

Cynthia Brown

Chief, Section of Administration Surface Transportation Board Office of Proceedings
395 E Street, SW
Washington, DC 20423

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Office of Proceedings
January 13, 2021
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Public Record

Re: Docket No. 36471

Colorado Midland & Pacific Railway Company

Dear Ms. Brown:

First and foremost, I have environmental and recreation concerns. I have lived in Chaffee County since 1976. I owned a whitewater rafting company for 25 years. I have been retired since 2001 and have been active as a founding member of Collegiate Peaks Chapter Trout Unlimited, a founding member of the Colorado Rivers Outfitters Association and the Arkansas River Outfitters Association. I have also served on 3 water boards. I have been active as a board member of Friends of Browns Canyon which was instrumental in the establishment of Browns Canyon National Monument.

When I moved here the Arkansas was so polluted brown trout lived no more than four years. The river has been cleaned up and is now a Gold Medal trout stream. Recreation is the life blood of this county. The Arkansas River is the most boated whitewater river in the United States and Browns Canyon is the most popular. The river from Leadville to Parkdale is a recreation mecca for boating and fishing. From Leadville to Parkdale there are at least 5 separate herds of bighorn sheep that spend a substantial time near and adjacent to the railroad tracks. One of the most popular access sites to the river and Browns Canyon National Monument, Ruby Mountain, requires a train crossing. The train would then pass the Ruby Mt. Campground so close it would wake up sleeping campers.

The trains will have a very specific effect on the people that live in and near the town of Buena Vista. There are 3 train crossings within town and the tracks run adjacent to the joint middle and high school. Moving the tracks to the west would be impossible. The trains create major traffic and safety issues and stress from train whistles blowing up to 11 times a day. It is conceivable that a train almost 2 miles long could be crossing all 3 tracks in the town at once, thus hampering emergency services from reaching fires, accidents, and other emergencies. When trains used to run here, fires occurred due to sparks from the trains, and the adjacent railroad environment has gotten even drier and more populated with homes. That could make a fire devastating to our community. These trains would have an extremely negative economic impact on the local business community. People come here to relax, not be stressed out with trains running through town and creating major traffic jams as they pass through.

All of the above brings up the real issue. This filing is a Notice of Exemption. This transaction is controversial and will significantly affect the quality of the human and natural environment and energy conservation. The potential for oil spills along the tracks and shipping dirty oil from Utah to the Gulf Coast is in its self an example of the opposite of energy conservation. We need less oil, not more.

Due to these concerns, I believe an EIS should be required and because this request will have a negative effect on the human environment and energy conservation the Notice of Exemption should be denied. What is needed is transparency and an exemption is just the opposite.

Respectfully,

Reed Dils, President

Friends of Browns Canyon

Cc: Karl Morell karlm@karlmorell.com

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