



Dave Jaye <dave.jaye55@gmail.com>

Bonita Estero Rail Trail Concerns

1 message

Stephen Richard <stephen.richard4372@gmail.com>

Wed, Oct 14, 2026 at 12:31 PM

To: Marlowe Starling <marlowe.starling@gmail.com>, awilliams@news-press.com, Nicole.kikkert@hearst.com, Bridget Bruchalski <bridget.bruchalski@winknews.com>, laura.layden@naplesnews.com, Tom Bayles <tbayles@wgcu.org>, Jason Jones <jason@925fosnes.com>, Youn-Joon Park <ypark@wgcu.org>, Craig Pittman <craigtimes@gmail.com>

Dear Esteemed Journalist,

I write you today to express concerns and questions regarding the Bonita Estero Rail Trail (BERT). It seems to me the City of Bonita doesn't know, understand, or is turning a blind eye to a point of negligence regarding the issues that most likely will arise from this project.

Official municipal correspondence confirms that the City of Bonita Springs did not involve its own City Environmentalist, Laura Gibson, in the review or drafting of environmental agreements for the proposed \$60 million Bonita Estero Rail Trail (BERT) acquisition.

In a September 11, 2026 email, Jacqueline Toemmes Genson, Planning and Zoning Manager for Bonita Springs Community Development (jgenson@cityofbonitaspringscd.org), explicitly confirmed: "*Laura Gibson has neither been asked to review nor has she reviewed any Environmental Assessment related to BERT. Additionally, she has not participated in any discussions concerning BERT.*"

QUESTIONS:

- A. Why was the city Environmental Expert omitted from this process?
- B. Why is the City dependent on ESA Phase I and Phase II Reports conducted by an Environmental firm that was contracted by the Seminole Railroad to perform such test?

NOTE:

The 2,401-page Phase 1 Environmental Site Assessment was delivered to the City of Bonita Springs, the Village of Estero, and Collier County government on **July 21, 2026**. Although a Public Records Request (PRR) for this critical report was filed on **June 18, 2026**, the document was withheld from the public for over two months and was not provided until **August 24, 2026**, when it was finally released by the Village of Estero.

QUESTION:

- A. Why was the ESA Phase I report kept from public for so long?

Here are a few of my concerns regarding severe conflicts of interest, restricted testing protocols, and unaddressed toxic contamination along the 11.4-mile industrial railroad corridor:

- A. Under the terms of the purchase and sale agreement, the seller—Seminole Gulf Railway (SGLR)—or its own environmental consultants are tasked with conducting the Phase 2 environmental testing, placing the party selling the land in control of evaluating its contamination scope.
- B. The purchase and sale agreement gives the City an absurdly brief 30-day window to evaluate Phase 2 testing results once delivered. If the City fails to terminate within 30 days, local taxpayers automatically accept all hazardous conditions "AS IS" and "WHERE IS"—shifting all multi-million-dollar future cleanup liabilities onto the public.

- C. The City is rushing toward closure without requiring a formal Phase 3 Corrective Action / Remediation Plan. Taxpayers are being asked to write a blank check without knowing the true cost of excavating, treating, or capping toxic soil and groundwater along the corridor.
- D. Contractual sampling protocols restrict environmental testing primarily to shallow surface soils (0 to 6 inches) and permit composite (blended) sampling, which can dilute localized toxic "hot spots." Furthermore, any additional groundwater testing beyond surface sampling requires prior written approval from Seminole Gulf Railway.
- E. Omission of Industrial Sidetracks & Depot Park: The testing framework bypasses key historical industrial sidetracks along the corridor, including the historic siding at Depot Park (AX 987.4). While capping is proposed, EPA remediation best practices for severe industrial "hot spots" like historic train depots recommend complete soil excavation and removal to ensure long-term public safety.
- F. To date, the City of Bonita Springs has not provided or released public Phase 2 environmental testing results detailing the extent of toxic contamination along the corridor.
- G. The Tisch Laundry site ([10450 W. Terry St.](#)), where chlorinated solvents (vinyl chloride and cis-1,2-DCE) exceed state cleanup standards. In 2013, the EPA attempted to install monitoring wells on the railway right-of-way to map the plume, but the railroad denied access, leaving a significant uncharacterized data gap.

IN CLOSING:

Excluding the City's own environmental expert while allowing the seller to control pollution testing under restricted rules is a direct disservice to taxpayers and public health. Demanding taxpayers accept an 'as-is' deal within a 30-day window without a complete Phase 3 remediation plan and exact cleanup cost estimate is unacceptable fiscal governance.

The testing of soil samples limited to 6 inches is in direct conflict with Florida Department of Environmental Protection (DEP) – Standard Operating Procedure (SOP) – FS 3000 Soil Sampling – FS 3210 Sampling Collection Procedures – FS 3220 Reaching the Appropriate Depth. The dictation of a 6 inch test and the combination of samples is unacceptable.

If or when construction begins, hazardous airborne dust particles should be a concern for all restaurants, parks, schools and residents that reside in proximity of the rail corridor. To my knowledge, none of these establishments or the public have been notified of such hazards. As you may be aware, some hazardous materials remain in the soil for up to 50 years and others remain indefinitely.

Stephen Richard, Retired, Bonita Springs Resident
 Degree in Arboriculture and Park Administration
 Worked in the Massachusetts Department of Environmental Management
 Former Parks and Recreation Commissioner (Massachusetts)
 Email: stephen.richard4372@gmail.com,