

April 26, 2016

Mr. Dave Navecky
Surface Transportation Board
Docket No. FD 35952
395 E Street SW
Washington, DC 20423-0001

RE: Great Lakes Basin Rail, Docket No. FD 35952.

Dear Mr. Navecky:

A few years ago, the State of Indiana and the Federal Government determined that it could be plausible to create a bypass around the metropolitan Chicagoland area through northwest Indiana and eventually connect to Interstate Highway 94 in LaPorte County. While many in the professional community wanted the bypass pushed further south to accommodate the continued growth in our area, they were told by the consultants representing the project that their study area was limited and only included a certain region that did not consist of land further south.

The start of this proposed highway began with a very intense assessment to provide information to prove that there was a need for the project. That intense assessment included preliminary talks and discussions with local governments and many others who may have been impacted by a new highway. This needs assessment went on for a relatively long period with many local meetings and discussions. As the meetings progressed there were three individual potential routes identified along with a "no build" option. To make a long story short, this needs assessment began and the final route determined before any consideration was given to an Environmental Impact Analysis or Statement (EIS). In other words, the potential need for the new highway and its location was weighed and determined before moving forward.

In attempting to understand the proposed Great Lakes Basin Rail from a procedural standpoint, my questions are relatively simple:

1. How is it possible that an individual or private entity can request a railway corridor;
2. How is it possible that this private entity or individual can move straight to the EIS without conducting any type of needs assessment; and,
3. Could you please provide me with any EIS's completed for the STB where the "no build" option was implemented?

I would think that any logical progression would start with our federal government outlining some type of statement that a railway corridor, such as the one proposed, is necessary and warranted. The saddest thing to me is that we have abandoned hundreds, if not thousands, of miles of railway corridors and now all of a sudden we need to establish a brand new corridor. Why not consider those that have been abandoned? Certainly, revitalizing an abandoned corridor would be less costly and less impactful than destroying prime agricultural farmland.

I realize that in your venue this is an environmental matter, but believe an explanation of how this railway proposal has moved into the EIS phase so quickly, without prior notice to

anyone, would help me to understand how the process works. Moreover, if you could explain my stated questions in layman's terms so that I am able to better understand this procedure, I would really appreciate it. It seems to me that no one spends 30 to 50 million dollars (as described in the attached article) for an EIS without some knowledge or assurance that their approval (with or without conditions) is forthcoming.

Hopefully, this is similar to a local change of zoning district classification, in that anyone can apply. For example, an individual having a residential zoning district can apply for a change of zoning to a professional office or commercial zoning district for any reason, but their chance of having an unsupported request being approved, is minimal.

Or is it like Mr. Frank Patton says in the attached local newspaper article, *"these people don't realize it, but frankly I'm the best friend they have"* and the decision to build the railway has already been determined by the STB without any real public notice, participation, or assessment of need (other than your EIS)?

As a citizen, taxpayer, and life-long resident of northwest Indiana, I am appalled by the route this matter has taken, with Mr. Patton talking only to individuals and groups that would laud his effort and not discussing his proposal with anyone he felt would oppose his endeavor, especially those families in the vicinity of the proposed route. After people finally found out about Patton's proposal for the railway and vehemently remonstrated, Mr. Patton's answer appears to be to chastise those who would question his railway by calling them names and saying they are short-sighted and narrow-minded. Like the email he sent to the Porter County Commissioners calling them, the citizens, and children of Porter County robots. From what I have read, Patton feels that he should be invited to speak to each affected community and person only after his proposal was made and we have entered the EIS phase, rather than attempting to determine how he would negatively impact the lives of thousands of families and their property before he made any attempt at an official request.

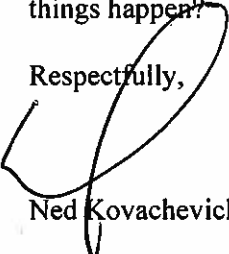
Please read the attached article and after reading it, know for certain that Mr. Frank Patton is not "just like me," nor is he "any friend of mine."

I would appreciate an answer to my questions so I am able to understand whether any attempt to prevent this project from moving forward is realistic or whether as a friend of mine stated, *"if you don't think that the Surface Transportation Board is salivating at the opportunity to approve the first new railroad corridor in over one hundred years, you're naïve."*

If the answers to some of my questions are not in your jurisdiction, then I would ask that you forward this letter to those that can provide the answers, as you are the only identified contact for this project.

