

# UINTA BASIN RAILWAY

DOCKET NUMBER FD 36284

**DRAFT EIS**  
**PUBLIC MEETING**  
November 16, 2020

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1 SURFACE TRANSPORTATION BOARD  
2 UINTA BASIN RAILWAY  
3 DOCKET NUMBER FD 36284  
4 DRAFT ENVIRONMENTAL IMPACT STATEMENT  
5 PUBLIC MEETING  
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12 Taken on Monday, November 16, 2020

13  
14 from 2:00 to 4:00 P.M.  
15  
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17 Taken through Advanced Reporting Solutions via Zoom

18 159 West Broadway

19 Suite 100

20 Salt Lake City, Utah 84101  
21  
22

23 Reported by: Kellie Peterson, RPR, CSR  
24  
25

A P P E A R A N C E S

Dr. Joshua Wayland, OEA Project Manager

Jennifer Piggott, Meeting Facilitator

1 November 16, 2020 2:00 P.M.

P R O C E E D I N G S

2

3 JENNIFER PIGGOTT: Good afternoon, ladies and  
4 gentlemen. The time is 2 o'clock P.M. local time, and we  
5 will now start the Surface Transportation Board, Office  
6 of Environmental Analysis, or OEA, online public meeting.  
7 This online public meeting is for the Uinta Basin Railway  
8 Draft Environmental Impact Statement, or EIS. Thank you  
9 everyone for participating.

10 My name is Jennifer Piggott, and I will serve  
11 as your neutral facilitator this afternoon. I'm with  
12 ICF, who is supporting OEA as an independent third-party  
13 contractor.

14 Also on the line is Josh Wayland, the EIS  
15 project manager with the Surface Transportation Board,  
16 Office of Environmental Analysis. This online public  
17 meeting is being recorded and transcribed.

18 The same presentation will be made at each of  
19 the six scheduled online public meetings. If you need  
20 assistance with Zoom during the meeting, you can use the  
21 chat feature located at the bottom of your screen to  
22 message the meeting host. We appreciate your  
23 participation in this online public meeting. We would  
24 much rather be with you in person, but with the current  
25 conditions, we want to provide all the information we can

1 while protecting everyone's health.

2           We are going to conduct this as closely as  
3 possible to a typical in-person public meeting. Please  
4 make a note of the phone number for this meeting. The  
5 phone number is (877)853-5247, meeting ID 87481496515,  
6 password 05649357. If you experience difficulty with  
7 your internet connection at any point during this  
8 meeting, you can call this number to listen to the  
9 meeting.

10           Additionally, individual internet connections  
11 and bandwidth may impact your viewing experience this  
12 afternoon. We recommend closing all apps and programs  
13 and limit other streaming or downloads during this  
14 meeting.

15           Finally, we are running this meeting using  
16 Zoom webinar, which mutes all participants and restricts  
17 video feeds. Only the meeting host can unmute you. For  
18 any media representatives that join this afternoon,  
19 please contact the EIS project manager, Josh Wayland, for  
20 any media queries or interview requests. Mr. Wayland can  
21 be reached at [joshua.wayland@stb.gov](mailto:joshua.wayland@stb.gov).

22           You can see the meeting topics on the slide.  
23 We will conduct the online public meeting in two parts.  
24 First, OEA will provide an overview of the proposed  
25 project and the environmental review process, followed by

1 a facilitated comment session, where interested parties  
2 can provide oral comments for the record.

3           Before we begin, I would like to review some  
4 ground rules for this afternoon's online public meeting.  
5 As previously stated, we will show a presentation and  
6 then receive oral comments. We will not host a  
7 question/answer session during the meeting. Please  
8 remember the meeting is being recorded and transcribed,  
9 so no inappropriate or threatening language.

10           Commenters will be called on in the order in  
11 which they registered, with elected officials given the  
12 opportunity to speak first. If you did not preregister  
13 to provide an oral comment at today's meeting and would  
14 like to do so, please send a chat message to the meeting  
15 host, raise your hand using the raise hand icon located  
16 next to your name, or for call-in only users, you can  
17 press star 9 to raise your hand. We will receive as many  
18 comments as time allows.

