



## State of Utah

SPENCER J. COX  
*Governor*

DEIDRE  
HENDERSON  
*Lieutenant  
Governor*

Office of the Governor  
PUBLIC LANDS POLICY COORDINATING OFFICE  
  
REDGE B. JOHNSON  
*Executive Director*

EI-31240

August 25, 2021

*Sent via email: [danielle.gosselin@stb.gov](mailto:danielle.gosselin@stb.gov)*

Danielle Gosselin  
Director  
Office of Environmental Analysis  
Surface Transportation Board  
9300 Lee Highway  
Fairfax, VA 22031

**Subject: Uinta Basin Railway Final EIS**  
STB Docket No. FD 36284

Dear Director Gosselin:

The state of Utah (State) appreciates the diligent work of the Surface Transportation Board's Office of Environmental Analysis to move forward the final Environmental Impact Statement for the Uinta Basin Railway in a timely manner. The State fully supports this critically important infrastructure project, the construction of which will bring tremendous economic opportunities to a long-underserved region of Utah while appropriately mitigating impacts on the surrounding environment.

As America recovers from the COVID-19 pandemic, innovative new transportation projects such as the Uinta Basin Railroad are more important than ever to support stable, high-paying jobs in rural communities. The Uinta Basin region is rich in natural resources including hydrocarbons, phosphates, and other minerals critical to America's economy – but development of these resources has long been impaired by the lack of quality freight transportation infrastructure.

The socioeconomic benefits of the proposed railway go beyond the transport of hydrocarbons out of the Uinta Basin to national markets. The railway will help the Uinta Basin diversify its economy. Without rail, interstate highway, or major airport service, Duchesne and Uintah counties are at a competitive disadvantage when it comes to attracting business investment. According to a 2014 study by the Utah Department of Workforce

Services, Duchesne and Uintah counties had the least diversified economies of the 29 counties in Utah. The counties rely on the oil and gas industry for a significant part of their jobs and income which exposes the economy to the booms and busts of the industry. Construction of the railroad will provide the Uintah Basin counties more options to attract other types of industries that require rail service. To borrow a phrase from President Biden, the time is now to “build back better” by expanding the State’s rail network and improving American lives by connecting rural communities to the global economy.

The State of Utah respectfully requests that the Office of Environmental Analysis consider certain changes to Chapter 4 of the Final Environmental Impact Statement that would facilitate future implementation of provisions. The requested changes are outlined below:

### **Air Quality**

#### *Biodiesel and Renewable Diesel Fuel*

The State’s Department of Environmental Quality (UDEQ), Division of Air Quality works to reduce emissions from heavy-duty diesel engines in Utah through the Utah Clean Diesel Program.<sup>1</sup> This program provides various funding opportunities for fleet operators to upgrade diesel engines on eligible vehicles and construction equipment. The Utah Clean Diesel Program is designed to reduce harmful emissions from diesel-powered vehicles and equipment without imposing burdensome regulations on Utah’s industries. The State encourages participation in the Utah Clean Diesel Program, and respectfully requests that Air Quality Mitigation Measures #4 and #8 be removed from the FEIS (AQ-MM-4, AQ-MM-8, FEIS p. 4-17). Requirements for use of biodiesel and renewable diesel fuel proposed in AQ-MM-4 and AQ-MM-8 would impose regulatory burdens during construction of the Uinta Basin Railway and could impede construction and are not consistent with the voluntary spirit of UDEQ’s successful Clean Diesel Program.

#### *Ozone*

UDEQ and its Division of Air Quality are actively working to reduce ozone emissions within the Uinta Basin through existing rules, a voluntary season ozone control program with the oil and gas industry,<sup>2</sup> and participation in the EPA’s Ozone Advance Program. The State recommends that Air Quality Mitigation Measure #9 (AQ-MM-9, FEIS p. 4-17) be removed from the FEIS to encourage voluntary ozone-reduction activities in coordination with the Utah Department of Environmental Quality. Avoidance of construction activities by trucks or diesel-powered construction equipment each January and February, as proposed by AQ-MM-9 could impose severe difficulties on the construction of the Uinta Basin Railway

---

<sup>1</sup> See <https://deq.utah.gov/air-quality/incentive-programs-aq/utah-clean-diesel-program>.

<sup>2</sup> See <https://deq.utah.gov/air-quality/voluntary-seasonal-ozone-controls-uinta-basin>.

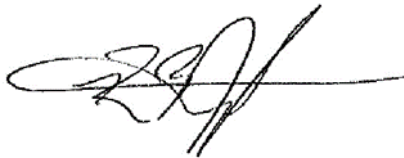
### **Biological Resources**

The Coalition has committed to work with the Utah Division of Wildlife Resources (UDWR) on a final Mitigation Agreement that will address impacts to greater sage-grouse within the Carbon Sage-grouse Management Area. (See VM-35, FEIS p. 4-7). This final Mitigation Agreement is in development. Accordingly, the State requests that Biological Resources Mitigation Measure #20 (BIO-MM-20, FEIS p. 4-14) be removed from the FEIS so that relevant issues can be fully considered during the development of the final Mitigation Agreement. The final Mitigation Agreement between the Coalition and UDWR should holistically consider the array of tools that may be used to mitigate impacts to greater sage-grouse habitat. The inclusion of certain greater sage-grouse mitigation measures within the body of the FEIS while the final Mitigation Agreement is still in development could unnecessarily complicate the process.

### **Conclusion**

Again, thank you for the Office of Environmental Analysis' work to complete the FEIS. The State finds that the recommendations stated above, if implemented, will strengthen the FEIS and allow for a more successful project while better utilizing existing and forthcoming programs and agreements of the State. We look forward to a final decision from the Surface Transportation Board and to future work with Office of Environmental Analysis.

Sincerely,

A handwritten signature in black ink, appearing to read 'Redge B. Johnson', with a long horizontal line extending to the right.

Redge B. Johnson  
Executive Director