



LAW OFFICE OF THOMAS W. WILCOX, LLC
1629 K. STREET, NW SUITE 300
WASHINGTON, DC 20006

(202) 508-1065 (O)

(202) 365-8409 (C)

TOM@TWILCOXLAW.COM

WWW.TWILCOXLAW.COM

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VIA EMAIL

Ms. Danielle Gosselin
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street, N.W.
Washington, D.C. 20423

RE: STB Docket No. FD 36616, *Savage Tooele Railroad Company –
Construction and Operation Exemption – Line of Railroad in Tooele
County, Utah*

Dear Ms. Gosselin:

Following up on recent discussions between Savage Tooele Railroad Company (“STR”) representatives and the Office of Environmental Analysis, I have attached the final voluntary mitigation measures STR has offered to undertake to address potential environmental impacts resulting its rail construction project.

Please don’t hesitate to contact me if you have any questions or desire additional information.

Sincerely,

Attorney for Savage Tooele Railroad

Cc: Ms. Andrea E. Poole

APPENDIX A

SAVAGE TOOEELE RAILROAD VOLUNTARY MITIGATION

A. Construction and Operation Safety

- VM-1.** STR will follow all applicable federal Occupational Safety and Health Administration, Federal Railroad Administration, and operational safety regulations to minimize the potential for accidents and incidents during project-related construction and operation.
- VM-2.** STR will consult with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices. Warning devices on public roadways will be subject to review and approval, depending on location, by the Utah Department of Transportation, City of Erda, and Tooele County. STR will follow standard safety designs for each at-grade crossing for proposed warning devices and signs. These designs will follow the Federal Highway Administration's *Manual on Uniform Traffic Control Devices for Streets and Highways* (2022) and the American Railway Engineering and Maintenance-of-Way Association's guidelines for railroad warning devices. STR will also comply with applicable UDOT and local requirements.
- VM-3.** Prior to construction of road crossings, when reasonably practical, STR and its contractor(s) will consult with local transportation officials regarding construction phasing and temporary traffic control. STR's contractor(s) will be responsible for local agency coordination of construction schedules, detours, and temporary traffic control, as well as obtainment of necessary temporary traffic control permits from the City of Erda and Tooele County. As appropriate, STR's contractor(s) will maintain egress or traffic routing to allow for passage of emergency and other vehicles.
- VM-4.** Prior to project-related construction, STR will consult with railroad representative with the appropriate agency(s) to determine the final details and reasonable signage for private at-grade crossings along access roads.
- VM- 5.** Prior to project-related construction, STR will consult with UDOT and applicable road authority regarding roadway safety and user expectations, which includes items such as pavement markings, signing, delineators, and active warning devices for vehicles, pedestrians, and bicyclists at proposed at-grade crossings.
- VM- 6.** Prior to and during project-related construction, in accordance with project plans, specifications, and permits, STR's contractor(s) will install temporary traffic control, including pavement markings, signing, and detours, throughout the project limits and applicable work zones.
- VM- 7.** Prior to and during construction and operation of the project, STR will work with the local agencies to facilitate the development of cooperative agreements with

emergency service providers to share services areas and emergency call response.

- VM-8.** STR will consult with affected communities regarding ways to improve visibility at highway-rail at-grade crossings, including by clearing vegetation or installing lights at the crossing during construction.

B. Air Quality

- VM-9.** In accordance with Utah or local agency dust control permitting requirements, STR's contractor(s) will implement appropriate dust control measures to reduce fugitive dust emissions created during project-related construction. STR will require its construction contractor(s) to regularly operate water trucks on haul roads to reduce dust generation.

- VM-10.** STR will work with its contractor(s) to make sure that construction equipment is properly maintained, and that mufflers and other required pollution-control devices are in working condition in order to limit construction-related air pollutant emissions.

C. Noise and Vibration

- VM-11.** STR will comply with Federal Railroad Administration regulations (49 C.F.R. Part 210) establishing decibel limits for train operation.

- VM-12.** STR will work with its contractor(s) to make sure that project-related construction and maintenance vehicles are maintained in good working order with properly functioning mufflers to control noise.