19           If you are not called on to provide an oral  
20 comment today, you may provide a comment electronically  
21 through the project website or through the mail or  
22 provide an oral comment at another online public meeting.  
23 Again, we will make every effort to receive as many oral  
24 comments as possible during this morning's meeting.

25           Please submit comments by the close of the

1 comment period, which is December 14, 2020. We invite  
2 you to submit comments orally at one of the remaining  
3 online public meetings, electronically via the  
4 Board-sponsored project website at  
5 [www.uintabasinrailwayeis.com](http://www.uintabasinrailwayeis.com), or in writing to Joshua  
6 Wayland, Surface Transportation Board, care of ICF, 9300  
7 Lee Highway, Fairfax, Virginia 22031, attention:  
8 Environmental filing, Docket No. FD36284. OEA will make  
9 the presentation available on the project website.

10 We appreciate the chance to share the  
11 proposed project and environmental process with all of  
12 you. We wish we could be together in person, but we are  
13 glad to come together virtually. Again, the purpose of  
14 this online public meeting is to share information about  
15 the draft Environmental Impact Statement, provide  
16 information on how to provide comments and to receive  
17 oral comments.

18 Now I would like to introduce Josh Wayland,  
19 the EIS project manager with the Surface Transportation  
20 Board, Office of Environmental Analysis, for his welcome  
21 remarks. Josh?

22 JOSHUA WAYLAND: Thank you, Jennifer.

23 And hello everyone, and thank you for  
24 attending the meeting today.

25 I want to reiterate what Jennifer said. We

1 are really sorry that we are not able to meet in person  
2 due to the ongoing and, unfortunately, worsening  
3 situation with the COVID-19 pandemic. I certainly hope  
4 everyone is taking care of themselves and staying safe  
5 and healthy out there. We are very pleased, though, to  
6 be able to meet with you today through this online format  
7 and are looking forward to hearing your comments a little  
8 later in the meeting.

9           Again, my name is Josh Wayland. I'm an  
10 environmental protection specialist with the Surface  
11 Transportation Board's Office of Environmental Analysis,  
12 and I'm the project manager for the Uinta Basin Railway  
13 Environmental Impact Statement.

14           Also on today's call from the Surface  
15 Transportation Board, we have Vicki Rutson, who is the  
16 director of the Office of Environmental Analysis.

17           Thank you for joining, Vicki.

18           Welcome as well to any other representatives  
19 of any other agencies and elected officials, if you are  
20 able to join with us today.

21           Before we move into the comment portion of  
22 the meeting, we would like to play a brief presentation  
23 for you that provides a short overview of the proposed  
24 project and the EIS process, as well as some of the major  
25 conclusions in the Draft Environmental Impact Statement.



1 This presentation will also be available on the project  
2 website in case you would like to watch it again later.

3 So with that, let me ask Jennifer to go ahead  
4 and please play the presentation. Thank you.

5 PRESENTATION BY JOSHUA WAYLAND: Hello and  
6 welcome to this online public meeting for the Uinta Basin  
7 Railway Draft Environmental Impact Statement.

8 The Environmental Impact Statement, or EIS,  
9 is being prepared by the Surface Transportation Board,  
10 which is the federal agency that authorizes the  
11 construction and operation of new rail lines.

12 My name is Josh Wayland, and I work for the  
13 Surface Transportation Board's Office of Environmental  
14 Analysis. In this presentation, I will provide a very  
15 brief overview of the environmental review process, the  
16 conclusions of the Draft EIS and how you can submit your  
17 comments on the Draft EIS.

18 Here is the agenda for this presentation. I  
19 will start out by providing an overview of the role of my  
20 agency, the Surface Transportation Board, as well as the  
21 cooperating agencies that are working with us, the Seven  
22 County Infrastructure Coalition, which is the project  
23 applicant, and the Coalition's proposed project.

24 Next, I will discuss the environmental review  
25 process, including the different resource areas that we

1 have analyzed in the Draft EIS, the major conclusions of  
2 the Draft EIS, and our preliminary recommendations for  
3 mitigating environmental impacts.

