

Wayland, Joshua

From: Wayland, Joshua
Sent: Friday, February 28, 2020 5:12 PM
To: 'Mike Mckee'
Cc: Rutson, Vicki; Rogers, Debra; Moelter, Chris; Floyd, Kathryn K.; Keller, Kevin; Eric Johnson; Brian Barton; ALCrawford
Subject: FD 36284 Uinta Basin Railway Field Surveys Response
Attachments: UBRY_Field_Survey_Concerns_Response.pdf

Mike,

I hope you're well. I've attached a letter from Vicki Rutson regarding the Seven County Infrastructure Coalition's recent response to our request for revised field survey reports and other information needed for the Uinta Basin Railway EIS. Thanks for your work in making sure our concerns were addressed.

Have a great weekend,
Josh

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

February 28, 2020

Mike McKee
Executive Director
Seven County Infrastructure Coalition

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

Dear Mr. McKee:

On February 12, 2020, you responded to my letter of January 15, 2020, raising OEA’s concerns regarding the baseline environmental field surveys conducted and submitted by the Coalition’s contractor, HDR Engineering (HDR), on behalf of the Coalition in the above-referenced case. My letter raised issues that needed to be addressed and resolved before OEA could move forward with its review of field survey results. I also requested that the Coalition resubmit the survey reports for cultural resources, biological resources, and water resources and recommended that the Coalition definitively finalize its preferred alternative, the Whitmore Park Alternative, before completing or submitting any revised field survey reports. This letter is to confirm receipt of the revised survey reports and the other information that I requested and to thank you for addressing and responding to OEA’s concerns. Below, I have summarized the information that you have provided along with our next steps.

Alignment for Whitmore Park

We have now received the Geographic Information System (GIS) files showing the finalized alignment for the Whitmore Park Alternative. We understand that the Coalition has made minor changes to the Whitmore Park Alternative in the area of Emma Park, which are reflected in the final GIS files. Based on conversations with the Coalition, it is our understanding that these changes reflect, in part, the Coalition’s objective of minimizing potential impacts to a Priority Habitat Management Area for greater sage-grouse in the Emma Park area. We are

supportive of this effort, which we believe to be consistent with the aims of the State of Utah's Greater Sage-Grouse Management Plan. Having received the finalized Whitmore Park Alternative, we are now able to move forward with our review of the revised Whitmore Park Alternative and the other alternatives for the Draft EIS. We note, however, that submitting further refinements to the alternatives would delay the issuance of the Draft EIS.

Revised Survey Reports

The Coalition's contractor, HDR, has provided the revised survey reports that we requested. These revised reports, along with the clarification provided in your February 12, 2020 response letter, make it clear that the field surveys were conducted in a manner consistent with the methodologies that HDR developed in consultation with OEA and are sufficient to allow us to move forward with our environmental review for the Draft EIS.

Revised GIS Files for Survey Reports

We appreciate your clarification that the GIS files initially provided by HDR with the survey reports did not accurately show the areas actually surveyed during the field season. The revised GIS files submitted with the revised survey reports are consistent with our understanding of the survey area and indicate that the survey area was sufficiently wide to capture the construction footprint of the proposed rail line. Your response to our letter further explains that the inaccuracies in the GIS files that were initially provided were the result of a mapping error that occurred during the drafting of the survey reports and did not reflect a substantive change to the field survey methodology. We will provide our additional comments on the reports in the coming days. In addition, in the interest of clarifying the record, we note that the field surveys for water resources, biological resources, and cultural resources were conducted by HDR and its subcontractors on behalf of the Coalition. OEA's third-party contractor, ICF, observed some of the field surveys but did not participate in conducting the surveys. ICF will conduct a thorough review of HDR's survey results and OEA, with ICF, will reach conclusions regarding potential environmental impacts for the Draft EIS based on the revised survey reports.

Clarification on Areas Not Surveyed

Your response letter and the revised survey reports also clarify what areas within the study area were not or could not be surveyed. Across all three alternatives, a total of 8,707 acres,

or about 25 percent of the total study area, were not surveyed for biological resources and water resources. Of those 8,707 acres, approximately 1,023 acres could not be accessed due to private property restrictions. An additional 2,983 acres could not be surveyed due to field conditions that posed safety concerns for contractors in the field. Approximately 1,788 acres of the study area were not surveyed in locations where tunnels would be constructed; because no surface disturbance would happen in those areas, surveys are unnecessary. Finally, approximately 2,913 acres were not surveyed due to changes to the alternative alignments following the end of the field season. To characterize existing conditions in areas that were not surveyed, HDR's qualified hydrologists and biologists reviewed high-resolution imagery and other remotely sensed data and delineated aquatic resources and habitat types based on manual interpretation. We believe that this approach is consistent with the methodology that OEA reviewed and approved and is appropriate for describing existing conditions in the areas that were not or could not be surveyed by field teams. Because the Coalition has provided us with the remotely sensed data HDR used, OEA will be able to independently review the results of HDR's desktop analysis in preparing the Draft EIS.

Thank you again for your thorough and timely response to my January 15, 2020 letter. Your continued cooperation and willingness to do whatever possible to support OEA's goal of conducting an efficient and effective environmental review process is much appreciated. If you have questions or concerns, please do not hesitate to contact myself or Joshua Wayland of my staff at 202-245-0330 or by email at joshua.wayland@stb.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis