

22302/

Gracian Uhalde
P.O. Box 151088
Ely, NV 89315

ENTERED
Office of Proceedings

JUL 24 2008

Part of
Public Record

July 11, 2008



Hon. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W
Washington, D C. 20423-001

RE: STB Finance Docket No. 35106

*United States Department of Energy – Rail Construction and Operation –
Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, Nevada*

Dear Secretary Quinlan:

I am writing in opposition to the Department of Energy (DOE) application for authority to construct and operate the Caliente rail line to Yucca Mountain, Nevada

I am disappointed that the Surface Transportation Board has decided to accept the DOE application for construction and operation of a rail line along the so-called Caliente rail alignment. That being the case, the Board has a legal and a moral responsibility to reexamine the entire DOE proposal for rail transportation to Yucca Mountain. The Caliente rail alignment is a poor choice from the standpoint of safety, feasibility, and environmental impacts DOE and the Board should give more study to other routes

The Board should reject the Final EIS issued by DOE for the rail alignment, and prepare its own EIS. DOE pretty much disregarded the comments submitted by ranchers on the DOE draft EIS DOE concluded that the affected parties would just have to change their ranching operations to accommodate the railroad, regardless of how it would affect the livelihoods of those of us who live in these relatively untouched valleys. DOE now suggests leaving the details up of mitigation and compensation to future deliberations by Mitigation Advisory Boards. This is an entirely unacceptable approach to identifying mitigation required to offset impacts identified during the NEPA process.

This area has been exposed to bad government science in the past. For that reason, the Board should adopt Nye County's proposal for a radiological survey of the affects of nuclear weapons testing along the Caliente Corridor, before making a final decision.

Respectfully,

Gracian Uhalde
Phone 775-289-0599

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this letter was delivered to the following Parties of Record by (1) first-class U.S. mail, postage prepaid, or (2) e-mail addressed as shown below, or (3) other expeditious method, on this day July 11, 2008:

Bradley L. Levine
United States Department of Energy
Office of the General Counsel (GC-52)
1000 Independence Avenue, SW
Washington, DC 20585
Bradley.Levine@hq.doe.gov

Louis E. Gitomer
The Adams Building
600 Baltimore Avenue, Suite 301
Towson, MD 21204
Lou_gitomer@verizon.net

Mary P. Neumayr
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Jan Cole
Caliente Hot Springs Resort, LLC
6772 Running Colors Avenue
Las Vegas, NV 89131

Robert Alan Kemp
Aviation Technologies Ltd.
4959 Talbot Lane, Unit #69
Reno, NV 89509

Kevin Phillips
Mayor, City of Caliente
P.O. Box 158
Caliente, NV 89008
Kevin@lcturbonet.com

Honorable Shelley Berkley
U.S. House of Representatives
405 Cannon House Office Building
Washington, DC 20515

John E. Hadder
Healing Ourselves & Mother Earth
P.O. Box 6595
Reno, NV 89513
hadder@gbis.com

David Wright
Nuclear Waste Strategy Coalition
P.O. Box 5233
Pinehurst, NC 28374
thenwsc@nc.rr.com

Kevin W. Bell, Esq.
California Energy Commission
1516 9th Street
Sacramento, CA 95814
kwbell@energy.state.ca.us

Norfolk Southern Corporation
c/o G. Paul Moates
Sidley Austin, LLP
1501 K Street, NW
Washington, DC 20005
pmoates@sidley.com

Deborah Teske
Lander County
315 S. Humboldt Street
Battle Mountain, NV 89820
dteske@landercounty.org

Paul H. Lamboley
50 West Liberty Street
Bank of America Plaza, Suite 645
Reno, NV 89501
phlamboley@aol.com

Connie Simkins
Secretary to N-4 Grazing Board
P.O. Box 461
Panaca, NV 89042

Rex Massey
P.O. Box 19549
Reno, NV 89511
Rexmassey@aol.com

R. J. Gillum
Board of County Commissioners
P.O. Box 490
Goldfield, NV 89013

Mike Simon
White Pine Nuclear Waste
Project Office
959 Campton Street
Ely, NV 89301
wpnucwstl@mwpower.net

Fred Millar, Ph.D.
Friends of the Earth
915 S. Buchanan Street, Apt. 29
Arlington, VA 22204
fmillar@erols.com

Joe Fallini
HC-76, Box 1100
Tonopah, NV 89049

Linda Mathias
Mineral County Nuclear Projects Office
P.O. Box 1600
Hawthorne, NV 89415
yuccainfo@mineralcountynv.org

Michael S. Cyphers
City of Henderson
240 S. Water Street, MSC #133
Henderson, NV 89015
michael.cyphers@cityofhenderson.com

Robert T. Opal, Esq.
Union Pacific Railroad Company
1400 Douglas Street, Stop 1580
Omaha, NE 68179
rtopal@up.com

Elizabeth A. Vibert
Clark County District Attorney
P.O. Box 552215
Las Vegas, NV 89155-2215
Vibert@co.clark.nv.us

Rochelle Becker
Alliance for Nuclear Responsibility
P.O. Box 1328
San Luis Obispo, CA 93406
Rochelle@a4nr.org

David A. Hirsh
Harkins Cunningham LLP
1700 K Street, N.W., Suite 400
Washington, D.C. 20006-3804

Laura Raicovich
Dia Art Foundation
535 West 22nd Street
New York, NY 10011

Margene Bullcreek
Native Community Action Council
P.O. Box 155
Tooele UT 84074
mbullcreek@yahoo.com

Joe Kennedy
Timbisha Shoshone
785 N. Main Street, Suite Q
Bishop, CA 93514
chairperson@timbisha.org
elent@timbisha.org

Edmund G. Brown, Jr.
State of California Dept.
Justice
P.O. Box 944255
Sacramento, CA 94244

Susan L. Durbin
State of California Dept.
Justice
P.O. Box 944255
Sacramento, CA 94244-2550

Barry S. Neuman, Esq.
Carter Ledyard & Milburn LLP
701 8th Street, N.W., Suite 410
Washington, DC 20001
neuman@clm.com

Michael and Mary Heizer
Triple Aught Foundation
P.O. Box 33
Hike, NV 89017
ksonnenbom@diaart.org

Pamela M. Fischhaber
Colorado Public Utilities
Commission
1560 Broadway, Suite 250
Denver, CO 80202
Pamela.fischhaber@dora.state.co.us

Bradford R. Jerbic
City of Las Vegas
400 Stewart Avenue, Ninth Floor
Las Vegas, NV 89101-2986
bjerbic@lasvegasnevada.gov

Jeffrey D. Van Niel
530 Farrington Court
Las Vegas, NV 89123
nbrjdvni@gmail.com

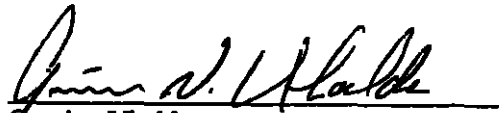
Mike Baughman, Ph.D.
Intertech Services Corporation
P.O. Box 2008
Carson City, NV 89702
bifoff@aol.com

Edwin Mueller
Esmeralda County Oversight Director
P.O. Box 490
Goldfield, NV 89013
meullered@msn.com

Malachy R. Murphy, Esq.
18160 Cottonwood Road, #265
Sunriver, OR 97707
mrmurphy@chamberscable.com

Joni Eastley
Nye County Board of Commissioners
101 Radar Road
Tonopah, NV 89409
castle@lnett.com

Michael A. Bauser
Nuclear Energy Institute
1776 I Street, N.W.,
Washington, DC 20006
mab@nei.org


Gracian Uhalde