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River Rescue

Environmentalists hope to take San Pedro to the bank

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Ed Honda/Sierra Vista Herald
Rails could become trails
along the San Pedro River.

The San Pedro River's meandering journey toward survival enjoyed a welcome twist recently, when a scheme to revive rail cargo along its banks was dropped.

Now conservationists want to take that victory to the bank. Literally.

They hope to begin a process called rail banking, which would turn the old rail route lining the San Pedro into a bucolic walking trail. And that would pay proper tribute to this last fragment of a complex riparian river system once coursing through the Southwest.

The saga began in February, when the San Pedro Railroad Operating Co. received federal permission to abandon its 76.2 mile route through Cochise County. About 40 miles of that line slices through the San Pedro Riparian National Conservation Area, which is administered by the U.S. Bureau of Land Management.

Such actions involving America's rail corridors are overseen by the federal Surface Transportation Board, or STB. The STB gave approval for the abandonment, to become effective March 5.

But nine days after the board's decision, a company called Sonora-Arizona International offered to buy the rail route, with the apparent goal of placing it back in use. The STB then set a purchase price at \$5.6 million, and Sonora-Arizona, headed by Bisbee businessman Charles Sotelo, pledged to complete the deal by July 12.

That move raised red flags, however, as BLM officials and conservationists worried that the new cargo route would carry toxic chemicals such as sulfuric acid, which is used in mining operations. Noting that a single acid spill could devastate one of the West's premier natural resources, in June, the Center for Biological Diversity filed a suit against the STB, claiming the board failed to fully evaluate the environmental risks of Sotelo's plans.

The suit became moot when Sonora-Arizona withdrew its purchase plans in July. Reasons for nixing the deal remain unclear; Sotelo twice hung up when contacted by the *Tucson Weekly* for comment. (*Editor's Note: Sotelo even went as far as to complain to the Weekly's parent company's head office that the reporter was harassing him, and that he would only do interviews in person.*)

With the purchase offer dropped, the San Pedro Railroad Operating Co. finally was able to abandon the line. And that allows a group called the Trust for Public Land to dust off its own hopes for converting the rail corridor to trails--a notion first floated in January, when the initial abandonment plans became known.

"This is a really high-profile project for Cochise County, for the (BLM) and for a lot of conservation and recreational groups," says Michael Patrick, project manager with the San Francisco-based Trust. If completed, this so-called "rail-banking" would "build on all the good conservation work that's been done on the San Pedro."

It would also be a first for this state. "The Trust hasn't done (rail-banking) in Arizona," Patrick says. "But we're a national conservation organization, and we have a considerable amount of experience in helping communities making rail-to-trail projects successful, in states from Florida and California to Oklahoma."

The rail-banking or "rails-to-trails" concept arose after the collapse of several major rail lines in the 1970s. Congress responded in 1980 by making it easier for the surviving railroads to abandon unprofitable routes. Companies eagerly took the cue, and for a time, up to 8,000 miles of line were being abandoned each year. But government officials then grew concerned that the nation's network of rail corridors, with their crucial rights of way, would be permanently dismantled.

To avoid that, Congress added a provision to the National Trails System Act Amendment of 1983, allowing the government to preserve those rights of way by turning them into trails. As a result, more than 2,000 miles of defunct rail routes have been reborn as coveted hiking and biking paths.

Still, the program isn't foolproof, says Michelle Harrington, rivers program director with the Center for Biological Diversity. "The San Pedro rail bank could conceivably go back to railroad, if the BLM or the Trust somehow fell back on their duties to maintain the easement or manage it properly."

But she calls that a long shot. "We're very supportive of the rails-to-trails program, in part because of its ability to really showcase the San Pedro for the destination that it is. The more that people are able to explore it, the more protection it will receive."

Getting to that point, however, requires the unfolding of a complex process. Railroad companies such as the San Pedro are able to donate, lease or sell unwanted routes to groups such as the Trust. Under STB oversight, those groups are then responsible for maintaining rights of way. Following successful negotiations, the San Pedro rail company can ultimately salvage valuable rails, ties and other materials before walking away.

The STB has granted a 180-day window for negotiations between the company and other interested parties, ranging from the BLM to Cochise County. The clock started ticking on July 26. Within that time, any potentially contaminated areas along the old route must be investigated, and everyone with a stake in the outcome, including neighbors and local governments, must have a chance for input.

Despite this laborious process, the BLM is four-square behind the deal, says Jim Mahoney, an outdoor-recreation planner for the San Pedro Riparian National Conservation Area.

He calls it a learning experience. "I've done trails for 30 years, and this is the first time I've been involved in a 'rail trail.' And I believe this is one of the first times the BLM has been involved in such a project from the ground up."

For its part, the BLM "would help with hazardous material inventories," Mahoney says, "to identify any hot spots. And we'll all be working with the land owners." Possibilities are endless, ranging from just a trail within the BLM-controlled conservation area to having the county or Arizona State Parks administer their own trail portions.

In the worst case, "if there are entities or individuals who don't want to actively participate in having this become a regional trail, we'll just take what serves the San Pedro (Conservation Area) and call it good," he says. "Then the BLM would be owner of that section of the corridor, and the rest would be disposed of in some other way."

Despite concerns he's been hearing from some area residents, Mahoney remains optimistic. "Many of those owning land adjacent to the proposed trail have concerns over the impact it could have on them," he says. "And that's where discussion comes into play. We'll all have to sit down and talk about different possibilities for a new recreation resource. That's why this 180-day window is vital."