

FOR IMMEDIATE RELEASE

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

BONITA SPRINGS, Fla. — Local officials received a 2,401-page Phase 1 environmental report on July 21, 2026, detailing severe railroad pollution and legal deed restrictions along the proposed BERT corridor, but withheld it from the public through the August 18, 2026 30-year Bonita Springs property tax increase vote. The Lee County Taxpayers Association (LCTA) first requested the report on June 16, 2026, from Bonita Springs, Estero, and Collier County. Following a second formal demand on August 23, Estero finally surrendered the document on August 24. To date, both Bonita Springs and Collier County have refused to release the report to the public.

The S&S Environmental Consultants, LLC report found contamination risks along the corridor and next to Tisch Laundry, yet performed **zero physical environmental sampling**. High-risk industrial sidetracks in Bonita Springs and Collier County were not investigated, and recorded deed restrictions prohibit recreational use of the tracks—including a hiking or biking trail—and ban groundwater extraction.

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. FDEP and Lee and Collier County pollution-control staff must 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 rather than accepting a shallow, railroad-run study and taking the land AS IS.

Highlights of the Hidden Phase 1 Railroad Pollution Report:

Corridor-Wide Hazard: S&S found contamination risk along the whole line from metals, pesticides, petroleum, creosote, and PAHs.

Solvent Plume Threat: Tisch Laundry at 10450 W. Terry Street represents an active pollution hazard where dry cleaning solvents may already be under the tracks. EPA was denied railroad access in 2013.

Zero Physical Samples: No soil or groundwater testing was done, though S&S confirmed a Phase 2 is warranted.

Omitted City Directory Searches: The consultant skipped mandatory historical City Directory searches (Section 4.2, p. 8), leaving a critical data gap under ASTM E1527-21 standards regarding past commercial chemical handlers along the line.

Omitted Industrial Sidetracks: Targeted historical reviews were skipped on active commercial sidetracks (Section 5.1, p. 12), ignoring 100 years of pesticide, herbicide, and fuel loading zones.

Recorded Deed Bans: The 2018/2019 CSX–SGLR quitclaim deeds restrict the land strictly to industrial/commercial use and bar residential use, schools, child care, food agriculture, groundwater use, and “any recreational purpose” including a “public park, hiking or biking trail.” (S&S §3.2, pp. 16–17).

Flawed Testing Rules: Exhibit B uses weak testing rules: 5-specimen composite dilution samples, a shallow 6-inch soil cap, and a restricted chemical target list.

30-Day "As-Is" Trap: After Phase 2 is delivered, municipalities have only 30 days to walk away or take the tracks AS IS and WHERE IS.

"Local officials had this 2,401-page Phase 1 report since July 21, 2026, documenting severe industrial contamination and recorded deed restrictions that explicitly ban human recreational activity, including hiking and biking trails. Yet, Bonita Springs chose to bury these toxic findings until after the August 18 election. They kept taxpayers completely in the dark while asking them to pass a 30-year property tax increase to pay \$28.6 million for 5.8 miles of polluted railroad track that the Property Appraiser values at just \$378,005. Taxpayers were sold a bike and pedestrian trail, but they're being forced to buy an 'AS-IS' toxic brownfield at 75 times its assessed value."

"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, local governments can be stuck with this land AS IS," Jaye added. "Bonita Springs 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."

LCTA Demands for the Phase 2 Rail Road Environmental Inspection:

FDEP and Lee and Collier pollution-control staff must participate in testing, monitor sampling, and independently evaluate results.

Expand the chemical target list beyond arsenic, lead, and PAHs to include Volatile Organic Compounds VOCs, degreasers, petroleum hydrocarbons, dioxins, and herbicides.

Reject shallow limits: core 2 feet, 5 feet, and into groundwater at switches, crossings, sidetracks, and the Tisch Laundry underground pollution plume boundary.

Ban composite “dilution” samples; test each core sample independently.

Test every mapped Bonita Springs and Collier County sidetrack.

Require at least 90 days after final lab delivery to evaluate findings, overriding the 30-day AS-IS deadline.

