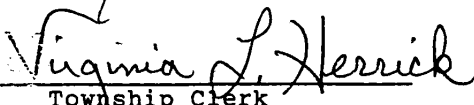
The proposed bypass would run parallel to Interstate 90 causing even more closed roads and problems. The bypass would create many landlock parcels and access problems to the fields of the owners and for the Pleasant Grove Town Board. It would also mean closing more rural roads thus causing the School and Emergency vehicles to travel greater distances.

Furthermore, it is not fair for the people of Olmsted County to have to pay more taxes for the WISHES of Mayo Clinic and the City Council of Rochester.


Town Board Chair


Town Board Supervisor


Town Board Supervisor

Attest 
Township Clerk

Ex. D

Kalmar Township

We as a township are opposed to a bypass route around Rochester for the following reasons that will effect some of our township residents:

- * Rochester has consistently underestimated the cost of a bypass. The burden would be on us the Taxpayers. A bypass could cost more than \$200 million!!! Officials have already mentioned a sale tax increase.
- * The proposed bypass would go through Private Property. The DM&E already owns the existing tracks. The city proposed bypass route would require extensive legal proceedings.
- * Emergency concerns of fire and ambulance routes lengthened as road crossings are eliminated.
- * Farm & market roads effected because of roads being eliminated.
- * Snowplowing, grading of our roads, and how to access them are of concern.
- * Money that has been spent for tile lines, terraces, and contour strips would be changed.
- * The soil in the area of the proposed bypass area consist of mostly heavy in wet types such as Otter Series- 6WO, Garwin Series- 15W, and Maxfield Series 16W. All of these soils are very wet and are rated as poor road building areas. In addition a extremely wet area with springs is located directly under the proposed bypass route adjacent to Cascade Creek and stays wet all year. Another wet area is next to Highway 14 and has standing water in for much of the year with vegetation such as cattails. (See Soils Map)
- * Mail delivery my be interrupted as roads are altered.
- * The bypass would increase school bus exposures for Rochester, Byron, Stewartville, Hayfield and Dover/Eyota schools. Stewartville and Hayfield will have exposures that currently do not exist!
- * Takes over 800 acres of prime farmland permanently out of production. Olmsted County soils are among the most productive in the world! Agriculture accounts for over 40% of the overall economy of Olmsted County. A farm is a home and a business.
- * Violates the principles of Olmsted county Land Use Plan regarding agricultural and environmental protection.
- * Damages and destroys wildlife habitat. Woodlands, wetlands and prairies will be degraded or lost. This will eliminate some of the recreational land use that rural and city

residents now enjoy. Wetlands and Fens are federally protected. They are necessary to ensure the water quality of our whole country.

* Rochester is currently DM&E's only coal customer. Rochester is powered "almost 100% by coal based energy-source" (Tom Dwyer of the RPU) So why re-route it?

* Rural citizens and our neighboring towns have been consistently under represented on the bypass issue.

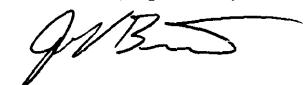
* During the negotiations with DM&E president, Kevin Schieffer, the city of Rochester, and the Mayo Clinic were at the negotiation but no one was there to represent townships, neighboring towns or rural citizens when Rochester and Mayo brought up the bypass concept. Mr. Schieffer stated that in order to discuss the bypass, all parties affected must be represented.

Map of area Kalmar Township is included.

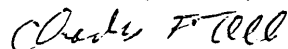
Joan Till-Born (Clerk)


Tom Tweite (Supervisor)

James Bier (Supervisor)


John Meyer (Supervisor)

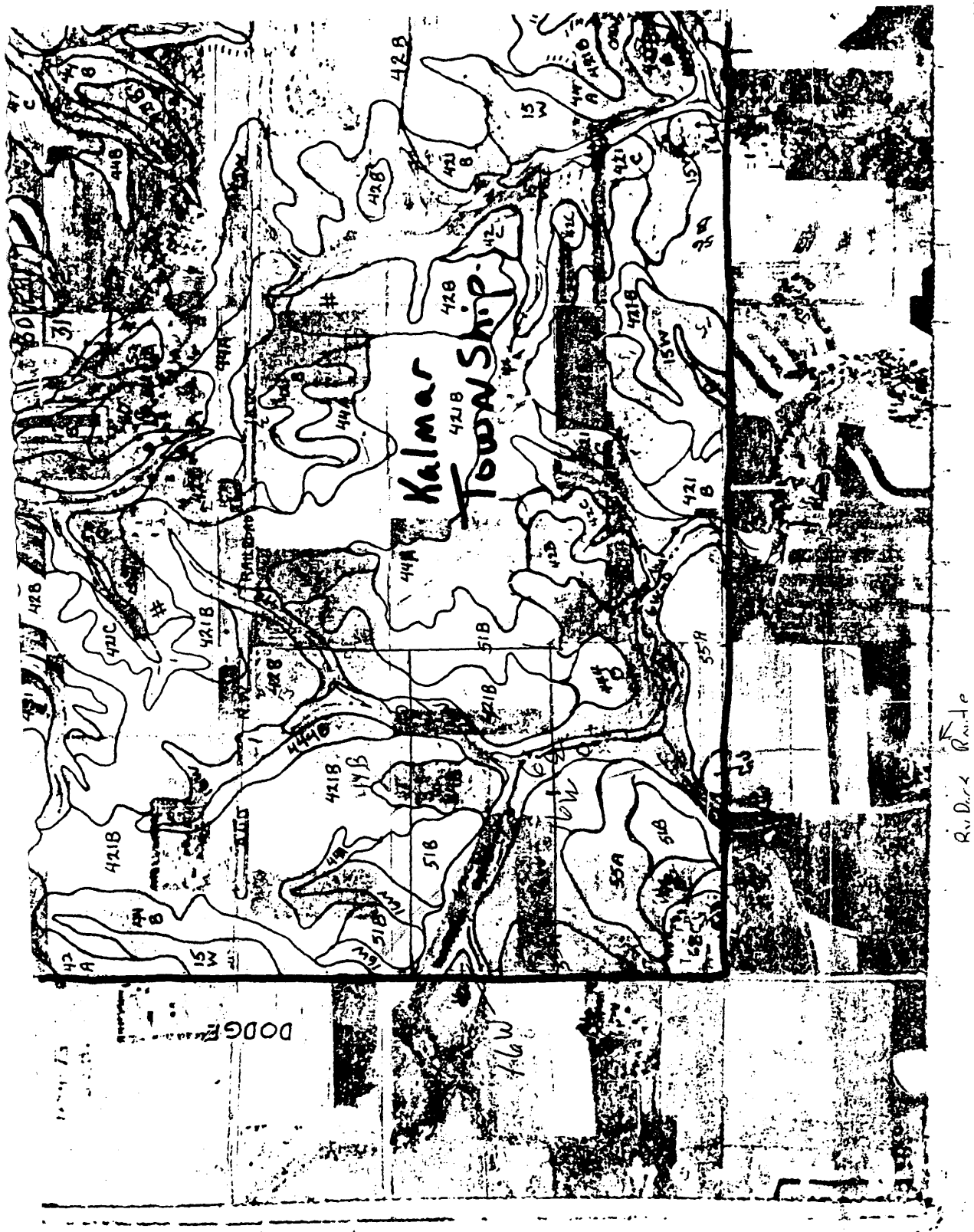
Charles Till (Treasurer)



*Subscribed & sworn before me on this 12th day
of January, 2001.*

Ursula M. McGuire
Notary Public





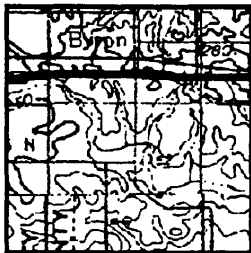
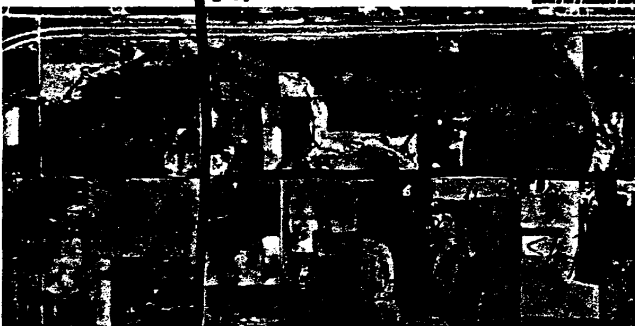
R. D. K. Route

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01 Jul 1989**2 km SW of Byron, Minnesota, United States 03 Oct 1994****Zoom****8m****10m****15m****20m****30m****40m****50m****60m****70m****80m****90m****100m**

0 1Km 0 5Mi

Image courtesy of the US Geological Survey.

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Post-Bulletin
online

The

DM&E UPGRADE

- Back to P-B Online
- Back to section front

Search the P-B archives for past DM&E stories



Join reporter Greg Sellnow as he travels the proposed route of the DM&E expansion.

- Facts
- Map of proposed route (PDF)
- Map of Rochester crossings
- Message board
- Where to write

Scheevel, Kuisle blast bypass plan

Thursday, February 22, 2001

By Don Davis

The Post-Bulletin

ST. PAUL -- The two legislators representing rural Rochester say the Rochester Area Chamber of Commerce's support of a railroad bypass around the city drives a wedge between rural and urban residents.

"Rural residents will see this once again as the city stepping on them," Rep. Bill Kuisle, R-Rochester, said.

Sen. Kenric Scheevel, R-Preston, and Kuisle said they expected the chamber to come out for a Dakota, Minnesota & Eastern Railroad bypass, but the action still upsets them. They claimed the chamber and city leaders all along planned to support a bypass.

"A group of individuals in Rochester was deceiving the public," Scheevel said.

Kuisle said he will insist chamber officials and others meet about what he considers the potential damage the group's bypass stance will have on other transportation projects.

"I plan an open dialogue," he said, "if it takes dragging them to the table by the hair."

Kuisle, a member of the House Transportation Committee, said state funding for projects such as a U.S. 52 improvement will be jeopardized if the city asks for state money for a bypass, as expected.

Scheevel and Kuisle represent most of rural Rochester, as well as the southern part of the city. They have been vocal opponents of a bypass, saying that what Rochester leaders think won't matter when the federal Surface Transportation Board decides whether to allow DM&E to upgrade its tracks.

Kuisle found it ironic that the pro-business chamber would take a stance against a private business like the DM&E.

"It's funny the chamber has taken on a business," Kuisle said. "It's like eating one of their own."

Scheevel said chamber members will not be happy when they realize a bypass would dramatically increase their property taxes.

The STB indicated in a report last year that the city would have to provide considerable funding if a bypass were built.

"You are looking at a huge property tax increase," Scheevel said of a bypass Ex. F

funding project.

Kuisle said a bypass would cost at least \$200 million, with half coming from the city. Neither Kuisle nor Scheevel believe the sales tax could be used to raise the funds.

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FROM : KATHY & TERRY KING

FAX NO. :

Mar. 05 2001 03:09PM P2

03/05/01 15:05 FAX 5076356265

DODGE COUNTY

001



DODGE COUNTY

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Office of The Secretary
Case Control Unit
STB Finance Docket #33407
Surface Transportation Board
1825 K Street NW
Washington, DC 20423-0001

ATT: Victoria Rutson

Enclosed with this communication is a resolution from the County Board of the County of Dodge, State of Minnesota regarding the proposal of the Dakota, Minnesota, and Eastern Railroad for a proposed line upgrade. This proposed upgrade traverses Dodge County.

The executive summary of the County is as follows:

1. The County of Dodge supports the upgrade in the current rail alignment.
2. The County of Dodge has serious concerns for the fragile karsts geology and other environmental issues if any bypass were implemented in this area.
3. The County of Dodge industrial base depends economically on this rail line.
4. The County of Dodge opposes any bypass that impacts property within the County.

Resolution # 2001-17 of the County Board addresses the specifics of the County's concerns and was adopted unanimously on February 27, 2001. We have enclosed that resolution for your consideration. If you have any questions of the Board they may be reached at the phone number above or e-mail address provided.

Sincerely,

David Erickson, Chair
C County Attorney
County Board

Ex. G

**BOARD OF COUNTY COMMISSIONERS
DODGE COUNTY, MINNESOTA**

Date: February 27, 2001

Resolution # 2001-17

Division: Public Land
Department: Highway
Name: DM&E Upgrade

Motion by Commissioner: Hanson

Seconded by Commissioner: Peterson

WHEREAS, the Dodge County Commissioners are duly elected representatives of the citizen's of Dodge County; and,

WHEREAS, the Dodge County Commissioners' responsibility is to act in the best interests of the County's residents; and,

WHEREAS, the Dodge County Commissioners have had a chance to review the proposed bypass of the DM&E Railroad which would cross lands in Dodge County and have reviewed in depth the current alignment of the railroad in Dodge County; and,

WHEREAS, the Dodge County Commissioners feel it necessary to comment formally on those proposed alignments.

THEREFORE BE IT RESOLVED, that the Dodge County Commissioners

1. Are opposed in every sense to that realignment that would act as a bypass as has been suggested because of the dire economic ramifications to Dodge County.
2. Support strongly the current alignment of the railroad as this alignment is to the economic benefit of Dodge County as such current alignment is utilized by businesses and our agricultural industry located in its numerous communities, including but not limited to Alcorn Ethanol Plant in Claremont, McNeilus Steel, Inc. and McNeilus Companies in Dodge Center, Moorman Feeds, in Kasson, and the Greenway Grain Systems and related agri-businesses in each of the above communities.
3. Are opposed to the bypass as it will be placed in areas of Dodge County that are classified as Karst topography, fragile in nature, and damage could have further effects on ground water and drainage.
4. Are opposed to the bypass as it will cause reductions in the property values of land owners in Dodge County who currently are not adjacent to the railroad as it is currently aligned.

Ex. H

FROM : KATHY & TERRY KING

FAX NO. :

Mar. 05 2001 03:10PM P4

03/05/01 15:07 FAX 5078356265

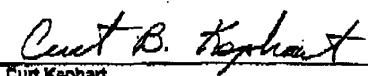
DODGE COUNTY

003

ATTEST:


David Erickson

Chair, County Board


Curt Kephart

Coordinator

AYE

NAY

Alberts

X

Erickson

X

Gray

X

Hansen

X

Peterson

X



January 25, 2001

Surface Transportation Board
Section of Environmental Analysis
1925 K Street N.W.
Washington, DC 20423-0001

Re: DM & E Railroad Powder River Basin Expansion Project

Surface Transportation Board,

The City of Byron appreciates the extension of time to reply to the Draft Environmental Impact Statement (EIS) for the above referenced project.

The City of Byron entered into a Community Partnership Agreement with the DM & E during the summer of 1999. This agreement requires DM & E to install specific safety device at all at-grade railroad crossings within and adjacent to the City's geographical boundaries.

The possibility of construction of the "Rochester Bypass", as it is referred to, raises two concerns for the City of Byron.

1. The first concern relates to the location of the starting point of the "bypass" in relationship to the City's western boundary. The City would request that the starting point of the "bypass" be located no closer than the intersection of Dodge County Road 15 and the Frontage Road (old Highway 14). This starting point location should allow for the "bypass" to avoid passing through the City's Industrial Park.
2. The second item of concern is who will be financially responsible for paying for the costs of constructing this "Rochester Bypass". The City Council wishes to convey to the STB that the City strongly objects to paying any portion of any expenses associated with the construction (this includes land acquisition, survey, over-pass, etc.) of the "bypass" whether it is located near or by Byron or anywhere else.

The City Council, by submitting this letter, is not implying its support of or its opposition to a proposed "bypass" or the DM & E Railroad Powder River Basin Expansion Project.

On behalf of the City Council of the City of Byron, I wish to express our appreciation for this opportunity to convey to the STB its concerns associated with the DM & E Railroad Powder River Basin Expansion Project.

Sincerely,

Gregory H. Brandt
Mayor, City of Byron

Cc: Kevin Schieffer, President, DM & E Railroad
File

Post-Bulletin
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News

[return to front]

Noise, vibration are big concerns

Saturday, March 3, 2001

Experts differ on effects of coal trains

By Jeff Pieters

The Post-Bulletin

Rochester city and business leaders say a major argument against the Dakota, Minnesota & Eastern Railroad upgrade is the noise and vibration that mile-long coal trains would produce in the city.

They say that noise and vibration would disrupt operations at businesses near the tracks, such as Mayo Clinic and Pemstar, and disturb a wider swath of homeowners, too.

But a retired Rochester IBM engineer, Art Reckinger, says otherwise and has produced data countering the city's and Mayo's claim.

The effects of passing coal trains can be mitigated -- even improved over the effects of current rail traffic, he said.

Reckinger's study of the issue has attracted the attention of some activists and political leaders, including First District Rep. Gil Gutknecht, a Republican from Rochester, even as some city leaders dismiss it.

Reckinger, who identifies himself as "unaligned" in the public debate, raises political as well as technical questions.

He says if the city is not successful in winning a bypass -- and he thinks it won't be -- then it may have passed up its best chance to negotiate a suitable package to mitigate noise and vibration.

"The city is playing like it has a royal flush," he said. "But the city is playing with two deuces. They're going to lose in the end."

City leaders dispute that claim. The furthest they got in negotiations with the railroad, they say, was for a mitigation package that would fall woefully short of addressing the 18-decibel noise increase that a consultant says would result from the DM&E project.

The railroad had offered to run whistle-free through Rochester and to help build a grade separation for each 50 tons of coal traffic, up to 100 tons, the railroad and city say.

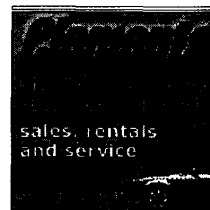
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Ex. J

City officials estimate the railroad contribution for each grade separation at about \$2 million.

The offer was consistent with what the railroad offered in other communities up and down the line, and was "far beyond" what most railroads typically would offer cities, DM&E President and CEO Kevin Schieffer said Thursday.

The city calculates the cost of full mitigation at about \$48.7 million, a figure that includes the cost of five grade separations, 15-foot sound barriers, and under-track infrastructure to reduce transmitted vibration.

"We have asked for (full mitigation)," said City Council President John Hunziker. "And we were told we're being ridiculous, and it's not going to happen."

Quieter trains

Schieffer said he expected the new line itself would help quiet trains. A smoother track helps trains -- even heavier, faster trains -- to be quieter, Schieffer said.

"I'm quite comfortable in saying the trains will be quieter than they are today," he said. "There will be more of them, but they will be quieter."

Besides better rail, DM&E plans to have an 18-inch bedrock base under its tracks, and to better monitor and take care of its cars' wheels. So-called "flat" wheels are considered a major source of train noise.

"There is no such thing as an invisible train," Schieffer said. "I don't want to fool anybody. But on the other hand, it's not the apocalyptic vision the city is spending hundreds of thousands of dollars trying to get people believing."

Reckinger, whose background is in electrical engineering, said it was the city's "wild assertions," and simple curiosity, that interested him in a study. He spent about 150 hours on it, he said.

Using his sound meter, Reckinger took measurements of train noise alongside three area railroad lines: the DM&E, the Canadian Pacific and the Soo Line. The latter two rail lines are made of welded track, bedded in heavy ballast -- similar to what DM&E proposes.

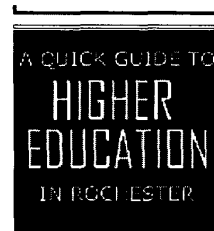
In Reckinger's tests, train noise on the two welded lines recorded as much as 7 decibels lower than DM&E's trains, despite the fact that the welded rails carry faster trains.

"I'll stand on that data," Reckinger said. "It's data taken on the same instrument, under the same conditions, by the same observer."

Trackside walls, six to eight feet tall and lined inside with sound-absorption material, could help reduce noise further, Reckinger said.

Transmitted vibration can be reduced, he said, by better track, better-maintained wheels on train cars, and one or more of a host of track improvements, such as elastic rail fasteners that go between the rail and ties, or rubber ballast mats, set beneath the tracks and rock. The soft materials dampen, or "isolate" vibration.

Using U.S. Department of Transportation generalized assessment methods for high-speed rail, he concluded vibration also could be maintained or lessened. In fact, the current level of vibration already falls well below federal



regulatory thresholds, Reckinger said.

"The problem is not real," he said. "There's a solution for this." That sentiment is echoed by an analyst from Oakland, Calif., who says that as a general rule, where there is a will, engineers can find a way.

"It's just a matter of studying and finding the appropriate method to use," said Steve Wolfe, a principal consultant with the acoustical consulting firm Wilson, Ihrig & Associates. The firm performed a study of vibration for the STB's Draft Environmental Impact Statement last year.

Vibration factors

How vibration is transmitted depends on area soils, the speed and weight of trains, and the condition of the track, Wolfe said.

Vibration is transmitted in different frequencies, too, and some solutions address only small parts of the frequency range, while potentially increasing vibration in another frequency.

City leaders and an engineer who worked for them challenge Reckinger's credentials to analyze noise and vibration, and they say the issue is more complex than his report suggests.

"Sure, it (mitigation) is possible, but it would involve a billion dollars per mile expenditure," said Bill Kroll, senior manager of Wm. H.O. Kroll & Associates Inc. The firm did a noise study for the city in 1998.

Kroll's study concluded that without sound barriers or other mitigation, coal trains would send unacceptable amounts of noise (greater than 65 decibels) to hit about 1,800 households, totaling 3,700 people. Sixty-five decibels is the most stringent sound level enforced by the federal government.

Even if each passing coal train is no louder than current trains, the noise impact would be greater because there would be more trains, Kroll said.

The city since has commissioned a new sound study, set for release early this week, that will rate the sound impact even higher, said Gary Neumann, assistant city administrator.

The firm conducting the second study, Neumann said, says Kroll's study understated the impact of whistle noise.

Reckinger points out that whistle noise would not occur under a whistle-free operating agreement.

Business concerns

Businesses near the DM&E route have major concerns about vibration's potential effects on sensitive equipment.

Mayo Clinic's central Magnetic Resonance Imaging (MRI) facility is about 1,000 feet from the tracks, on the first floor of the Charlton Building.

Mayo has 19 MRI units, said Dr. Joel Felmlee of the Radiology Department.

Already, some of those are affected by vibration from passing trains, trucks and cars, from nearby construction, and even from slamming doors elsewhere in the building, said Felmlee and others at Mayo.

Vibration shows up as flaws, called "artifacts," on magnetic resonance images. Flaws may appear, at first glance, to be part of a patient's physical condition or may raise suspicion that something is wrong with an MRI unit.

Steve Swensen, chairman of Mayo's Radiology Department, said current vibration is infrequent enough that it has not been a serious problem.

It's unclear whether heavier and more frequent traffic on the DM&E line would worsen vibration incidents, but they could occur more frequently, Swensen said.

Mayo soon will add a new, open-sided MRI unit considered better for patients, but which is more susceptible to vibration than a typical, closed-sided MRI machine. The open-sided machine is vulnerable to low-frequency vibration, between zero and 10 hertz, according to the unit's specifications.

A vibration of 1 micro G, or one-millionth the force of gravity, in that frequency range is all it takes to throw the machine off, the specs say.

Like Mayo, high-tech manufacturer Pemstar, which has its south facility just 150 feet from the tracks on Rochester's west side, sees trouble in the coal train proposal.

"It's clearly going to have an effect," said Bob Ahmann, a company manager.

"The question is how much." Vibration from passing trains already registers on test equipment in Pemstar's facility along U.S. 14 West, Ahmann said, but the trains usually pass during times when the plant is closed.

If coal trains roll through, and vibration is not adequately controlled, Pemstar might look to improve its facility's tolerance for vibration or simply move, Ahmann said. Either option is expensive.

"I suspect it would be a wash," he said. "If they come through the city, then we're going to have to make the analysis."

What's next

How likely is it that the DM&E project will win federal approval?

Nancy Beiter, a staff attorney with the federal Surface Transportation Board, said the board takes each case on its own merits, and precedent is not a good judge of how the decision will unfold.

However, she could recall only one instance in the STB's five-year history in which the board denied a railroad's request, and only one instance where the STB ordered a different route than the railroad proposed.

Board members, said Beiter, "don't like to be the dictators" to railroads, and would rather assess agreements between railroads and affected cities.

Rep. Gil Gutknecht has advocated a Rochester-DM&E compromise. He said in a written statement Monday that he sees a growing national need for railroads and for coal, and a long record of federal support for rail upgrades.

"Readers can judge for themselves just how strong the city's bargaining position is," he wrote.

Hunziker said he doesn't expect an STB decision before late summer or early

fall. Even then, he said, the matter probably won't be over.

"You have to assume this is probably going to last 10 years before it's done," he said. "It'll end up in court."

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Growing Rochester causing growing concerns about water

► Poorly planned development can be costly

By Jacqueline Palfy
The Post-Bulletin

As more homes and businesses spring up in the Rochester area, so do concerns about ground water contamination, Olmsted County Environmental Resources Service Coordinator Terry Lee said.

Ground water contamination is one of the biggest challenges facing the area, he said. Areas without centralized sewer systems — such as 10th and 69th streets southeast where the city grew in the 1950s — have some faulty septic systems.



Lee

Right now, officials don't know how this will affect the water, Lee said. But so far there haven't been serious problems with city wells because they draw water from deep in the ground, he said.

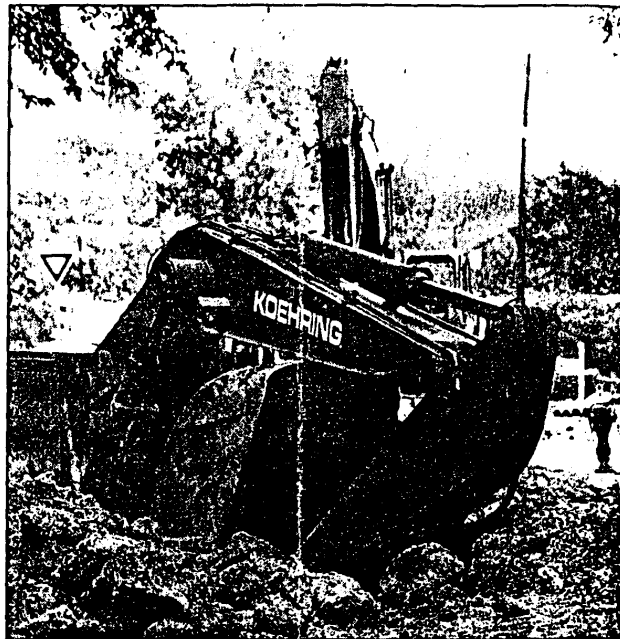
But the costs of poorly planned developments eventually add up.

More developments mean fewer natural filtration systems, such as trees and hillsides, to combat ground water problems. If natural filters are lost, Lee said, it would cost the city about \$5 million a year to reduce nitrate levels in the ground water to a safe level for drinking.

The two county aquifers, or underground areas where water collects, cover about two-thirds of Olmsted County, mostly in the southwestern portion, but also as far northeast as Viola.

While the area has a naturally high nitrate level, Lee said, "the farmers are doing a pretty darn good job to get pollution down to minimum." To go further in their efforts would be expensive, he said.

If the natural filters are pre-



A member of the Heselton Construction crew takes a lunch break during digging far up the hill on Woodland Drive Southwest.

served, they could last several hundred years. But builders and buyers see the surrounding hillsides as quaint areas to build homes — and when they do build, the hills are often shaved and clear cut, which removes natural buffers and filters.

No natural filtration systems are left in the city, Lee said.

"We can lose it all in one year of development and never get it back," Lee said. About 10 percent of the natural vegetative filter has been lost since the area was settled by Europeans, Lee said.

That doesn't sound like much, but most of that has been lost in the past 20 years, he said.

Growing development

In 1994, there were about 47,035 acres of developed land in the county. But in 2000, that number

grew to 55,592, according to the county assessor's records.

County Planner Phil Wheeler said that out of the 420,000 acres in Olmsted County, about 364,000 will remain rural.

"We're still going to be a rural farming community," Wheeler said.

But there is more that could be done to preserve natural filtration processes — though it is expensive. One house in southeast Rochester, Lee said, has a toilet that flushes on a cup of water and a drop of soap. When the water is discharged, it meets federal drinking water standards, Lee said. A system like that could cost a homeowner between \$10,000 and \$12,000.

The county explored these systems because they are new to the market and allow a compact pattern of development in unsew-



Matt Miller/The Post-Bulletin

h break during digging far up

ered areas, Lee said.

"We're already seeing suburban subdivisions being developed at higher densities using the advanced systems," Lee said. "It helps us position ourselves with a more dense development."

Other efforts to preserve the environment — such as restoring or relocating wetlands when developments are built — aren't working as well, Lee said. Wetlands are one of the final stages of water filtration, he said, and when they are replaced they often aren't serving the same function.

"We're trading it from Rochester to Dodge Center," Lee said, as an example. Lee said scientists still don't know enough about the natural filtration process to understand how much can be lost before it is too much, he said.

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Silver Lake Power Plant generates controversy

Saturday, November 18, 2000

By John Weiss

The Post-Bulletin

Rochester's Silver Lake Power Plant has generated electricity since 1949. But this fall it also generated controversy.

It was named the most polluting coal-fired power plant in the state, based on pollution per unit of electricity generated, in a national study. The Izaak Walton League, which took part in the study, said the plant is part of a nationwide problem of aging coal-fired plants that don't have to meet the same pollution-control standards as newer plants.

The Rochester region was one of six metropolitan areas considered in the study, but it states there are also plants in Owatonna and Austin that burn coal. The other five metropolitan areas are La Crosse (Wis.) and La Crescent, the Twin Cities, Duluth, St. Cloud and Fargo-Moorhead.

The Silver Lake plant was built to serve Rochester, but the city now gets its electricity from the Southern Minnesota Municipal Power Agency and sells power generated at the Silver Lake plant to a cooperative called the Minnesota Municipal Power Association.

The 100 megawatts of power the plant could generate if used at full capacity is less than half the city's peak demand of 230 megawatts in 1999. Peak use of the plant was probably in the 1970s when it was Rochester's main source of power.

The plant was built in four stages, with the first coming on line in 1949. That was a 7.5-megawatt unit. The fire used to burn the pulverized coal is fueled by natural gas; the plant can burn all natural gas instead of coal. Before the Silver Lake power plant was built, Rochester relied on an older plant on North Broadway.

The first unit of the Silver Lake plant cost \$2.5 million. The plant was expanded with a 12-megawatt unit in 1952, a 22-megawatt unit in the early 1960s and a 55-megawatt unit in 1969.

The first three units had a cyclone dust collector that basically would spin gases coming from the boilers and the larger particles would fly to the outside and drop down to be collected. The system is about 70 percent

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Ex. L

efficient in taking out particulate matter, said Joe Hensel, RPU manager of environment and facilities.

The final unit has an electrostatic precipitator that sends the waste gases through an electronic grid that puts a charge on the waste particles and collects them. That system is about 98 percent efficient, he said. The first three units had electrostatic precipitators added in 1976, he said.

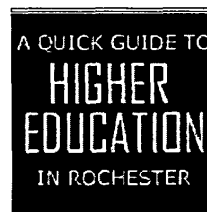
For each ton of coal burned, about 140 to 200 pounds of ash is collected in the boilers, according to plant officials. About half of that ash is sent to a plant in Iowa where it is used to make cement, Hensel said. The other half goes to the Kalmar Landfill west of Rochester, where it's put into a lined landfill.

To control emissions of gases such as sulfur dioxide and nitrogen oxide, which the study said can cause respiratory problems, the plant has to use different kinds of coal that have a low sulfur content, Hensel said. "In the '40s and '50s, I don't think people paid much attention to it," he said. The plant didn't need pollution-control permits to operate.

In 1985, the plant was required to add a way to analyze for sulfur dioxide because its permit allows it to emit only a certain amount of sulfur dioxide for each million BTUs of coal or gas it burns, Hensel said. The plant also added a monitor that reads how dark the smoke is, indicating what kinds of particulate matter are in it.

Because the plant is old and can only emit so much pollution before the city faces fines, the Silver Lake plant only uses about half its capacity, Hensel said. In the last three years, new equipment and different coal have cut total pollutants by 26 percent.

"We meet all the regulations and we are competitive," Hensel said. "That's why we are still running."



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Post-Bulletin News

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[return to front]

Worries about coal-fired power plants heating up

Saturday, November 18, 2000

By John Weiss

The Post-Bulletin

Sarah Welch would like to see the state, and country, breathe easier by weaning itself from coal to fire power plants.

The coordinator of the Izaak Walton League of America's Minnesota Power Plant Campaign said turning to natural gas to fuel the plants, including Rochester's Silver Lake Plant, would be a first step toward cleaner air and water.

The problem with coal is that it pollutes too much, especially if it's burned in older plants, such as Silver Lake, Welch said. Older ones produce five to 10 times more sulfur dioxide and nitrogen oxide than newer plants, she said. Those gases create breathing problems for people with respiratory illnesses, such as asthma, according to the study.

Because of pollution from the plant, and other plants, the number of lives shortened per 100,000 residents is 9.7 in Rochester, compared with 8.6 in the Twin Cities and 8 in Houston, Texas, according to "Death, Disease and Dirty Power: Mortality and Health Damage Due to Air Pollution from Power Plants."

Overall in Minnesota each year, 249 people die prematurely, 182 are hospitalized, and there are 5,820 asthma attacks, the study states. Nationally, about 30,000 people die prematurely from the pollution, it states. The report concludes that with "readily achievable pollution reductions," 60 percent of the premature respiratory-related deaths in Minnesota could have been avoided.

Also, the plants, as well as all coal-fired plants no matter how new or old, have no standards for emitting carbon dioxide and mercury, Welch said. Carbon monoxide adds to greenhouse gases that some experts say is leading to global warming, while mercury can contaminate fish and make them unfit for some people to eat.

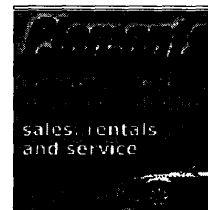
The problem stems from a 1970s law that mandated much stricter limits on coal-fired plants but left a loophole for older plants, Welch said. The rationale was that the older plants would soon be phased out and their pollution would be gone. But that has not happened and plants, such as

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Ex. M

Silver Lake, continue to generate power, and pollution, she said.

The Izaak Walton League wants to see a three-phase change from dependence on coal, which generates about 68 percent of the state's electricity:

- Retrofit older plants so they meet stricter sulfur dioxide and nitrogen oxide standards and make all coal-fired plants meet standards for mercury and carbon dioxide.
- Retrofit more plants to burn natural gas, which is much cleaner than coal.
- Ultimately, go to more wind power and fuel cells that generate power without pollution. Xcel Energy Inc., which was formerly Northern States Power Co., is already making plans to convert two units at an older coal-fired plant to natural gas, and is studying whether to convert two other plants to gas, Welch said.

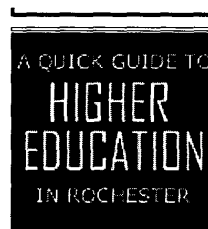
Converting to gas might not be easy for all plants, she said, because natural gas prices and supply will play a part in that discussion. A poll found 86 percent of Minnesotans would be willing to pay extra for cleaner air.

The Izaak Walton League fears that with a projected shortfall in electrical demand, but not enough new plants, older plants such as Silver Lake will be called on to provide more power and make the pollution worse. On the other hand, both Vice President Al Gore and Texas Gov. George W. Bush have said they support bills to require utilities to meet stricter standards for all four of the pollutants -- sulfur dioxide, nitrogen oxide, mercury and carbon dioxide.

Tom Dyer, RPU spokesman, however, said making big changes might not be easy.

The utility has to also look at the economics of making changes. Meeting all the new-plant standards for Silver Lake alone would cost millions of dollars, he said. The utility knows it has to meet limits set in its permits and does meet them but it also has a responsibility to its ratepayers and can't do anything that isn't prudent, he said.

Also, if the Silver Lake plant changed to natural gas, there might be problems getting enough in winter because of the need to heat homes. And if it does go to gas, that might put further upward pressure on gas prices, Dyer said. It costs the utility about \$1.60 to \$2 per million BTUs to generate power, but gas would cost \$3 to \$7.



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Mayo Clinic
200 First Street SW
Rochester, Minnesota 55905
507-284-2511

Facilities Project Services

December 28, 2000

Mr. Larry Koshire
General Manager
Rochester Public Utilities
4000 East River Road NE
Rochester, MN 55906

RE: Intent to Purchase Steam

Dear Mr. Koshire:

This letter is to document Mayo Clinic Rochester's intent to enter into a contract with Rochester Public Utilities to purchase steam supply from the RPU Silver Lake Power Plant in accordance with our discussions over the past several months. Recently, Mayo Clinic's Utility Management Committee and Rochester Facilities Committee have reviewed the need for expansion of our steam supply on the Downtown Campus. Both of these bodies have endorsed this proposal and agree the best scenario for both Mayo and RPU is to enter into an agreement to provide Mayo the additional steam required. We expect to initially contract for 50,000 lbs./hr. of "Firm" steam capacity, but wish to size the distribution lines for up to 150,000 lbs./hr. We expect that this will be 20-year agreement with appropriate options for cancellation or expansion of service. Of course, the final contract subject to final institutional approvals.

It is our intention during the month of January to work with you and your staff to refine the details of this agreement. We are already working with Stanley Consultants to refine details for delivery of this service to the Prospect Power Plant and options for possible cogeneration at that plant using this steam supply. It is our expectations to bring all costs, options, and details of this agreement back to the institution by the end of January or early February with a goal for final approval of this project by the institutions' Board of Trustees in late February 2001.

We look forward to working with you on this very exciting project.

Sincerely,

Donald L. DeCramer, P.E.
Project Manager
Facilities Project Services

DLD/smg

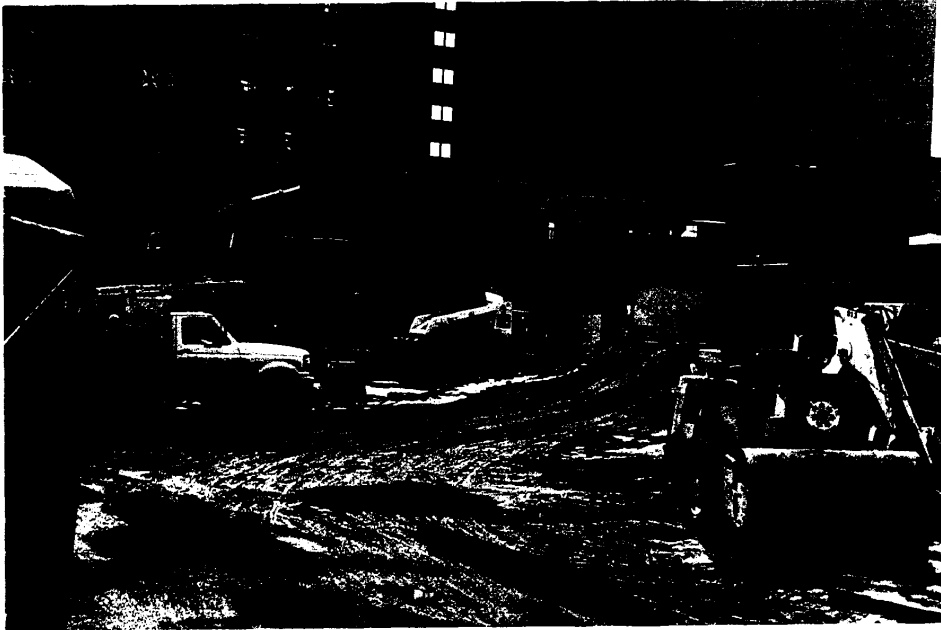
h:\docs\dld\letter1228rpu.doc

Ex. N

cc: Mr. Walt Lorber, Director of Operations, Rochester Public Utilities
Mr. Walter Schlink, Manager of Power Production, Rochester Public Utilities

Mayo Clinic Construction Charlton Building

Yellow Door Indicates MRI Facility



Ex. 0

Mayo Clinic Facility at Lake City, MN

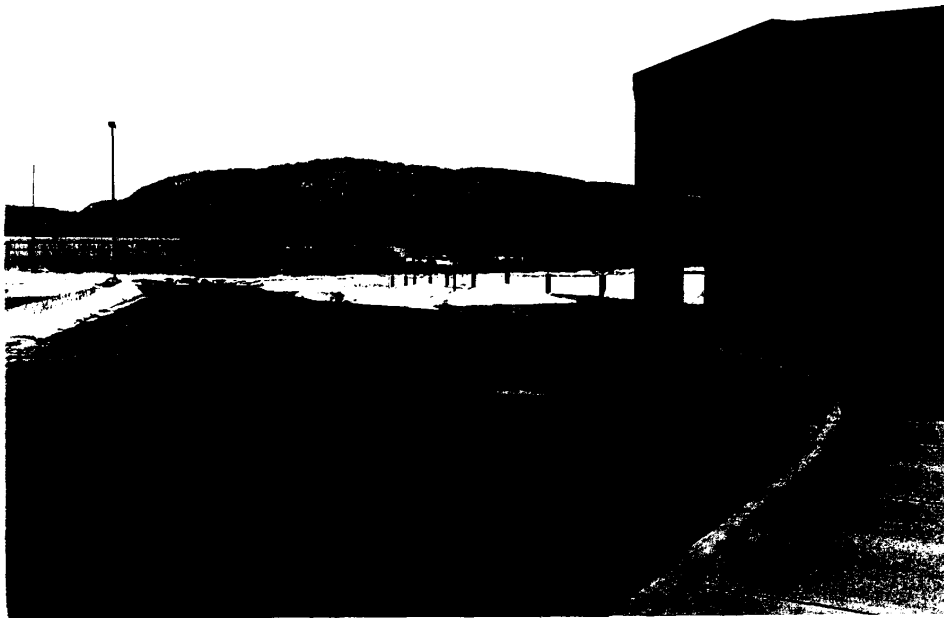
Within 500 Feet of Freight Train Line



Ex. P

Mayo Clinic Facility at Lake City, MN

Within 500 Feet of Freight Train Line





Minnesota Department of Natural Resources
Division of Ecological Services
2300 Silver Creek Road NE, Rochester, MN 55906
Phone (507) 281-7779

January 16, 2001

Kathy King - Citizens Against Rochester's Bypass
6027 60th Ave. SW
Rochester, MN 55902

Dear Ms. King:

In response to your request for information, I have enclosed survey information for natural communities assessed as part of the Minnesota County Biological Survey in the vicinity of the proposed DM&E bypass. I hope this answers your questions regarding resource information along the proposed bypass alignment. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Donald Nelson".

Donald Nelson
Regional Environmental Assessment Ecologist

Enc.



OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Sitename: AIRPORT WETLAND (14 acres)

Site #: 27

Primary Twp: T105N Rng: R14W Section: 15
Legal Description: 0ENE15 T105N R14W

SITE CONSISTS OF BROAD SEEPAGE ZONE BETWEEN ROUNDED HILLS. HAS MOSAIC OF
WET TUSsock SEDGE MEADOW AND WET PRAIRIE STRONGLY INFLUENCED BY GROUNDWATER SEEP
AGE. MUCH VALERIANA DOWNSLOPE. TINY, DIST'D CALC FEN ON MOUND W/ DRAIN TILE AT N
END OF W SIDE. SITE WAS ONCE GRAZED. ALSO SURVEYED BY LEOSCHKE & BOLIN IN 1990.

SITE STATUS

Protection Intentions: EASEMENT/VOLUNTARY AGREEMENT
Land Use Comments: PAST GRAZING; OLD DRAIN TILE; SOME REED CANARY; NEEDS FIRE
Adjacent Land Use Comments (below):
VULNERABLE TO ALTERATION OF SURROUNDING HYDROLOGY

RARE FEATURES

Rec#	Stat	Rank	Element Name and Occurrence #
Natural Communities			
8275		D	37 CALCAREOUS SEEPAGE FEN (SOUTHEAST) PRAIRIE SUBTYPE
19932		C	60 WET MEADOW
Rare Plants			
20029	NON	C	44 COWBANE (OXYPOLIS RIGIDIOR)
11753	THR	AB	44 VALERIAN (VALERIANA EDULIS VAR. CILIATA)

Mar 04 01 04:46p

McGHIE&BETTS INC

507-289-7333

P.4

OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Sitename: ROCK DELL 14 (27 acres)

Site #: 33

Primary Twp: T105N Rng: R15W Section: 14
Legal Description: SE14 T105N R15W

SURVEYED IN 1990 INVENTORY BY LEOSCHKE & BOLIN: FOUND HUGE VALERIANA POPULATION
& SEVERAL FEN PLANTS. POTENTIAL CALCAREOUS FEN ON PALMS MUCK SOIL. NO MCBS SURV
EY BECAUSE WE COULD NOT REACH OWNER FOR PERMISSION DESPITE REPEATED ATTEMPTS.
1994 DRIVE-BY: HEAVY PAST GRAZING - SITE APPEARS TO BE DISTURBED SEDGE MEADOW.

SITE STATUS

Protection Intentions: no specific recommendations
Land Use Comments:
Adjacent Land Use Comments (below):

RARE FEATURES

EO	MN	EO	
Rec#	Stat	Rank	Element Name and Occurrence #
Rare Plants			
11755	THR	43	VALERIAN (VALERIANA EDULIS VAR. CILIATA)

Mar 04 01 04:46p

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p.5

OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Site name: NELSON FEN WMA (85 acres)

Site #: 36

Primary Twp: T105N Rng: R15W Section: 16
Legal Description: SE16 T105N R15W

TINY CALCAREOUS FEN IN CRATER LEFT BY DYNAMITING HILLSLOPE. SURROUNDED BY SHRUB SWAMP W/MUCH GROUNDWATER SEEPAGE. PAST INVENTORY BY W. SMITH FOUND SEVERAL RARE FEN SPECIES RARELY ENCOUNTERED IN SE MINNESOTA. MOST IMPORTANT FEN IN OLMSTED COUNTY. CONTAINS SEVERAL PLANT SPECIES THAT ARE EXTREMELY RARE IN SOUTH MINN.

SITE STATUS

Protection Intentions: ALREADY PROTECTED AS WMA; ENSURE ADEQUATE HYDROLOGY
Land Use Comments: PAST GRAZING; DYNAMITE CRATER
Adjacent Land Use Comments (below):
WOULD BE DESTROYED BY ALTERATIONS TO HYDROLOGY OF SURROUNDING AREA

RARE FEATURES

EO	MN	EO		
Rec#	Stat	Rank	Element Name and Occurrence #	

Natural Communities				
13727		B	3	CALCAREOUS SEEPAGE FEN (SOUTHEAST) PRAIRIE SUBTYPE
Rare Plants				
10477	THR	A	40	STERILE SEDGE (CAREX STERILIS)
5173	NON		28	COWBANE (OXYPOLIS RIGIDIOR)
10476	THR		34	HAIR-LIKE BEAK-RUSH (RHYNCHOSPORA CAPILLACEA)
5574	THR	B	13	WHORLED NUT-RUSH (SCLERIA VERTICILLATA)
10475	NON		41	MARSH ARROW-GRASS (TRIGLOCHIN PALUSTRIS)
5861	THR	B	36	VALERIAN (VALERIANA EDULIS VAR. CILIATA)

Mar 04 01 04:46p

McGHIE&BETTS INC

507-289-7333

P.6

OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Sitename: ROCK DELL 17 (16 acres)

Site #: 37

Primary Twp: T105N Rng: R15W Section: 17
Legal Description: NWNW17 T105N R15W

SURVEYED IN 1990 INVENTORY BY LEOSCHKE & BOLIN: NO RARE PLANTS FOUND. POTENTIAL
CALCAREOUS FEN ON PALMS MUCK. DRIVE BY IN 1994: SITE IS HEAVILY DISTURBED BY
GRAZING AND WAS TOO DISTURBED FOR GROUND SURVEY.

SITE STATUS

Protection Intentions: no specific recommendations
Land Use Comments:
Adjacent Land Use Comments (below):

RARE FEATURES

EOR MN EO
Rec# Stat Rank Element Name and Occurrence #

Mar 04 01 04:47p

McGHIE&BETTS INC

507-289-7333

P.7

OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Sitename: HIGH FOREST 17 (14 acres)

Site #: 39

Primary Twp: T105N Rng: R14W Section: 17
Legal Description: NWNW17 T105N R14W

POTENTIAL CALCAREOUS FEN SURVEYED BY LEOSCHKE & BOLIN IN 1990 INVENTORY: NO RARE
PLANTS FOUND. PALMS MUCK SOIL. APPEARED TOO DISTURBED BY PAST GRAZING TO MERIT
GROUND SURVEY.

SITE STATUS

Protection Intentions: no specific recommendations
Land Use Comments:
Adjacent Land Use Comments (below):

RARE FEATURES

EOR MN EO
Rec# Stat Rank Element Name and Occurrence #

Mar 04 01 04:47p

McGHIE&BETTS INC

507-289-7333

p.8

OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Sitename: SALEM 30 (45 acres)

Site #: 45

Primary Twp: T105N Rng: R15W Section: 30
Legal Description: SWSE30 T106N R15W

SMALL SEEPAGE AREAS ON PALMS MUCK SOILS--INVESTIGATED FOR POTENTIAL CALCAREOUS
FEN. HAS WET, TUSsock SEDGE MEADOWS WITH NO FULL CALC FEN DEVELOPMENT. VALERIANA
EDULIS PRESENT N AND S OF CO RD 17.

SITE STATUS

Protection Intentions: no specific recommendations
Land Use Comments:
Adjacent Land Use Comments (below):

RARE FEATURES

EO	MN	EO	
Rec#	Stat	Rank	Element Name and Occurrence #
Rare Plants			
19940	THR	BC	61 VALERIAN (VALERIANA EDULIS VAR. CILIATA)

OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Sitename: SALEM 20 (381 acres)

Site #: 46

Primary Twp: T106N Rng: R15W Section: 20
Legal Description: SECT 20 T106N R15W

UPLANDS, STEEP SLOPES AND BOTTOMLANDS ALONG SALEM CK. 25 ACRES MATURE MESIC OAK FOREST IN EXCEL CONDITION IN SWSW20. REST OF SITE IS VERY HEAVILY DISTURBED FROM CUTTING. HEAVY GRAZING IN PARTS. THE CUT & GRAZED AREAS ARE DENUDED OF NATIVES. LANDOWNER DENIED SURVEY IN E PART OF SITE WHERE HEAVY LOGGING WAS TAKING PLACE.

SITE STATUS

Protection Intentions: CONSERVATION EASEMENT FOR SWSW20 IF OWNER INTERESTED
Land Use Comments: MOST IS BEING COMPLETELY DESTROYED BY CLEARCUT & GRAZING
Adjacent Land Use Comments (below):

RARE FEATURES

EO	MN	EO	
Rec#	Stat	Rank	Element Name and Occurrence #

Natural Communities			
19270		AB 223	OAK FOREST (SOUTHEAST) MESIC SUBTYPE
Rare Plants			
19941	SPC	C	171 AMERICAN GINSENG (PANAX QUINQUEFOLIUS)

Mar 04 01 04:48p

McGHIE&BETTS INC

507-289-7333

p.10

OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Sitename: SALEM CREEK WOODS (286 acres)

Site #: 47

Primary Twp: T105N Rng: R15W Section: 19
Legal Description: SECT 19 T106N R15W

SALEM CK VALLEY. N OF CK & W OF POWERLINES: FULL OF HOUSES. INTACT FOREST N OF CK & E OF POWERLINE W/COUPLE HOUSES AT E EDGE. SE PART IS FOREST HEAVILY DIST'D BY ATV'S. W END S OF CK HAS NICE MESIC OAK STAND & TALUS SLOPE. KARST FORMATION S INCL SINKHOLES. NEEDS FURTHER SURVEY OF TALUS SLOPE FOR RARE SNAILS.

SITE STATUS

Protection Intentions: CONSERVATION EASEMENTS IF OWNERS INTERESTED; PARK?
Land Use Comments: ATV USE; HOUSING DEVELOPMENTS
Adjacent Land Use Comments (below):
ENCOURAGE LOCAL OWNERS TO KEEP REMAINING FORESTS UNCUT

RARE FEATURES

EO	MN	EO		
Rec#	Stat	Rank	Element Name and Occurrence #	

Natural Communities				
1070		BC	122	OAK FOREST (SOUTHEAST) MESIC SUBTYPE
27346			9000	TALUS SLOPE
Rare Plants				
19942	SPC	C	170	AMERICAN GINSENG (PANAX QUINQUEFOLIUS)
Rare Animals				
16165	NON		30	AMERICAN BROOK LAMPREY (LAMPETRA APPENDIX)
6550	SPC		9	OZARK MINNOW (NOTROPIS NUBILUS)

New ED R in site 41

MINNESOTA NATURAL HERITAGE PROGRAM ELEMENT OCCURRENCE RECORD

Record #: 27346
Ename: TALUS SLOPE

Map Margin #: 0

CName: TALUS SLOPE
NC Class: PC
G Rank:

Occur #: 9000

Code: TXXXX
S Rank: SU

Class: NC
TNC Code:
MN Stat:
EO Acres: 0
EO Est?:

County: 55
LS Region: 22
DNR Code: W19B
Township: T106N
Latitude: 0 0 0
Longitude: 0 0 0
DNR Region: Wildlife Area:
County Name: OLMSTED
ECS Subsection Name: OAK SAVANNAH
Quadrangle: ROCK DELL
Range: R15W
Section: ONNWSW19
USGS Quad#: 43092H6
Location/Precision: C
Threat/Destruct: Forestry RAD:

geog. data missing
can't chk. LL vs. TRS

Sources (below):

HARRIS, F. (CO BIOL SURVEY 1994)
Collection #:
Last Obs: Month/Day/Year: 08 1994
Most Recent Update: 12/12/2000
Previous Update:

Verification: # of Relaves: 0
First Obs: Month/Day/Year: 08 1994
Original Entry Date: 12/12/2000
of Archived Records: 0

Macro Site:

Site Name: SALEM CREEK WOODS
ManArea1:
ManArea2:
ManArea3:
Special Status 1-5:

Bioreserve Code:
Siteacres: 0 Est?:

Current Stat: 0
Intended Stat:

of Owners: 01
Listed Colonial Waterbird Species?:

Owner: PRIVATE
Species/Site Monitoring?:

Problem Fields

General Description (below):

ON LOWER HALF OF STEEP N-FACING SLOPE ON S SIDE OF SALEM CK VALLEY. BELOW HIGHLY
FRACTURED OUTCROPS OF SEDIMENTARY ROCK. SLOPE HAS HEAVY MOSS COVER WITH MUCH
CYSTOPTERIS BULB, MARCHANTIA, CRYPTOGRAMMA, TAXUS, IMPATIENS COVER. SCATTERED
CLUMPS OF SAMBUCUS. MOSS, ROCKS & SOIL COLD TO THE TOUCH. SOME CREVICES APPEAR
TO HAVE COLD AIR DRAINAGE. UPLANDS S OF SLOPE HAVE SINKHOLES. NEEDS
INVESTIGATION FOR PLEISTOCENE RELICT SNAILS & ALGIFIC PROCESS. LITTLE DISTURBED.

Transcriber:

Mapper:

Data Entry: frharris QC: *

Lat Degs too LOW
Lat Min/Secs too LOW
Long Degs too LOW
Long Min/Secs too LO

Mar 04 01 04:48p

McGHIE&BETTS INC

507-289-7333

P.12

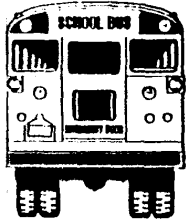
OLMSTED COUNTY, MINNESOTA
Minnesota County Biological Survey
DECEMBER 12, 2000

Sitename: ROCK DELL 7 (73 acres)

Site #: 86

Primary Twp: T105N Rng: R15W Section: 07
Legal Description: T105N R15W SW07

MIGHT BE SITE RECOMMENDED BY LOCAL PLANT ENTHUSIAST AS "RICHARD DORER 7--MAPSVV
AREA HAS GENTIANAS, LOBELIAS IN SEPT " 1997



GRISIM SCHOOL BUS

Curt & Connie Grisim • 628 Highway 63 SE • Stewartville, MN 55976 • (507) 533-8775

My name is Curt Grisim, I'am a School Bus Contractor for Stewartville School District #534 and I also work in Byron School District #531.

I have been a school bus contractor for 16 years. As we know school busses at railroad crossings is very dangerous and a great concern of mine. School bus railroad crossings would be new stops for our districts and SAFETY exposures for my company.

NEW STOPS FOR A BYPASS WOULD BE

Byron	96 a day
Hayfield	32 a day
Stewartville	168 a day
Rochester	96 a day
Eyota	32 a day

Totals	424 a day
--------	-----------

There has been discussion of possible township road closures if there is a bypass. While this would perhaps decrease some of the bus exposures it would add 40 miles of travel time for some buses, meaning some children would be riding the school buses for over an hour. This does not even address the added exposure risks for children in Hayfield, Eyota, and rural Rochester.

I respect the concerns Rochester parents have regarding school bus exposure in their city. Anytime a school bus has to cross over train tracks children are exposed to an additional risk. However, I do not feel that adding new exposures to the rural children in our community is a safe, let alone reasonable and feasible option. There are thousands of school children in Olmsted County traveling the rural highways and roads on school buses with parents, and in their own cars going to school and school activities. A casual look at the rural landscape does not readily reveal these facts, but it must be recognized that the safety of rural children is as important as the safety of children in the city.

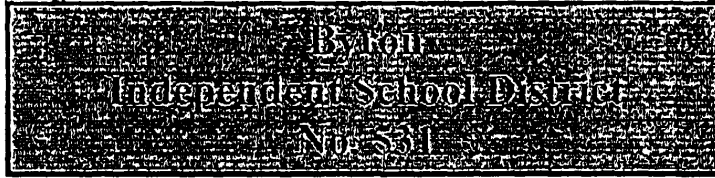
Sincerely,

Curt and Connie Grisim
Grisim School Bus Inc.
Stewartville, MN

Ex. R

Board of Education:

Gil Sirek, Chair
Diane Lund, Vice Chair
Frank McNulty, Clerk
Janis Tanner, Treasurer
David Sanneman, Director
Michael Strand, Director
James Rodrick, Director



ADMINISTRATION

Dr. Wendy S. Shannon, Superintendent
Michael Duffy, High School Principal
Shelley Balkan, Middle School Principal
David Hedin, Elementary Principal

501 10th Avenue NE
Byron, MN 55920

Superintendent Phone 775-2383
District Office FAX 775-2385
High School Phone 775-2301
High School FAX 775-2303
Middle School Phone 775-2189
Elementary School Phone 775-6620

"Maximizing Learning Opportunities for All"

November 1, 2000

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K Street NW
Washington, DC 20423-0001

Att: Victoria Rutson, Environmental Project Manager

Dear Ms. Rutson:

Byron School District has 1400+ students from the Byron area. We live in a community of 3,294 people and are located 8 miles west of Rochester. We are sending this letter as a way to communicate our concerns to you. If this bypass around Rochester were approved, this would impact the transportation of students to and from our schools each day on four of our school buses and four school vans. Parents in our school district have the same safety concerns as parents in Rochester who oppose the route through their community. Our transportation manager has estimated that four buses and four school vans could cross the DM & E bypass tracks as many as sixty-four times per day. The bus ride of some of our students is already quite lengthy. Our transportation manager estimates that many of these routes could create trips in excess of an hour both to and from school. The time factor is a concern for us but our biggest concern is in the safety of our students. Our students would be riding buses that would be crossing tracks as many as sixty-four times a day. That is a BIG concern to us!

The DM& E expansion plan has an impact on many facets of people's lives. Our school board, however, wishes to limit its concerns to the safe transportation of our students to and from school.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Wendy S. Shannon".

Wendy S. Shannon, Ph.D.
Superintendent
Byron Public Schools

WSS/dkr



500 Fourth Street S.W. • Stewartville, Minnesota 55976

DR. DAVID D. THOMPSON, SUPERINTENDENT

EMAIL: dthompson@ssd.k12.mn.us • PHONE: (507) 533-1438 • FAX: (507) 533-4012

October 30, 2000

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K Street NW
Washington, DC 20423-0001

Att: Victoria Rutson, Environmental Project Manager

Dear Ms. Rutson:

This letter is a follow-up to the letter we sent you in April of 1999.

Stewartville School District has 1800+ students from Stewartville, High Forest, Racine and Pleasant Grove. We live in a community of 5,000 people and are located 12 miles south of Rochester. We are sending this letter as a way to communicate our concerns to you about the DM&E Bypass Option. If this bypass around Rochester is approved, this would impact the transportation of students to and from our schools each day on seven of our school buses. Parents in our school district have the same safety concerns as parents in Rochester who oppose the route through their community. Our bus companies have estimated that these seven buses could cross the DM&E bypass tracks as many as 60 times per day. The bus ride of some of our students is already quite lengthy. Our bus companies estimate that many of these seven routes could create trips in excess of an hour both to and from school. The time factor is a concern for us but our biggest concern is in the safety of our students. Our students would be riding buses that would be crossing tracks as many as 60 times a day. That is a BIG concern to us!

The decision that will be made will impact many students' lives, so please take this letter into consideration when making this very important decision.

Thank you for your consideration.

Sincerely,

Dr. David D. Thompson, Superintendent
Stewartville Public Schools

District Aims

High Student Achievement

A Safe, Welcoming, Engaging Learning Environment

Effective and Efficient Operations

An Equal Opportunity Employer • Printed on Recycled Paper

Project #1

PROJECT NARRATIVE

(FP-1)

Olmsted County

1991

GENERAL:

The County of Olmsted is submitting a housing rehabilitation application request of \$600,000, to be targeted for the townships of New Haven, Pleasant Grove, Rock Dell, Farmington, Dover, Quincy and Viola townships located in Olmsted County (Appendix FP - 1, Item #1 - Map of Target Area).

Criteria used for targeting these townships for the program were:

1. Outside future urban service areas (where solving septic system and well problems would be best accomplished by community services);
2. Having a high concentration of houses with building values in the lower third of County building values; and
3. Having a high concentration of older dwellings more likely to have substandard well and septic systems.

The program would be administered by the Housing and Redevelopment Authority (HRA) of Rochester, with the staff of the HRA being contracted from Olmsted County. A Contractual Agreement would be executed between the Housing and Redevelopment Authority of Rochester and Olmsted County for the administration of the program. A sample of the agreement is listed in Appendix FP -1, Item #2.

The HRA currently administers several housing rehabilitation, home ownership and rental assistance programs in Olmsted County and has the staff capacity to administer the Small Cities program. The HRA has taken a very active role in accessing State and Federal housing rehabilitation and home ownership programs. Appendix FP - 1, Item #3 is the 1990 Annual Report of the Housing and Redevelopment Authority of Rochester. This report reflects the great effort and experience the HRA has made in providing housing to Olmsted County residents.

Policy Guidelines and all necessary documents and forms that will be used for the program have been developed (Appendix FP - 1, Item #4). Administration of this program could begin within sixty (60) days after receiving notification of funding. All agencies and county departments that will be involved in the program have the necessary knowledge and expertise that would allow the program to be administered in a timely and effective manner.

Listed below is a description of the activity for which Olmsted County is requesting Small Cities Development Program funding.

HOUSING REHABILITATION:

Federal Objective #1: Benefit to Low and Moderate Income Persons

Olmsted County is proposing to rehabilitate 43 substandard, low to moderate income, owner-occupied single family/duplex properties, with an average rehabilitation cost of \$19,662. The average housing rehabilitation cost is

Ex. S

based on six random inspections that were completed on properties in the targeted area.

Olmsted County is proposing to leverage an additional \$300,000 of rehabilitation loan funds from additional sources in conjunction with \$600,000 of Small Cities funds for use in the program. Sources of additional funding will be addressed in the Finance and Affordability Section of the application.

Information on the location, number and ages of well and septic systems was obtained from the Olmsted County Health Department and the Planning and Housing Department. Property values and age of the existing housing stock was obtained from the Olmsted County Assessor for all the townships located in Olmsted County. Review of the data indicated that the seven townships had the highest need for program funding (Appendix FP - 1, Item #5, Survey Methodology).

A total of 1,210 Olmsted County Needs Assessment Surveys were mailed to all single family property owners in the seven townships (Appendix FP - 1, Item #6, Survey). The intent of the survey was to determine:

1. the number of low and moderate income property owners;
2. the number of low and moderate income property owners who identified substandard housing conditions;
3. the number of low and moderate income property owners who identified substandard well and septic systems; and
4. the number of low and moderate income property owners who indicated they would be interested in participating in the program who have substandard well and septic systems.

A total of 380 surveys were completed and returned (31.4%). Of the 380 surveys returned, 181 of the households were low to moderate income (47.3%). The number of low and moderate households may be even higher if the 1991 Section 8 Income Limits would have been used on the survey. The survey was written and mailed to property owners using the 1990 Section 8 Income Limits prior to the adoption of the 1991 Section 8 Income Limits.

A total of 165 households (43.2%) indicated having substandard housing conditions. This number is based on survey replies by owners who identified three or more items that needed to be improved or corrected on their home. This number could be higher, but on the list of home improvements, there was no section for electrical improvements, including a new service or wiring. Upgrading electrical systems has been a major code deficiency on previous housing rehabilitation projects and was identified in the six random inspections conducted for this application.

Survey data collected verified that the seven township area has the majority of the older housing stock in Olmsted County. The one figure that has the most impact is that 132 of the households had homes that are 61 years old, or older, which is 34.7% of the total survey responses. This would indicate that a high percentage of these properties would have substandard conditions that need to be addressed.

