

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

ENTERED
 Office of Proceedings
 January 15, 2021
 Part of
 Public Record

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

Ms. Brown:

I am writing with deep concern and to express my opposition to the Lease and Operation Exemption requested by Rio Grande Pacific Railroad for its subsidiary, Colorado Midland and Pacific Corp. The proposed action is unequivocally not “routine” nor “noncontroversial” and clearly does not qualify for an exemption.

The complexion and use patterns of the Upper Arkansas River Valley have changed tremendously since the last trains rolled through the valley more than 24 years ago. Millions of dollars have been spent to clean up a legacy of mining, the area has transitioned from an extractive industries locale to an amenity and tourism-based economy all while keeping our agricultural roots alive. This proposal flies in the face of all of these things and threatens years of progress that has led to clean rivers and streams that now support the longest stretch of Gold Medal trout waters in Colorado. One accident with oil tanks and decades of work would be swiftly undone, with another multimillion dollar clean up required.

The stakes are simply too high and fail to respect the myriad efforts that have transformed this valley and the river into a crown jewel of Colorado. Logic, common sense, and being a good neighbor, all dictate that this project should not be permitted. Further, any language that assigns this project as “routine” and “noncontroversial” is simply inaccurate and extremely disrespectful to the residents of the Upper Arkansas River Valley. This project could literally change the nature of our valley in many detrimental ways and provide little if any benefit to those of us subject to its potentially catastrophic impacts.

This project is already rife with misleading language and claims such as the language I mentioned above and the odd proclamation that “there will be no change in service for the Tennessee Pass line”. The line has been dormant for 2.5 decades. Any trains running on this line is precisely a change in service, and the scope and scale of the project would represent nothing short of a huge change in service.

The application further claims that revenues from operating the rail line would not exceed \$5 million per year and if that limit was exceeded operators would be subject to additional regulation. Operating costs alone are projected to exceed \$5 million per year so it is inconceivable that this project could proceed as outlined.

At very least the project design is fatally flawed, but more importantly the entirety of this concept is out of touch with the values of the communities in the Upper Arkansas River Valley and disrespectful of the massive efforts to restore the Arkansas River over the past several decades. Please do the appropriate thing that follows logic and reason and deny the Lease and Operation Exemption requested by Rio Grande Pacific Railroad for its subsidiary, Colorado Midland and Pacific Corp. (CMP).

Sincerely,
 Aaron Kindle
 6396 Terrace Lane
 Salida, CO
 3038682859
 aaroninthewild@yahoo.com

cc: Parties of Record