

October 13, 2021

Tabor to Platte Rail to Trail Friends,

As a land owner and farmer, I have several concerns about the proposed rail to trail project. While I believe I understand the desire behind creating the trail, I also believe some critical issues have been overlooked. I have read the literature mailed to me as well as the information available on Facebook and the website. My concerns include, but are not limited to the following points.

- I. Comparison to the Mickelson Trail
  - A. The local mindset and economic factors are quite different than the that of the Black Hills making the comparison to the Mickelson Trail illogical. In this instance, a great deal of the trail goes through private property rather than state property while the opposite is true for the Mickelson trail.
  - B. Agriculture provides the economic foundation of this community whereas tourism is a backbone in the Black Hills area.
  - C. The Tabor to Platte Rail to Trail goes through a great deal more private land than state land.
  - D. Several sections are inaccessible due to dense overgrowth or submersion.
- II. Liability Concerns
  - A. Fencing and Gates
    1. Responsible party for repairs to damaged private property?
    2. Livestock escape due to unclosed gates/damaged fencing.
  - B. Destruction of crops
    1. When a spark from an ATV (or a child playing with a lighter) starts a fire in a wheat field, who is liable for the loss of the crop? That loss is not just an inconvenience but a loss of livelihood for the farmer amounting to tens of thousands of dollars.
  - C. Injuries
    1. People on the trail injuring livestock through attempted contact or taunting.
    2. Injury to people due to attempted contact or taunting

Who assumes responsibility for injuries along the trail – to riders/walkers OR livestock? A slip and fall that results in a broken bone. Or the footage we all saw of the woman that approached a buffalo. A cow protecting her calf will respond the same.

- III. Supervision and Rule Enforcement
  - A. Collection of Fees
  - B. Litter clean-up and garbage collection
  - C. Trespassing onto private property
  - D. Motorized vehicles – 4 wheelers, ATVs, snowmobiles simultaneous use with hikers
  - E. Vagrancy
- IV. Benefit vs. Cost
  - A. Projected cost of Maintenance
  - B. How many people will it bring in and who will benefit?

Currently, cyclists and joggers use the paved roads available. Although there are existing gravel "trails" (roads), they are ignored.

Imagine your own business. Now imagine strangers entering your business unsupervised, day and night, for any reason, to do as they please. How safe would you feel? What effect would that have on your business? What do you stand to lose? Farm owners have much more at risk than meets the eye. Farming is a business and livelihood that operates at home. Name any other business you would expect to consent to people entering their home or office unsupervised with so much at stake.

We welcome your questions and discussion. Thank you for your time.

Sincerely,



Loren and Susan Porter

To Whom it may concern:

I'm writing as a concerned citizen in Platte area about the Rails to Trails. My question and concerns are as follows:

1. Who puts in fences.
2. Who builds bridge across Bovee Lake.
3. Who maintains walkway.
4. Who handles weeds.
5. Who monitors safety.
6. Who is liable for accidents.
7. If a farmer is using spray who is liable if spray drifts over walkway.
8. If livestock get out of fenced area who is liable if someone gets hurt.

I'm not opposed to a walking trail but this isn't the right area that should be under consideration.

So therefore I am strongly opposed.



Cliff & Donna Visscher  
Platte, S.D.

To Whom It May Concern:

We are land owners with abutting land to the railroad tracks southeast of Platte. We own 614 acres and the rail runs through our property for 1 mile on both sides of the tracks. We have a house that sits 91 feet from the railroad right of way. There are several safety concerns in regards to this project: Who will be on this trail at all hours of the day? Who is going to police this trail and protect our house and equipment? We have a machine shed that sits 56 feet from the railroad right of way. Converting the railroad tracks will significantly diminish the value of our property, as who wants to live on a trail that can be accessed by anyone and everyone? We have livestock and moving them from the farm site to the pasture will become a bigger obstacle.

We also run a small hunting operation. For almost a mile our food plots are along the fence line abutting the railroad tracks.

Who is going to physically and financially maintain the fences, weed control, and maintenance of the trail? Who is liable if someone gets onto our property and gets hurt?

The Bovee area south of our property also has railroad tracks going through them. The majority of that rail bank is gone. On a wet year it is completely under water. There are rails there without ties and no dirt or rail bank under them. Northwestern Energy is abandoning their utility lines because it is impossible to maintain.

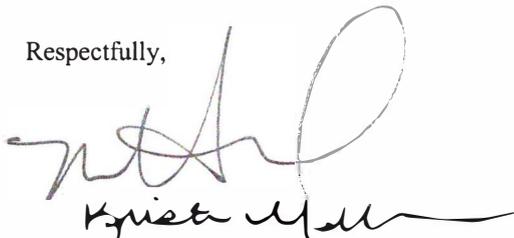
The first mile of the proposed trail south from Platte was sold back to the abutting land owner. What is the route to the trail? Have the safety concerns been addressed on gravel roads where trail users will encounter large pieces of farm equipment, trucks, tractors, combines, sprayers ect? Who is Liable if a trail user is injured?

We have had heard the potential Rails to Trails be compared to the Mickelson Trail. They are not at all the same! The Mickelson Trail runs through almost all of the Black Hills National Forest, BLM, city owned property, government owned property, and it is primarily along or near roads. The proposed Rails to Trails project runs through the center of individual farms and ranches.

One would also think the State of South Dakota should require a third party feasibility study to be completed and paid for by the Rails to Trails project. What is the cost to construct and maintain this project (trail, weed, maintenance, fences, crossings, staging areas, insurance etc). Who will protect the landowners and people using the trail? Who is liable? Will taxes increase as a result of this project? What amount of money has been projected to be needed on hand for all expenses initially and annually?

For the many reasons listed above we are against the Rails to Trails project.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael & Kristi Miller". The signature is written in a cursive, flowing style with a large loop at the end.

Michael & Kristi Miller

Platte, SD 57369