

WISCONSIN RIVER RAIL TRANSIT COMMISSION  
 COMMISSION MEETING - FRIDAY, APRIL 8<sup>TH</sup>, 2016 @ 10AM  
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:00 AM **Call to Order** – Alan Sweeney, Chair
2. Roll Call. **Establishment of Quorum** – Mary Penn

Crawford	Tom Cornford, <i>2nd Vice Chair</i>	x	Rock	Ben Coopman, Alternate	-
	Rocky Rocksford	x		Wayne Gustina	x
				Alan Sweeney, <i>Chair</i>	x
Dane	Gene Gray, <i>Treasurer</i>	x	Sauk	Terry Thomas	x
	Jim Haefs-Fleming	excused		Marty Krueger, Alternate	10:05 AM
	Chris James, <i>Vice Secretary</i>	x		John Deitrich	
Grant	Gary Ranum	x	Walworth	Scott Alexander	10:05 AM
	Vern Lewison	excused		Dave Riek, <i>3<sup>rd</sup> Vice Treasurer</i>	x
	Robert Scallon, <i>1<sup>st</sup> Vice Chair</i>	x		Eric Nitschke	
Iowa	Charles Anderson, <i>Secretary</i>	x	Waukesha	Richard Kuhnke, <i>2<sup>nd</sup> Vice Treasurer</i>	x
	William G Ladewig	excused		Allan Polyock	x
	Jack Demby	x		Karl Nilson, <i>4<sup>th</sup> Vice Chair</i>	x
Jefferson	John David	excused		Dick Mace	x
	Laura Payne	x		Richard Morris	excused
	Augie Tietz, <i>3<sup>rd</sup> Vice Chair</i>	x			

Commission met quorum.

**Others present for all or some of the meeting:**

<ul style="list-style-type: none"> <li>• Mary Penn, WRRTC Administrator</li> <li>• Ken Lucht, WSOR</li> <li>• Dan Silha, Silha &amp; Sons Excavating</li> <li>• Alan Jentz, United Cooperative</li> <li>• Catherine Idzerda, Janesville Gazette</li> <li>• Bob Walberg, Board Chair, Boone County, IL</li> </ul>	<ul style="list-style-type: none"> <li>• Dave Simon, Kim Tollers, Rich Kedzior, Kathy Chung, WisDOT</li> <li>• Rep. Amy Loudenbeck</li> <li>• Danielle Zimmerman, Rep. Loudenbeck staffer</li> <li>• Alan Anderson, Pink Lady RTC</li> </ul>
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn*
  - *Motion to approve posting of meeting – Nilson/Thomas, Passed Unanimously*
4. Action Item. **Approval of April Agenda** – *Prepared by Penn*
  - *Motion to approve April agenda – Cornford/Ranum, Passed Unanimously*
5. Action Item. **Approval of draft March 2016 Meeting Minutes**– *Prepared by Penn*
  - *Motion to approve draft March meeting minutes with minor corrections – Mace/Tietz, Passed Unanimously*

6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*

Rep. Amy Loudenbeck introduced herself. She said she had been following the Great Lakes Basin Transportation, Inc. (GLBT) project and was at the meeting to learn more about it from WisDOT. As Representative of some of the area impacted by the proposed RR, on behalf of her constituents, she wanted to come and find out more information. She also asked if the WRRTC would be involved with any approvals on the Waukesha sub if that should occur. She said if part of the powers of the WRRTC was to approve/disapprove the connection, her constituents might want to come and speak at a future meeting. Alan Sweeney said it might come up as an agenda item in the future and asked her to participate at that future meeting when it occurred.

7. Updates. **Announcements by Commissioners** – *No Discussion Permitted*

Sweeney thanked Bob Scallon for leading last month’s meeting. Next, Dick Mace pointed out that the July 2015 issue of Trains had a detailed story on the state of trains through Chicago and the proposed project. Gene Gray also said that the Milwaukee Railroader had an interesting story on the Spring Grove Bridge.