Finally, to me this is a great example of the reason people have no faith in government. They feel their backs are against-the-wall; they feel they have no real meaningful input; and consequently, they feel they have no where left to turn. And people are left to wonder why crazy things happen?

Respectfully,



Ned Kovachevich

BREAKING

E.C. Council sets Battle removal hearing

http://www.nwitimes.com/business/local/frank-patton-not-your-average-rail-baron/article_2696e3d9-f353-5cd1-8665-1699a3771b3e.html

EDITOR'S PICK

URGENT

Frank Patton: Not your average rail baron

Keith Benman keith.benman@nwi.com, (219) 933-3326 Updated 19 hrs ago



John J. Watkins, The Times

Frank Patton explains his ideas for the Great Lakes Basin Rail Line at the intersection of Cline Avenue and Belshaw Road, just south of the intersection. Patton submitted to federal regulators, the double-tracked rail line would cross both Cline and Belshaw near this intersection. Patton said the line would cross near nearby schools.

Frank Patton had his light bulb moment sitting around Briar Ridge Country Club seven years ago discussing a 50-mile truck bypass for Chicago called the Illiana Expressway.

If state transportation planners thought a 50-mile toll road was the solution to Chicago truck congestion, why couldn't the same be done for railroads?

So he turned to his friend Ed Paesel, executive director of the South Suburban Mayors and Managers Association.



"And I looked at Ed Paesel and said, 'Does this make any sense?' And Ed looked at me and he smiled and he said, 'It makes all the sense in the world.' And that's when it started."

Six years later the concept of a rail bypass for Chicago has grown to much more than just one man's light bulb moment while talking to half a dozen colleagues at a Schererville country club.

In the past few weeks, thousands of people have flocked to sometimes raucous rallies and public meetings in Indiana, Illinois and Wisconsin. Protest groups have formed. And politicians are either throwing in their lot with protesters or trying to hide from the idea of a 278-mile, double-tracked rail line cutting through bucolic rural countryside in three states.

"I haven't seen one good thing about it," said Lake County Commissioner Gerry Scheub, whose district includes a good portion of the proposed route. "It's not only the effect on the environment and the effect on the school kids in that area, but you are also killing development in that area. No one will build a new home near a railroad track."

You can hear the train a comin' ☆

Map data ©2016 Google Imagery ©2016 TerraMetrics [Terms](#) 2 mi

[Click here to view a larger version of the map.](#)

An inadvertent rail baron

Frank Patton doesn't look like a railroad man.

His fashion style can best be described as vaguely rumpled. His suit coat looks like it was thrown on as an afterthought, his tie quickly loosens. He walks with a rolling, preoccupied gait reminiscent of Columbo, the every-man detective hero played by Peter Falk in the popular 1970s TV series.

And he doesn't talk like a railroad man.

Instead, the 73-year-old Will County resident talks more like an excited computer geek, albeit older than most, trying to convert the uninformed to what will surely be the next big thing.

And that's exactly who Frank Patton is.

