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Surface Transportation Board Office of Proceedings
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SUBJECT: Docket No. FD 36471

I am a homeowner in Nathrop, CO and can see the railroad tracks from my home. I am especially concerned about the environmental impact on Browns Canyon National Monument and other public lands. I am concerned about the people who live in this area, as well as the thousands of people who come to the area to recreate along the Arkansas River. Rafters, hikers, fishermen would all be detrimentally impacted and safety of those who live along the tracks would be compromised. Reopening this rail line is a bad move for local communities, public lands and Colorado's recreation industry overall. Please note:

The Exemptions are not Appropriate

I object to this Notice of Exemption and urge the STB to reject the Notice. The proposed service at issue is not of limited scope. CMP and its parent company, Rio Grande Pacific Corp. (RGP), aim to restart rail traffic on a rail line that has been dormant for almost 25 years, posing new and significant impacts to the region's communities, economies, environment, health, and quality of life. Exemptions are not appropriate in this case, given the broad scope of activities that would be authorized and the potential impacts.

The Notice Contains False or Misleading Information

The CMP Notice of Exemption claims that the actions will not significantly affect the quality of the human environment. This is not true. The aim of the Notice is to secure STB authorization to resume rail traffic on a line that has been abandoned for 25 years. The resumption of rail traffic will introduce significant environmental, health, and socioeconomic impacts:

- New sources of air and water pollution.
- New impacts to communities in the region.
- New impacts to protected landscapes, including Browns Canyon National Monument.
- New impacts to outdoor recreation, which is a cornerstone of local economies and depends upon the quality of the natural environment.

The Notice asserts that CMP's "lease and operation of the rail line will not result in significant changes in carrier operations." Since the line currently experiences zero rail traffic, this statement cannot be true.

The Notice "certifies" that CMP's projected annual revenues "will not exceed \$5 million. Consequently, the requirements of 49 C.F.R. §1150.32(e) do not apply to this transaction." Yet CMP estimates even minimal traffic on this line will incur operating costs in excess of \$5 million. This does not consider the significant costs of rehabilitating the rail line, thereby demonstrating that either this proposed operation is not financially sound, or that CMP's certification is misleading.

An Environmental Review Must be Prepared

Contrary to the assertions of RGP and CMP, an environmental review must be prepared pursuant to the National Environmental Policy Act (NEPA). At a minimum, an environmental assessment must be prepared. Given the scope and context of the impacts, an environmental impact statement would be appropriate.

Any NEPA-mandated environmental review must examine wetlands and water quality (especially in the 102-mile Gold Medal fishery of the Arkansas River), fish and wildlife, impacts to public lands (including Browns Canyon National Monument), socioeconomic impacts, and climate impacts.

For all of these reasons, I urge the STB to object to this Notice of Exemption and I request that the STB require an environmental review consistent with the National Policy Act to ascertain the potentially significant impacts of resuming traffic on this rail line, including rehabilitation of the rail line.

Sincerely,

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cc: Parties of Record