

Don't let GLBT divide & conquer farmers: Negative economic impacts are large, creating "winners" and "losers"

If farmers do not stand together to oppose the forced sale of their land under federal eminent domain laws, GLBT will win. It is understandable that some will accept the railroad if it is re-routed through someone else's property. If the railroad cannot be stopped, it is understandable that others want to advocate for right-of-ways that are less damaging to their business.

But if we allow the railroad to be built on land appropriated from land owners that are least to able advocate for themselves and/or to legally challenge the confiscation of their property for private interests under eminent domain, we lose a fight that the rule of law and justice demands we win. GLBT should not pass Phase 1 approval until they submit a detailed and consistent plan and do so in compliance with the mandated 6-month notification window.

No environmental study can be justly and fairly done when land owners and the public at-large is intentionally kept uninformed about the proposal, its business model, and a real and detailed operation plan. GLBT must be compelled to stop hiding behind claims that any and all critical and necessary details are covered by "non-disclosure" agreements and cannot be revealed.

The vagueness of the *Great Lakes Basin Transportation* railroad proposal is bad for business. Farmers are particularly impacted, as managing partner Frank Patton directly states that his project is founded on the idea of taking rural land, not property in population centers. Rural land in South Central Wisconsin, North Eastern Illinois, and North West Indiana have been productively used for farming for more than 130 years. It is in no-way un-or-under-developed.

The properties along the proposed right-of-way are not vacant, unused, and unproductive. This land is the most productive farmland in the world. Proponents of GLBL are not being forthcoming about how their plan will negatively impact family farms and farms that are increasingly worked by tenants.

Relatively small decreases in productivity due to land appropriation for Patton's railroad can make the difference between profits or losses. Family farms and those renting farmland to grow crops can quickly be forced out of business, facing serious economic harm. The public needs to understand two important concepts that have the potential to shift economically viable farm operations into personal hardships and even economic ruin.

Point Rows. Any time the rail line moves through a crop field at an angle, it creates economic hardships due to the fact that modern farm machinery is designed to efficiently operate in rectangular or square fields. Anything other than a 90 degree corner is termed a *point row*. As the illustration below indicates, this wastes fuel, uses extra seed, and causes overlaps of pesticides & ferti-

lizers. This last concern creates environmental damage that impacts us all.

In an example where a field is 1/2 mile wide, there are typically 44 passes into the headlands per side of the railroad. A commonly used 24 row planter wastes 1.450 seeds *per pass*. A bag of seed corn commonly costs over \$300 per bag, containing approximately 80,000 seeds. Working new point rows created by GLBT would waste about 127.600 seeds or more than one and one-half seed bags, costing that farmer more than \$450. The over application of fertilizers and pesticides resulting from point rows not only significantly increases a farmer's cost, but also creates environmental hazards and direct consequences.

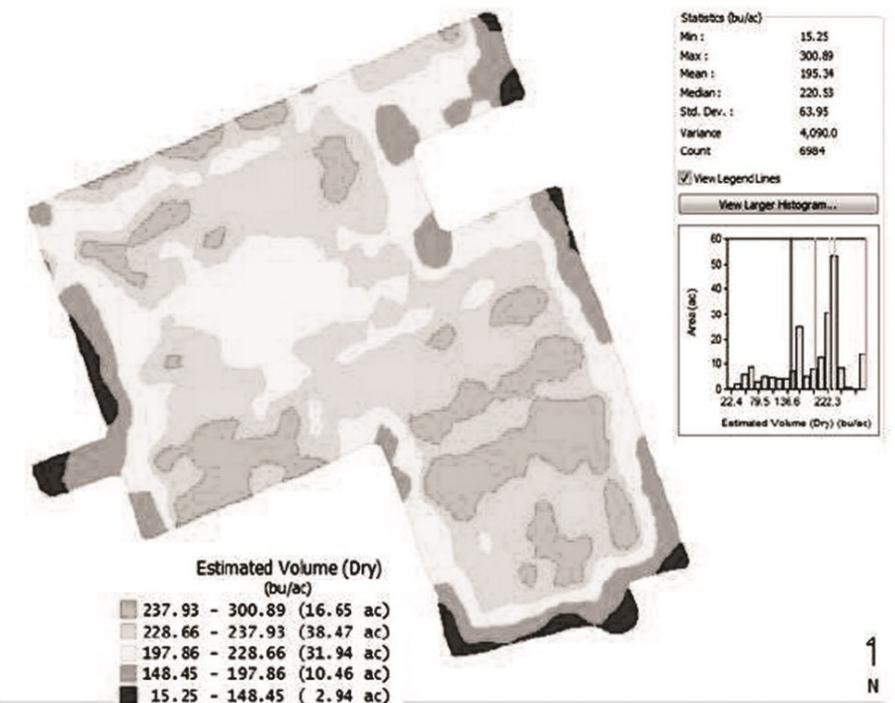
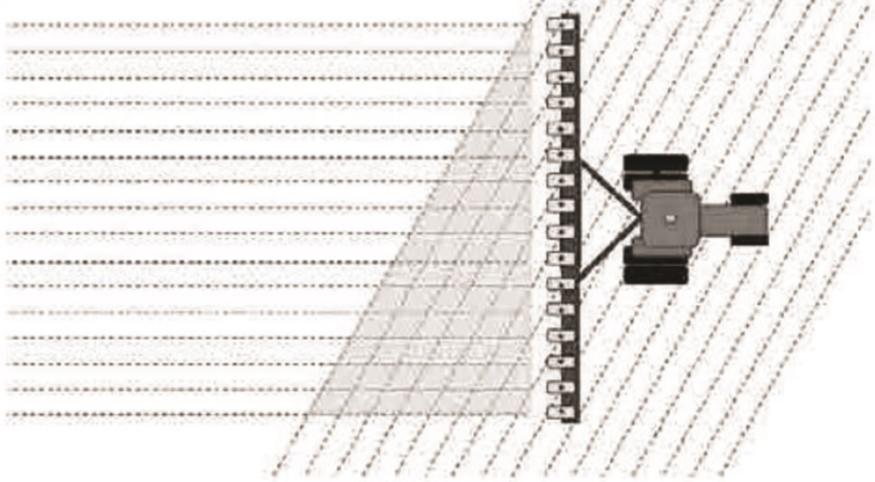
But this is not all, the wasted seeds (from double-planted rows) reduce yield because those plants cannot grow to their full potential. Point rows mean a farmer harvests less crop and earns less money. Point rows are created by any and all angles that are not 90 degrees.