Tax-Roll Assessment vs. Agreed Purchase Price:

Segment	Tax-Roll Assessed 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 (11.4 miles)	\$813,055	\$60.0 million

Taxpayers are being asked to pay roughly **74 times** the combined tax-roll assessed value for deed-restricted property.

Full 2,401 page Phase 1 Railroad Pollution Audit Report, Executive Summary, Railroad Deed & Maps Available At:

<https://usataxfighters.org/bert-phase-1-hidden-report/>

Media Contact:

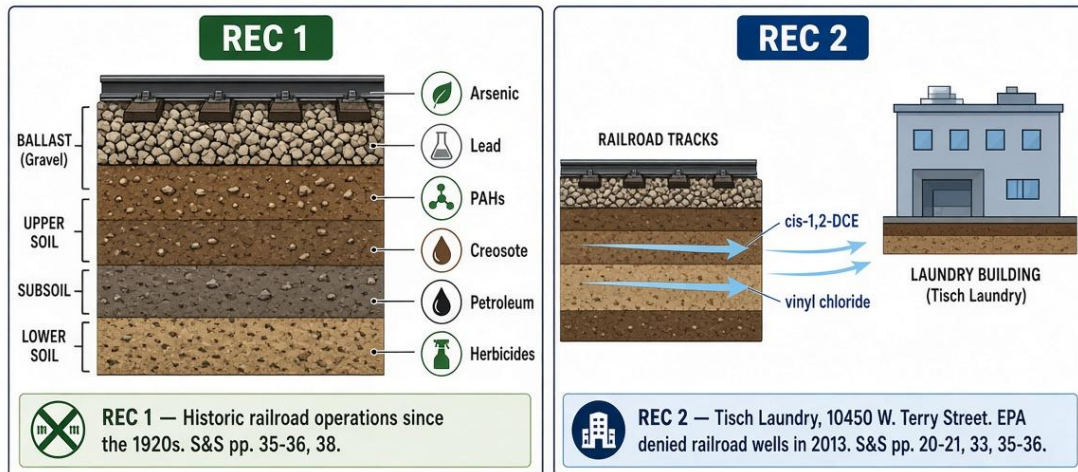
Dave Jaye, Chairman & Lead Researcher

Lee County Taxpayers Association

Phone: (586) 488-5177 | Email: dave.jaye55@gmail.com

Websites: <https://usataxfighters.org> | <https://tripledippers.org>

TWO POLLUTION CONDITIONS THE PHASE 1 ALREADY FOUND



NO SAMPLES TAKEN. PHASE 2 IS WARRANTED.

S&S p. 5 and p. 38.



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HIDDEN PHASE 1 RAIL REPORT: POLLUTION RISK, NO TESTS

S&S ESA July 21, 2026 — BERT / Seminole Gulf Corridor — 2,401 pages released after LCTA public-records request

1 NO SAMPLING —

paper review and walk only, Phase 2 warranted



2 RAILROAD REC —

metals, pesticides, petroleum, creosote, PAHs may be on the whole 11.4-mile ROW



3 TISCH LAUNDRY REC —

solvents under tracks at 10450 W Terry St, EPA access denied 2013



4 SIDETRACKS SKIPPED —

Old 41, Terry St, lumber yards, tomato/Gargiulo/Krehling not sampled



5 DEED BANS TRAIL —

no hiking or biking trail, no groundwater use



6 30-DAY AS-IS TRAP —

miss the window after Phase 2 and taxpayers own the cleanup



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COLLIER COUNTY NOT TESTING THESE BUSINESS SITES FOR POLLUTION HIDES THE DANGER AND SHIFTS CLEAN UP COSTS TO TAXPAYERS

**100 YEARS OF LOADING
FERTILIZER, HERBICIDE
AND TRAIN REPAIR LEAKS**

These businesses mark the exact locations of decades of chemical hertilizer handling, herbicide loading, and locomotive repair leaks — the highest-risk toxic hot spots on the property.

**Immokalee
Tomato Growers
Sidetrack**

**NT Gargiulo
Sidetrack**

**Krehling
Industries
Sidetrack**

**Railroad Terminus
(Dead End)**

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No Pollution Inspections Seminole Gulf RR Side Tracks Bonita Springs, FL