Survey results indicate that there are 126 households that would be interested in participating in the program, of which 69 are low and moderate income (18.2%). Listed below and shown in Appendix FP - 1, Item #7, is a breakdown of the number of households that indicated they were low to moderate income; and

needed well and/or septic systems replaced; and are interested in participating in the program:

Septic Systems:	25
Wells:	12
Septic System and Well:	9

TOTAL: 46

The total of 46 represents 12.1% of all surveys returned. The uncertain factor which would push this number up even higher is the number of households (42) who did not indicate the need for septic system or well replacement but who have systems which are 40 years or older, and, the number of households (267) that do not know the age of their well or septic system.

The data collected from property owners reinforce the need and was influential in the design of the program. Specific program requirements are spelled out in the Policy Guidelines that were developed for the program. Some of the general eligibility criteria for the program include the following:

1. Applicant must own or have life estate and homestead the property being rehabilitated; and
2. Property must be located within the targeted area; and
3. Applicant must be low to moderate income; and
4. Applicant must be below the asset limit of \$25,000; and
5. Property must meet, at a minimum, one of the following rehabilitation requirements:
 - a.) well abandonment
 - b.) well replacement
 - c.) septic system replacement

The program will address the needs of the low and moderate income property owners in providing a financial mechanism to assist in the replacement of substandard well and septic systems. Survey results indicate that rehabilitation loan funds will be available to assist 43 of the 46 property owners who are LMI, need well or septic systems replaced and are interested in participating in the program. The extent of substandard well and septic systems in the targeted area will be more thoroughly addressed under Federal Object - Urgent Need.

Small Cities funding will be provided to homeowners in two ways:

- 1.) A Forgivable Loan will be available to very low income households. Under this program, the owner can receive up to \$10,000 worth of improvements with a ten year lien being placed on the property. If the property is sold or transferred, or becomes investor owned during this ten year period, the entire amount of the loan will be due and payable. If ownership and occupancy remain for the ten years, the loan is forgiven.
- 2.) A Deferred Loan will be available to low and moderate income households. Under this program, the owner can receive up to \$20,000 worth of improvements with the debt being secured by a Uniform Short Form Mortgage and Promissory Note. The zero interest loan is repaid when the property is sold or transferred, or becomes

investor owned.

Should the cost of improvements exceed the \$10,000 limit under the Forgivable Loan program for the very low income households, a Deferred Loan will be supplemented to finance the remaining costs of the improvements. Investor-owned rental properties will not be eligible under the program. The HRA administers the Minnesota Housing Finance Agency (MHFA) Rental Rehabilitation Deferred Loan Program and the Rental Rehabilitation Loan Program which is available County-wide. These two programs will be used for investor-owners that have housing with substandard conditions.

The maximum loan amount of \$20,000 under the Deferred Loan was determined based on the following two factors:

- 1.) Cost of upgrading well and septic systems; and
- 2.) Cost of eliminating all other substandard conditions that exist

The Olmsted County Needs Assessment Survey included an optional section asking property owners if they would be willing to allow an inspection of their property. Of those surveys returned with this section completed, staff randomly selected six properties for inspection. Those selections were based on property owners who indicated that they were low to moderate income, have existing substandard housing conditions and were interested in participating in the program.

Inspections of the six properties were made to determine what conditions existed (Appendix FP - 1, Item #8). Bid specifications and cost estimated were completed on the six properties (Appendix FP - 1, Item #9). A summary of the improvements and cost estimates is listed in Appendix FP - 1, Item #10. The cost of improvements ranged from a low of \$8,950 on one property to a high of \$30,945, with the average rehab cost for the six properties being \$19,662.

Specifications listed are needed to assure that the properties at time of completion will, a a minimum, meet Section 8 Housing Quality Standards, all State and Local Building and Health Code Requirements and the Rehabilitation Standards of the program. Appendix FP - 1, Item # 11 is a sample list of the Rehabilitation Standards that are currently being used for all HRA rehabilitation programs. These standards have been reviewed and approved by MHFA, the Department of Housing and Urban Development (HUD) and local Code Enforcement Departments.

There is very little funding currently available to low and moderate income homeowners for property improvements. Low and moderate income homeowners can not afford the monthly payments that are offered by local lenders. As indicated in the survey results and property inspections that were completed, the costs of well or septic system replacement, along with the needed improvements to eliminate substandard housing conditions force low and moderate income homeowners into a position of being unable to address their housing problems. Homeowners are aware of the health problems caused by substandard well and septic systems but can only respond by asking "How do I pay for it?"

Appendix FP - 1, Item #12 are questionnaires that were completed by local well and septic contractors relating to the cost of installing new systems and well abandonment. Listed below is a summary of that data:

Contractor	Average Depth of New Well	Average Cost of New Well
Narveson Well and Pump	400 feet	\$12,000 - \$15,000
Thein Well	400 feet	\$10,500

Contractor	Average Cost of Well Abandonment
Thein Well	\$1,200

Contractor	Average Cost of New Septic System
Loomis Construction (cost range of \$2,500 - \$15,000)	\$5,000
K & D Enterprises	3,500

Of the six property inspections completed, three indicated the need for a new well (this would include sealing the existing well, as required by code) and three indicated the need for septic system replacement with 1 property requesting both well and septic. The estimated cost for these improvements was based on contractor surveys and past rehabilitation projects.

Except for one, each property had a fairly large number of substandard housing conditions that were identified. Inspections show the extent of inadequate plumbing, heating and electrical systems; inadequate insulation, doors and windows; exterior siding, soffit and fascia that is rotting or has extensive peeling paint; and basic safety items such as handrails.

Probably the most interesting aspect of inspections is the way staff identifies substandard conditions and the way a homeowner will. One homeowner felt that the sidewalls of the house should not be insulated since new siding was to be installed, or, another homeowner did not see the need for additional electrical outlets even though they were running extension chords with adaptors to meet their electrical need.

The reason for noting this is that, even though the owner identified improvements needed to their property on the survey form they returned, additional substandard conditions exist that they may not recognize or aware of. This would increase the number of substandard properties that are identified in the survey.

Federal Objective #2: Urgent Need

This program is designed to not only benefit low and moderate income homeowners in housing rehabilitation, but, also to benefit LMI homeowners in addressing the urgent need of replacing substandard well and septic systems. Appendix FP -1, Item #13, are letters documenting the need of program funding from the Olmsted County Health Department, the Minnesota Department Health and the Olmsted County Environmental Commission.

The program will address three issues of high priority in Olmsted County:

1. residential wastewater pollution;
2. well water contamination; and
3. abandoned well sealing

Because of the karst geology in Olmsted County, there are severe problems with existing well and septic systems. As stated in the letter from the Minnesota Department of Health, many of the older wells are poorly constructed or constructed in a manner that poses a hazard to public health and the quality of the groundwater. Many wells are finished below-grade in pits and/or are located near sources of contamination. A large number of wells were constructed with a minimal amount of casing because geologic formations allowed the well bore to stand open without the aid of casing material. Many of these wells have only 10 to 20 feet of thin wall casing and several hundred feet of open hole. This type of construction allows near surface water, often carrying surface contaminants, to enter the well below the casing and move down the well bore into the aquifer being used. Poorly constructed wells combined with the use of dry wells or poorly constructed on-site septic systems has the capacity to exacerbate the condition and number of unsanitary wells and groundwater contamination problems.

Mr. Rich Peter, Director of Environmental Health for Olmsted County was able to identify through public health records, substandard conditions regarding drinking water supplies, individual sewage treatment systems (ISTS), aquifer protection and housing in the seven township area.

The majority of housing constructed in the seven townships before 1960 is served by ISTS and drinking water wells installed prior to public health construction standards being enacted to protect public aquifers and consumers. The Olmsted County Department of Health provided the following statistics:

1. Based on a 1990 study of ISTS in Olmsted County, there are about 1,480 ISTS within the seven township area. Between 65% - 70% (1,000) of the ISTS were installed without adequate review for public health or aquifer protection.
2. Four hundred thirty one water tests were collected from residential and farm water supplies in the seven township area between January 1, 1988 and January 1, 1990. Coliform bacteria was present in 24% of the samples; and nitrate nitrogen concentrations exceeded health standards for drinking water in 12% of the sample.
3. Based on a 1986-89 study that produced the Geologic Atlas of Olmsted County, much of the land area within the seven townships have high moderate to very high moderate sensitivity to groundwater contamination. Contaminants from improperly installed ISTS and the surface can enter the shallow aquifers in times as short as several hours.

Data based on the County Assessor and Surveys of Southeastern Minnesota water wells by the University of Minnesota and the Minnesota Department of Health, completed in the early 1970's, estimate that there may be up to 6,000 abandoned unsealed water wells existing in the seven township area. Sealing abandoned wells will have a direct benefit in reducing the potential of groundwater contamination.

Program criteria of installing new well and septic systems and well abandonment will assist in addressing the urgent need in prevention of public health and groundwater contamination problems.

Market Studies:

- 1.) Housing Needs and Markets in Rochester and Olmsted County:
conducted by the Center for Urban and Regional Affairs (CURA)
- 2.) Policy Jury on Low-To-Moderate Income Housing in Rochester and Olmsted County: conducted by the Jefferson Center for New Democratic Processes

Both studies were sponsored by the Rochester/Olmsted Community Housing Partnership (ROCHP), a non-profit corporation dedicated to preserving and creating affordable housing. The Housing Needs and Markets study (appendix FP - 1, Item #14) was completed in January of 1990 and the Policy Jury study (appendix FP 1, Item #15) was completed in January of 1991.

The CURA study was conducted to provide a data base that describes and quantifies the unmet housing needs of low and moderate income households in Olmsted County and to provide an information base and part of the county's housing plan.

One of the key findings of the study related to the existing housing stock was that housing quality is generally good, but poorer quality units are disproportionately concentrated in the rural areas of Olmsted County. Only 7% of housing stock is graded as poor quality, but 31% of those units are located in the rural townships.

The Jefferson Center study was conducted to provide citizen input into a community dialogue on ways of meeting the need for more affordable and to demonstrate the value of the Policy Jury process as a means of providing such input.

Policy Jury recommendations included that the local city/county government give serious consideration to the creation of a fund to aid low-income rural homeowners with the extreme costs associated with installing and/or repairing wells and septic systems in rural areas.

Program funding will address not only those needs listed in the above studies, but also the health problem that was described under urgent need. The ROCHP studies reinforce the housing conditions and problems facing rural low and moderate income homeowners. Appendix FP -1, Item #16 is a letter of support from the ROCHP.

Need and Impact:

Data gathered for the purpose of this application supports the need for program funding. The program will be able to assist 43 of the 46 low to moderate income homeowners (93%) that have properties needing well and/or septic systems replaced, have substandard housing conditions and are interested in participating in the program. For these homeowners, there is no other financial tool available to make the improvements. Without program funding, these properties will continue to deteriorate.

Between 25 and 35 homeowners contacted staff by phone with questions and comments concerning the proposed program. All stated the need for this type of financing to correct the substandard conditions, especially as it relates to the replacement of substandard well and septic systems. Property owners are

aware of the extensive health problems associated with substandard wells and septic systems but asked the same question, "How do I pay for the replacement of these systems." This program will provide the tool for this problem. Without program funding, the 43 low to moderate income homeowners will have no choice but live with the existing conditions and hope for something else to become available.

As stated in Appendix FP - 1, Item #13, the geologic formation and the number of substandard well and septic systems existing has created a severe health problem that exists County-wide. Olmsted County realizes that this program will not correct all the problems, yet it is a start that needs to be taken. This problem will not go away, it will only become more severe. Letters of support for the program clearly illustrates the extent of the problem and how program funding will address the Federal Objective of Urgent Need. Survey returns and program interest also show the need for the program and how it will have 100% benefit to low and moderate income homeowners.

James T. Lee

DEVELOPMENT SURVEY RESULTS (Part A.III.), Income Characteristics

Household Income	Residents in Household	Deer, Quincy and Viola = nothing for each separate Township	Low-Moderate Income Persons highlighted in yellow
\$ 0 - \$ 24,900 *	25	50	8
\$ 24,901 - \$ 28,500	3	19	5
\$ 28,501 - \$ 32,050	1	7	12
\$ 32,051 - \$ 35,600	0	6	3
\$ 35,601 - \$ 37,850	0	6	1
\$ 37,851 - \$ 40,050	0	9	3
\$ 40,051 - \$ 42,300	1	4	0
\$ 42,301 - \$ 44,500	0	4	2
Over \$ 44,500	3	41	22
No Response	1	8	2
LMI Households	25	69	25
LMI Persons	25	138	75
Non-LMI Households	8	77	31
Non-LMI Persons	8	154	93

1.	Population of survey area	3,809	
2.	Number of households in survey area	2,381	
3.	Number of surveys distributed	1,210	
4.	Number of surveys returned and completed	380	
5.	Percent of return	31.40	%
6.	Number of LMI persons reflected in the survey	526	
7.	Number of non-LMI persons reflected in the survey	584	
8.	Percent of LMI persons reflected in the survey	47.38%	
9.	Percent of non-LMI persons reflected in the survey	52.62%	
10.	Total LMI persons (percent times the target area population)	1,804	

* 1990 Section 8 Income Limits were used for the survey. The 1991 Section 8 Income Limits were received after the surveys were mailed to owners. New limits are reflected in Rehab Policy Guidelines for program.

Flowering Reliability

1991 Survey

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Ward L.H., Houghlin.

Quincy - Vidua Non-LMI Nothing for each separate This!

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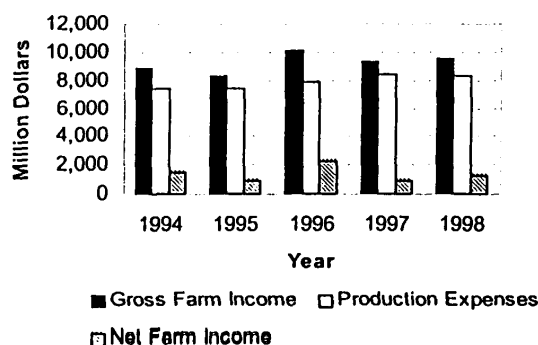
FARM INCOME

Net farm income received by Minnesota farmers in 1998 is up 32% from 1997.

Total net farm income for 1998 was \$1,260.4 million, compared to \$953.8 million in 1997. Total farm production expenses in 1998 was \$8,293.2 million, compared to \$8,394.6 million in 1997.

The "average" Minnesota farm had gross farm income of \$119,420 in 1998. However, expenses totaled \$103,665, leaving the typical farm with \$15,754 of net farm income in 1998, compared with \$11,776 in 1997 and \$27,590 in 1996.

MINNESOTA FARM INCOME AND PRODUCTION EXPENSES



FARM INCOME AND EXPENSES: Minnesota, 1994-99

Year	Cash Receipts From Farm Marketings	Government Payments	Noncash Income 1/	Farm Related Income 2/	Value of Inventory Adjustment 3/	Total Gross Farm Income	Total Farm Production Expenses	Total Net Farm Income
Million Dollars								
1994	6,460.1	622.3	378.3	277.8	1,146.5	8,884.9	7,437.5	1,447.4
1995	7,211.6	467.6	399.2	312.1	-61.4	8,329.1	7,409.8	919.3
1996	8,809.6	349.3	416.3	347.3	178.1	10,100.6	7,838.2	2,262.4
1997	7,997.8	417.0	438.2	483.5	11.9	9,348.5	8,394.6	953.8
1998 4/	7,679.9	762.4	457.5	414.8	238.9	9,553.6	8,293.2	1,260.4
1999 5/								

1/ Includes value of home consumption and housing.

2/ Includes income from custom work, machine hire, forest products, and other farm income.

3/ Estimated physical change in crops and livestock owned by farmers, valued at average prices prevailing during the year.

4/ Preliminary data.

5/ 1999 Data not available at press time. When data are released, it will be put on the Minnesota Agricultural Statistics Service Home Page at: www.nass.usda.gov/mn/.

Note: Figures may not add due to rounding.

AVERAGE PER FARM INCOME: Minnesota, 1994-99 1/

Year	Number of Farms	Gross Farm Income	Farm Production Expenses	Net Farm Income
1,000 Dollars				
1994	84.5	105,147	88,018	17,129
1995	83.0	100,351	89,275	11,076
1996	82.0	123,178	95,588	27,590
1997	81.0	115,413	103,637	11,776
1998	80.0	119,420	103,665	15,754
1999 2/	81.0			

1/ Farms having annual sales of ag products of \$1,000 or more.

2/ 1999 Data not available at press time. When data are released, it will be put on the Minnesota Agricultural Statistics Home Page at www.nass.usda.gov/mn/.

Note: Figures may not add due to rounding.

Source: Economic Research Service, United States Department of Agriculture, Washington, D.C.

2000 Minnesota Agricultural Statistics

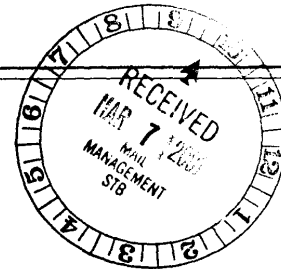
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Cultural & Historic Structures
Olmsted County
Along Bypass Route

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 - Salem Township, Section 17 Jacob Leqve Home 1875**
 - Salem Township, Section 7 Thorbjorn Isaacson Home**
- 13 Scott Home Salem Township, Section 34**
- 14. Cliffs (Byron Review Article) Salem Section 19**
- 15. References**

The City of Rochester presented a bypass option to the Surface Transportation Board in January 1999 which quoted the Black and Veatch study of December 23, 1998 in Item 6.7, "No cultural or historical structures are located along the south bypass route."

The Surface Transportation Board of 10 March 1999 refers to Item 12. Cultural and Historic Resources. We state areas of cultural and historic resources do exist and these areas will be damaged or eliminated with approval of the bypass. therefore, the City of Rochester's bypass proposal should be denied.

The Minnesota Territory created March 3, 1849 with the present state boundaries, included the area known as Olmsted County.

Jacob Goss located a claim in what is now Pleasant Grove Township in early 1853. Most early settlers purchased their land by pre-emption or the use of a soldier's land warrant. The copy of the land warrant enclosed was issued to Anver Christjonson on May 10, 1861. This farm is still in his family and designated a Century Farm by the state of Minnesota. It is currently owned by Grant Larson, son of Ernest and Frances Larson, and a descendant of Anver Christjonson.

Additional historic and cultural locations are included in this packet which prove their existence along and near the proposed bypass.

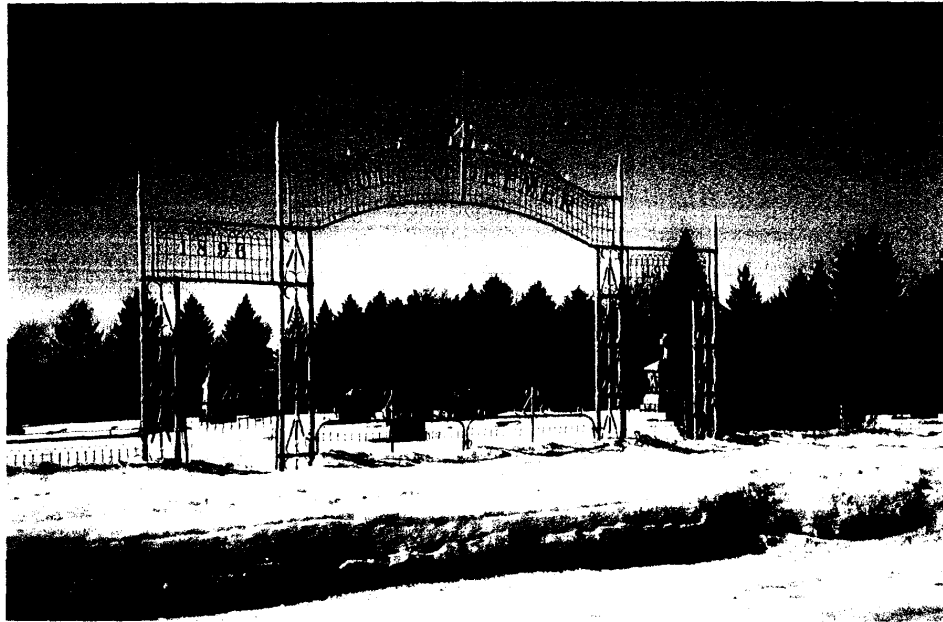
Holy Redeemer Cemetery
Oak Grove Cemetery



Eyota Township, Section 16 & 15

Map 11

Holy Redeemer Cemetery



Oak Grove Cemetery



St Bridget's Catholic Church

Built 1859



Pleasant Grove Township, Section 6

Map 22

St Bridget's Catholic Church¹

St Bridget's Church is the oldest church in the Winona diocese. The parish will celebrate its 140th anniversary this year. It was established in 1859 in Pleasant Grove Township, Section 6.



Cemetery at St Bridget's

Some older stones have Celtic crosses showing Irish heritage.



¹ History of Olmsted County - Minnesota 1910 Hon. Joseph A. Leonard

St. Bridget's Parish History

In 1853 the Michael Buckley family came to what is now St. Bridget's parish. The first mass was offered by Fr. Michael Prendergast in the Buckley log cabin located about 500 feet west of the present church. The land for the church and cemetery was donated by Mr. Buckley.

The early Irish settlers were served by priests coming from Winona. Later the parish was cared for by priests from St. John's parish, Rochester. In 1879 Fr. Edward Stack became the first resident pastor.

The church was built in 1859 of native limestone with parishioners furnishing most of the labor. Originally the church opened to the south to face the state road from Winona. Sometime before 1883 a tornado destroyed the church roof. It was rebuilt with the door to the north, since the road to Simpson, a railroad town since 1865, now passed there. In 1914 a bell tower and sacristy completed the church as it stands today.

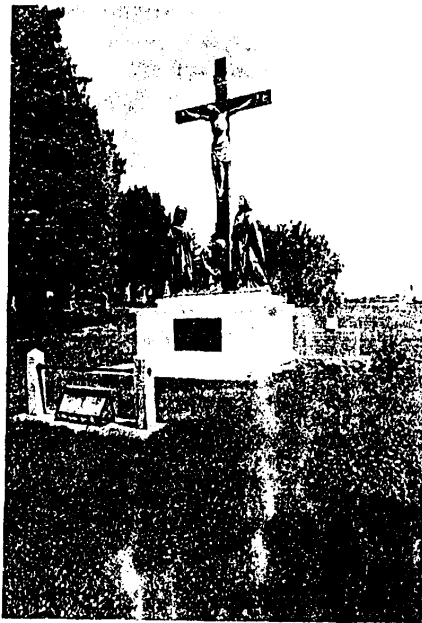
In 1879 a large brick rectory was built. It served until 1965 when the present rectory and parish center was built.

In 1924 a bronze Crucifixion group was built and dedicated at the west entrance to the cemetery.

In 1977 the interior of the church was remodeled and painted, also the altar and aisles were carpeted.

In 1991 the plaster ceiling was removed, broken roof beams were repaired, and new light fixtures, carpeting, and painting completed the repairs.

St. Bridget's Parish lives on as a tribute to the past and a promise of the future.



Bronze Crucifixion Group
At West entrance to cemetery
Built in 1924



St. Bridget's Church
Cornerstone of present building
laid in 1859

West St. Olaf ELCA



East St Olaf ELCA



Sister Churches Divided by Proposed Bypass

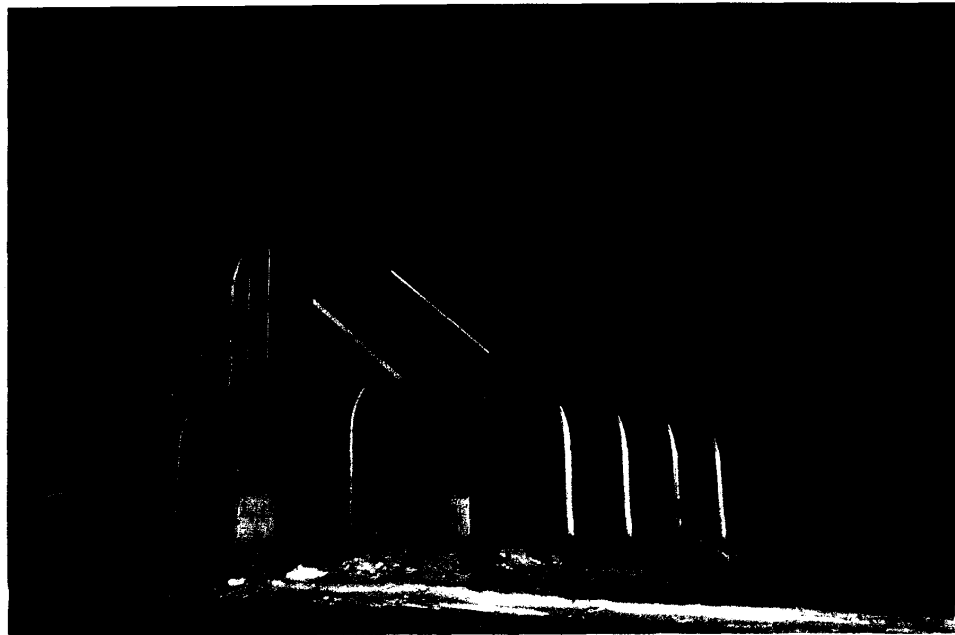
History of Two Churches - St Olaf Lutheran Parish A.L.C.

East St. Olaf
Rout 2, Byron, MN
Rock Dell Township
Section 4 & 5



'Blessed to be a Blessing'

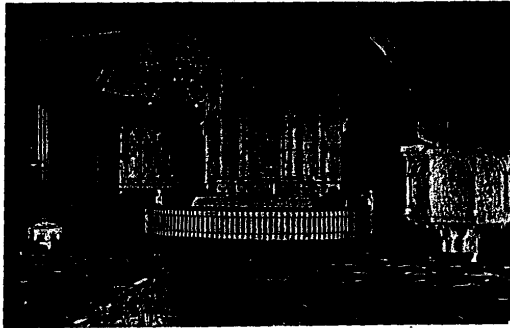
West St. Olaf
Rout 1, Hayfield, MN
Dodge County



Tragedy struck the East congregation in September of 1907. The church was hit by lightning and burned to the ground. Reconstruction began immediately and in November of the following year the new church was dedicated.



East St. Olaf Church after the fire caused by lightning, 1907.



East St. Olaf in 1908, after rebuilding

Rev. Thorsen resigned in 1916 and one year later the Norwegian Synod, the United Church, and the Hauge Synod merged into one body forming the Norwegian Lutheran Church of America. The following year, after negotiations, the Zion Congregation dissolved and united once again with the East St. Olaf Church.

While serving our parish Rev. Thorsen also served Bear Creek Lutheran, Zumbro Lutheran in Rochester, and St. John's Lutheran in Kasson. Under him the youth program prospered and the chapel at the West Church was constructed.

He passed away October 22, 1924, at the age of 86. His second wife, Agnes, died in December of 1934.

We are grateful for his long and faithful service.

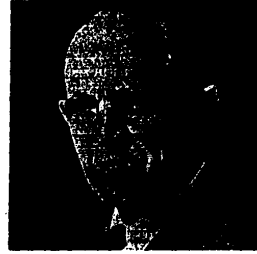
DR. J. C. K. Preus, 1916-1926

Dr. J. C. K. Preus was installed as pastor November 12, 1916. With a very aggressive leadership, a well organized young peoples work began to flourish. The beautiful chapel at West St. Olaf might be pointed to as one of the results of his untiring efforts. The Young Peoples Society sponsored the building of the Chapel at a cost of more than \$5,000.00. This was completed in 1924. After ten years of service at East and West he resigned and moved to Albert Lea, September 1, 1926.

After a 5-year pastorate in Albert Lea, Rev. Preus became Dir. & Exec. Sec. of the Board of Education of the ELC. He later served as Exec. Sec. of the Board of Parish Ed. He was Gen. Sec. of the Board of Christian Ed., Exec. Dir., Div. of Parish Education 1951-1956.

He is the author of numerous church publications: "Norsemen Found a Church," "The Friend of the Prince," and "Linka's Diary," to name a few.

Rev. Preus lives in Minneapolis, and celebrated his 99th birthday Dec. 5, 1980. His many friends in East and West St. Olaf are grateful to God for his ministry.



Dr. J. C. K. Preus



West St. Olaf Chapel, where Y.P.S., Sunday School and Ladies Aid meetings are held.

Parochial school at East was discontinued in 1921 on account of financial and other difficulties resulting from the World War. In addition to common school, daily instruction had been given in Norwegian and religion there.

Since 1922 Sunday School has been conducted in both congregations. In about 1922 the teacherage on ten acres of ground located directly north of the parsonage was sold. Only one permanent teacher occupied this home, he was Hans Stafsberg.

In 1922 the West congregation celebrated the 50th anniversary of the completion of its church in 1872. In 1926, the East congregation observed the 70th anniversary of the establishment of St. Olaf's Norwegian Evangelical Lutheran Church in 1856.

On May 23, 1923, West St. Olaf held a special meeting to reorganize its cemetery association and devise a plan whereby records of graves and lots and those buried there be kept in an orderly manner. A committee of three men elected and authorized to supervise the upkeep of the cemetery. They were: Hans N. Mohn, Chairman; J. E. Thronson, Secretary; and Ole K. Quill, Treasurer.

Cheryl K. Nelson was born in Rochester, MN on August 2, 1957. Ms. Nelson is a 1975 graduate of Stewartville High School, Stewartville, MN; received an A.A. degree from Golden Valley Lutheran College, Minneapolis, MN in 1977; and a B.A. in church music from Texas Lutheran College, Seguin, TX in 1979. She served as a secretary at the Minnesota Bible College, Rochester, MN for one year prior to assuming the position of parish worker for East St. Olaf Lutheran Church, July 1, 1980, and for West St. Olaf, since February 1, 1981.

Ms. Nelson's duties include youth programs such as college visitation and youth conventions, curriculum research for Sunday School and Vacation Bible School, junior choirs, Bible studies, and member visitation for both congregations.

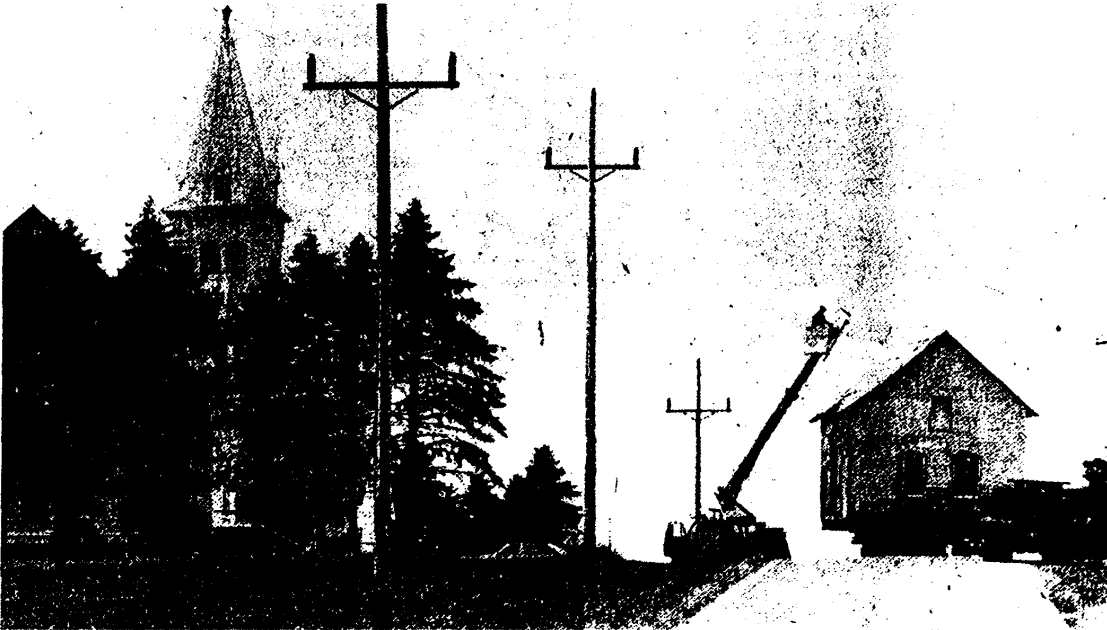


Cheryl K. Nelson, parish worker



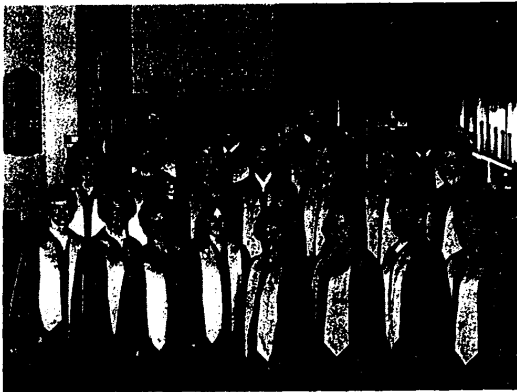
GENEALOGICAL CHURCH HISTORY

Historic Old Log House that served as a Church and School, being restored.



This Rochester Post-Bulletin photo shows the log house that's more than a century old, and once used for church services and school classes by the original St. Olaf Lutheran Congregation. It is shown being moved to the East St. Olaf Lutheran Church grounds.

It was restored by the Hayfield Heritage Association as a memorial to the founding of the East and West St. Olaf Lutheran congregations, and the Evanger Lutheran and Trinity Lutheran congregations in Hayfield.



West Senior Choir—front row, from left: Sharon Gulbranson, Julie Boyum, Jean Thoe, Cindy Beaver, Elna Senjem, Ruth Keckhafer, Joy Beaver, Ruth Mohn, director. Second row: Lisa Kylo, Brenda Tiegen, Wilma Kylo, Nancy Danielson, Roxanne Weinmann, Diane Hyland; Gloria Pew, organist. Back row: Greg Thoe, Ralph Kylo, Jerry Hyland, Stacy Johnson.



East Senior Choir—front row, from left: Helen Lee, accompanist; Evelyn Evenson, Debbie Nordland, Anne Tvedt, Carol Mestad, Ruth Carstenson, Verla Holtan. Second row: Cheryl Nelson, Beverly Petersen, Pat Smith, Tammy Petersen, Dorothy Suddendorf, Pam Tvedt; Pat Nelson, director. Back row: Charles Tvedt, Ernest Larson, Annette Suddendorf, David Tvedt.

ST. OLAF HERITAGE ASSOCIATION

There was not any church building until 1869, so services were held in various homes in the area. Evidence indicates that the log house built by John P. Tverberg in 1856 was used most frequently because of its large size.

On the advice of the Olmsted County Historical Society and the Minnesota Historical Society, this log house was moved to its present location where the congregation had its beginning. Both organizations consider the building of historical significance to the area.

The following people have been appointed to serve as board members of the St. Olaf Heritage Association; East St. Olaf: Leroy Anderson, Lowell Arends, and Loren Scripture; West St. Olaf: Knute Quill, Richard Scharberg, and Harry Mohn; Evanger: Stanley Gronseth, Wayne Anderson, and Vance Larson; Trinity: Earl Himle, Harry Becher, and James Gesme; St. John's: Herbert Stellner, Jr.



This log house was the scene of the first St. Olaf Church meetings.

Tverberg Family Log House 1856

Restoration Project - Includes history of the Sioux Uprising



Currently located at East St Olaf ELCA

Rock Dell Township, Section 5

Tverberg Log House
built 1856

365-8925

This is a brief review of the log house restoration project. It may be of interest to know how it got started.

The building was originally located 1½ miles south of the West St. Olaf Church on the old John Tverberg farm, which more recently had been the home of the Oswald Senjem family, and is now owned by David Lucas. Built by Mr. Tverberg in 1856, it had been a farm home all those years.

Lucas decided to build a new house, and the old house was to be demolished. When this became known several local people, including Earl Himle, Knute Quill and Harry Mohn, knowing the history of the house, decided it should be preserved.

According to the history of the East and West St. Olaf churches, before the congregations had church buildings, services were held in farm homes. Because of its large size the Tverberg house was used most frequently. Rev. Steen, the first resident pastor, recorded conducting 101 services in that home.

The Dodge County history states that the first elementary school in Vernon Township was held in the Tverberg house.

It was at this place that the neighborhood gathered for protection during the Sioux uprising in 1862.

Ingeborg Aaby, a pioneer settler, wrote in her diary that the Tverberg house was packed with people for church services when a rider came up shouting, "Lincoln is shot! Lincoln is dead!"

Keeping in mind that this was the center of a large Norwegian settlement, and that the St. Olaf Lutheran Parish was the mother church of most of the Lutheran churches in the area, * it seemed important to preserve this building as a symbol and tribute to these early pioneers for their devotion to religion and education.

To accomplish this goal the St. Olaf Heritage Association was organized. The Councils of the Lutheran churches in the area were contacted and the project was explained to them. They were all interested and selected representatives to be on the board.

In planning the restoration we needed help from people who are knowledgeable in this type of work. We contacted both Henry Herron of the Minnesota Historical Society and George Tyrell of the Olmsted County Historical Museum. They inspected the building and both agreed that this was a worthwhile project.

A site had to be selected, and again with the advice of the historical societies, the parsonage park of East and West St. Olaf congregations was chosen. This location seemed appropriate since it was here under a large oak tree that the congregation was organized.

* Trinity of Hayfield, Evanger of Sargeant, and St. John's of Kasson.

With the help of donated labor and a grant of \$2500.00 from the Minnesota Historical Society the building was moved to its present location in 1976. No further work was done to the building at that time.

In 1981 the St. Olaf congregations were to celebrate their 125th anniversary. The goal was to have the log house restored by the time of the July festivities.

Two things made the realization of this goal possible.

Earl Himle had been in contact with Marion Nelson of the Norwegian-American Museum at Decorah, Iowa -- "Vesterheim". He informed Earl that Steve Johnson, the assistant curator of the Museum, would be available to help us.

Earlier Harry Mohn had been in contact with the "Green Thumbs", a work project of senior citizens. Their director was very interested in the project and they were engaged to do much of the labor.

Steve Johnson planned the work schedule and did a lot of the work himself. He also consulted with Brad Linder, curator from the Olmsted County Historical Museum.

Sometime during the late 1800's the house had been extensively remodeled. Wainscoting which covered all the walls and ceilings had to be removed to expose the logs. All the old mortar between the logs had to be removed and new mortar applied. Whitewash was brushed on, inside and out, since this was the finish used by the pioneers for preserving the logs. The roof was shingled, logs fitted in some openings, and new windows installed.

The stairway had been moved several times and that was replaced in its original location. All these things and many more had to be done to restore the house, as much as possible, to its original appearance.

Many volunteer workers, Steve Johnson, and the Green Thumbs completed the project so it was ready for inspection and dedication at the 125th Anniversary July 12, 1981.

The first phase is now completed. The second, and perhaps more difficult stage, will be to find suitable furnishings of the era to make it a living museum of the Norwegian immigrant, his faith and aspirations.

This will require people knowledgeable in this field, so the ladies are being asked to help. Toni Phenix of Hayfield, who has much expertise in this field, has been selected to head this group. She will be assisted by Nancy Leckness, also of Hayfield.

Harry Mohn

Century Farms in Olmsted County



Century Farms in Olmsted County⁵

Near or On the Bypass Rout

1976 Ernest W. Frances Larson
Stewartville, Rock Dell Township, Section 13

1976 Benjamin Ives Scott
Byron, Salem Township, Section 34

1976 John J. Sheehan
Rochester, Marion Township, Section 28

1980 Mrs. Margret Twohey (1854)
Rochester, High Forest Township, Section 1

1983 Walter W. Griffith (1883)
Rochester

1987 Don & Betty Friedrich (1859)
Rochester

1990 William Jones (1858)
Eyota

1993 John E. Donovan (1873)
Rochester

1993 Henry & Esther Rud (1893)
Byron

1993 David & Patti Tvedt (1893)
Byron

1994 Sherman and Virginia Golberg (1881)
Byron

**Note - The year in parenthesis is the year of original ownership
by a member of that family**

⁵ Minnesota Extension Service

Century Farms Personal Statements

Jerry Twohigs' farm was
homesteaded February 17, 1860 by
his grandfather.
In 1980 it received its century farm
status.

High Forest Section 1
Map 22

The Griffin farm
is currently run
by the 4th generation
with sons preparing
to continue as the
5th generation!
currently 116 years in family

High Forest Section 1
Map 22

Grant Larson Farm

Anver Christjonson Farm Est. May 10, 1861



Rock Dell Township, Section 13

Map 25

Grant Larson Farm

Anver Christjonson Farm
Rock Dell Township, Section 13



Elevator Dust

Leave the
Driving
to Us!

Farmfest
'76

Bus
Rides

for our
Customers

Sign up
Today!

Depart
Stewartville 7 a.m.

Depart
Farmfest 6 p.m.

Great Grandfather Larson knew the soil

Several Olmsted County farms are listed with the more than 1,100 Minnesota farms labeled as "Century Farms." These farms have been in continual family ownership for 100 years or more. This article is the first in a series on "Century Farms" in the Stewartville area to appear in the Star.

By Terry Stewen

The Ernest Larson farm, located about four miles west of the airport, is one of seven in the Stewartville area to be designated "Century Farms" by the State Fair board. These farms have been owned by the same family for at least 100 years.

The first owner of the Larson farm was Awer Christenson who purchased the land in October of 1860. Andrew Larson, who married Awer's daughter Sarah, bought the

farm in 1866. Andrew bequeathed the farm to his five children and Stark A. Larson, the oldest boy, bought the farm from the other children in 1908. Stark and Martha (Garvik) Larson had 12 children, seven girls and five boys. Ernest, the present owner and youngest son, bought the farm from his father in 1944.

Stark Larson helped his other sons buy farms in the area. Ken and Edgar Larson purchased farms just north of the family farm. Lawrence, who now resides in Park Rapids, farmed near Rock Dell until he retired five years ago. Hillman, who now lives in Rochester, also farmed near Rock Dell.

All but two of Ernest's seven sisters lived within 15 miles of the family farm after leaving home. Elvina (Mrs. Martin Brodeson), Agnes (Mrs. Edd Holten), and Esther (Mrs.

Henry Rud) now live in rural Byron. Mabel (Mrs. Charles Rud) lives in rural Rochester and Lily (Mrs. Orie Brodeson) lives in rural Racine. Cala lived in Rochester until she died in 1963. Stella (Mrs. Ralph Worthington) lived on a farm near Cumberland, Iowa until her death in 1958.

Awer Christenson, Ernest's great-grandfather, knew good farm land. Ernest said the soil is heavy with practically no stones.

The crops planted on the farm have changed over the years. Ernest's father raised primarily hay and grain. Ernest first planted soy beans in the late 1940's and the beans and corn are now the principal crops. Ernest explained that corn has a higher food value and brings in more cash to the acre.

The Larsons also normally



A piece of farm machinery still at the Larson farm was used for field work by the grandfather of Ernest Larson. Ernest recalls one time when his brother used the plow to make tracks in deep snow for the automobile. He wanted to visit his girlfriend.

have from 20 to 25 beef cattle, which they feed out at 900 to 1,000 pounds, and 150 to 160 hogs which they farrow and fatten to market.

The only remaining tool left on the farm from the past is a hand plow that was last used for farming by Ernest's grandfather. However, Ernest remembers using it to plow tracks through heavy snow so that their car could get a good start.

Though Ernest can remember the depression as being somewhat difficult for the family, he feels that high taxes and the price of fertilizer, seed and machinery make things as

tough for farmers right now as in any time he can recall.

Frances, who was born on a farm in Bergen, N.D., married Ernest in 1940. They have five children. Clayton works for IBM and lives in Elgin. Phyllis (Mrs. Gordon Sorenson) is a registered nurse and lives in Bloomington. Bradley is a math teacher in Owatonna and Beverly, a social worker at the Metropolitan Medical Center, lives in Minnetonka.

Grant, 18, is the youngest child and is now living on the family farm. He enjoys farming, especially working with cattle, and the idea of "being your own boss."



From generations past, the Larsons are still living on the family farm in High Forest Township. The Larson farm is one of the Century farms being recognized by the Minnesota State Fair. From left are Grace, the only one of five children still at home, Frances and Ernest Larson.

CENTURY FARMS



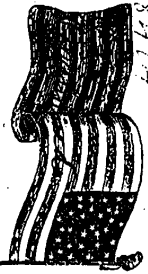
This is a copy of the farm belonging to the underlined farm owner. It is a copy of the farm belonging to the underlined farm owner. It is a copy of the farm belonging to the underlined farm owner.

Local 4-Hers
participate



THEN
The Stark Larson home in 1910. Left to right: Cala, Elvina, Stella, Mrs. Martha

(Garrick) Larson with Lawrence on her lap, Esther, Lily, and Stark Larson.



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas, In pursuance of the Act of Congress, approved MARCH 3, 1855, entitled "An Act in addition to certain Acts granting Swamp Land to certain Officers and Soldiers who have been engaged in the Military Service of the United States," there has been deposited in the GENERAL LAND OFFICE, Warrent Dc. 94, 903 for 160 acres, in favor of Deburger Joseph Laurent Capitaine London's Company, 2nd New York Militia from 1832 with evidence that the same has been duly located upon the North Oak quarter of section thirteen, in Township one hundred and five North of Range fifteen East in the district of lands subject to sale at Charlesfield Minnesota containing one hundred and thirty seven

according to the Office Notes of the said Land returned to the GENERAL LAND OFFICE by the SUPERVISOR GENERAL the said informant having been assigned by the said Edwards Mission to Charles Christy in order favor said tract has been done

God know we, that there is therefore granted by the UNITED STATES unto the said Free Church, and as assignee as
 afterward and to his heirs _____
 the tract of Land above described. To have and to hold the said tract of Land, with the appurtenances thereto unto the said Free Churchmen
 as assignee as afterward and to his heirs _____
 heirs and assigns forever.

UNITED STATES OF AMERICA, have caused these Letters to be made Patent, and the SEAL OF THE GENERAL LAND OFFICE to be hereunto affixed.

In Testimony Whereof, I, *Abraham Lincoln*

GIVEN under my hand, at the City of WASHINGTON, the twelfth day of May in the
YEAR OF OUR LORD one thousand eight hundred and forty one
UNITED STATES the Eighty fifth
BY THE PRESIDENT Abraham Lincoln
By Wm. A. Lincoln Secy.

Yankee Ridge Post Office

William G. Sykes, Postmaster
January 4, 1863



High Forest Township, Section 17

Map 24

Yankee Ridge Post Office



Yankee Ridge
High Forest Township,
Section 17

Post Office ²
Smithy,
4 Burials

Mr Russell Billing Sr. who resided in High Forest Township, Section 29, stated to a neighbor, Chester Oehlke, that in the mid 1800's Yankee Ridge Post Office and a Smithy were located in High Forest Township, Section 17.

Four members of a family traveling through to homestead were very ill when they arrived. All four members of the family died and are buried in Section 17.⁷

² Olmsted County History Center

⁷ Chester Oehlke - Statement-Oral History.

Amsted County

Minutes

Gov. John page 146

✓ Little Valley

John W. Bryant 3 Jan. 1862 Michael K. Jones 12 Jan. 62

✓ Dankus Bridge

William G. Sykes 24 Jan. 62

✓ Farm Hill

Esther Wendell 13 Feb. 62 Thomas Frost 23 Nov. 61

✓ Othello

Almon O. Cowles 19 March

✓ "Waterloo"
City Grant

Shirlock B. Willard 23 May 62 Cyrus Menden 24 April

✓ Egypt

Nov. House 24 Sept 62 E. M. Edwards 8 Mar. 62

✓ Havenhill

Henry H. Blodgett 2 April 62

[illegible][illegible]

It is admitted by all competent judges that our climate and soil are very well adapted to the growth of the cotton. It grows where it matures, out of previous seasons; it is a sure crop and has no enemies; it is not injured by insects or frost; and it is not liable to be ruined by the action of the weather. It is admitted by all competent judges that our climate and soil are very well adapted to the growth of the cotton. It grows where it matures, out of previous seasons; it is a sure crop and has no enemies; it is not injured by insects or frost; and it is not liable to be ruined by the action of the weather. It is admitted by all competent judges that our climate and soil are very well adapted to the growth of the cotton. It grows where it matures, out of previous seasons; it is a sure crop and has no enemies; it is not injured by insects or frost; and it is not liable to be ruined by the action of the weather.

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a Mitchell of Elyria, position as instructor of Business and Economics. During the past few years of this position, he has been able to give the students a wide range of information and to give them a broad view of the world.

It must be remembered that when he was appointed accountant for the plant there was no book from which to obtain figures keeping account of strike balances at stated periods. In order to remedy this Fred Pamperin was appointed to take an inventory of the plant, stock, linen, etc., which he did in a most thorough manner, expert judgment being called to his assistance when the building, real estate, etc., were appraised. That inventory disclosed that on Nov. 1, 1903, there was capital invested in the plant as invoiced amounting to \$77,616.78. This was increased from Nov. 1, 1903 to April, 1904, by \$1,784.95. The total receipts of the plant during the fiscal year, April 1, 1903 to April 1, 1904, were \$17,616.78 and the expenditures \$17,616.78, the difference of \$1,784.95 being the amount of the investment in the plant for the fiscal year ending April 1, 1904.

[illegible]

lunch and supper given at Calvary Episcopal Church. P. Hall was a successful socially. Supper at 5 o'clock on and repast melted before strong who attended. The sale of fancy art-business. It was in James A. K. Faltoute Blakely. The Young had a candy stand and side of sweets. - In the 1830 was realized by cause of their efforts.

the only genuine
alvo" writes J. L.
re, Ala. "I have used

edy on earth is no
as Hollister's looky
nkes them eat sleep
it eyes, rosy cheeks
or Tablan. Alex
P. H. H. H.

at exactly the same figure that private individuals pay for similar service, minus the discount, which is allowed the city the same as to private consumers. From Nov. 1, 1900, to Nov. 1, 1904, the stock account had increased \$3,457.67 by new machinery, etc.

Thus it is to be seen that during the past year and one-half, the plant has run ahead of operating expenses some \$1,500, in round figures, and has increased its stock \$5,214.03.

The question of depreciation of the plant necessarily must be considered. If 10 per cent was charged off each year, the showing would not be bad, but it is not fair to name any such figure, for all repairs, extras, or expenditures for keeping the plant, buildings, etc., in first-class condition are charged to expense whenever they occur. Hence the depreciation can not be very much.

As to all the condition of the system is good, and the cold figures do not present themselves in a way that shown other than a most satisfactory state of affairs.

THE PASSING AWAY OF AN
OTHER OLD RESIDENT OF
THE COUNTY

William H. Sykes, an old resident of Kalamazoo township, died at his home Sunday, December 11, at 6 o'clock in the morning. Mr. Sykes had attained to nearly fourscore years, being 79 years old at the time of his death, which was due to pneumonia.

Scarcely a week before his death he was attacked with this dread disease and on account of his advanced age gradually made a victim of the patient and brought him down to death.

William H. Sikes was born in
Milton, Mass., and lived there until
the South. There he was married
to a woman named in 1865. He
lived on the same farm until

Trustee Three Years—Geo. Wal-
dron.

The following officers were elected at Thursday's meeting of the Court of Honor:

Chancellor—D. P. Mudden.
 Vice Chancellor—Nellie Sealey.
 Past Vice Chancellor—F. T. Sealey.
 Recorder—J. E. Danks.
 Chaplain—Clara Fowler.
 Conductor—Fern Wilber.
 Guard—Hosj. Franklin.
 Sentinel—H. Donahue.

After the election a social time was passed and refreshments were served. Initiation exercises were also held.

These are the newly elected officers of lodge No. 21, A. F. and A. M.:
 Worshipful Master, T. H. Biles.
 Senior Warden, O. O. Hyerdale.
 Junior Warden, Judson G. Perry.
 Treasurer, A. Madden.
 Secretary, W. W. Churchhill.
 Senior Deacon, T. A. Schaubert.
 Junior Deacon, Frank R. Lyons.
 Tyler, Geo. Dawitt.
 Subler Steward, D. M. Herkman.
 Junior Steward, O. O. Connell.

"Look me or Colic's Carbolic Salve in the family for burns, cuts, sores and skin irritations," says Frank Dunlap, Taunton, Mass. "I have tried the merits of this wonderful remedy. We would not be without it." Colic's Carbolic Salve instantly stops pain and cures without scars. 25 cents per bottle. All druggists.

[illegible]

Jim and Susie Bartels

Historic Stagecoach Stop



High Forest Township, Section 6

(North of Rochester's Route)

My name is Jim Bartels and I and my wife Susie live on 320 acres in section 6 in High Forest Township. Our farm was in the City of Rochester's first Bypass proposal for the D-M-E Railroad. We are now about two miles North of the latest bypass proposed by the City of Rochester.

These pictures I am sending are on my farm and show a spring that bubbles out of the ground less than 100' from my house and is our water supply for drinking and many other uses. We are concerned that a bypass south of us could affect our water supply or even shut it off completely. We also have two spring fed creeks that go through our farm and originate where the proposed bypass is currently scheduled as an option for the D-M-E Railroad.

These spring fed creeks and the spring by our farm show that the watershed for the City of Rochester's water supply is indeed where they have proposed a bypass.

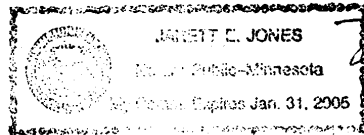
I am asking the Surface Transportation Board to ~~Take~~ take a good look at the impacts of a bypass in this sensitive area. It was stated in the Post Bulletin paper in November 2000 that if Rochester disturbs wetlands and removes wooded areas at the present

rate that in the very near future the City of Rochester will have to pay 5 million dollars annually to purify its water supply.

In one of my photos is a picture of a stagecoach stop on my farm and I sent this to remind the STB that there are many historic places that could be destroyed or changed by a railroad bypass.

I want to thank you in advance for taking the time to review everyones comments they took the time to send in.

Sincerely
Jim & Susie Bartels
James L. Bartel



Historic Stagecoach Stop - Bartels Farm

Stagecoach Stop
3 Story - Limestone
Structure - circa 1880's



Natural Spring Flowing
at 55 gal/min



Historic Stone Houses

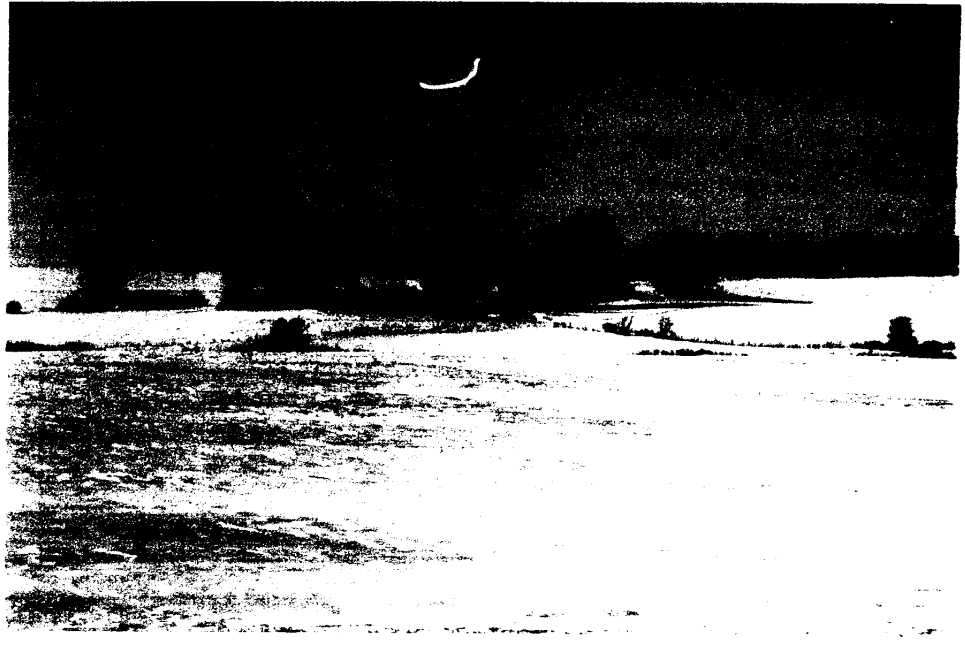


Rock Dell Township, Sections 15, 14 and 10

Map 25

Historic Stone Houses¹

Stone House
Rock Dell Township
Section 15



Stone House
Rock Dell Township
Section 10

Tollef Golberg Farm
1851

Son Ole born
September 29, 1854
1st male child born in
the county¹



Stone House Rock Dell Section 14
(taken down following storm damage)

¹ History of Olmsted County - Minnesota 1910 Hon. Joseph A. Leonard

The Four Brick Houses



Salem Township, Sections 6, 7 & 17

Four Brick Houses

Balloon Frame Homes

Brick made in the Byron, MN Brick Yard.

Tom and Jeanne Ferris home

Salem Township, Section 6

Homesteaded 1864

Home built 1880 by Sure Bale as a wedding gift for Nels and Caroline Bale [3]

Kay and Jeff Peterson home

Salem Township, Section 7

Kristofer Isaacson Tvedt built [3]

Joe Tvedt home (taken down)

Salem Township, Section 7

Thorbjorn Isaacson Tvedt built [3]

Maria and Bernard Donovan home

Salem Township, Section 17

Jacob Leque homesteaded 1855

Stone House (restored) is 1st house

Brick house has 1875 cornerstone

Watercolor found dated 1898 of 1st farm³

³ The Saga of Two Brothers: Kristopher and Thorbjorn Isaacson Tvedt

The Scott Family Farm

Est. 1862



Salem Township, Section 34

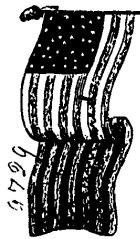


1999 - BENJAMIN IVES SCOTT FARM, SECTION 34 SALEM TOWNSHIP, OLMTSTED COUNTY, MN.

Joel Ives Scott and Nancy Ann Scott came to Olmsted County with land patents issued under President Abraham Lincoln and settled in section 4 of Salem Township. They had farmed in Oneida County, New York, near Bridgewater, when they came with a wagon and a team of oxen to Minnesota in 1862. Sponsoring the immigration of several Norwegians to help them clear the land, they farmed several hundred acres in Olmsted County. Two stone buildings remain of the original farmstead. Of their three children, William Gilbert continued the farming business. Fanny died in Paris, France in 1915, and Benjamin F. died in 1862 having returned home from service in the Civil War.

William Gilbert Scott married Emma Haber in 1891, and they had five children. Their eldest son, Benjamin Ives, continued the business of farming and the manufacture of livestock feeds in Rochester following service in World War I. In 1922 the Rochester architect, Harold Crawford, designed a house for Mr. Scott on the farm. It became a family home following his marriage to Jennie Alice Foster in 1934. Their son, Benjamin Ives, and his wife, Sarah, married in 1960, continue to live on the Scott farm while he serves as a priest in the Episcopal Church. Their daughters and a granddaughter make six generations of the Scott family who have had roots in the land for over 135 years.

*The Ven. Benjamin Scott
Sarah Scott
507-365-8286 Rock Dell
8429 SW 55th Street
Byron, MN 55920*



THE UNITED STATES OF AMERICA.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas, In pursuance of the Act of Congress, approved MARCH 3, 1855, entitled "An Act in addition to certain Acts granting Bounty Land to certain Officers and Soldiers who have been engaged in the Military Service of the United States," there has been deposited in the GENERAL LAND OFFICE, Mount St. St. 4, 6 7 for 100 acres, in favor of Shadrach Gorden, Private, Captain Charles's Company, Kentucky Militia, Paynes War, with evidence that the same has been duly located upon the South West quarter of Section Thirty four in Township One Hundred and six North of Range Eighth West, in the District of Lands subject to sale at Saint Peter Minnesota, containing One Hundred and sixty acres,

according to the Official Plat of the Survey of the said Land returned to the GENERAL LAND OFFICE by the SURVEYOR GENERAL. The said Warrent having been assigned by the said Shadrach Gorden to Benjamin Scott, in whose favor said tract has been located.

Now know ye, That there is therefore granted by the UNITED STATES unto the said Benjamin Scott as assignee as aforesaid and to his heirs the tract of Land above described: To have and to hold the said tract of Land, with the appurtenances thereof, unto the said Benjamin Scott as assignee as aforesaid and to his heirs and assigns forever.

In Testimony Whereof, I, Abraham Lincoln

PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these Letters to be made Patent, and the SEAL OF THE GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the First Year of our Lord one thousand eight hundred and Eighty fifth and of the INDEPENDENCE OF THE UNITED STATES the Eighty fifth

BY THE PRESIDENT:

Abraham Lincoln

By _____ Sec'y.

RECORDED, Vol. 496, Page 45

_____, Recorder of the General Land Office.

The Hon. Benjamin Scott
Smith Scott
507-365-8286 Rock Dell
8429 SW 55th Street

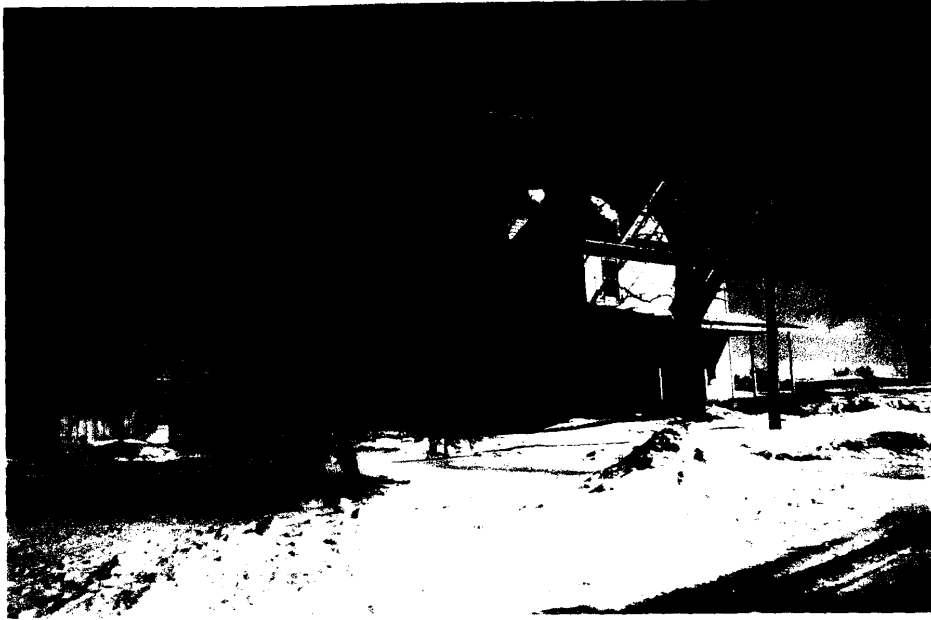
Oswald Myhre Home



Rock Dell Township, Section 10
Map 25

Myhre Home⁸

Rock Dell Township, Section 10



Story from the 1800's tells of a young mother and her two children who were approached by Native Americans at the home when her husband was getting supplies.

⁸ Myhre Family Oral History - Thomas Myhre

Cliffs Offer Wonderful Look at Fall

Salem Township, Section 19



Byron Review October 19, 1999

Cliffs offer wonderful look at fall

By RUTH HANSON

The Byron Review

The leaves are almost gone now.
It's easier to see the cliffs.

The limestone has been bleached almost white by 10,000 years of sun and weathered by the rain and wind.

Those who drive south of Byron on the gravel of 110th Avenue SW for the first time slow down as they cross the bridge over the Zumbro River. They are struck by the beauty of the cliffs.

"Cliffs like that stand all along this valley," a workman marveled recently.

The area south of Byron is right on the edge of the Rochester Plateau, according to Ann Pierce, Bluffland Coordinator for the Department of Natural Resources.

"As the glacier melted ten centuries ago, it took a lot of rock with it down to the Mississippi, but left this cliff behind. Those rocks are not as hard as granite, but probably have some harder rock inside."

The melting glacier formed deep ravines filled with cracks and fissures, creating the karst topography that is typical of the land in Olmsted County.

She speculated that Evjen's cliff could have been a steep slope, going down to the Zumbro River, before the road went through.

Church groups and school children have eaten picnics near the bridge and the cliffs throughout the years, according to Sanford Kylo, who lives at the top of a nearby hill.

The red and gold of the forest to the east across the road is hard maples, he said, and the yellow, poplars.

His great grandparents, John Innonson Lien and Anna Fredrickson Lien, settled here and farmed the land. It must have reminded them of home.

They may have been some of the first people from Europe to see the cliffs.

Lien was born in Norway in 1826, had a common school education and was trained to be a farmer. He spent eight weeks on the sail vessel Argo crossing the Atlantic Ocean to America. He landed in Quebec in 1857 and spent two years near Decorah before buying a quarter section of land in Canisteo Township south of Kasson.

The first winter just across the border into Dodge County, he and his wife lived in a logout on the banks of the Zumbro.

They built a house, planted crops and raised six children.

"Carrie was my grandmother," Kylo said. My great grandparents were some of the founders of South Zumbro Lutheran church."

Part of the house his grandparents built still

The cliffs alongside 110th Ave. south of Byron and the old bridge make a striking sight in the fall sunshine.

stands not far from Kylo's home. He has lived in the house on top of the hill for 73 years.

"I can see quite a ways from here," he said. "But the trees have grown up, especially in the last two years. I've never seen anything like it."

His father was on the Salem Town Board about 25 years ago when a flood destroyed the bridge at the bottom of the hill. One was hauled from Genoa to replace it, but the process took out a big section of the cliff.

The natives still call the cliff "Evjen's bluff," although the land was sold to Dennis Ross two years ago.