- VM-13** Prior to commencing construction activities STR will confer with the City of Erda, UDOT, and Tooele County about the establishment of Quiet Zones at Route 138 and Erda Way and shall assist the City of Erda and Tooele County in identifying appropriate supplemental or alternative safety measures, practical operational methods, or technologies that lead to the establishment of Quiet Zones at those locations in accordance with FRA's rules and procedures.

- VM-14** During project-related construction, STR's daily construction schedule shall adhere to time restrictions that limit construction noise prior to 7:00 a.m. or after 5:00 p.m. to the maximum extent practicable, with the exception of road crossing construction, which may occur on a 24/7 schedule to lessen traffic interruptions.

- VM-15** Prior to project-related construction outside of local time restrictions within the city limits of the City of Erda, STR shall consult with and comply with the reasonable requirements of the City of Erda for a special use permit to allow nighttime construction.

D. Hazardous Materials and Waste Sites

- VM-16.** Prior to initiating any project-related construction, STR's contractor(s) will prepare a hazardous waste management plan detailing the manner in which hazardous wastes will be managed and describing the types and volumes of hazardous wastes anticipated to be managed. There will be no export of hazardous materials off-site other than used rail ties. The hazardous waste management plan will address both onsite and offsite hazardous waste management and include the following:

description of the methods to be used to ensure accurate piece counts or weights of shipments; waste minimization methods; facilities to be used for treatment, storage, and disposal; onsite areas designated where hazardous wastes are to be handled; identify whether transfer facilities are to be used, and if so, how the wastes will be tracked to ultimate disposal. Additionally, STR's contractor(s) will document hazardous waste inspections on a weekly basis.

- VM-17.** In accordance with STR contractor(s)'s hazardous waste management plan and emergency management plan, and in the event of a spill over the applicable reportable quantity, each STR's contractor will comply with its spill prevention, control, and countermeasures plan and applicable federal, state, and local regulations pertaining to spill containment, appropriate clean-up, and notifications.
- VM-18.** STR will document all activities associated with hazardous material spill sites and hazardous waste sites and will notify the appropriate state and local agencies according to applicable regulations. The goal of the measures is to ensure the proper handling and disposal of contaminated materials, including contaminated soil, groundwater, and stormwater, if such materials are encountered. STR will use disposal methods that comply with applicable solid and hazardous water regulations.
- VM-19.** STR's contractor(s) will responsibly handle and store gasoline, diesel fuel, oil, lubricants, and other petroleum products to reduce the risk of spills contaminating soils or surface waters. If a petroleum spill occurs in the project limits as a result of project-related construction, operation, or maintenance and exceeds specific quantities or enters a waterbody, STR's contractor(s) will be responsible for promptly cleaning STR the spill and notifying responsible agencies in accordance with federal and state regulations.
- VM-20.** STR's hazardous materials emergency response plan will address potential derailments or spills. This plan will address the requirements of the Pipeline and Hazardous Materials Safety Administration and Federal Railroad Administration requirements for comprehensive oil spill response plans. STR will distribute the plan to federal, state, and local emergency response agencies. This plan shall include a roster of agencies and people to be contacted for specific types of emergencies during project-related construction, operation and maintenance activities, procedures to be followed by particular rail employees, emergency routes for vehicles, and the location of emergency equipment.
- VM-21.** In the event of a reportable hazardous materials release, STR will notify appropriate federal and state environmental agencies as required under federal and state law.
- VM-22.** STR will comply with applicable Federal Railroad Administration, Pipeline and Hazardous Materials Safety Administration, and Transportation Security Administration regulations for the safe and secure transportation of hazardous materials.

E. Biological Resources

- VM-23.** STR will comply with any conditions and mitigation commitments contained in this Environmental Assessment, recommended by the Utah Game and Fish Department

and/or the U.S. Fish and Wildlife Service, for sensitive species, including plants, that could potentially be impacted by the project.

- VM-24.** Within 30 days prior to project-related construction, qualified biologists will survey for the federal- and state-protected burrowing owl (*Athene cunicularia*) following guidelines provided by the Utah Game and Fish Department (AGFD). Survey results will be provided to AGFD.
- VM-25.** If burrowing owls are observed at burrows in the project limits, a 100-foot buffer of no activity will be established around the burrow for the duration of the project.
- VM-26.** If an active burrowing owl burrow is in an area that requires impact, a local, qualified biologist will be contacted to remove the owls from the project limits with the appropriate state and federal permits. The burrows will be collapsed by the biologist to prevent further nesting activities.
- VM-27.** The STR will comply with any conditions and mitigation commitments contained in a biological opinion for sensitive plant species that could potentially be impacted by the project.