4           Then I will discuss how to access more  
5 information about the proposed project and the  
6 environmental review. I will then discuss the comment  
7 period and the public meetings. And finally, I will  
8 explain how you can submit your comments on the Draft  
9 EIS.

10           Let's begin with an overview of the proposed  
11 project. As I mentioned earlier, I work for a federal  
12 agency called the Surface Transportation Board. The  
13 Board is the lead agency for the Uinta Basin Railway EIS.  
14 It is a bipartisan independent adjudicatory Board, with  
15 broad economic oversight over railroads, including  
16 railroad rates and service, as well as acquisition,  
17 abandonment, construction and operation of rail lines.

18           When considering whether or not to authorize  
19 the construction and operation of a new line of railroad,  
20 the Board considers both the transportation merits of the  
21 proposal and the potential environmental impacts. The  
22 Board's Office of Environmental Analysis, or OEA, is the  
23 office at the Board that is responsible for conducting  
24 the environmental review for new railroad construction  
25 proposals.

1 OEA works under the National Environmental  
2 Policy Act, or NEPA, as well as related environmental  
3 laws. In this case, OEA is working with five cooperating  
4 agencies to conduct the environmental review, including  
5 four federal agencies and one state agency. Those  
6 agencies are the Bureau of Land Management, the U.S.  
7 Forest Service, the U.S. Army Corps of Engineers, the  
8 Bureau of Indian Affairs, and the State of Utah Public  
9 Lands Policy Coordinating Office.

10 The Draft EIS contains more information about  
11 the decisions that the cooperating agencies would be  
12 responsible for making if the Board were to authorize the  
13 construction and operation of the proposed Uinta Basin  
14 Railway.

15 The Uinta Basin Railway is not being  
16 proposed, funded or sponsored by the federal government.  
17 The project applicant is the Seven County Infrastructure  
18 Coalition or "Coalition." The Coalition proposes to  
19 construct and operate an approximately 85 mile rail line  
20 extending from two terminus points in the Uinta Basin  
21 near South Myton Bench and Leland Bench, to an existing  
22 Union Pacific Railroad Company rail line near Kyune,  
23 Utah.

24 The purpose of the proposed rail line would  
25 be to provide common carrier rail service connecting the

1 Uinta Basin to the interstate common carrier rail  
2 network, using a route that would provide shippers with a  
3 viable alternative to trucking. The Coalition  
4 anticipates that the proposed rail line would primarily  
5 be used to transport crude oil produced in the Uinta  
6 Basin to markets across the United States.

7 But trains on the proposed rail line could  
8 also carry other products and commodities, potentially  
9 including frac sand, other proppant material, steel,  
10 machinery and mineral and agricultural products and  
11 commodities.

12 The volume of rail traffic on the proposed  
13 rail line would depend on future market conditions,  
14 including demand for crude oil produced in the Uinta  
15 Basin. Depending on those future market conditions, the  
16 Coalition estimates that between approximately 3.68 and  
17 approximately 10.52 trains could operate on the proposed  
18 rail line each day on average. And that estimate  
19 includes both loaded and unloaded trains.

20 The National Environmental Policy Act, or  
21 NEPA, requires that federal agencies consider reasonable  
22 alternatives to a proposed action. In the case of the  
23 Uinta Basin Railway, there are relatively few potential  
24 routes for a rail line to take due to the mountainous  
25 terrain that surrounds the Uinta Basin. However, OEA

1 identified three reasonable alternatives that would be  
2 logistically feasible and practical to construct and  
3 operate.

4           In the Draft EIS, these alternative are  
5 referred to as the action alternatives. The action  
6 alternatives are: The Indian Canyon alternative, the  
7 Wells Draw alternative, and the Whitmore Park  
8 alternative. I will present maps of all three of these  
9 alternatives in just a moment.

10           In addition to the action alternatives,  
11 though, the Draft EIS also considers the potential  
12 environmental impacts of the no-action alternative, which  
13 would occur if the Coalition did not construct and  
14 operate the proposed rail line.