Kylo farmed his parents' land for many years, in spite of the arthritis that has forced him to walk on crutches for 54 years.

He has worked with wood, building cabinets and models of sailing ships and horse-drawn logging wagons.

"I've made clocks, too," he said.

He has spent time delving into his genealogy, digging through old books at the Dodge

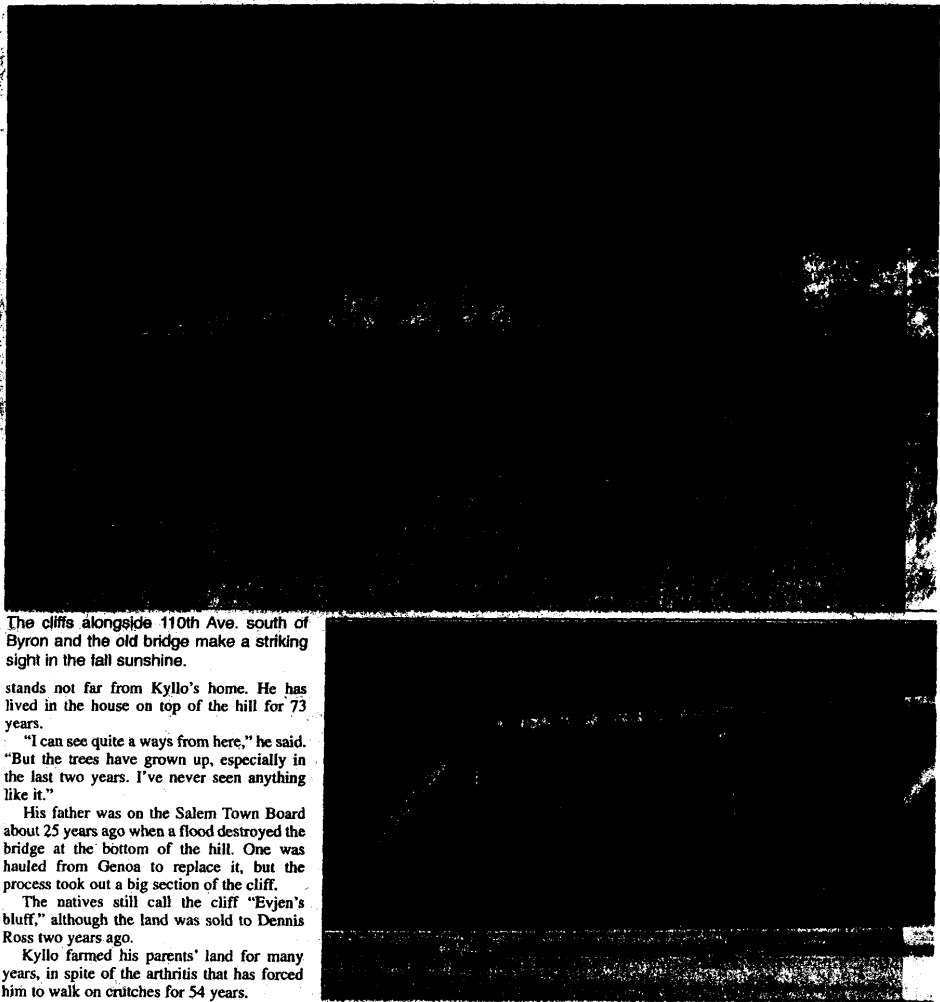
County Museum in Mantorville and the Olmsted County History Center down the road.

And on the wall of his living room is a photograph of the fall colors taken on a sunny fall day just down the hill, across the road from

the majestic cliffs.

He has watched small animals at play the cave-like holes in its face.

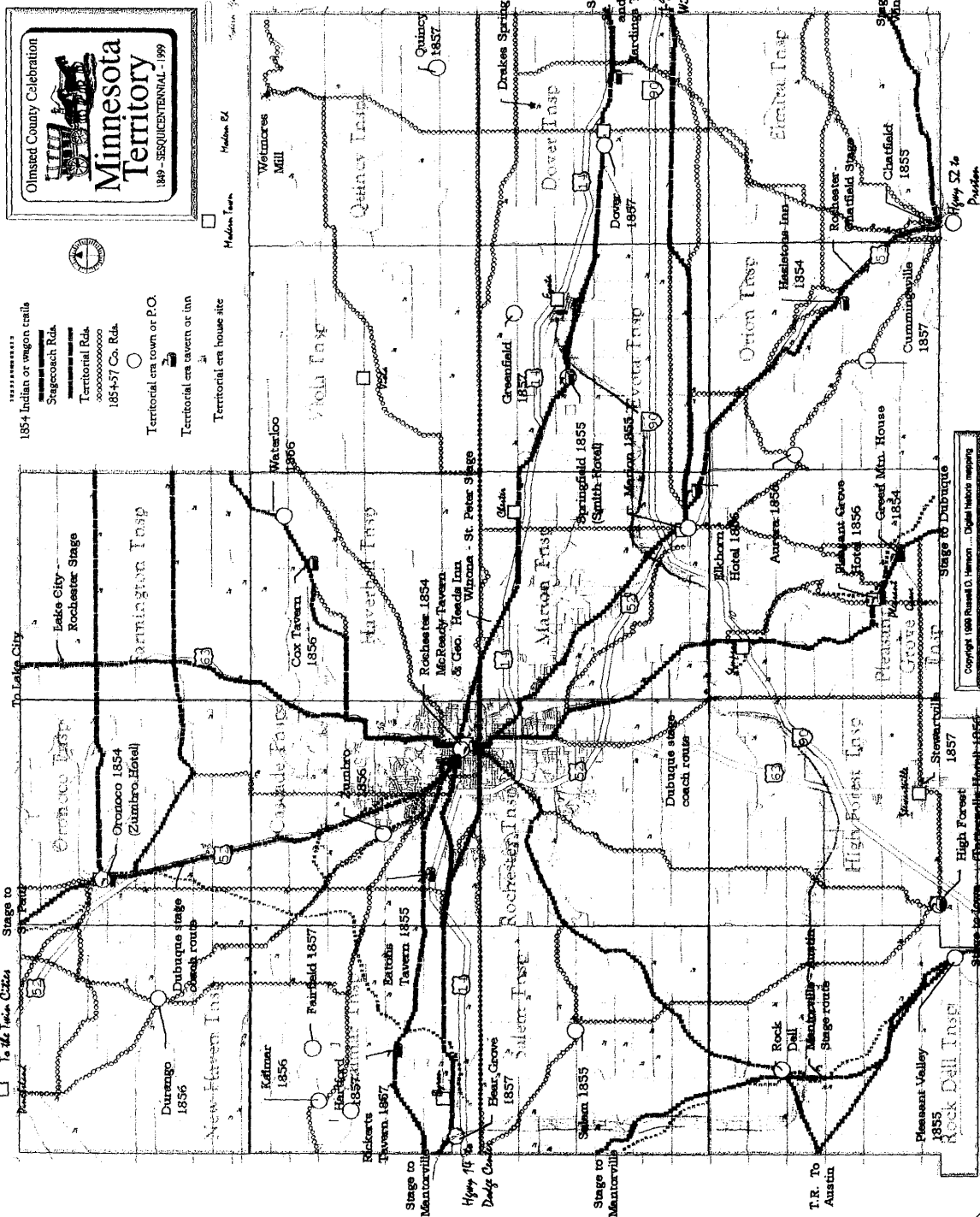
The cliffs are part of the landscape the Kylos have called home for generations.



References

1. History of Olmsted County - Minnesota 1910
Hon. Joseph A. Leonard
2. Olmsted County History Center
3. The Saga of Two Brothers: Kristopher and Thorbjorn
Isaacson
4. Byron Centennial Book
5. Minnesota Extension Service
6. History of Two Churches
7. Chester Oehlke - Statement - Oral History
8. Thomas Myhre - Statement - Oral History
9. Russell D. Hanson - Stage Routes

1857



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201662

Olmsted County Minnesota

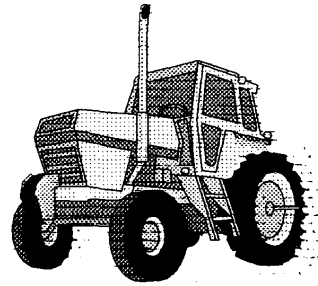


Family



Land

Business



Submitted by Citizens Against Rochester's Bypass

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Gary and Linda Allen
Gar-Lin Dairy Farm, Inc.

Map 11

Parcel A

Gar-Lin Dairy Farms, Inc.

Gary & Linda Allen
3922 125th Avenue SE
Eyota, Minnesota 55934
Office: (507) 545-2866
Fax: (507) 545-2628
garlin@rconnect.com

Dean Allen
4421 130th Avenue SE
Eyota, Minnesota 55934
Farm: (507) 545-2872
Fax: (507) 545-2539
dsa930@aol.com

February 8, 2001

Surface Transportation Board

Dear Sir:

I would like to speak against the ByPass in the Eyota Area. We are a large livestock farm and the closing of township roads would create extra cost and safety issues for us. To access land on the North side of the railroad tracks we would have to use Hwy 14. It would be difficult and unsafe to be traveling this highway with large equipment, manure tankers, and forage equipment. Safety issues are our main concern because traffic is very heavy on this highway.

Please take our concerns into consideration on this matter.

Sincerely,



Gary Allen, President
Gar-Lin Dairy Farms, Inc.

Marian Bicknese

Map 11

Parcel B

Excelsior, Minnesota
February 6, 2001

Dear Katy,

This "DM & E Railroad Story" is a sad mess, trying to push the railroad to a Bypass around Rochester. The tracks have been in Rochester since 1863 and should stay there. Where I live our road would be closed, which would make it difficult for many people. We live on a busy road that goes to two Cemeteries and a "School Bus Route".

Rochester can build some over passes or under passes. My daughter lives at Hooka and they have many over and under passes. Check this out.

Gary C. Trogstad

Map 11

Parcel C

I GARY C. TROGSTAD do
NOT WISH FOR A DME BYPASS.
I do NOT AGREE THAT HAULING
COAL ON THE PRESENT RAIL SYSTEM
IS THE CORRECT SOLUTION FOR
LONG TERM RESULTS IN THIS
COUNTRY.

1. LOCATE POWER PLANTS AT COAL
SOURCE IF POSSIBLE.
2. INCREASE NUCLEAR POWER PLANTS
3. MORE SOLAR AND WIND TURBINE
FARMS.
4. ANY OTHER RENEWABLE ENERGY
SOURCES INCREASE.

THANK YOU:
G.C.T.

Dean Allen

Map 11

Parcel D

Dean Allen
4421 130th Ave. SE
Eyota, MN 55934

February 8, 2001

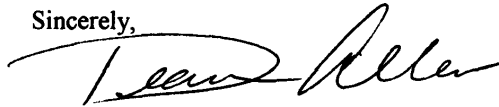
Surface Transportation Board

Dear Sir:

I bought the John Ahmann farm in Sec 15 of Eyota Township three (3) years ago. That fall I find out that the purposed ByPass is to go thru my farm. It will cut my driveway off in ½ and put farm land on the North side of the tracks. This would cause me to build a new driveway to the west (approximately ½ mile longer). Also land on the North side of the tracks would have to be sold or I would have to travel on Hwy 14 with heavy farm equipment to gain access to it.

This would cause undo hardship to me and my family , do to the devaluation of my property, building a new driveway for access to my farmstead, and the safety concerns of having to travel on Hwy 14 with farm equipment. I am 33 years old and just getting started farming and this would be devastating to me and my family.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Allen", written over a horizontal line.

Dean Allen

Jerry and Cheryl Holtegaard

Map 11

Parcel E

Jerry & Cheryl Holtegaard
11304 19th Street SE
Eyota, MN 55934

February 8, 2001

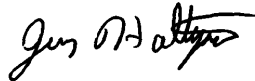
Surface Transportation Board

Dear Sir:

The purposed ByPass is to go thru the driveway on a very nice farmstead we rent. Trains would run next to our house and farm animals, causing nervousness in them.

We have worked very hard to make this farmstead our home and would hate to see it change.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Jerry Holtegaard".

Jerry & Cheryl Holtegaard

Map 11

Linda Kay Trogstad Bach
Gerald Bach

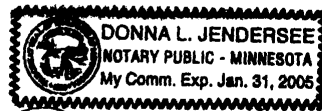
Map 11

Parcel F

**THIS IS MY STATEMENT OF
OPPOSITION TO THE BYPASS**

Linda Kay Twigg Bach
LB

Authorized by
Donna Jendersee
12/4/2000



Donna L. Jendersee



2729 110 Avenue
Eyota MN 55934

November 13, 2000

In reply to: The effect of the Rochester bypass on my family

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
1925 K Street NW
Washington DC 20423-0001

Attention: Victoria Rutson

Dear Surface Transportation Board,

Our farm has been in the family since 1957. The proposed Rochester bypass would cut the tailable land in half. This creates a landlock to one side and loss of income from the area across the road from where the track would split it.

If the bypass happens, 3 of the 4 country roads in the Eyota area will be closed. This would be very inconvenient and add many extra miles to get to where we want to go. These 3 roads are: 110th Ave SE, 19th Street SE, and 30th Street SE.

There will be increased endangerment for us, school buses, semi trucks, snow plows, and wildlife because of closed roads and the trains. With fewer roads to travel on, response time would be greatly decreased for emergency vehicles such as ambulances, fire trucks, etc.

We do not want to pay additional taxes for a bypass that is not needed. The tracks need upgrading, not a costly bypass.

The city states there is a 0.4% decline in property value for each single decibel of increased noise and figures there will be an increase by 25 decibels and 10% decrease in property value. The decibel increase in the country and decrease in property value would be far greater.

People living in the country **will be affected** by the bypass to a much greater extent than what the city has guessed (exaggerated) their affect will be.

We moved to the country for peace and quiet, to raise horses, and retire in solitude. People who moved into houses next to the railroad **CHOSE** to do so.

Please do not destroy our land and lives.

Gerald & Linda Bach

FAMILY NAME

TROGSTAD

LEGAL LAND DESCRIPTION

SECT-16 TWP -106 RANGE -012
N484FT S1584FT E450FT SEC
16-106-12





Alana Trogstad
Mrs. Edne O. Trogstad
Edne O. Trogstad

Map 11

Parcel G

THIS IS MY STATEMENT OF OPPOSITION TO THE BYPASS

Surface Transportation Board, Washington, D.C.
Attn: Victoria Rutson

We are writing as concerned farm-land owners & Citizens Against the Bypass around Rochester, Mn. The farm, owned since 1957, includes: 2 homes, 45 acres of woods, home to many species of wildlife & 195 acres of tilled land, all of which would be sorely affected by a railroad cutting through the land - making the operation of machinery difficult - in fact, a great share would be inaccessible. This would result in much loss of income & devalue the land. The closing of roads will make hardship & delay of emergency response for rural residents & business. A bypass would put problems not wanted in town, upon rural residents. DM & E already owns the land with rails, which should be upgraded & with safety devices installed: overpasses or bridges would address problems & put to a minimum the delays for emergencies & concerns of Mayo Clinic - they will not lose business or patients who come for medical care. Much propaganda & exaggeration have been printed & stated. Rural residents have been greatly under represented on the bypass issue.

Mr. & Mrs. E. O. TROGSTAD
3802 - Sunnydale Ln. S.E.
Rochester, MN 55904

Mrs. Edne O. Trogstad

Edne Trogstad

Jeanette M. McNee
JEANETTE M. MCNEE
NOTARY PUBLIC - MINNESOTA
My Comm. Expires Jan. 31, 2005

Additional comments:

This land, owned & farmed by Edne Trogstad since 1957 - later rented the land for income when health didn't permit the farm work. The land & income are to be three daughters inheritance. They would lose much of it were the bypass to go through the land.

Mr. & Mrs. Edne O. Trogstad

Place
Stamp
Here

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Attn: Victoria Rutson
Environmental Project Manager
Environmental Filing

FAMILY NAME

TROGSTAD

LEGAL LAND DESCRIPTION

SE QTR OF SECTION 16
TOWNSHIP 106-RANGE 12

SECTION 21
TOWNSHIP 106- RANGE RR012
WEST ½ NE ¼

SECTION 21
TOWNSHIP 106- RANGE 12

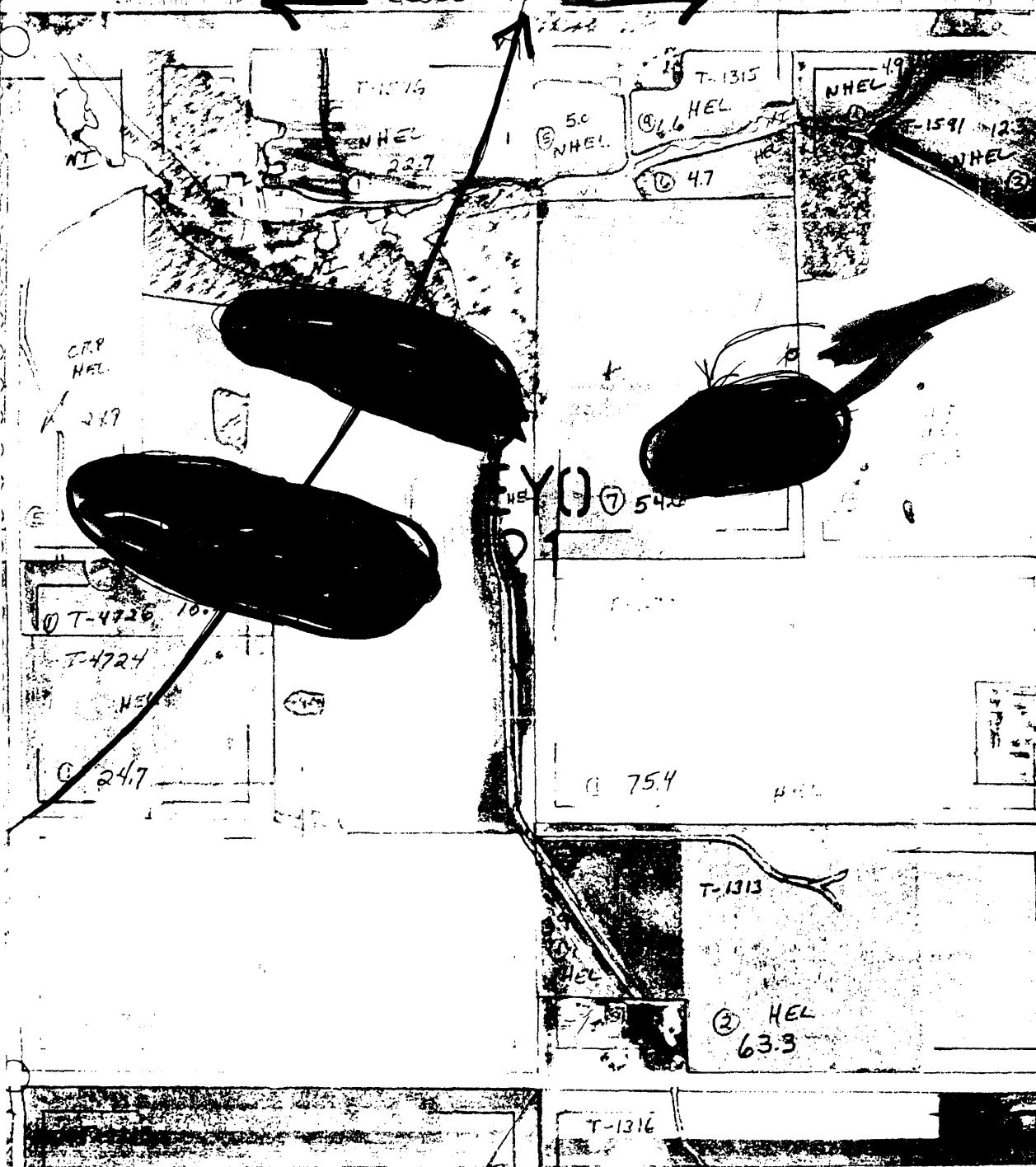
SECTION 16
TOWNSHIP 106- RANGE 012
EAST ½ SE ¼
NORTH 484 FEET
SOUTH 1584 FEET
EAST 450
SECTON 16-106-12





FIRE TRUCK ROUTE
School Bus exposure
hazard Due to
CLOSED ROADS

30th Street SE
CLOSED ROAD



Richard and Laurie Briggs

Map 11

Parcel H

Richard & Laurie Briggs
3534 8th Street, NW
Rochester, MN 55901
(507) 281-4990

December 27, 2000

Ms. Victoria Rutson
Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
1925 K Street, NW
Washington, DC 20423-0001

Dear Ms. Rutson:

We are writing as concerned farmland owners and citizens against the by-pass around Rochester, Minnesota. Our farm has been in our family since 1957. It includes 2 homes, 45 acres of woods, 195 acres of tiled land, and includes a dozen sinkholes...all home to many species of wildlife, which would be sorely affected by a railroad cutting through the land. A railroad cutting through our land would also make the operation of machinery extremely difficult or impossible. A large part of acreage would be inaccessible and therefore result in loss of income. The property worth would be devalued.

The closing of roads will make it unsafe and delay emergency response for rural residents and businesses. There would be longer routes for school buses and more exposure to railroad crossings. A bypass would create many hardships for the rural community.

DM&E already owns the land with rails, which should be upgraded and safety devices installed. Overpasses or bridges address problems and put to a minimum the delays for emergency vehicles and the concerns of the Mayo Clinic. Mayo Clinic will not lose patients that come here for medical care. Much propaganda has been printed and stated. The rural residents have been under represented on the by-pass issue. The by-pass issue has pitted city dwellers against rural dwellers.

The taxpayers are already overtaxed on many other projects that are going on in Rochester and the surrounding areas. The cost of a by-pass would surely fall on the taxpayers again. The best solution is upgrading the existing track...not an expensive unnecessary by-pass.

Sincerely,

Laurie Briggs
Richard Briggs

FAMILY NAME

TROGSTAD

LEGAL LAND DESCRIPTION

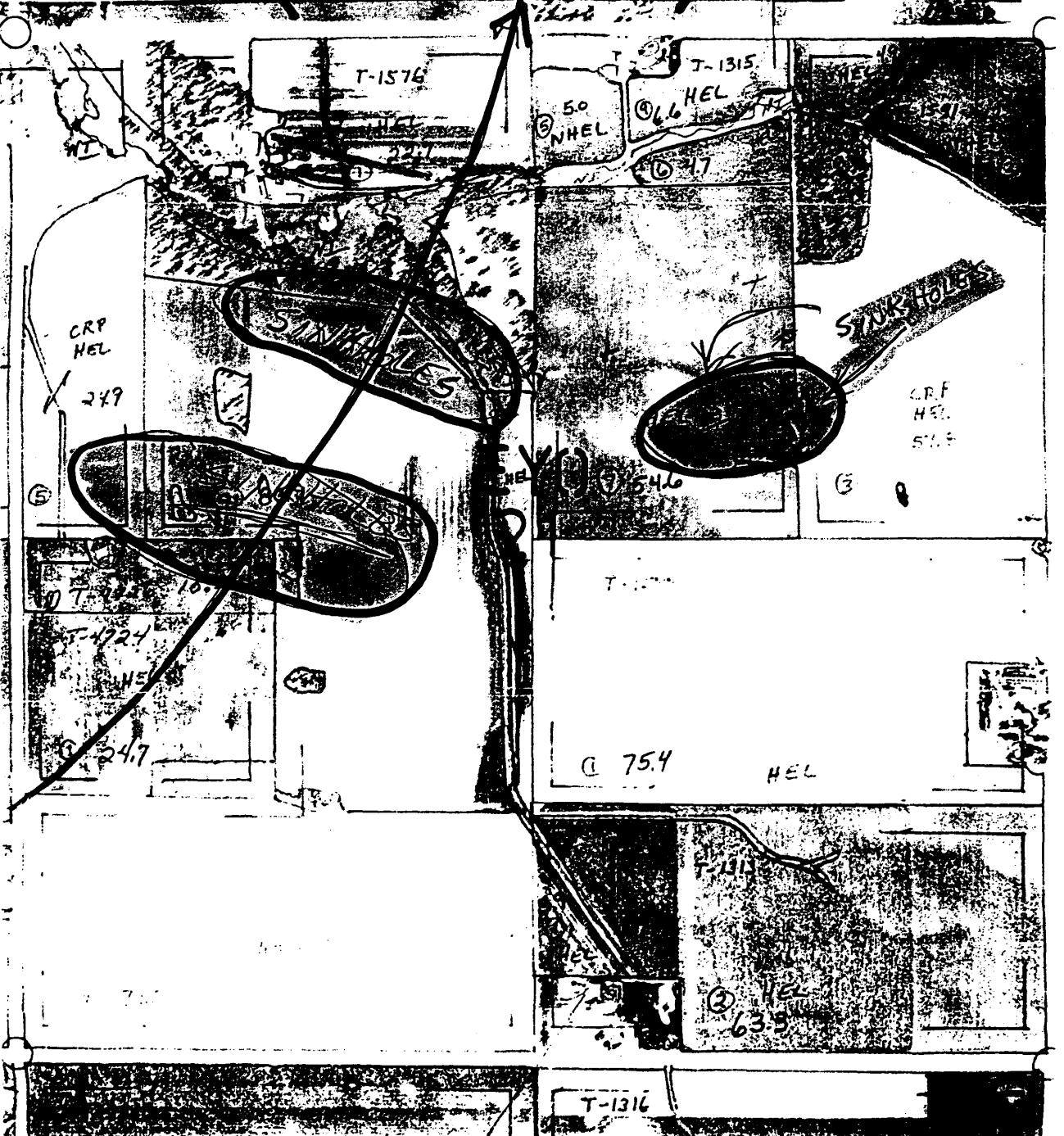
SECTION 21
TOWNSHIP 106- RANGE RR012
WEST ½ NE ¼

SECTION 21
TOWNSHIP 106- RANGE 12

TRACT NUMBER 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

FIRE TRUCK ROUTE
School Bus exposure
hazard Due to
CLOSED ROADS

WARNING: Contact NRCS before grading, dredging, filling or leveling any wet areas or wetland coded as such. Existing and existing drainage system.



Luverne Hammel

Map 19

Parcel A

Feb. 7, 2001

To Whom it may concern;

My name is Levene Hammel and I live on the west half of Sec. 21 of Eyota Twp. of Olmsted County. If the D.M. and E. train follows the Rochester bypass as shown to me it would cross our farm diagonally for $\frac{3}{4}$ of a mile and not only cut off $\frac{3}{4}$ of our tillable acres but cross at a point where the natural gas line crosses a creek but goes through an area where there are numerous sink holes.

Yours Truly,
Levene Hammel

Marcey Merrill

Map 19

Parcel B

February 24, 2001

Surface Transportation Board:

I am writing in opposition to the proposed DM&E Bypass.

Where you have located the tracks to cut through Sections 20 and 21 of Eyota Township, lies a Carst region of sinkholes, most of which the farmers have gone to great expense to fill in. It is because of this limestone that there are also several springs in the region. Specifically, Luverne Hammel's that you propose to cut through contains the spring that is the start of the creek that runs through our 20 acre pasture that then joins the spring that is the beginning of Bear Creek which runs through Rochester. Meanwhile, it feeds the lake at the recently created Chester Woods Park.

Should your railway construction disturb those springs, we are left without a means to water our livestock in our pastures, decreasing the value of our land drastically, not to mention causing us severe hardship in our livestock operations. And it's not like we have an alternative use for our land; we are zoned A-1 and can only farm it, not develop it. How do you propose we water our livestock? Drilling a well costs thousands of dollars and the result is extremely rusty water that ruins any pumping equipment it comes in contact with in a very short time. It's not an option for this landowner.

And do you really want to jeopardize the quality of the lake at Chester Woods Park? That is a very popular park that obviously thousands of people enjoy the use of.

I hope you are able to come up with a more logical solution and make sure your route is practical. Have you really surveyed on foot? Why couldn't you make better use of existing track and/routes? At least their existence is expected. I doubt you have used much common sense in your solution. I suspect there are land owners involved that could come up with solutions if they were approached.

Instead of just fighting yes or no, why don't you work together and come up with a more workable solution and get your facts straight.

Respectfully submitted,



Marcey Merrill
9934 30th Street SE
Eyota, MN 55934



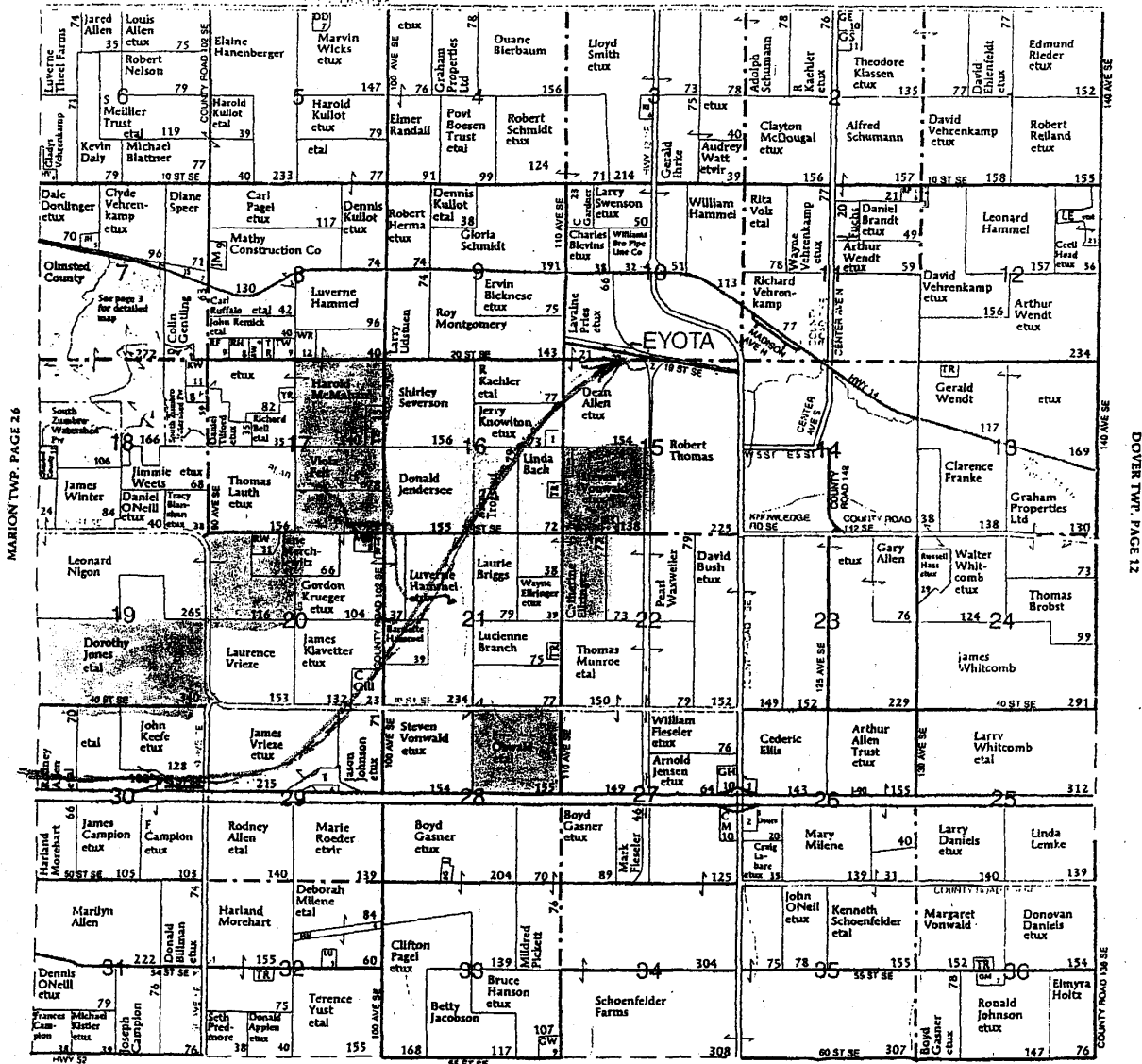
EYOTA PLAT
OLMSTED COUNTY, MINNESOTA
(Landowners)

*Spring that joins
Bear Creek*

T-106-N R-12-W

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See Page 59 For Additional Names.

VIOLA TWP. PAGE 44



ORION TWP. PAGE 30

TABLE OF LAND MEASUREMENTS

Square Measure

4840 Sq. Yds. 1 Acre 1 Sq. Mile 1 Section 80 Rods Sq. 640 Acres
640 Acres 1 Sq. Mile 36 Sq. Miles 1 Township 36 Miles Sq. 1 Township

John Keefe

Map 19

Parcel C

John Keefe

15963 Hwy 14 S.E.

Dover, MN 55929

507 932-4656

In 1998 I built a new house approx 1500 ft North of the R.R. Tracks between Eyota & Dover. I also bought a farm in Eyota Twp sec 30 in 1998, I had no plan of any R.R. being close to my property, but I did know that trains would be going past my home, may it be 3 or 30 trains a day. I am very much against the bypass it needs to go through Rochester period!!

John Keefe

11-16-00



C.L. McCarthy, Agent

AUTO - LIFE - HEALTH - HOME & BUSINESS

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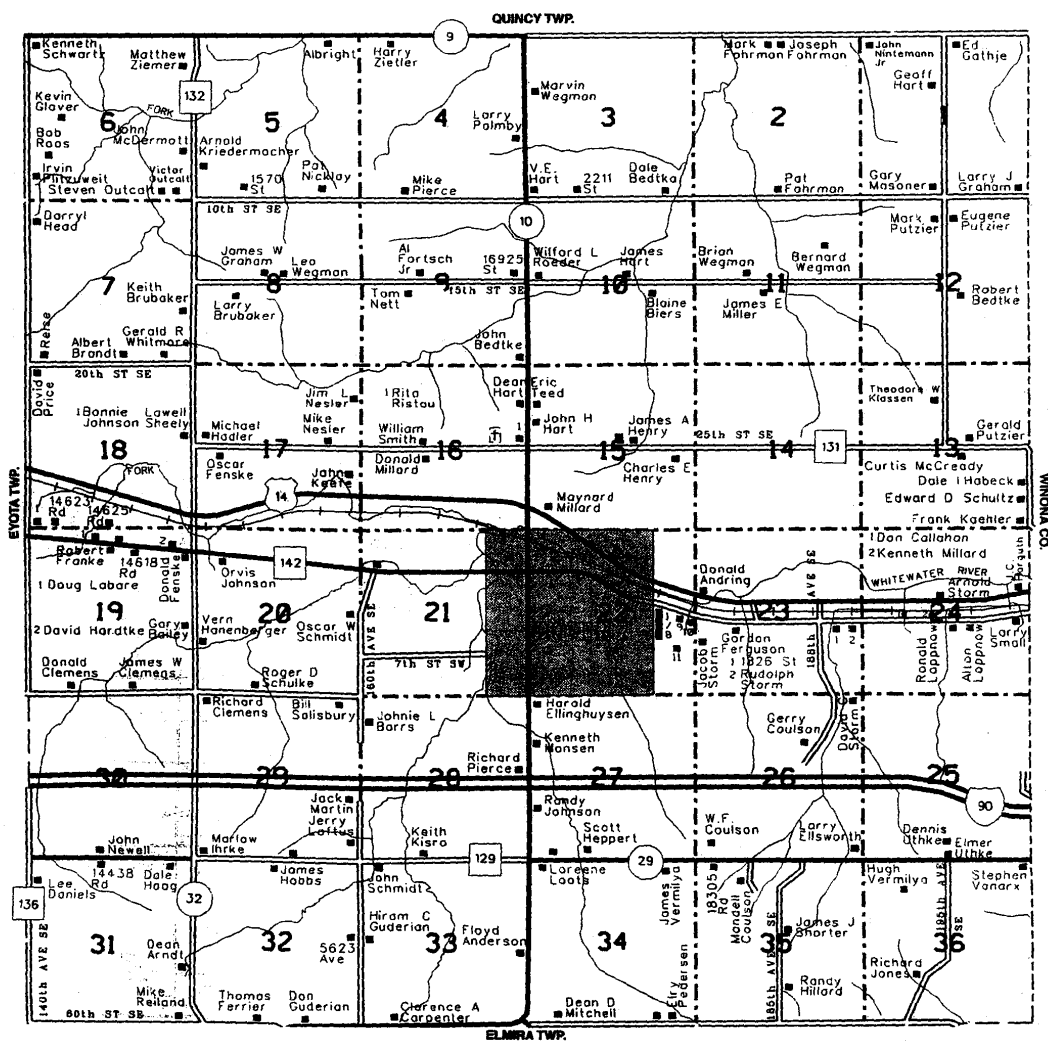
PH: Office 507-932-3750 St. Charles, MN Res. 507-932-3186

T-106-N

DOVER DIRECTORY

(Residents - Owners or Renters)

R-11-W



See Pages 22-23 For Additional Names.

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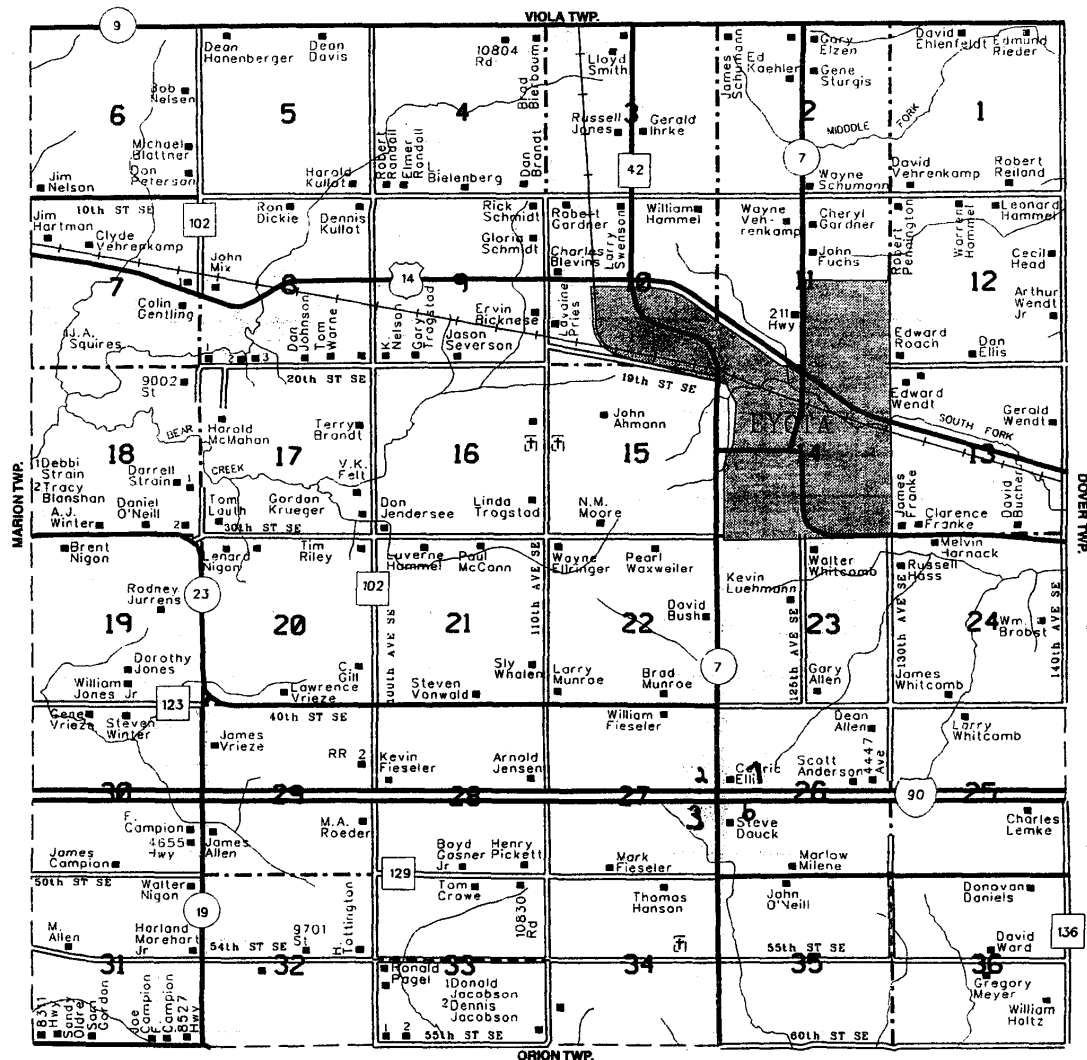
Farm & Home Publishers, Box 305, Belmond, IA 50421

T-106-N

BEYOTA DIRECTORY

(Residents - Owners or Renters)

R-12-W



See Pages 22-23 For Additional Names.

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F. Ross Champion
Margaret C Champion

Map 19

Parcel D

**F. Ross Champion Family
Farm**

Eyota Township

Section 30



Personnal History of F. Ross Campion Family Farm.

The F. Ross Campion Family farm is a Century Farm originally settled in 1854 by John Campion who immigrated from Ireland. Five generations of Campions have lived on this farm including ourselves who have lived and operated this farm for the past 50 years. We have invested a considerable amount of money to maintain and upgrade buildings as needed. It is our sincere hope that the farm will continue to be a Campion farm.

This farm is located in Section 30 of Eyota Township and is a combination of Atkinson, Rockton, Channahon and Whalan soils. The Atkinson series consists of deep, well drained, moderately permeable soils on uplands. They are dominately on the summits of hills on dissected terrain. Rockton series of soils consists of moderately deep, well drained, moderately permeable soils on uplands. These soils formed a mantel of loamy glacial drift over limestone bedrock with slopes ranging from 0-12%. Channahon series consists of shallow, well drained moderately permeable soils formed in a thin mantel of loamy sediments over limestone bedrock. These soils are on summits and the upper side slopes on dissected terrain. The Whalan series consists of moderately deep, well drained, moderately permeable soils on summits on broad uplands. Please refer to the enclosed soil map from the Soil Conservation Service.

Due to the susceptibility of this soil to wind and water erosion and the steep slope of the farm north of Interstate 90, terraces were constructed as a soil conservation measure. In addition, land between the terraces and wetlands has been enrolled into the Conservation Reserve Program as another measure to reduce erosion and protect the wetlands.

Impact of the bypass on farm and business.

In the 1960's the construction of Interstate 90 took 35 acres of prime agricultural cropland from my farm. Terraces which had been constructed as soil conservation measures were destroyed and had to be rebuilt at my expense. The small amount received for this 35 acres did little to compensate for the lost income those acres would have provided during our lifetime and in retirement.

This proposed bypass would bisect the remaining 100 acres of our farm between Interstate 90 and County Road 123. Of those 100 acres, 55 acres are prime agricultural cropland producing a portion of my retirement income in the form of rent. Constructions of this bypass would not only take land out of production but land between the bypass and Interstate 90 would become inaccessible. It would result in fields that are too small or oddly shaped to accommodate the size of today's farm equipment. Therefore, even if the bypass requires only a portion of the cropland, the entire 55 acres of cropland would become unusable and would result in a devaluation of the property.

The remaining 45 acres of this acreage is wetland, grassland and dense woodland. This provides an excellent habitat for deer, turkey, pheasant and other wildlife. Areas such as these offer a greater diversity of wildlife than that found in any city park. These areas are used by city and rural people alike for activities such as hunting, hiking, snowmobiling and cross country skiing. The proposed bypass will also take much of this land which will adversely affect wildlife and eliminate recreational land that rural and city residents now enjoy.

The Draft Environmental Impact Statement (DEIS) addressed four alternatives for the DM&E project. No-Action alternative (project denial, Alternative R-1), reconstruction of existing rail line (Alternative R-2), construction of a new 34 mile bypass to move only future coal traffic around city (Alternative R-3), and construction of same bypass for moving all DM&E rail traffic around the city. This Statement went on to say that Alternatives R-3 and R-4 would have fewer human impacts but would have substantial impacts to natural resources. **Because the DEIS did not compare Alternative R-2 with mitigation measures, the human impact is exaggerated.** A Rochester bypass (Alternatives R-3 and R-4) will not only have environmental impacts that **cannot be mitigated**, but will create financial, human and safety burdens as well.

Olmsted County soils are the most productive in the state and this bypass will take 800 acres out of production. Farms will be bisected by this bypass thereby reducing the farms' efficiency. This loss of efficiency will increase production costs and reduce farmers' already narrow profit margins. As a result, the economic viability of many farmers who are dependent upon the land for a living will be jeopardized. Since farmers do not receive a pension, retention of their land is essential to provide an income in their retirement. In addition, property values will decline as a result of this bypass. Rochester residents will suffer no loss of income or retirement benefits as a result of the DM&E upgrade.

The DEIS says Alternative R-2 would have substantial impacts to human resources from noise and vibration and could potentially impact the Federal Medical Prison as well as impact the movement of emergency vehicles in Rochester due to the Mayo Clinic's close proximity to the existing rail line. Two things should be noted.

1. The current railroad corridor has been in its present location for well over 130 years. Certainly, the Federal Bureau of Prisons investigated the impact train traffic would have on its facility when it chose to locate in the old State Hospital facility 10 years ago. Evidently, the current railroad traffic has had no ill effect on the Federal Medical Prison. In fact, new welded rail would be quieter and create less vibration than the tracks which are currently in place.
2. **The Mayo Clinic's downtown facilities are for routine medical examinations and tests. Mayo's Emergency Trauma Center is located at St. Mary's Hospital two blocks off Highway 52. This highway is constructed over the existing rail line and is unaffected by rail traffic.** All surrounding and out-of-state communities use this highway to access Mayo's Emergency Trauma Center. The city of Rochester and the Mayo Clinic have misled the Surface Transportation Board in this respect.

Many well respected medical institutions are in cities significantly larger than Rochester. For example: Massachusetts General is located in Boston; Johns Hopkins is located in Baltimore; and The Cleveland Clinic is in Cleveland. Other medical institutions are located in Los Angeles, Chicago, Philadelphia and Pittsburgh. These medical institutions are able to maintain their medical reputation despite the fact they are in cities with considerable traffic congestion, railroads and commuter rail as well. All of Rochester's and Mayo's concerns related to noise, vibration and traffic can be mitigated on the existing rail line whereas the permanent destruction to wetland, woodland, and cropland cannot be mitigated.

The DEIS statement also did not address the impact road closings along the bypass route would have on residents and communities thus minimizing the human impact. To insure safe vehicle transportation along the bypass route many rural roads will be closed. This will lengthen routes for school bus traffic for the communities of Byron, Hayfield, Stewartville, and Rochester. Road closings will also lengthen distances emergency vehicles will have to travel which will put rural residents at further risk for timely responses. In addition, slow-moving farm machinery, including anhydrous ammonia tanks, will have to travel on roads and highways having higher traffic volumes and speed limits creating a significant safety issue.

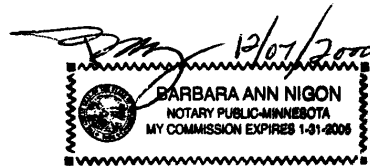
Alternatives R-3 and R-4 involve new construction and will substantially impact natural resources such as soil, vegetation, wildlife, wetlands, and farmland. The loss of these natural resources cannot be mitigated. A bypass will create two railroad corridors through Olmsted County and will ultimately promote urban sprawl and the destruction of the natural environment. Therefore, we are asking the Surface Transportation Board to reject Rochester's bypass proposal and approve Alternative R-2 with mitigation within the city of Rochester.

Respectfully submitted,

F. Ross. Campion

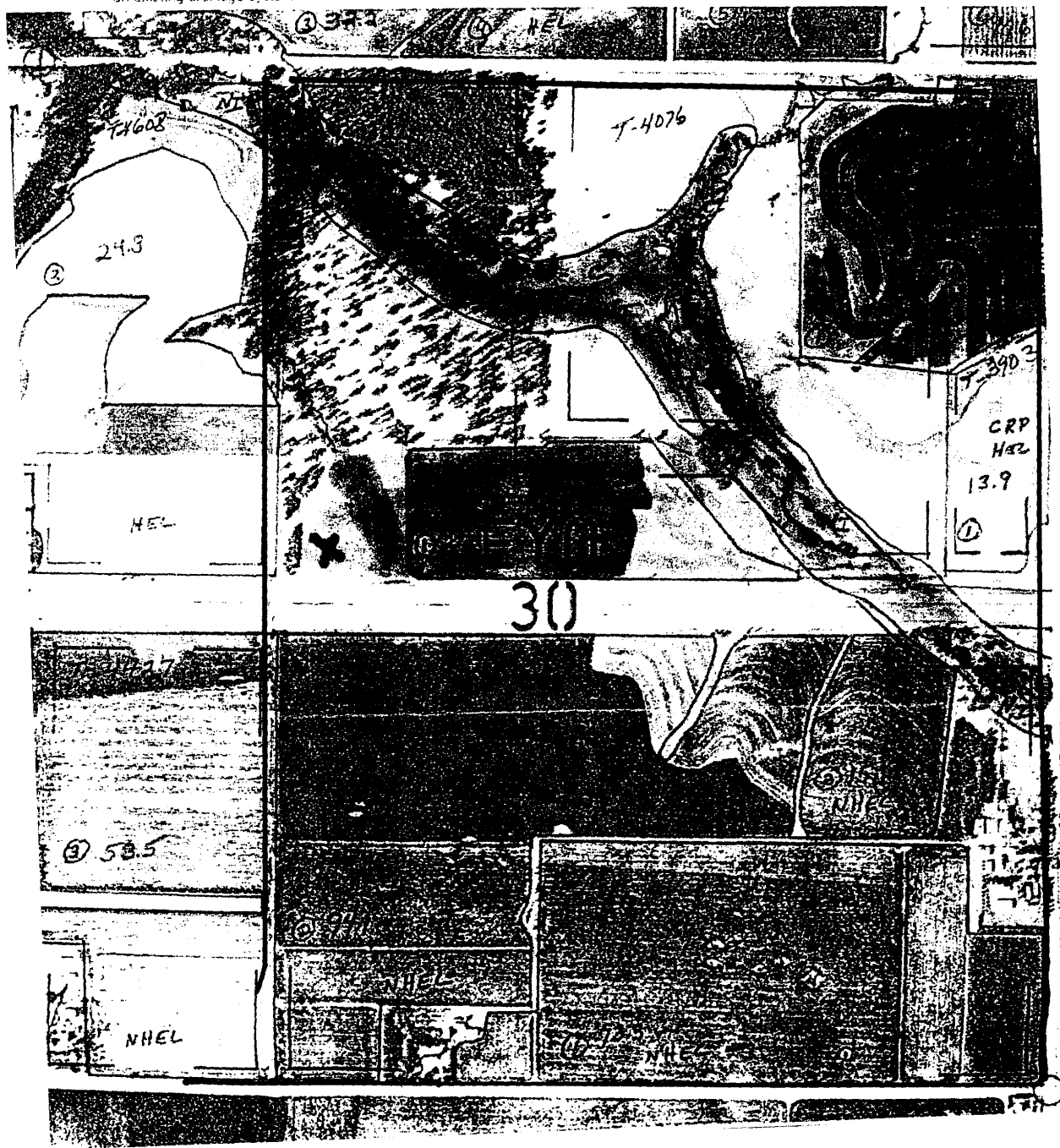
Margaret Campion

Enclosures



• wetland

WARNING: Contact NRCS before draining, dredging, filling, or leveling any wet areas or wetland-coded fields or improving, modifying or maintaining an existing drainage system.



C.R.P. grassland **X** Sinkholes Campione

Cropland wetland

no scale

E-10

30

4.6
C
5
4
16.4
C
9.6
C
15

16.53

7

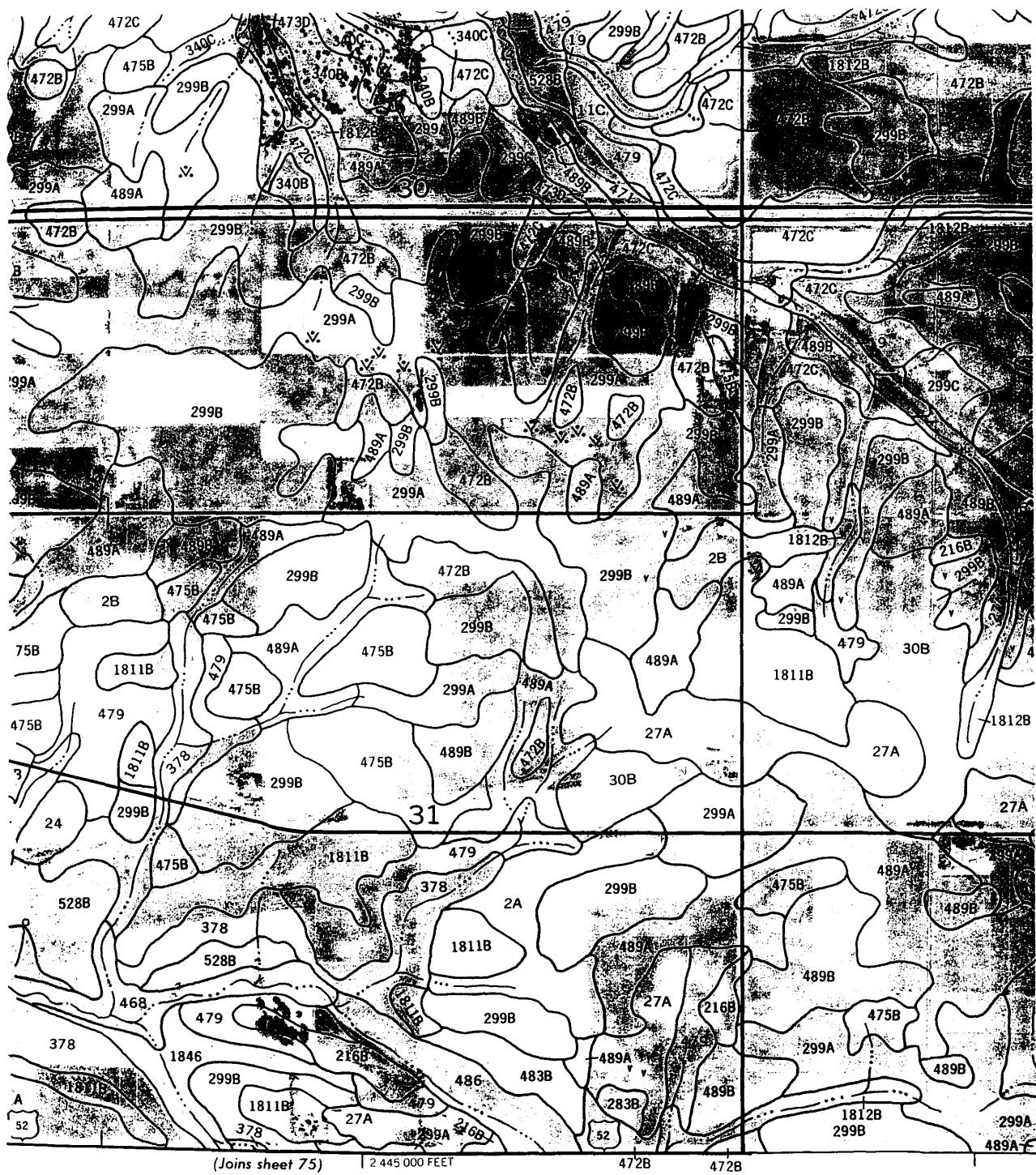
16

17

31.491
75.96
31.112

86.4

190.1



Campion Family
James B. Campion
Helen L. Campion

Map 19

Parcel E

Campion Family Farm

Eyota Township, Section 30



Personnal History of James Campion Family Farm.

The James Campion Family farm is a Century Farm which was originally settled in 1854 by John Campion who immigrated from Ireland. This farm has been home and business to five generations of Campions. I assumed operation of the farm upon my return from World War II and have lived on this farm for 50 years. Although now retired, my wife, Helen, and I continue to live on the farm.

This farm is located in Section 30 of Eyota Township and is a combination of Atkinson, Rockton, Channahon and Whalan soils. The Atkinson series consists of deep, well drained, moderately permeable soils on uplands. They are dominately on the summits of hills on dissected terrain. Rockton series of soils consists of moderately deep, well drained, moderately permeable soils on uplands. These soils formed a mantel of loamy glacial drift over limestone bedrock with slopes ranging from 0-12%. Channahon series consists of shallow, well drained moderately permeable soils formed in a thin mantel of loamy sediments over limestone bedrock. These soils are on summits and the upper side slopes on dissected terrain. The Whalan series consists of moderately deep, well drained, moderately permeable soils on summits on broad uplands. Please refer to the enclosed soil map from the Soil Conservation Service.

Due to the susceptibility of this soil to wind and water erosion and the steep slope of the farm north of Interstate 90, terraces were constructed as a soil conservation measure. In addition, land between the terraces and wetlands has been enrolled into the Conservation Reserve Program as another measure to reduce erosion and protect the wetlands.

Impact of the bypass on farm and business.

In the 1960's the construction of Interstate 90 took 35 acres of prime agricultural cropland from my farm. Terraces which had been constructed as soil conservation measures were destroyed and had to be rebuilt at my expense. The small amount received for this 35 acres did little to compensate for the lost income those acres would have provided during our lifetime and in retirement.

This proposed bypass would bisect the remaining 100 acres of our farm between Interstate 90 and County Road 123. Of those 100 acres, 55 acres are prime agricultural cropland producing a portion of my retirement income in the form of rent. Constructions of this bypass would not only take land out of production but land between the bypass and Interstate 90 would become inaccessible. It would result in fields that are too small or oddly shaped to accommodate the size of today's farm equipment. Therefore, even if the bypass requires only a portion of the cropland, the entire 55 acres of cropland would become unusable and would result in a devaluation of the property.

The remaining 45 acres of this acreage is wetland, grassland and dense woodland. This provides an excellent habitat for deer, turkey, pheasant and other wildlife. Areas such as these offer a greater diversity of wildlife than that found in any city park. These areas are used by city and rural people alike for activities such as hunting, hiking, snowmobiling and cross country skiing. The proposed bypass will also take much of this land which will adversely affect wildlife and eliminate recreational land that rural and city residents now enjoy.

The Draft Environmental Impact Statement (DEIS) addressed four alternatives for the DM&E project. No-Action alternative (project denial, Alternative R-1), reconstruction of existing rail line (Alternative R-2), construction of a new 34 mile bypass to move only future coal traffic around city (Alternative R-3), and construction of same bypass for moving all DM&E rail traffic around the city. This Statement went on to say that Alternatives R-3 and R-4 would have fewer human impacts but would have substantial impacts to natural resources. **Because the DEIS did not compare Alternative R-2 with mitigation measures, the human impact is exaggerated.** A Rochester bypass (Alternatives R-3 and R-4) will not only have environmental impacts that **cannot be mitigated**, but will create financial, human and safety burdens as well.

Olmsted County soils are the most productive in the state and this bypass will take 800 acres out of production. Farms will be bisected by this bypass thereby reducing the farms' efficiency. This loss of efficiency will increase production costs and reduce farmers' already narrow profit margins. As a result, the economic viability of many farmers who are dependent upon the land for a living will be jeopardized. Since farmers do not receive a pension, retention of their land is essential to provide an income in their retirement. In addition, property values will decline as a result of this bypass. Rochester residents will suffer no loss of income or retirement benefits as a result of the DM&E upgrade.

The DEIS says Alternative R-2 would have substantial impacts to human resources from noise and vibration and could potentially impact the Federal Medical Prison as well as impact the movement of emergency vehicles in Rochester due to the Mayo Clinic's close proximity to the existing rail line. Two things should be noted.

1. The current railroad corridor has been in its present location for well over 130 years. Certainly, the Federal Bureau of Prisons investigated the impact train traffic would have on its facility when it chose to locate in the old State Hospital facility 10 years ago. Evidently, the current railroad traffic has had no ill effect on the Federal Medical Prison. In fact, new welded rail would be quieter and create less vibration than the tracks which are currently in place.
2. **The Mayo Clinic's downtown facilities are for routine medical examinations and tests. Mayo's Emergency Trauma Center is located at St. Mary's Hospital two blocks off Highway 52. This highway is constructed over the existing rail line and is unaffected by rail traffic.** All surrounding and out-of-state communities use this highway to access Mayo's Emergency Trauma Center. The city of Rochester and the Mayo Clinic have misled the Surface Transportation Board in this respect.

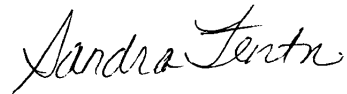
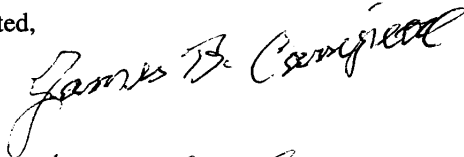
Many well respected medical institution are in cities significantly larger than Rochester. For example: Massachusetts General is located in Boston; Johns Hopkins is located in Baltimore; and The Cleveland Clinic is in Cleveland. Other medical institutions are located in Los Angeles, Chicago, Philadelphia and Pittsburgh. These medical institutions are able to maintain their medical reputation despite the fact they are in cities with considerable traffic congestion, railroads and commuter rail as well. All of Rochester's and Mayo's concerns related to noise, vibration and traffic can be mitigated on the existing rail line whereas the permanent destruction to wetland, woodland, and cropland cannot be mitigated.

The DEIS statement also did not address the impact road closings along the bypass route would have on residents and communities thus minimizing the human impact. To insure safe vehicle transportation along the bypass route many rural roads will be closed. This will lengthen routes for school bus traffic for the communities of Byron, Hayfield, Stewartville, and Rochester. Road closings will also lengthen distances emergency vehicles will have to travel which will put rural residents at further risk for timely responses. In addition, slow-moving farm machinery, including anhydrous ammonia tanks, will have to travel on roads and highways having higher traffic volumes and speed limits creating a significant safety issue.

