



FRIENDS *of* GREAT SALT LAKE

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October 30, 2023

Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board
395 E St SW
Washington, DC 20423

Filed Via Surface Transportation Board E-Filing

Re: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation –
Line of Railroad in Tooele County, Utah; Draft EA

Director Gosselin:

Thank you for this opportunity to file comments on the Draft EA associated with the Savage Tooele Railroad Company (STR). FRIENDS of Great Salt Lake (FRIENDS) has, as its mission, the preservation and protection of the Great Salt Lake ecosystem and seeks to increase public awareness and appreciation of the Lake through education, research, advocacy and the arts. The organization has long been involved in the protection and restoration of Great Salt Lake and its ecosystems, advocating for ways in which the public may enjoy these resources by fishing, birdwatching, boating, photographing, hiking and studying these natural areas. On behalf of its members, FRIENDS of Great Salt Lake frequently participates in agency processes related to the management of the Lake, including actions such as this that impact critical wetlands and uplands that border the Lake. FRIENDS considers this participation to be critical to its mission and to be valuable as a means of influencing the administration of the Lake and of protecting and preserving the Lake ecosystem and opportunities for recreation that depend on the health of that ecosystem.

FRIENDS of Great Salt Lake has staff and members who regularly use and enjoy and will continue to use and enjoy Great Salt Lake for bird-watching, boating, photographing, hiking and studying natural areas. FRIENDS, its staff and its members are harmed and will be harmed by the approval of this action without addressing the concerns raised by FRIENDS in these comments.

The local, national and international value of Great Salt Lake, its open water, islands, associated wetlands, playas, mudflats and uplands provide critical habitat for over 10 million migratory birds, represented by nearly 338 different avian species. These birds rely on the Lake

and its critical food sources such as brine shrimp, brine flies, and aquatic plants while they rest, stage and nest during their migratory journeys.

Approximately 30 percent of the waterfowl migrating along the Pacific Flyway depend upon Great Salt Lake wetlands. For these migrants, the Lake provides a critical food supply, allowing them to restore depleted energy reserves and fuel up for the rest of their migrations, sometimes doubling their body weight before they leave. In recognition of its role in these international flights, Great Salt Lake is designated as one of only eight sites with a “hemispheric” designation – as opposed to regional or international designation – of the 40 Western Hemisphere Shorebird Reserve Network sites in the United States.

The importance of Great Salt Lake to the birds of the Americas is borne out by the sheer numbers that depend on its resources, including:

- 60 to 80 percent of the world’s population of Wilson’s Phalarope;
- One of the two largest staging concentrations of Eared Grebes in North America;
- The world’s largest breeding population of White-faced Ibis and California gull;
- Over half of the entire breeding population of Snowy Plovers west of the Rocky Mountains;
- More than three quarters of the entire western population of Tundra Swan;
- One of the three largest breeding colonies of American White Pelicans; and,
- One of the ten largest wintering populations of Bald Eagle in the lower 48 states.

Not surprisingly, hundreds of thousands of bird watchers comb the shores of Great Salt Lake to be rewarded with incredible views of feeding, flying and nesting birds that journey thousands of miles to gorge on the bounty of our nation’s largest inland “sea.” The Lake also attracts recreationists enjoying other water-based activities such as sailing, boating, rowing, floating, wading and kayaking. Others hike, ride horseback and mountain bike to enjoy scenery, solitude and wildlife. Great Salt Lake also supports a robust community of waterfowl enthusiasts who not only enjoy hunting but are working to preserve and protect Utah’s waterfowl, its unique and rich habitat and its rich heritage.

OEA Failed to Consider the Cumulative Impacts of the Proliferation of Inland Ports in Its Analysis.

The Office of Environmental Analysis (OEA) has determined that STR’s proposed action is the only reasonable and feasible alternative available for consideration and therefore proposes that as the preferred alternative. However, OEA has unreasonably narrowed the scope of its examination of the consequences of this project and has not considered the cumulative impacts associated with the Surface Transportation Board’s (Board) approval of STR’s project on the wetlands and uplands of Great Salt Lake. This is especially true in light of the ongoing authorization and construction of multiple industrial parks/inland ports within the Great Salt Lake ecosystem.

As OEA noted, cumulative impacts are those “which result[] from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of

what agency (federal or non-federal) or person undertakes such other actions.” 40 C.F.R. § 1508.7. In that context, OEA must consider the cumulative impacts of this project in the larger context of other reasonably foreseeable inland port projects affecting Great Salt Lake wetlands and uplands.

Specifically, the Utah Inland Port Authority has approved projects in the Northwest Quadrant area of Salt Lake City, as well as the Golden Spike Project in Brigham City, Garland, Tremonton and Box Elder County, and is considering connecting together a number of additional projects. The 16,000-acre Northwest Quadrant project is having and will have significant negative impacts on Great Salt Lake wetlands and uplands, and the main portion of the 1,500-acre Golden Spike project sits within and adjacent to wetlands associated with the Bear River Migratory Bird Refuge. Further, both Tooele County and Weber County have requested approval for port projects located within those counties, including the project supported by this proposal. Each of those projects and proposed projects will have significant negative impacts on wetlands and uplands associated with Great Salt Lake.

In its analysis, OEA looked strictly at the direct footprint of STR’s project and failed to consider the project in the context of the other existing and proposed inland port projects. In the Cumulative Impacts section of the Draft EA, OEA limited its analysis to the direct impacts of construction of the proposed action, to include the direct impacts of replacing and reconstructing culverts. See Draft EA, pp. 3-71 through 3-75. No consideration was given to this project in the context of the reasonably foreseeable future inland port projects and the cumulative impact of those projects on Great Salt Lake wetlands and uplands. Without this analysis, the Cumulative Impacts section of the Draft EA is woefully inadequate. While OEA states that it considered “reasonably foreseeable projects and actions that could affect the same resource areas as the Proposed Action,” it improperly narrowed the scope of its analysis and failed to consider this project in the context of the near simultaneous development of the various inland ports on the Great Salt Lake ecosystem.

Under the provisions of the National Environmental Policy Act, segmenting or piecemealing a project means examining parts of an action as though they were independent and unrelated activities. This is explicitly forbidden because it would allow an examining entity to minimize the overall environmental impact by evaluating individual parts of a much larger action rather than acknowledging the cumulative impacts of that larger action as a whole. In this case, not only is it reasonably foreseeable that this project is only one part of a much larger effort to create a web of industrial port facilities that wrap around Great Salt Lake, it is absolutely clear. This constant development pressure on an already fragile ecosystem amounts to the proverbial death by a thousand cuts. FRIENDS encourages the Board to take a step back and examine this project in the proper light and assess the cumulative impacts of this project accordingly.

/s/ Rob Dubuc

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