



January 28, 2021

Submitted via <https://public.commentworks.com/>

Joshua Wayland, PhD
Surface Transportation Board
c/o ICF
9300 Lee Highway
Fairfax, VA 22031
Attention: Environmental filing, Docket No. FD 36284

Re: Uinta Basin Railway Draft Environmental Impact Statement

Dear Dr. Wayland:

Western Energy Alliance strongly supports the proposed Uinta Basin Railway that the Surface Transportation Board (STB) is now evaluating through a draft environmental impact statement (EIS). The railway is a vital infrastructure asset for the economy of the Uinta Basin, which is heavily focused on oil and natural gas development, and will be a critical catalyst for new production by creating better access to world markets. The railway would be a vital stimulant to economic opportunity and job creation for the four counties in the basin and the Ute Indian Tribe, and the project has successfully mitigated environmental impacts. As such, STB should finalize the EIS in an expeditious manner.

Western Energy Alliance represents 200 companies engaged in all aspects of environmentally responsible exploration and production of oil and natural gas in Utah and across the West. The Alliance represents independents, the majority of which are small businesses with an average of fourteen employees.

We realize that the STB and project proponent specifically limited analysis of impacts to the construction and direct operations of the railway, including socioeconomic impacts. We realize that STB did not wish to speculate on how greater access to markets provided by the railway could lead to increased oil production in the Uinta Basin. Such analysis would have shown a large economic benefit to the state, Ute Indian Tribe and the four counties in terms of jobs, investment and tax revenue. As such, STB is shortchanging the benefits of the project. Despite not accounting for such potentially large economic benefits, the draft EIS still shows a positive socioeconomic impact for the project area, and therefore, supports moving forward with the railway.

Mitigation of Environmental Impacts

The draft EIS includes a thorough analysis of the impacts of the proposed railway that ensures STB is complying with all applicable federal laws and regulations as it evaluates the

proposed project. The draft EIS demonstrates manageable environmental impacts with appropriate mitigation measures.

The draft EIS includes a review of potential impacts to local species such as the Greater Sage-Grouse and the Hookless Cactus, and places restrictions on the project that comply with the Bureau of Land Management's resource management plans and the U.S. Fish & Wildlife Service's (FWS) Endangered Species Act regulations. Although the project would disturb some habitat for these species, the draft EIS properly requires mitigation actions that will offset this disturbance.

While we generally believe those mitigation requirements are consistent with governing regulations, one reference should be updated in the final EIS. Specifically, STB states "The Coalition shall also follow the guidelines for avoiding and minimizing impacts set out in the Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances for the protection of bald and golden eagles, as applicable." The guidelines referenced in this section are no longer FWS policy, so an updated reference is necessary.

STB complies with the National Historical Preservation Act by analyzing potential impacts to cultural resources, imposing mitigation requirements, and requiring ongoing consultation. These steps will ensure the project will have a limited effect on cultural resources and will be avoided where possible.

STB conducted an extensive analysis of cumulative greenhouse gas emissions associated with the railway and potential impacts to air quality in analyzing the affected environment. The review properly places these impacts in a local, national, and global context in order to help inform STB's decision on final approval. While STB demonstrates how the project will not result in any exceedances of National Air Quality Standards (NAAQS) nor affect the Uinta Basin's ozone nonattainment status, it does not acknowledge the actual air quality *benefits* that will result.

The analysis fails to adequately consider the replacement of truck transportation with rail for existing crude oil production and the concomitant decrease in air emissions. As air quality is an important issue in the Utah Basin, which is classified as a marginal ozone nonattainment area, these benefits could potentially be significant.

Once the railway is complete, long-haul trucking of crude oil will be reduced in the project area as well as to refineries on the Wasatch Front, which suffers from poor air quality largely related to vehicle emissions. Since that benefit during the much longer operational phase is not considered, overall air quality impacts from the project are likely overstated. Nevertheless, the analysis still finds the project mitigates emissions and maintains air quality health standards.

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Western Energy Alliance appreciates the opportunity to submit these comments, and we urge STB to finalize the EIS expeditiously. Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tripp Parks" with a stylized flourish at the end.

Tripp Parks
Vice President of Government Affairs