



**MISSOURI FARM BUREAU FEDERATION**  
P. O. Box 658, 701 South Country Club Drive, Jefferson City, MO 65102 / (573) 893-1400

August 24, 2017

Ms. Carol S. Comer  
Director, Missouri Department of Natural Resources  
P. O. Box 176  
Jefferson City, MO 65102

Dear Director Comer:

On behalf of Missouri Farm Bureau, thank you for soliciting public input regarding the pending Rock Island Trail proposal. Enclosed for the record are copies of two related comment letters, one to the former department director and one submitted within recent weeks to the Surface Transportation Board's Regulatory Reform Task Force. Also enclosed are several news stories reporting on townhall meetings held in 2015 and 2016.

Missouri Farm Bureau opposes the conversion of the Rock Island rail corridor to a recreational trail. Policy adopted by our members representing county Farm Bureaus statewide at our annual meeting reads as follows:

*We favor keeping the old Rock Island Line from Owensville to Kansas City as a railroad, because railroads are vital to agriculture and the economy of rural communities and are a far better choice than the tax burden of building and maintaining a trail. We oppose any effort to create a recreational trail. If efforts to stop the conversion of the rail corridor to a recreational trail fail, then we oppose state or federal taxpayer funding for conversion and maintenance of such a trail.*

The department's public comment period is the first readily available opportunity for local landowners to provide input for the record since the proposal's inception. During a meeting we scheduled in conjunction with our annual meeting in December 2014, former State Parks Director Bill Bryan told local county Farm Bureau leaders the department planned to hold public meetings at locations along the corridor. Yet the department has held no such meetings. In early 2015 we participated with Ameren and department officials in meetings hosted by local legislators and county Farm Bureau leaders in Westphalia and Stover. In early 2016 local legislators hosted similar meetings in Owensville, Freeburg and Eldon.

Local landowners who attended these meetings were overwhelmingly opposed to the proposal. Having been neither notified nor consulted by parties to the transaction, they were left to file claims in federal court for compensation under the takings clause of the US Constitution. The concerns expressed by those quoted in the enclosed news stories reflect the views of many:

### **Privacy**

"We don't care if it's worth \$10,000 more because of the trail...We just want you guys to understand that our land, our privacy will be interrupted. It might only be 10 people, but it's still 10 people..." *Freeburg meeting*

"...we never intended to be a tourist town...(many) don't want the world walking through their backyards." *KOMU interview*

"It's why I drive the extra miles to get to work, because I love the privacy..." *KRCG interview*

"Those that propose the trail have nothing to lose. Those with land along the trail, those are the folks that have everything to lose." *Westphalia meeting*

### **Security**

"Make sure private property markers are everywhere, because these people seem to forget the landowners have lost something, too." *Owensville meeting*

"We all know what's going to happen as it's being developed. We'll have ATVs going up and down...We're just opening up a lot of problems for landowners." *Freeburg meeting*

### **Biosecurity**

"Will state parks commit to honoring quarantines, as the railroad did, in the event of an outbreak of a livestock disease?" *Stover meeting*

### **Livestock Fencing**

"It's nice of (DNR) to pay for supplies, but that's going to be one more expense for the landowner." *Westphalia meeting*

"Missouri law says the railroad is responsible for putting up fence to keep our cattle on our land...They're supposed to build, maintain and be liable for cattle. You're going to put a trail in now, and probably provide us materials, but probably not maintain it and probably not accept liability...We also have major flood issues, so we're responsible for keeping those fences up when everything gets flooded to keep cattle off the trail?" *Freeburg meeting*

"If I build this fence now, will DNR reimburse me?...We're talking three or four years, and I can't have an open corridor." *Freeburg meeting*

### **Cost of Construction and Maintenance**

"Hopefully our politicians realize that if there's a single cent of tax dollars going towards this, the whole state needs to know. They don't like the thought of tax dollars having to be used for something for that." *Westphalia meeting*

"I can't see where it's ever going to pay the taxpayers back." *Westphalia meeting*

"The cost of this thing is going to be 150 times what the Katy Trail was once you develop these culverts." *KRCG interview*

"The cost of this project will not be an economic benefit to counties along the tracks. There's no way we can sell enough Gatorade to pay for this playground for just a few people...Let's spend money on (schools, roads and bridges)...The wasteful spending must stop." *Stover meeting*

“As commissioner, if I was going to build a bridge, the first thing I would want to get is a cost estimate. I really think we need to stop our wasteful spending in Jefferson City.”

