

January 12th, 2021

E-FILED

Cynthia Brown

Chief, Section of Administration Surface Transportation Board Office of
Proceedings

395 E Street, SW

Washington, DC 20423

Re: Docket No. 36471, Rio Grande Pacific Corporation – Continuance
In Control Exemption – Colorado, Midland & Pacific Railway Company

Ms. Brown:

My wife and I have been residents of Salida Colorado located in Chaffee
County for over 20 years.

In the year 2003 I co-founded Friends of Browns Canyon. Brown Canyon is
located approximately 15 minutes upstream from Salida on the Arkansas
River, with the Union Pacific railway tracks located on the banks of the
immediately adjacent to the river.

Browns Canyon received National Monument status in 2015. Likewise the
Arkansas River from Leadville Colorado to Parkdale Colorado, a 102 mile
section, received Gold Medal Fishery river status in 2014.

What is especially impressive regarding the Gold Medal Fishery status is that
it took decades of intensive clean up of the Arkansas River from all the 19th
century mining that occurred in Leadville Colorado. A slew of heavy metals
such as cadmium, lead, zinc, copper and acidic sulfide derivatives from
abandoned mines created chronic toxicity for aquatic life in the Arkansas
River.

The Browns Canyon National monument attracts over 300,000 visitors a
year. The monument provides critical wildlife habitat, big game low altitude

(relative to Colorado) winter range, and bighorn sheep herds feed and water year round next to the Arkansas River.

Our residence is next to the Arkansas River. Aside from the noise that a dozen daily trains would generate our major concern is the very real possibility of an oil tanker derailment from the heavy crude oil tar sands that are proposed to be shipped via the Uintah Basin Railway.

These Utah tar sands first and foremost need to be left in the ground as they produce low value products compared to light crude oil, require more refining, and spills of heavy crude will quickly penetrate the full depth of an aquifer (river basin) and accumulate on its bottom.

With current production and transportation methods, heavy crudes have a more severe environmental impact than light ones. Heavy crude oils also carry contaminants. For example, extra heavy oil contains 4.5% sulfur as well as vanadium and nickel. Heavy crude refining requires more energy, so its environmental impact is presently more significant than that of lighter crude. With present technology, the extraction and refining of heavy oils and oil sands generates as much as three times the total CO₂ emissions compared to conventional oil.

Heavy crude oil needs to stay in the ground! Global warming is directly impacting Colorado with record forest fires annually consuming hundreds of thousands of acres of trees, precipitation amounts at drought levels, and warming temperatures contributing to massive forest die-offs.

Heavy crude oil is not sustainable. Recreation in Chaffee County is, and the majority of residents here receive a “psychic income check” via our incredible outdoor lifestyle in addition to other means of support.

According to an Envision Chaffee County report, recreation activity in the Arkansas Headwaters Recreation Area generated \$72M for the local economy in 2017. So transporting oil through the valley represents a dire threat to the local economy.

As far as a “passenger or commuter train” from Canon City to Minturn Colorado (essentially the length of the Tennessee Pass railroad section) the current commuter demand for this service is minimal to nonexistent due to the disparate relationship

Between these communities. In other words the hundreds of millions of dollars needed to pay back the rehabilitation of the Tennessee Pass will never be recouped. The only way to make this financially viable is to connect the proposed Uintah Basin railway project with the Tennessee pass railway to ship heavy crude oil to the refineries in Texas.

I respectfully request you deny the continuance control exemption requested by Colorado, Midland & Pacific Railway Company.

Please also consider a time extension to comment.

Sincerely,

Michael and Colleen Kunkel

646 W. Sackett Avenue

Saluda Colorado 81201

719-530-0522

kunk.lws@gmail.com

CC: Parties of Record