15           This map shows the route of the Indian Canyon  
16 alternative. From terminus points near South Myton Bench  
17 and Leland Bench, this alternative would extend westward  
18 and then head southwest through Indian Canyon,  
19 paralleling Route 191. There would be three tunnels on  
20 this route to maintain a safe grade while traversing the  
21 mountains that surround the Uinta Basin.

22           South of Indian Canyon, the alternative would  
23 head west to a connection with an existing Union Pacific  
24 Railroad rail line near Kyune. The Indian Canyon  
25 alternative would be approximately 81 miles long, and it

1 would cross land that is owned or managed by the Ute  
2 Indian Tribe, the U.S. Forest Service, the State of Utah,  
3 and the Bureau of Land Management, as well as private  
4 land.

5           The Wells Draw alternative would also connect  
6 to terminus points in the Uinta Basin near South Myton  
7 Bench and Leland Bench to the existing Union Pacific rail  
8 line near Kyune. This alternative would follow a  
9 different route between those endpoints compared to the  
10 Indian Canyon alternative, however.

11           South of Myton, the route would follow Wells  
12 Draw toward its headwaters and would then turn west into  
13 Argyle Canyon. The Wells Draw alternative would cross  
14 very rugged terrain and would require 13 tunnels to  
15 maintain a safe grade. It would be approximately 103  
16 miles long and would cross land managed by the Bureau of  
17 Land Management and the State of Utah, as well as private  
18 land.

19           Early in the EIS process, the Coalition  
20 developed a new alternative to avoid certain  
21 environmental impacts that had been identified. This is  
22 the Whitmore Park alternative. It would be similar to  
23 the Indian Canyon alternative because it would also  
24 parallel Route 191 through Indian Canyon. However, to  
25 the north and south of Indian Canyon, the Whitmore Park

1 alternative would follow a different route.

2 To the north, the Whitmore Park alternative  
3 would go around the Duchesne Mini Ranches area of  
4 Duchesne County to avoid impacts on residences there. To  
5 the south of Indian Canyon, the Whitmore Park alternative  
6 would be located further north compared to the Indian  
7 Canyon alternative and the Wells Draw alternative, in  
8 order to avoid or minimize impacts on Greater Sage-Grouse  
9 in the Carbon Sage-Grouse Management Area.

10 The Whitmore Park alternative would have five  
11 tunnels and would be approximately 88 miles long. In its  
12 request for Board authority to construct and operate the  
13 rail line, the Coalition identified the Whitmore Park  
14 alternative as its preferred alternative.

15 I will turn now to a summary of the  
16 environmental review process. The first step in the EIS  
17 process is scoping. For this project, scoping began on  
18 June 19, 2019, when OEA issued a Notice of Intent to  
19 prepare an EIS. During scoping, OEA requested public and  
20 agency comments on the alternatives and the topics to be  
21 analyzed in the EIS. OEA held six public meetings in the  
22 project area as part of scoping.

23 After receiving comments on the scope of  
24 study for the EIS, OEA issued a final scope of study in  
25 December 2019. Following the end of scoping, OEA

1 prepared the Draft EIS in consultation with the  
2 cooperating agencies.

3           The Draft EIS analyzes the potential  
4 environmental impacts of the three action alternatives.  
5 It also sets forth OEA's preliminary recommended  
6 mitigation measures for addressing those impacts, and it  
7 identifies the Whitmore Park alternative as OEA's  
8 preliminary environmentally preferred alternative. The  
9 Draft EIS also sets the schedule for the public comment  
10 period and the online public meetings. The Draft EIS was  
11 published on October 30, 2020.

12           After the end of the public comment period  
13 for the Draft EIS, OEA will prepare a Final EIS. The  
14 Final EIS will respond to comments received during the  
15 comment period, and it will make OEA's final  
16 recommendations to the Board, including the final  
17 recommended mitigation measures. The Board will then  
18 consider the entire record, including OEA's  
19 recommendations as it makes its final decision.