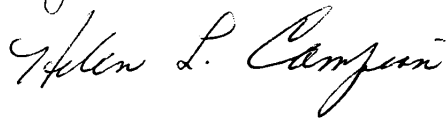
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Respectfully submitted,

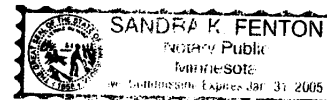
James B. Campion

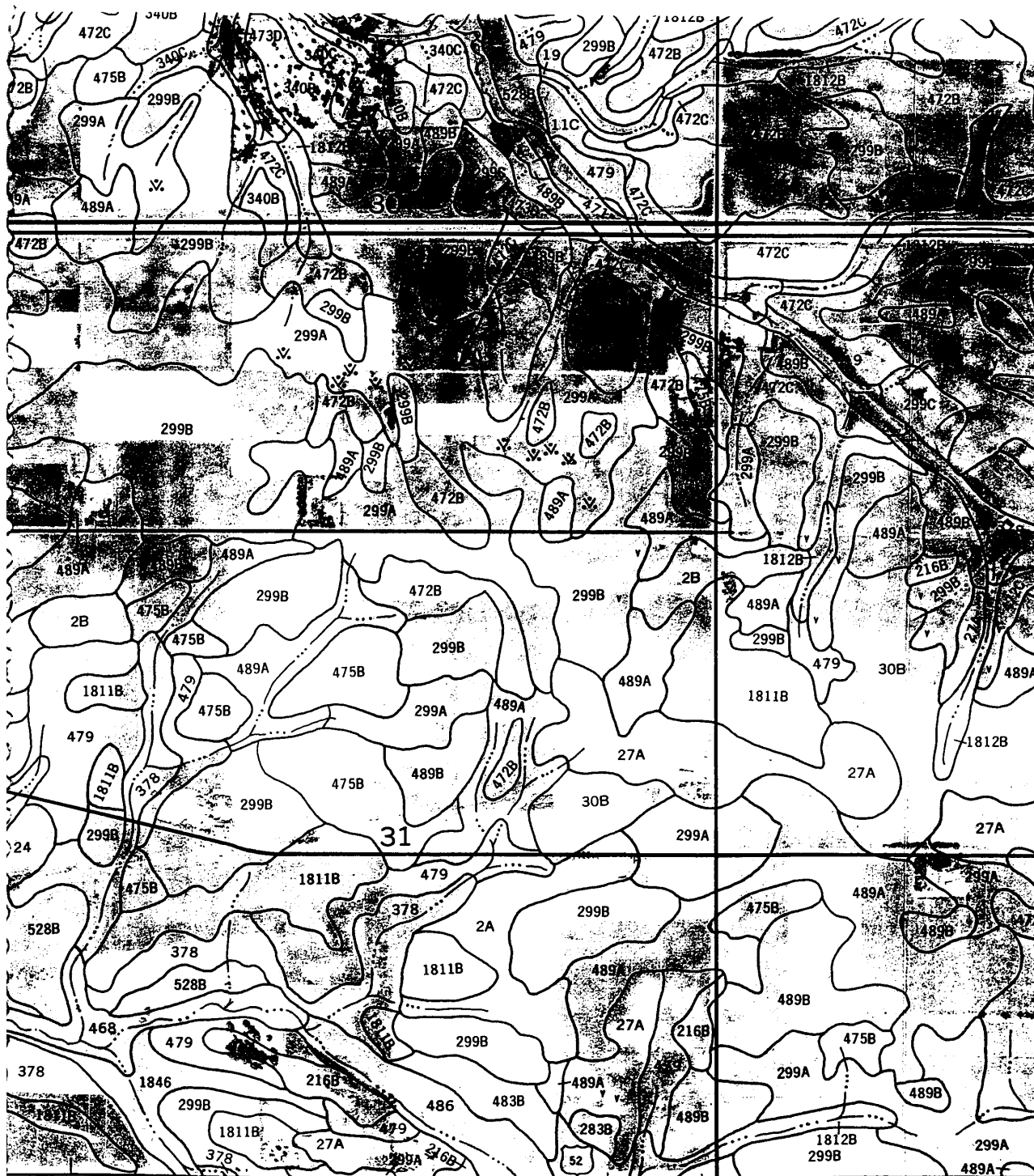


Helen Campion



Enclosures





(Joins sheet 75)

2 445 000 FEET

472B

472B

Cropland

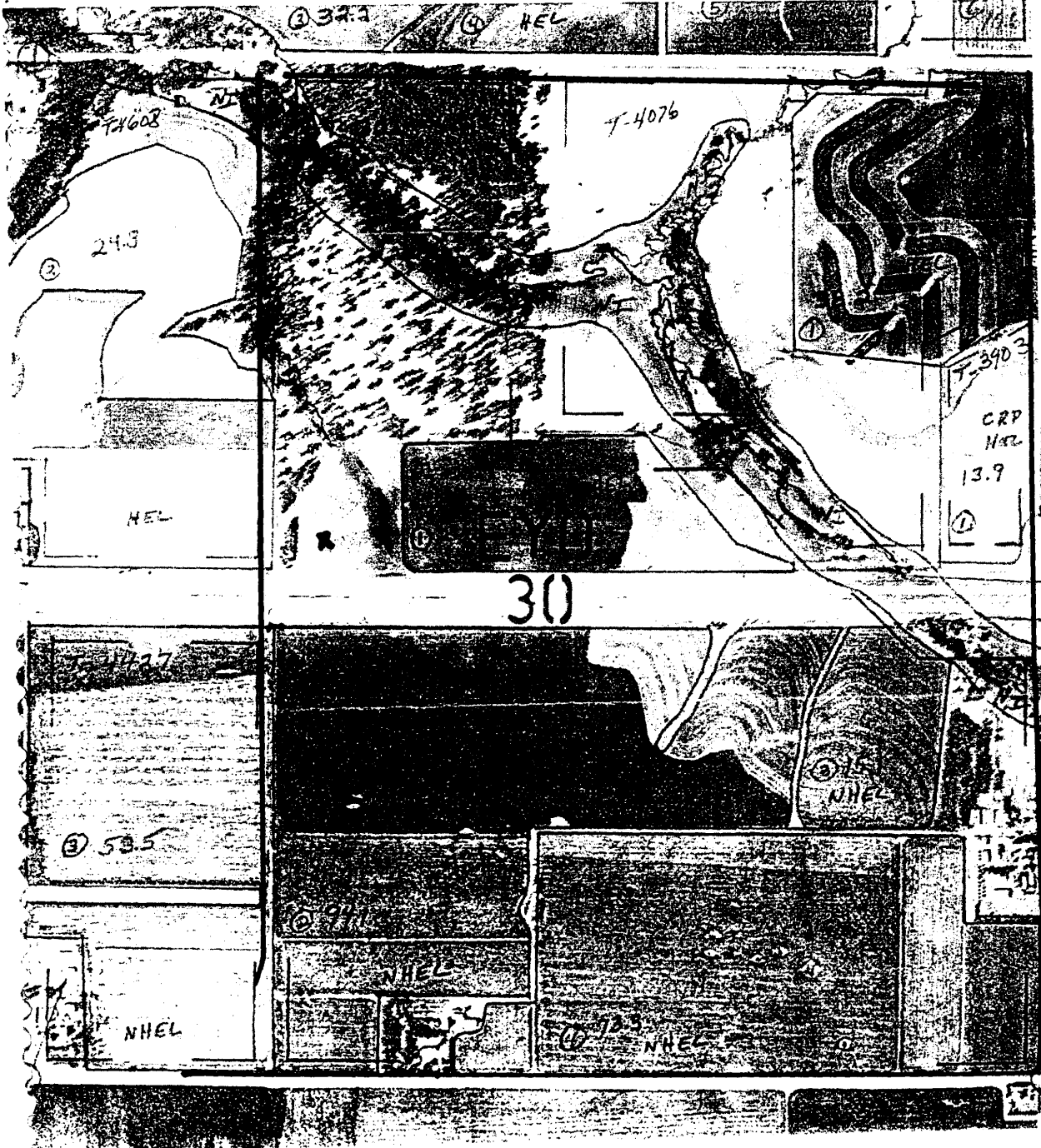
CRP grassland

X Sinkholes

wetland

T = TRACT NUMBER	MT = MULTIPLE TRACT NUMBER	HEL = HIGHLY ERODIBLE LAND	MMW = MINIMAL EFFECT WETLAND/EXEMPT
W = WETLAND	CVW = CONVERTED WETLAND	NHEL = NON-HIGHLY ERODIBLE	ICWNA = CONVERTED WETLANDS/ NON-AG
FW = FARMED WETLAND	NA = NON-AGRICULTURAL	PC = PRIOR CONVERTED CROPLAND	NC = NON-CROPLAND
NW = NON-WETLAND	AW = ARTIFICIAL WETLAND	ECW = EXEMPT COMMENCED CONVERTED WETLAND	PHOTO NUMBER
COUNTY	OLMSTED	NOT TO SCALE	REPRODUCED MAY 1998
			CROP YEAR

WARNING: Contact NRCS before draining, dredging, filling, or leveling any wet areas or wetland coded fields or improving, modifying or maintaining an existing drainage system.



CRP, grassland X sinkholes Lampsione

Crapland

Wetland

Unstable Cor Not to scale

E-10

30

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Nels and Cindy Oftedahl

Map 24

Parcel A

December 13, 2000

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K. Street NW
Washington, DC 20423-0001

To Whom This May Concern:

Nels and Cindy Oftedahl oppose the DM&E Bypass in Rochester for several reasons listed below:

- We have lived on our current 185-acre farm near Stewartville, Minnesota, for nine years.
- My husband and I both work out of the home 40 plus hours per week each and we farm 185 acres besides so that we can fulfill our dream of owning, operating, and living on a farm. In our minds, that is the best place to raise children.
- We have worked hard to pay for our farm and the land value could and probably would change with a negative effect on us. We would not be able to re-sell our farm for our investment. Early retirement for us as planned now would be out of the question. We would have to work forever! We are people that appreciate our farm and go to great lengths to make it look nice.
- I-90 already split our farm once and now we may have a railroad split another portion or even consume some of our farmland. Besides I-90 traffic noise, we have airplane traffic noise. Not fair to be burdened with tremors and noise from a train.
- I am a Mayo Clinic employee (supervisor). Just because Mayo Clinic has the money and the power to fight the DM&E expansion, it is not proper that they are hurting their own employees. The Mayo Clinic built around the railroad and now would like to place that burden on the people that do not have the money or power to fight.
- The only way a bypass could be paid for by the City of Rochester would be through increased taxes in Olmsted County. Since I am opposed to the bypass, would this make me exempt from paying the extra taxes? Why would I want to pay additional taxes for something I am opposed to and when I could also be giving up my land for the bypass and assume numerous negative impacts?
- We have three school aged kids, one of which will have a drivers license in early April 2001. The school bus our children ride would have to cross the railroad tracks several times bringing increased safety risk to our home. This would also delay our driving time to and from work each day. We live three miles from Stewartville and our kids ride the bus for 40 to 45 minutes two times per day. The route would be considerably lengthened if roads are closed and/or if they have to wait for a train coming through.

- Emergency or fire vehicles would be delayed even longer in the country then if a train went through town, as there are alternate routes in town for the emergency vehicle to take if a train is going through. We live on a dead-end road. We would have no way out if a train crosses our road and no way in for an emergency or fire vehicle either.
- Rochester uses a large supply of coal daily. If a bypass is to be created, how would the coal get to Rochester? Would a plant be created along the rail line and the coal trucked to Rochester? This would add tremendous expense to the project and increased travel by large trucks on the roadway.

In summary, we strongly oppose the DM&E Bypass proposed in the Rochester, Minnesota, area.

Respectfully submitted as Citizens Against the Bypass,

Nels T. Oftedahl

Cynthia K. Oftedahl

Nels and Cindy Oftedahl
3834 105 Street SW
Stewartville, MN 55976

507-533-4887

Ronald Richardson

Map 24

Parcel B

In regards to this D M & E
proposal I will give you my views.
The D M & E doesn't have to use
the bypass even if it is built from
what they tell us. They will upgrade
their rails no matter what anyone
says. The people of Rochester will
have to live with whatever happens.
There should be several things that
could be done to alleviate the problems
somewhat. I don't see why a tunnel
couldn't be built for the train thru
town or around barriers. Maybe a couple
expresses could be built. This would
be much cheaper than a bypass.
also this talk about 37 trains per
day would be an impossibility because
the mississippi river
couldn't handle that much barge
traffic when it is unloaded. Also
there would have to be many, many
sidings for the trains to pull off when cars

Orven Blegen

Map 24

Parcel C

Office of the Sec:
Case Control Unit
STB Finance Docket No., 33467
1925 K ST. N.W.
Washington D. C.

This farm has been in our family since March 1915
Prime land of S. E. Minnesota. This has been our livelihood
all these years. To have it divided in two parts would be
devastating, Plus all the other farms it would affect.

The present Railroad thru Rochester is in a well
laid out strait track with a good road bed but
rails are old and would have to be replaced. The bypass
would be very expensive and block all Township roads
a problem for school busses Mail men fuel delivery ect.

The rail line thru Rochester has been there
to my knowledge since the early 1880^s We hope
it will remane there

The new track would ad 30 to 40 more miles.
to the railroad

Sincerely Orven Blegen Owner
.8501 city Rd #8 S.W.
Stewartville Mn. 55976

High Forest Township

W Sec. 17

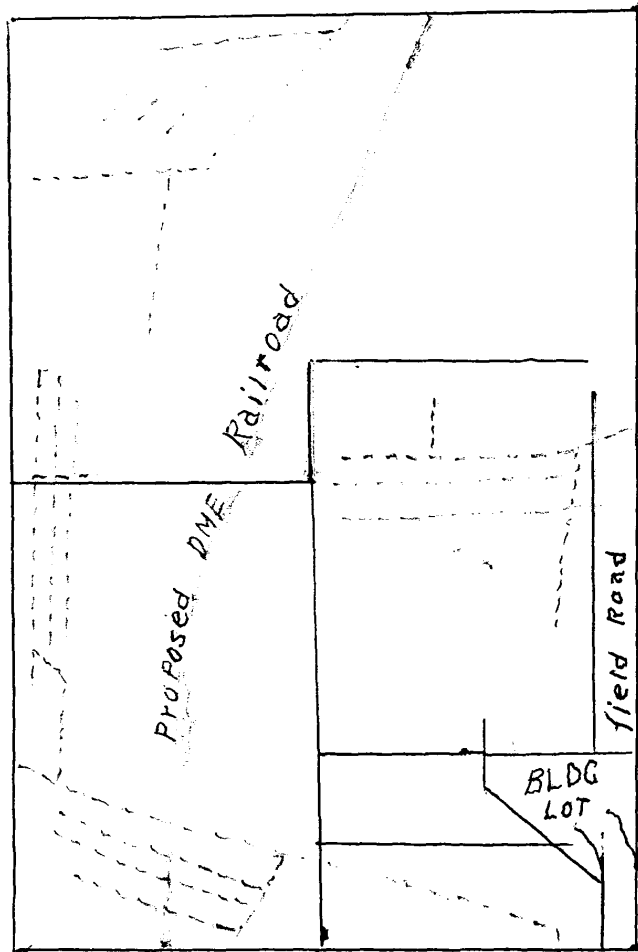
N 1/2 of The S.W. 1/4

80 Acres

105N Range 14

Purchased in 1915

----- Field Drain Tile — fenced fields



Barn
Dwelling
Pole shed
2 corn cribs
Hog house
Chicken house
2 car garages
Granary

County Road #8

Sincerely

Orven Blegen

E

James A. and Kathy S Bartels

Map 24

Parcel D

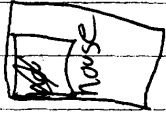
James A. and Kathy S.
Bartels living at 8837
County Road 8 SW, Stewartville.
We have lived on this property
for 23½ years. We love our
land and a railroad bypass
would destroy everything we
have worked for and dreamed
about. The bypass is routed to
go 500 feet from our house.
Having the railroad going
through our property would
be devastating to our 50 foot
deep water well. Plus the
tranquility which we are accustomed
to would be physically + emotionally
harmful to our health. The
financial loss that we would
acquire from the bypass would
amount to \$100,000.00.

We strongly urge you to keep
the railroad in Rochester where
the tracks are located. By

Rly 30 west

Cd Rd 8 SW

300 ft



500 ft

tracks

Jerome G. Hildebrandt
Ferrolyn M. Hildebrandt

Map 24

Parcel E

February 23, 2001

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
1925 K Street NW
Washington, D.C. 20423-0001

Attn: Victoria Rutson
Environmental Project Manager
Environmental Filing

We, Jerome G. Hildebrandt and Ferrolyn M. Hildebrandt are writing to vehemently oppose the alternate rail route for the D. M. & E. Railroad being promoted by the City of Rochester (Minnesota) and Mayo Clinic Officials.

We live and have our farming operation located in N1/2 SW1/4 and the S1/2 of the NW1/4 all in section 20 of High Forest Township in Olmsted County.

We and our sons have farmed in this location since December of 1969. Presently, we are renting the farm to a neighboring farmer. I worked for thirty years, (now retired) with the USDA- Soil Conservation Service and we have raised our family for most of their pre-school and school years at this home.

My wife and I both work in Rochester, she with an accounting firm and I with the Minnesota Pollution Control Agency.

The proposed bypass could cut our farm in two or at least make travel to farm markets, work and other community events and services more time consuming and costly.

Our farm is prime farmland and has been farmed using conservation practices such as farmstead windbreak, cross slope farming, conservation tillage, grassed waterways, a complete drainage system and a crop rotation to maintain the farm in good productive ability and prevent soil loss to streams and rivers. These conservation measures meet the approval of the Natural Resources Conservation Service (NRCS) and the waterways and windbreak have received financial assistance from the USDA Farm Service Agency.

The soil loss on our farm is less than the allowable soil loss. This was required for the installation of the reservoirs for the South Zumbro Watershed flood control project for the benefit of the City of Rochester.

We urge the D. M. & E. and local officials to negotiate the upgrade of the existing line through Olmsted County and Rochester. If the rail line were to be built on the proposed alternate route, it will cause major disruption to the rural farms which are struggling to remain competitive in a global economy and continue to produce food, feed and fiber for the needs of this country and other parts of the world. It seems ironic to us in the rural community that the production of food, feed and fiber has little importance to the city of Rochester, Olmsted County and Mayo Clinic officials. Yet being able to have our own sustaining food, feed and fiber production has been a key factor that has kept this country as a leader in the world.

We are opposed to any alternate route for the following reasons:

1. It is unreasonable for the City of Rochester and the Mayo Clinic to demand an alternate route when the DM&E Railroad already owns the right of way for their rail system through Rochester.
2. How can the City of Rochester consider the use of the Right of Emminent Domain to obtain the land that would be required for an alternate route. This seems to us to be an abuse of the public right and the public good. I do not believe the use of the Right of Imminent Domain would meet the approval of most of the people in the Area, the State or the Nation. Most parcels of land that would be needed for the proposed alternate route will need to be acquired under the "Right of Emminent Domain" because most owners are not "willing sellers".
3. It has been suggested that State or Federal funds should be used to "assist" the City of Rochester acquire the "right of way". I do not believe that would meet the approval of people in the State of Minnesota or in the Nation. Again, why should the public be required or asked to fund the alternate route for the City of Rochester.
4. The "taking" of the land required for the alternate route for the DM&E Railroad is in direct violation of the "Olmsted County Land Use Plan". We would not be allowed to convert the PRIME farmland to build houses on or develop in some other way because it has a crop equivalency rating (CER) of 90. Most of the land in the proposed bypass would have a high CER rating.

5. The City of Rochester and Olmsted County units of government have gone on record opposing "any" upgrade. Therefore, they have refused to consider or negotiate the possibility of mitigation measures such as overpasses, sound barriers and environmental plantings that would improve the present rail system and provide safety, reduce time for personal traffic, emergency vehicles, transportation of goods and services and still provide the coal to the Rochester Public Utilities electrical generating plant. It is unreasonable to expect the rural citizens to bear the disruption for the alternate rail route when approximately 84% of the coal used in Olmsted County is used in the City of Rochester.
6. The D.M.&E. Railroad presently has existing right of way and should be allowed to use their right of way for their business. The D.M.& E., the City of Rochester, Mn. and the County of Olmsted should mitigate the present right of way to make it a better system for everyone.
7. No mitigative measures can be selected to improve the system in the rural area because they cannot improve something where it is not a problem at the present time.
8. In addition, an alternate rail route will increase the risk in the rural areas with the added railroad crossings.
9. The opponents of upgrading the present railroad right of way say that there are increased risks in case of a medical emergency. However, they have closed their minds to working on improving the present system.

There will definitely be increased risks and increased time involving emergency response and school busing in the rural area because of roads that will be closed at many of the railroad crossings. The time of response is now longer than in the City of Rochester and will definitely be increased each time the train crosses one of the 45 rural roads that it is expected to cross. These roads are not crossed now by railroad tracks.

10. Selecting an alternate route also increases the length of the railroad by an estimated 30-40 miles. This is a direct increase in initial cost for the railroad. It also increases the cost of fuel, operation and maintenance and increases the amount of pollutants released to the atmosphere.
11. The consultant for the City of Rochester stated that the present rail line would impact businesses in the city of Rochester. He had no consideration that every farm that is touched or divided by the alternate route is a business and they would be negatively impacted. In addition, farm businesses would be divided by an alternate route which will also impact their ability to remain viable and productive as a viable family farm unit.
12. The proposed alternate route will also potentially push rural farm families out of their homes and in some cases out of a family operation, many of which have been in the family for many generations.
13. Any proposed alternate rail route will destroy and damage many acres of prime farmland which will be removed from production forever.
14. Many acres of wildlife habitat and prime wetlands will also be negatively impacted.
15. The agricultural industry is the third largest business in Olmsted County. The production of corn, soybeans, livestock and food processing crops will be negatively impacted by an alternate rail route.
16. It has been stated that low volume roads will be closed which will cut off bus routes, increase distance for medical emergencies, increase distance and cost of personal travel and increase costs for farmers for access to fields and transportation costs.
17. The proposed alternate route will require duplicate tracks into Rochester because Rochester Public Utilities will still require 84% of the coal used in Olmsted County.

18. We are in favor of the railroad system to move goods in this country. When the railroad first became viable for transportation of goods and people, the City of Rochester and most cities and towns wanted the railroad. It was most important for the communities at that time and now to have cheap, economical transportation.

We reiterate our opposition to any railroad by pass. We believe it is not right to impose something on the rural citizens that is going to be detrimental to them and for the DM&E to expend major dollars for the by-pass and for ongoing operation and maintenance. In addition, as an employee of the State and a retired employee of the Soil Conservation Service concerned about air and water pollution, the added length of construction and right of way will increase the potential for pollution to State and National waters and the additional time of travel for the trains will significantly add to air pollution.

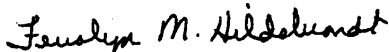
We ask that you rule to keep the D.M. & E Railroad right of way at the present location and that the D. M. & E. Railroad, the City of Rochester and the County of Olmsted Minnesota cooperate together to mitigate improvements needed to make the system safer, efficient and in the best interests of the United States.

Thank you for your consideration.

Sincerely,



Jerome G. Hildebrandt



Ferrollyn M. Hildebrandt

cc: Minnesota Representative William Kuisle
Minnesota Senator Kenric Scheevel
U.S. Senator Paul Wellstone
U.S. Representative Gil Gutnecht
Kathy King, Citizens Against the Bypass

Duane and Elrose Douglas

Map 24

Parcel F

December 8, 2000

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K Street NW
Washington DC 20423-0001

To Whom It May Concern:

Even though the DM&E suggested BYPASS goes about 1 mile from our farm home, many problems will be caused by this becoming reality.

- The proposed route would cause us to cross the same tracks 3 times to get to Rochester, which is our normal shopping location. It could be possible that we would have to stop and wait for the same train each crossing, as they are within 2 miles of one another.
- To visit many of our relatives we would have to drive many more miles than we currently do as many of the township roads would have to be closed for the bypass.
- We would like to split our 40 acre farm into two parcels, allowing us to build a new one level, handicapped home for our old age requirements, however Olmsted County will not allow us to do this as this area is prime Agricultural land and it would use up 5 acres of prime land. This proposed bypass would use up 800 acres of prime land along with many wetlands.
- It is proposed that the City of Rochester would pay for this bypass if it were to be approved. They have already mentioned increased sales tax, which means we will have to help pay for this inconvenience in our lives. The DM&E already owns the land through Rochester. With approx. two additional overpasses and some sound shields most of their complaints would be resolved. The Mayo Clinic is approx. $\frac{3}{4}$ of a mile from existing tracks and the distance through Rochester is about 5 miles long instead of the proposed 37 miles of bypass.
- The added hours our young children of the area would have to spend on the busses because of the elimination of township roads caused by the bypass, would increase the length of their day.
- Emergency vehicles could be delayed, especially crossing the track 3 times within a 5 mile stretch. This could be disastrous to a burning home or a heart attack patient.

Please give the possibilities of building a bypass around Rochester close consideration, as a bypass would affect many more people and increase the route of the DM&E by 37 miles.

Duane & Elrose Douglas
Duane & Elrose Douglas,
9743 County Road 8 SW,
Stewartville, MN 55976

Chester and Doris Oehlke

Map 24

Parcel G

February 28, 2001

Chester & Doris Oehlke
4937 Highway 30 SW
Stewartville, MN 55976
(507) 533-8139

To the Surface Transportation Board:

We are a family of Olmsted County farmers located on the Rochester-proposed DM&E rail bypass route around Rochester, MN. The proposed route follows and variously disrupts our farming operation for more than one mile.

We oppose the bypass option.

Background:

We have a medium sized family owned and operated dairy producing 2-2.5 million pounds of Grade A milk annually. We own 800 acres and rent 400 acres of cropland nearby producing corn, soybeans, peas and hay. This is prime cropland rated CER 55+ and is protected by Olmsted County's land use plan.

We provide full-time income and housing for four families and part-time income for several others. Our peas and sweet corn go to Seneca Foods in Rochester and our milk to the AMPI plant in Rochester. Our farm has been at this location for 50 years. The youngest family farmer is in his 20's, married, has children, and has built a new home on this farm.

Impact:

We are currently located 10 miles from the nearest railroad track. The proposed bypass cuts through our son's above mentioned new home and dissects our dairy and crop farming operation.

When we built the barn 30 years ago, it cost \$60,000. To replace it today would easily cost \$500,000 (\$3-4,000/stall x 150 stalls). If the railroad cuts our farm, we can't pasture our cows as we do now. We would have the risk of cows getting onto the railroad track. We would have multiple access and other work-related issues to contend with. When you combine the rail impact with other factors of poor product prices, high financial investment, time demands, etc., there would be little incentive to continue farming.

As the bypass issue is considered, we are faced with upgrading our milking parlor. We must do this for our business in spite of the uncertainty of the railroad issue. In 1998, we added storage for corn due to business necessity. The bin cost \$60,000. We must run our business as needed despite the extraneous threat of a railroad which may or may not come out of nowhere in the next 3-5-10 years. We also recently updated our 25 year old home. Our farm would never be adequately compensated for the disruption

page 2

Chester & Doris Oehlke
Stewartville, MN

to our homes and livelihood.

We did not build by a railroad track! Is it reasonable to
blindside viable farming operations providing the next generation
of farmers?

Big Picture:

Farming is a vital function with tangible life-sustaining
products. Only 1/32 of the earth's surface consists of land
suitable for food production.

According to the International Food Policy Research Institute,
this finite land has serious fertility problems. It recently
reported that "only about 30 percent of farmland in North America
is free of fertility problems such as poor drainage, chemical
contamination and acidity. Several other regions of the world
have less farmland that is free of such problems."

Every day in Minnesota, 60 acres are removed from food
production. Due to the scattered venues of farming, it is easy
to overlook the chipping away of farmland. Once gone, it is lost
forever.

Sincerely,

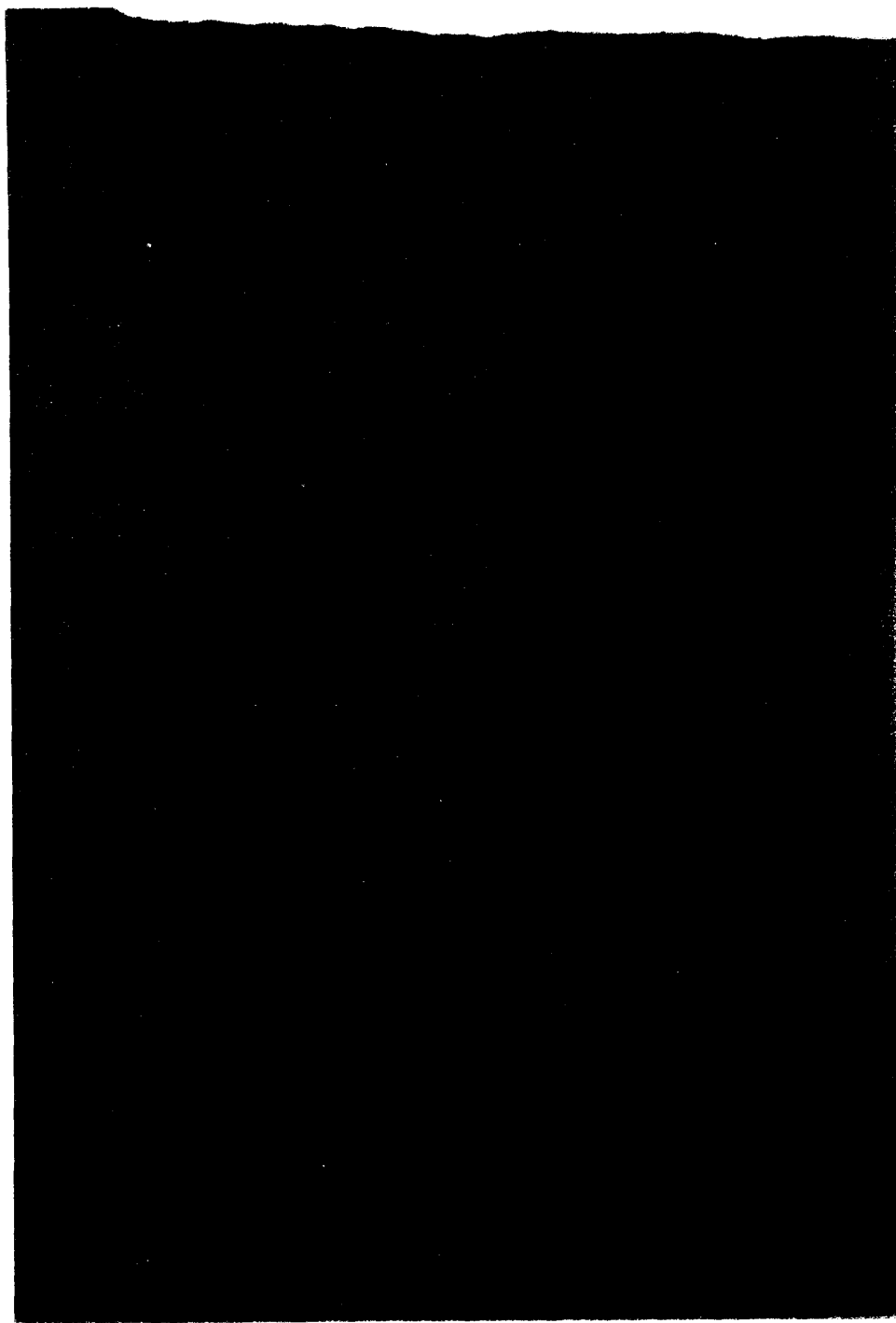

Chester Oehlke

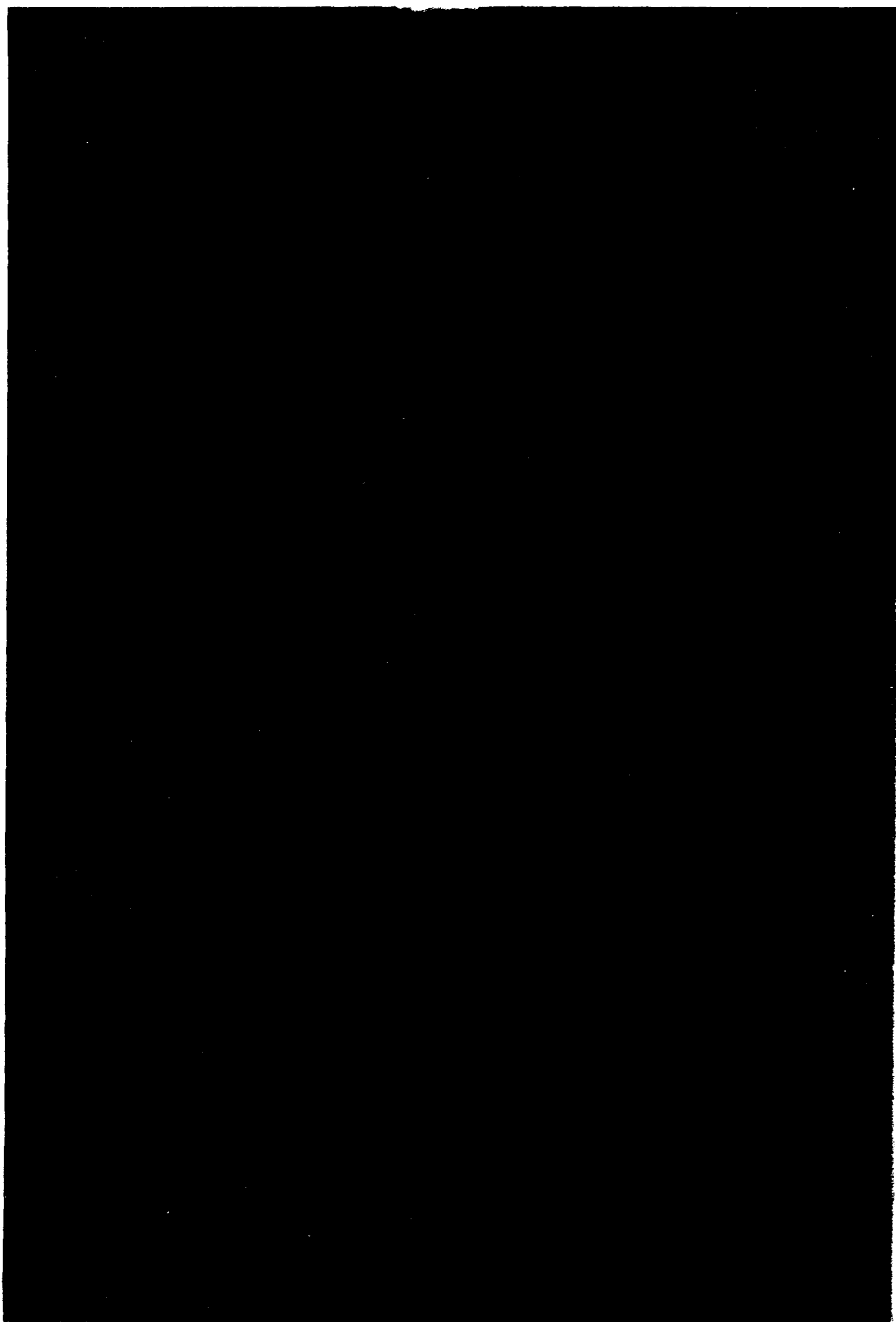

Doris Oehlke

Conrad Ringey

Map 24

Parcel H





Roger and Cathy DeCook
And Family

Map 25

Parcel A

To Whom It May Concern:

We would like to introduce our family to you. Roger, Catherine, Heather, Cory, Derek & David DeCook. In 1988 we chose to build our home of our dreams. We were looking for a place where we could raise our children and someday enjoy our grandchildren. Through the years of living here we also purchased more land to add on to the land that we built our home on. Our hope was to be able to offer this to our children someday so they could build a home and enjoy the peace and quiet and also to enjoy the various wildlife that we enjoy. The city of Rochester has changed all that! Our lives have been put on hold because they want to push the DM&E Railroad bypass at our back door. We have no problem with the railroad expansion on the existing line. Why would anyone even consider taking perfectly good farmland and destroying it with rail that already has a place to go?

Rochester talks about being a medical city and how they have sensitive instruments that the new rail in town would disturb. We find this hard to believe since the existing track in Rochester already gives off a vibration since the track is in such poor shape. We believe if they upgraded the track in town there would be less vibration than there is now.

We have farmed in this area all our lives and the bypass would close roads. This would make it difficult for the farmers to get their equipment around. People would be put at more of a risk for medical emergencies since the crews would have to be rerouted. The children of the area would have to ride busses longer and be at risk more for accidents at railroad crossings.

We own a 120-acre parcel of farmland in section 13 of Rockdell Township. The bypass would cut this parcel in half. What an inconvenience and waste of land. Rochester claims this bypass would not affect many businesses or homes. Well, there is 1 business and 1 home, OURS. We have friends that will lose their homes and dreams also if this bypass is allowed.

In regard to environmental issues the existing track is already there. The new proposed bypass track would surely be detrimental, as it would cut through numerous wetlands that we as farmers are to leave untouched. The government has regulated wetlands for years, as wetlands are for the wildlife not the railroads. Also, it would destroy wooded areas that the wildlife has come to know as their homes. All the wildlife and people up and down the proposed track would be greatly disturbed by the noise. We are used to peace and quiet.

When we built our home we didn't choose to build by a track as some of these people in Rochester obviously did. Why should we let them shove the bypass at us? We feel this bypass issue needs to be put to an end so we can continue with our lives.

Sincerely,

Roger & Cathy DeCook & Family
6720-80 St. SW
Stewartville, MN 55976

Gayle E. and Celia S.
Robinson

Map 25

Parcel B

Personal History:

My husband and I purchased this farm in the spring of 1995. My husband and I worked very hard to pay for this farm ourselves. We did not have help from our families. We have lived on this farm ever since and still live on it today. We hope to pass it on to our children.

Impacts of the bypass on our family and business:

1. Our fire protection is Stewartville, Mn and with the closing of our township road due to the bypass it would take the Stewartville Fire Department longer to get to us.
2. It would make our children or grandchildren have a longer schoolbus ride morning and night.
3. It would decrease our property value.
4. It could contaminate the trout stream that flows by our home and that the railroad would have to cross.
5. We have a wooded area that is home to many birds and animals such as the wild turkey, deer, blue herrins. The noise of the trains might disturb them.
6. We already have the noise of the airplanes since we are 5 miles west of the Rochester International Airport so why should this area have the additional noise of the trains.

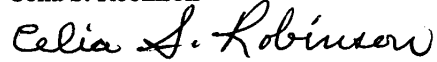
Statement of Opposition to the bypass

My husband and I are apposed to the bypass because of the items we described under the impacts of the by pass on us. We feel Rochester should have been negotiating with the DM and E to get the best protection of it's citizens. Also, we do not want the additional taxes it would take to pay for a bypass.

Gayle E. Robinson



Celia S. Robinson



Gayle E. and Celia S. Robinson

Section 11 Rock Dell Township

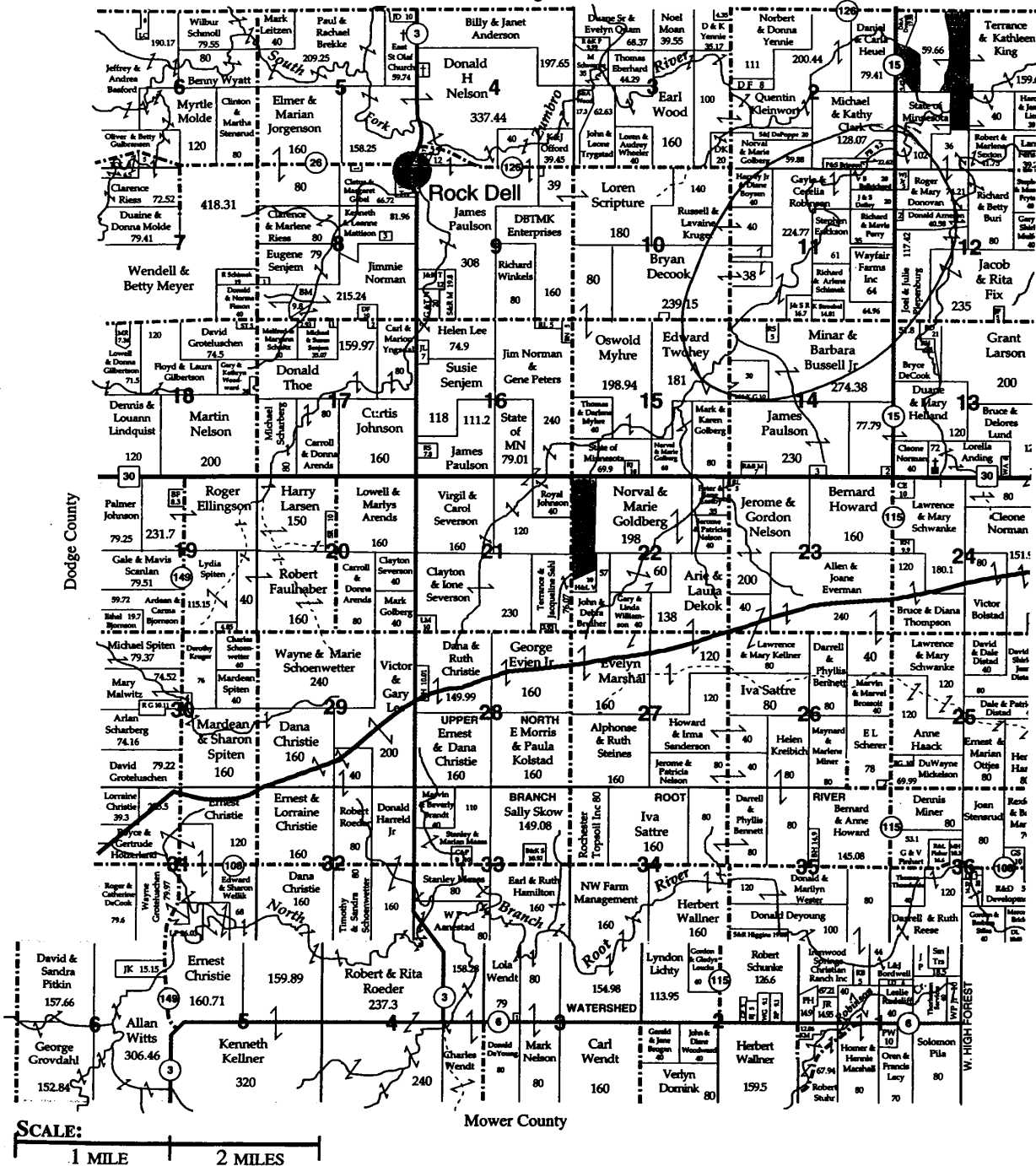
East 1/2 of the west 1/2 of Section 11, plus the west 1/4 of the SW 1/4 and the west 1/4 of the east 1/4 pluss a strip of land of 2 acres for a driveway.



ROCK DELL TOWNSHIP, WEST HIGH FOREST PANHANDLE

T.104&105N. - R.15W.

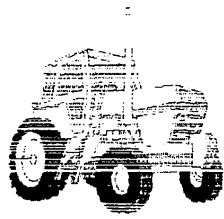
See Page 14



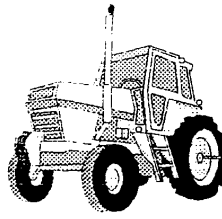
Mark, Karen Katie & Kyle
Golberg

Map 25

Parcel C



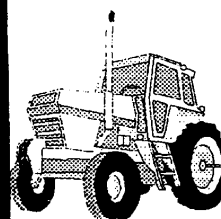
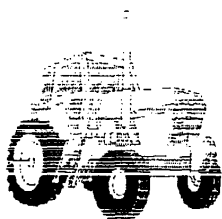
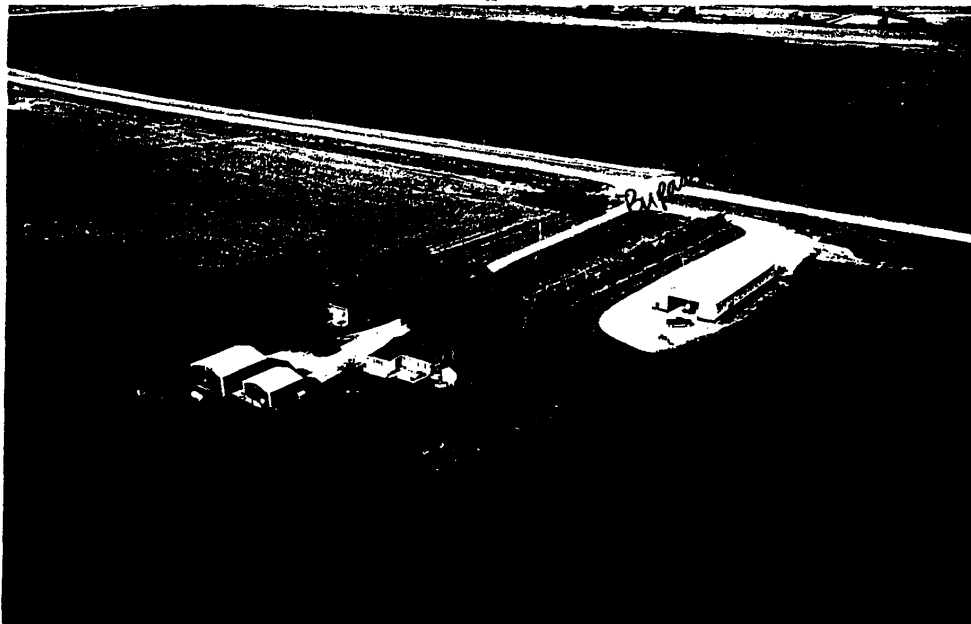
Golberg Farms



Mark, Karen, Katie, & Kyle Golberg

SW1/4 NW1/4 SEC 14-105-15

Rockdell Township, Olmsted County



This bypass will force us to move from a farming operation of which we have lived and built for over 25 years. Our family is currently the 6th generation to be farming in the Rock Dell area in Olmsted County. My 14-year-old son would like to become the 7th generation in a few years but this may not happen if the bypass is allowed. The land that will be taken for the proposed bypass has been in the Golberg family for over 150 years. This may not be important to some people but we feel very strongly about keeping this heritage alive. The soil in this area is mostly peat soil and wetlands. We have over 26,000 feet of tile on this 40 acres. Enclosed in this report is a copy of a map showing the type of soils in this area. I have highlighted the area that is being affected. According to the report the land is shown to have the top 33 inches be of muck material and the underlying material is loam and silty clay loam till. It is a wonder how one could plan to build a train track on this type of soil. Attached is a copy of the current tile map along with the cost of the project.

We are directly impacted by this decision for a bypass but even if we were not our opposition to this project would still be the same. We are fighting for the rural America and trying to keep our occupation and lifestyle in existence. Rural people are commuters to the city and a bypass would threaten to close township roads. This will increase time and distance of travel for commuters, emergency response units, and add extra school bus exposure to areas where it has never existed.

The proposed bypass will also be affecting agriculture. With only 2% of America's population engaged in farming, it would make one realize we need to preserve agriculture. Olmsted county soil is among the most productive in the world and accounts for over 40% of the overall economy of the county. Over 800 acres of prime farmland will go permanently out of production. This bypass will also cut up other farms so they will lose their efficiency thus forcing decisions to quite farming. With today's market prices along with the high cost of operating one has to look at the bottom line

This will cause a major lifestyle change for us. This operation was thoughtfully planned out for our retirement and continued generations of farming. Now we may look at that, to all be a dream, because the City of Rochester has only their interest in mind.

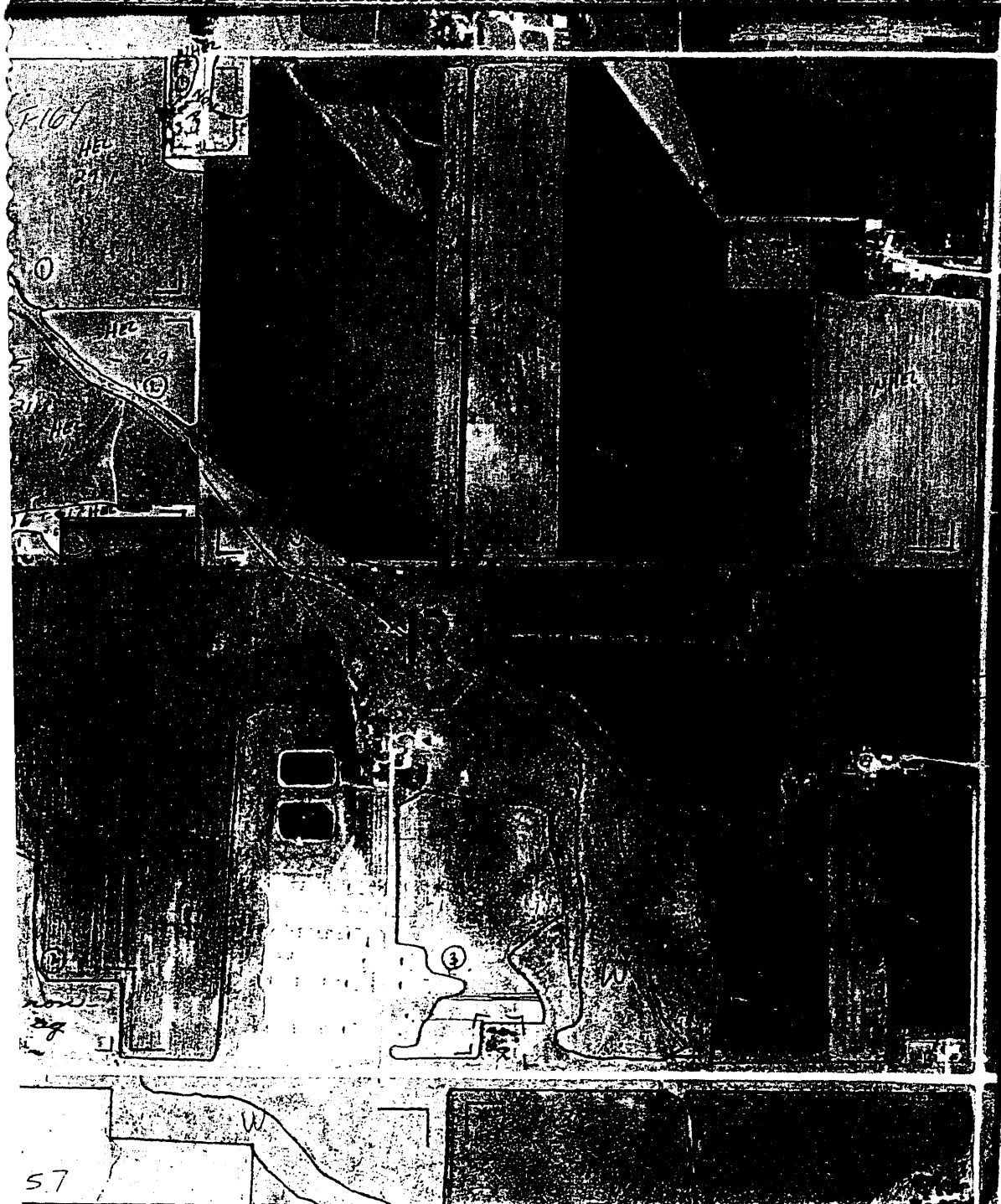
The current upgrade within Rochester will leave no one without a home or potential losses of retirement income. We need to start putting time and money into mitigation efforts of what can work for the city of Rochester and DM&E. Not, how can we leave this to the rural population to deal with when 84% of coal consumption in Olmsted County occurs within Rochester.

If this bypass is allowed, it sets precedence, so where and when do we stop taking from agriculture? Preservation of agriculture is a must. People will continue to eat. Why make it someone else's job to provide for us all. We hope you will see this from the view of the rural American who is fighting to keep what little is left of what is called "rural". Please say "NO" to the bypass proposal.



Karen Moberg
Mark Solberg

NUMBER 107 = MULTIPLE TRACT NUMBER | HEL = HIGHLY ERODIBLE LAND | MW = MINIMAL EFFECT WETLAND (EXEMPT)
 AND 104 = CONVERTED WETLAND | NHEL = NON-HIGHLY ERODIBLE | MWC, MWM, MWR = SPECIAL COND. (SEE SOS)
 ED WETLAND 104 = NON-AGRICULTURAL | PC = PRIOR CONVERTED WETLAND | NC = NON-CROPLAND | PHOTO NO.
 WETLAND 104 = ARTIFICIAL WETLAND | ECM = EXEMPT (COMMENCED) CONVERTED WETLAND
 UNTESTED | NOT TO BE REPRODUCED | CROP | SCALE 1 OCT. 1993 | YR. | C-3



TILING • BACKHOE • AG. WORK
ROUTE 1 BOX 49 DEXTER, MN 55926
507-584-6496

[illegible]

No.0002221

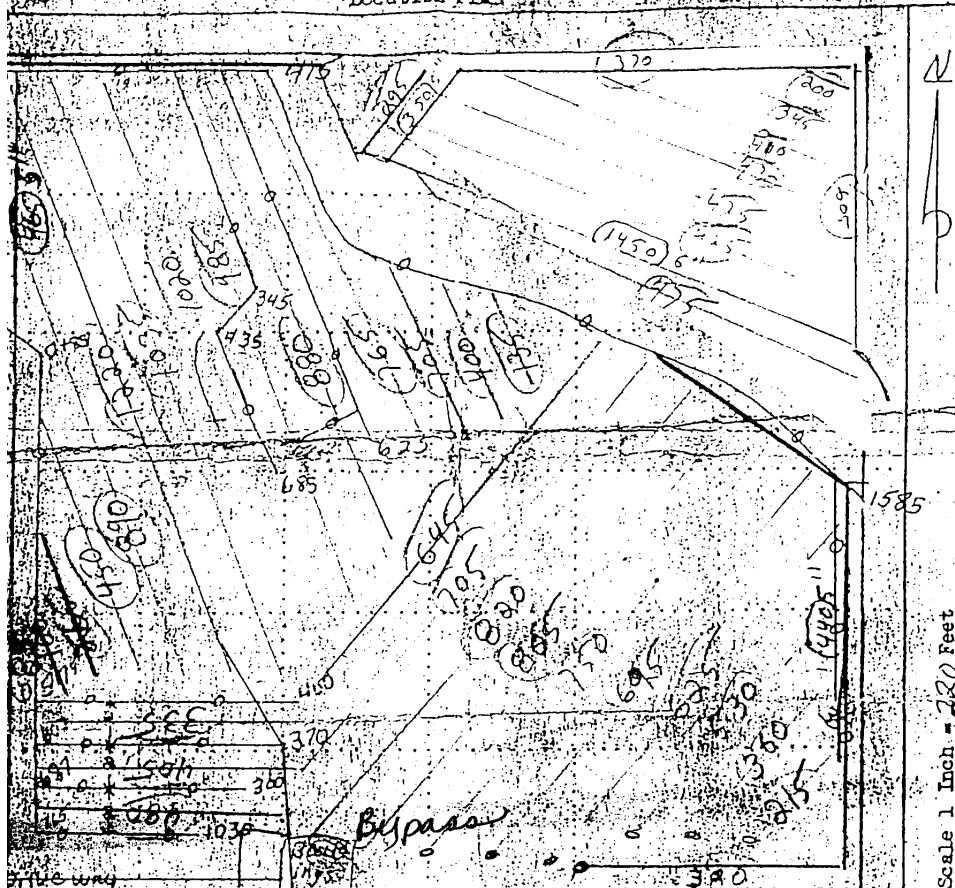
ALL CLAIMS AND RETURNED GOODS
MUST BE ACCOMPANIED BY THIS BILL.

GP-153-3
PRINTED IN U S A

Thank You

TILE INSTALLATION RECORD Location Plan

U.S. Department of Agriculture
Soil Conservation Service



2126
4655

Scale 1 Inch = 220 Feet

Legend		
Boundary	—	—
Proposed Tile Line	—	—
Tile Installed	—	—
Deep Ditch	—	—
Shallow Ditch	—	—

Job Name	Morval Goldberg
Sec.	14 Township Rock Dell
County	Olmsted State Minn
ACP No.	
Designed By	Chase Clark
Date Installed	9-25
Contractor	Dave Elliot
Type of Machine	Wheel-Parsons
Tile Manufacturer(s)	
Staked By	Chase Clark

I certify that the information given above is correct and that all tile installed meets the specifications given on the reverse side and applicable specifications in Specifications for Conservation Practices No. 207, except as is noted on the reverse side or on reverse side under remarks.

By: _____
(Signature of Contractor & date)

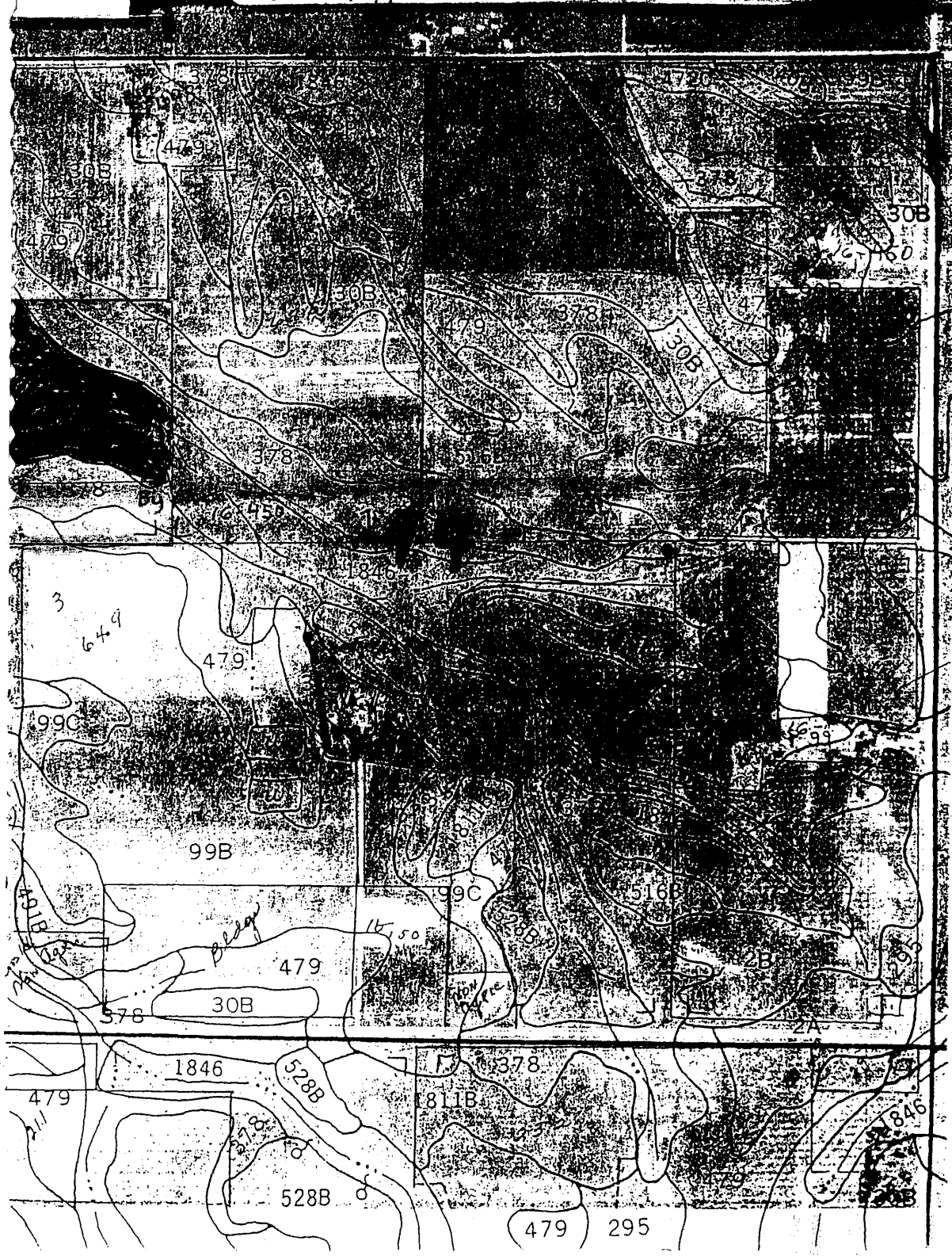
(Over)

STED

TO SCALE Town Range Fa No. CROP YEAR

Soil types

C-3



846 Kato silty clay loam, depressional:

This deep very poorly drained soil is on low gradient drainage of uplands. Surface 11 inches; silty clay loam, organic matter 6-8%, pH 6.1-7.8, estimated CEC 13-19. Loose gravelly coarse sand is below. Surface and internal drainage is slow. A water table is at or near the surface. The potential water available for plants is 12-16 inches. CAPABILITY CLASS 3W.

528B Palms Muck, 1-6%:

This deep very poorly drained seepy soil is on toe slopes below the base of upland knolls. Surface 33 inches; muck, pH 6.1-7.5, estimated CEC 50-110. Underlying material is loam and silty clay loam till. Watertable is near or at the surface. Internal drainage is slow. This soil is very slow warming. CAPABILITY CLASS 5W.

468 Otter Silt Loam, Channeled:

This very poorly drained soil consists of frequently flooded low gradient drainageways in uplands. The alluvium to a depth of 5 feet consists of silt loam over a buried silty clay loam. Organic matter 8%, pH 6.3-7.9, est. CEC 16-19. Underlying material is silt loam. Surface and internal drainage is slow. This soil is slow warming. CAPABILITY CLASS 5W

479 Floyd Silt Loam, 1-4%:

This very deep somewhat poorly drained soil is on concaved head slopes above drainageways. Surface 22 inches; silt loam, organic matter 5-7%, pH 5.6-7.3, estimated CEC 17-24. Subsoil 28 inches; loam, pH 5.6-7.3, estimated CEC 13-18. Underlying material is loam till. Surface and internal drainage is medium. The potential water available for plants is 14-16 inches. This soil is moderate warming. CAPABILITY CLASS 2W.

30B Kenyon silt loam 1-6%:

This moderately deep and deep, moderately well drained soil is on summits of uplands. Surface 13 inches; silt loam, organic matter .5-5.0%, pH 5.6-7.3, estimated CEC 17-22. Subsoil 37 inches clay loam over firm loam, pH 5.1-6.3, estimated CEC 16-19. The underlying material is firm and dense, restricting root penetration to 30-50 inches. This soil is moist or very moist early in the growing season. The potential water available for plants is 7-9 inches. Surface drainage is medium, internal drainage slow. This soil is moderate warming. On 1-3% slopes CAPABILITY CLASS 1 on 3-6% CAPABILITY CLASS 2E.

David and Darcy Loeschen

Map 26

Parcel A

**David and Darcy
Loeschen
8228 County Road 3 S.W.
Hayfield MN 55940
Olmstead County
Minnesota
Pt NW1/4 16-105-15**

David and I bought our home in 1995. We moved in with our three children, Melody, James and Makayla in April.

When we were looking to buy a home in the Rochester area we located our home away from busy roads, airports, and trains.

When we purchased our home we did not plan or expect a railroad would be built in our front yard. We purchased a home next to farm fields. If we wanted a home by the railroad we would have purchased a home by railroad tracks. When others purchased their businesses by the tracks or homes, they knew that they were going to have consequences of trains.

Our safety is at high risk if this by-pass goes through. The fire and ambulance would have higher response time since they would have to wait for the train to cross the tracks 2 or three times to help us. This would be fatal for life threatening problems.

Our children's bus route to Hayfield School would be extended from 40 minutes to over an hour because of the bus having to stop for the tracks and wait for a train would even be more time. Our bus driver stated it would be at least 2 minutes at each track if a train isn't coming and there would be 4 tracks to cross on his route. If the weather is dangerously cold and our children's bus is delayed our children have to risk frost bite for a train.

Our children are used to being able to feel safe playing in our yard and fields with our animals without worrying about tracks and trains and all the dangers. Our neighbors and our family enjoy bike riding and walking on our roads, if this by-pass passes our roads will no longer be safe for our recreation or for the many who come out here from Rochester to enjoy the country away from trains and busy streets.

We do not and will not support our tax dollars to be spent on a railroad by-pass that will destroy our neighbors businesses, threatens our critical response time of emergencies, pushes our neighbors out of their homes, damages and destroys wildlife, and risks the safety of our children in many ways.

David and Makayla

Carl and Marion Yngsdal

Map 26

Parcel B

Carl Dall

PROPERTY ID CARL + MARION YNGSDAL
SECT. 17 Twp-105 RANGE-015.
E 1/2 NE 1/4 SEC 17 105 15

'19 FARM HAS BEEN IN THE YNGSDAL NAME = 90 YRS

We are writing to oppose the alternate route being pushed
by Rochester(Minn.)and Olmsted county(Minn.)officials. We
urge the D.M.&E. and local officials to negotiate the upgrade
of the exisiting line through Olmsted county and Rochester.

We have listed below, our reasons to oppose the alternate
route.

1. We have a 80 acre farm which is our home & business
that We make our living on. This by-pass would run through
the south part of our land,that would be ~~be~~ about 5 acres
of land that we could not farm,and that would devalueate our
homestead. We would loose part of our income which We can
not afford.

2. Perhaps most importantly. The by-pass would effect
school busses, ambulance & fire. Because they would lose
some of the tounship roads at the crossings and they would
have to do a lot of backtracking.

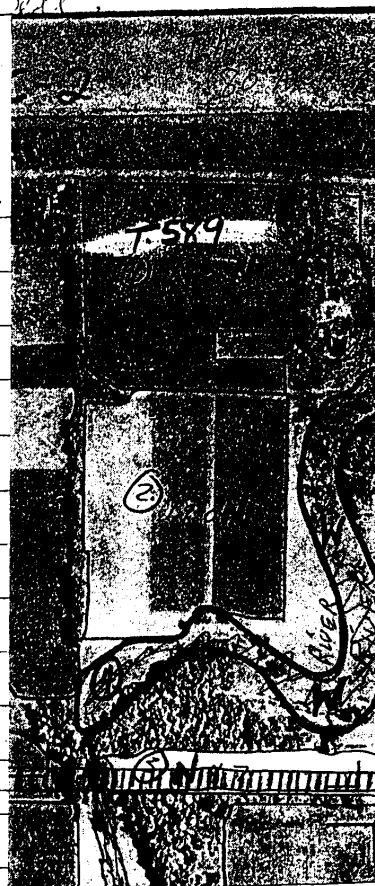
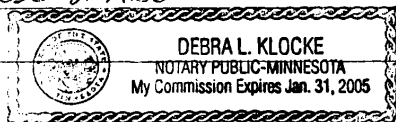
Sincerely

Mrs. *marion yngsdal*

12-7-00

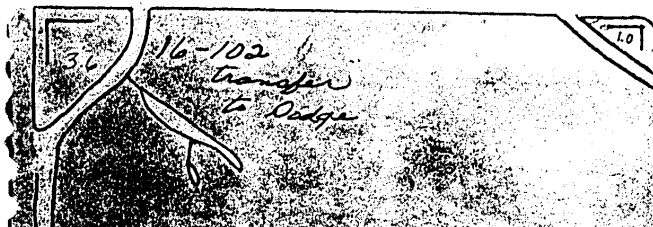
Mr. *Carl yngsdal*

Debra L. Klocke



↑
THIS IS A SPRING
THAT RUNS THROUGH
THE WEST END OF
THE WOODS WHICH IS
USED BY LOTS OF
WILD LIFE

WE HAVE
BLUE BIRD HOUSES +
WOOD DUCK HOUSE
ALONG THE RIVER



Michael and Susan Senjem

Map 26

Parcel C

**Michael & Susan Senjem
10602 80th Street, SW
Hayfield, MN 55940**



**Section - 17 Township - 105 Range - 015
NE ¼ NW ¼ Less S2A Less N 18 Rds W 26 Rds
Thereof Sec 17 105 15 Minnesota**

We live in southwest Olmsted County, Minnesota, in one of the many areas that would be adversely affected by the proposed Rochester bypass.

For us personally, we believe the biggest impact would be the drop in the value of our property. We have not put aside money for later in life or invested. Our investment is this property. The wildlife in this area is abundant. We have beautiful rolling hills and wooded areas, wetlands and sloughs. Properties the size of ours are much sought after for hobby farms or by horse lovers or people who just want to get away from town to the country. The attraction of our property is the quiet and all natural beauty. That would be lost with a bypass.

I call your attention to Page 3 of this letter. You will note there is a township road on the north edge of property running east and west, also there is a township road on the left edge of the photo that runs north and south to State Highway 30. The east-west road is 80th Street, the north-south is 110th Avenue. The proposed bypass would cross 80th Street approximately one mile west of us running north and south, it would then curve east and west across 110th Avenue approximately halfway between 80th Street and State Highway 30. I am sure that 80th Street and 110th Avenue would be closed. In this area, we are served by Hayfield Fire and Ambulance volunteers. Hayfield is south and west of us so obviously the people north and east of these road closures would be greatly impacted by delayed response times. Also, we are in the northeast corner of the Hayfield School District so closure of these roads would make for much longer bus routes on roads that are not always readily plowed after snow or sanded after freezing rains. Furthermore, how would those snowplows and graders get around to all of us when they are doubling back so much with all the dead ends a bypass would create? Also, getting back to the school bus, the only roads that would be open to complete the route would be County 3 and County 26 and that would be a minimum of 4 at grade crossings per day.