*Stover meeting*

“We can’t fix (roads and bridges) but we’re suggesting we can put a trail across this Rock Island railroad bridge.” *Eldon meeting*

### **Hunting**

“We spent over \$25,000 (on) our property. We got our stand set up along this trail corridor. We’re going to lose all that.” *Westphalia meeting*

### **Liability**

“Nothing is going to keep these people from walking off the trail. If we put up a barbed-wire fence, and someone trips over it, will they sue us for hurting them because we still own it? Liability is a big issue.” *Freeburg meeting*

“Trespassing, property rights, emergency services—those are all things we just don’t have answers to.” *KOMU interview*

### **Inflated Economic Benefit**

“The Rock Island has many more Mokanes than Hermanns or Rocheports.” *Westphalia meeting*

On several occasions, former State Parks Director Bill Bryan acknowledged the economic impact of the proposed Rock Island trail would not be nearly that of the Katy Trail. He cited projections for user trips on the Rock Island trail at a fraction of those estimated on the Katy.

We question the accuracy of economic impact estimates presented in the “Katy Trail Impact Report.” For example, based on approximately 1500 “visitor impressions,” an estimated 400,000 “annual visitors” are reported. In other words, the estimated annual total was calculated based on survey responses representing only 0.4% of the estimated total.

Furthermore, the following projections point to the likelihood most Katy Trail visitors are making minimal expenditures for lodging and other goods and services typically associated with tourism:

- Roughly 60% visit at least 2-3 times per month except during winter;
- 27% of all visitors surveyed spent the night near the Katy Trail; and
- Local visitors spend on average \$56.59 of which \$39.05 is spent on “sporting goods”—equipment purchases attributed to the Katy Trail but likely purchased for use multiple times at multiple venues.

In addition, such economic projections take into account neither offsetting adverse economic impacts, such as restricted access to public and private property used for hunting, farming and other commercial activity, nor increased costs to counties and communities for road maintenance, public safety and other services.

On August 15<sup>th</sup> the *St. Louis Post-Dispatch* reported the department's decision to keep four state parks newly created last year closed to the public indefinitely while seeking to address a \$200 million park maintenance backlog. The department has acknowledged higher costs for building, maintaining and operating this proposed trail compared to the Katy Trail due not only to price inflation over time, but extra costs attributed to rough terrain, distance from state park base operations, prevalence of livestock production requiring proper fencing and extensive infrastructure improvements. Department officials have indicated they anticipate a combination of private and public funding to be available for construction, yet the department has not provided cost estimates for construction or ongoing maintenance and operation. Citing transportation and education as higher budget priorities for which state funding remains lacking, several legislators have publicly expressed their opposition to state funding for this proposed trail. We concur with their position.

We appreciate the opportunity to comment and urge the department to fully consider the views of affected landowners before taking further action. If the proposed trail becomes a reality, the department or trail sponsor should make every effort to address landowners' concerns, including providing compensation for property damage and restricted use during construction as well as proper fencing at a level commensurate with actual costs of labor and materials.

Sincerely,



Blake Hurst  
President

cc: Mr. Ben Ellis, Division Director, Missouri State Parks  
Mr. David Kelly, Deputy Division Director, Missouri State Parks  
Mr. Mike Sutherland, Deputy Division Director, Missouri State Parks

Enclosures:

Letter to Director Sara Parker Pauley (March 6, 2015)  
Letter to Surface Transportation Board's Regulatory Reform Task Force (July 21, 2017)  
"Rock Island Trail project discussion draws quite a crowd to Westphalia," *Unterrified Democrat* (January 28, 2015)  
"Landowners call bike trail process unfair," KRCG News (February 5, 2015)  
"Rock Island forum airs landowner concerns," *The Advertiser* (March 19, 2015)  
"Legislators pledge state transparency, accountability on trail project," *Gasconade County Republican* (January 27, 2016)  
"Landowners can't stop Rock Island Trail through legal means; now it's all about 'just compensation,'" *Unterrified Democrat* (February 17, 2016)  
"Officials answer questions about proposed trail," *The Advertiser* (March 3, 2016)  
"Reaction to Rock Island Trail development on separate tracks," KOMU News (April 25, 2017)