**REPORTS & COMMISSION BUSINESS**

**8. WRRTC Financial Report – Jim Matzinger, Dane County CPA / WRRTC Accountant**

- Treasurer’s Report for March and Payment of Bills

Gene Gray gave the Treasurer’s Report as Jim Matzinger was not available. Gray said it had been a quiet month in respect to the Treasurer’s Report. He asked if there had been any permit fee’s submitted. Mary Penn confirmed there had been two. Gray said there was one check to sign. There was a short discussion on the fact that Matzinger’s summer hours would begin May 1<sup>st</sup>. Gray said if there were any questions in regard to finances, Commissioners could email them to him. Charles Anderson asked if Matzinger could be requested to come in on Friday morning meetings.

- *Motion to approve Treasurer’s Report and pay bill – Anderson/Mace, Passed Unanimously*

**9. Discussion and Possible Action to Approve Relocation of Existing At-Grade Private Rail Crossing (DOT#178148B) at 301 Holtz St, Rock Springs, WI – Alan H. Jentz, VP of Grain & Risk Management, United Cooperative**

Alan Jentz of United Cooperative (UC) presented the proposed relocation of the crossing, located on the Reedsburg sub, distributing a handout which showed the current crossing as well as the proposed crossing. Jentz said the landowner on the other side of the track had an easement through UC property. United Cooperative was going to eliminate that easement and move the crossing down to the south end of their property.

Jentz said the Wisconsin and Southern RR (WSOR) was aware of how this change would improve the track as it would eliminate splitting trains which currently had to happen to allow the landowner to access his property.

On the map Jentz pointed out the particulars of the crossing through the producer’s field. He then showed the Commission what United was proposing to do: they would take out three bins and put in one large bin where the old crossing was and install the new crossing on the south end of their property. This would tie the facility together and eliminate trucks moving from one bin to the other as well as allow grain to be loaded more efficiently.

Ken Lucht said this was a “win win” for WSOR, the landowner, and UC as it would increase railroad capacity and improve service to Rock Springs.

- *Motion to Approve Relocation of Existing At-Grade Private Rail Crossing (DOT#178148B) as Presented – Krueger/ Gustina, Passed Unanimously*

Mace said he thought it might be skirting a wetland and asked for confirmation. Jentz pointed out that the new crossing was actually on a small bluff and they would need to lower the bluff a bit. There would be no effect on a nearby pothole type of wetland.

Gary Ranum asked who would move the road. Jentz said the cost of the crossing would be at the expense of UC. Ranum asked if the farmer was supportive of the project. Jentz confirmed the farmer was in support of the change.

**10. Discussion and Possible Action to Approve At-Grade Private Rail Crossing at Kettering Road, Section 8, T3N, R13E, City of Janesville, Town of Harmony, WI – Daniel L. Silha**

Dan Silha presented the project to the Commission, distributing a map and saying he was looking to take the current crossing and make it a formal crossing, as he was unsure the current crossing had ever been approved by the WRRTC. Ultimately he believed it would be a permanent roadway. Mace asked if both parcels shown were owned by Silha. Silha said there was another property owner and Silha had an easement from that landowner, an easement that he, Silha, had been using for years. Mace asked what assuerty existed that that easement would be upheld, seeing as how it was continuing to a public street. Sweeney said that was part of the decision from the Commission.

- *Motion to approve at-grade private rail crossing as presented, contingent upon easement in place with approval from WSOR – Nilson/Gustina, Passed Unanimously*

Silha said the crossing was already there and he just wanted to formalize it. Lucht said WSOR was working to make private crossings legal and this was an illegal crossing in current use. He said WSOR had asked the applicant to formalize this and Mr. Silha had come forward and agreed to put in a new, upgraded crossing to make it legal and official. Lucht also confirmed he had seen the easement and WSOR was in full support.

**11. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht, WSOR**

- Update on Monthly Maintenance Activities
- Update on Capital Projects
- Update on Business Development
- Update on Office of Commission of Railroads
- Other Continuing Issues/ Topics

Ken Lucht said there were a number of things to catch up on. First he thanked the Commission for their support in the repeal of the latest State rail trespassing law. He said there were a lot of organizations and individual’s supporting the repeal. He said this would come back in the future. Dave Simon commented that as far as WisDOT was concerned and understood the safety implications of the bill, they are now trying to connect with people along the Mississippi who are getting warnings as they go their fishing spots and trying to focus on the problem, rather than create a carte blanche statewide solution. He said that Wisconsin DNR, US Fish and Wildlife and Burlington Northern Santa Fe are also working with WisDOT to try to prioritize the locations where pedestrians are crossings. Lucht said there were thousands of public crossings across the state and the railroad’s point had been that there was a process in place to create crossings and people could formally petition for a public crossing.

## WRRTC APRIL 2016 APPROVED MEETING MINUTES

Next, Lucht said the WSOR passenger cars were back in the State, getting repaired and should be back in service soon. He wanted to plan a trip in the next couple months to tour parts of the system, inviting Commissioners and staffers. He said this would help to visualize the track system better and see the infrastructure and also point out some of the state rehabilitation projects;

Lucht said he wanted to start giving a regular report on the Office of Commission of Railroads (OCR). He mentioned two new pedestrian at-grade crossing petitions that were coming up. He said WSOR was going to start looking at petitions, adding that there was one incomplete project with thousands of people crossing the track without safety features. Lucht said the City of Madison and OCR will be meeting next week with WSOR. He said he would keep the Commission posted on this issue. Lucht said when a new crossing request came in, it could have impacts on the track that were unanticipated and could be in areas where trains are very active. When that happened, it could take away from railroad capacity and WSOR was going to continue to take a very strong position on crossings to insure safety, to allow the railroad to provide railroad capacity. He repeated there are a lot of crossings coming up in the state.

Lucht said WSOR will be presenting its annual financial presentation to WisDOT in June. He said a few Commissioners could attend and once the date was set, a small group from the Commission could be invited.

Lucht next spoke of projects. Using a map of the system, on applications submitted in February, Lucht said he had been getting Penn and Matzinger check their records to help get information on past State rehabilitation projects. This information was currently on a spreadsheet that Lucht said he would continue to update. He said WRRTC had contributed to these projects over the past 10 – 12 years. Lucht described the network to the Commission and showed them where continuous welded rail (CWR) was currently. He gave background and location on the various projects (ties, welded rail, etc.) the WRRTC had contributed to over the years. Karl Nilson confirmed that the rail line in Illinois was owned in total by the WRRTC. Lucht said the track condition south of Fox Lake was in a good condition and maintained, but now the bridges would be upgraded making it a strong Class 2 railroad. When asked by Sweeney, Lucht defined the railroad classifications. Lucht said there were two classification groups: ownership and management were Class 1, Class 2, and Class 3 (based on revenue and miles of track). Lucht said big railroads were Class 1; WSOR was a Class 2 railroad in terms of ownership/management. He added that WSOR had grown from Class 3 to Class 2 over the years.

When it came to track, Lucht explained that Class 1 was the lowest grade (in terms of speed and conditions). Lucht said the classes were set by the Federal Rail Administration (FRA). For freight trains, Class 1 was 10 mph and had the lowest tonnage allowable. Class 2 track was 25 mph. Lucht said the FRA outlined how fast trains could go based on classification of track. Class 3 track had a maximum speed of 40 mph, depending on condition of ties, crossings, bridges, rails, etc. He said it went up to Class 6 and Class 7 which were typically Amtrak passenger routes. Rich Kedzior commented that it went up to Class 9.

Allan Polyock asked who rated the railroads. Lucht said this came from the railroads and was confirmed by the FRA.

Lucht said Feb. 1<sup>st</sup> WSOR had applied for the Phase II Fox Lake Sub CWR project. Also, WSOR had applied for the Oshkosh sub (Horicon to Oshkosh) project, from Brandon to Ripon. He said tonnages were increasing and service demands were mounting. He said this project was for rail, with a third project for bridge replacement. He said there were 19 bridges system wide on six different subs.

The fourth project, the TIGER project, was from Madison to Spring Green, and Lucht reminded the Commission that this was their 5<sup>th</sup> attempt at a TIGER grant. As the Prairie sub was the oldest sub on the system and one of the oldest in the State, it needed investment. Lucht said if the TIGER was awarded, it would take them into 2018/19 and WSOR would continue to apply for CWR. In terms of bridges, the Spring Green Bridge was active and the other bridge, the Merrimac Bridge, was being discussed. Lucht said there a couple of different options presented and WSOR was waiting to hear back from WisDOT. Lucht said there would be some weight restrictions, adding that 2019/20 would hopefully be the year to work on that bridge.

Mace asked if the Merrimac Bridge was in two counties. Marty Krueger confirmed the bridge lay between Columbia and Sauk counties. Mace asked how they shared in the case of a member county vs nonmember county. Jack Demby and Anderson asked if there was a request for proposals out for the Spring Green Bridge. Lucht said WSOR was waiting for a grant agreement. He said the award was made but they were waiting for some final approvals from the State. Lucht said the engineering was done but they could not order materials until the agreement was finalized. Kedzior said that once the budget was finalized the agreement would be sent and bids could go out.

Alan Anderson asked what percent of state owned track was Class 2. Simon said 63% of state owned track was Class 2 and 71% of bridges. Anderson said there were a lot of railroads relying on businesses so as upgrades happened that was to everyone's benefit. He said the Pink Lady RTC would be supporting the full funded Freight Rail Preservation Program (FRPP) program as there was a lot of work to be done and funding was needed. He asked at large if there was enough money in FRPP. Lucht said there was never enough money to make goals every year, adding there was a big backlog of bridge work that WSOR was waiting on for grant agreements, also lots of CWR projects. Lucht said that WSOR was constantly revising its capital priorities throughout the year and said that existed in any mode of transportation: everybody was used to that. He did say there had been tremendous progress over the past 10 years. Now the goal was to expand the system to a solid Class 2 system. The system was now being built for the next 100 years and WSOR would continue to work with the legislature to do this.

Simon said WisDOT had been doing long range planning with WSOR as WisDOT was working on their own budget, just as the State Secretary of Transportation was working with the Governor to develop the State budget.

Loudenbeck explained the state budget process and timeline more fully to the Commission. She said the budget would be completed in a little over a year as the budget was finalized in odd numbered years.

Simon spoke of the performance measures that WisDOT was developing. He said their goals were aligned with WSOR's and the WRRTC. Alan Anderson brought up the Sauk County 2009 Economic Impact Study and said it would be done again with the results to be shared with WisDOT and WRRTC. Sweeney asked for more information on the Pink Lady RTC. Anderson gave the background on the Pink Lady RTC, how and when it was formed. He added that Sauk County was pretty dependent on rail service. Sweeney confirmed that sub used the Merrimac Bridge.

Allan Polyock asked Lucht what did WSOR have to do to get to 286,000 per car tonnage levels. Lucht said it all depended on tie conditions and rail weight.

Nilson said he had been on the Commission for 20 years and 20 years ago, the Commission had been worried about every bridge in the State, not just 19 of them. He said the WRRTC was one of the largest private/public partnerships in the State and was a "rare bird". He spoke of the uniqueness of the Commission and extolled the work that had been accomplished to date.

**12. Discussion and Possible Action on WRRTC Co-Sponsorship and Local Match Funding for TIGER VIII Application – Ken Lucht, WSOR**

Lucht distributed copies of the support letter, along with a TIGER information packet. He said this was the 8<sup>th</sup> TIGER cycle and reminded the Commission they had tried four times already to get a grant. He said in the last grant cycle, WSOR had made it in the top 10%. Year after year the application had been very strong on all points Lucht said, but due to a lack of money, they could not get allocated funding. Lucht said they had added an urban component to make the application stronger with WSOR also incorporating pedestrian/biking crossings.

Lucht led the Commission through the information packet, noting increases in freight and activity on the Prairie sub. He explained the project description, noting some specific changes to this year's application. Lucht said the application was due April 29<sup>th</sup> so he was going to present the financial strategy to the Commission, outlining the project costs and breakdowns from each party applicant/sponsor. He said WSOR was asking the WRRTC to promise two years of funding (2017 and 2018 capital improvement years in the budget(s) and then listed to benefits of the project, including 49 at grade crossings to be improved.

He noted that WSOR was accepting letters of support until April 25<sup>th</sup> and added that if anyone wanted to, to call Secretary Tony Fox in support of the application.

Lucht said this was a very collaborative process and WisDOT would make the application submission. He said all the numbers were in construction and they were finalizing traffic forecasts which in the end would give them a benefit-cost analysis;

- *Motion to approve WRRTC co-sponsorship and local match funding for TIGER VIII application – Krueger/Nilson, Passed Unanimously*

Nilson said every time they had been turned down, they had been encouraged to reapply. Simon said calling whether it would pass this year was an extremely long chance. However, in his own talks with the FRA, this application came very close to being accepted last year and despite not getting it, they were encouraged to reapply.

Charles Anderson asked for confirmation on the extent of the work projected. Lucht said the Spring Green Bridge had already been awarded and was outside the TIGER project area. He explained the details of the bridge job and how it would run. Chris James asked if letters from individual counties were sought. Lucht said yes and asked folks to bring him questions.

Gray asked about the MP 138 location on the project description and whether it would include crossings in Madison. Lucht confirmed it would. Mace asked if the TIGER grant included funding for bridges. Lucht said it was for ballast, ties, rail, and crossings only.

**13. WisDOT Report–Kim Tollers, WDOT**

Kim Tollers said in regard to property management, she had attended a meeting at the Pink Lady RTC about trespassing issues at Devils Lake State Park and asked the Commission to volunteer someone to sit on a proposed committee to address the issue. Alan Anderson asked Krueger to volunteer. Krueger said once Sauk County reorganization was complete on the 19<sup>th</sup>, assignments would be posted and Sauk would provide a regular Commissioner to that committee. Simon said it was just a team formed to come up with some potential solutions to the trespassing issue. Pink Lady had been invited, as well as someone from WDNR and WisDOT represented by Kim Tollers. Simon said this was a safety issue and as it was now state owned, the issue must be addressed.

Kedzior said he had attended the pre-construction meeting for the Madeline spur off the Reedsburg sub on Tuesday. He said this was an industry led project, the meeting went well and the contractor anticipated beginning work in May, working under traffic. They would work 2 on, 2 off, to allow traffic, anticipated 6 weeks of construction and hoped to be complete by September. Kedzior said the approximately \$1.7 M project was to reconstruct the whole spur. Mace asked how long it was. Kedzior thought it about a mile. There would be improvements as there are drainage problems and hills and noted it had been designed poorly in the 1980's. He said this project would help rectify those problems as well as rehab two very big crossings.

Dave Simon next updated the Commission on the Merrimac Bridge. He said there had been challenges in addressing this bridge. One project would have been to restore the bridge to its original condition, thus extending the bridge life by 40 years. He said WSOR had their bridge people go through and rate the bridge and despite significant deterioration, they came up with a proposal that restored the bridge but also increased the bridge's capacity. This would be a more expensive project but would really address the capacity concerns. He said he thought it would be on a future agenda to discuss the project. At this point there was no official response to WSOR's proposal. He did say the response was "very favorable" but he could not say absolutely what would happen next. Simon said costs, engineering, and other items had been assessed and hopefully there would be results to share by the next meeting.

Lucht said WSOR presented their recent findings with WisDOT in February. He said WSOR had been told by the FRA that all WSOR bridges needed to be inspected and rated by the end of the year: nothing rated 268k could carry 286k. The lowest bridge rated was 234k per car. The professional engineer who did the rating allowed WSOR to continue to move freight to 268k until improvements could be made. However, they could no longer carry 286k on the Merrimac Bridge so as of April 1<sup>st</sup>, WSOR would not be hauling 286k loads on the Merrimac, although they could haul 268k until 2020. He said WSOR was working closely with the professional engineer and they were reasonably sure that if the bridge was upgraded in small bits they could continue to haul at 268k for a “very short time”. Lucht said WSOR was focusing on the proposal of 286k at 25 mph for 40 years. This analysis was only superstructure and did not address the substructure below water. They were assuming the piers were in good shape. The risk was that in 10 – 20 years the piers might fail. However the engineer was pretty sure the piers were in “good shape”. At this point the bridge was restricted to 268k at 10 mph with only four years to operate as such. The engineer told WSOR if they were not going to upgrade, they needed to drop the bridge to 234k tonnage. Lucht said WSOR had been working with customers to drop their loads from 286k per car.

Simon said WisDOT was working very hard to make this happen. He next spoke about the “Cabinet on the Road” and said it had been a good presentation. He thanked the WRRTC’s commitment to the Prairie sub. He added that the Milwaukee Intermodal Section ribbon cutting was this summer. He also said Wisconsin had won a WisDOT grant of \$3M for a Canadian Pacific line in Waukesha County for various circuitry safety projects on the route which carried passengers, crude oil and freight).

**14. WRRTC Correspondence/Communications and Administrator’s Report – Mary Penn, WRRTC Admin.**

Mary Penn listed the correspondence she had dealt with in the past month, including a question from Mr. Kyle Pattison in regard to his question about having the Commission donate discarded rail from the Prairie sub to the City of Prairie du Chien for a drainage project. Lucht and Kedzior both said Mr. Pattison had talked to them, sending him back to the WRRTC. Penn was told to ask Mr. Pattison to present his request directly to the Commission at the next meeting.

Penn said she continued to work on putting together the information packet for Commissioners. She distributed a list put together by Dick Mace that he developed as a potential list of information that the WRRTC would find helpful. She reminded the Commission that the website had a great deal of information and background on the Commission.

**15. Great Lakes Basin Transportation, Inc Update and Presentation – Rich Kedzior, WisDOT, Kim Tollers, WisDOT**

Rich Kedzior presented the project, while Kim Tollers showed power points relating to the points Kedzior was making. He described the extent of the project, saying it went from northwest Indiana, passing south, west, and north of Chicago, built entirely on greenfield sites, and coming into Wisconsin in eastern Rock County, up to Waukesha sub at Milton. He said the Surface Transportation Board (STB) had approved a preliminary Environmental Impact Statement (EIS). Kedzior then handed the presentation over to Dave Simon.

Simon said WisDOT was the designated state rail agency and therefore had a team monitoring the project very closely. They were planning on reaching out to all stakeholders and mentioned some meetings coming up that would do that. He then turned the meeting over to Kathy Chung.

Chung said the STB was the federal regulatory agency for rail and as such was the lead agency: the WRRTC was a party of record. She said the STB would take stakeholder comments as part of a two-step process. The first step was environmental, the second was on the “transportation merits” of the project. She said scoping comments would be due May 16<sup>th</sup> and these would be comments on the scope of the environmental impacts, such as should the STB examine another route, examine the current route more closely, with all comments based vis a vis the environmental study. She explained the process of approval to the Commission, saying this would be a long process and be very involved. Chung said WisDOT wanted the WRRTC to be aware and contact the STB if they had comments or questions. She told the Commission they could get more information from the GLBT website ([greatlakesbasin.net](http://greatlakesbasin.net)).

Simon said the STB would be holding a public meeting April 18<sup>th</sup> at 5:30<sup>th</sup> in Janesville and it would be a great place to go for more information. He added there would be an online meeting April 27<sup>th</sup>.

Sweeney asked for Lucht’s opinion on the project at this time. Lucht said WSOR was not following this as closely as WisDOT. He said as the route had been revised, it would have tremendous impacts on WSOR, so obviously WSOR’s first priority was to protect their interests. He said WSOR was not supporting nor opposing the project at this time.

Lucht said the reason for the project was to create a beltline outside of Chicago to try to relieve rail pressure on the hub. He said a tremendous amount of traffic could come to the Waukesha, Fox Lake sub if this line went it. The private entity would fund the 6-10 billion dollars to create the line, then sell access to railroads. He said this was German/European model, also used in Australia and it proposed to direct a lot of traffic to state owned tracks in Wisconsin. Sweeney asked if it ever happened, what would it look like. Kedzior said GLBT was proposing multiple tracks in Chicago of up to eight, while in Wisconsin it was proposed to be a single track.

Loudenbeck said her office had worked on finding as much information on the project as they could. She said the project had been originally proposed to go through the Boone/Winnebago area but the project route had changed to more easterly Rock County. She said she was extremely troubled, as it would change the face of the landscape and would not benefit the communities. She said the route was through 90% drained/improved agricultural land and added that no one she knew would be interested in selling and could therefore potentially result in a corridor of eminent domain. She said no one has come to her area to discuss the merits of the project. Loudonbeck asked with the WRRTC’s public/private partnership, was it federal or state eminent domain and asked whether rail use was allowed in an agricultural area. She said a lot of approvals would supersede local authority. Sweeney said he had attended a public meeting where he had tried to make it clear that the local WRRTC system was separate from the GLBT project. Loudonbeck confirmed there was a connection north of Avalon in Milton. Sweeney said it was easy to see that trains could turn right or left at Milton, moving traffic towards Madison or Waukesha

Richard Kuhnke asked about a meeting last week in regard to the project. Loudenbeck said people attending had been very upset about the potential that government could take their land.

Nilson confirmed if the project would be all new lines. He confirmed this would operate east of Rochelle and asked if new bridges would be built. Kedzior said the project proposed to have grade separations at all major railroads and highways. Nilson then asked why they had not discussed using the present lines, improving them. Chung said those were exactly the type of scoping comments that should be made. She said again this was a two-step process; the scoping process is "step 1A" and under scoping the STB sought input from the public. She reminded the Commission that the comments were due May 16<sup>th</sup>. Jack Demby asked Lucht if it were an advantage to the State. Lucht said WSOR had not identified pros or cons. Chung said it was proposed for freight but Amtrak could option to get on the line. Kedzior added that because it avoided population centers it would probably not have much value for passenger service. He anticipated the scoping process would come up with various alternative routes. At a recent meeting, he and some colleagues had brought up the possibility of the reactivation of abandoned lines. In the scoping phases, this was the time to bring up all possible alternatives.

Nilson asked why would they choose to go to Milton. Chung said that those of the Commission on municipal boards should take notice as the STB would look at impacts 30 miles on either side of the proposed corridor. Charles Anderson said that would let the west side of the State meet the east side. Kedzior said when the GLBT project lead met with WisDOT, they proposed the way they would make money would be by charging Class 1 railroads access the line, therefore Class 1 railroads would avoid Milwaukee. Kedzior thought that Canadian National and Canadian Pacific at a minimum would want to use the bypass and use the Waukesha Milton line to access their lines.

Loudenbeck asked about an out of service line near Monroe. Tollers confirmed it was the SCWRTC corridor and was in Rails-to-Trails.

Sweeney asked Kedzior if there were ramifications to this in terms of the WRRTC. Kedzior said as a result WisDOT had put a hold on the Waukesha CWR project. He said this was a temporary hold as things were evaluated. Kedzior said there might be some movement on it but more internal discussion needed to happen.

Laura Payne asked for confirmation on a route from Milton to Fort Atkinson. Tollers confirmed that it was officially abandoned.

Wayne Gustina said that seeing as it was being funded privately, once if approved, did that make a difference in eminent domain. It was answered that there was no difference. Anderson asked if there was still a 200' ROW in Wisconsin despite the one track proposed. That was also confirmed and it would also include a 50' utility ROW. Sweeney asked if this needed to be an agenda item for the next meeting. Chung reminded the Commission again that May 16<sup>th</sup> was the date but noted there would be several months available for comments to be submitted, particularly if there was an extension. She encouraged the Commissioners and others attending the meeting to submit their questions and suggestions to the STB during the scoping period.

Bob Walberg of Boone County Board then spoke of his experiences with this project. He said he first knew about it in the fall of 2015 when the project was updated and noted that it was proposed to be 100 -110 trains a day. He expressed his admiration of the WRRTC and how it worked. He said he was very anxious to know about this project and said while he was not at all anxious for it to happen for personal reasons, as Board Chair, he recognized there were some possible economic advantages to it. He said Boone County did not have any authority to act, adding that his County had not taken a position on the project formally.

Lucht pointed out that any new facilities that connected to State owned property must be approved by the WRRTC, noting improvements in Darrien and Prairie du Chien. He mused how the STB might be above that and preempt WSOR's operating agreement with the WRRTC. He said the operating agreement required railroads come to the WRRTC.

Mace asked if it was not the purpose of this line is to carry thru traffic away from Chicago and was it likely that it would not function as a local employee generator. Simon said WisDOT has been told GLBT would provide local service. Walberg confirmed that the purpose was to bypass Chicago and noted that all adjoining property owners would have the chance for access, and some other proposed utility inducements to sell their property. Tollers clarified that this was not a railroad, it was a tollway and therefore would have to work with operators. She asked Lucht about trackage rights and whether the STB could compel WSOR to allow other trains to use their track. Lucht said that case could be made.

Lucht said he agreed that this conversation was big and visionary with a lot of ramifications. However, he pointed out that it was completely separate from what the WRRTC did every month and encouraged WisDOT to release the hold on the CWR project in Waukesha, reminding them of the inherent risk of having old, 90 lb. rail on an active sub.

Bob Scallon confirmed that GLBT was a private company. He asked if it went bankrupt what would happen, adding that sounded like a bad deal for everyone except the company.

Mace asked supporting the reinstatement of the Waukesha grant could be an action item for next meeting. Sweeney said he would consider it.

**16. Action Item. Adjournment**

- *Motion to adjourn at 12:23 PM – Gustina/Tietz, Passed Unanimously*