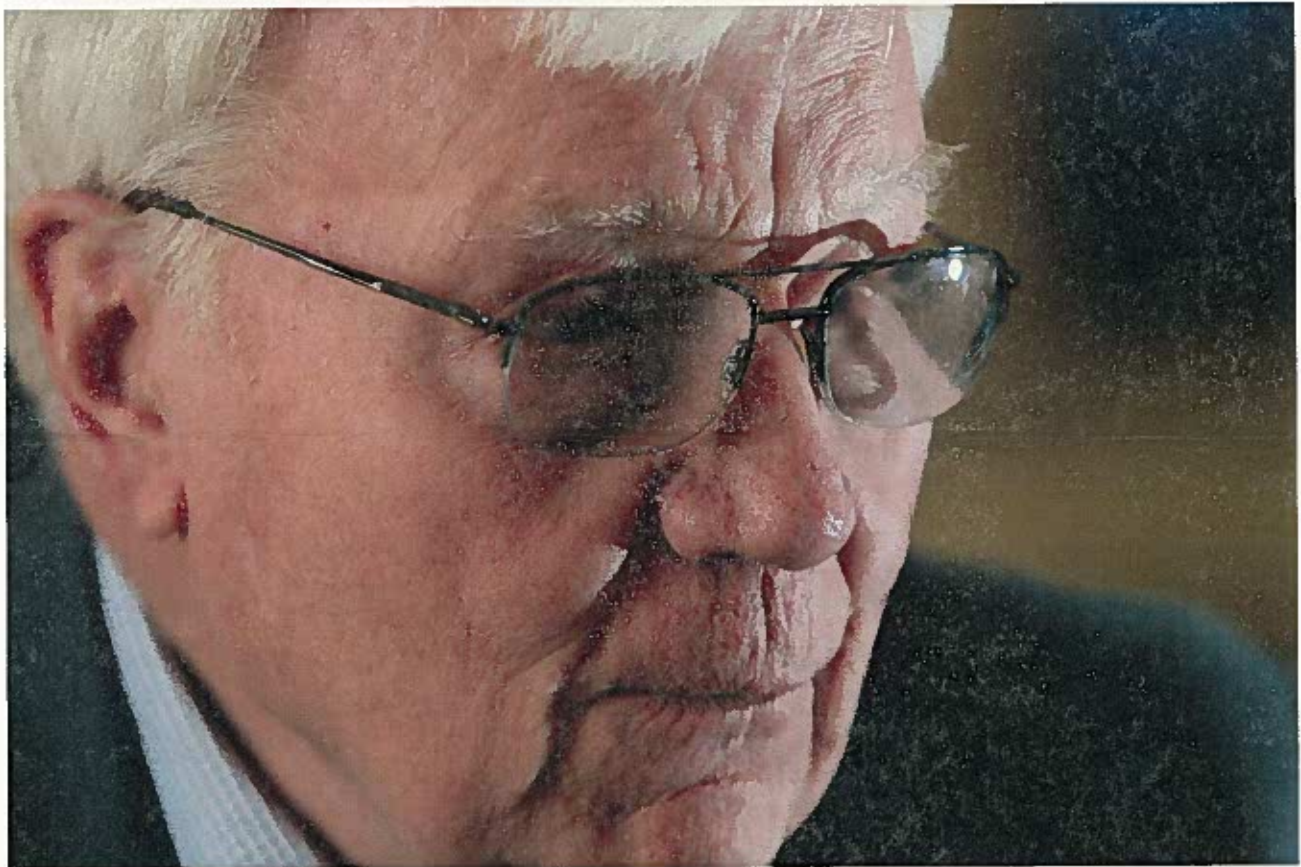
While working at Lehman Bros. in the late 1960s, he decided computers were the future and wanted to get in on the ground floor. He took two Cobalt computer programming classes at a community college and left Lehman Bros. in 1970 to start a software services company to serve the financial industry.

That gig lasted 32 years until he sold his firm, Portfolio Dynamics. Then he did another startup,

Shareddecisions, which developed behavioral models and took on assignments from the likes of Rush Medical College and the Institute for Cancer Prevention. That company still is managed by Patton, but active development of new projects stopped in 2007.

Paesel and others recognize the irony that Patton originally proposed the rail line as a way to raise private funds to pay for the Illiana Expressway. Today, the proposed expressway has faded from view and it's the rail line, which would operate like a toll road for trains, that is taking the first steps toward becoming a reality.

"He got to different levels and met certain objectives, and he always did that, and then he got people to invest," Paesel said. "And he always really seems to do his homework."



Frank Patton explains his ideas for the Great Lakes Basin Rail Line.

John J. Watkins, The Times

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One man's journey

So how did Frank Patton make the leap from computer programmer to founding father of what, at an estimated price of \$8 billion, could be the largest rail project in the United States in more than 100 years?

On a recent morning touring some of the Indiana portion of the proposed route, Patton wove a tale that included his near-death experience with a golf ball-size tumor between his brain and spinal cord, his one-time presidency and membership in Chicago's prestigious Union League Club,

and his experience as a computer programmer and entrepreneur.

The long recovery from the cancer discovered in 2007 gave him the time and space to explore new ideas. The Union League Club gave him the connections. And his programming experience the step-by-step persistence necessary.

But he also feels he's a different man than when he spent his days heading up projects at Portfolio Dynamics for client banks and insurance companies.

"I told my wife, Kathy, 'You know it's funny, but I don't think when I was doing all the computer stuff that I had the something I do now,' " Patton said.

