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Union Pacific ordered to halt work

BLM concerned construction could be threat to wilderness

By Mary Manning
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The Bureau of Land Management ordered the Union Pacific Railroad to stop work last week on track repairs in the Meadow Valley Wash in Lincoln County because construction might threaten wilderness areas and archaeological sites.

The track repair work began after a series of severe winter storms caused flooding earlier this year in the Muddy and Virgin rivers northeast of Las Vegas.

Federal officials and law enforcement agents are investigating possible trespassing by Union Pacific, Chris Hanefeld, BLM spokesman in the Ely District Office, said.

The area of concern is in Lincoln County, roughly 65 miles northeast of Las Vegas.

Biologists, archaeologists and law enforcement officers were in the remote wash Monday investigating if the railroad has encroached on wilderness areas, disturbed ancient Native American sites such as petroglyphs or is threatening rare or endangered species, Hanefeld said.

The BLM is examining alleged violations by the railroad of the Wilderness Act, the Endangered Species Act and the Archaeological Resources Protection Act, all federal laws designed to protect sensitive habitats, species and ancient sites of

early humans, Hanefeld said.

"It's a preliminary investigation," Hanefeld said.

From early field reports, it appeared that the railroad was staging heavy earth-moving equipment in sensitive areas, wilderness areas and near archaeological sites, Hanefeld said.

The January storms caused damage to 100 miles of track in Nevada, Kathryn Blackwell, Union Pacific assistant vice president of corporate communications, said.

Repairs to the track and roadway were difficult to manage because of the steep, treacherous terrain where the track had washed away.

The railroad had six railcars that were derailed in the flood, railroad officials said. The were several cars parked on a siding, left there after an earlier washout.

Union Pacific had hired outside consultants to monitor the cars that were mired in muck and had worked with the BLM and environmental protection officials at the site, Blackwell said.

She said the railroad obtained state and federal permits for the work.

"I know there were proper authorities involved," Blackwell said. "We had the proper permits."

Blackwell said she did not know about a stop-work order issued by the BLM.

The Nevada Department of Transportation had repaired access

roads in the area, but had finished its work before federal investigators arrived.

Floodwaters fueled by rain and melting snow in Lincoln County dumped a torrent of muddy water into the Meadow Valley Wash during a series of January winter storms that undermined the tracks where a train had been parked for about a week, Union Pacific officials said.

No one was on the train during the flood, but six tankers carrying remnants of hazardous chemicals and eight carloads of contaminated soil on the way to a Utah landfill prompted investigations by Union Pacific and the Nevada Division of Environmental Protection at the time. No contamination was found in the environment at that time.

In addition to archaeological and environmental concerns, biologists are examining the area for signs of possible rare or endangered species.

The repair work in Meadow Valley Wash continues "a pattern of problems" that began when the city of Mesquite illegally bulldozed the Virgin River that runs through the fast-growing city after the January floods, said Daniel Patterson, a desert ecologist with the Center for Biological Diversity in Tucson.

The Center for Biological Diversity is a nonprofit environmental organization that tracks issues ranging from endangered species to threatened

habitat in the Southwest.

The railroad and the state Transportation Department declared an emergency to enter the flood-damaged areas and the river's edge, Patterson said.

Dredging was apparent in the riverbed itself, where the Southwest willow flycatcher, an endangered bird, is likely to nest, Patterson said. It was the same issue in the city of Mesquite when city officials dredged the Virgin River's bed, he said.

Patterson said two fish, the Moapa Valley dace and the razorback sucker, may also be affected by the railroad's rebuilding effort near the river.