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

Sent Via E-File

RE: Docket No. 36471 – Colorado, Midland and Pacific Railway Corporation – Lease and Operating Exemption Containing Interchange Commitment – Union Pacific Railroad Company

Dear Ms. Brown,

The City Council of the City of Salida, Colorado (hereinafter “the City”), hereby provides notice of opposition to a grant of Lease and Operation Exemption of the Tennessee Pass Line (“TPL”) in Docket No. 36471, as proposed by the Colorado Midland and Pacific Railroad Company (“CMPR”). As filed on December 31, 2020, CMPR has requested to be exempt from providing critical reports on the environmental impacts of reviving a rail line that traverses through the City but has been dormant for nearly a quarter-century. It is the City’s hope that the Surface Transportation Board (“STB”) will recognize that much has changed in Chaffee County and the City in the intervening 24 years since trains last rumbled on local railways.

The City acknowledges that its establishment more than 140 years ago was due in no small part to the Denver and Rio Grande Railroad’s arrival in the Upper Arkansas River valley in 1880. This monumental feat involved transforming a multitude of canyons and gorges through central and southern Colorado – and along the Arkansas River – from pristine environments to pathways of commerce. Once the Tennessee Pass Line (“TPL”) went dormant in 1997, local communities along the 100 mile stretch from Parkdale to Leadville were forced to reorient their economies to combat the loss of critical infrastructure and services. The City of Salida worked for decades to recreate the environmental conditions that predated the arrival of rail service, with a renewed focus on outdoor recreation, whitewater enthusiasts, world-class fishing, and designation of National Monuments through which rail service no longer ran. The renewal our community has experienced was borne of the efforts of local hands and local dollars, and should be recognized as a separation and rebirth since the days of the railroad’s abrupt departure.

Further, the City has worked closely with Union Pacific Railroad (“UPRR”) to cultivate and develop outdoor recreation opportunities in and around downtown Salida. The City has purchased property from UPRR that has led to the creation of the Arkansas Hills Open Space, which includes more than 20 miles of volunteer-created trails over hundreds of acres of now-public property. The Arkansas Hills Open Space is accessed from downtown Salida through property containing UPRR rail lines that are now

proposed to be used by CMPR; any grant of exemption from environmental study would negate decades of collaboration between the City and UPRR to mitigate long-standing impacts of rail service. These impacted areas would include an approved at-grade crossing for recreationalists in the heart of downtown Salida.

Last, the City of Salida is concerned about the potential for negative economic impacts from environmental degradation caused by the return of train traffic to rail lines that have been dormant for more than two decades. Since the last trains ran on the Tennessee Pass Line, Salida has rebuilt itself as a lifestyle community that attracts residents and guests of all ages to enjoy pristine fishing, exciting whitewater experiences, and ample outdoor activities. The TPL was formerly utilized as a means of transporting freight and hard-rock mining resources to places far and wide; however, the City has become concerned about interest on CMPR's part to utilize the TPL to transport heavy crude oil – a significant departure from past practices. CMPR is nearing completion of approvals (Docket No. FD 36284) to add rail service to access heavy crude oil from the Uinta Basin in Utah. CMPR has asserted in its public filings and statements that it has no intention of utilizing the TPL for heavy crude oil transport as it will not have access to the line between Sage and Dotsero in its lease with UPRR; however, in its own filings dated January 26, 2021, CMPR has indicated that they were "informed that once the line is rehabilitated, UP will consider granting CMPR overhead trackage rights to Dotsero with a right to interchange with BNSF. Once those rights are granted, CMPR will make a supplemental filing with the Board". This clear attempt to get the camel's nose under the tent to proceed with expansion of service should be a sign to the STB that environmental review should not be exempted, but rather expected and thoroughly evaluated as part of any revival of rail service through Chaffee County along the Arkansas River. Should a derailment or other catastrophe occur with oil-transporting trains along the TPL, the local economies of communities from Leadville to Canon City would be devastated.

The City of Salida intends to work with CMPR, UPRR, and other stakeholders to sort through the details of a long-awaited return of rail service in Chaffee County, including the potential for light freight and passenger service. The City hereby requests entry as a Party of Record in this proceeding in order to receive service in the future. The City greatly appreciates your attention to this matter, and humbly requests denial of the Lease and Operation Exemption Request Containing Interchange Commitment for the Tennessee Pass Line by the Colorado Midland & Pacific Railway Corporation dated December 30, 2020 in Docket No. 36471.

Sincerely,



Dan Shore

Mayor Pro-Tempore, City of Salida, Colorado

Cc: Salida City Council
 Nina P. Williams, City Attorney
 Parties of Record