



United States  
Department of  
Agriculture

Forest  
Service

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File Code: 1570/2700

Date: July 31, 2002

Mr. Eric Gueissaz  
P.O. Box 568  
Grand Canyon, AZ 86023

**CERTIFIED MAIL – RETURN  
RECEIPT REQUESTED  
NUMBER: 7000 2870 0000 1135 9382**

Re: Appeal #94-03-00-0029-A217, Grand Canyon Railroad Spur Line, Kaibab National Forest

Dear Mr. Gueissaz:

On November 30, 1993, the Kaibab National Forest Supervisor, Mike Lannan and Stanley Albright, Regional Director for the National Park Service, signed a Record of Decision approving the construction and operation of a railroad spur line from the Grand Canyon Airport in Tusayan to the Maswik Transportation Area in the Grand Canyon National Park.

You appealed this decision under Forest Service appeal regulations to the Regional Forester Southwestern Region, on January 19, 1994. On March 25, 1994, the Forest Supervisor requested that the appeal process be suspended for 30 days to give the parties an opportunity to meet and discuss the appeal issues. Subsequently you and the Forest Supervisor mutually agreed to request multiple extensions of the appeal process suspension. The appeal process suspensions were granted in March of 1994 and remained in effect to the present time. I understand that you recently submitted a new request to once again extend the current suspension of your appeal.

Your appeal challenges the Record of Decision alleging that Record of Decision and Environmental Impact Statement did not consider the effects of the spur line on you and your private land or the environment. Further your appeal objects to the apparent subsidy of the project by the Federal Government.

I am reversing the Forest Supervisor's 1993 decision approving the construction and operation of a railroad spur line from the Grand Canyon Airport near Tusayan to the Maswik Transportation Area in the Grand Canyon National Park. This decision is based on the following:

- 1) It is inappropriate to leave your appeal unresolved any longer. Your appeal has been in suspension for eight years and you deserve a decision regarding this matter.
- 2) The railroad spur line decision has been in effect for eight years and has not been implemented. It is based on a National Environmental Policy Act (NEPA) analysis and documentation that are stale and need to be revisited in the context of changed conditions and new circumstances.
- 3) Shortly after the spur line decision was issued, the Forest and Grand Canyon National Park initiated a NEPA process to evaluate a land exchange for 272 acres of National Forest land adjacent to Tusayan to be used for housing, community facilities,



commercial development, and a transportation center. This land exchange decision was also designed to address the transportation needs for the Grand Canyon National Park by including the placement of the southern terminus and transportation corridor on National Forest System land. Subsequent litigation in 2001 resulted in court decisions that necessitate additional NEPA analysis and decision making regarding this proposed land exchange and the transportation proposal. This additional NEPA analysis could well affect the need of the spur line proposal.

I encourage you to continue working with the Forest Supervisor and the Park Superintendent on any new transportation proposals to ensure your concerns are considered.

This decision is subject to discretionary review by the Chief of the Forest Service. The Chief will have 15 days from receipt of this decision to decide whether or not to exercise discretionary review. (36CFR 217.17(d))

Sincerely,

/s/ Abel M. Camarena  
ABEL M. CAMARENA  
Appeals Deciding Officer  
Deputy Regional Forester

cc:  
Chief, USDA Forest Service  
Kaibab National Forest  
R3, Lands & Minerals Staff  
R3, Appeals & Litigation Staff