My immediate family all lives in this area and this proposed bypass would actually split our family apart. Trips between families would increase from 1 mile to 4 miles and, in my case, the distance traveled from my home to my sister's home would increase from 1 mile to 5½ miles.

My family has lived in this immediate area for 100 years. We have been active through the years in our church and public and community service. It is not right for our neighbors in the city to treat us this way.

The people who own property along the current tracks acquired it knowing the railroad was there, and I am sure they paid for it accordingly. For us here in the country it is like this bypass is falling from the sky, and property out here is not cheap nor should it be, the farmland is prime and the natural beauty is there every day. What a wonderful area to live in; what a shame it would be to see it dissected.

With urban sprawl and more industrialization, our country is losing too much of it's natural beauty and resources. Please don't let this be another one of those cases.

There is a current workable corridor, why don't we just use it!!

Thank you.

Mike Senjem Susan Senjem

Mike Senjem Susan Senjem

10602 80th Street, SW
Hayfield, MN 55940

Sara Mollenhauer

12/13/2000



We would have included an aerial photo of our property, but we do not have a current and accurate one as we built a new house in 1996. We also built a new steel shed (24x50) in 1991 and have planted numerous large spruce and pines and hundreds of seedlings throughout our property in recent years. We own 35 acres of which 10 acres is tillable and the remainder hardwoods.

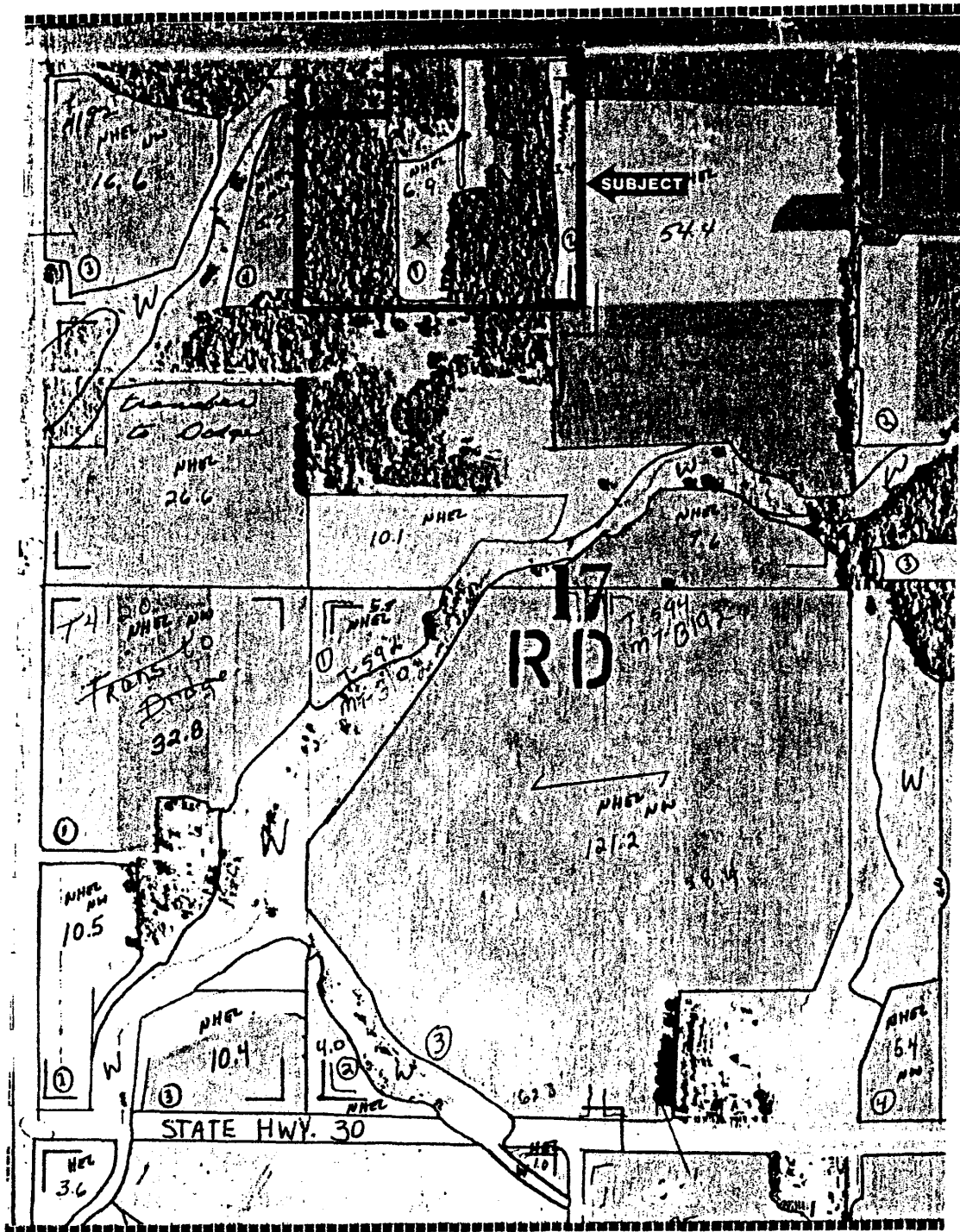
SOILS INFORMATION

MICHAEL AND SUSAN SENJEM FARM - 35.1 ACRES

<u>SYMBOL</u>	<u>CAPAB.</u>	<u>SOIL NAME</u>	<u>CER</u>	<u>ACRES</u>
99B	IIe	Racine silt loam, 1-4% slopes Very dark brown, deep, moderately well- drained and well-drained soils on summits uplands; well suited to corn, soybeans, small grains.	40	22.8
378	IIw	Maxfield silty clay loam Black and very dark gray, deep, poorly drained soils in drainageways and on head slopes on uplands; most areas are farmed.	50	0.7
479	IIw	Floyd silt loam, 1-4% slopes Black, deep, somewhat poorly drained soils on head slopes above upland drainageways; most areas are farmed.	45	10.9



X on subject plot shows where new house
was built in 1996. 3



AERIAL PHOTO

Donald Thoe
Gregory Thoe
JoAnn Thoe
Audrey Morris

Map 26

Parcel D

Donald Thoe
Gregory Thoe
Jo Ann Thoe
Audrey Morris

Sect. - 17 Twp. - 105 Range - 015
NW $\frac{1}{4}$ NE $\frac{1}{4}$ less A Tract Des
As Com at NE Cor NW $\frac{1}{4}$ NE $\frac{1}{4}$ Run th W 18 Rds
th S 18 Rds E 18 RDS

We oppose the bypass because it would lower the use of our land. It would ruin the woods and streams that we have saved for the wild life that is there. We have many people that have come out there to visit it for that purpose.

It would also destroy the tile which has been a large expense. They will not work if they are cut through.

The value of the land will be lowered a great deal. Also we would lose many acres of the farm land.

Suom to me on Dec. 6, 2000.

Jodi L. Klocke



John The
Donald The

Impact of bypass:

1. Damage the tile lines
2. Interfer with wild life in wooded
3. Interfer with building site and well ^{area} where we plan to build soon.
4. Divide the fields - they would become small patches.
5. road would be closed
6. we would have to travel 3 miles to get from $\frac{1}{2}$ field to other side
7. I would take away about $\frac{1}{2}$ of our retirement income
8. Lower the value of this land - both for farming or for building sites.

Blue lines are tile lines

drive way to building s.e

Black line creek

T = TRACT NUMBER MT = MULTIPLE TRACT NUMBER HEL = HIGHLY ERODIBLE LAND MW = MINIMAL EFFECT WETLAND (EXEMPT)
W = WETLAND ICW = CONVERTED WETLAND NHEL = NON-HIGHLY ERODIBLE MWC, MWN, MWR = SPECIAL COND. (SEE S
FW = FARMED WETLAND INA = NON-AGRICULTURAL PC = PRIOR CONVERTED WETLAND NC = NON-CROPLAND PHOTO NO.
NW = NON-WETLAND IAW = ARTIFICIAL WETLAND ECW = EXEMPT (COMMENCED) CONVERTED WETLAND

COUNTY

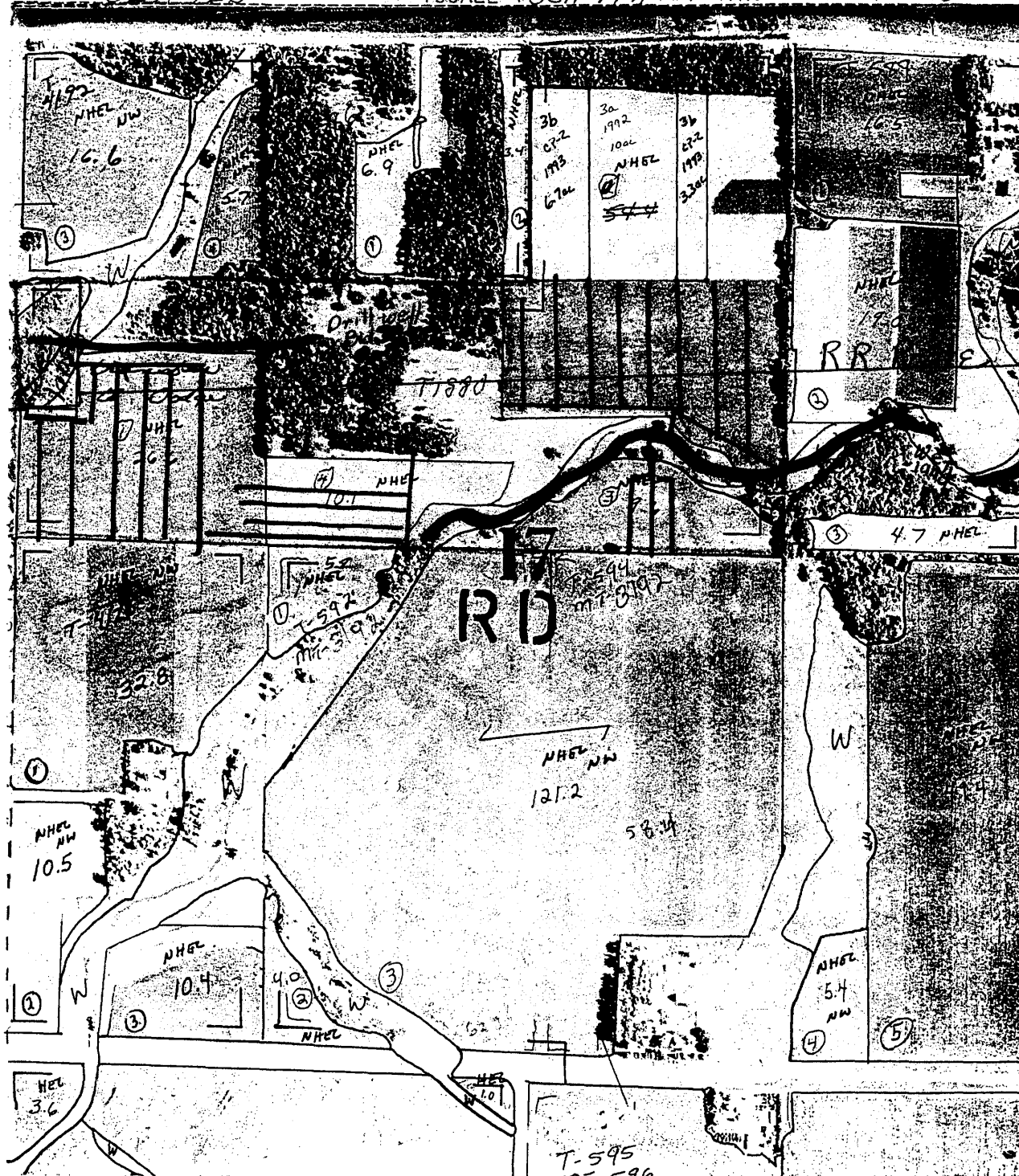
OLMSTED

INOT TOI REPRODUCED CROP

SCALE OCT. 1991

YR.

C-2



Gary and Kathy Woodward

Map 26

Parcel E

To Whom It May Concern:

My husband and I moved here in 1969. If someone would have told us thirty-one years later, we would be fighting against the city of Rochester, Mayo Clinic and it's bypass proposal we would have **not** started our life here.

We have a business on our place, which we have worked very hard to establish. This is our main source of income, as my husband is retired and I work part-time.

We rent out our farmland, which is tiled with our neighbors; 80 acres to the south and 80 acres to the north, that also drains through our farmland. This does not include 7 acres of **protected wetlands** located on our property.

My son and his family would like one day to come back to our place and live. His children love to come and stay here. It is a great place to raise kids. I would hate to see railroad tracks be what they have to play along in the country.

Even if the bypass would go on someone else's property, we would still object. Agriculture and rural living are very important. We contribute a lot to the economy. Rochester has the train tracks already- they just need to be upgraded. **No one in Rochester will be left with out a home or potential loss of income.** Please take into consideration the sound objections of the rural people against the bypass. We need agriculture to keep the economy going. We need rural people.

Sincerely Yours Truly,

Gary and Kathy Woodward
8451 110th Ave. S.W.
Hayfield, MN 55940

**The Tvedt Family
Charles, Pamela
Emily and Hannah**

Map 28

Parcel A

The Tvedt family

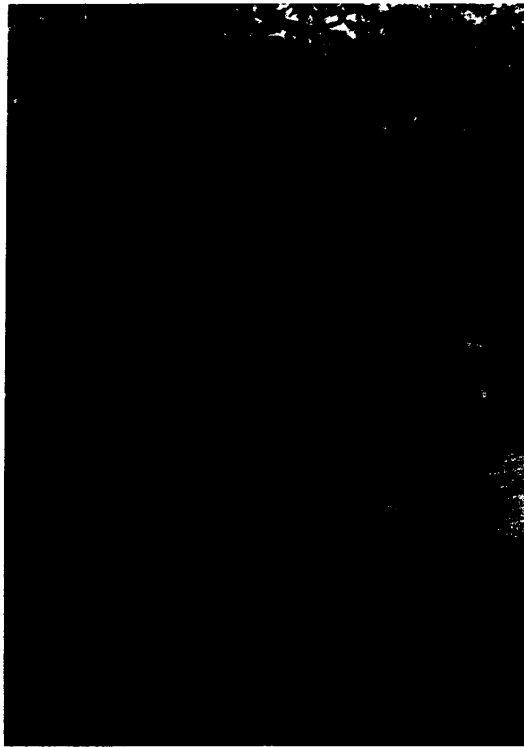
Charles, Pamela
Emily and Hannah

owners and operators
of a 117 acre family farm
in Salem Township,
sections 17 and 20

within 1/2 mile
of the proposed bypass
around Rochester, in Olmsted Co.



Pamela Charles
Tvedt



Emily Hannah
— Tvedt

Personal History

Part of our acreage has been in the Tvedt family since approximately 1910; the rest was acquired around 1980. Both parcels have been part of family farming operations continuously for over 150 years. The Tvedt family has farmed continuously in this same area for the same 150 years. Our family's farming operation has, in the past, included a dairy operation; today our operation includes various crops, and the raising of beef cattle. Our vision for this land has never included anything but the continuation of the same operation ... strange as it may seem, one of our daughters, Hannah, has for years expressed a strong desire to take over our land and continue the family farming operation.

Impact of the bypass

Our farm is within 1/2 mile of the proposed DM & E railroad bypass around the city of Rochester, MN. The bypass and the resulting changes to already existing gravel roads will have a direct effect on our family on a daily basis. The effects we anticipate:

1. Increased number of railroad track crossings to get to work -

presently, we each cross the railroad tracks once (in Byron at a crossing with warning lights) on our way to work. Once the bypass is in place, we will cross railroad tracks three times on our way to work; two of these crossings will be out in the country, where warning lights are unlikely. In the course of a day, this will mean we will cross the railroad tracks a total of 12 times per day just to get to work and back.

2. Increased number of school bus railroad track crossings -

the bus our children ride would cross railroad tracks at least two more times than it currently does - changes in the bus route are likely to increase track crossings, as well as lengthen the bus ride.

3. Longer drives to work, school and anywhere south or west -

since lesser-traveled gravel roads will be closed to minimize the number of at-grade railroad crossings.

4. Longer response time for emergency vehicles -

emergency vehicles from Byron (ambulance and fire trucks) will have a circuitous route to our home. The same emergency vehicles would have a more direct route if coming from Rochester, but the increased distance would also mean a longer response time. Mayo One helicopter ambulance would not be faster, because terrain near our home does not allow room for a helicopter to land within a reasonable walking/carrying distance.

5. Increased railroad track crossings when going anywhere west or south of our home

6. Increased travel time for mail delivery

7. Delay in clearing snow from roads and general road

maintenance - closing gravel roads as proposed will increase the number of dead-end roads, which are slower to maintain, and therefore are more likely to be left until thoroughways are plowed, graded or spread with new gravel.

8. Change of habitat for wildlife -

over the past twenty years we have enjoyed watching the growth in population of various birds and animals - the construction of the bypass will make a drastic change in the habitat for these creatures.

December 15, 2000

To whom it may concern:

It is our opinion that the railroad bypass proposed to skirt the city of Rochester, MN should not be allowed under any circumstances. Our main reason is that building a bypass does not truly solve any problems inherent in living or working near a railroad - it simply moves them to a new venue, thus presenting the same problems to a new set of people.

A bypass is an expensive way to move problems, not solve or minimize them. This issue pits the numerous people living and working in the city against the fewer people who live and/or work in the country. Are the problems of possible rail traffic growth any less just because they are experienced by fewer people? The people along the existing railroad tracks purchased or built their structures with full knowledge that a working railroad was in the vicinity; a railroad that would continue to be used some even if a bypass was built. How are any problems solved by having the railroad continue to use and service the existing line as well as a new bypass? How does inconveniencing additional people solve anything? Are there unlimited funds for railroad maintenance - does this mean less over-all maintenance of the tracks?

Since building a railroad bypass only moves problems and does nothing to solve them, we support a refurbishing of the current railroad line and no bypass around the city of Rochester, MN.

Sincerely,



Charles E. Tvedt
2851 105 Ave. SW
Byron, MN 55920



Pamela K. Tvedt
2851 105 Ave. SW
Byron, MN 55920

Gerald and Janice Nelson

Map 28

Parcel B

Gerald and Janice Nelson
27977 655th Street
Byron, MN 55920

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K Street NW
Washington DC 20423-001

Victoria Rutson

We are writing in regards to the proposed DM&E By-Pass in Rochester, MN We are adamantly opposed to this by-pass because it is not in the best interest of the rural community and quite honestly to us personally.

We have lived in Byron, MN since 1985. We first lived in the town of Byron with the DM&E railroad in our backyard. We knew this when we moved there and we weighed the pros and cons of living with a railroad in our backyard. We were also in the very spot where the train blew its whistle before the crossing a few hundred yards down the track. With three young children we learned to respect the trains and we learned that we could easily coexist. In a short period of time we were barely aware of the trains. We sold that home four years later but the train was in no way a reason we moved from Byron. The train also did not in any way hamper our selling the home, in fact the house sold within one week at the price we asked for. The new owners also did not have any concerns about the train tracks. We moved to the country to raise our family and now the city wants to put a new by-pass very near where we now live.

The people of Rochester have somehow decided that the very train that has been running through their city for over a hundred years is somehow no longer safe, no longer pleasant to have around, a threat to their health, safety and financial success. Businesses that have been right next to the railroad tracks suddenly state that their business will fail if the upgraded track goes through Rochester. Not one of those businesses was there before the railroad. All chose to put their business right where it is.

Some people in Rochester are terrified that the ambulances will not be able to get to their homes in an emergency, police will be delayed and lives will be lost. As long as we can remember the Gold Cross Ambulance Service has had its business right next to the DM&E tracks. If it was so awful, why did they put it there in the first place, why didn't they build in a "safer" area?

The Mayo Clinic is strongly opposed to the upgrade, so strongly opposed that they are pouring thousands of their dollars into legal funds to fight this upgrade and more important, fighting to get the railroad bypassed around Rochester. They say this railroad

is a threat to their business and the railroad is a threat to the patients that come to the Mayo Clinic for their health care. A recent television advertisement has gone so far as to say that 23,000 medical employees are at risk of losing their jobs if the railroad comes through town. Please! The Mayo Clinic is world renowned for its health care. Are patients really going to stop coming for this type of care because more trains are coming through town. We don't think so. Remember the railroad has not moved in over a hundred years. The history of the Mayo Clinic will tell how the railroad helped the clinic grow, how it brought patients to Rochester from other areas, how it boosted the clinic to the success it is today. The history of small towns around Rochester tells of their financial ruin when the railroad did not go through their town. In fact the clinic has moved closer to the unsafe railroad, not away from it.

Now the people of Rochester, especially the City Council and the Mayo Clinic have decided that the railroad should be by-passed around Rochester to SAVE the community. They have openly said that putting it around Rochester would not harm anyone, that no businesses would be affected, after all it is just farmland. Well we beg to differ, but that farmland is where our friends and we live. Those homes that will be torn down belong to people we care about. Those roads that will be closed are the very ones that we feel safe driving home from work on, the very roads that our children rode the school bus on and now that our children drive on. The land that is no big deal to dig up is the very retirement funds for friends and us who live on this land. Those tracks that Rochester proposes be built will require huge amounts of construction with trucks, traffic and congestion on these quiet farm roads. I hardly think it is fair that farms will be divided and farmers will have to travel several miles around sections just to get to the other side of their farms. Closing off roads will require that school bus routes will have to be changed adding some places an additional 40 miles to some routes and forcing some students to ride for over an hour both morning and night just to get to school. It will mean an additional 96 stops for Byron school buses and an additional 168 stops for Stewartville buses. If you want to talk about unsafe here it is. The roads that would be closed would cut people off from emergency equipment. There would not be any overpasses built out in the county for emergency equipment to cross, they would just require much longer to get to the emergency because they would have to go a long way around to get to a home. In Rochester however the DM&E has stated it would help to build overpasses with the upgrade to promote safety. What about the wetlands, woodlands, waterways and the valleys that would be destroyed, besides the valuable farmlands?

As a final insult the people of Rochester have stated that this would be paid for by a city tax. That would mean that every time the people of the rural areas go to Rochester to shop that they would be paying for the very construction that destroyed their homes and took their land. On top of all that, when the new tax goes up for vote, the rural communities don't even get to vote on this. In fact we were first told at a meeting that they was no reason that we should be included in any of this discussion in the first place. This was a decision of the city and the rural community did not even need or deserve to be there. This came from one of our state's elected officials.

We hope, no truly pray that you will give this decision careful consideration. Please look at this issue from a practical and personal standpoint. Don't base your decision on who has the most power, the most to offer in government elections or the most money.

Thank you

Gerald Nelson

Janice Nelson

Raymond and Loris Younger

Map 29

Parcel A

Dec. 12, 2000

From:

Raymond & Loris Younger
718 Frontier Rd. SW
Byron, Mn. 55920

To:

STB Finance Docket No. 33407
1925 K. St. NW
Washington DC 20423-001

To Whom It May Concern,

We live in section 5 of Salem Township in Olmsted County. I am writing in regard to the R.R. By-Pass. The R.R. is one mile from us now. The By-Pass would be $\frac{1}{2}$ mile from our land. We are in favor of the R.R. We feel it is needed to haul freight and take some traffic and wt. off our highways. Our concern is the proposed route of the bypass.

In regard to safety; Hwy. 14 runs beside the R.R. from Byron to Rochester. The township roads have been closed to Hwy. access, that leaves city rds. only with access. These rds. have lights and R. R. arms. Hwy. 52 has an overpass. This leaves only Broadway North or Hwy. 63 in dire need of upgrade and change.

If the bypass goes where it is proposed it will go thru wet lands that aren't even supposed to be drained. The bypass is approx. 13 miles longer but it takes up 35 miles of new land. We need to protect our agriculture land. The R.R. has the best route now without destroying any more land.

Sincerely,

Raymond Younger
Loris Younger
Raymond & Loris Younger

Roy and Char Roble

Map 29

Parcel B

December 4, 2000

N.E. 1/4 Less one Acre in NE corner
Section 6 Salem Township

The Char and Roy Roble property is located in Section 6 of Salem Township. The access is Frontier Road, SW, which is the southern most street of the city of Byron.

We bought this property in 1967. Our property consists of 159 acres with 5/8 of a mile of Cascade Creek flowing through it. The creek flow increases 100 feet south of Frontier Road. The flow is the same as the flow through Meadow Lakes Golf Course, which is downstream. This is a picturesque valley with good building sites along the edge of the hills with a view of the creek.

We have planted thousands of trees to improve the property for development. We have always planned on developing this property as our retirement fund.

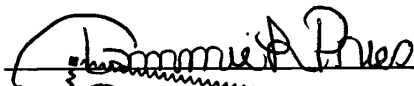
The Olmsted County Planning Department is working with the City of Byron to decide if they should zone this suburban residential. They suggest five (5) acre lots. The bypass along or through this development would stop this and the property would have to remain farmland.

Roy and Char Roble
1114 Frontier Road
Byron, MN. 55920

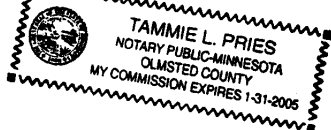


State of Minnesota
County of Olmsted

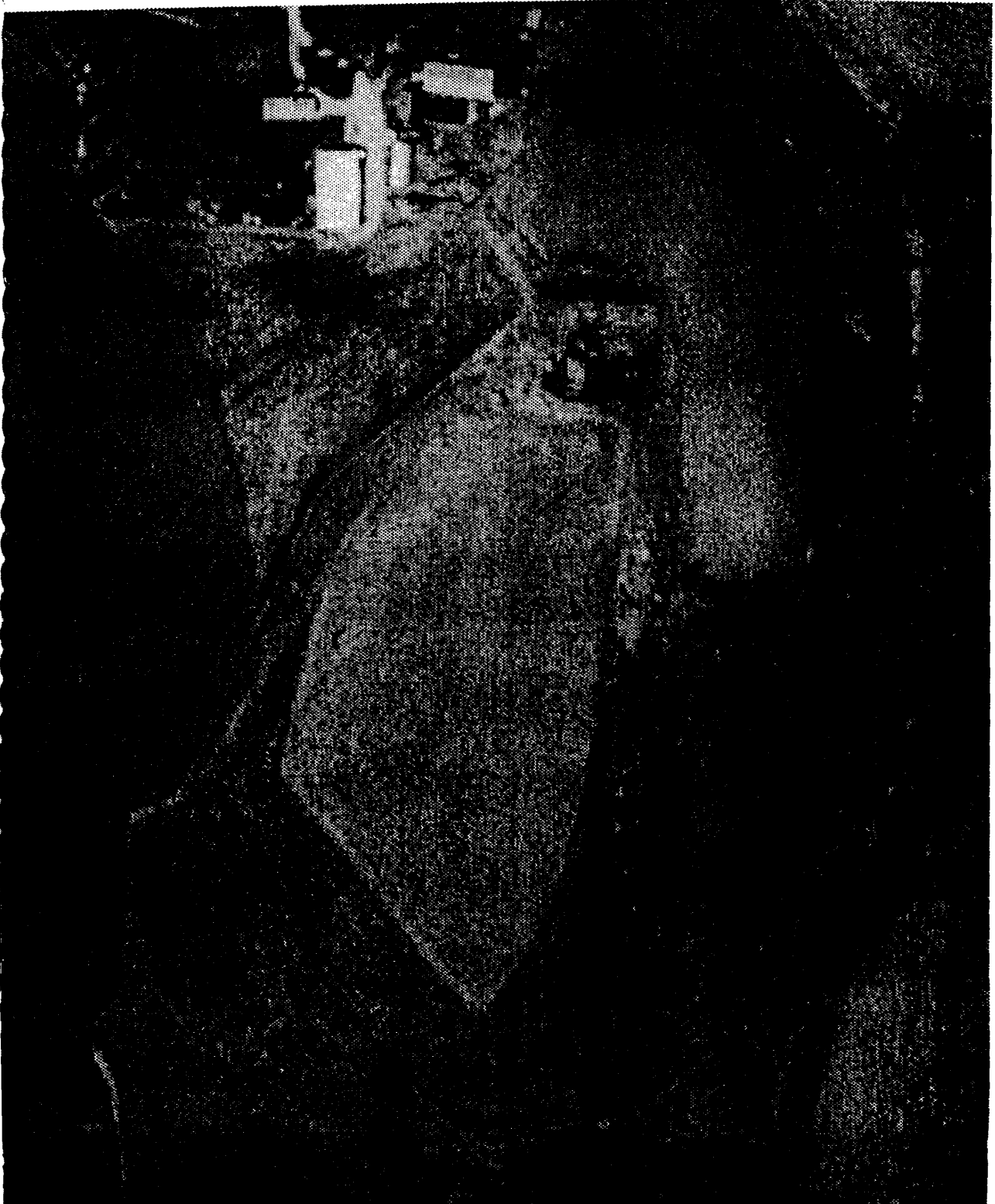
Subscribed and sworn to before me a notary public by Roy Roble
this 13 day of Decmeber 2000.

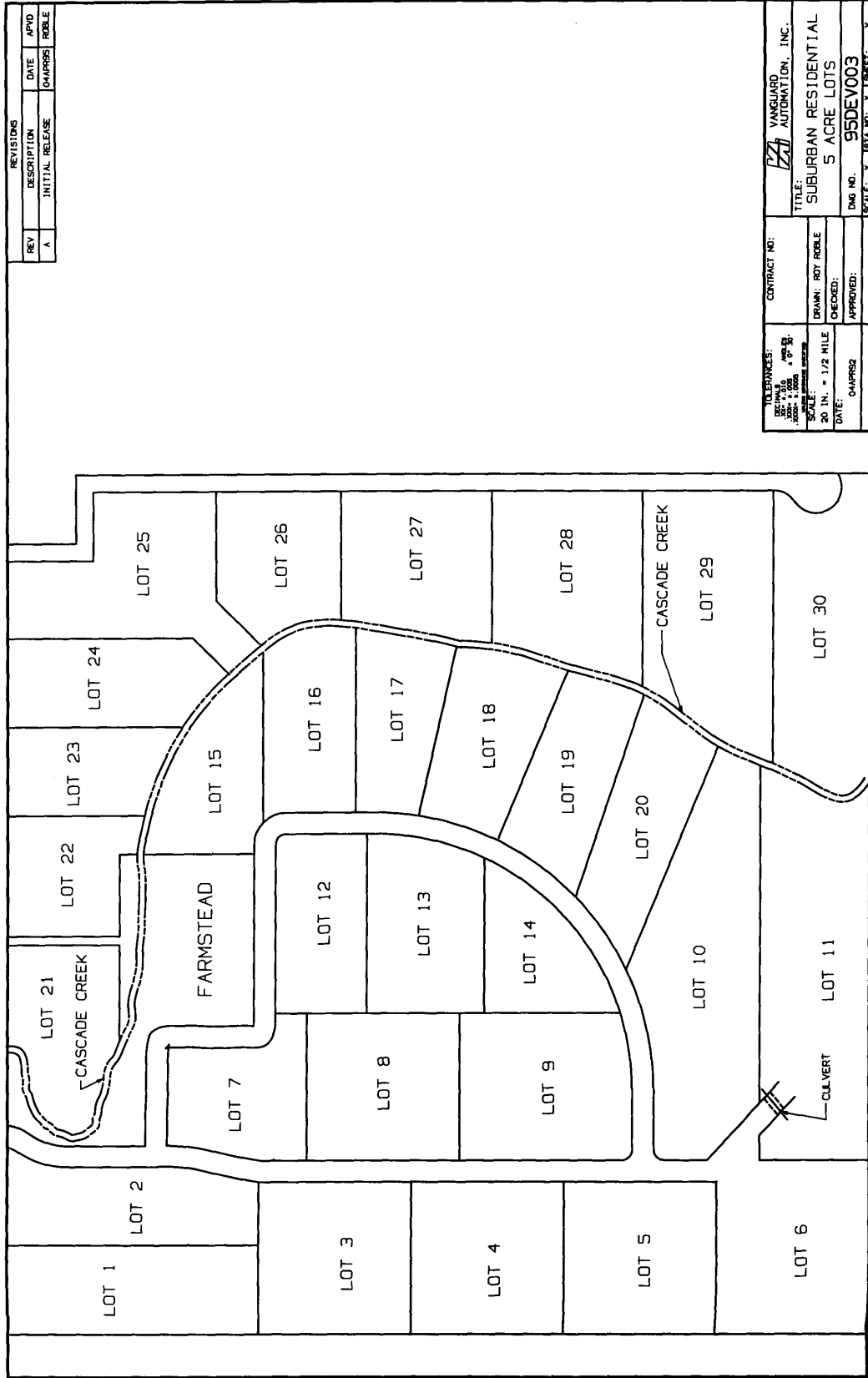


My commission expires 1/31/05



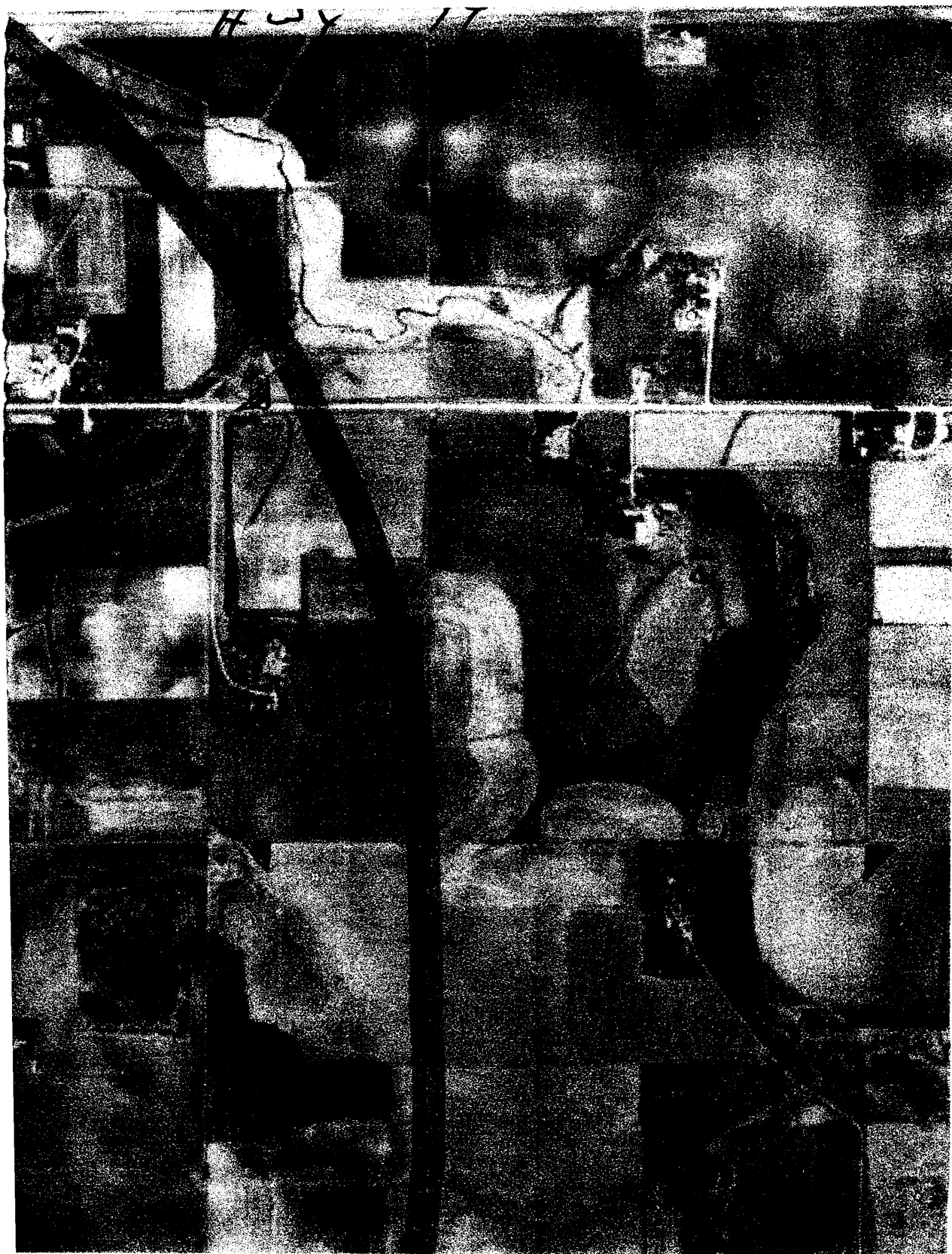
ates 03 Oct 1994





REVISIONS			
REV	DESCRIPTION	DATE	APPROVED
A	INITIAL RELEASE	04/08/03	ROBLE

TOLERANCES: 1/8" = 1' 0" 1/16" = 1' 0" 1/32" = 1' 0" 1/64" = 1' 0" 1/128" = 1' 0" 1/256" = 1' 0" 1/512" = 1' 0" 1/1024" = 1' 0" 1/2048" = 1' 0" 1/4096" = 1' 0" 1/8192" = 1' 0" 1/16384" = 1' 0" 1/32768" = 1' 0" 1/65536" = 1' 0" 1/131072" = 1' 0" 1/262144" = 1' 0" 1/524288" = 1' 0" 1/1048576" = 1' 0" 1/2097152" = 1' 0" 1/4194304" = 1' 0" 1/8388608" = 1' 0" 1/16777216" = 1' 0" 1/33554432" = 1' 0" 1/67108864" = 1' 0" 1/134217728" = 1' 0" 1/268435456" = 1' 0" 1/536870912" = 1' 0" 1/1073741824" = 1' 0" 1/2147483648" = 1' 0" 1/4294967296" = 1' 0" 1/8589934592" = 1' 0" 1/17179869184" = 1' 0" 1/34359738368" = 1' 0" 1/68719476736" = 1' 0" 1/137438953472" = 1' 0" 1/274877906944" = 1' 0" 1/549755813888" = 1' 0" 1/1099511627776" = 1' 0" 1/2199023255552" = 1' 0" 1/4398046511104" = 1' 0" 1/8796093022208" = 1' 0" 1/17592186044416" = 1' 0" 1/35184372088832" = 1' 0" 1/70368744177664" = 1' 0" 1/140737488355328" = 1' 0" 1/281474976710656" = 1' 0" 1/562949953421312" = 1' 0" 1/1125899906842624" = 1' 0" 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Mrs.. Joseph Tvedt
Joseph Tvedt

Map 29

Parcel C

No Bypass

Our land has been in the family for over a hundred yrs. The bypass would go thru our land & split it up. They would go thru the best land. Would they assess the damage & what the land is really worth?

They would close the road directly by us & we would have to go 4 miles plus to get to some of it. What do they think this would do for the emergency vehicles such as fire trucks & ambulances, mail routes & school buses. We would have to go many more miles to get to the town we do all our business & shopping.

Mrs. Joseph Tredt
Joseph Tredt

A. Lowell Tvedt

Map 29

Parcel D

A. Lowell Tvedt
65947 280th Ave
Byron, Minn. 55920

Victoria Rutson, Environmental Project Manager
Environmental Filing
Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
1925 K St. NW
Washington, D.C. 20423-0001

Ms. Victoria Rutson and Surface Transportation Board

I am writing to oppose the D.M. & E. bypass proposed by the officials of the City of Rochester, Minnesota.

These officials do not seem to recognize farms as a legitimate business. I farm land that has been in my family since the 1800's. This land has been our income for many years. I have practiced and took part in many conservation and preservation methods of the natural environment. I have even recieved awards for these practices. Now Rochester wants the D.M. & E. to build a bypass through my farm. This will distroy my wetlands woodlands, strip farming methods, waterways, wildlife habitat and cut off access to my land. I am especially concerned about a drop box that the government built on my land to control water from a large waterway. The proposed route will destroy that means of water control.

The Rochester paid consultant enhanced the cost of upgrading the existing line while minimizing the cost for the bypass. The bypass requires the D.M. & E. to build over thirty miles of new track over difficult terrain on land that they do not own. It will destroy not only my conservation practice and wetland but every farm on the bypass.

I do not understand how the people of Rochester think they can stop the E.M. & E. from using its own trackage rights. The company just wants to upgrade its tracks for more safety.

Sincerely and respectfully submitted

A. Lowell Tvedt

A. Lowell Tvedt

Janice Tvedt

Map 29

Parcel D

Janice Tvedt
65947 280 th Ave
Byron, MN 55920

Victoria Rutson, Environmental Project Manager
Environmental Filing
Surface Transportation Board
1925 K St. N.W.
Washington, D.C. 20423-0001
Docket # 33407 (D.M. & E Railroad)

Ms. Vistoria Rutson

I am writing to oppose the D.M. & E. by-pass route being proposed by officials from Rochester, Minnesota.

The by-pass would just duplicate railroad tracks. The city of Rochester will still need the services of the trains to haul coal to Rochester Public Utilities. Plus many other business use the train to transport their products. Rochester will still require D.M. & E. to upgrade the existing corridor through town.

You wouldn't believe the many ways some people of Rochester have used scare tactics. We can not turn on the TV, radio, or open the Post - Bulletin, with out seeing ads criticizing the D. M. & E.

I believe we need the services of trains. The D. M. & E. should be able to use its own trackage rights and upgrade its tracks for more safety.

Sincerely and respectfully submitted,

Janice Tvedt

Janice Tvedt

John A. Tvedt

Map 29

Parcel D

John A. Tvedt
65943 280 th Ave
Byron, Mn 55920

Victoria Rutson, Environmental Project Manger
Environmental Filing
Surface Transportation Board
1925 K Street. N.W.
Washington, D.C. 20423-0001
Docket #33407 (D.M.&E. Railroad)

Ms. Victoria Rutson

I am writing to oppose the D.M.&E. bypass prosed by the city of Rochester, Minnesota for the reason that the environmental impact will be greater with the bypass and that the projected bypass is economically not feasible.

The environmental impacts are extensive with the proposed bypass. First of all, the wetlands, one way that the environment filters out pollutants, will be destroyed. Under DNR jurisdiction these wetlands will have to be replaced. In addition, these wetlands are more than a filtering zone, they are a natural habitat for many native species of wildlife. Urban sprawl around Rochester has already destroyed many natural habitats. Building the bypass will only worsen the existing problem.

A virgin hardwood forest, about five miles south of Byron, Minnesota will also be destroyed. Many of the trees in this area are over 100 years old. Such a natural resource should be protected by mere virtue that it could never be replaced.

Moreover, prime farmland will be permanently taken out of production. This violates the Olmstead County "Land Use Plan" regarding agricultural and environmental protection.

Many township roads will be closed off which will increase emergency response times. Furthermore, access to many properties will be cut off.

Since the first time that I read about the bypass in Rochester Post Bulletin, the one thing that I have questioned the most is the cost. The consultant hired by the city of Rochester projects the bypass would cost \$122 million. In my opinion, this amount of money would be used up in the first five miles of the bypass south of Byron. The terrain in this area is difficult because of the river valley of the south fork of the Zumbro River. To my best knowledge, a railroad line at the most can withstand a 3X slope. Some of the existing slopes in this area exceed 15%.

The river valley that they want to cross is 80 to 90 feet deep and over 2640 feet across. I know that such valleys have and will be crossed, but at what cost? This is Minnesota not the Rocky Mountains. When a level existing corridor already exists, shouldn't this corridor be continued to be used? The existing tracks will still have

to be used to service the city of Rochester's need for coal and other consumer needs in the city.

Thank you for your time in hearing my opinion on this very critical issue. I also request that you observe the enclosed map.

Sincerely and respectfully submitted,

John A. Tvedt

John A. Tvedt

Richard and Ardella Remold

Map 18

Parcel A

If the railroad goes where it is proposed it'll be 150 feet from our land. Our township road will be closed. We'll be able to exit only one way.

This will have an impact on the value of our property. Most of all it will hamper the school buses, fire trucks, and first responders.

We've only lived here for 35 years so we haven't been here as long as some of our neighbors, but our son has built on our land so he'll be taking over the farm.

We've worked hard for what we have. Our feeling is that the railroad should go down the tracks where it is now.

Richard and Ardella Remold

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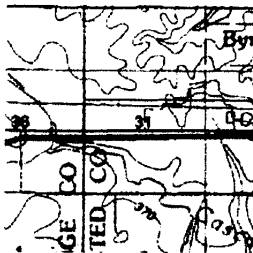
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Style: **Relief** Topo Image

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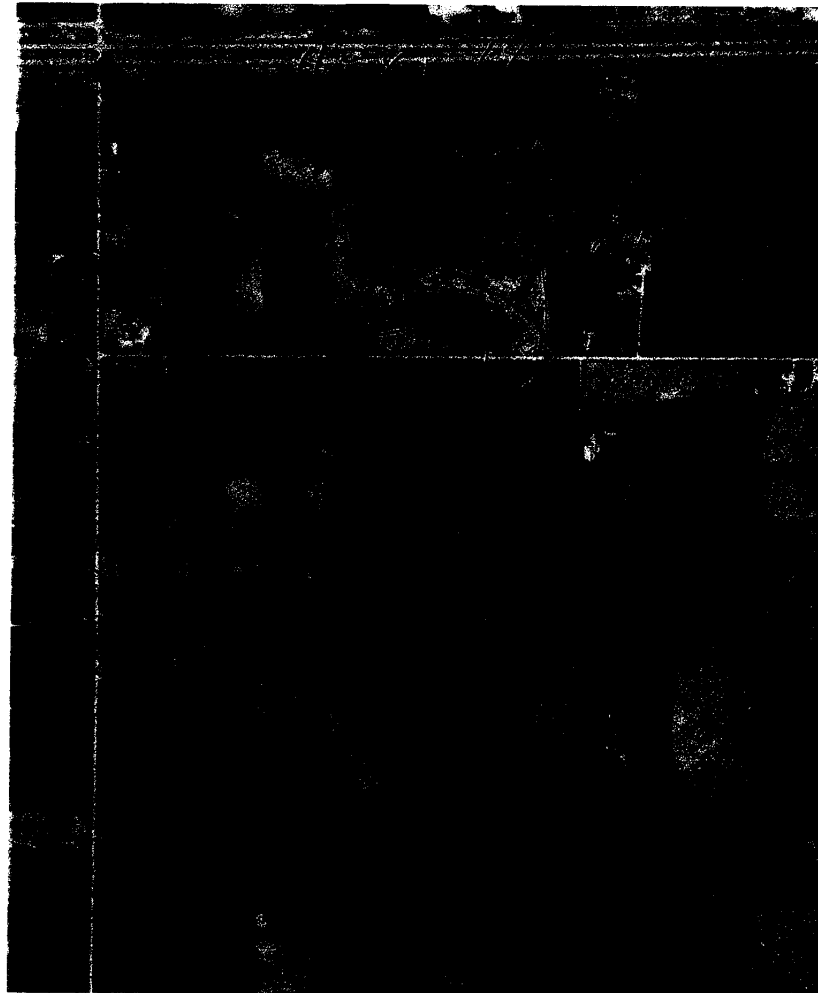
Other Imagery:

USGS Topo Map
01 Jul 1989

2 km SW of Byron, Minnesota, United States 03 Oct 1994

Zoom

4m



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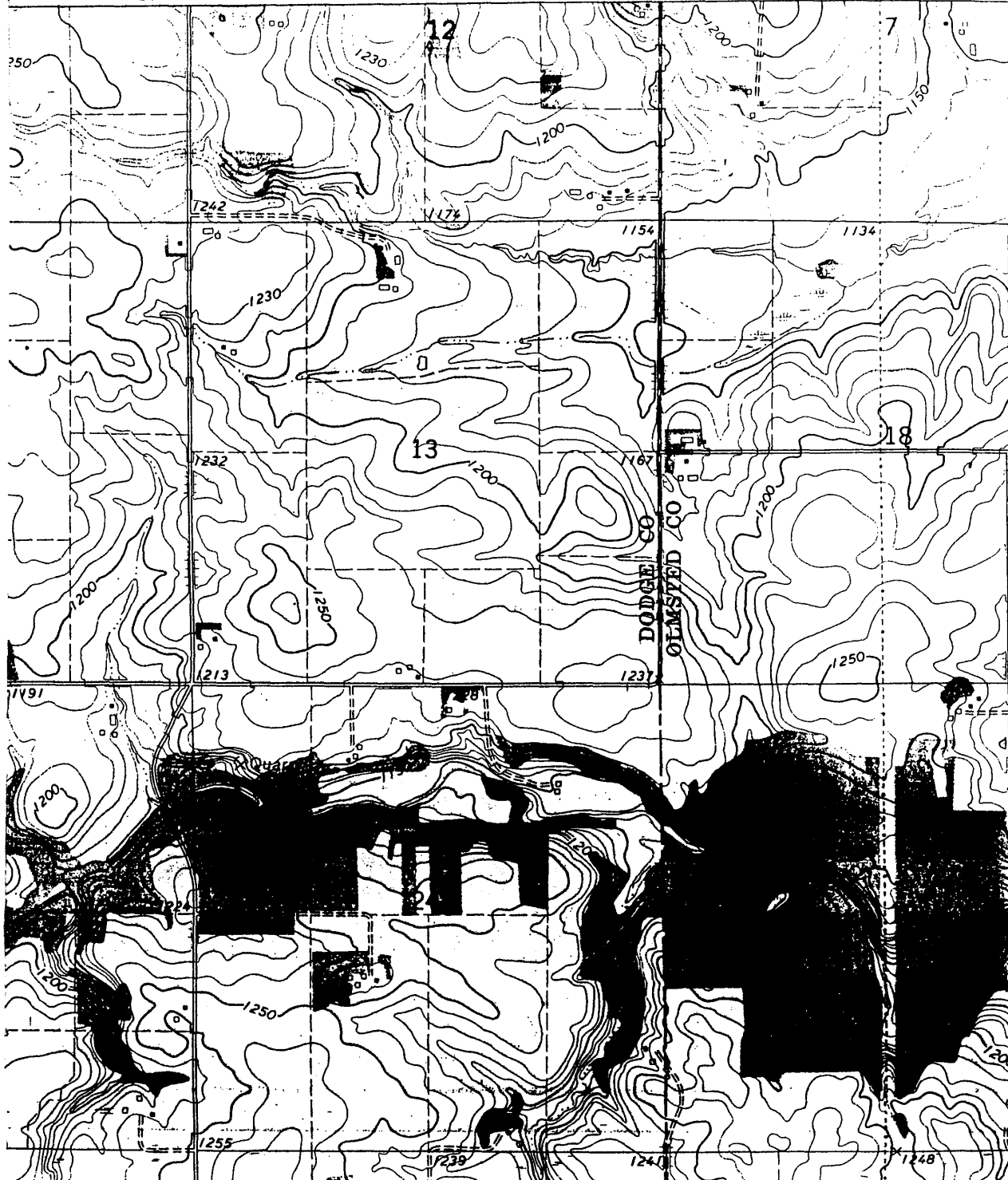
STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION

524

7472 II SW
(BYRON)

R 16 W R 15 W

40'



Warren and Kelly Remold

Map 18

Parcel B

Warren and Kelly Remold

The South $\frac{1}{2}$ SE $\frac{1}{4}$ Less S660FT W957FT

Section 31 of Kalmer Township,
Olmsted County, Minnesota

The South $\frac{1}{2}$ SE $\frac{1}{4}$ Less S660FT W957FT

The Warren and Kelly Remold property is located in Section 31 of Kalmer Township, Olmsted County, Minnesota. Our property consists of 50 acres and borders the Cascade Creek. We purchased the property in 1990 and built a house and two barns. We farm 48 acres and raise about 100 head of cattle on our farm. We also farm the adjacent 225 acres that we rent from Richard Remold, Warren's dad, and hope to buy one day. Our goal is now and always has been to turn the farm over to our children to run as a third generation farm.

The soils on our property consist of mostly heavy wet soils and have several thousands of feet of tile running through it. In addition an extremely wet area with springs is located directly under the proposed bypass route adjacent to Cascade Creek and stays wet all year. Another wet area is next to Highway 14 and has standing water for much of the year.

The proposed bypass route submitted by the City of Rochester, Minnesota would severely affect our property. It would run the train about one thousand feet from our barns cutting through the pasture that we currently rent for our cattle forcing us to down size our herd and therefore losing valuable income. It would also close our Township road to the West leaving us one access to our house for emergency vehicles. Another inconvenience would be the increased time our children would spend every day going to and from school. This would occur because their entire bus route would need to be re-routed since the route runs East to West down Frontier Road and the proposed bypass would close our road right after our driveway. This would cause a serious added safety risk because it will force the bus to cross Highway 14 to get around to the other half of our road to pick up the other farm children and then cross the Highway again to get to the school.

The building of a railroad bypass around Rochester, Minnesota is not good land use. Especially when the railroad can be run successfully on the existing route with improved grade separations, sound barriers and other proposed means. My question is why does the City of Rochester feel that it is better to take my farm land and risk my children's safety than leaving the tracks where they have always run? Is it not true that the City of Rochester runs on coal? And how can the Mayo Clinic be so outspoken against the coal train, while they are currently looking at running passenger trains through the City of Rochester to bring more patients to the Mayo Clinic. Doesn't that cause increased traffic on the rails and congestion of the intersections? We are not opposed to the upgrade of the railroad we are opposed to the bypass and the environmental and economical adverse impact it would cause. The most dangerous issue for the citizens of Rochester, Byron and surrounding communities would be the continuing operation of this railroad on the track as it now exists. The upgrade would make this a much safer area for all of us to live in.

Warren and Kelly Remold

Tyler Remold (son)

Kaytlin Remold (daughter)

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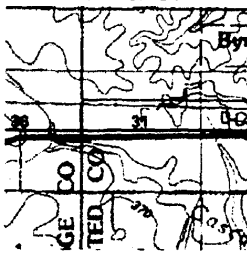
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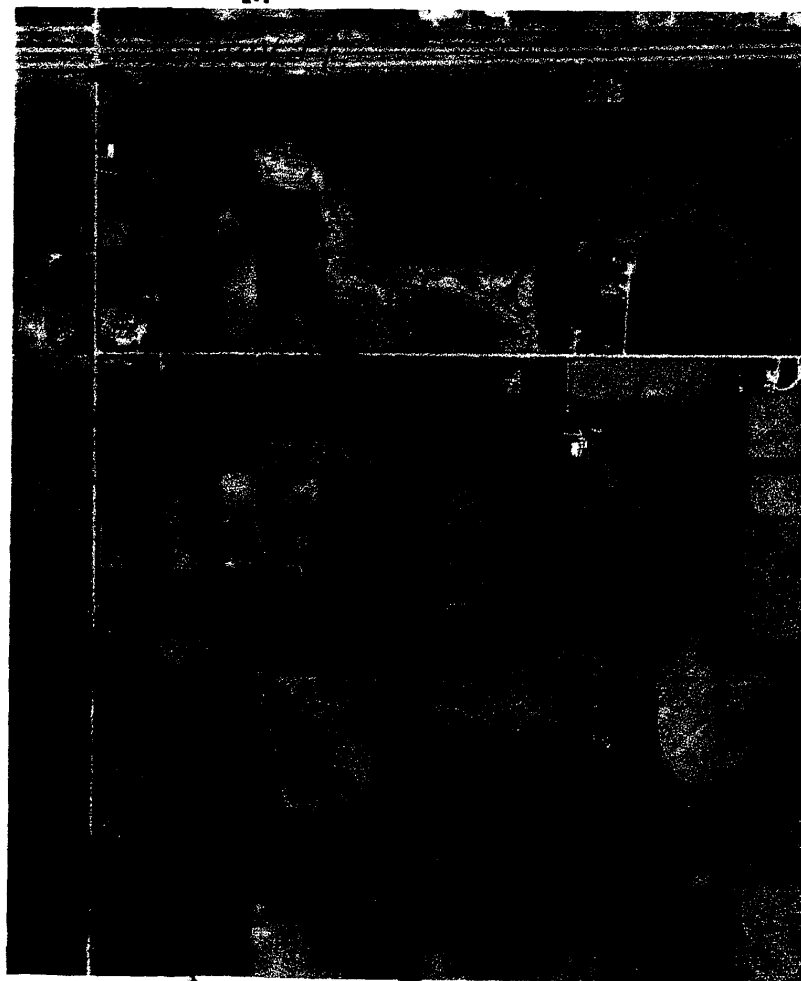
Other Imagery:

USGS Topo Map
01 Jul 1989

2 km SW of Byron, Minnesota, United States 03 Oct 1994

Zoom

4m



0 0.5Km

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Robert and Karen Brekke

Map 18

Parcel C

**THE NORTH ½ OF THE SW ¼ LYING SOUTH OF THE RIGHT OF WAY OF
US HIGHWAY 14**

The Robert and Karen Brekke property is located in Section 31 of Kalmar Township, Olmsted County, Minnesota. Our property consists of 55 acres and has a stream flowing through named Cascade Creek. We purchased this property in 1979 and built a house and large storage shed on it. We farm the property as a hobby farm and have planted 5 acres of permanent pasture back to woods in 1984. (White and Green Ash, Black Walnut, Hybrid Poplar, and Silver Maple) We plan on living here through our retirement years. (At least 30 years) The acreage now has about 35 tillable acres and has outstanding soils for agricultural production. The permanent pasture along Cascade Creek is wet and subject to flooding frequently.

The soils on our property in the bypass area consist of mostly heavy wet types such as Otter Series - 6WO, Garwin Series - 15W, and Maxfield Series 16W. All of these soils are very wet and are rated as poor road building areas. In addition a extremely wet area with springs is located directly under the proposed bypass route adjacent to Cascade Creek and stays wet all year. Another wet area is next to Highway 14 and has standing water in for much of the year with vegetation such as catails.

The proposed bypass route submitted by the City of Rochester, Minnesota would severely affect our property. We are located on the first curve where the railroad would leave the existing right of way and turn south. The proposed rail bed would be located anywhere from right on top of our house to 500 feet from our house. The route does not have a lot of room to vary because of a new housing development one quarter mile west of us and the City of Byron's new Industrial Park immediately to the north of our property fronting US Highway 14. The City of Byron, the State of Minnesota, and Olmsted County also are looking strongly at a major highway grade separation interchange to be located 500 feet north of our house. The proposed bypass route also shows crossing US Highway 14 at the same intersection. Any combination railroad overpass/underpass and highway interchange would likely move the railroad slightly to the west bringing the tracks even closer to our house. If the highway interchange is not built, our access to US Highway 14 would likely be lost and we would go from having the best access on our road to the highway to having the poorest. If we loose our access to US Highway 14, the increase in travel time to work and markets for our crops would be substantial. In the winter we may not be able to get to work at all unless the township road is rebuilt because just south of our driveway a major snow drifts develops across the existing road. Who would care if one farm building site were snowed in on the end of a dead end road? We would!

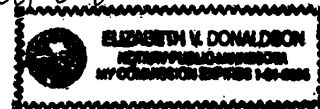
The proposed bypass route would likely adversely affect our property by splitting our acreage into two parcels. Our building site would be located on one side of the tracks and our farm acreage on the other side. The property on the other side would be land locked with no easy access even from US Highway 14 as the intent is to convert this to a limited access highway in the near future. One of our fields would likely be split into two small sections neither of which would be economically feasible to farm. An at grade crossing would be difficult to construct as the farm would be split in the middle where our property is the wettest and where Cascade Creek flows. The net result is that we would likely not be able to gain access to most of our farm acres and would suffer permanent financial loss. The value of our acreage would likely decrease from a very desirable hobby farm with excellent long term potential for housing and/or business development in the rapidly growing area of Byron, Minnesota to a land locked area with minimum potential. If the bypass route were approved, we would feel that our potential losses in the next 25 years would exceed \$300,000 in today's dollars. We would expect to be compensated fully for that loss.

The building of a railroad bypass around Rochester, Minnesota is not good land use. It is not good public policy. The environmental damage that the existing railroad bed and operation causes already exists, Why cause more? Railroad traffic through Rochester can be successfully mitigated on the existing route through grade separation, sound barriers, and other means. Trains safely travel through major towns in this country every second of every day 365 days a year. Rochester, Minnesota is no different and has no unique features that make it any different. Trains are not beautiful, but they are necessary for commerce to move. Trains can move bulky and hazardous materials safer and more economically than any other method currently available. We do not oppose the upgrade of this railroad. We oppose the bypass because it is not necessary, environmentally damaging, economically and socially unwarranted. The most dangerous issue for the citizens of the Byron, Minnesota area and the Rochester area is the continuing operation of this railroad on the track as it exists now. This upgrade would make this a much safer area for all of us to live with the railroad.

Robert and Karen Brekke

Karen Brekke
Robert Brekke

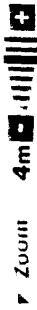
2/9/2001
Elizabeth V. Donaldson



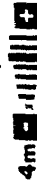
Karla Brekke (Daughter) Kyle Brekke (Son)

Alejandra Brekke-Diaz (Grand Daughter)

3 km W of Byron, Minnesota, United States 03 Oct 1994



Minnesota, United States 03 Oct 1994



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0 0.5km

0 0.5km

0 0.5km

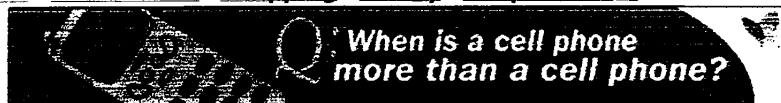
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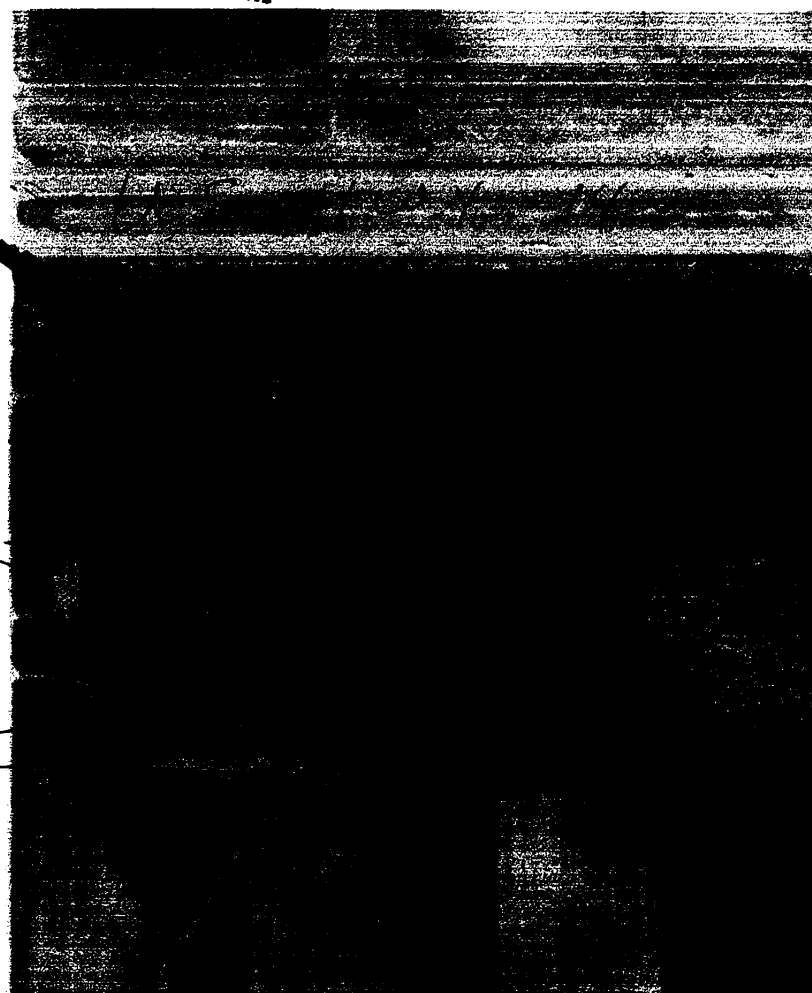


Other Imagery:

USGS Topo Map
01 Jul 1989

2 km W of Byron, Minnesota, United States 03 Oct 1994

Zoom 1m



SHED

brekke

Home site

House

0 100M

0



TITLE: Soil Resource Information
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 31 Kalmar Township
Olmsted County

FOR:

This is a general soils map of this area and is reliable for most uses. Because as much as 20% of other soils may occur within a particular soils area, further on-site investigations may be required for a specific use.

Technical assistance for planning the use of an area within its capability is available from the Upper Zumbro Soil and Water Conservation District and the Soil Conservation Service technicians.

BY: Jerome G. Hildebrandt, District Conservationist

**IN COOPERATION WITH: Upper Zumbro Soil and Water
Conservation District**

DATE: 10-23-78

1L0078

SOIL SURVEY INTERPRETATIONS

MLRA(S): 95, 104, 105, 108, 110

REL, 11-73

CUMULIC MAPLAQUOLLS, FINE-SILTY, MIXED, MESIC

OTTER SERIES

THE OTTER SERIES CONSISTS OF POORLY DRAINED SOILS FORMED IN ALLUVIUM ON FLOODPLAINS. TYPICALLY THE SURFACE LAYER IS BLACK AND VERY DARK GRAY SILT LOAM 36 INCHES THICK. THE UNDERLYING MATERIAL IS GRAY AND GRAYISH-BROWN SILT LOAM WITH THIN STRATA OF LOAM AND SANDY LOAM. SLOPES RANGE FROM 0 TO 4 PERCENT. MOST AREAS ARE USED FOR PASTURE.

