



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street,
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8EPR-N

APR 17 2008

Honorable Chris Cannon
U.S. House of Representatives
Washington, DC 20515-4403

Dear Congressman Cannon:

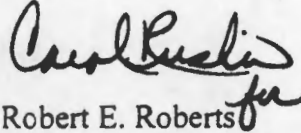
Thank you for your letter of March 21, 2008, in support of the Central Utah Rail Project. The U.S. Environmental Protection Agency (EPA) understands the importance of this project for central Utah, and I appreciate this opportunity to provide the following information regarding EPA's review of the environmental impacts associated with the project as planned.

EPA, Region 8's review of the Draft Environmental Impact Statement (DEIS) for this project, along with the U.S. Army Corps of Engineers (Corps), found that neither the National Environmental Policy Act (NEPA) alternatives analysis requirements nor the Clean Water Act (CWA) Section 404(b)(1) guidelines had been adequately addressed in the DEIS. Both NEPA and Section 404(b)(1) require that the project sponsors consider a reasonable range of alternatives to meet the proposed project's purpose and need.

For the past year, members of my staff have been working very closely with the Surface Transportation Board (STB) and the Corps on the development of an adequate range of alternatives to be evaluated in the DEIS. The STB has agreed to prepare a supplemental DEIS to address the need for additional alternatives and to engage in a more detailed analysis of the project's impacts on wetlands. It is EPA and the Corps' understanding that the supplemental DEIS will evaluate a wider range of alternatives which will include a modification of the northern terminus of the rail line. This, we believe, will bring the DEIS into compliance with NEPA and CWA Section 404 requirements by identifying the least environmentally damaging practicable alternative. The proposed project will eventually need a permit to dredge and fill wetlands. These CWA Section 404 permits are issued by the Corps. Identifying the least-damaging practicable alternative early on in the NEPA phase of the process may allow the Corps to merge the NEPA document with its permitting decision, which may also expedite the process.

We appreciate your interest in this project. Please be assured that the environmental review will be completed as expeditiously as possible. If EPA may provide anything further for you or your staff at this time, please contact me or Sandy Fells, our Regional Congressional Liaison, at 303-312-6604.

Sincerely,



Robert E. Roberts
Regional Administrator

cc: Michael Jewell, Corps' Sacramento Office
James McMillan, Corps' Bountiful Office
Phillis Johnson-Ball, Surface Transportation Board