F. Water Resources

- VM-28.** STR's contractor(s) will submit a Notice of Intent to request permit coverage under Utah UPDES Construction General Permit (CGP) or Common Plan Permit (CPP) for construction stormwater management.
- VM-29.** STR's contractor(s) will submit an application for coverage under the National Pollutant Discharge Elimination System stormwater construction permit pursuant to Section 402 of the Clean Water Act for construction stormwater management.
- VM-30.** STR's contractor(s) will develop a stormwater pollution prevention plan, which will include construction best management practices to control erosion and reduce the amount of sediment and pollutants entering surface waters, groundwater, and waters of the United States. STR will require its construction contractor(s) to follow all water quality control conditions identified in all permits, including the Section 404 permit from the U.S. Army Corps of Engineers and the Section 401 Water Quality Certification from the Arizona Department of Environmental Quality.
- VM-31.** STR's contractor(s) will construct stream crossings during low-flow periods, when practical.

G. Geology and Soils

- VM-32.** STR's contractors(s) will limit ground disturbance to only the areas necessary for project-related construction.
- VM-33.** STR's contractor(s) will stockpile excavated soil in areas away from environmentally or culturally sensitive areas and will use appropriate erosion control measures to prevent or contain erosion.
- VM-34.** STR's contractors(s) will perform finish grading and surface disturbed areas with appropriate best management practices, where practical and in consultation with

the City of Erda when construction is completed.

- VM-35.** The STR will develop a stormwater pollution prevention plan, which will include construction BMPs to control erosion and reduce the amount of sediment and pollutants entering surface waters, groundwater, and waters of the United States. The STR will require its construction contractor(s) to follow all water quality control conditions identified in all permits, including the Section 404 permit from the U.S. Army Corps of Engineers (Corps) and the Section 401 Water Quality Certification from the Utah Department of Environmental Quality and the U.S. Environmental Protection Agency.

H. Land Use and Farmland

- VM-36.** Prior to project-related construction, STR will secure agreements with utility owners to establish responsibility for protecting or relocating existing utilities, if impacted by construction.

I. Socioeconomics

- VM-37.** STR will appoint a liaison to consult with communities, businesses, agencies, tribal governments, educational institutions, and nonprofit organizations to provide general project information, progress on construction, information on rail operations and safety as needed and will seek to develop cooperative solutions to local concerns regarding project-related construction.
- VM-38.** STR and its contractor(s) will consult with appropriate adjacent landowners for coordination of construction schedules and temporary access during project-related construction.
- VM-39.** The STR will install construction warning and detour signs throughout the corridor and at recreation sites around the project area as needed.

J. Vehicle Safety and Delay

- VM-40.** The STR shall design and construct any new temporary or permanent access roads and road realignments to comply with the reasonable requirements of the UDOT Roadway Design Manual (UDOT 2020), other applicable road construction guidance (e.g., county road right-of-way encroachment standards), and land management agency or landowner requirements (e.g., BLM H- 9113-1 Road Design Handbook) regarding the establishment of safe roadway conditions.
- VM-41.** During project-related construction activities, the STR and its contractors shall comply with speed limits and applicable laws and regulations when operating

vehicles and equipment on public roadways.

- VM-42.** The STR shall obtain and abide by the reasonable requirements of applicable permits and approvals for any project-related construction activities within UDOT rights-of way or state highways where UDOT has jurisdiction and off-system roads that are maintained by UDOT.
- VM-43.** For each of the public at-grade crossings on the proposed rail line, the STR shall provide and maintain permanent signs prominently displaying both a toll-free telephone number and a unique grade-crossing identification number in compliance with Federal Highway Administration regulations (23 C.F.R. Part 655). The toll-free number would enable drivers to report promptly any accidents, malfunctioning warning devices, stalled vehicles, or other dangerous conditions.
- VM-44.** The STR shall coordinate with Operation Lifesaver to provide educational programs available to communities, schools, and other organizations located along the proposed rail line. Operation Lifesaver is a nationwide, nonprofit organization that provides public education programs to help prevent collisions, injuries, and fatalities at highway/rail grade crossings.