ESTIMATED SOIL PROPERTIES											
DEPTH (IN.)	USDA TEXTURE	UNIFIED	AASHTO	FRACTURE	PERCENT OF MATERIAL LESS	PERCENT OF MATERIAL LESS	PERCENT OF MATERIAL LESS	PERCENT OF MATERIAL LESS	PERCENT OF MATERIAL LESS	PERCENT OF MATERIAL LESS	PERCENT OF MATERIAL LESS
0-36	SIL	CL	A-6, A-7	0	100	98-100	90-100	80-100	30-45	10-20	10-20
36-70	SR-SIL-SL	CL, ML, SN, SC	A-6, A-6	0	100	90-100	80-100	55-95	45-85	20-35	NP-20
DEPTH (IN.)	PERMEABILITY (IN/HR)	AVAILABLE WATER CAPACITY (IN/IN)	SOIL REACTIVITY (PH)	SALINITY (MMHDS/CM)	SHRINK- SWELL POTENTIAL	CORROSION STEEL	CORROSION CONCRETE	EROSION FACTORS	WIND EROD.	WIND EROD.	WIND EROD.
0-36	0.6-2.0	0.22-0.24	6.1-7.8	-	LOW	HIGH	LOW	-	-	6	-
36-70	0.6-2.0	0.12-0.21	6.6-8.4	-	LOW	HIGH	LOW	-	-	-	-
FLOODING											
FREQUENCY	DURATION	MONTHS	DEPTH	KIND	MONTHS	DEPTH	HARDNESS	DEPTH	HARDNESS	DEPTH	HARDNESS
FREQUENT	BRIEF	APR-JUN	0-2.0	APPARENT	APR-JUN	-	-	-	-	-	-

SANITARY FACILITIES				SOURCE MATERIAL			
SEPTIC TANK ABSORPTION FIELDS	SEVERE-WETNESS, FLOODS			ROADFILL	POOR-FROST ACTION, WETNESS		
SEWAGE LAGOON AREAS	SEVERE-FLOODS			SAND	UNSUITED		
SANITARY LANDFILL (TRENCH)	SEVERE-WETNESS, FLOODS			GRAVEL	UNSUITED		
SANITARY LANDFILL (AREA)	SEVERE-WETNESS, FLOODS			TOPSOIL	POOR-WETNESS		
DAILY COVER FOR LANDFILL	POOR-WETNESS						
COMMUNITY DEVELOPMENT				WATER MANAGEMENT			
SHALLOW EXCAVATIONS	SEVERE-WETNESS, FLOODS			POND RESERVOIR AREA	FAVORABLE		
DWELLINGS WITHOUT BASEMENTS	SEVERE-FLOODS			EMBANKMENTS DIKES AND LEVEES	LOW STRENGTH		
DWELLINGS WITH BASEMENTS	SEVERE-FLOODS			EXCAVATED PONDS AQUIFER FED	FAVORABLE		
SMALL COMMERCIAL BUILDINGS	SEVERE-FLOODS			DRAINAGE	FLOODS, WETNESS		
LOCAL ROADS AND STREETS	SEVERE-WETNESS, FLOODS, FROST ACTION			IRRIGATION	WETNESS		
				TERRACES AND DIVERSIONS	NOT NEEDED		
				GRASSED WATERWAYS	NOT NEEDED		
REGIONAL INTERPRETATIONS							

1L0078-1-1000, 1000, 1000

140037

SCIL SURVEY INTERPRETATIONS

PLACES: 104, 105, 106

JUN, 9-73

TYPIC MAPLAGUOLLS, FINE-SILTY, MIXED, MESIC

GARWIN SERIES

THE GARWIN SERIES CONSISTS OF POORLY DRAINED SOILS FORMED IN LOESS UNDER PRAIRIE GRASSES AND SEDGES AT THE HEAD OF DRAINS AND UPLAND DIVIDES ON UPLANDS AND STREAM BENCHES. THEY HAVE BLACK AND VERY DARK-GRAY SILTY CLAY LOAM SURFACE LAYERS 18 INCHES THICK. THE SUBSOIL IS DARK-GRAY, FRIABLE SILTY CLAY LOAM IN UPPER 24 INCHES AND OLIVE-GRAY FRIABLE SILT LOAM IN THE LOWER 6 INCHES. THE SUBSTRATUM IS OLIVE-GRAY AND LIGHT OLIVE-GRAY, FRIABLE SILT LOAM. SLOPES RANGE FROM 0 TO 2 PERCENT. MOST AREAS ARE IN CULTIVATED CROPS.

ESTIMATED SOIL PROPERTIES									
DEPTH (IN.)	USDA TEXTURE	UNIFIED	AASHTO	PERCENT OF MATERIAL LESS (BY WEIGHT) THAN 30-PASSING SIEVE NO.				LIQUID LIMIT	PLAS- TICITY
				(CL)	(A)	(U)	(L)		INDEX
0-18 SIL		CL, DM, CH	A-7	0	100	100	100	95-100	45-55
18-42 SIL		CH, CL	A-7	0	100	100	100	95-100	45-55
42-75 SIL		CL	A-6	0	100	100	100	95-100	30-40

DEPTH (IN.)	PERMEABILITY (IN/HR)	AVAILABLE WATER CAPACITY (IN/IN)	SOIL REACTION (PH)	SALINITY (MMHOS/CM)	SHRINK- SWELL POTENTIAL	CORROSION STEEL	CORROSION CONCRETE	EROSION WIND	WIND EFFECTS
0-18	0.2-0.6	0.21-0.23	5.6-6.5	-	HIGH	HIGH	MODERATE	-	7
18-42	0.2-0.6	0.18-0.20	5.1-7.3	-	HIGH	HIGH	MODERATE	-	-
42-75	0.6-2.0	0.20-0.22	5.6-7.3	-	MODERATE	HIGH	MODERATE	-	-

FLOODING		HIGH WATER TABLE		CEMENTED PAN	BEDROCK	SUBSIDENCE	HYDRO- POTENTIAL
FREQUENCY	DURATION	DEPTH (FT)	KIND	DEPTH (IN)	HARDNESS (IN)	INITIAL (IN)	TOTAL (IN)
NONE		1.0-3.0	APPARENT	NOV-JUN	-	-	-

SANITARY FACILITIES		SOURCE MATERIAL	
SEPTIC TANK ABSORPTION FIELDS	SEVERE-WETNESS, PERCS SLOWLY	ROADFILL	POOR-WETNESS, LOW STRENGTH, FROST ACTION
SEWAGE LAGOON AREAS	SEVERE-WETNESS, EXCESS HUMUS	SAND	UNSUITED
SANITARY LANDFILL (TRENCH)	SEVERE-WETNESS	GRAVEL	UNSUITED
SANITARY LANDFILL (AREA)	SEVERE-WETNESS	TOPSOIL	POOR-WETNESS

DAILY COVER FOR LANDFILL	POOR-WETNESS	WATER MANAGEMENT	
		POND RESERVOIR AREA	SEEPAGE

COMMUNITY DEVELOPMENT			
SHALLOW EXCAVATIONS	SEVERE-WETNESS	EMBANKMENTS DIKES AND LEVEES	COMPRESSIBLE, LOW STRENGTH, EXCESS HUMUS
DWELLINGS WITHOUT BASEMENTS	SEVERE-WETNESS, SHRINK-SWELL, LOW STRENGTH	EXCAVATED PONDS AQUIFER PCD	SLOW REFILL
DWELLINGS WITH BASEMENTS	SEVERE-WETNESS, SHRINK-SWELL, LOW STRENGTH	DRAINAGE	FAVORABLE
SMALL COMMERCIAL BUILDINGS	SEVERE-WETNESS, SHRINK-SWELL, LOW STRENGTH	IRRIGATION	WETNESS, SLOW INTAKE
LOCAL ROADS AND STREETS	SEVERE-WETNESS, SHRINK-SWELL, LOW STRENGTH	TERRACES AND DIVERSIONS	NOT NEEDED
LAWNS, LANDSCAPING AND GOLF FAIRWAYS		GRASSED WATERWAYS	WETNESS

REGIONAL INTERPRETATIONS	

1A0065

SOIL SURVEY INTERPRETATIONS

MAXFIELD SERIES

MLRA(S): 104, 100

JDN, 9-73

TYPIC MAPLAGUDLLS, FINE-SILTY, MIXED, MESC

THE MAXFIELD SERIES CONSISTS OF POORLY DRAINED SOILS FORMED IN ABOUT 24 TO 40 INCHES OF LOESS OVER GLACIAL TILL UNDER PRAIRIE VEGETATION AT THE HEAD OF DRAINS AND ON BROAD DIVIDES IN THE UPLANDS. THESE SOILS HAVE BLACK, SILTY CLAY LOAM SURFACE LAYERS 17 INCHES THICK. THE SUBSOIL IS DARK GRAYISH-BROWN AND OLIVE-GRAY, FRIABLE SILTY CLAY LOAM AND SILTY LOAM IN L 2 IS INCHES AND MOTTLED YELLOWISH-BROWN, FIRM LOAM IN LOWER 13 INCHES. THE SUBSTRATUM IS MOTTLED YELLOWISH-BROWN AND SILTY-BROWN, FIRM LOAM. BLOBS ARE 0 TO 5 PERCENT. MOIST AREAS ARE CULTIVATED.

ESTIMATED SOIL PROPERTIES

DEPTH (IN.)	USCA TEXTURE	UNIFIED	AASHTO	FRAC. PERCENT OF MATERIAL LESS > 3 IN. THAN 20-BASSING SIEVE NO. (PCT)	100	60	40	20	10	5	2.5	1.0	0.6	0.425	LIQUID LIMIT	PLAS- TICITY INDEX
0-17	SICL	CL, OM, CH	A-7	0	100	100	100	98-100	45-65	20-30						
17-32	SICL, SIL	CH, CL	A-7	0	100	100	100	98-100	45-65	25-35						
32-66	L	CL	A-6	0-5	90-95	85-90	75-85	55-65	25-35	10-20						

DEPTH (IN.)	PERMEABILITY (IN/HR)	AVAILABLE WATER CAPACITY (IN/IN)	SOIL REACTION (PH)	SALINITY (MMHQS/CM)	SHRINK- SWELL POTENTIAL	CORROSION STEEL	CONCRETE	EROSION FACTORS	WIND EROSION	HYDRO- POTENTIAL
0-17	0.2-0.4	0.21-0.23	6.6-7.3	-	HIGH	HIGH	MODERATE	-	-	6
17-32	0.2-0.4	0.18-0.20	6.6-7.3	-	HIGH	HIGH	MODERATE	-	-	
32-66	0.2-0.4	0.17-0.19	6.1-7.3	-	LOW	HIGH	MODERATE	-	-	

FLOODING	HIGH WATER TABLE	CEMENTED SAND	RED ROCK	SUBSIDENCE	HYDRO- POTENTIAL
FREQUENCY	DURATION	MONTHS	DEPTH (FT)	DEPTH (IN)	DEPTH (IN)
1-2	1-2	1-2	1-2	1-2	1-2

SANITARY FACILITIES				SOURCE MATERIAL			
SEPTIC TANK ABSORPTION FIELDS	SEVERE-WETNESS, PERCS SLOWLY		ROADFILL	POOR-WETNESS, FROST ACTION, EXCESS MUMUS			
SE-AGE LAND AREAS	SEVERE-WETNESS, EXCESS MUMUS		SAND	UNSUITED			
SANITARY LANDFILL (TYPICAL)	SEVERE-WETNESS		GRAVEL	UNSUITED			
SANITARY LANDFILL (ATLANTA)	SEVERE-WETNESS		TOPSOIL	POOR-WETNESS			
DAILY COVER FOR LANDFILL	POOR-WETNESS		POND RESERVOIR AREA	FAVORABLE			
COMMUNITY DEVELOPMENT				WATER MANAGEMENT			
SHALLOW EXCAVATIONS	SEVERE-WETNESS		EMBANKMENTS DICES AND LEVES	COMPRESSIBLE, LOW STRENGTH, SHRINK-SWELL			
DWELLINGS WITHOUT BASEMENTS	SEVERE-WETNESS, FROST ACTION, SHRINK-SWELL		EXCAVATED PONDS AQUIFER FED	SLOW REFILL			
DWELLINGS WITH BASEMENTS	SEVERE-WETNESS, SHRINK-SWELL		DRAINAGE	FAVORABLE			
SPALL COMMERCIAL BUILDINGS	SEVERE-WETNESS, FROST ACTION, SHRINK-SWELL		IRRIGATION	WETNESS, SLOW INTAKE			
LOCAL ROADS AND STREETS	SEVERE-WETNESS, FROST ACTION, SHRINK-SWELL		TERRACES AND DIVERSIONS	NOT NEEDED			
LAUNDS, LANDSCAPING AND GOLF FAIRWAYS			GRADED WATERWAYS	WETNESS			

REGIONAL INTERPRETATIONS

Edward Voll

Map 18

Parcel D

Byron, Minn

Jan 27, 2001

Say **NO** to the bypass around the City of Rochester on the D.M.E. Railroad in Olmsted County in the State of Minn. The D.M.E. needs to be upgraded as it is poor condition. City of Rochester uses 1200 Train carloads of coal a year, that would equal 480 semi truck loads.

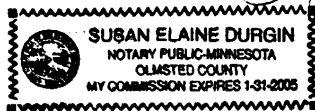
The railroad is what made Rochester as Mayo Hospital got lots of their patients in town by the railroad which was built in 1865, I can remember four passenger trains daily each day on the railroad. The present D.M.E. railroad goes through my farm which is between milepost 61 + 60 in Olmsted County. I am 79 years old and we need the railroad to transport farm crops + supplies to market. Why take 800 acres of farmland out of production for the bypass, which D.M.E. presently owns. Run the present D.M.E. straight through the City of Rochester.

No one will lose his home in
the City of Rochester, City of Rochester
has published many untruthful
figures & statements about the D. M. E.
operation.

So please say no to the bypass
around the City of Rochester.

Thank you,
Edward Voll
1645-4th St. N.W.
Byron, Minn
55920

Susan Elaine Durgin



Jerry and Marlis Knowlton

Map 11 Parcel I

We oppose the Rochester, MN
DM & E Bypass!

We have 74 acres which 50 are tillable. We rent those 50 acres to a local farmer who grows corn, beans etc. We use that money (rent) to pay the property taxes and insurance and some of the mortgage payment. We would not be able to afford to live here without that rental income. The bypass would cut off the tillable land from the building site. Our land is "land locked" - we would not be able to even get to our tillable land without crossing the tracks with no access. We are only in our 40s and planned on living here our remaining years. Buying now would not replace another 30 or 40 or 50 years of rent. The bypass would totally destroy our farm.

We have a good sized sink hole where the bypass is routed. And the neighbor has a larger one literally just yards away. How can you build tracks over sink holes?

Every reason the city of Rochester gives you to oppose the train applies to us also. We also have the need for safety and speed in regards to school buses, ambulances, fire trucks, police, commuting daily & farm machinery!

How can you possibly justify a train bypass with all its negative effects and expense when tracks are already in place and just need some repair?

I have a hard time believing this is financially possible when DM&E isn't all that big and already has money troubles. How long will the demand for coal be there? Environmentalists will continue to push for non-fossil fuels. Then the tracks will be used for other things and should be in town. The way Rochester is growing it is not far fetched that the bypass would in up "In" town someday real soon anyway.

We 100% oppose the Rochester bypass.

Jerry & Marlis
Knowlton
2343 110th Ave SE
Eyota MN 55934

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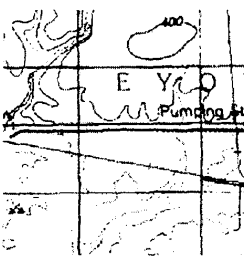
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Style: Relief Topo Image

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Locator



Other Imagery:

USGS Topo Map
01 Jul 1982

2 km W of Eyota, Minnesota, United States 17 May 1993

Zoom 4m



0 0.5Km 1.25Mi

Image courtesy of the US Geological Survey.
OrigMet = '4309206NE' Center Lon,Lat= -92.25677,43.98792 Running Time 13 ms
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sink
hole

there is also
a sink hole
in the neighbors
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Other Imagery:

USGS Topo Map
01 Jul 1982

3 km W of Eyota, Minnesota, United States 17 May 1993

Zoom 8m



Current DM + E
trace

0 1Km 0 .5Mi

Image courtesy of the US Geological Survey.

OrigMetaTag = '4309206NE' Center Lon,Lat= -92.26171,43.99156 Running Time 6 ms
Time 11/10/2000 4:58:23 AM to 11/10/2000 4:58:23 AM

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our
74 acres

our building site



EYOTA PLAT

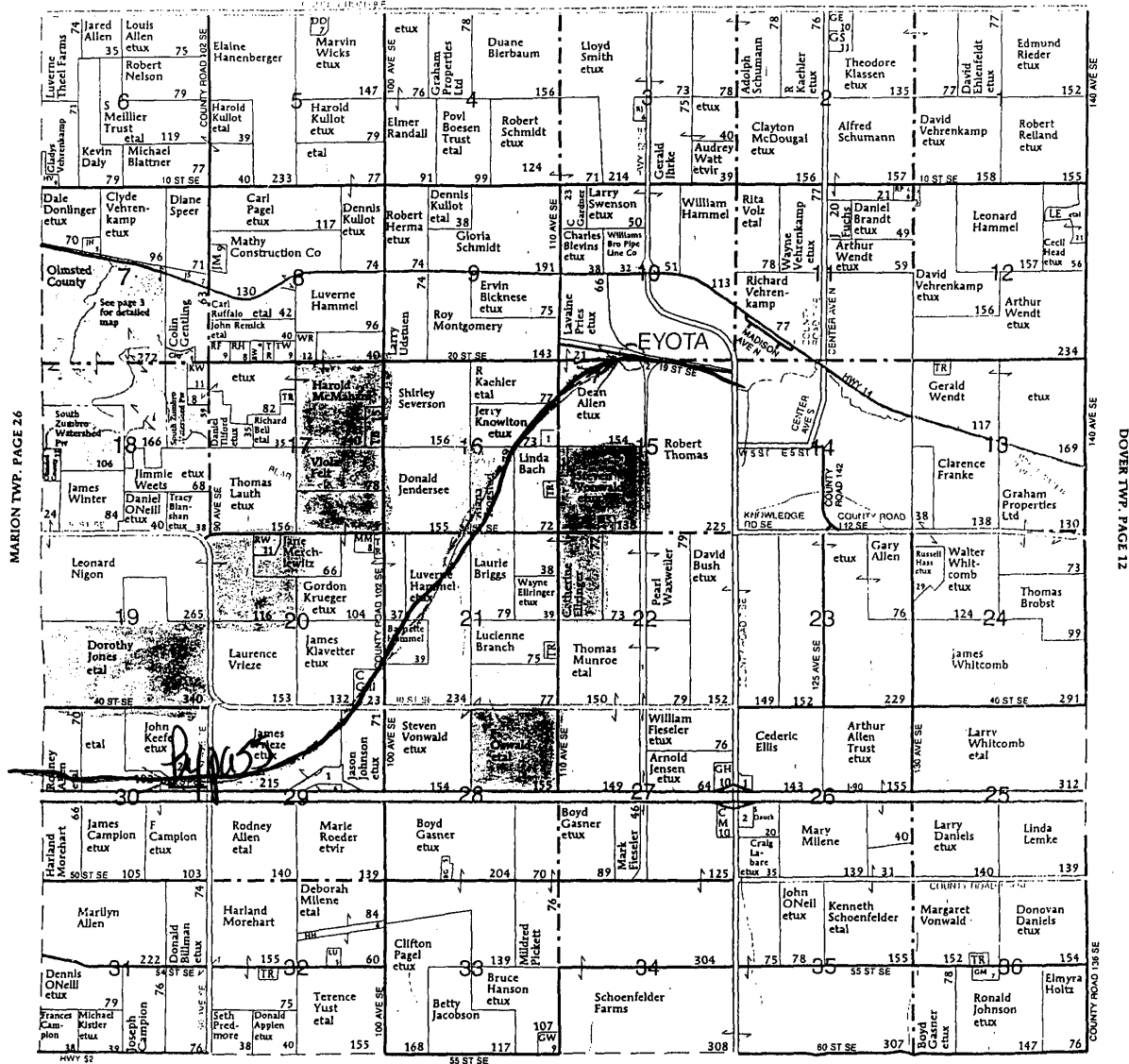
OLMSTED COUNTY, MINNESOTA
(Landowners)

T-106-N R-12-W

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See Page 59 For Additional Names.

VIOLA TWP. PAGE 44



ORION TWP. PAGE 30

TABLE OF LAND MEASUREMENTS

Square Measure

4840 Sq. Yds. 1 Acre 1 Sq. Mile 1 Section 80 Rods Sq. 40 Acres
640 Acres 1 Sq. Mile 36 Sq. Miles 1 Township 36 Miles Sq. 1 Township

Cathy Riley

Map 19 Parcel F

Cathy Riley

3039 Co. Rd 102 SE

Eyota MN 55934

NW corner lot 20

Railway Officials, Lawyers, etc.

I'd like to discourage placement of the railway through Eyota Township. As the plans now stand, the rail would run about $\frac{1}{4}$ mi. from our home. We have a small acreage which we purchased 22 yrs. ago when we were married. In that 22 yrs. my husband & I have worked to improve the land & home with tree planting, gardening, remodeling, & outbuildings. We've also raised several children & have six yet at home. We'd like them to be able to enjoy the peace & nature of the country, which would be despoiled by the proximity of the rail. The land & home are our heritage & our primary asset. The rail is certain to decrease the value of both.

There is becoming less & less unspoiled natural beauty because of the encroachment of urban life into the country. Please do your part to limit that vanishing natural resource.

Sincerely,
Cathy Riley

Grant Larson

Map 25

Parcel D

Grant Larson Farm

Anver Christjonson Farm Est. May 10, 1861



Feb 12, 2001

P.1

To: The STB Board

Hello, my name is Grant Larson. As you can see by the enclosed articles, I am the next generation on a family farm that has been operating since the early 1800's.

I am proud to operate this business, especially with its long history and the fact that Abraham Lincoln signed the original deed.

Understand me that myself or my friends and neighbors "Do Not" need to have our own personal properties split up by the inane attitude that Rochester and the Mayo Clinic have regarding the building of a DM:E railroad bypass!

The facts are that Rochester built itself along the tracks and that also there are pictures of the Mayo brothers themselves shaking hands with travelers and possible patients exiting the train. If only the city of Rochester had the respect for itself and others as its fore-fathers did.

Pushing the train out just shows the small mindedness of the city. The hardships for people like myself, emergency vehicles, buses, postal services, commuters, and the fact of the environment itself would be somewhat devastating. Major roads would be altered, wetlands filled or drained, fields split, rural roads completely shut down, this list could go on and on.

I myself would be forced to go miles around to get where taking another step got me before. There will be a lot more farm equipment on public highways slowing it down for commuters and more than likely causing accidents leading to destruction of property and more than likely more than 1 or 2 fatalities.

All because of Rochester's me first attitude. They know they need the coal as fuel. The clinic needs its heat and steam. What are they thinking?

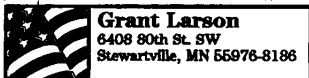
If the upgrade is to be done so be it. DME owns its property and like they said it needs upgrading. Pushing it out of Rochester basically should be illegal. Costs, lives, inconveniences for children on buses, commuters, etc. all come into effect. Properties effected would be major, tile lines devastated, homes and lively hoods destroyed.

This matter is in your hands and I trust that you will look at the whole picture and make the sensible decision.

Don't be bullied by a few to make the worst decision possible and cause a precedent that will haunt forever.

Sincerely,

Grant Larson



55976

Elevator Dust

Leave the
Driving
to Us!

Farmfest
'76

Bus
Rides

for our
Customers

Sign up
Today!

Depart
Stewartville 7 a.m.

Depart
Farmfest 6 p.m.

Great Grandfather Larson knew the soil

Several Olmsted County farms are listed with the move from Stewartville to Farmfest '76. These farms have been in the Olmsted family ownership for 100 years or more. This article is the first in a series on "Century Farms" in the Stewartville area to appear in the Star.

By Betty Sorenson
The Ernest Larson farm, located about four miles west of the airport, is one of seven in the Stewartville area to be designated "Century Farms" by the State Fair board. These farms have been owned by the same family for at least 100 years.

The first owner of the Larson farm was Agner Christensen, who purchased the land in October of 1850. Andrew Larson, who married Agner's daughter Sarah, bought the

farm in 1866. Andrew bequeathed the farm to his five children and sons. A. Larson, the oldest boy, bought the farm from the other children in 1908. Stark and Martha (Garth) Larson had 12 children, seven girls and five boys. Ernest, the present owner and youngest son, bought the farm from his father in 1944.

Stark Larson helped his other sons buy farms in the area. Ken and Edgar Larson purchased farms just north of the family farm. Lawrence, who now resides in Park Rapids, farmed near Rock Dell until he retired five years ago. Hilman, who now lives in Rochester, also farmed near Rock Dell.

All but two of Ernest's acres, about 150, were in 15 miles of the family farm after leaving home. Elvina (Mrs. Martin) Brundson, Agnes (Mrs. Ed Holten), and Esthen (Mrs.

Henry Rod) now live in rural Byron. (Mabel) (Mrs. Charles Rod) lives in rural Rochester and Lily (Mrs. Orlin Brundson) lives in rural Racine. Cals lived in Rochester until she died in 1943. Stella (Mrs. Ralph Worthington) lived on a farm near Cumberland, Iowa, until her death in 1956.

Agner Christensen, Ernest's great-grandfather, knew good farm land. Ernest said the soil is heavy with practically no stones. The crops planted on the farm have changed over the years. Ernest's father raised primarily hay and grain. Ernest first planted soy beans in the late 1940's and the beans and corn are now the principal crops. Ernest explained that corn has a higher feed value and brings in more cash to the acre.

The Larsons also normally have from 20 to 25 beef cattle, which they feed out at 500 to 1,000 pounds, and 150 to 160 hogs which they fatten and fatten to market.



A piece of farm machinery still at the Larson farm was used for field work by the grandfather of Ernest Larson. Ernest recalls one time when his brother used the plow to make tracks in deep snow for the automobile. He wanted to visit his grandfather.

The only remaining tool left on the farm from the past is a hand plow that was last used for farming by Ernest's grandfather. However, Ernest remembers using it to plow tracks through heavy snow so that their car could get a good start.

Though Ernest can remember the depression as being somewhat difficult for the family, he feels that high taxes and the price of fertilizer, seed and machinery make things as

tough for farmers right now as in any time he can recall.

Frances, who was born on a farm in Bergen, N.D., married Ernest in 1940. They have five children. Clayton works for IBM and lives in Elgin. Phyllis (Mrs. Gordon Severson) is a registered nurse and lives in Bloomington. Bradley is a math teacher in Owatonna and Beverly, a social worker at the Metropolitan Medical Center, lives in Minnetonka.

Grant, 18, is the youngest child and is now living on the family farm. He enjoys farming, especially working with cattle, and the idea of "being your own boss."



From generations past, the Larson family are still living on the family farm in Elk River Township. The Larson farm is one of the Century Farms being designated by the Minnesota State Fair. From left are Ernest, the only son of five children still at home, Frances and Ernest Larson.

CENTURY FARMS

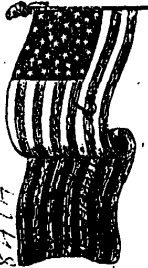


This is a family that has been farming in the Stewartville area for over 100 years. The farm is one of the Century Farms being designated by the Minnesota State Fair.



THE Larson home in 1918. Left to right: Cals, Elvina, Stella, Mrs. Martha (Garth) Larson, with Lawrence on her lap, Esther, Lily, and Stark Larson.

Local 4-Hers participate



THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas, In pursuance of the Act of Congress, approved MARCH 3, 1855, entitled "An Act in addition to certain Acts granting Bounty Land to certain Officers and Soldiers who have been engaged in the Military Service of the United States," there has been deposited in the GENERAL LAND OFFICE, Warrent No. 94,903 for 160 acres, in favor of Oberger-Nixon Private Captain Gordon's Company, New York Militia War 1812.

with evidence that the same has been duly located upon the North-East quarter of Section Thirteen in Township one hundred and five North of Range Eighteen west in the district of lands subject to sale at Chatfield Minnesota containing one hundred and sixty acres.

according to the Official Plat of the said Land returned to the GENERAL LAND OFFICE by the SURVEYOR GENERAL the said warrant having been assigned by the said Oberger-Nixon to Oliver Christensen in whose favor said tract has been located.

Now know ye, That there is therefore granted by the UNITED STATES unto the said Oliver Christensen as assignee as

the tract of Land above described: To have and to hold the said tract of Land, with the appurtenances thereof, unto the said Oliver Christensen as assignee as aforesaid and to his heirs and assigns forever.

In Testimony Whereof, I, Abraham Lincoln

PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these Letters to be made Public, and the SEAL OF THE GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the twentieth day of April in the thirty one YEAR OF OUR LORD one thousand eight hundred and forty one and of the INDEPENDENCE OF THE UNITED STATES the Eighty fifth BY THE PRESIDENT.

Abraham Lincoln

By *M. W. Standard*, Sec'y.

Richard and Dorothy Myhre
for Oswald Myhre Estate

Map 25 Parcel E

March 2, 2001

Office of the Secretary
Case Control Unit
STB Finance Docket No. 33407
Surface Transportation Board
1925 K Street NW
Washington DC 20423-0001

Re: DM&E RAILROAD

Dear Ms. Rutson:

We support the proposed upgrade through the city of Rochester on the existing railbed - but NO BYPASS! The railroad is the most efficient and economical way to transport freight including coal and grain. Cheaper transportation means better prices for the farmers and everyone else concerned in the depressed areas to the west of us!

Rochester's refusal to negotiate with DM&E upgrade improvements through the city and their firm stand on BYPASS only has the potential to kill the project as stated by Kevin Schieffer.

We have lived in the Rochester area for 60 years and have always felt it was a nice and friendly place to live. But since the city's population has increased and the city has expanded, the city officials have become too controlling with no compassion for anyone living outside their city. You have to realize the frustration of the rural people. The city officials are distorting the facts and representing their reports unfairly. The latest is a report by RAEDI, a planning group in Rochester with headlines that read: The cost of the DM&E upgrade through the city of Rochester would cost 850 million dollars whereas the cost of the bypass would cost 227 million dollars! These submitted figures are not the truth - dollar amounts have been omitted to make the BYPASS seem cheaper and affordable such as the removal of overpasses over U.S. 14 from the west and U.S. 63 from the south which is not acceptable! These are heavily-traveled four-lane highways!

The reasons that the city officials are using to stop the coal train going through Rochester are being overstated. For the last two decades or more, the city of Rochester has been in a constant "demolish and build" mode! There has been construction near the Mayo Clinic and the medical complex including the Gonda building, demolishing parking ramps to build new hotels and more parking ramps, and the Time Square Project and the Highway 52 Project is to begin in the near future - all near the medical facilities of the city. So far, there has been no consideration of damaging instruments at the Mayo Clinic. But, the coal train would cause considerable damage, they say! Also, the Mayo Clinic has reported a record year of patients even with all the building disruptions! We find this quite interesting!

Our reasons to reject the BYPASS:

The BYPASS would go thru the Myhre family farm cutting off 40 acres! The 40 acres would be land-locked, leaving 240 farm acreage. As the farm is presently being sold to settle an estate, its value has dropped due to the potential BYPASS!

My brother owns 40 acres and will have to move elsewhere as all of his buildings including his house and two businesses including a woodshop and a greenhouse will be destroyed!

The closing of township and county roads will cause excessive travel for school buses, farm equipment, and emergency vehicles!

Over 800 acres of prime farmland would be taken out of production permanently. Agriculture accounts for over 40% of the overall economy of Olmsted County. Many rural people would be deprived of their livelihood forever!

The BYPASS would damage and destroy wildlife habitat. Woodlands, wetlands and prairies will be degraded or lost. Wetlands and Fens are federally protected to ensure the water quality of our whole country!

There are difficult terrains to build a BYPASS on. At least, two valleys have a 200 foot drop which would need an excessive amount of fill or bridges built to stay with the grade!

These are only a few reasons to reject the BYPASS and I'm sure you have received similar input from other rural people. I only hope the decision will be made in a timely fashion one way or another. Many of these rural folks have had to put their lives on hold. We feel the inconvenience to Rochester and its residents does not justify duplicating it somewhere else!

Please give this issue careful consideration as many livelihoods in the rural area could be destroyed if a BYPASS goes through their land! Rural folks and neighboring towns have been consistently misrepresented on the BYPASS issue.

Thank you for your careful consideration .

Respectfully submitted,

Richard and Dorothy Myhre
706 5th Ave. SE
Stewartville, MN 55976

E-Mail: dfmyhre@home.com

Thomas and Darlene Myhre
Sr.

Map 25 Parcel F

Reference:
Richard & Dorothy Myhre for
Oswald Myhre estate



Rock Dell Township, Section 10
Map 25 Parcel E

Curtis and Berthalou Tvedt

Map 29 Parcel E

OUR REASONS FOR OPPOSING THE RAILROAD BYPASS

I: Personal Reasons

- A It would run directly behind our house.
- B Our house was to be an off the farm retirement home & is only a few years old.
- C One of the main reasons we built where we did was because of severe allergies to dust & other pollutants.
- D Our grandchildren love to play in the woods, gather wildflowers & enjoy nature in general.
- E If we ever decide to sell our house, a rail line in the back yard would definitely decrease it's value.

II Business Reasons

- A We are in the dairy business. Cattle do not do well with constant noise.
- B If cattle do get out (and a high noise level makes this more likely) they would be killed as well as do damage to the train.
- C Our already high taxes would increase.

III: Environmental Reasons

- A The DNR has notified us that we have virgin timber on this lot. This is irreplaceable
- B The nearby topography is not suited to build a rail line on.
- C A trestle would need to be built to cross a high bluff, much larger than would be needed for overpasses in Rochester
- D It would cause damage to tile lines, wetlands, windbreaks, & etc.
- E It would take hundreds of acres of prime farm land out of production.

IV: Community Reasons

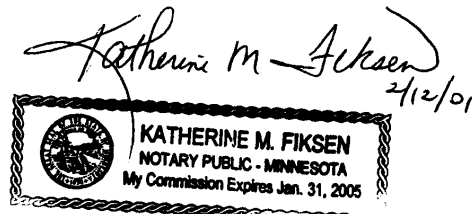
- A It would bisect the farms of many of our neighbors, breaking up fields & in some cases leaving no access.
- B Many roads would be closed affecting--
 - 1. School buses.
 - 2. Ambulances.
 - 3. Fire trucks.
 - 4. Mail delivery.
 - 5. Movement of farm products to market.
 - 6. Snowplows & road graders
- C. Safety.
 - 1. Unmarked crossings.

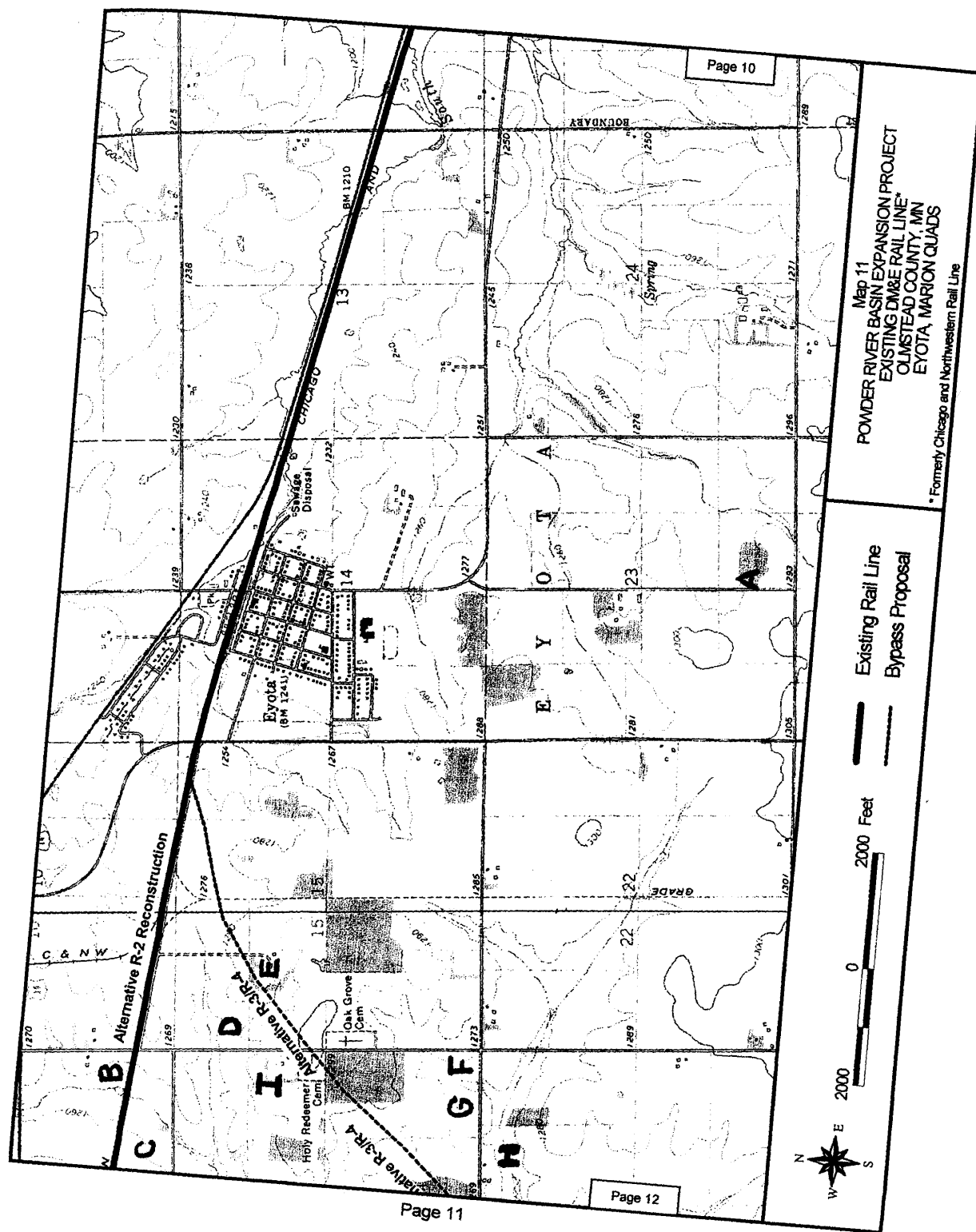
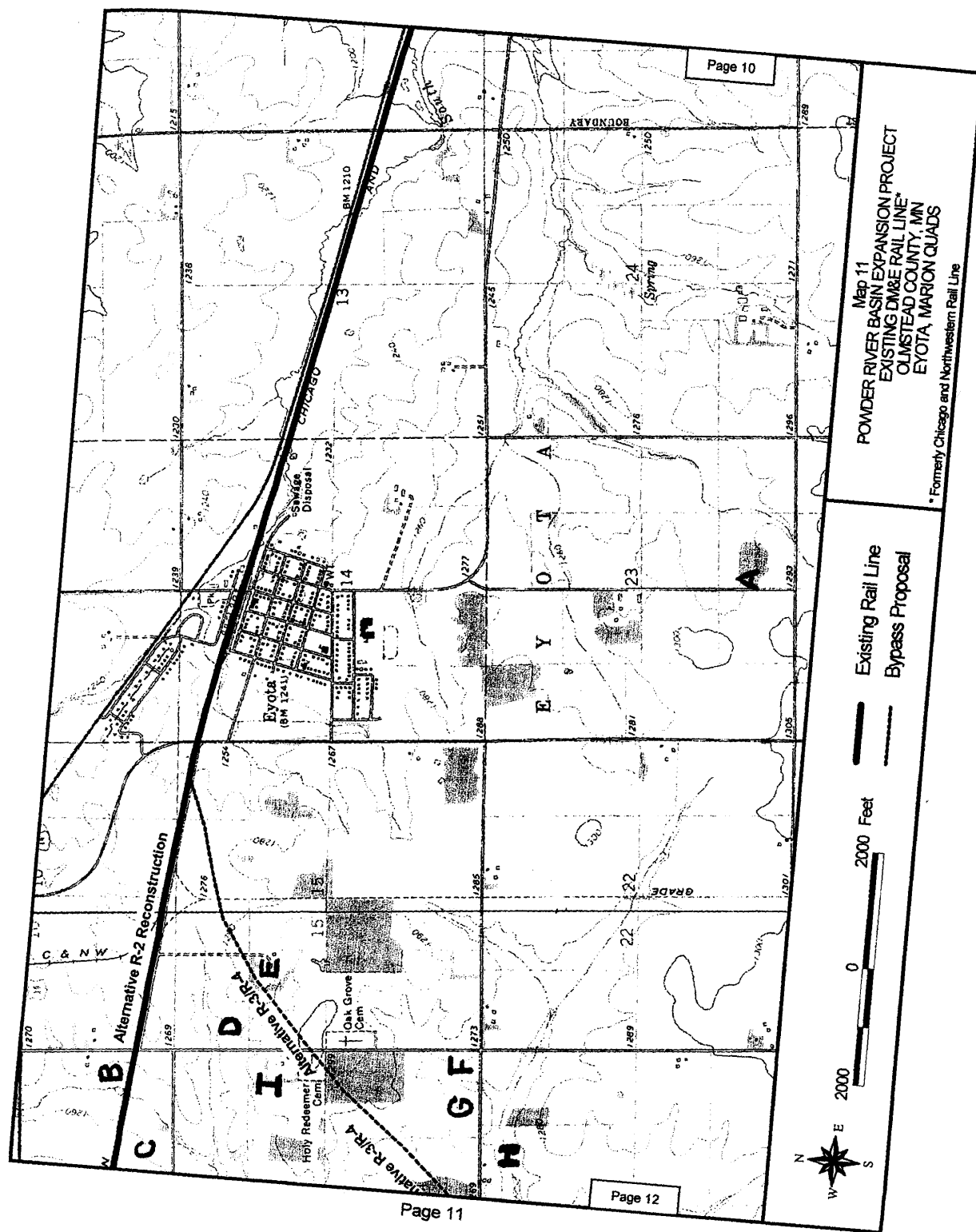
signed: Curtis A. Tvedt

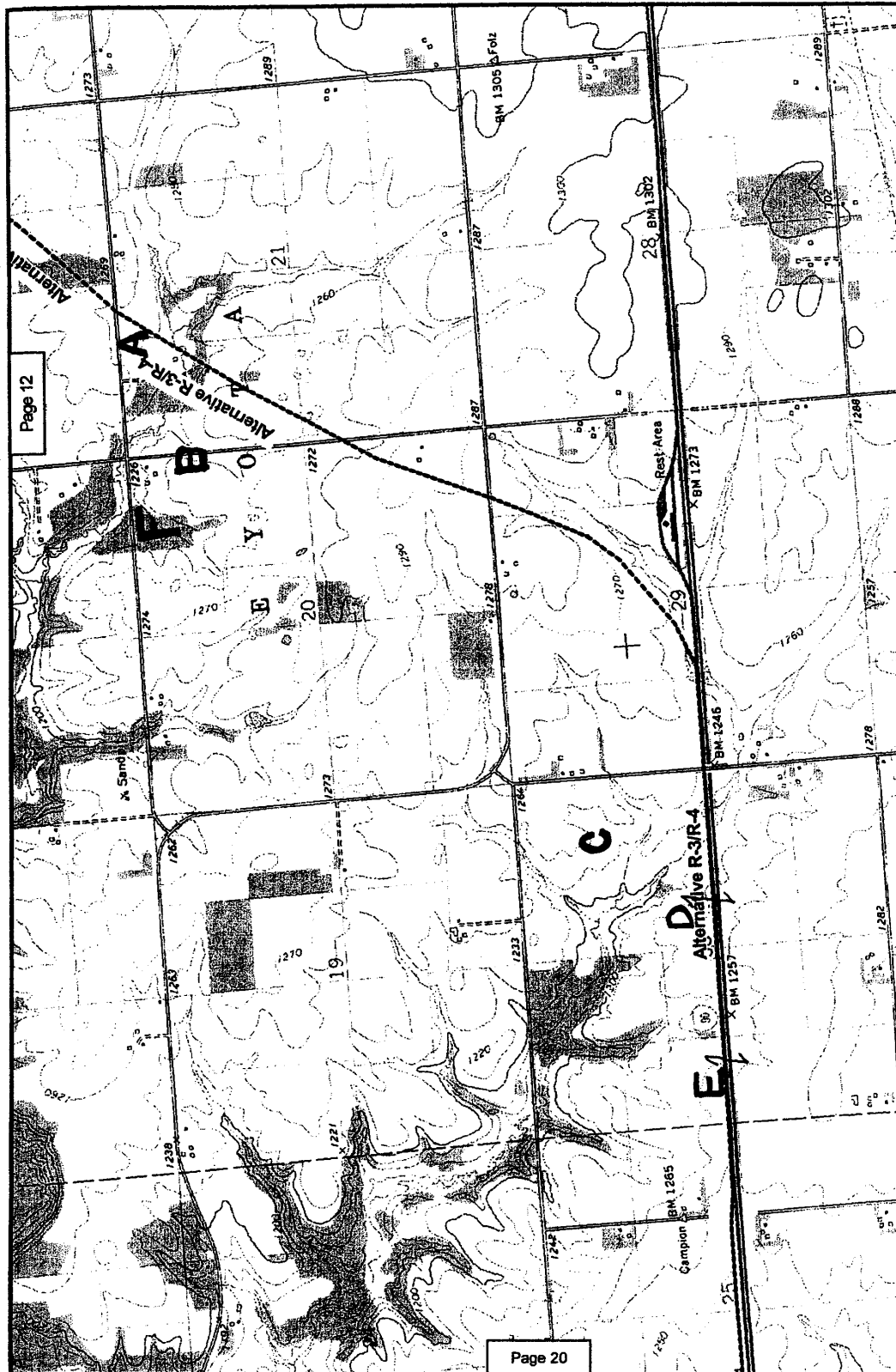
Curtis A. Tvedt 2/12/01

signed: Bertha Lou Tvedt

Bertha Lou Tvedt 2/12/01



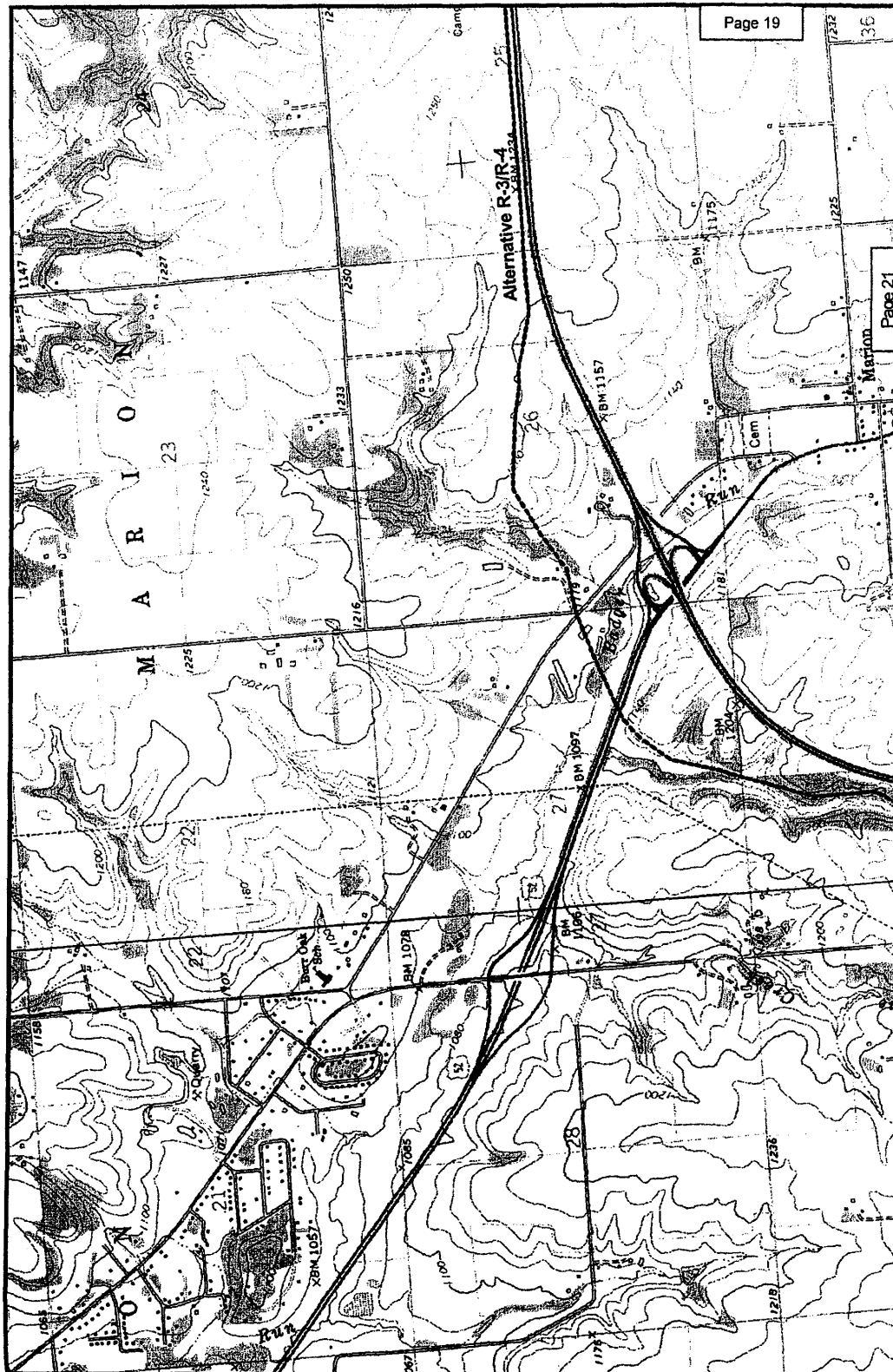


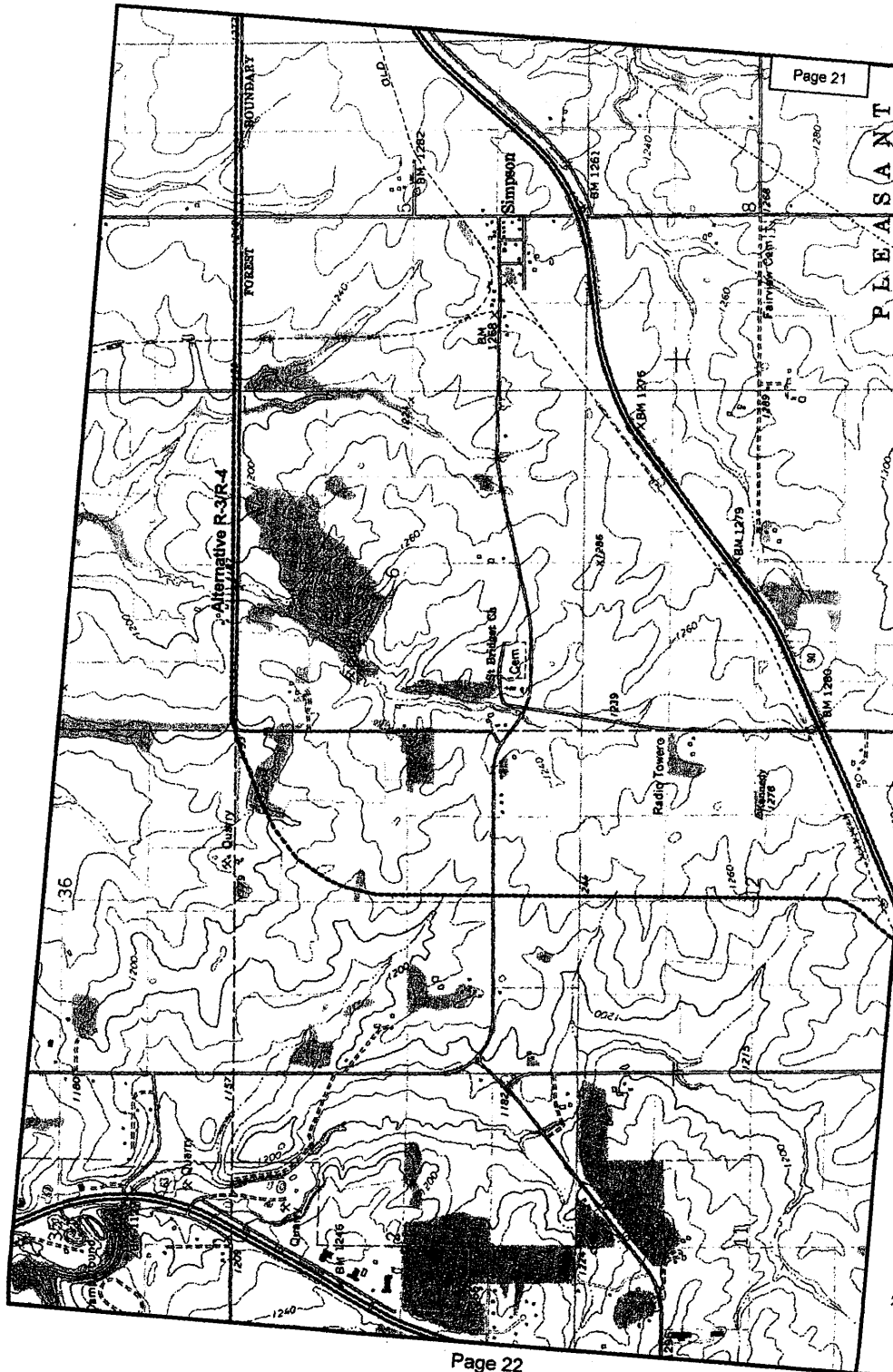


Existing Rail Line
Bypass Proposal



* Formerly Chicago and Northwestern Rail Line





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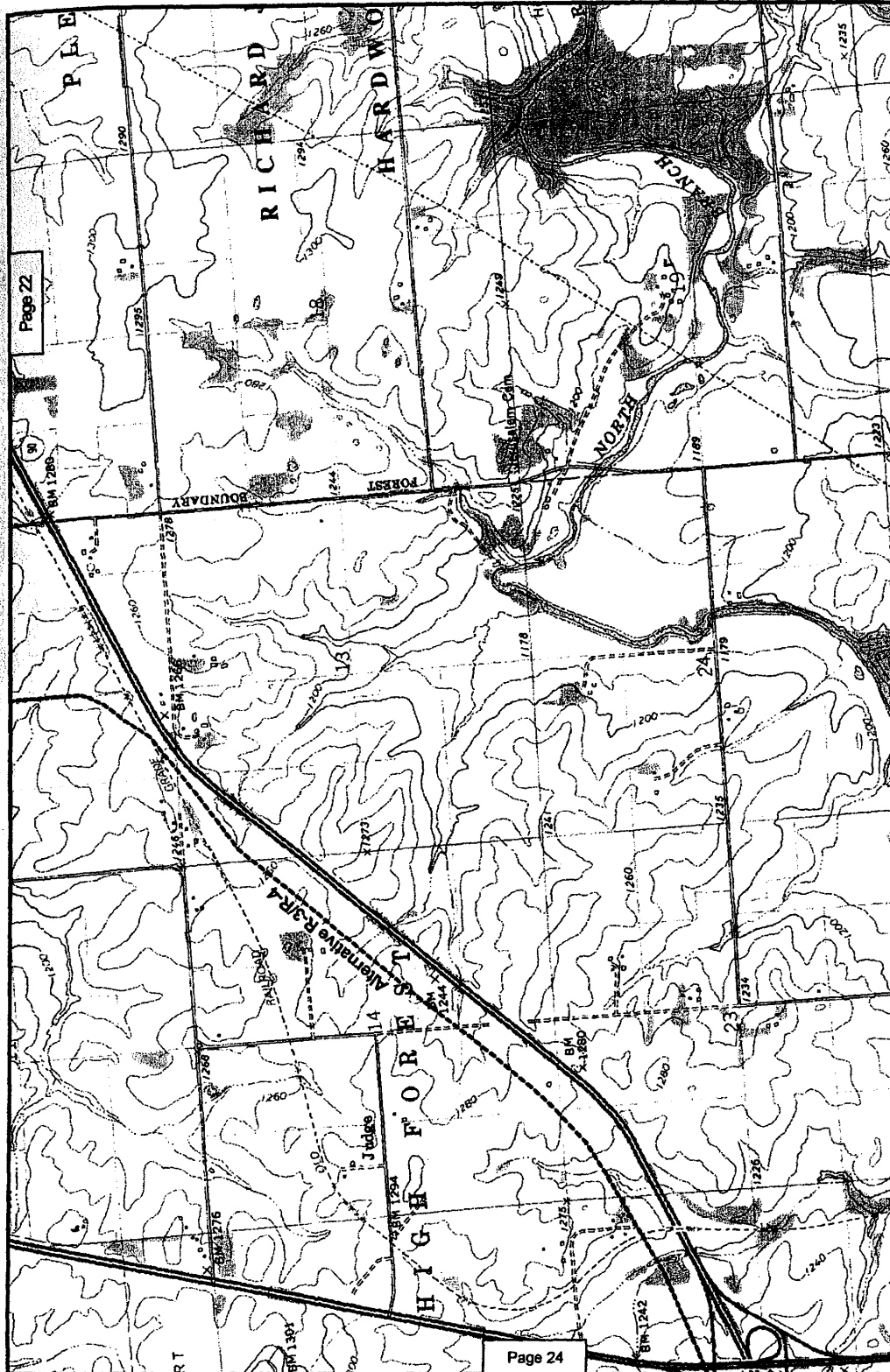


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Existing Rail Line
Bypass Proposal

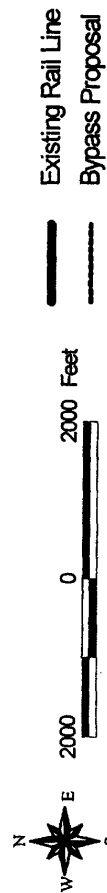
Map 22
POWDER RIVER BASIN EXPANSION PROJECT
EXISTING DM&E RAIL LINE
OLMSTED COUNTY, MN
SIMPSON QUAD

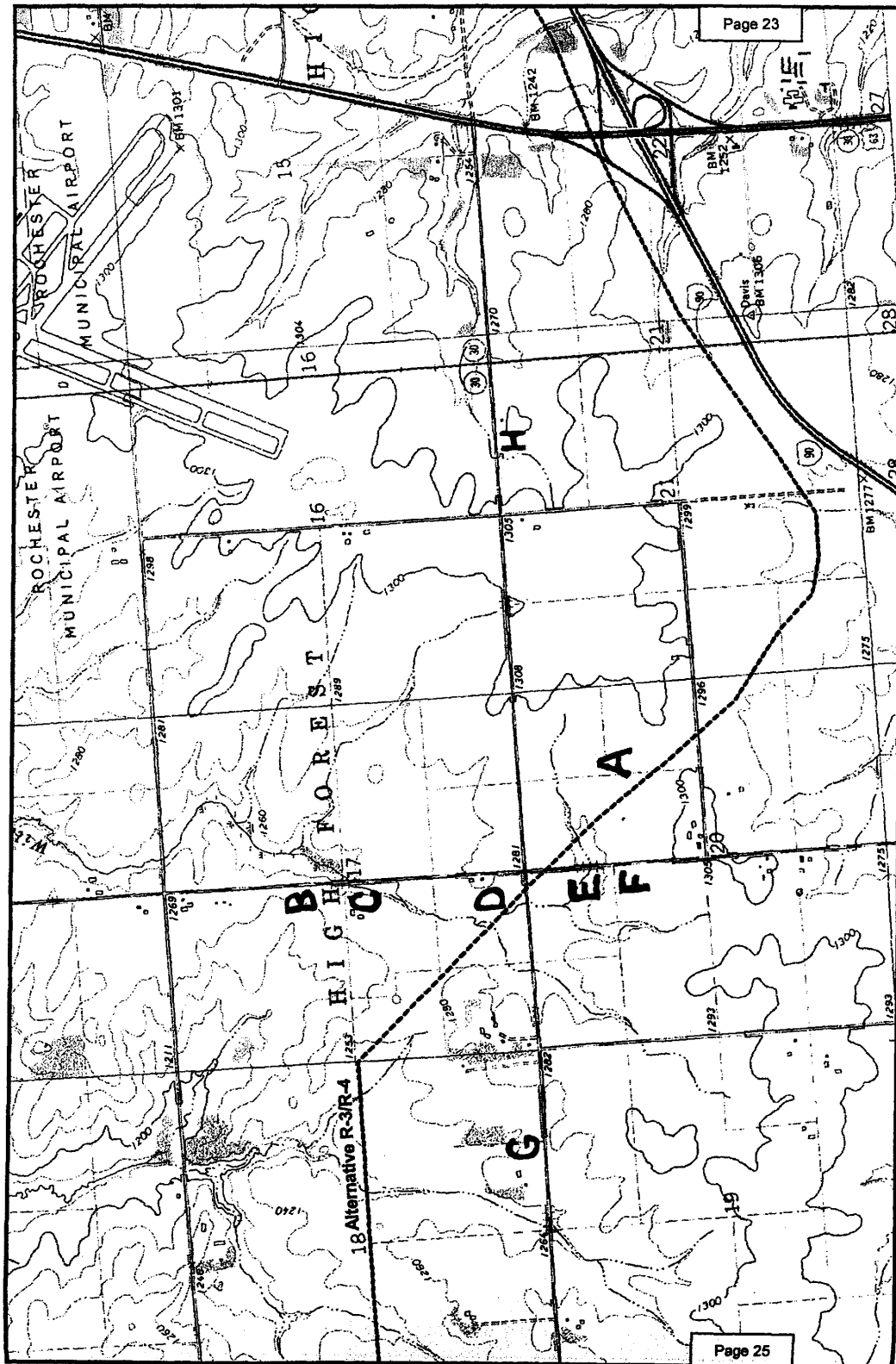
* Formerly Chicago and Northwestern Rail Line

