

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

January 29, 2021

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RE: Reference Docket No. FD 36471
Colorado Midland & Pacific Railway Company

Dear Chief Brown:

There is little that I can say that hasn't already been said in the numerous letters opposing the re-opening of the Tennessee Pass Rail Line pursuant to the Colorado Midland & Pacific Railway Company filings. Suffice to say that I second and agree with all of the objections mentioned by commenters Reed Dils, Jay Gingrich and Sue Greiner among others. This Notice of Exemption filing is absolutely controversial and becoming more so as numerous people and entities, including several NGO's and industry associations, Chaffee and Eagle Counties and the Town of Avon register their intense opposition to the re-opening of the Tennessee Pass Rail Line. The opposition will only grow.

After visiting the Arkansas River Valley for over thirty years with my wife and children, my wife and I retired here approximately six years ago. During that period and especially during the last six years that we've lived here, the valley's character has changed considerably. It is no longer a sleepy mining and ranching community but a vibrant recreation based community and economy that treasures the newly designated Brown's Canyon National Monument, the Gold Medal waters and other extensive recreational opportunities that will be very heavily impacted should the Tennessee Pass Rail Line start operating again.

I was in the energy infrastructure business for many years and was involved in numerous regulatory matters, including EA/EIS processes and others. Though I am certainly not an expert in what Colorado Midland and Pacific Railway are proposing, I find their attempt to secure an exemption curious for many reasons. Not the least of which is their \$5M threshold contention considering the operating costs of such a line as well as the hundreds of millions of dollars that will be required to rehabilitate the line and the resulting debt and carrying costs. Off the top of my head I think that this proposal should trigger an EIS and the resulting requirement that alternatives be identified and examined since there are very obvious and viable alternatives to re-opening this dangerous and costly section of rail.

I urge you to deny this request for exemption and I hope that this rail line is permanently mothballed and/or turned into a rails to trails project that would have a much greater positive impact on the local economy.

Sincerely,

Eric Simons

Cc: Karl Morell karlm@karlmorell.com
Cc: Parties of Record