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

15 January 2021

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

Dear Ms. Brown,

The County Commissioners of Chaffee County, Colorado strongly oppose granting the Lease and Operation Exemption requested by the Rio Grande Pacific Railroad (RGP) on behalf of its subsidiary, Colorado Midland & Pacific (CMP) Company.

While such exemptions are sometimes granted for older railways being restored from dormancy, we maintain that conditions have changed significantly since this railway was in operation and its exemption request warrants close consideration. The great concerns of our citizens, the extreme imposition on the local communities, and the cultural and environmental values at risk are each reason for denial. Reactivation of the Tennessee Pass Line (TPL) without careful scrutiny is neither "routine" nor "uncontroversial."

During the TPL's dormancy, legacy pollutants were cleaned from the Upper Arkansas River and a 102-mile length stretching from Leadville to Parkdale was designated Gold Medal Trout Waters by the Colorado Department of Parks and Wildlife. President Obama proclaimed Browns Canyon National Monument, through which the Arkansas flows, in February 2015, capping decades of advocacy by local residents, anglers, whitewater enthusiasts, naturalists, and environmentalists. Chaffee County's population has grown almost 40% in the 25 years since the TPL was last active, from roughly 15,000 to an estimated 21,000 (and growing) today. Areas all along the Upper Arkansas River are experiencing the same type of population growth and are no longer reflective of the environment and community character in which the TPL previously operated.

Crude or refined oil, coal, fracking fluid, or any other potentially hazardous material transiting alongside our pristine Upper Arkansas River is unconscionable and expediting the TPL's reactivation without careful scrutiny even more so. Additionally, the impacts that could be anticipated from noise and disruptive nature of an active railway are not palatable to the residents now living within the line's potential path, nor to the destination tourists who flock to Chaffee County and contribute substantially to the local economic vibrancy.

Similarly, claims made in RGP/CMP's application about the commercial viability of the proposed enterprise should receive careful analysis. If their claims regarding annual revenues reflect overall tonnage and the character of the cargo transported, the actual numbers of trains and the cars in each are likely to far exceed their forecasts. The impact at grade crossings will be unbearable for Chaffee County and our neighboring communities.

Please provide the attention deserved by the interests of the Upper Arkansas River and local stakeholders in your assessment of reactivation of the TPL and deny the RGP/CMP's application for the Lease and Operation Exemption.

On behalf of the Chaffee County Board of County Commissioners,



Keith Baker, Vice Chairman

cc: Parties of Record