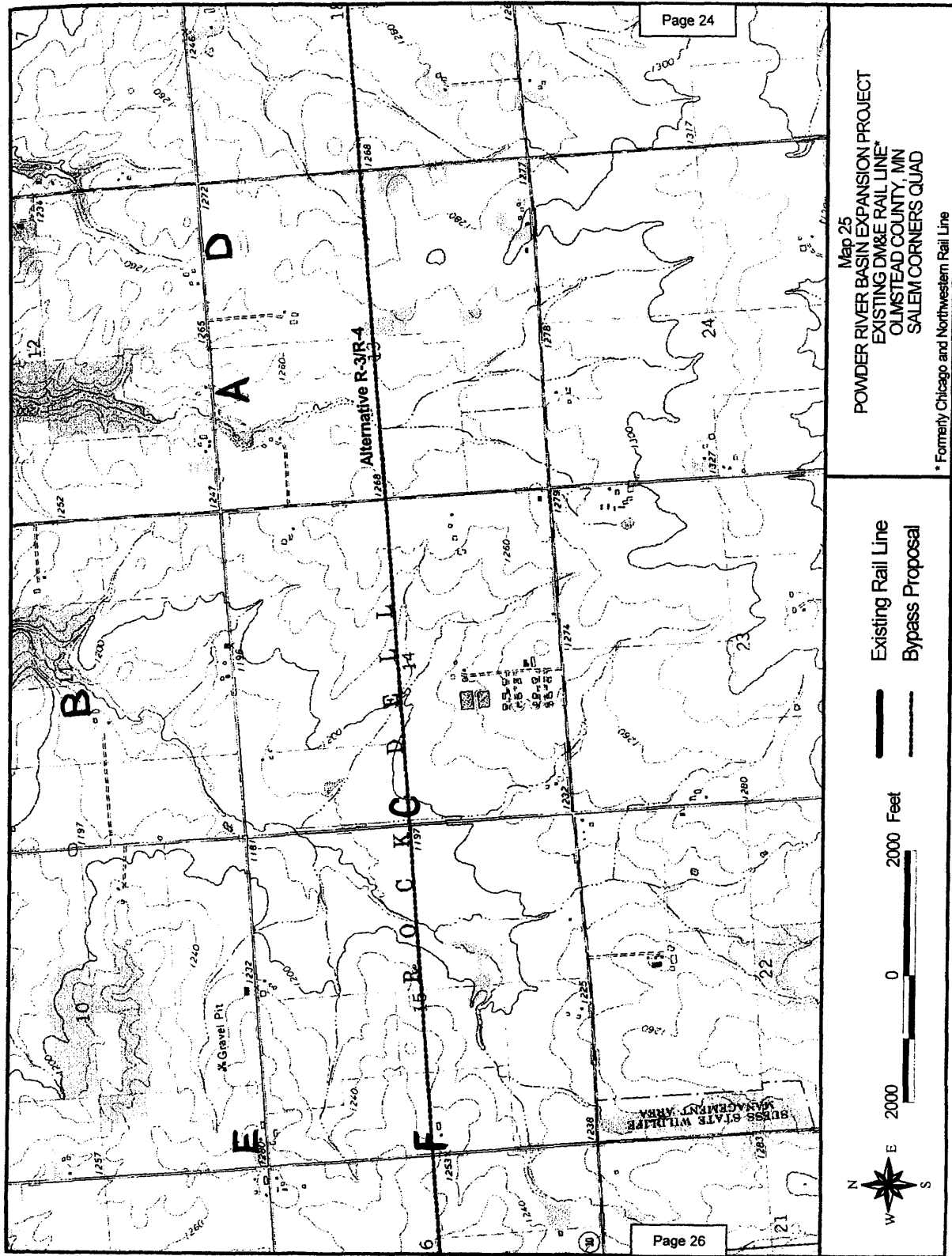


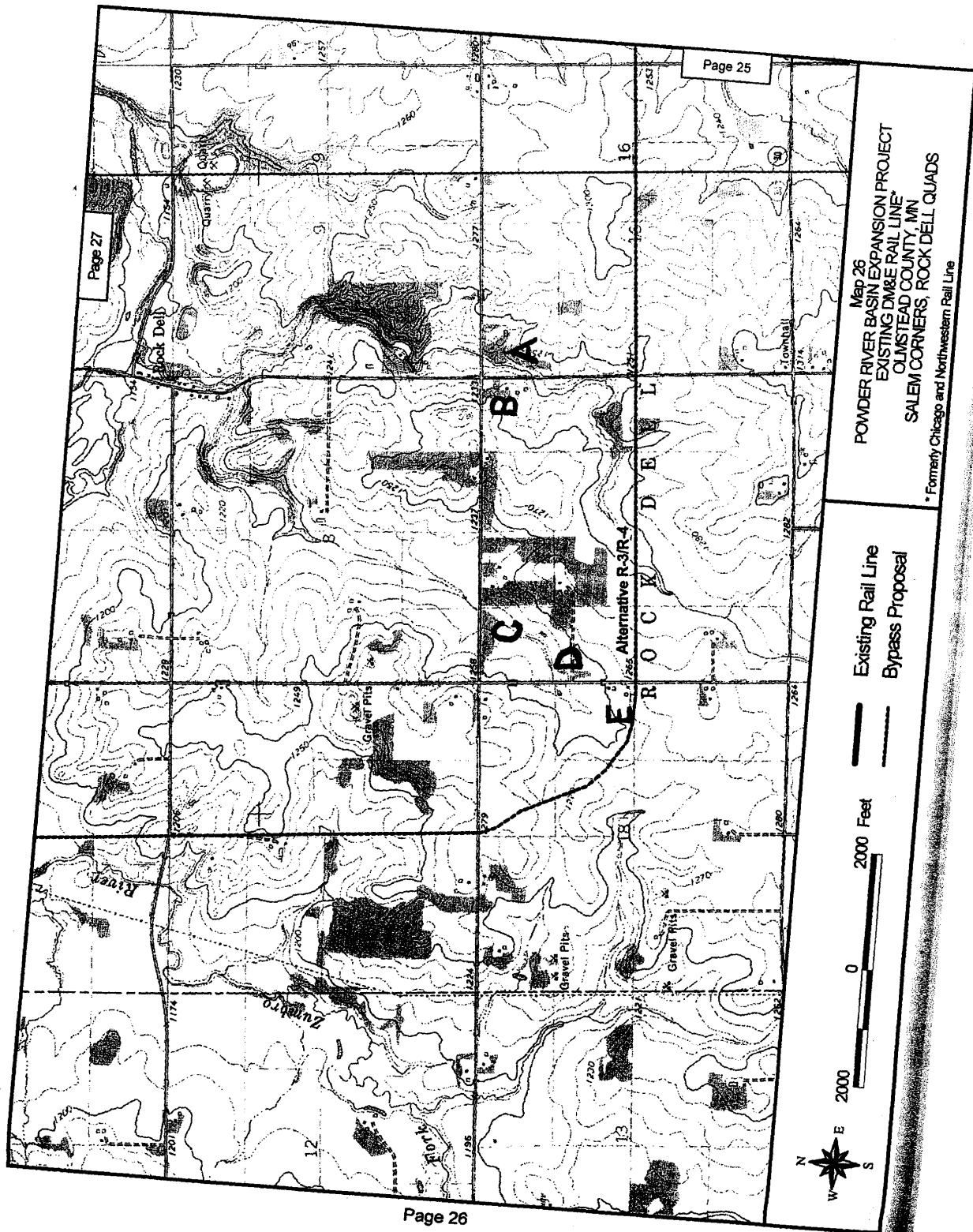
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Map 23
POWDER RIVER BASIN EXPANSION PROJECT
EXISTING DM&E RAIL LINE*
OLMSTEAD COUNTY, MN
SIMPSON QUAD
* Formerly Chicago and Northwestern Rail Line









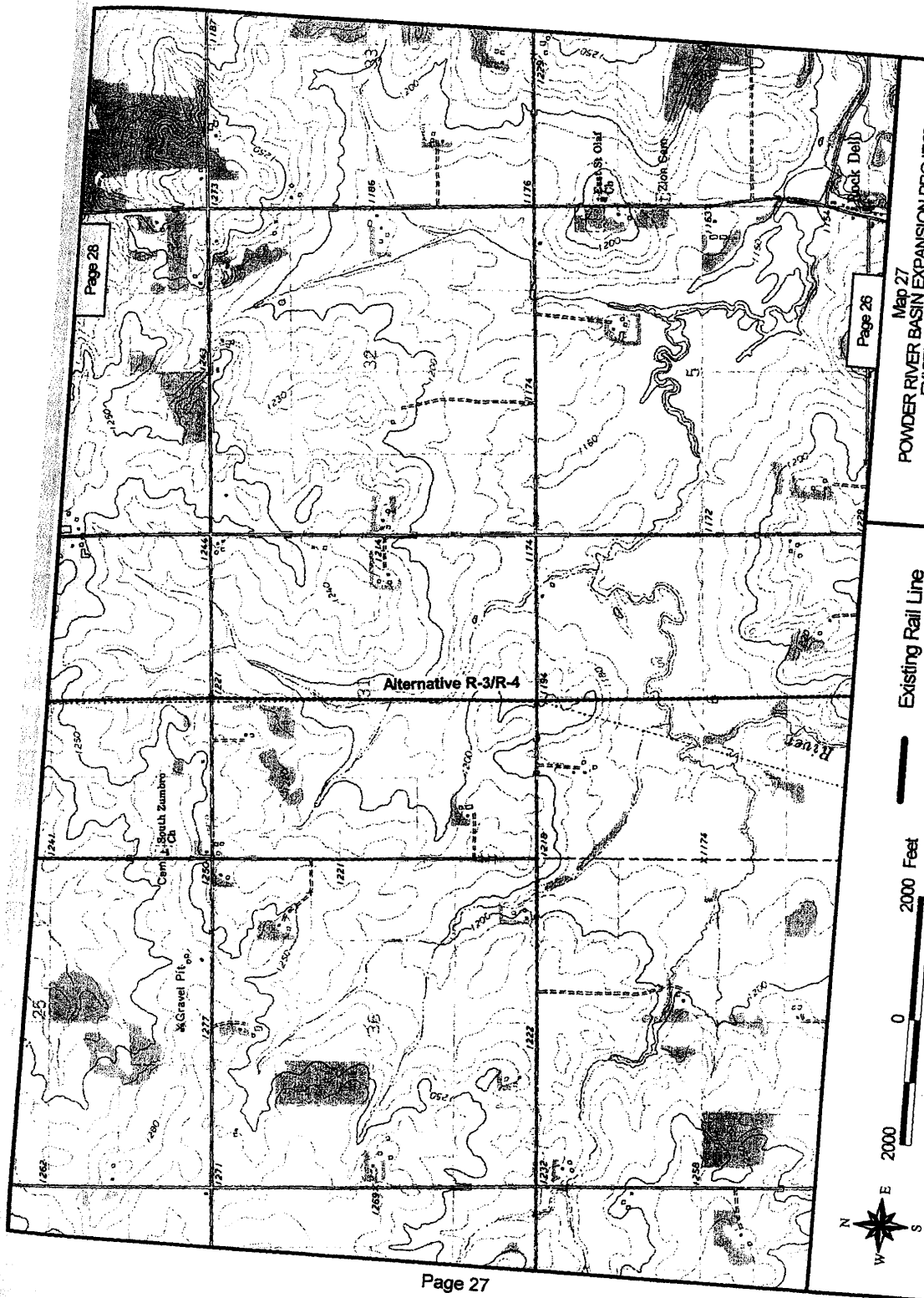
Map 26
POWDER RIVER BASIN EXPANSION PROJECT
EXISTING DM&E RAIL LINE*
OLMSTEAD COUNTY, MN
SALEM CORNERS, ROCK DELL QUADS

* Formerly Chicago and Northwestern Rail Line

Existing Rail Line
Bypass Proposal



2000 0 2000 Feet

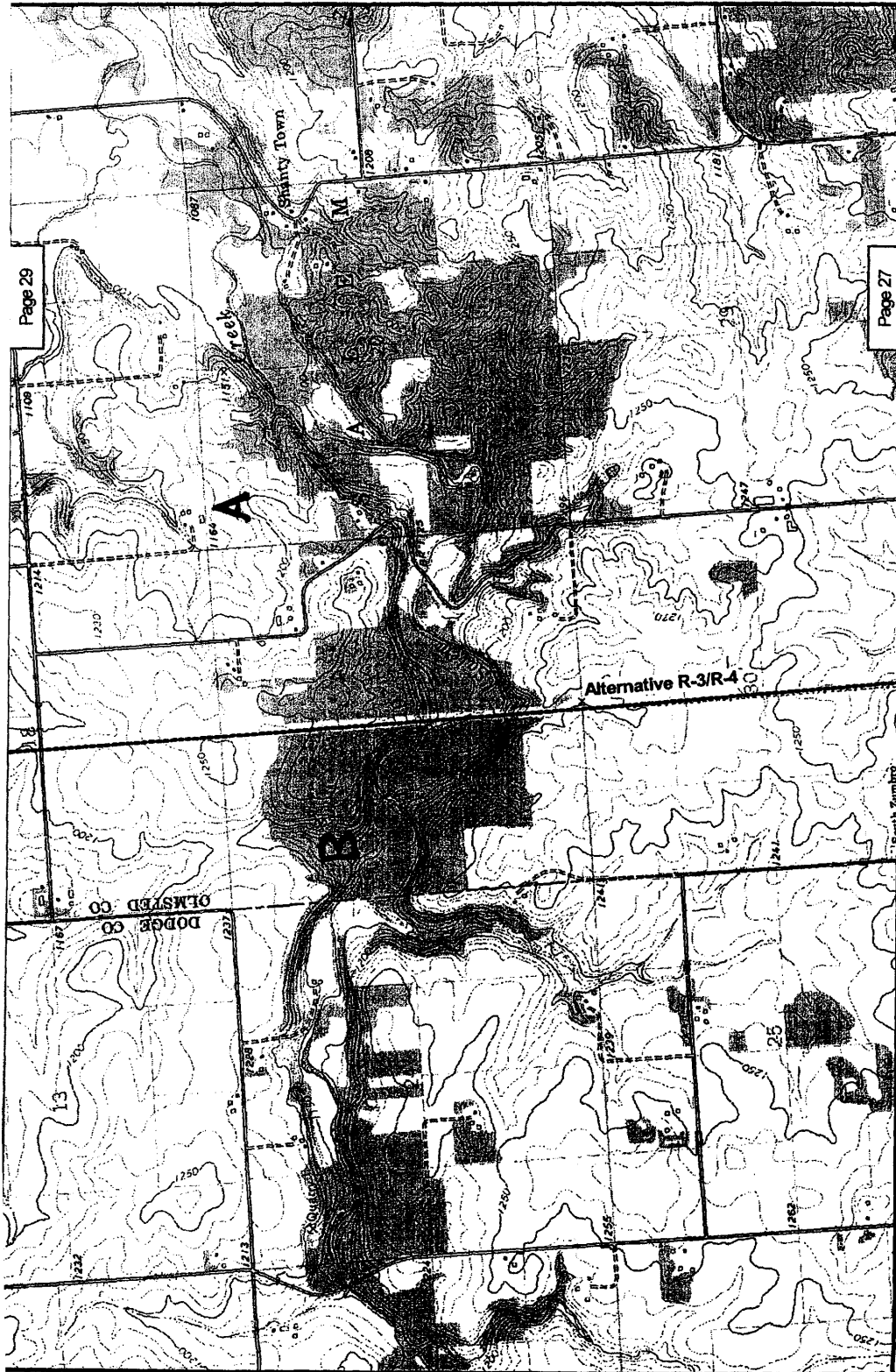


Map 27
 POWDER RIVER BASIN EXPANSION PROJECT
 EXISTING DM&E RAIL LINE*
 OLUMSTEAD COUNTY, MN
 ROCK DELL QUAD
 * Formerly Chicago and Northwestern Rail Line

Existing Rail Line
 Bypass Proposal



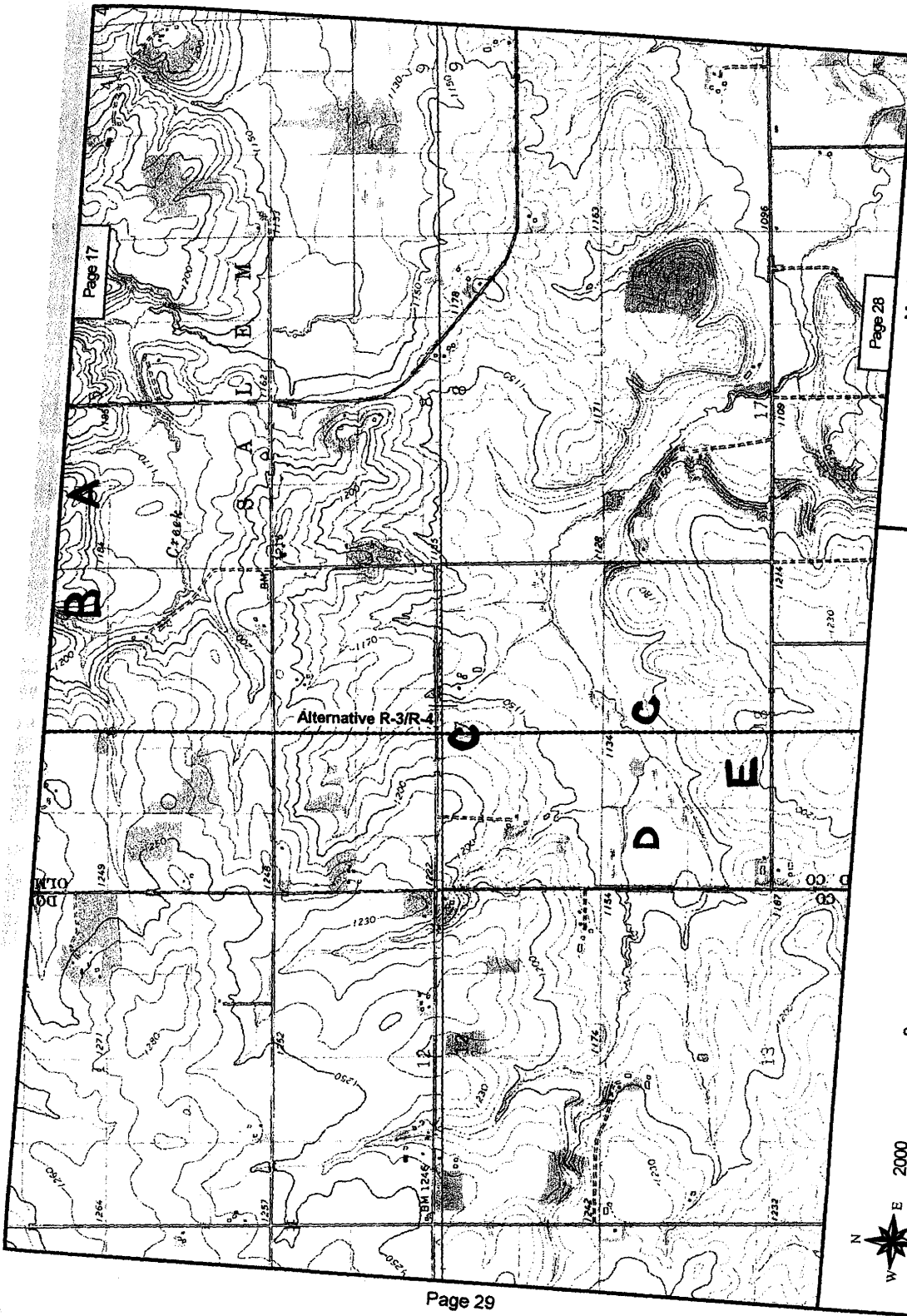
0 2000 Feet



Map 28
POWDER RIVER BASIN EXPANSION PROJECT
EXISTING DM&E RAIL LINE*
OLMSTED COUNTY, MN
ROCK DELL QUAD

* Formerly Chicago and Northwestern Rail Line





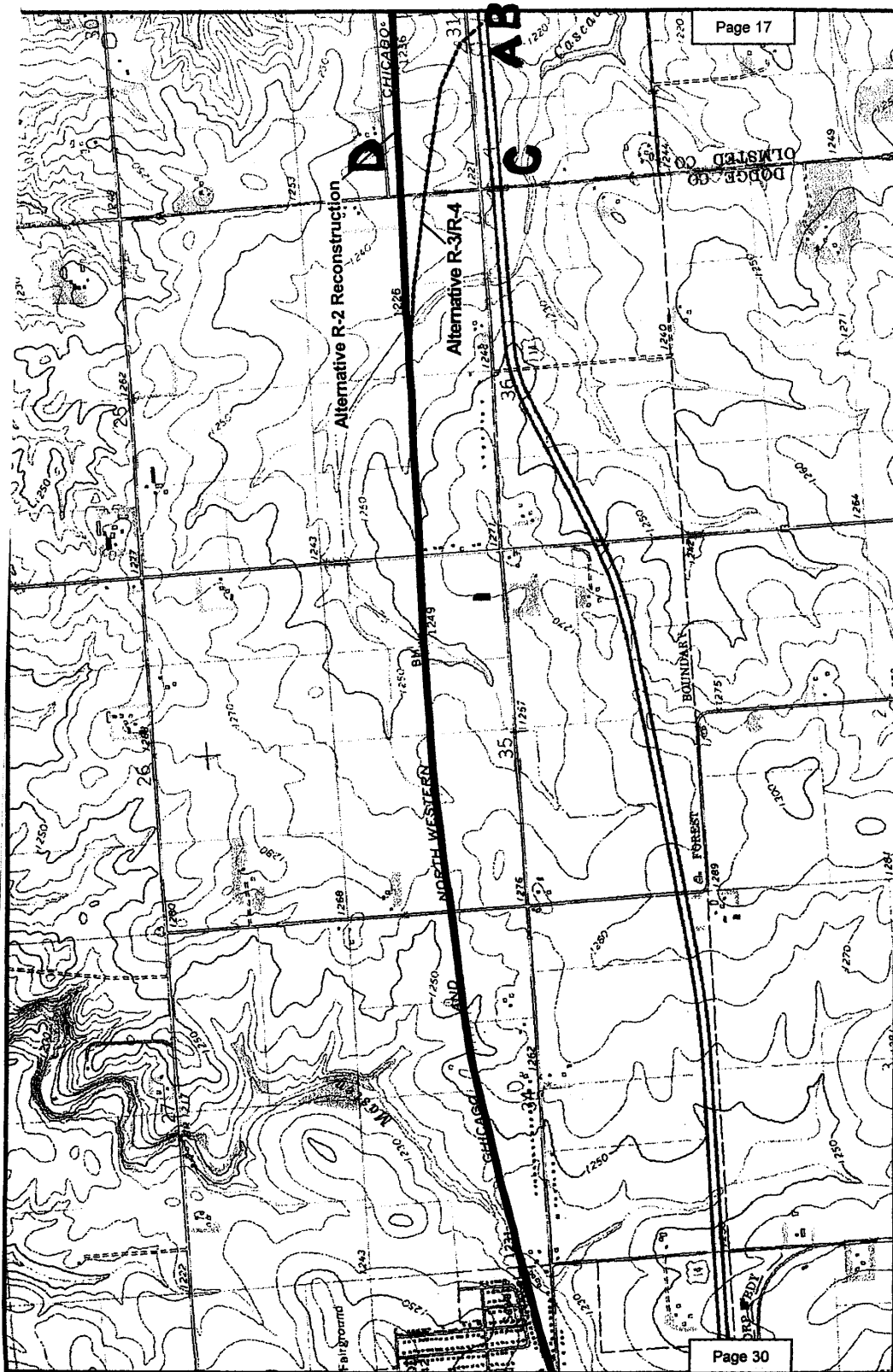
Map 29
POWDER RIVER BASIN EXPANSION PROJECT
EXISTING DM&E RAIL LINE
OLMSTEAD COUNTY, MN
BYRON, ROCK DELL QUADS

* Formerly Chicago and Northwestern Rail Line

Existing Rail Line
Bypass Proposal



2000 0 2000 Feet



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Map 18

POWDER RIVER BASIN EXPANSION PROJECT
EXISTING DM&E RAIL LINE*
DODGE COUNTY, MN
BYRON QUAD

Existing Rail Line Bypass Proposal

0 2000 4000 Feet

* Formerly Chicago and Northwestern Rail Line

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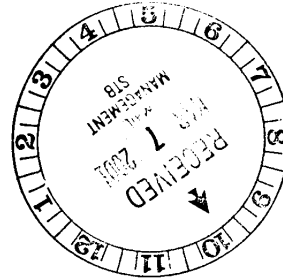
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COMMENTS TO DRAFT ENVIRONMENTAL IMPACT STATEMENT

CITIZENS AGAINST ROCHESTER'S BYPASS

Dakota, Minnesota, and Eastern Railroad
Finance Docket No. 33407

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I. Introduction

These Comments are being submitted by the Citizens Against Rochester's Bypass (the Citizens) in response to the Draft Environmental Impact Statement (DEIS) which analyzes the environmental impacts of the DM&E upgrade through the city of Rochester and discusses some of the impacts of Rochester's bypass proposal. By this proposal Rochester would compel the Dakota, Minnesota & Eastern Railroad (DM&E) to construct a bypass of the city over thirty miles in length across rivers, streams, fields, farms, and homes in eight townships in Dodge and Olmsted Counties. This heavy-duty rail line would go past or through the homes and farms of hundreds of rural residents, and would slash through and destroy lands where they earn their livelihoods and raise their children, and in many cases where their families have lived and farmed for a century and more.

Rochester's proposal has the express purpose of moving the adverse effects of this rail project from the city where the railroad has been for a century and a third to quiet rural areas where no railroad has ever been. The construction and operation of this rail line would result in the needless destruction of woods, fields, homes, building sites, and wetlands. It would deprive rural residents of safety and quiet, the very reasons many of the residents live in the country, and would permanently degrade or destroy irreplaceable natural communities.

The Citizens Against Rochester's Bypass request the Surface Transportation Board to reject Rochester's bypass proposal. These comments and the accompanying submissions demonstrate that a bypass would cause enormous irreversible damage to the environment.

II. The Citizens Against Rochester's Bypass

The Citizens Against Rochester's Bypass are residents of the counties and townships through which the bypass is proposed. In response to the city's action, the citizens of the affected townships have come together to oppose this bypass. In their opposition, the Citizens have the support of the governments of the townships in which they reside, Ex. A,B,C,D,E, the rural county commissioners of Olmsted County, their state legislators, Ex. F, and the Dodge County board. Ex. G,H. They also are supported by many residents of Rochester itself, who understand the unfairness of the bypass proposal advanced by their city government at the behest of powerful interests in the city.

The Citizens are a cross section of their rural communities, and include cash crop, fowl, dairy, and other livestock farmers, retired persons, business owners, people who work in the city but choose to live in the country, and persons who do not live on but nevertheless own and manage lands which they use for wildlife, woodlots, fishing, and other outdoor activities. They have submitted many letters describing their homes and lands, their lifestyles which depend upon them, and the effect this bypass proposal will and already has had. Their submissions also show the deep attachment these people have to their lands, some of which have been in their families since patents were signed by President Abraham Lincoln, and some of which were first broken by their ancestors under the Homestead Act more than a century ago. See Exhibit 18 to Citizens 1999 submissions. The bypass would alter or destroy the way of life for which these generations have worked.

The Citizens are a true grass-roots organization who have to depend only on their own resources to oppose Rochester's unjust attempt to move its railroad out to their lands. Unlike their opponents, the Citizens are not bankrolled by the city or the Mayo Clinic. Nor, in contrast to their opponent, have they received any support from city or county governments. Olmsted County, which taxes and purports to represent all of the county's residents, has by a divided vote funded Rochester's organization opposed to the coal trains— an organization which is no more than a Trojan horse for the purpose of advancing Rochester's bypass proposal. Yet these rural citizens directly affected by Rochester's bypass have been denied similar funding of their efforts to point out the adverse effects of the bypass on their homes, farms, environment, and way of life.

The Citizens therefore have not been able to afford a battery of experts or Washington counsel experienced in proceedings before the STB. They instead have had to rely on their own resources and such professional assistance as their limited funds allow. This submission therefore is the result of their own work, with engineering assistance from Mr. Jeffrey S. Broberg, REM, LPG, of McGhie & Betts Environmental Services, Inc., who has contributed the technical portions of this presentation.

III. Format of Submission

The response of the Citizens Against Rochester's Bypass consists of the following documents:

- (1) Comments of the Citizens Against Rochester's Bypass on Draft Environmental Impact Statement on the Dakota, Minnesota & Eastern Railroad Project, STB Finance Docket No. 33407 [this document].
- (2) Bound volume: Olmsted County Minnesota Family Land Business, with locator maps. These submissions are keyed to the DEIS maps from Volume V of the DEIS.
- (3) Bound Volume: Historical Resources in Olmsted County along Bypass Route.
- (4) Bound volume: Maps of bypass route projected onto various natural features, prepared by Olmsted County Environmental Services. These maps are lettered for identification O-1, etc., and are so referenced in these comments.
- (5) Bound volume: Exhibits To Comments of Citizens Against Rochester's Bypass on DEIS. References in these comments are to Ex. A, etc.

Several references are made to the exhibits accompanying the Citizens' 1999 submissions. To distinguish them from the new exhibits, the previous exhibits are cited as 1999 Ex. __. The Citizens also rely on their comments made in public hearings in Mankato and Rochester, and individual submissions made throughout this process.

IV. The Bypass Route

Route Variations

Rochester's Bypass has gone through a number of iterations. Initially considered were a north bypass as well as a number of southern alternatives. One of the southern alternatives went much closer to the city, and was rejected when the city discovered that its route went through land where the city expects further growth and development. The city settled on parameters which would locate the route as far outside the city as possible and outside of the reach of industry and planned development by the city. This pushed the bypass out to lands designated by the county as natural resource protection areas, a designation which did not dissuade the city from proposing its rail line through them.

Rochester also decided to locate its bypass north of I-90, apparently to avoid the expense of crossing that Interstate highway, to share its corridor for at least a few miles, and to avoid conflicts with other towns and rural communities located to the south of that freeway. In short, the gerrymandered appearance of the bypass route is the result of a deliberate political decision to site it where it would affect farm folks only, the least powerful of Olmsted County's communities.

The DEIS route is shown on Maps 11, 19-29, and 18 in DEIS Volume V, proceeding from East to West. There has been a later revision of the route, contained in Rochester's "augmented" submission to the STB on June 10, 1999. The deviations from the January 1999 route were apparently made in a clumsy but unsuccessful attempt to avoid wetlands in Rock Dell and High Forest townships, and purportedly to accommodate a planned rerouting of State Highway 30 south of the Rochester airport.¹ This later revised route is shown on the bound volume of maps from Olmsted County. (Maps O-1 through O-8).

It is possible that there will be further attempts by Rochester to revise its route, sprung at the expiration of the comment period. The city has apparently commissioned an engineering study of the bypass route, and likely will file that study or an abstract of it shortly before expiration of the comment period. The city has shared at least some of the results of this study with Rochester Area Economic Development, Inc. (RAEDI), a private development organization affiliated with Rochester. RAEDI in turn included that information in a report released at a press conference called by the city. The Citizens have requested a copy of that study, which purportedly quantifies the cost of the impacts of the bypass on their properties (despite the fact that there has been no on-site surveys and neither the engineers nor the city have sought or received permission to go onto private

¹ The change may have actually been made to correct the original route's crossing of an entrance ramp to I-90 from US 63, an illustration of mistakes which result from the naive belief that railroads can efficiently be located next to interstate highways.

lands impacted by the bypass²). The city however has refused to provide it to the rural residents directly affected by the bypass. It is unknown whether this study or other submissions by the city will further revise the route.

In any event this submission comments on the DEIS route, in reliance both upon the DEIS and upon assurances from the STB that this route is the one under consideration. Where possible, the more detailed construction information contained with Rochester's June 1999 submission also is addressed.

Neither the STB, the railroad, nor the farmers and rural residents affected by the wanderings of Rochester's bypass route can afford or should be expected to respond to further revisions to the proposal. Undoubtedly each successive rerouting is for the reason of avoiding a particular adverse effect or environmental disaster, but each such rerouting poses new problems of its own. Rochester's continued need to revise its proposal only points out the obvious fact that there is no feasible and environmentally responsible bypass route.

Overview of Significant Environmental Communities Along Route

A preliminary understanding of the significant environmental resources endangered by Rochester's proposal can be obtained from the Olmsted County maps, Maps O-1 through O-11, and a map produced by the Minnesota Department of Natural Resources' Division of Fish and Wildlife as part of its Minnesota County Biological Survey. This map is entitled *Natural Communities and Rare Species of Olmsted County, Minnesota* (Minnesota Department of Natural Resources, 1997). Even on the extremely large scales of these maps, the following areas of concern immediately present themselves.

There are wetlands, seeps, springs, and hydric and floodplain soils throughout the route. Maps O-4, O-5, O-6, and O-7. Much of the bypass is over prime soils. Map O-1. Most of the route has bedrock close to the surface, Map O-10, and a good portion the eastern section is located in a region of known sinkholes. Map O-8. These features contribute to the high sensitivity of virtually the entire area to groundwater pollution from surface spills. Map O-9.

There are many natural communities along the route. Map O-2. Some of them, derived from the DNR map mentioned above (*Natural Communities*), are the following.

Calcareous fens and wet meadows are encountered in Section 15 of High Forest Township, a short distance north of the June 1999 bypass route. There is a wet meadow on the route in Section

² Rochester's proposal is based on information no more detailed than aerial photographs and large-scale USGS topographic maps. There have been no soil borings, property appraisals, or other on-site investigations necessary to determine not only the cost, but also the very feasibility of locating a heavy-haul railroad line on this fragile and unstable terrain.

14 of Rock Dell Township. There is a very rare calcareous seepage fen and a shrub swamp in Section 16 of Rock Dell, and a wet meadow and state Wildlife Management Area in Section 6 and 7 of that same township. There is another wet meadow in Salem Township. Section 19 of Salem Township contains mesic oak, maple-basswood, and lowland hardwood forests, dry cliffs, and talus slopes. The bypass would run immediately adjacent to or through all of these communities.

Federal or state listed plants are encountered in Section 156 of High Forest, and along the route in Section 16 and 14 of Rock Dell and Sections 19 and 30 of Salem Townships.

Federal or state listed animals are found in Section 6 of Rock Dell and 19 of Salem Townships.

In short, Rochester's proposed bypass route would go over and through areas with sensitive geological features and diverse and valuable natural communities. Yet this is the route that Rochester claims is the environmentally preferable alternative. As shown in the detailed comments below, such a route would be an environmental disaster.

V. Comments on the Draft Environmental Impact Statement's Description of the Effects of the Rochester Alternatives.

The following are the specific comments of the Citizens Against Rochester's Bypass on the environmental effects of the Rochester alternatives. These are keyed to the appropriate subsections of Section 3.3.2, dealing with the Rochester Bypass. Not all of the subsections are addressed here, and these comments are not a comprehensive summary of all of the Citizen's concerns about the DEIS. Their submissions in the accompanying volumes, as well as information separately submitted, should be consulted as well.

3.3.2.2 Topography

The DEIS notes that the bypass would cross rather than follow existing land contours (which it does, as well as headwaters of the Zumbro, Root, and Whitewater Rivers, three of southeastern Minnesota's most scenic and beautiful streams.³) The DEIS however does not describe the extent of the topographic changes required to construct this bypass. The enormity of these changes is shown in information attached to the June 10, 1999 letter of Mr. Steven Kalish, Rochester's attorney (Kalish letter). The statement of Mr. Leif Thorson of TKDA (the TKDA report) attached to that letter describes the bypass route and attempts to quantify the earthworks needed. This TKDA report and its Attachment A shows fill sections up to ninety feet in height, crossing riverbeds, flood plains, and valleys on earthen embankments a mile and more long. Some of these valley fills would be nearly 400 feet wide. Cut sections would be equally dramatic, up to two miles in length and nearly forty feet in depth, through topsoils, subsoils, and into the bedrock of the regional aquifers.

³ Over forty watercourses are crossed by the bypass. 1999 Ex. 10.

Some idea of the scale of these massive earthworks can be gained by following the course of an eastbound loaded coal train over the bypass.

Shortly after heading south from the existing alignment, such a train crosses a filled grade a mile long over wetlands, flood plain, and the headwaters of Cascade Creek in Salem Township, and is carried on rails more than forty feet above the existing elevations.

This aerial foray would be immediately followed by a descent into a trench over a mile long and down to 32 feet in depth into hard Dolomitic bedrock.

The Salem Creek crossing in Section 19 would be an earthen dam nearly 100 feet high, with a footprint across this pristine valley floor over 400 feet wide. This fill would be bisected by a 250' long bridge.⁴

Just south of this enormous embankment would be a 4000 foot long trench up to 38 feet deep, also cut into bedrock.

After nineteen more miles of travel across rolling terrain, through fields, over streams and wetlands, and past wildlife management areas and calcareous fens, the train approaches Highway 52 in Marion Township. Here it crosses farm fields, pastures, woods, wetlands, and watercourses through rolling terrain filled and cut by another string of huge earthworks necessary to construct a roadbed straight and level enough for the operation of a high speed freight railroad. The railroad descends into a mile of trench up to 37 feet deep, and then goes over a sixty-five foot high fill and bridge over the highway, Badger Run, and its valley. This fill is followed immediately by two-mile long trench up to 34 feet deep which rises above the surface only once.

Approaching Eyota, our train goes through another trench 9000 feet long, up to 30 feet deep, through an area with a large concentration of sinkholes, and in fact directly over many of them. Cutting this karst trench would open up a rock formation resembling Swiss cheese, and with little more ability to support a railroad. The construction process itself would be unsafe and the daily operation of 15,000 ton coal trains at over 40 miles per hour would present deadly risks to the crews and neighbors.

These are but some of the permanent topographical changes which would result from Rochester's bypass. The bypass route would not be constructed over level prairie or gently graded watercourses, as was the original line. Instead the bypass route is nothing more than alternating fills and cuts across the rolling terrain of Olmsted County for a distance of over 30 miles, very few of which are level enough for construction of a railroad. There was no attempt to conform the route

⁴ The TKDA report describes the bridge as being 28 feet in height. *Id.* at 16. Unexplained is how a 28' bridge over the creek will mate with an adjoining 90' fill over the valley floor.

to the terrain; it simply was drawn without regard to such niceties as topography, bedrock, land use, aesthetics, or the environment. The sole motivating planning criterion was a desire to exclude the railroad from the city limits or those adjoining farms and woods on which Rochester, with its voracious appetite for urban sprawl, has designs.

But even these dramatic figures understate the actual extent of the earthworks required, because of significant lacunae in Rochester's bypass proposal. In an apparent effort to reduce the cost of the bypass to a figure approaching the much lower cost of in-city mitigation, the city eliminated grade separations at US Highway 14, a four-lane, controlled access highway west of Byron, and US Highway 63, a similar thoroughfare north of Stewartville.⁵ There is no way that any responsible government would allow these busy thoroughfares to be permanently transected by level grade crossings of a busy trunk railroad.⁶

Rochester apparently recognizes the ludicrousness of the proposal, and now claims that omitting such crossings was for comparative purposes only.⁷ But alteration of the proposal destroys the utility of the TKDA calculations and their attempt to balance soil volumes taken from cuts with those deposited in fills. Construction of the necessary grade separations of these highways (and in the case of US 14 over an adjoining frontage road as well) would require enormous amounts of additional fill. Lengthy sections of the line on either side of both overpasses would have to be regraded to accommodate these two overpasses.⁸ The requisite fill would have to be mined, processed, transported, and placed at substantial additional cost. Alternatively the additional fill would need to be obtained elsewhere on the project, which requires complete regrading and recalculation of cuts

⁵ The TKDA report states that Highway 63 is crossed at grade, *id.* at 5 and 17, an assertion consistent with the absence of any overpass in the listing of bridges on page 16 of that report. Attachment A however lists the existing elevation at "US HWY 63" as 1230 feet, and a top of rail elevation at 1254 feet, 24' higher, on a 20' fill. *Id.*, *Attach. A* at 4. So Rochester proposes a twenty foot high fill at Highway 63 with rails twenty four feet above the roadway, but either leaves that rail unsupported by any bridge, or would have the highway raised 24' from its current elevation in order to cross the railroad at grade. These errors are unfortunately all too common in this poorly thought out proposal.

⁶ The railroad crossing Highway 14 would be on both an angle and a curve, implying some degree of superelevation, which surely would affect and likely endanger traffic on this 65 mph highway.

⁷ Rochester rationalizes this by asserting that the DM&E sees no need for additional grade separations on the existing line. This ignores the fact that the existing railroad does not cross Highway 14 at grade in the county, while Rochester's bypass clearly would.

⁸ In the case of US 63, this is subject to the caveat that TKDA may have provided the fill for a grade separation, but neglected the bridge. *See* note 5 above.

and fills.⁹ In short, the topographical changes necessary for actual construction of the bypass are actually more extreme than those shown in Rochester's on-the-cheap bypass proposal.

The topographical changes would be permanent and would last long beyond the expected life of the Powder River Coal Fields.¹⁰ Rochester would permanently scar the landscape, and its changes would last not for mere generations or centuries, but many millennia. These scars would be visible from outer space and would have the same impact as an earthquake on a fault line.

In the geological time scale, even the few centuries of this bypass' usefulness for coal traffic is short. But the scarring of the land for this perceived short-term advantage would stand as a permanent monument to the folly of Rochester's selfish refusal to act as a good steward of the land and environment which we all hold in trust.

3.3.2.3 Geology and Soils

The DEIS fails to identify the basic geologic terrains found in Olmsted County. In order to evaluate environmental impacts, one must start with an understanding and description of the three basic types of bedrock underlying the county (carbonate, shale, sandstone) followed by understanding and describing the three basic types of Surficial geologic materials underlying the soils (glacial till, alluvium and floodplain deposits, and weathered bedrock). An understanding of these fundamentals is the key to managing a wide range of environmental risks in Olmsted County.

The DEIS should include a more complete and descriptive analysis for Olmsted County and should discuss the geology and associated risks between Alternative R2 (33.3 miles of existing line), the Alternative R3 (57.4 miles of track; existing 23.3 miles plus a 34.1 mile bypass) and Alternative R4 (43.6 miles of track; 9.5 miles of existing plus 34.1 miles of new bypass). To complete the comparison and risk analysis the DEIS should define and take into consideration the following bedrock and glacial geological terrains.

Bedrock terrains

1. Karst, the carbonate controlled uplands and slopes formed in the Upper Carbonate Galena Group (Stewartville, Prosser and Cumminsville Formations) and the deeper

⁹ These earthwork changes, the expense of the bridges, changes to nearby roads or other improvements, and increased right-of-way for the fills and other changes, would have to be accounted for and would add substantially to the cost of the bypass.

¹⁰ According to an article in a trade journal, the Powder River Coal Basin coal supplies will last 250- 300 years at current level of consumption. Kaufman, Powder River Basin coal: A bottomless pit? *Railway Age*, August, 2000. Should those levels of consumption continue to increase as projected, the supplies will be exhausted sooner.

Prairie du Chein Group (Shakopee and Oneonta Formations). The karst uplands display a variety of unique characteristics ranging from massive hard rock that requires blasting to excavate, to a wide array of fractures and solution features (vugs, sinkholes and caves) that provide a direct conduit from the surface to groundwater.

2. Impermeable bedrock controlled uplands and slopes, where the rocks at the surface range from dense or plastic shale, to shale rich limestone and dolomite that are so impermeable that the rocks act as an aquatard so that water cannot pass downward through bedrock. The impermeable bedrock units include the Decorah Shale, Platteville Limestone and Glenwood Shale. These units generally contain pollutants, are unstable for foundations and roadbeds, and are subject to seeps, springs, fens and saturated subsoil conditions. Areas underlain by shale have been found to correlate to derailments due to the unstable subsurface conditions.
3. Highly permeable, friable sandstone of the St. Peter formation. Areas underlain by the St. Peter Sandstone are easy to excavate and make good fill material but water and pollutants drain rapidly through to the underlying aquifers and generate a risk for ground water contamination.

An analysis of the geologic terrains underlying the various bypass alternatives is needed to complete the evaluation of environmental impacts. The table below charts the approximate length of rail operations that would cross the described bedrock terrains.

	Total of new miles	Total Operating Miles	Miles crossing bedrock terrain		
			Karst (carbonate)	Impermeable bedrock (shale)	Highly permeable bedrock (sandstone)
Alt R-2 Reconstruct Existing	0 miles	~ 33 miles	~ 21 miles	~ 5 miles	~7 miles
Alt R-3 Bypass for coal	~ 34miles	~ 67 miles	~61 miles	~3.5 miles	~2.5 miles
Alt R-3 Bypass for all rail	~34 miles	~43 miles	~ 39 miles	~2.5 mile	~1.5 miles

Glacial geologic terrains

1. Glacial till controlled uplands and slopes where a wide mixture of glacial materials have complex interbedded relationships and complex hydrologic interactions that influence wetlands, fens and groundwater recharge and discharge. These areas form the headwaters of local rivers and streams including the Zumbro River, Root River and Whitewater River. The till is generally easy to excavate and may make suitable fill, however, the complex hydrogeology is difficult to predict and massive excavation can result in unintended consequences by creating new discharge points or drying up nearby stream and wetlands.
2. Alluvial and fluvial terrains formed as sediments deposited by rivers and streams where floods and flash floods routinely occur and where shallow groundwater is near the surface. These areas typically require dewatering for construction and are easily contaminated. These aquifers are not utilized to provide potable drinking water.
3. Weathered bedrock and colluvium is found in upland areas where glacial till was never deposited or has been eroded away. These areas have the highest geologic risk during construction because sinkholes and caves are common and have the highest risk of groundwater contamination because there is no soil or impermeable bedrock to stop the flow of pollutants into the groundwater.

	Total of new miles	Total Operating Miles	Miles crossing Surficial Terrain		
			Glacial till (Complex)	Alluvial and Fluvial	Weathered Bedrock
Alt R-2 Reconstruct Existing	0	~33	~11 miles	~22 miles	< 1 mile
Alt R-3 Bypass for coal	34	~67	~ 36 miles	~23 miles	~8 miles
Alt R-3 Bypass for all rail	34	~43	~25 miles	~10 miles	~8 miles

The proposed upgrade of the existing line will not create any substantial new disturbance to the bedrock or Surficial geology. The risks of utilizing the existing right-of-way are substantially understood and have historically been managed with surrounding urban growth in the City of Rochester.

In contrast the bypass creates substantial amounts of new disturbance. Without completing detailed geologic investigations and identifying the short term and long term impacts and risks for each geologic terrain the environmental consequences of the bypass alternatives cannot be determined.

Each geologic terrain has unique characteristics that influence surface hydrology, groundwater recharge, susceptibility of groundwater contamination, suitability for sand gravel or aggregate resources, soil types, the occurrence of wetlands, springs, streams and rivers, the type and diversity of plant and animal communities, land use, and the suitability for agriculture and development. The DEIS is inadequate to evaluate the impacts on the proposed bypass.

3.3.2.3.1 Geological Hazards

One of the tactics of the project opponents is to challenge the project on every possible basis even where there is no foundation for such a challenge. Project opponents raise concerns about karst topography and claim that such topography threatens the present line. In fact there is no threat to the present line, which has been in use for over a century. But Rochester not only disregards the threat of such sinkholes to its proposed bypass, it has located that bypass route directly over actual sinkholes.

The existing railroad line has been in place since the Civil War. In that time it has seen the passage of hundreds of thousands of trains, including passenger trains at speeds of sixty and more miles an hour, long freight trains, and heavy steam locomotives with surface loadings equal to or greater than the projected coal trains. This regular, lengthy, and intensive operation has occurred without problems from sinkholes from karst topography. Maps of the bypass route show no sinkholes on or near the existing line. Map O-8.

In contrast, Rochester's bypass route southeast of the city goes through an area with numerous sink holes, and in fact is located adjacent to or on top of at least six known sink holes. Map O-8.¹¹ The bypass route goes directly over the area of Olmsted County which contains the largest concentration of sinkholes north of I-90. It would be harder to design a route which crosses more of them than the route chosen by Rochester.

The DEIS notes the possible significance of the karst features and that the bypass alignment passes through a region with a high probability for sinkholes. This conditional statement is far too weak. Rochester's poorly thought-out line is located directly on top of those sinkholes. The possible consequences set forth in the DEIS are in fact probable.

¹¹ The map is notoriously deficient in its depiction of the number of actual sinkholes. In a recent study of but sections of an Olmsted County township, this map identified six sinkholes and McGhie & Betts found ninety-five.

As noted in the alternatives analysis, geologic hazards such as sinkholes, caves and susceptibility to groundwater contamination are known to exist along the proposed bypass. Such sinkholes, caves and other karst features however are not known, suspected, or expected to occur along the existing rail bed grade. Speculation about the possibility of their occurrence on the existing route has no weight given the long history of use of the present line.

Even though the DEIS recognizes the risk of sinkholes and groundwater contamination along the bypass route, the analysis is inadequate on a number of counts. For example:

1. Shallow depth to bedrock over large areas of the proposed bypass increases the difficulty and cost of construction and creates risks from blasting.
2. The history of recent sinkhole formation in Olmsted County indicates that new sinkholes most commonly form in areas of massive earth moving activities and areas where grading has caused stormwater diversions or impoundments in drainageways and road ditches. Construction of a new rail bed grade for the bypass would significantly increase the risk of localized sinkhole formation.
3. The fractured carbonate bedrock aquifers have general regional groundwater flows from south to north with deviations that tend to follow the flow of the Zumbro and Whitewater Rivers. Because the karst terrain is susceptible to ground water contamination, any pollutants or disturbance of the interaction of surface and groundwater could have a negative impact on the Rochester's water supply.
4. Massive grading projects in the glacial till can disturb natural hydrological relationships. There have been recorded instances where large cuts have created artesian wells that cannot be controlled and result in the dewatering and depletion of natural springs, small stream flows or groundwater aquifers. For example a recent controversy over dewatering of excavations at the MSP Airport cited the risk of dewatering Lake Nokomis, a natural recreational lake in Minneapolis. The Environmental Review cited the risk and the project was required to engineer protections that will not deplete the lake. In another example an excavation for a bridge abutment in similar geologic terrain in Dodge County created an artesian spring that cannot be capped. In yet another example excavation for a storm water pond in a similar geologic terrain in Savage, Minnesota tapped a shallow groundwater aquifer that sustained a calcareous fen in a Scientific and Natural Area over one mile away. An adequate environmental analysis would require shallow soil borings and hydrological analysis to assure that excavations will not threaten natural groundwater flow.

A rail line cannot be located where Rochester wants to put it. The city therefore has not proposed a feasible bypass and its plan should be rejected.

3.3.2.3.2 Soil Impacts

The DEIS does not adequately describe the soil conditions, limitations or expected impacts along the bypass route.

Published information is available concerning soil associations, conditions and limitations. The DEIS however omits details that are needed to determine the environmental consequences, risks and costs of constructing the bypass.

The Olmsted County Soil Survey shows that the bypass crosses three distinct landscape areas with broad soil associations:

1. The Racine-Floyd-Maxfield association in Salem, Rock Dell and High Forest Townships, where 28% of the soils have severe limitations due to soil wetness, indicating the presence of wetlands and the need for over excavation and dewatering during construction, and where many of the soils are unstable due to frost heaving, low strength and high plasticity.
2. The Rockton - Channahon - Atkinson association in Marion and Eyota Townships where thin soils and shallow depth to bedrock create severe limitation to excavations and construction.
3. The Mt. Carroll - Otter - Joy association in High Forest and Salem Townships where flooding, wet soils, frost action and low material strength create severe limitations for excavations and road construction.

The DEIS does not adequately evaluate the risks and limitations of soils along the bypass route.

The DEIS notes the significant damage caused to soils by construction and operation of the bypass. It understates however the harm to soils caused by a derailment, and assumes that cleanup operations could take place before significant damage would occur. In fact, the thinness of the soils and porosity of the underlying subsoil and rock would quickly drain unfiltered contaminants into the groundwater, polluting the soil on the way, before any cleanup could occur. Because of this susceptibility, there have been recent cases pollution has occurred in nearby areas before cleanup crews could even arrive on scene.

The DEIS fails to account for impacts on soils from altered drainage.

Cut sections would lower drainage surrounding areas, making soils less productive. Fill sections would likely interfere with drainage and could lead to wet soils on the upstream side of those fills, leading to reduced productivity. These concerns are more fully addressed in Section 3.3.2.4.1 dealing with agriculture.

The DEIS understates the amount of farmland which would be taken.

The amount of land actually needed for the bypass would be much larger than the 606 acres listed as discussed more fully in the comments on Section 3.3.2.4.1 below.

3.3.2.3.3 Paleontological Resources

The DEIS correctly notes that paleontological resources were likely destroyed during the construction of the original rail line. There is a high probability that similar destruction would be repeated if the Rochester bypass is constructed. An analysis of the proposed bypass route indicates that a minimum of 8 miles and a maximum of 23 miles of the line will encounter bedrock during construction. Some of the bedrock is known to be fossiliferous with Ordovician and Devonian Age Invertebrates including trilobites, cephalopods, brachiopods, pelecopods, bryozoa, crinoids, ostracods and other species. Cretaceous deposits in isolated lenses along the proposed bypass route may have marine fossils including sharks teeth and invertebrates. Glacial age deposits in Olmsted County like those that will be encountered in Salem, Rock Dell, High Forest and Marion Townships are known to have rare fossil deposits where woolly mammoth and giant beaver have been collected.

Published lists of the faunal species that may be encountered during the bypass construction can be found in the following references:

The Paleozoic and Related Rocks of Southeastern Minnesota, C. Stauffer & G. Thiel, pp. 227 - 249 (University of Minnesota, 1941).

Guide to Fossil Collecting in Minnesota, S. Tufford & R. Hogberg, pp. 1 - 28 (University of Minnesota, 1965).

3.3.2.4 Land Use

3.3.2.4.1 Agriculture

The DEIS understates the impact of the bypass on both the agricultural lands taken and those which remain.

Lands Subject to Taking

The majority of the bypass route is located over prime farmland. Map O-1. The various estimates of the amount of agricultural land removed from production contained in Rochester's submissions and the DEIS are all too low.

First, the railroad right-of-way would be a minimum of 200' wide, the current standard for railroad construction. The baseline for land taking therefore is some 860 acres.

Second, additional land would be needed for sidings. Where passing sidings are constructed, track centers would be farther apart than older construction, in order to comply with safety regulations requiring more space between tracks to allow operations at speed on one track while maintenance is undertaken on the other. This likely would result in the taking of additional land for the length of the siding. (Rochester has not stated where it would locate sidings, but because of its increased length of the bypass over the present route, an additional siding would be needed.)

Third, the corridor will be wider than 200' in many cut and fill sections. The railroad disturbance will not stop where the fill slopes or backslopes meet the existing terrain. The impacts will include drainage ditches and necessary access roads for the maintenance of the track, grades, and fencing, consuming even more acres for right-of-way. The failure to account for these needs and to calculate them based on conditions on the ground understates the amount of land needed.

Fourth, the calculation also excludes from consideration irregular parcels and field remnants uneconomical to farm because of their remaining size and configuration. While the DEIS correctly notes the likelihood of this occurring, it does not calculate the impact. Only a firm and fully engineered route overlain on actual field maps can adequately determine the impact of these additional takings.

Adverse Effects on Remaining Lands and Farm Operations

The DEIS notes the transportation inefficiencies created by the bypass, which would cut farmers off from their fields, necessitating lengthy detours and the operation of slow-moving and noisy farm equipment over busy public roads. These problems would be exacerbated by the numerous cuts and fills. These would make field crossing impractical at many locations, perhaps more than half of the route. Any crossing over a cut section would be especially dangerous because of reduced visibility. It is unrealistic to suggest that any private field crossings would be available. Substitute accesses would have to be obtained and constructed for both fields and driveways to homes and building sites, at a substantial cost, if available at all. And farmers and their equipment would have to take lengthy detours to public grade crossings, each with new hazards to farm machinery and other traffic. The operation of slow-moving machinery as well as trucks over these lengthy detour routes would present additional road safety hazards and increased fuel use, emissions, and equipment depreciation. These impacts should be evaluated and discussed in the FEIS.

The DEIS does not mention decreases in agricultural production on adjoining fields. By severing fields, the bypass would shorten the length of crop rows, making agriculture less efficient and therefore less productive and less profitable. The railroad will cut across field contours, destroy soil conservation practices on highly erodable soils, isolating or orphaning productive fields. The ideal field is rectilinear and long, with a proportionately small part devoted to equipment turnaround space at the end of crop rows. Shorter fields are less efficient, as are irregularly shaped fields. The bypass also will alter the crop row patterns of some fields, leading to an increase in erosion where the natural contours must be crossed rather than followed.

The cut and fill sections of the proposed bypass route will adversely affect drainage by increasing the wetness of soils upstream of the fill sections, and lowering the water table along cut sections. Gullies will be scoured at the outlet of culverts under the embankments. Deep cuts will leave tile line drainages hanging in the air. In the fast-draining and permeable soils of Olmsted County's soils, these cuts will draw down the water table many hundreds or thousands of feet away, draining wetlands and reducing cropland productivity. This will affect yields in all but the wettest years and make croplands, where still usable, much more susceptible to drought.

The fill sections will have a damming effect on subsurface water flows, leading to increased wetness uphill of these fills, and aridity downhill.

The DEIS does not analyze or consider the effects of train operations on animal husbandry. The volume of information on affected families contains descriptions of many dairy, equine, and other livestock operations which would be adversely affected.

The DEIS does not note restrictions which the railroad would impose on future agricultural changes. One of the success stories of Minnesota agriculture is turkey and fowl farming. Struggling cash crop farmers would be unable to convert their properties to such operations where railroad operations would adversely affect these skittish animals.

The foregoing is but a partial list of some of the adverse impacts omitted from the DEIS. These and other effects on agriculture are discussed more fully in the submissions of the affected landowners. See Olmsted County Minnesota Family Land Business.

3.3.2.4.2 Residential

The DEIS incorrectly states that only seven residences are located within 500' of the bypass. The source of this incorrect assertion is nowhere given, but may be based on Rochester's assertion that seven of the claimed 58 dwellings within 500' feet of the bypass would have to be acquired. Verified Statement of Charles Reiter, at 3, 5 (June 8, 1999), attached to Kalish Letter of June 10, 1999. In fact both the number of residences which would be taken and the number within 500' of the bypass are understated.

A calculation of the actual numbers of affected properties and persons cannot be based on a count from aerial photographs. There surely have been additional changes since such photographs were taken. Nor can a count of those affected be based on assumptions of family size. Many farm homesteads have more than one residence (at least one with four) and extended family groups. The only way to obtain accurate information is an actual count in the field.

The FEIS should also increase the width of the corridor of concern affected to reflect the fact that sound in the quiet countryside is both louder relative to background noise compared to an urban setting, but is less likely to be diffused or absorbed by intervening structures. The area of both apparent and actual disturbance is therefore greater than in the city.

3.3.2.4.3 Business and Industrial

The proposed bypass route would go directly through the industrial park planned by the City of Byron. Due to its configuration at that location and the angle at which it traverses the proposed industrial park, the park would be fragmented, making it much more difficult to sell useful lots. Byron has asked that any bypass be located outside its industrial park. Ex. I. Such a reroute would push the further bypass into Dodge County and affect new communities.

The DEIS notes Pemstar's claim that it experiences disruptions from DM&E operations. Its manager has admitted that measures can be taken to improve vibration tolerance. Ex. J.

The DEIS notes that Rochester claims that only one business would be affected by the bypass. This is clearly incorrect. Among the businesses directly affected are:

Pumpkin store and family feature in Kalmar Township

Tack, feed, and harness repair shop in Rock Dell Township

Auto body and truck repair shop in Salem Township

Greenhouse in Rock Dell Township

Woodworking shop in Rock Dell Township

Landscaping and sod business in Rock Dell Township

Manufactured home sales business in High Forest Township

Turkey hatchery in Marion Township

This list shows the danger in relying upon Rochester's submissions (which stated only one business was affected) for any description of the effects of its proposed bypass.

The DEIS hypothesizes that construction of the bypass could open up additional land to industrial development. DEIS 3.3-54.¹² It could only do so by converting additional agricultural

¹² The source of this may be Rochester's suggestion of a possible intermodal operation along the bypass route near the Rochester airport. *Kalish Letter* at 27. This of course is nonsense. Railroads are bulk haulers while aircraft are best suited for time-sensitive packages and express, a fact acknowledged by the project opponents in their denigration of the importance of railroads. Transshipment of containers from rail to plane and vice versa is unlikely to occur among the fields of southern Minnesota.

land to industry, a change at odds with Olmsted County's land use plan. Heavy industry of a type served by railroads is not to be preferred to agricultural production. Heavy industry can be located on the existing line, in non-agricultural areas, with much less damage to the environment.

3.3.2.4.4 Minerals and Mining

The DEIS incorrectly asserts that there are no known mineral and mining operations in proximity to any of the alternatives. There are in fact aggregate mining operations in High Forest and Rock Dell townships. There are other areas as well which are suitable for gravel and aggregate mining.

Minnesota is experiencing a shortage of aggregates for a number of factors, including neighborhood opposition to such operations and environmental concerns. It is very difficult to obtain conditional use permits for such operations anywhere near settled areas, as a consequence of the same NIMBY factors present here.

There is also a projected shortage of such materials, which emphasizes the importance of preserving existing operations and locating new beds. Much of the bypass route goes over glacial till and other strata that have localized deposits suitable for mining sand, gravel, limestone and dolomite. The construction of the bypass would permanently remove those areas from such uses.

They bypass, with numerous grade crossings, some in deep cuts, would also hinder access to those operations and endanger their drivers and other road users.

3.3.2.4.5 Public Facilities

The bypass transects the Holy Redeemer Cemetery east of Rochester, and would require the relocation of many graves. A route deflection to avoid this cemetery, and Oak Grove Cemetery across the road from it, would impact additional building sites and likely involve an increased risk of sinkholes as shown on Map O-8.

3.3.2.4.6 Public Lands

The DEIS notes that the existing line passes nearly two miles distant from the Gordon W. Yeager State Wildlife Management Area, but overlooks the closer proximity of the bypass to several similar areas.

The bypass is located nearly adjacent to the Gunderson State Wildlife Management Area in Sections 6 and 7 of Rock Dell Township.

It goes within a quarter mile of the Suess State Wildlife Management Area in Section 15 of Rock Dell Township.

Most inexcusably, it passes along the north edge of Nelson Fen in Section 16 of Rock Dell Township, a state Wildlife Management Area which protects a rare calcareous fen.

3.3.2.5 Water Resources

Water Resources are an important issue along the Proposed Rochester Bypass because all of Olmsted County, including the City of Rochester, relies on groundwater resources for potable water supplies. Surface waters provide valuable ecological functions, recreation, and water for agriculture. The DEIS does not recognize the extent of interconnectedness of surface and ground water along the bypass route. This hydrologic interconnection was quantified in ground water recharge modeling in the Rochester area conducted by the US Geological Survey (**Table WR-1**). The USGS reports that about nine percent of the aquifer recharge for the city of Rochester can be attributed to leakage from stream and rivers that have their headwaters in wetlands, springs and seeps along the bypass route. Disturbance to the hydrogeology or contamination of the surface waters would pose an incalculable threat to the water supply. In order to calculate the risk of the Rochester Bypass impacting the water resources the FEIS should:

- (A) Describe the existing surface and groundwater resources and known or suspected groundwater recharge areas within two miles of the bypass route. The inventory should including a field survey and professional geological and hydrological evaluation of surface drainage area, flow, groundwater discharge in springs and seeps, and groundwater recharge or surface water loss into the subsurface, should map all rivers, streams, stock ponds, wetlands, aquifers, wells, and floodplains, and should describe the potential impacts on these resources from construction and operation of a new rail line.
- (B) Describe the existing uses of water resources within two miles of the project area for irrigation, livestock, and residential, commercial and municipal water supply.
- (C) Describe the permitting requirements for the proposed new rail line construction and existing rail line rebuild in regard to wetlands, stream crossings, water quality, and erosion control.

3.3.2.5.1 Surface Water Impacts

The DEIS states the number of intermittent and perennial streams crossed by the proposed bypass but fails to mention the watersheds that are affected, and also fails to mention that ten of these streams are Minnesota Protected Waters that have special protections against degradation. Because the bypass crosses the headwaters of three watersheds, the potential impacts caused by grading and engineered surface drainages needs to be better designed and defined.

As Minnesota and the USEPA are moving toward management of surface water resources

in Watershed Units and are beginning to apply the notion of Total Maximum Daily Loads (TMDL's), the FEIS should first reference and analyze the watershed health and second analyze the potential impacts to the Zumbro River (USGS unit 0704004), Root River (USGS unit 07040008) and Whitewater River (USGS unit 0704003) Watersheds. The Zumbro River and Whitewater River have active watershed projects with local, state and federal participation in watershed management. The watershed projects should be consulted to assess how the Bypass will affect the goals and plans for watershed management.

The Minnesota Pollution Control Agency and USEPA have evaluated the level of water quality impairment for all three watersheds and find that stream reaches in all three watersheds do not meet the criteria for intended uses because of turbidity and fecal coliform. The DEIS states that "installation of bridges, and culverts could lead to disturbance of sediment and turbidity" but does not quantify the disturbance or assess the permanence of the disturbance. It also does not answer the question of whether the bypass proponent will be responsible for the impairment of these natural waters.

3.3.2.5.2 Wetlands

It should first be noted that no wetland delineation has been completed by Rochester its proposed bypass, and that no permit applications have been submitted to the Corps of Engineers, Minnesota Pollution Control Agency or the Local Government units responsible for wetland permitting in Minnesota. No project can receive final approval until wetland permits are received from Federal, State and Local wetland regulators.

The DEIS states that approximately 53.2 acres of jurisdictional wetlands would be within the ROW of the proposed bypass yet does not identify the method for determining the wetland impact. The 53-acre determination is too low, based on a review of soils, land cover, National Wetland Inventory Maps and on-site inspection of the proposed route. A review of maps prepared and submitted by the Olmsted County Board of Commissioners indicates that 191 acres of potential wetlands may be impacted within the 200-foot right of way. The Olmsted County calculation grossly underestimates the wetland impact because it does not take into account hydrologic alterations within the ROW that may drain adjoining wetlands or starve wetlands of the water by diverting surface water flows. The potential wetland impact is huge in comparison to typical wetland impacts that occur from development and road building in the County and could impact more than 2% of all wetlands in the County. Annual reports of wetland loss compiled and reported annually to the legislature by the Minnesota Board of Water and Soil Resources indicate that on average less than 20 acres of wetlands are impacted in Olmsted County every year. The bypass may impact more than 200 acres of wetlands in a single project.

The impact of massive grading projects on adjacent wetlands is a potential risk that is significant because of the occurrence of groundwater seepage wetlands and calcareous fens along the Bypass route. McGhie & Betts' analysis and experience with wetlands in Olmsted County suggests that groundwater seeps and springs sustain most of the wetlands in Salem, Rock Dell, High

Forest and Marion Townships. The sustaining hydrology may be derived from saturated lenses in the glacial till or may be derived from the discharge of bedrock groundwater across the Decorah edge. In either case the disturbance caused by constructing a rail bed grade creates the risk that the natural hydrologic pathways will be interrupted and the sustaining hydrology would result in the unintentional draining of wetland complexes. The DEIS is deficient in investigating the occurrence and potential disturbance to geologic units that sustain wetland hydrology.

Minnesota Statutes that protect calcareous fens are a prime example of the importance placed on understanding the hydrologic interactions that sustain these unique wetlands (MN rules 8420.1010 through 8420.1070). Fens are peat-accumulating wetlands with distinct groundwater inflows and specific hydrophytic plant communities that are known to occur along the route of the bypass alternative and in the headwaters of the Zumbro, Root and Whitewater Rivers in Salem, Rock Dell, High Forest, Marion and Eyota Townships. Because fens cannot be drained, filled or otherwise altered without a management plan approved by the Commissioner of the DNR, any grading project within a two-mile radius of peat accumulating wetlands must conduct a hydrologic characterization and identify the complex stratigraphy sequences that sustain fen hydrology. While the rail bed upgrade through Rochester would likely have little new impact on groundwater-fed wetlands or fens, any new sidings or a bypass will require detailed stratigraphy and hydrologic analysis to determine whether grading and construction will disturb or interrupt the hydrology of calcareous fens along the bypass.

Exhibits 12, 14, and 16 from the Citizen's 1999 submissions should be consulted and their information included in the FEIS.

