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Hidden Rail Report Warns of Pollution Risk to the Public — No Samples Taken, Sidetracks Skipped, Trail Recreation Use Banned

Estero – Bonita Springs – Collier County, Fla. —

A 2,401-page Phase 1 railroad environmental report was finished July 21, 2026, and delivered to Bonita Springs, Estero, and Collier County. The public did not see it until Estero released it after a Lee County Taxpayers Association (LCTA) public-records request.

The S&S Environmental Consultants, LLC report found contamination risks along the corridor and next to Tisch Laundry. It did **no environmental sampling**. Industrial sidetracks in Bonita Springs and Collier County were not tested. Recorded deed restrictions **prohibit recreational use of the tracks, including a hiking or biking trail**, and ban groundwater use.

The next step is a **Phase 2 environmental pollution inspection**. Under the purchase agreements approved by the three governments, **the railroad will conduct that inspection**. That is why FDEP and Lee County and Collier County pollution-control staff must help perform the work, monitor the railroad's testing, and independently evaluate the results. Bonita Springs, Estero, and Collier County have a duty to protect residents and visitors from pollution. They must not accept a shallow, railroad-run study and then take the land **AS IS**.

Highlights of the hidden Phase 1 report

1. S&S found contamination risk on the whole line from metals, pesticides, petroleum, creosote, and PAHs.
2. Tisch Laundry at 10450 W. Terry Street is a second pollution condition. Solvents may already be under the tracks. EPA was denied railroad access in 2013.
3. **No environmental testing was done**. S&S still said a Phase 2 is warranted.
4. Sidetracks were omitted.
5. The 2018/2019 CSX–SGLR quitclaim deeds restrict the land to industrial/commercial use and bar residential use, schools, child care, “any recreational purpose” including “public park, hiking or biking trail,” food agriculture, mitigation banks, and use of groundwater. (S&S §3.2, pp. 16–17)
6. Exhibit B, nearly identical for all three governments, uses weak testing rules: composite samples, a 6-inch cap, and a short chemical list. Source documents and executive summaries: usataxfighters.org.

7. After Phase 2 is delivered, Bonita has only **30 days** to walk away or take the tracks **AS IS and WHERE IS**.

This hidden Phase 1 report is not an accident. Bonita Springs' mayor and City Council kept the purchase agreement out of the public agenda packet at the two meetings that set up the 30-year tax-funded buy, withheld two appraisals received July 2, 2026, until August 5—13 days before the August 18 vote—and taxpayers should assume Bonita Springs, Estero, and Collier County may also hide the Phase 2 results unless those labs are posted the day they arrive.

LCTA mapped the Bonita Springs railroad sidetracks and business names at usataxfighters.org. That map joins three Collier County sidetracks where major agriculture companies spent a century unloading pesticides, herbicides, fertilizers, fuel, and other industrial chemicals: Immokalee Tomato Growers / Naples Tomato, NT Gargiulo, and Krehling / Cemex–Wiggins Pass, plus the dead-end terminus.

LCTA demands for the Phase 2 inspection

1. FDEP and Lee and Collier pollution-control staff must take part in the testing, monitor the railroad's work, and evaluate the results.
2. Expand the chemical list beyond arsenic, lead, and PAHs to VOCs and degreasers, petroleum hydrocarbons, dioxins, and herbicides.
3. Do not stop at six inches. Core 2 feet, 5 feet, and into groundwater at switches, crossings, sidetracks, and Tisch.
4. Ban composite "dilution" samples. Test each core.
5. Test every mapped Bonita and Collier sidetrack, not only the main line.
6. Do not let the railroad block more groundwater wells.
7. Reject the 30-day AS-IS deadline. Require at least 90 days after final lab results.

Quotes

"This report sat in government files while the public was told this was a trail. It is an industrial railroad with untested pollution next to homes, a river, and Old 41," said Dave Jaye, Chairman of the Lee County Taxpayers Association. "Residents and visitors have a right to know the toxic pollution risk before anyone is invited onto that corridor."

"The three governments already agreed the railroad will run Phase 2," Jaye said. "That only works if FDEP and county pollution-control staff are on the inspection, watching the sampling, and judging the results. A seller does not get to grade its own test."

"Thirty days after a railroad-run test, the City can be stuck with this land AS IS," Jaye said. "Bonita is being asked to pay \$28.6 million for tracks the property appraiser

values at \$378,005, then eat the cleanup. The railroad and the companies that generated this pollution should pay to clean it up—not taxpayers.”

Railroad money and ownership

Forensic review by usataxfighters.org: Seminole Gulf Railway has operated this line since 1987 under a lease-license from CSX, which then owned the land. In 2018 and 2019 CSX quitclaimed its real-estate interest in the BERT segment to Seminole Gulf (Lee OR 5568/941 and 5645/3121). Property appraisers now list SGLR as owner and value the three segments at \$330,362, \$378,005, and \$104,688. The three governments signed a \$60 million purchase. Lee County declined to join the project and prioritized road construction. CSX remains in the title file and gave \$15,000 to Vote4BERT2026. The 2018/2019 restrictions still ban recreational trail use and groundwater use.

“It is a huge conflict of interest when railroad interests help fund the tax-increase vote, then run the pollution inspection that decides whether taxpayers take the land AS IS,” Jaye said. “The railroad and the businesses that generated the pollution should pay for cleanup of toxic waste, not taxpayers.”

Segment	Tax-roll value	Agreed purchase price
Estero (4.1 miles)	\$330,362 (Lee County PA)	\$19.8 million
Bonita Springs (5.8 miles)	\$378,005 (Lee County PA)	\$28.6 million
Collier County (1.5 miles)	\$104,688 (Collier County PA)	\$11.6 million
Total	\$813,055	\$60 million

That is about 74 times the combined tax-roll value.

Full 2,401-page report, executive summary, ownership brief, and sidetrack maps:

<https://usataxfighters.org/> under issues by each community.

Contact: Dave Jaye, Chairman, Lee County Taxpayers Association, and Lead Researcher <https://tripleddippers.org/> (586) 488-5177 | dave.jaye55@gmail.com <https://usataxfighters.org/> <https://www.facebook.com/LeeCountyTaxpayersAssociation/>

LEE COUNTY TAXPAYERS ASSOCIATION

Exposing Public Corruption and Wasteful Spending

Dave Jaye Researcher (586) 488-5177

dave.jaye55@gmail.com

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