

Congress of the United States
Washington, D.C. 20510

310717

The Hon. Patrick J. Fuchs, Chairman
Surface Transportation Board
395 E Street SW
Washington, DC 20423

ENTERED
Office of Chief Counsel
January 12, 2026
Part of
Public Record

January 12, 2026

Re: *Seven County Infrastructure Coalition – Rail Construction & Operation Exemption –In Utah, Carbon, Duchesne, and Uintah Counties, Utah*, STB Docket No. FD 36284

Dear Chairman Fuchs,

As the Surface Transportation Board (“the Board”) considers the Uinta Basin Railway project (“the Railway”) on remand from the D.C. Circuit Court of Appeals, we urge the Board to reject the motion submitted by the Seven County Infrastructure Coalition to reaffirm the Board’s previous approval of the project with a truncated review. Instead, the Board should engage in a thorough, rigorous evaluation of the project that includes robust public participation and a supplemental environmental impact statement (EIS) that considers the project’s risks to Colorado’s communities, water, land, air, and climate.

In 2021, the Board’s Final EIS concluded that the Railway would enable the shipment of up to 4.6 billion gallons of crude oil per year from Utah through Colorado to the Gulf Coast on as many as five, two-mile-long trains per day. These trains would run for over 100 miles directly alongside the headwaters of the Colorado River – a vital water supply for nearly 40 million Americans, 30 Tribal nations, millions of acres of agricultural land, and a main driver of our state’s recreation and tourism economies.

A train derailment that spills oil in the headwaters of the Colorado River would be catastrophic not only to our state’s water supplies, wildlife habitat, and outdoor recreation assets, but also to the broader Colorado River Basin. Train accidents and spills are not rare, as the [recent derailment of a coal train into the Gunnison River](#) underscores. In addition, an accident along the rail line could further increase wildfire risk at a time when the West already faces severe drought. Many Colorado communities along the proposed railway are still recovering from extreme wildfires, severe flash flooding, and mudslides, while managing water levels at unprecedented lows. This project also poses new hazards for Denver residents, where it is estimated to quadruple the number of rail cars carrying hazardous materials through the city.

The Board’s EIS did not disclose these potential effects on the Colorado River and Colorado communities, a flaw that the D.C. Circuit Court of Appeals concluded meant that the EIS failed to take the “hard look” required by law. The U.S. Supreme Court’s May 2025 ruling did not address or disturb this part of the D.C. Circuit’s decision. The Board should conduct a thorough and updated supplemental EIS that assesses these risks. As part of that process, the Board should ensure Colorado communities have the opportunity to have their voices heard. A wide range of local governments, water districts, and other stakeholders along the Union Pacific rail line

continue to have grave concerns about the risks of the project. We urge the Board to carefully consider those concerns before rendering a decision that could jeopardize the water supplies, environment, and livelihoods of hundreds of thousands of Coloradans. Without a robust analysis and full public review, the errors identified in the D.C. Circuit Court's original decision would remain unaddressed, and the legitimacy of the Board's action would be undermined.

Additionally, a detailed supplemental EIS is necessary since the Board's EIS is now over four years old. Furthermore, the economic analysis underpinning the Board's decision is now more than seven years old and fails to account for the current global oversupply of oil or the significantly increased cost of steel, two factors that call the Railway's economic viability into question.

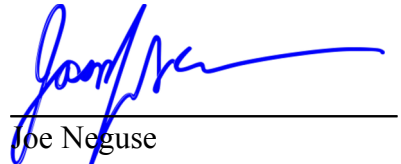
We appreciate the importance of expanding our nation's energy infrastructure, but we cannot accept an approach that places the Colorado River and the 40 million Americans who depend on it at unnecessary risk.

We appreciate your consideration of this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. F. Bennet", written over a horizontal line.

Michael F. Bennet
United States Senator

A handwritten signature in blue ink, appearing to read "Joe Neguse", written over a horizontal line.

Joe Neguse
Member of Congress