

FOR IMMEDIATE RELEASE

DATE: Monday, October 19, 2026

LOCATION: Bonita Springs, Lee County, Florida

ISSUED BY: Lee County Taxpayers Association (usataxfighters.org)

MEDIA CONTACT: Dave Jaye, Chairman | Phone: (586) 488-5177 | Email: dave.jaye55@gmail.com

FLAWED RAILROAD POLLUTION STUDY OMITTS CLEANUP COSTS: TAXPAYERS TRAPPED WITH \$12.5M–\$24M+ REMEDIATION & CAPPING BILL

AT STAKE: \$28.56M PURCHASE FOR 6.15 MILES OF POLLUTED RAILROAD DIRT

BONITA SPRINGS, FL — The seller-conducted Phase 2 pollution study delivered by Seminole Gulf Railway contains a fatal defect: it provides ZERO financial estimates for soil remediation, capping, or hazardous waste disposal. Released by the City at 4:29 PM on Friday, October 16, 2026 (City Clerk claims receipt on October 15, 2026), the report triggers a 30-day contractual countdown clock to reject the \$28.56 Million purchase 'AS-IS' for 6.15 miles of polluted railroad dirt that expires on Saturday, November 14, 2026.

- **Zero Cleanup Estimates by Seller:** The seller's Phase 2 pollution report provides NO estimates for cleanup or capping costs, shielding Seminole Gulf Railway under strict 'AS-IS' contract terms while shifting liabilities directly to taxpayers.
- **EPA & Engineering Cleanup Estimates (\$12.5M–\$24M+):** Based on EPA Brownfields benchmarks and the October 15 Taylor Environmental Capping Plan, mandatory soil removal, 24-inch clean fill caps, geotextile barriers, asphalt tread capping, and annual inspections will cost taxpayers \$12.5 Million to \$24.0 Million+.
- **Massive Valuation Gap (\$28.56M vs \$378K):** Taxpayers are paying \$28.56 Million for 6.15 miles of track right-of-way that Lee County Property Appraiser Matt Caldwell valued at just \$378,005 across two July 2, 2026 appraisals.
- **City Environmentalist Excluded:** Written municipal disclosures confirm City Environmentalist Laura Gibson was completely excluded from reviewing the environmental reports.
- **Admitted Scientific Failures & Skipped Hotspots:** The project's own October 15 Capping Plan admits Phase 2 testing failed to delineate contamination boundaries and waste volumes 'cannot be adequately estimated.' Testing completely omitted Depot Park and key industrial sidetracks (Old 41, Terry Street, Causeway Lumber). Comprehensive analysis exposing all Phase 1 flaws is published at usataxfighters.org.

"The real scandal isn't just that the City dumped this report late on a Friday afternoon—it's that the Railroad's pollution study deliberately hid the multi-million dollar cleanup cost to protect the seller," said Dave Jaye, Chairman of the Lee County Taxpayers Association. "The seller's consultant provides zero dollars for environmental remediation because under this 'AS-IS' contract, Seminole Gulf Railway walks away with \$28.56 Million in cash while taxpayers are stuck with up to \$24 Million in mandatory capping and cleanup bills."

"The project's own Capping Plan admits engineers cannot even estimate the volume of contaminated waste to be removed because Phase 2 testing was so flawed and incomplete," Jaye added. "By excluding City Environmentalist Laura Gibson and skipping high-risk sidetracks, the City set up a blind purchase. The 30-day clock expires November 14, and City Council must reject this flawed report before taxpayers pay 75 times appraised land value for toxic dirt."

- **Mayoral Conflict & Business Impact:** Track removal directly threatens downtown outdoor dining and retail—including a pizzeria and bike shop operated by the Mayor adjacent to the tracks—with airborne dust bearing lead, arsenic, creosote, and PAHs.

FOOTNOTE ON REGIONAL OVERSIGHT FAILURES:

The 14.7-mile Seminole Gulf Railway corridor spans Lee and Collier counties. To date, Estero Village and Collier County Government have also failed to produce or disclose completed Phase 2 pollution testing reports covering their respective corridor segments, leaving taxpayers across all three community segments fully exposed to unquantified environmental liabilities.

EVIDENCE ARCHIVE & SOURCE DOCUMENTS:

All primary evidence files—including the Phase 1 & Phase 2 ESAs, Capping Plan, municipal emails, and 20 Interrogatory Questions—are published at usataxfighters.org under 'Railroad's Pollution Report Failures'. A comprehensive analysis of all flaws from the Phase 1 report is also published and available at usataxfighters.org.