3.3.2.5.3 Ground Water

The City of Rochester has many farms and other rural residences which get its drinking water from the St. Peter-Prairie Du Chien-Jordan aquifers, which in turn are fed by surface waters percolating through soils and porous rock along much of the bypass route. The majority of the route is at high risk for ground water pollution, due to the speedy transit of surface waters to the underlying aquifer, from a matter of a few hours to a few days over most of the bypass route. The bypass would require very substantial deep cuts and would expose this aquifer to immediate pollution from rail or other spills. The cut sections of the bypass route west and south of the City would in fact be open wounds into Rochester's water supply. *See Ex. K.*

As noted above, all of Olmsted County relies on groundwater resources for potable water supplies. The Olmsted County Geologic Atlas cites two major aquifer units separated by a confining unit: The Upper Carbonate Aquifer consisting of the Dubuque-Maquoketa sequence, and the Galena Group which is separated from the lower St. Peter-Prairie du Chien-Jordon Aquifer by the Decorah-Platteville-Glenwood Confining Layer. The Rochester Bypass route crosses all three units and requires cut and fill sections in all three units that may disturb the natural flow of groundwater. Without detailed engineering investigations it is impossible to begin to assess the impact that rail

bed grade construction may have. From McGhie & Betts' review of the proposed alignment shows that cut and fill section in Rock Dell, High Forest, Marion and Eyota Townships may require cuts to elevations below the water table. The DEIS is deficient in assessing the potential to natural groundwater movement.

The USGS has conducted studies identifying the importance of the Decorah-Platteville-Glenwood confining unit in focusing recharge for the City of Rochester water supply. Groundwater seepage from surface water and from the Upper Carbonate Aquifer accounts for up to 91% of the recharge. The USGS postulates that this rate is affected by storm water drainage systems similar to the roadbed ditches that would be needed along the bypass. The DEIS should assess the impact that the rail bed grade and associated ditches will have on groundwater recharge in Olmsted County.

**Table WR-1.
Computer Modeled Water Budget for the
Approximate Area Contributing Water to Rochester**

Sources	Rate (Mgal/yr)	Percent
Recharge to top of aquifer layers	6,500	90.9
Leakage from streams	<u>650</u>	<u>9.1</u>
Inflow	7,150	100
Discharges		
Rochester Groundwater withdrawal	3,950	54.9
Groundwater seepage to streams	<u>3,250</u>	<u>45.1</u>
Outflow	7,200	100

The DEIS is dismissive of the chance for a spill of contaminants along the bypass route and fails to acknowledge that there are two risks associated with the construction of the Bypass:

- (1) The risk of rail bed grade creating new conduits for the introduction of contaminants; and
- (2) The daily operational risk that a spill of hazardous materials would contaminate a regional aquifer.

The DEIS should identify and rank the areas of risk along the rail line and should assess the ability of local emergency responders to abate the risk if spills occur. The DEIS is deficient in identifying the means by which a contaminated aquifer could be restored if a spill occurs. Because the bypass crosses a landscape with aquifers that are highly susceptible to pollution, it presents added

risk that does not currently exist. Rochester should be required to address the emergency response and remediation plans that will be required to respond to spills, even if spills are unlikely.

3.3.2.6 Air Quality

Undoubtedly the planned increase in train traffic will result in an increase in air emissions in Olmsted County. From the standpoint of the nation as a whole, and even from that of the states of the Upper Midwest, there will be no net increase in such emissions. The coal will be moving to the same markets with or without the upgrade, either through Olmsted County on the DM&E or along existing BNSF or UP routes through Minnesota and Iowa. Therefore the operation of unit coal trains along this route, bypass or not, will not further degrade the nation's air quality, and in fact will improve it due to the shorter routes (and fewer train-miles) for a portion of Powder River coal traffic over the DM&E. If Rochester were to build its bypass and coal trains were to operate over it, some of this advantage would be erased due to the increased length of the bypass over the present route and consequent increase in fuel usage and resultant emissions over this longer route. It is hard to see how someone concerned about air quality could advocate a longer and less efficient route.

The air quality issue is instructive on the merits of Rochester's case and the disingenuousness of its arguments. For the City of Rochester, Mayo Clinic, and Olmsted County themselves are the area's largest emitters of NOx, and their concerns for air quality in downtown Rochester ring hollow when compared to their actions.

According to data in Olmsted County's submission, the DM&E will emit 659 tons of NOx into the atmosphere once operational, making it the largest polluter in Olmsted County next to the Rochester Public Utilities plant (of which more below). This figure is premised on 37 trains a day, a figure likely never to be seen in Rochester, the Mayo Clinic's own traffic consultant having foreseen a likely worse-case scenario of less than half that number.¹³ With the more realistic (but still optimistic) figure of 50 million tons of coal a year (average of 20 total daily trains), the NOx emissions over all of Olmsted County would be 345 tons, rather than 659. That figure represents the non-point source emissions over the entire route in Olmsted County. Rochester and its people

¹³ Even should PRB coal usage increase by 50% to 500 million tons a year, *see* Footnote 10 *infra*, it is hard to see how the DM&E could capture the 100 million tons necessary to operate 17 loaded and 17 empty coal trains each day. PRB coal travels to all points of the compass over the BNSF and UP. The coal routes spoking out from the basin over these railroads number at least one-half dozen within the first two hundred miles and ramify further with distance. DM&E coal will serve only the top tier of states and the Chicago gateway (assuming connections with the I&M, CN via its WC lines, or CP at Winona), and it is highly unlikely that its competitors will allow the DM&E to capture the share of traffic needed to haul 100 million tons a year. And at least part of DM&E's traffic likely will be consumed or diverted over connections before ever reaching Rochester, a point made too often to require further elaboration.

are exposed at most to 15% of this route.¹⁴ 15% of the county's annual emissions from the railroad hauling 50 million tons of coal is about 52 tons.

A proper adjustment to Olmsted County's report compares the top five polluters in the county:

<u>Polluter</u>	<u>Facility</u>	<u>NOx Emissions tons/yr</u>
Rochester Public Utilities	Silver Lake Power Plant	938
Mayo Clinic	Franklin Heating Station	199
Olmsted County	Waste-to-Energy Facility	110
Mayo Clinic	St. Mary's Plant	54
DM&E	Railroad in city	52

Therefore the largest polluter in Rochester is the City itself, through its municipally-owned Silver Lake plant. The second largest is the Mayo Clinic's Franklin heating station. The third is Olmsted County's cogenerating incinerator in the eastern part of town. In close competition for fourth place will be the Mayo Clinic's St. Mary's Hospital plant and the DM&E railroad within the City. These figures certainly suggest that if diesel emissions at the levels shown above are a serious health concern, then the city and the clinic should take action to reduce them from their own facilities.

The incongruity of the position of the Clinic and its governmental allies is further exemplified by the Silver Lake plant. That plant itself burns high-sulfur eastern coal, delivered both by rail (the DM&E) and by trucks over Rochester's streets. It is located in the Rochester basin, right downtown, next to the rail line, and only a few blocks from the Clinic. The plant does not even provide power to the City; its power is sold elsewhere. Ex. L.

The plant itself, due to its size, age, technology, and choice of fuels, is the dirtiest plant in the state. Ex. L,M. Yet despite the fact that it is dumping nearly a thousand tons of NOx into the air in downtown Rochester and relies for coal deliveries on the DM&E, the city without apparent embarrassment criticizes the environmental effects of this railroad upgrade and seeks to create a level of hysteria over adverse air quality from railroad operations.

The Mayo Clinic itself, which has the city, county, and front groups do its bidding on the

¹⁴ Olmsted County is thirty miles wide; the DM&E route across it is slightly longer. The city limits of Rochester extend about six miles along the line, but a good portion of the land within those limits is undeveloped or industrial. As noted in the DEIS, the residential exposure is 1.7 miles. This is slightly over 5% of the DM&E route through Olmsted County. The 15% figure used above therefore is overly generous to the opponents of this project.

bypass, also contributes to the pollution of Rochester's air. Through its St. Mary's and Franklin Heating Station plants it contributes over 250 tons/year in NOx emissions. Mayo also is engaged in negotiations to obtain steam from the Silver Lake power plant of the RPU, up to 150,000 lbs./hour over the next twenty years. Ex. N. That plant, which is not needed to supply Rochester's needs, will functionally become another steam plant to heat the Mayo Clinic. And negotiations to that end have taken place after the public disclosure of that plant's status as the dirtiest in the state.

If in fact there is any danger to Rochester residents and Mayo Clinic visitors from air emissions, that danger stems from the City's and Clinic's own actions and operations. And if there is any danger to the Clinic's business from concerns about air emissions from this railroad's operations, it stems from the artificial and unjustified hysteria caused by the wholesale misrepresentation of the facts put out by the opponents of this project.

A final note on Rochester's new-found environmentalism and opposition to Powder River coal-fired power plants. As stated above, Rochester does not even use the power its municipal utility produces. Rochester obtains its domestic power from the Southern Minnesota Municipal Power Agency, SMMPA, of which it is the largest member. SMMPA provides Rochester with 216 MW of its needs primarily from SMMPA's PRB coal-fired Sherco 3 generating plant at Becker, Minnesota. <http://www.smmpa.org/atmmmpa/cprofile.html>. Rochester currently uses 228 mw. <http://www.rpu.org/Regulations/index.cfm?section=UtilityData&subsection=index&area=UtilityData&count=6>. Virtually all of Rochester's electricity needs therefore come from SMMPA's Sherco 3 plant, on-line with the BNSF and fueled entirely by low-sulfur coal from the Powder River basin. Mayo's and Rochester's electricity requires burning some 3000 tons of coal a day. Virtually all of this coal comes from the Powder River Basin over the BNSF, through communities such as Fargo, North Dakota, and Detroit Lakes and St. Cloud, Minnesota.

To recapitulate the Rochester opponent's position in light of their actions:

- (1) Powder River coal, and coal-fired power plants in general, are bad for the environment.
- (2) But Powder River coal is good enough for Rochester's electricity needs, provided that coal is burned elsewhere.
- (3) High sulfur eastern coal is fine for Rochester's own antiquated power plant, the dirtiest in the state.
- (4) The rail haulage of coal is a bad thing.
- (5) But the rail haulage of coal to the Sherco 3 plant serving Rochester's needs is fine, provided it is hauled through communities other than Rochester with its "unique" quality of life.

- (6) The rail haulage and truck haulage of coal into (but not through) Rochester itself is permitted provided it serves Rochester's own power plant, which must be kept operating to supply Mayo with steam and the city with revenue.
- (7) Diesel locomotives pollute the environment and are bad.
- (8) Diesel-hauled coal trains are however permitted, but only to serve Rochester's needs, and provided none go through Rochester itself.
- (9) Diesel busses in Rochester, for its own lines and Mayo's intercampus transit, are permissible, as are trucks for Rochester's and Mayo's own domestic needs, even though emissions from such vehicles are a greater threat to health than the railroad. 1999 Ex. 1.

As a final irony, even if the bypass were to be built, locomotive air emissions would be carried by the prevailing winds across the Rochester city limits.

3.3.2.7 Noise and Vibration

3.3.2.7.1 Noise

Rochester's best method of reducing train noise would be negotiation with the railroad for "whistle-free" crossings, which would eliminate the largest single source of noise. Although the city was given this opportunity it instead chose to fight, a course of action which may expose its residents to horn noise for years to come.

A whistle-free zone would eliminate high-frequency horn noise. There are no sharp curves in town and therefore no likelihood of substantial disturbances from wheel squeal.

Sound walls would not eliminate high-frequency noise but merely reflect it over a larger area. Low frequency noise can effectively be controlled only by mass, and sound walls would be ineffective. Claims that in-city mitigation would require millions of dollars for such structures are spurious, and in any event residents would be unlikely to want their breezes, sunlight and views interrupted by such them.

3.3.2.7.2 Vibration

Rochester and its allies have made many unsubstantiated assertions regarding claimed adverse impacts from railroad operations on the Mayo Clinic, Pemstar, and their machines and instruments. These claims are without foundation. No studies have been presented and there is no confirmed basis for concern. There is an utter lack of data on adverse effects of vibrations at the distances involved, and the FEIS should give no credence to these claims. The railroad has been in existence and intensive operation since before the establishment of either of these enterprises.

The Mayo Clinic itself has engaged in significant new construction next to its MRI facility. This construction, which is ongoing, required the excavation of foundations into the hard rock underneath the soil. This construction activity was done with blasting, heavy truck traffic, and the use of VibraPac vibrating rollers. Ex. O. Mayo Clinic conducted these activities at a location much closer to its building than the rail line without significant adverse effects to its sensitive equipment. 1999 Ex. 1. The Mayo Clinic has a satellite clinic in Lake City, which it recently expanded, within 500 feet of CP's line along the Mississippi, which has higher speeds and more trains than will DM&E's upgraded line. Ex. P.

3.3.2.8 Biological Resources

3.3.2.8.1 Vegetation

The method of analysis of the vegetation communities for the 34.1-mile R-3 and R-4 Bypass Alternatives proposed by the City of Rochester is not described. The analysis of the acres of impact and the types of vegetative communities that will be destroyed is deficient. The DEIS does not adequately describe or evaluate the impact to Ecological Units as defined in the Comprehensive Ecological Classification System that is adopted by the State of Minnesota. The omitted factors are important considerations for defining the total impact and determining whether the impacts can be avoided or mitigated by choosing other alternatives. Regardless of the important omissions it is clear that there would be minimal or no impact to Alternative R-2 - Reconstruction of the existing rail line.

The impact to vegetative communities from Rochester's bypass is not only poorly defined but is grossly understated. The construction disturbance of creating a new rail bed grade will be a permanent impact resulting in the permanent loss of agricultural land, wetlands and woodlands and may cause permanent changes to adjoining vegetative communities because of habitat fragmentation, introduction of undesirable plant species and the efforts to control vegetation along the ROW.

Rochester's bypass would result in upland, wetland and aquatic vegetative community disturbances that create a risk of the spread of non-native, undesirable and invasive species. The DEIS does not meet the minimum requirements of United States Executive Order 13112, the invasive species control mandate for all Federal Agencies. Order 13112 and guidance found in the National Environmental Policy Act (NEPA) commits Federal Agencies to prevent and control introductions of invasive species and to minimize the ecological, economic and human health impacts that are caused by invasive species. The DEIS is deficient in identifying the risk, identifying means to prevent the introduction of invasive species or identifying an accurate and reliable means of monitoring the spread of invasive species along a new rail bed grade. In keeping with Executive Order 13112 the Rochester Bypass Alternatives should be deleted from consideration and should not be authorized or funded because of the likelihood of causing or promoting the introduction or spread of invasive species.

If the Rochester bypass proposal is allowed to go forward, an inventory of existing undesirable species should be conducted along the proposed corridor and a detailed plan should be

prepared in the Final EIS to identify and implement all feasible and prudent measures to minimize the risk of harm from invasive species. A complete listing of Minnesota and Federal Prohibited and Noxious Plants is available from the Minnesota Department of Natural Resources and on the Internet. (<http://www.dnr.state.mn.us/ecological_services/exotic/index.html>). This list should be referenced before completing an inventory or management plan for invasive species.

The FEIS should make specific note of the rare species along the bypass route, identified by the Minnesota Department of Natural Resources in its letter of March 25, 1999, 1999 Ex. 17, and its 2000 inventory. Ex. Q.

3.3.2.9 Wildlife

3.3.2.9.1 Aquatic and Fisheries Impacts

The FEIS should address the effects of the bypass on the species in the Zumbro, Root, and Whitewater Rivers and the watercourses it crosses. These species include fish, mussels, and aquatic insects. The Whitewater and Root Rivers are important trout streams.

3.3.2.9.2 Threatened and Endangered Species

The DEIS for Rochester's proposed bypass acknowledges that the project would result in permanent wildlife habitat loss but reaches an erroneous and unsupported conclusion that the bypass would not result in permanent damage to the area's overall wildlife community. While the rail line reconstruction proposed in alternative R-2 would principally create temporary disturbance along the existing corridor, the permanent habitat loss of the bypass alternatives would result in permanent habitat loss and environmental degradation. Rochester's proposed bypass therefore should be rejected.

No data are presented to identify the vertebrate or invertebrate species that would be disturbed or suffer permanent habitat loss, nor does the DEIS identify the habitat requirements, sensitive interspecies relationships or incremental disturbances that might result in permanent damage to the overall wildlife community. Such information on the Ecological Classifications would be helpful in understanding the potential impact. These details however have not been provided in the DEIS and are not being addressed by the City of Rochester, proponent of the bypass. Information about existing ecological classifications and the resident and migratory wildlife communities is important to evaluate the risk of habitat disturbance, fragmentation or loss, to determine whether the Bypass is a reasonable and prudent alternative, to define whether any proposed impact can be mitigated and to propose suitable mitigation if necessary.

Birds

Executive Order 13186 requires that Federal Agencies avoid or minimize the negative impact of their actions on migratory birds and requires agencies to take steps to protect birds and their

habits. Information on migratory birds for the new rail bed grade proposed by the City of Rochester for the bypass is absent from the DEIS. While published information is readily available concerning the observation of migratory birds and nesting birds in Olmsted County, there has been no effort to meet the requirements of the Executive Order.

The following listing of 82 species of birds that nest in Olmsted County includes 22 species identified by the USGS as "declining species", one state threatened species, one state species of special concern and one former federal endangered species. The notation on state listed and declining species are from published references.¹⁵

Great Blue Heron
Green Heron
Canada Goose
Wood Duck
Mallard
Blue Winged Teal (declining)
Turkey Vulture
Coopers Hawk
Red Tailed Hawk
American Kestrel
Peregrine Falcon (delisted federal endangered)
Gray Partridge
Ring-necked Pheasant (declining)
Ruffed Grouse (declining)
Sora Rail
American Coot (declining)
Killdeer
Spotted Sandpiper
American Woodcock
Mourning Dove (declining)
Black-billed Cuckoo
Yellow Billed Cuckoo
Eastern Screech-Owl
Great Horned Owl
Barred Owl
Ruby-throated Humming Bird
Red-headed Woodpecker (declining)
Red-bellied Woodpecker

¹⁵ Coffin and Pfannmuller, *Minnesota's Endangered Flora and Fauna*, (University of Minnesota Press 1988). Information on federal listings is available on the USGS Biological Resources Division website.

Downy Woodpecker
Hairy Woodpecker
Northern Flicker
Pileated Woodpecker
Eastern Wood-Pewee
Eastern Phoebe
Great Crested Flycatcher
Eastern Kingbird
Horned Lark
Purple Martin (declining)
Tree Swallow
Northern Rough Winged Swallow
Bank Swallow (declining)
Cliff Swallow
Barn Swallow
Blue Jay
American Crow
Black Capped Chickadee
Tufted Titmouse
White-breasted Nuthatch
House Wren
Blue-gray Gnatcatcher
Eastern Bluebird
American Robin
Gray Cat Bird
Brown Thrasher
Cedar Waxwing
Loggerhead Shrike state (threatened)
European Starling
Bell's Vireo
Warbling Vireo
Blue-winged Warbler
Yellow Warbler
American Redstart
Louisiana Waterthrush (state special concern and declining)
Common Yellowthroat
Northern Cardinal
Rose-breasted Grosbeak
Chipping Sparrow
Clay-colored Sparrow
Field Sparrow
Vesper Sparrow (declining)
Savannah Sparrow

Song Sparrow
Bobolink
Red-winged Blackbird
Western Meadowlark (declining)
Common Grackle
Brown-headed Cowbird
Orchard Oriole
Baltimore Oriole
House Finch
American Goldfinch
House Sparrow

Among the alternatives proposed, those alternatives that include the Rochester bypass would result in permanent, non-mitigatable habitat loss and permanent habitat disturbance for migratory and nesting birds.

Mammals

The USGS maintains a list of 50 mammals found in Minnesota. In addition to the listing the checklist identifies the habitats where the mammal species may be found, identifies whether they are common, uncommon or rare and discusses identifying characteristics. The failure to identify mammals that occur along the bypass route and the failure to identify ecological classifications hamper the assessment of impact to mammal species or populations. The DEIS correctly reports that habitat will be permanently destroyed and the new rail line presents an obstacle and risk of mortality.

An adequate environmental review would require a detailed ecological classification to the site level for land within one mile on either side of the proposed bypass to account for the range of more mobile mammals like fox badger, deer and raccoon, and would require a detailed census of small mammals within 1000 feet of the proposed right of way. Without this information an adequate assessment of the impacts to mammals is not possible.

Reptiles and Amphibians

The DEIS does not provide any information concerning the impact of the Rochester's bypass on reptile and amphibian populations. Published information indicates the occurrence and habitats of 48 species including 19 species of amphibians and 29 species of reptiles in Minnesota, yet the DEIS neither cites the fact that "17 of the 48 species in the state require special attention and have been categorized as endangered (one lizard), threatened (two turtles) or special concern (one turtle, ten snakes, and three frogs." One snake was added to the Minnesota endangered list in 1996.

A 1998 Federal Interagency Workgroup paper entitled the Task for on Amphibian Declines and Deformities noted that amphibians are particularly sensitive to changes in climate and habitat. Destruction of habitat and the introduction of non-native and/or prey species are cited as primary

reasons for the decline of amphibian populations. The proposed Rochester bypass would result in destruction of amphibian habitat in wetlands, rivers and streams and would provide opportunities for the introduction of non-native and prey species. Federal Task Force should review the bypass alternatives.

Amphibians and reptiles are typically secretive, often live in inaccessible habitats and many species are seasonally active or abundant in yearly cycles. An adequate environmental review therefore would require a detailed ecological classification to the site level for land within 1000 feet on either side of the proposed bypass, and would require detailed census of reptiles and amphibians for all suitable amphibian and reptile habitat. Without this information an adequate assessment of the impacts to these species is not possible.

Invertebrates

The DEIS gives no information concerning the environmental impact to butterflies, beetles, spiders or other non-aquatic insects.

Minnesota lists between 126 and 131 species of butterflies known to breed in the state and lists three endangered, three threatened and nine species of special concern. Two of the fifteen species are widespread in occurrence and the others have naturally limited ranges. The Minnesota Department of Natural Resources has stated that the precarious status of the butterfly species is the result of habitat loss and states that none of the species has shown the ability to adapt to habitat disturbance. Habitat protection is the "immediate essential step" in preventing the endangered and threatened butterflies from vanishing from the state.

3.3.2.10 Transportation

The June 1999 bypass proposal calls for grade crossings over two busy high speed four lane highways. If that proposal is considered the FEIS should address the traffic impacts of these grade crossings.

The effect of the bypass on the movement of farm machinery was discussed in Section 3.3.2.4.1 above. The FEIS should discuss the particular hazards posed by slow-moving machinery, not only at crossings, but to other traffic on lengthy detour routes.

3.3.2.11 Safety

The DEIS notes Rochester's claims of additional school bus crossings for , but does not list the additional crossings over the bypass by the other affected school districts. These are summarized in Exhibit S, and should be addressed in the FEIS.

3.3.2.12 Hazardous Materials

One of the principal arguments used by project opponents is the specter of spillage of hazardous materials from a railcar. Such a spillage would of course be a disaster, regardless of whether it occurred in the city or the country along the bypass route. The bypass transits Rochester's water supply and in fact through the soils and into the rock which protects it from surface pollution. A spillage of hazardous materials, or even substances as mundane as diesel fuel, would reach groundwater and Rochester's aquifers before cleanup crews could even respond.

But claims that this project would lead to an increase in exposure to hazardous substances in town are false. The DM&E is not on-line with any refineries or chemical plants. It is not along any through routing between such plants and market or export destinations. Any traffic of chemicals, fertilizer, or other sources of potential hazardous materials would be no different than its present traffic, which primarily is agriculture-related. And that traffic currently travels on substandard track over rails which should have been replaced forty years ago.

And to the extent that the railroad upgrade leads to an increase in the rail haulage of these materials, that is to the good of all those along its route. The highway alternative to the DM&E is U.S. 14, which parallels the railroad across southern Minnesota. The bulk transfer of agricultural and other chemicals by railcars, which must meet stringent crush resistance and other strength and safety tests, over welded rail on a properly ballasted track, is superior to the present method: by tanker truck on two-lane congested highways.

Traffic which would move by rail over a fully-protected and modern right-of-way through downtown Rochester six blocks from the Mayo Clinic, now moves by tanker truck over a substandard U.S. Highway 14/52, a crucial ambulance route, only two blocks from the Mayo's St. Mary's Hospital.

The upgrade would not increase Rochester's exposure to hazardous materials, but instead would diminish it.

Rochester's concerns over hazardous material spillages and the specter of derailments causing lineside or off-line havoc, are belied by its own assertion that if the bypass were to be built the existing rail through Rochester is adequate. TKDA Report at 25. Some of that rail dates from before 1936, and is hardly a candidate to be kept in service through occasional "repairs." Rochester claims to be endangered by trains running over new heavy welded rail, yet is willing to live with antiquated and derailment-prone light rail to serve industries in town if the bypass is built.

The FEIS should specifically compare the hazardous spillage risk of the upgrade thorough Rochester to the creation of new risk to aquifers from such spillages along the bypass route.

3.3.2.14 Cultural Resources

The DEIS has incomplete information concerning the occurrence of archeological sites that could be affected by the Rochester Bypass. Information concerning known and suspected

archeological sites in close proximity to the Rochester Bypass route indicate that detailed survey and field investigation are necessary along the proposed right-of-way before any Federal approval can be granted. The Rochester Bypass DEIS does not comply with the minimum provisions of the AHPA.

Relevant Statutes

Two federal laws applying to this category of impact are the National Historic Preservation Act of 1966 (NHPA) and the Archeological and Historic Preservation Act of 1974 (AHPA). The NHPA requires an initial review to determine whether the properties contained within the National Register of Historic Places or properties eligible for inclusion in the Register will be affected by the proposed development. The AHPA requires a survey, recovery and preservation of significant and prehistoric data that may be destroyed or irreparably lost due to federal, federally licensed, or federally funded project.

According to Minnesota's Field Archaeology Laws, Minnesota Statutes Section 138.31 Definitions, Subd. 2 Definition of a State Site or State Archaeology Site-"State site" or "state archaeology site" means a land or water area, owned or leased by or subject to the paramount right of the state, county, township, or municipality where there are objects or other evidence of archaeological interest. This term includes all aboriginal mounds and earthworks, ancient burial grounds, prehistoric ruins, historical remains, and other archaeological features on state land or on land subject to the paramount rights of the state. Rochester's bypass proposal contained no investigation into whether such sites exist along its bypass route, and the DEIS similarly fails to account for the likelihood of the presence of such sites.

Southeastern Minnesota Native Cultures

For thousands of years, native peoples have traversed and settled in the general vicinity of Olmsted County. Ancient trails have developed into roads and highways. Discovered burial mounds, arrowheads, spear points and other artifacts attest to the occupation here. These people came from the Upper Mississippi cultures, from the Northern Woodlands, and Western Prairies. In the last few hundred years, the specific tribes most frequently in southeastern Minnesota were the Dakota Sioux, Ojibwa, and Winnebago. Even today, these tribes live on reservations and settlements in the general area and many live and work in local urban areas including Rochester.

Prehistory as defined in Minnesota archaeology relates to the period before the advent of Europeans to the area. An arbitrary cut off date of 1660 is generally used. The Indians of Minnesota never developed writing, but with the coming of the Europeans, records were made of the Indian Cultures. Pre-history Native American cultures are divided into six periods:

1. Paleo Indian, before 8000 B.C., represented by the Browns Valley Site in Western Minnesota.

2. Archaic, 8000 B.C. to 500 B.C.
3. Early Woodland, 500 B.C. to 200 B.C.
4. Middle Woodland, 200 B.C. to 650AD
5. Late Woodland, 650 A.D. to 1200 A.D., Mississippian Mound builders, organized horticulture begins and first occurrence of Native American culture in SE Minnesota.
6. Late Prehistory, 1200 A.D. to 1660 A.D., represented by the Omaha, Iowa, Dakota and Ojibwa.

Relationship to DM&E Project

Olmsted County has numerous recorded groups of the effigy-mound culture, including three recorded locations within one mile of the Rochester Bypass. Two mound locations in Olmsted County were first investigated by the University of Minnesota Anthropology Department, and Olmsted County Historical Society during the summer of 1971, and included Eyota Township and High Forest Township. The mound system investigated in Eyota Township is located in a sandpit located in the SW ¼ of the SW ¼ of Section 17, T-106, R-12 west, in Olmsted County. In addition, arrowheads and rock chips have been discovered in the sand pit near the mound. Two additional mound investigations occurred in High Forest Township in southern Olmsted County, including Section 5, T104-N, R-14-W, and Section 24, T105, R14-W. In addition to these site investigations, the Olmsted County Cultural Resources Data Base lists historic sites including three listed in Sections 23, 27, and 34 in Cascade Township, one additional historic site in Eyota Township, one historic listing in Section 17 of Kalmar Township, three listings in Marion Township including sites listed in Sections 6, 7, and 30. Three sites are also listed in Sections 1, 11, and 12 of Rochester.

The effigy-mound culture centers in Wisconsin, particularly in the south portion of Wisconsin, extended to contiguous southeastern Minnesota as well as northeastern Iowa and northern Illinois. The mounds date back to the early Woodland Culture, which made its appearance in southeastern Minnesota at approximately 1000 B.C. The effigy mounds are constructed in the forms of animals such as bear, deer, panther, wolf, fox, buffalo, and turtle, and also images of birds such as eagles, swallows, and geese. Occasionally they represent human form. The effigy mounds vary in size and occur in groups together with conical linear mounds.

The significance of the mounds in Olmsted County, and the relative lack of detailed field surveys concerning native cultures in southeastern Minnesota should be considered a critical factor in decision and planning of the Rochester Bypass Proposal. The fact that ancient cultures have thrived in three locations within a one-mile radius of the proposed expansion should preclude any notion of initiating the project without first conducting additional archaeological investigations.

Other Cultural Resources

The FEIS should acknowledge and discuss the significant historical features along the bypass route, in light of 1999 Ex. 18 and *Cultural and Historic Structures, Olmsted County, Along Bypass Route*, submitted with these Comments.

3.3.2.15 Socioeconomics

The increase in land values along the bypass route postulated by the DEIS depends on conversion of valuable agricultural property to industrial uses, which should not be viewed as positive.

3.3.2.16 Environmental Justice

Rochester claims a disparate impact of the railroad operations on lower-income residents of the neighborhoods through which the railroad runs. Undoubtedly those neighborhoods are not as luxurious as many of Rochester's developments, for the simple reason that the railroad is already there and is likely to remain so. Indeed, the best thing that could be done for these neighborhoods would be to place the trains on welded rail carried on new ties over an adequately ballasted rail bed, pulled by new locomotives, and eliminate whistle noise through the whistle-free program offered by the railroad but declined by the city. The project opponents use these neighborhoods and their residents to pursue its pipe dream of a complete bypass, and in doing so exposes them to the likelihood of continued train horns at all hours of the day and night because of the city's failure to pursue a mitigation plan containing whistle-free crossings.

But the environmental justice argument fails even on the city's own framing of the issue, because of the fact that the farmers of Olmsted county are much less well-off than city residents, and low-income farmers would bear the effects of the bypass while the better-off city residents would be relieved of the adverse impacts of rail operations. Indeed this is the whole point of Rochester's position; that it—the city—would be better off without the railroad, and therefore it should be moved outside the city and imposed upon rural residents.

The elitism of the city and clinic's positions has been evident throughout this process. There is a belief in the exceptionalism, not only of the Mayo Clinic, but the city of Rochester itself. Rochester is seen as different from and better than lesser communities, and Rochester therefore is less deserving of having coal trains through town than those other cities. In this view it is all right for communities such as North Platte, Fargo, Omaha, and Winona to bear coal traffic because they are not as "unique" as Rochester. Rochester believes it should be allowed to continue with its present lifestyle and have it improved by removal of the railroad around which it grew and which it no longer wants, because of Rochester's status. And apparently the nation as a whole should have some stake in the enhancement of Rochester's quality of life, by mandating, through this agency, the removal of a railroad now seen as inconvenient.

This attitude, which has come through time and again, is not merely reflexive parochialism—the NIMBY syndrome, but exemplifies a view of a world in which Rochester is at the pinnacle and other communities, both rural and urban, are expected to bear the social costs of Rochester's success. Rochester can consume power generated by Powder River coal, but should not be saddled with transit of that coal through town. Where such transit is threatened, the federal government should step in to prevent it so as not to inconvenience the city and its residents. And the city and clinic will not hesitate to attempt to influence federal action by pulling strings and lobbying at the highest levels of influence.

Ignored in this effort are the rights of the farm folk of Olmsted County, whose lands Rochester treats as a dumping ground for the disposal of its inconveniences. Those farm folk truly represent, both in the context of the Rochester area and in absolute terms, an economically disadvantaged minority.

Exhibits S and T demonstrate that at least two of the affected townships are disadvantaged as measured by objective criteria in a means-tested program. The survey data show very low levels of farm income. This is corroborated by other data already submitted, including 1999 Ex. 20, p. i and 21 (average net farm return of \$9,867 in Olmsted County). *See also* Ex. U (in 1998, average net farm income in Minnesota was \$15,754).

3.3.2.17 Recreation

The bypass would damage many aspects of rural Minnesota lifestyle, including birdwatching, hunting, hiking, snowmobiling and other motor and human powered outdoor sports. It runs through land heavily populated by pheasant, wild turkey, whitetail deer, geese, and other game.

3.3.2.18 Aesthetics

The visual impact of the cuts and fills would be overwhelming. As described in more detail in Section 3.3.2.2 above, the bypass route is constructed on fills—earthen dams—thousands of feet long and up to ninety feet in height. It runs in cut sections—trenches—up to two miles long and nearly forty feet in depth.

There was no attempt to conform the route to the terrain. The route was drawn, as if on the back of an envelope, without regard to such niceties as topography, land usage, the environment, or aesthetics, in a fashion to exclude the railroad from the city limits or those adjoining farms and woods on which Rochester, with its voracious appetite for urban sprawl, has designs.

The aesthetic disaster caused by construction of this bypass can best be seen in its effects on the cascade Creek gorge in Section 19 of Salem Township. As shown in 1999 Exhibits 9A-9F, and in accompanying Exhibits A-1 and A-2, this gorge is a beautiful natural area with diverse plant communities and a variety of species. If the bypass were built, this gorge would be crossed by an enormous, 100-foot high bridge/fill structure, 500 or more feet wide on the valley floor, and some 1600' long at the top. It would have the visual impact of a huge earthen dam completely filling the valley and would completely change the character of this pristine gorge. This monumental fill would interfere with wildlife feeding and migration pattern.

Conclusion

Rochester has a history of engendering hysteria over unwanted development in an attempt to preserve its claimed unique quality of life. In the 1980s the Federal Bureau of Prisons wished to establish a facility in the city. Meetings were held, officials pontificated on the threat to the community, and when the project was approved, litigation ensued. *Olmsted Citizens for a Better Community v. U.S.*, 793 F.2d 201 (8th Cir. 1985). Plaintiffs, a nonprofit organization, residents, and city, brought suit seeking to enjoin the Bureau of Prisons' proposed conversion of a former mental hospital campus into a federal prisons hospital, claiming that the conversion would include the introduction of weapons and drugs into the area, an increase in crime, and a decrease or halt in neighborhood development. The court held that such socioeconomic effects need not be considered:

The NEPA legislative history . . . showed a primary concern with potential irreparable damage to the physical resources that support life--i.e., air, land, and water, . . . suggesting thus that the only harms as to which agency consideration was meant to be required were those harms following closely from changes in the physical environment.

. . .

While there is no "bright line" between the "physical" and the "socioeconomic" in the urban context, an impact statement generally should be necessary only when the federal action poses a threat to the physical resources of the area because of anticipated traffic, population-concentration or water-supply problems or involves the irreversible alteration of a rare site.

793 F.2d at 205. The prison came and is now a valued part of the community. In fact the city is unashamed to use the claimed effects of the DM&E upgrade on this medical facility— which went forward despite Rochester's opposition— as a reason for denying the railroad's application.

The National Environmental Policy Act is a sword to protect the natural environment, not a shield to protect the lifestyles of the upper and middle classes. There is no way that the purposes of NEPA can or will be served by duplicating an existing rail line and slashing a new line through the hills and forests, across the valleys and wetlands, and over the farms and homes, of this beautiful part of the country.

The bypass should be rejected now.

CITIZENS AGAINST ROCHESTER'S BYPASS

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Rochester
Minnesota

Environmental Site
Investigations, Management
& Design

Asbestos, Lead, & Other
Hazardous Materials

Wetland Delineation
& Permitting

Indoor Air Quality

Geological Hazards

UST & Spills

Environmental
Assessment Worksheet
& Impact Statements

VIC (Voluntary Investigation
& Clean Up)

March 5, 2001

Office of the Secretary
Case Control Unit
STB Docket No. 33407
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Attention: Ms. Elaine Kaiser
Chief, Section of Environmental Analysis
Environmental Filing

Re: Comments on DM&E Expansion DEIS: Rochester Bypass
Presented to the Surface Transportation Board Sections:

Dear Ms. Kaiser:

In accordance with the authorization of the Mrs. Kathy King of Citizens against the Bypass, an Olmsted County, Minnesota Group opposing the Rochester Bypass alternative (section 3.3.2), McGhie & Betts Environmental Services, Inc. (MBESI) has completed an assessment of the proposed Alternatives R-3 and R-4 proposed by the City of Rochester. While we participated in making detailed comments in the Citizen Against the Bypass submittal we felt it was necessary to add comments of a more general nature. MBESI is an environmental consulting company located in Rochester, Minnesota with a staff of environmental specialists, geologists, soil scientists, wetland ecologists, and engineers with over 100 years of combined experience in evaluating environmental and geological hazards.

General Comments: National Environmental Policy Act Review of Rochester Bypass:

After reviewing the Draft Environmental Impact Statement for the DM&E Powder River Basin Expansion Project in the context of the Policies and Goals of the National Environmental Policy Act (NEPA) it is clear to us that the upgrade of the DM&E Railroad to the Powder River Basin is consistent with the "other essential considerations of national policy"¹ as required by NEPA. It seems evident that the ability to efficiently transport coal to eastern users is an essential consideration of national interest that "fulfills the responsibilities of each generations as a trustee of the environment for succeeding generations"² as required by NEPA.

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Established 1991

¹ 42 U.S.C. 4331 sec 101(b)

² 42 U.S.C. 4331 sec101(b)(1)



Comments on DM&E Expansion DEIS: Rochester Bypass
Citizens Against the Bypass
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That being said, we believe that the DEIS shows that the upgrade of the existing line, as it runs through Rochester, Minnesota, is the most desirable alternative because it minimizes impact to the environment and the expected impacts can easily be mitigated to continue the assurance that our community has a "safe, healthful, productive and aesthetically and culturally pleasing surroundings"³ as required by NEPA. We also contend that keeping the rail line in the existing right-of-way and providing the mitigation necessary to ease traffic and abate noise and vibration without creating a new corridor of environmental disturbance prevents massive manipulation and permanent disturbance to the natural landscape, prevents the permanent retirement of farmland, prevents the destruction of wildlife habitat that is known to support sensitive and threatened species, and lessens the threat of degrading surface water, destroying wetlands, or threatening groundwater resources. By rejecting the Rochester Bypass and reducing the impact we meet the NEPA goal to "attain the widest range of beneficial uses of the environmental without degradation, risk to health or safety, or other undesirable and unintended consequences"⁴. Clearly the upgrade of the existing line through Rochester, accompanied by appropriate mitigation avoids 34.1 miles of permanent historical, cultural and natural disturbance and meets the NEPA goal of "preserving important historical, cultural, and natural aspects of our national heritage, and maintains wherever possible an environment which supports diversity and variety of individual choices"⁵.

Allowing the upgrade through Rochester and rejecting the bypass maintains an existing balance between population and resource use preserving "greenfields" by keeping the industrial transportation disturbance in areas that are already industrialized. Re-development during the upgrade and mitigation can also become an opportunity to reclaim "brownfields" and meets the NEPA goal of "achieving a balance between populations and resource use which will permit high standards of living and a wide sharing of life's amenities"⁶. Finally, avoiding the permanent disturbance of a Rochester Bypass preserves ag-land, forest land and wildlife habitat as renewable resources and avoids the local depletion of non-renewable resources in accordance with NEPA provisions that require Federal Actions to "enhance the quality of renewable resources and approach the maximum attainable recycling of delectable resources"⁷.

The inclusion of the City of Rochester proposed bypass in the environmental review provides a useful contrast to weight the requirements of NEPA. If the only alternative under review was to upgrade the existing line the public would not have recognized the opportunity to reject the bypass as a measure to avoid permanent environmental impacts to a natural landscape. Without reviewing the alternatives the decision makers would have come under criticism for not reviewing options and decision makers might have failed to assert that new rail line construction in Olmsted County would create a permanent and irrevocable impact that cannot be retracted, mitigated or controlled. By rejecting the Rochester Bypass the STB and the DM&E can shine a light on America's ability to balance the needs of a growing population against the environmental threats that come with providing energy security and serving the public interest.

³ 42 U.S.C. 4331 sec101(b)(2)

⁴ 42 U.S.C. 4331 sec101(b)(3)

⁵ 42 U.S.C. 4331 sec101(b)(4)

⁶ 42 U.S.C. 4331 sec101(b)(5)

⁷ 42 U.S.C. 4331 sec101(b)(6)



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GENERAL COMMENTS: DEIS Deficiency in reviewing Environmental Impact of Rochester Bypass:

In addition to the specific and detailed comments related to specific indexed sections of the DEIS the Citizens Against the Bypass asked that I supplement the record with a brief discussion of important issues of a broader scope that have been overlooked or omitted in the DEIS. We believe that there are three fundamental issues of environmental impact that should be addressed more thoroughly:

- 1) The time scale of environmental impacts for the proposed Bypass is not adequately disclosed. Some construction impacts are immediate and short lived; operational impacts may be short term to long term but will end when the rail service stops but the creation of a new rail bed grade will have a permanent impact.
- 2) The difficulty of predicting the cumulative environmental outcomes along the Bypass route without having conducted detailed studies of historic and existing conditions, or without having a broader or in-depth understanding of the interrelationships of geology, soils, water, landscape features, ecological classifications, plant communities and wildlife populations does not comply with the requirements under NEPA and does not document the details needed to make an adequate assessment of the environmental impact or risk of the bypass.
- 3) The environmental impact to humans can often be mitigated, however, the impact to natural landscapes and ecosystems are not as adaptable.

I have presented a brief discussion of these issues below:

The time scale of environmental impacts is not adequately disclosed:

Each environmental impact of the proposed Rochester Bypass will have a time scale that should be disclosed, discussed and understood in terms of environmental risk. Environmental planners and managers typically work to define risks as acute and immediate or chronic and long term in an effort to either minimize risk or to manage the consequences. This perspective is missing in the DEIS review of the Rochester Bypass. Consider, for example, the short scale of time and definable risk associated with the construction necessary to build the bypass compared to the potential long-term risks and impacts of hazardous material handling. If a construction accident or haz-mat spill occurs the impact is immediate and requires an immediate response to avoid long term problems, but if the construction or a spill results in the disturbance of groundwater flow or groundwater pollution a different level of community response is required over a longer period of time. In order to evaluate the environmental impact of the Bypass the DEIS should more clearly define the time scale for the expected environmental impacts.

It is interesting to note that the opening pages of Volume II Chapter 3 the DEIS report recognizes the permanence of environmental impacts related to the existing line but the report fails to adequately describe the permanent impacts of the construction of a new rail bed grade. The DEIS report states:



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"When the existing DM&E rail line was constructed across Minnesota, alterations in the topography immediately adjacent to the rail line were necessary. Low areas and valleys were filled; hills and high points were cut-through in order to provide a rail bed grade suitable for train alterations. These cut and fill activities likely altered local drainage patterns, and in some cases streams may have been channelized or realigned to accommodate the rail line. Most of the changes took place over 100 years ago."

While there is recognition that the rail bed grade construction is a permanent impact there has been no effort in the DEIS to predict, disclose or manage the range of permanent environmental impacts that will occur in the landscape along the 34 mile bypass.

In my review of the DEIS I analyzed historic and recent air photos and maps east of Eyota in the headwaters of the Whitewater River (Volume V, map 10 - 11, pg 10-11) and visited this area to gauge the permanence of the impact the rail bed grade and parallel highway have had on the area. In this area it can clearly be seen that the rail bed grade and highway altered the local drainage patterns and resulted in channelizing the stream. The impact on the flora and fauna and the change to the headwater hydrology of one of Minnesota's premier trout streams is permanent and irrevocable.

Even though it has long been known that hydrologic disturbance and land use changes in the upper reaches of the Whitewater have destroyed trout habitat and it is well known that the upper reaches of the South Branch of the Whitewater River will no longer support trout, there is no effort in the DEIS to disclose these permanent impacts nor is this historic knowledge and experience used to predict the environmental impact that a new bypass will have on the streams in headwaters of the Zumbro or Root Rivers. Similar issues related to the scale and permanence of cumulative environmental impacts are evident for the Bypass route yet each class of environmental impact is reviewed only in respect to immediate, short term consequences and each issue is reviewed separately without regard for important interrelationships that may alter the scale of disturbance for other impacted resources.

The DEIS technical review of natural resources impact is perfunctory and superficial.

The DEIS does not adequately describe the geologic setting in Olmsted County and therefore does not provide a basis for evaluating geologic or environmental risk and is especially deficient in describing the potential risk to water resources. It is important to note that the Olmsted County Geologic Atlas (1988, Minnesota Geological Survey) and "Water Resources of the Zumbro River Watershed, Southeastern Minnesota (1975, US. Geological Survey) are two widely available published references that provide detailed descriptions of the geology and hydrology along the existing rail line and along the proposed bypass yet the available information was not used for the DEIS. It is also interesting to compare the DEIS to historic geologic evaluations performed for other railroads, for example, the 1873 "Report of a Geological Reconnaissance Along the Union Pacific Railroad" was published 128 years ago by the US Geological Survey and includes a geologic cross section and detailed descriptions of the soils, rocks and waters in the railroad right of way from St. Paul, MN to Portland, OR. This type of information is missing in the DEIS and in the "Information Age" the authors should have



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provided enough accurate geological information for the public to make informed comments and decisions related to the environmental impact of the proposed upgrade.

Another technical deficiency is the DM&E failure to use standardized methods to identify jurisdictional wetlands along the path of the Bypass. As far as we can tell from the DEIS text the method for identifying wetlands along the bypass included only a review of published maps and air photos even though wetland regulations at the Federal and State level (US section 404 of the Clean Water Act and the Minnesota Wetland Conservation Act) mandate that wetland boundaries, types and values and functions be identified using the US Corps of Engineers 1987 Wetland Delineation Manual, the Cowardin "Classification of Wetlands and Deep Water habitats and the Minnesota Routine Assessment Methodology for Evaluating Wetland Functions. The minimal requirements were not met in the DEIS and are totally absent in the 404 application. Because of this basic deficiency the public and wetland regulators are unable to verify or predict wetland impacts and are unable to evaluate whether any of the proposed alternatives will adversely impact ecosystems, water quality or groundwater interactions.

The difficulty of predicting the environmental impact without having a broader or in-depth understanding of the interrelationships of geology, soils, water, landscape features, ecological classifications, plant communities and wildlife populations.

While local decision makers and the public has gained a growing awareness and understanding the fundamentals of the importance of surface water and groundwater interactions to ecological factors related to streams, rivers, wetlands, soil types and agricultural productivity. Experts still do not have enough understanding of the local geologic terrain to evaluate the inter-related or cumulative risks associated with massive land disturbance. It will require detailed mapping, soil borings and excavation observations to determine whether a new excavation or construction dewatering would have minimal temporary impact an isolated wetland or could drain a continuous aquifer that affects a groundwater recharge area or sustains the hydrology in a fen. Even with the expanding interest in protecting wetlands, fens and the purity of our groundwater a detailed geological and hydrological evaluation has not been presented in the detail necessary to understand the impact of massive grading projects or spills of hazardous materials. The DEIS does not provide any level of detail of the known or suspected inter-relationships between natural features that will be disturbed by the bypass and therefore the public is not able to evaluate the environmental impact of the project.

The environmental impact to humans can often be mitigated, however, the impact to natural landscapes and ecosystems are not as adaptable.

The DEIS does not provide adequate information to evaluate impact to natural landscapes and natural ecosystems and while the public debate has focused on human impacts, most of these human impacts of traffic, noise or land use can be mitigated. Unfortunately the impact to ecosystems along the existing rail line or along a new bypass affects plant and animal communities that have no recourse for action or opportunity to seek mitigation. The DEIS should describe in detail the environmental impacts of habitat fragmentation and habitat loss.

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P. 7



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In summary from a geological, hydrological and ecological standard the DEIS does not provide the level of detail necessary to evaluate environmental impacts or environmental risk.

Sincerely:

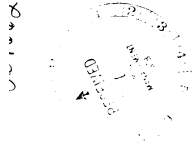
McGhie & Betts Environmental Services, Inc.

Jeffrey S. Broberg, REM, LPG
Vice President

Registered Environmental Manager #3009

Minnesota Licensed Professional Geologist #30019

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**MAPS PREPARED BY ROCHESTER-OLMSTED COUNTY
PLANNING DEPARTMENT, LONG RANGE DIVISION**

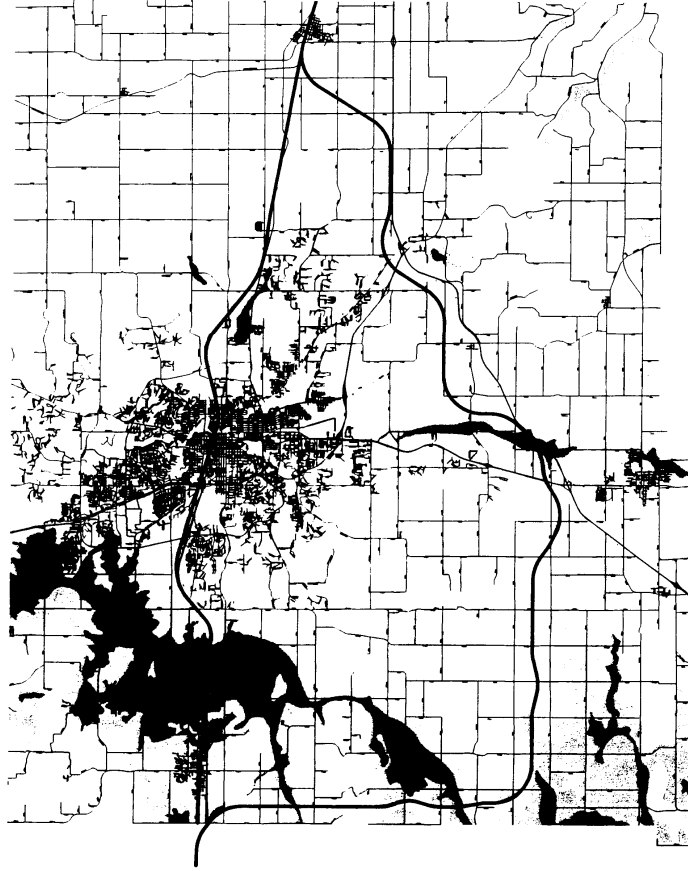
**JUNE, 1999 BYPASS ROUTE PROJECTED ONTO
VARIOUS NATURAL FEATURES**

Submitted by Citizens Against Rochester's Bypass

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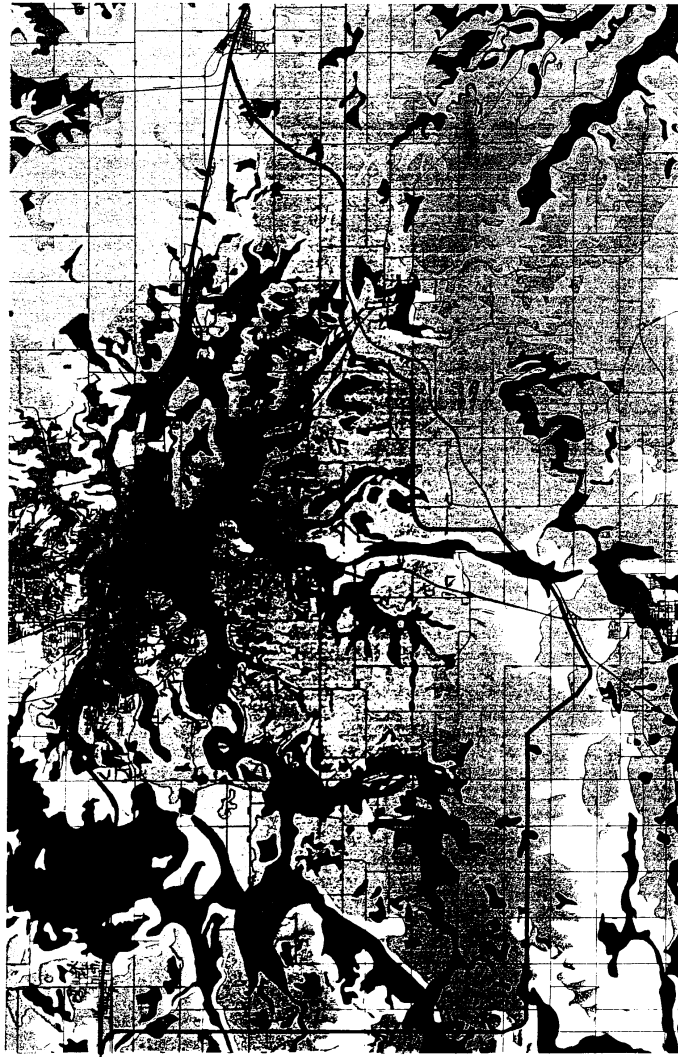
Prepared by the Rochester-Olmsted Planning Department, Long Range Division
November 15, 2000

DEPTH TO FIRST ENCOUNTERED BEDROCK



Prepared by the Rochester-Olmsted Planning Department, Long Range Division
November 15, 2000

GEOLOGIC SENSITIVITY TO GROUNDWATER POLLUTION

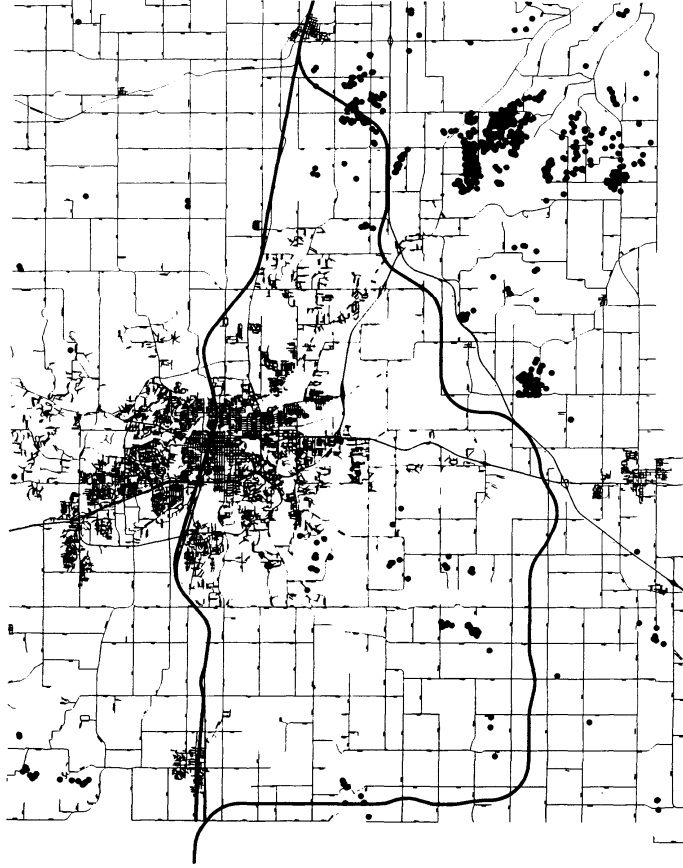


LEGEND

- Major Roads
- Interstate 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

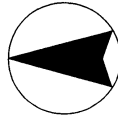
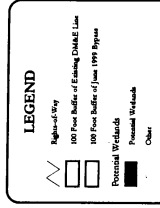
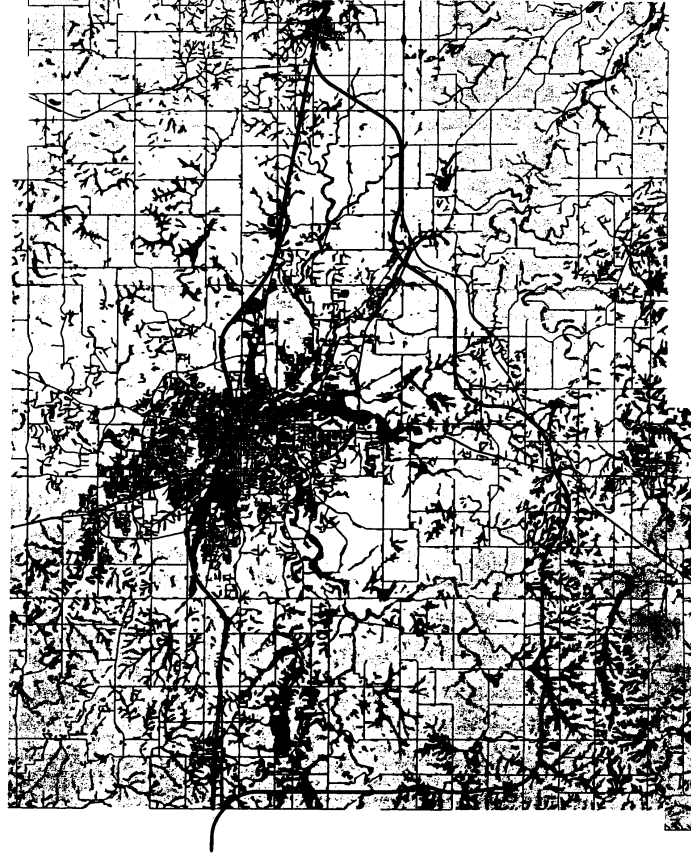
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November 15, 2000

KNOWN SINKHOLES



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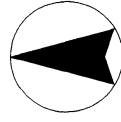
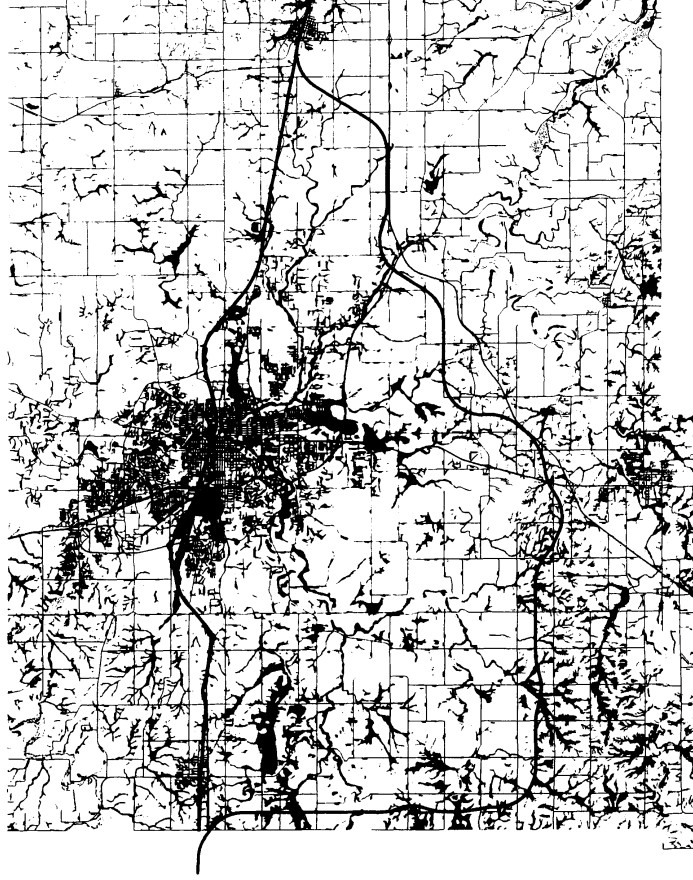
POTENTIAL WETLANDS BASED ON SOILS AND NATIONAL WETLANDS INVENTORY



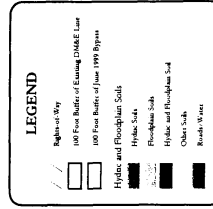
1 0 1 2 Miles

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HYDRIC AND FLOODPLAIN SOILS

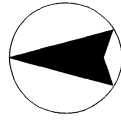
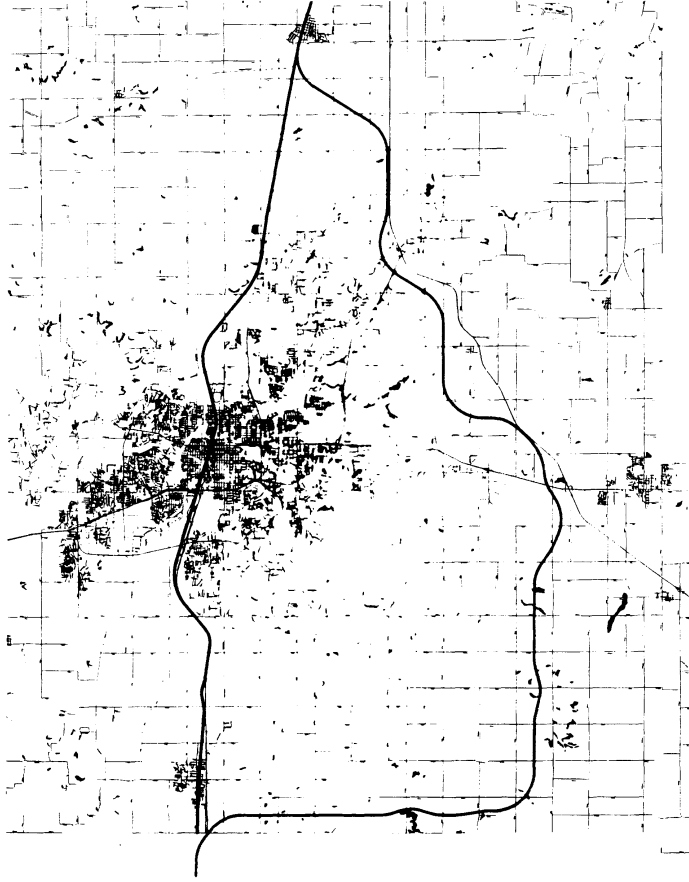


0 1 2 Miles



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POTENTIAL SEEPS BASED ON SOIL TYPE



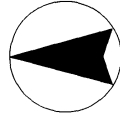
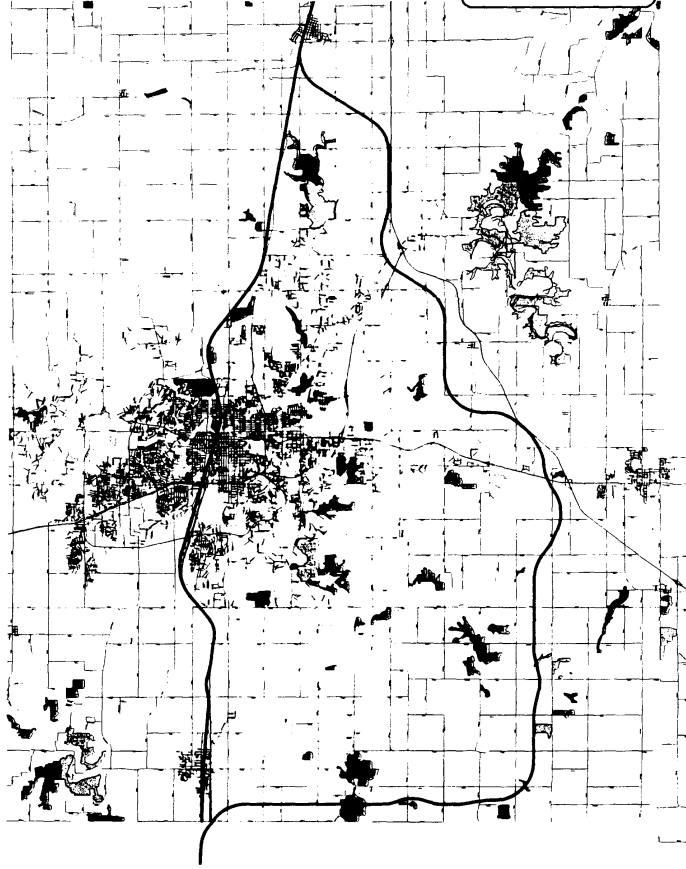
0 1 2 Miles

LEGEND

- Right-of-Way
- 100 Foot Buffer of Existing Drains
- 100 Foot Buffer of Future Drains
- Potential Seeps
- Potential Seeps

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HABITAT BIODIVERSITY



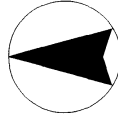
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LEGEND

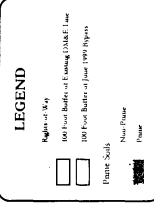
- Right of Way
- 100 Foot Buffer of Existing Double Line
- 100 Foot Buffer of June 1988 Rights
- CBS Boundary
- NCS SITE BELOW MINIMUM BIODIVERSITY SIGNIFICANCE THRESHOLD
- NCS SITE WITH HIGH BIODIVERSITY SIGNIFICANCE
- NCS SITE WITH MEDIUM BIODIVERSITY SIGNIFICANCE
- NCS SITE WITH HIGHEST BIODIVERSITY SIGNIFICANCE

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PRIME SOILS



0 1 2 Miles



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