But he has a hard time putting his finger on just what that something is. He mentions the tumor treatments and the ideas of humanistic psychologist Abraham Maslow.

Just before stepping out into a cornfield to show where the tracks will run, he sums it all up.

"I just love working on this railroad. I don't know what it was, but you get the feeling the cylinders are all clicking. And it's fun. It's fun."

Gallery: You can hear a train a comin'

Great Lakes Basin Transportation has proposed building a 278-mile Chicago bypass rail line running from Milton, Wisconsin to LaPorte, Indiana.





Getting on board

Lately, others have been looking to join in on the fun.

On March 18, the federal Surface Transportation Board issued a notice of intent that it would prepare an environmental impact statement on the Great Lakes Basin Rail Line. In order to determine the scope of its environmental study, the federal agency scheduled 10 public meetings along the proposed rail route and established a comment period through June 15.

That notice was made possible in part by Great Lakes Basin Transportation Inc. rounding up 14 investors to pay the estimated \$30 million to \$50 million cost of the study.

"These guys are along for the ride," Patton said of his unnamed investors. "I mean, how many chances do you get in life to build a railroad?"

On the management side, Patton has recruited Jim Wilson as Great Lakes Basin Transportation president. Wilson spent 18 years with the Santa Fe Railway, working his way up from brakeman to assistant vice president of operations. He spent the next two decades doing operations and technology projects for Ernst & Young and Infosys Technologies.

And there are believers locally.



Leigh Morris, a former chairman of the Northwest Indiana Regional Development Authority, said the 278-mile rail line would hold important economic development benefits for both Chicago and Northwest Indiana.

"This could really have a tremendous positive impact on this region and our ability to move goods in and around that Chicago bottleneck," he said.

Morris was in the meeting room at Briar Ridge Country Club when Patton first proposed his big idea. He also is a fellow Chicago Union League member, and has observed Frank and the reactions to his rail plan.

The success Canadian National Railway has had with running trains around Chicago on the EJ&E line, which it purchased in 2008, has people thinking, he said.

"That has caused other rail companies to say, 'Maybe, we should be a little more interested in Frank's idea,' " Morris said. "Maybe he's not such a screwball after all."

Timeline: Proposed rail line causes stir in Region



Proposed rail line cuts through Lake Porter counties



Proposed rail line cuts through Lake Porter counties

March 17 March 18 March 19 March 20 March 21 March 22 March 23 March 24 March 25 March 26 March 27
Timeline JS

One of us

Driving to Lowell a week-and-a-half ago, Patton played down his years providing accounting and research solutions for big banks and prestigious research institutes. He wanted people from

Lowell and others coming out to the hearings and protest rallies to know that he is just like them.

He lives in the same kind of bucolic setting as they do, with his home just over the state line in Will County. He points out he drives a 2010 Chevy Impala. He just had the dings rubbed out. He goes to Grace Lutheran Church on the Indiana side of the border, where he was once president. His daughter went to school in Munster. He buys his groceries in Indiana.

He's not a member of Briar Ridge Country Club, he says. It was just a convenient place for his bistate think tank to meet.

He knows protesters have fastened on the rail line's maximum capacity of 110 trains per day outlined in documents filed with the Surface Transportation Board. But that's "30 years from now" if things pan out, he says. Traffic could start at 30 trains per day, or 50, he's not sure.

Plans are already being modified to satisfy residents' concerns, Patton said. That includes moving the rail line's route farther away from schools such as Lowell Middle School on Cline Avenue.

Concerns farmers have about stranded plots, drainage and crossings are also being addressed, he said. Only recently did Great Lakes Basin Rail Line get information on plot lines, he said.

"If someone says we are cutting their farm in half, No. 1 we didn't do it on purpose, and No. 2 we can modify it," he said.

However, he cautions residents won't see those changes reflected in route maps posted at the websites established for the project for some time on the advice of the Surface Transportation Board.

He also talks of "off-the-record" conversations as far back as 2009 with big railroads and more recently of developing a page-and-a-half of services those railroads want the Great Lakes Basin Rail Line to offer. Non-disclosure agreements prevent him from saying more.

And he promises nearby residents the "longest quiet-zone railroad ever built," meaning trains will not be able to blast their horns at crossings. Eventually, he says he wants to talk to every single landowner along the rail line's route, starting on May 1.

"These people don't realize it," he said, "but frankly I'm the best friend they have."

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