

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

January 14, 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. 36470, Rio Grande Pacific Corporation – Continuance
In Control Exemption – Colorado, Midland & Pacific Railway Company
and Docket No. 36471 COLORADO, MIDLAND & PACIFIC RAILWAY COMPANY
--LEASE AND OPERATION EXEMPTION CONTAINING INTERCHANGE
COMMITMENT--UNION PACIFIC RAILROAD COMPANY

Ms. Brown:

I am uncertain which of these two exemption filings I should address my comment to since they appear to relate to the same matter. Please do not invalidate my comment; if you cannot direct it to both then please apply it to Docket No. 36471.

I write with a 40-year background in professional natural resource and recreation planning and with 20 years' retirement experience as a volunteer with US public land management agencies in Chaffee County. I and the non-profit associated volunteer group I help lead focuses on monitoring recreational use patterns and the role recreation plays in local quality of life as well as our regional economy. I participated in successful nomination of the Collegiate Peaks Scenic and Historic Byway and am leader of a decade-long effort to establish a recreational hiking/biking driving trail along historic rail and stage lines between Salida and Leadville.

The highest priority concern I have is that, if I understand it correctly, if the STB grants this exemption it will effectively eliminate a full social and

environmental consequence evaluation as would normally be expected under the National Environmental Policy Act. I must assure you that proposed resumption of frequent heavy freight traffic is a deeply controversial issue here in Chaffee County, and I expect in adjacent affected counties. This is because of concerns over natural resource impacts of potential derailments but also because of potential significant negative impacts on recreational resources and social patterns (to be further noted below). I believe it would be inappropriate to forego the rigorous and open process including public involvement that a NEPA analysis would provide in lieu of the proponent's promise to simply consult with and address local communities' concerns.

You will undoubtedly hear from others of the realistic fear rail accidents including derailments, particularly if this were to involve crude oil, could have catastrophic negative ecological effects on the Arkansas River and its Gold Medal Fishery. Temporary closure of the river and the likelihood of long-term degradation of the fishery as well as the river's attractiveness to its world-class rafting and kayaking industry could have major negative economic consequences.

Others will point out that the Tennessee Pass Line (TPL) runs directly through the recently established Browns Canyon National Monument within yards of the Arkansas River. Spills along this stretch could have the same disastrous environmental impacts as elsewhere but in addition, frequent slow noisy passage of trains could have adverse impacts on the solitude, riverside views, and other features which this nationally significant monument was established to protect.

An additional observation is that beyond the immediate corridor of the Arkansas, resumption of heavy traffic on the TPL could have serious disruptive impacts on recreational access to public lands both east and west of the line. For perspective, recreational visitation to Chaffee County was on the order of 4 million in 2020, with expectations that it may double to 8 million in 2026.

The TPL corridor effectively physically divides Chaffee (and Lake) counties east to west; there are currently dozens of at-grade minimally protected grade crossings over which tens of thousands of recreationists cross at all seasons to

access Forest Service and BLM lands. (To the west this includes several Wilderness Areas and the hugely popular 14,000ft mountains along the Continental Divide; to the east this includes not only Browns Canon National Monument and the Buffalo Peak Wilderness Area but the heavily used motorized/non-motorized area called Fourmile.)

In addition to general safety considerations (and the open question of what jurisdictions or entities will be responsible for expensive upgrades to crossings) there will be unavoidable delays in crossing due to long slow train traffic; a large proportion of recreational use here involves big recreational vehicles (RVs) and trailered campers and ATV/motorcycle trailers which may aggravate safety risks, especially if in waiting to cross, such vehicles must pause on the edge of 60mph highways such as US24 or 285.

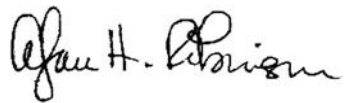
Further to this effect on recreational access, similar concerns are for the several thousands of resident (or part time) citizens who own and occupy private homes on either side of the TPL. To reach services in Buena Vista, including local medical clinics, retail and food supplies, these citizens must inevitably cross (and recross) the TPL on a frequent often daily basis. There would be a huge annual cumulative loss of productive time, with likely negative economic impacts as well as inconvenience. Of special concern is that structure fire and wildfire and emergency medical services (EMT) would be subject to these same delays, potentially with dire consequences.

A final point refers to the impact resumed TPL traffic would have on a specific recreational resource: the Salida to Leadville Stage and Rail Trail. It is a 70-mile-long regional hiking/biking/driving route that has gained recognition at the Colorado state level by being designated one of the state's top 16 priority trails for support and development. This is a work in progress for over 12 years, and substantial sections have already been implemented; other sections, paralleling the TPL on the nearby abandoned historic Midland Pacific RR in northern Chaffee and southern Lake counties, are yet to be developed. The intended route of the S&RT would cross the TPL (and the Arkansas River) at least once and in other short sections require use of the TPL's own ROW. Resumption of traffic, unless specific exemptions and permissions were granted, would effectively halt further development of the entire central section of this trail.

For the above reasons I urge you to deny the exemption(s) being currently proposed by the Colorado Midland Pacific Railway and its parent company Rio Grande Pacific Corporation.

Thank you for the opportunity to comment.

Respectfully,

A handwritten signature in black ink, appearing to read "Alan H. Robinson". The signature is fluid and cursive, with the first name "Alan" and last name "Robinson" clearly distinguishable.

Alan Robinson

Alan H. Robinson

NATIONAL PARKS/COMMUNITY TOURISM ADVISER
33700 Mt. Harvard Circle, Buena Vista, Colorado USA 81211
Tel: (719) 395-3396 Cell: (719) 221-1259
e-mail: robinsonalanh@gmail.com

CC: Parties of Record

Mr. Karl Morell has been electronically served January 15, 2021

karlm@karlmorell.com