Because of how a rail corridor must be build, minimizing point rows in any one plot of land creates or increases some point rows on another farm. Even if individual farmers are able to secure or maintain rectangular or square fields along the line on their farm, doing so hurts another farmer along the line.

Field Edges & Headlands. It would be possible to minimize economic impacts of a rail corridor if it were geometrically possible to route it along the borders of fields, but this is impossible as the typical 90 degree farm borders do not accommodate the needs of a railroad.

The rail line itself and efforts to minimize point rows create a second: Field edges and headlands where yields are reduced because of the machinery's traffic negotiating turns, irregular drainage, and weed pressure. This is illustrated in the graphic below which shows differentiates low and high yield areas of a typical field with grayscales.

Double Planted Area



The borders of farm fields have significantly lower yields than the middle of each field. In the case of small farms or fields, the entire area becomes headland and productivity of the entire operation is significantly reduced.

Planning the route to minimize splitting fields on one farm will necessitate splitting fields on other farms. There is no real solution or mitigation, because we again see that farm operators landowners that have the least ability to protect their interests become the ones most dramatically impacted by GLBT.

Action: Is GLBT Abusing the FAST Act?

On December 4, 2015, President Barack Obama signed the *Fixing America's Surface Transportation (FAST) Act* into law, marking the first long-term transportation bill passed by Congress in 10 years. FAST is 5-year legislation to improve the Nation's surface transportation infrastructure, including our roads, bridges, transit systems, and rail transportation network.

The bill reforms and strengthens transportation programs, refocuses on national priorities, provides long-term certainty and more flexibility for states and local governments, **streamlines project approval processes**, and claims to maintain strong commitments to safety.

Directly or indirectly, this may explain why STB is allowing GLBT to begin the approval process with virtually no concrete and consistent details for its railroad. Remember, laws like this do more than change official policy, they signal to policy-makers the way they are expected to

do their jobs. Are streamlined processes really consistent with a strong commitment to safety?

Call your House and Senate legislators and find out! The FAST Act had many co-sponsors in the legislature, but was sponsored in the House by **Rep. Davis, Rodney [R-IL-13]**. His office phone numbers are:

- (202) 225 - 2371 (DC)
- (217) 403 - 4690 (Champaign)
- (217) 791 - 6224 (Decatur)
- (618) 205 - 8660 (Glen Carbon)
- (309) 252 - 8834 (Normal)
- (217) 824 - 5117 (Taylorville)
- (217) 791 - 6224 (Springfield)

Sen. Tammy Baldwin [D-WI-2] was a sponsor in that chamber:

- (202) 224 - 5653 (DC)
- (414) 297 - 4451 (Milwaukee)
- (608) 264 - 5338 (Madison)
- (608) 796 - 0045 (La Crosse)
- (715) 832 - 8424 (Eau Claire)
- (715) 261 - 2611 (Wausau)

Surface Transportation Board has no authority to approve GLBT's utilities corridor

To many people, the railroad itself creates problems that they are willing to compromise over. The proposal, however, includes a demand for an extra 50 foot corridor. Federal law enables GLBT to request 200 feet for the railroad. The plan is vague and unclear. Is managing partner Frank Patton asking for a 200 or 250 foot-wide swath of land?

Today, almost every major rail trunk line includes buried cables, electric and/or fiber optic lines, other utilities infrastructure, overhead power lines, or even pipe lines. In no case, however, was the rail corridor specifically constructed with these extra profit-generating amenities, because these rail lines were build more than 120 years ago. Railroads eventually decided they wanted to earn extra revenue and sold access along their existing rights-of-way.

Neither the Phase 1 nor Phase 2 approval process gives *Surface Transportation Board* the right to approve these extra undefined aspects of the GLBT proposal. Patton will not state what will specifically be done with this land, yet is abusing the approval process to enable federal eminent domain to be used, skirting requirements that such use meet "public needs" and "public uses". This alone is why STB needs to immediately stop the approval process, as they are being forced to render decisions that they cannot legally make.

GLBT cannot justly and fairly be given a blank check to appropriate an additional 50' width along the rail line. Only the Federal Energy Regulatory Commission (FERC) can evaluate that (<http://www.ferc.gov/about/ferc-does.asp>). To do so, GLBT would have to provide details that are not being given to the public or to STB at this time.