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Office of Chief Counsel
January 13, 2026
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Dear Chairman Fuchs,

I am reaching out to you regarding the Uinta Basin Railway project. As a State Senator in Colorado I have had many constituents reach out to me concerning this project. I understand that the Supreme Court has ruled that the STB does not have to examine a project's impact beyond the time or place of the project, but this project does pose very real and near risks to Colorado. The Green River is a tributary to the Colorado river and has several sources which flow through the Basin where this project is being built. I think that the communities downstream who will be affected by this project deserve a fair hearing.

Colorado's communities have opposed this project for years and demanded to have their voices heard and their concerns fairly evaluated, but their objections have been largely ignored by the Board. There are risks inherent with this kind of infrastructure that cannot be dismissed. The project's inherent risks to Colorado's water, land, air, wildlife, agricultural and tourism industries are real and accidents are inevitable. Oil spills into the Green River system would contaminate the Colorado River, affecting millions of people and critical ecosystems. For our state, the risk of sparking nearby wildfires from railway operations poses an existential threat to our communities.

Beyond environmental concerns, the Board must also address the Railway's lack of financial support. The Board should require an updated economic analysis to ensure that the Uinta Basin Railway is financially viable and can follow through on mandated and promised mitigation measures. The Board's 2021 EIS relied in part on a now seven-year-old economic study that did not even evaluate the route that the Uinta Basin Railway now intends to use. Moreover, while the Railway stated it intends to rely on taxpayer-subsidized private activity bonds to finance the majority of the project, the Department of Transportation (which administers those bonds) has already allocated the entirety of funds Congress made available. Thus, the Railway cannot currently make use of that financing. This raises serious questions about whether promised mitigation measures can actually be funded and implemented.

I urge the Board to prepare a supplemental Environmental Impact Statement that thoroughly re-evaluates both the environmental risks and economic viability of this project before proceeding.

Sincerely,

Senator Cathy Kipp

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