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Citizens chastise new rail project

Colorado transportation officials informed a Brush crowd Tuesday about potential costs and environmental impacts of proposed railroad construction that would bring Front Range trains to the eastern plains.

But local residents' resounding question during the heated discussion centered on what would happen to the private property to be used for the new rail lines.

The state would ultimately have the power to condemn any private land needed to construct the railroad infrastructure, according to Bob Grube, right of way manager for the Colorado Department of Transportation. However, he said, the state would only take the property by eminent domain as a last resort.

"We don't like to condemn anything," he said.

After identifying properties needed for the project, Grube said, state officials would send a letter of interest to the individual landowners. CDOT would then obtain an appraisal and pay for each landowner to obtain an appraisal of the land being considered, he said.

Fair market value for each parcel of land would be established from the two appraisals, Grube said, and the state would then offer the particular amount of money to the landowner.

"Hopefully, we can come to an agreement and buy the property," he said. "If for some reason we can't come to an agreement with you on the price and never can get there, then ultimately we do turn it in for condemnation."

The value of condemned land would be evaluated by either a commission of three experts or a court jury, Grube said, which would make the final determination of how much the property owner would receive.

Among the audience of roughly 130 open house attendees was Colorado Rep. Cory Gardner, R-Yuma, who said land acquisition by eminent domain should not be an option.

"I grew up thinking fair market value was whatever I wanted for my land," he said. "...If you'll take eminent domain off the table right now, I think we can have a better discussion."

Also in the audience was Becky Thompson, secretary of Citizens Against Railroad Relocation (CARR), who said there is no feasible way to calculate the fair market value of the private lands. CDOT has not acquired any significant amount of land in the last 30 years, she said.

"When appraisers come out and talk about devaluation, appraisers have no idea how to figure that because there is no standard," she said.

Other audience members claimed CDOT officials do not recognize the value of agricultural land on the eastern plains. The local landowners said the rural properties provide an income for their families and should be regarded as viable businesses just like those along the Front Range.

Thompson said the state has spent \$1.7 million of federal tax money to study the benefits of the rail relocation for the Front Range, but will not spend pennies to study the cost impact for eastern-plains landowners.

"It just seems like a little bit of a kick in the teeth to find out that the money's been spent in that way but it's not been spent out here," she said.

Tammy Lang, CDOT information management branch manager, acknowledged that the state has not yet conducted an in-depth study of the effects of the new railroad lines on landowners. However, she said, CDOT has considered contracting with a graduate student to study the costs and benefits the project would impose on the eastern plains.

"We did not identify what the benefits would be for the eastern (plains)," she said. "...That is something in the next step that we want to do."

Lang said the proposed rail lines are not meant to place Front Range burdens upon eastern plains citizens, but they would help solve a statewide transportation problem.

"We have more and more people coming into the state," she said. "Most of them are coming into the high-populated areas along the Front Range, so what do we do?."

The proposed north/south railroad bypass through Colorado's eastern plains would remove about 85 percent of coal and other freight rail traffic from the Front Range, according to Randy Grauberger, senior transportation planning manager for Parsons Brinkerhoff.

The decreased number of slow-moving trains would allow passenger trains to operate along the I-25 corridor in the future, he said, which would decrease highway traffic along the Front Range.

The existing 300-mile route directs trains west through Morgan County to Denver, along the I-25 corridor and southeast toward Los Animas.

One proposed 220-mile bypass, identified as Alignment A, would construct new rail lines from the Morgan/Weld county line south to Byers. The route would then follow the existing Union Pacific railroad to Arroyo, and new track would be constructed from Arroyo to Los Animas.

Alignment B would re-route railroad traffic from the Brush area through the Limon area and southeast to Los Animas, avoiding Fort Morgan. The entire 178-mile track would be new construction.

Grauberger said project officials believe that an eastern railroad line will one day be built, although they don't know when or how it will happen.

Of the two proposed railroad bypasses, Morgan County Economic Development Corp. has endorsed Alignment B, which would detour trains south starting just east of Brush. The Fort Morgan City Council is also considering a resolution endorsing Alignment B.

The extra railroad could attract numerous new projects or businesses to the county and remove some train traffic from the existing crowded railroad, according to MCEDC Executive Director Kari Linker.

Story by Jesse Chaney