20           In its final decision, the Board may decide  
21 to deny the Coalition's request for authority to  
22 construct and operate the proposed rail line. It may  
23 grant authority to construct and operate the proposed  
24 rail line, or it may grant authority with conditions,  
25 including environmental conditions.



1           If the Board should decide to authorize the  
2 proposed rail line, the Coalition would then need to  
3 obtain rights-of-way or permits from one or more of the  
4 cooperating agencies. Those agencies would then need to  
5 decide whether to grant those rights-of-way or permits.  
6 The Draft EIS presents more detailed information about  
7 the decisions that the cooperating agencies could make,  
8 depending on which, if any, alternative is authorized by  
9 the Board.

10           Now I will briefly review some of the major  
11 findings and conclusions of the Draft EIS. The Draft EIS  
12 analyzes the potential environmental impacts of the  
13 proposed rail line across a range of resource areas.  
14 These include vehicle safety and delay, rail operation  
15 safety, water resources, biological resources, geology  
16 soils, seismic hazards and hazardous waste, noise and  
17 vibration, air quality and greenhouse gases, energy,  
18 cultural resources, paleontological resources, land use  
19 and recreation, visual resources, socioeconomics,  
20 environmental justice and cumulative impacts.

21           The Draft EIS concludes that any of the  
22 action alternatives would have significant environmental  
23 impacts. Any of the action alternatives would cross  
24 surface waters and wetlands, which would result in  
25 unavoidable impacts on water resources.

1           Among the action alternatives, the Wells Draw  
2 alternative would permanently affect the largest area of  
3 surface waters and wetlands, while the Whitmore Park  
4 alternative would permanently affect the smallest area.  
5 Any of the action alternatives would also affect  
6 vegetation and wildlife, including species that are  
7 listed as threatened or endangered under the Endangered  
8 Species Act, as well as other species that are managed by  
9 other federal, state and tribal agencies.

10           For example, any of the action alternatives  
11 would cross habitat for Greater Sage-Grouse, which is  
12 species that is protected by Bureau of Land Management  
13 and the State of Utah. For this species, the Whitmore  
14 Park alternative would minimize impacts by avoiding  
15 Sage-Grouse leks and summer brood rearing habitat.

16           The proposed rail line would create noise  
17 that could disturb people who live near the proposed rail  
18 line. Wayside noise refers to the noise from locomotive  
19 engines, as well as from train wheels on rail. Depending  
20 on the number of trains that would move on the rail line  
21 each day, wayside noise could exceed the Surface  
22 Transportation Board's noise impact thresholds at up to  
23 six residences for the Indian Canyon alternative, up to  
24 two residences for Whitmore Park alternative, and up to  
25 one residence for the Wells Draw alternative.

1           The proposed rail line would have both  
2 positive and negative socioeconomic impacts. Beneficial  
3 impacts would include creating new jobs during  
4 construction and during rail operations, as well as  
5 generating tax revenue. Adverse socioeconomic impacts  
6 would include the acquisition and displacement of  
7 residences and of economic activities, such as ranching  
8 or farming.

9           The proposed rail line would affect land uses  
10 on public, private or tribal lands. The effects on land  
11 use would depend on the alternative. Any of the action  
12 alternatives would cross state land and private land. In  
13 addition, the Indian Canyon alternative and the Whitmore  
14 Park alternative would each cross inventoried roadless  
15 areas within Ashley National Forrest and tribal trust  
16 lands within the Ute Indian Tribe's Uintah and Ouray  
17 Reservation.

18           The Indian Canyon alternative and Wells Draw  
19 alternative would both cross Bureau of Land Management  
20 land, and the Wells Draw alternative would cross parts of  
21 the Bureau of Land Management's Lears Canyon Area of  
22 Critical Environmental Concern, as well as areas with  
23 wilderness characteristics.

24           Among many other resource areas, the Draft  
25 EIS specifically analyzes areas that OEA learned are of

1 concern to the Ute Indian Tribe, including impacts  
2 related to vehicle safety and delay, rail operations  
3 safety, biological resources, air emissions and cultural  
4 resources.

5           Based on OEA's analysis and in consultation  
6 with the cooperating agencies, OEA preliminarily  
7 identified the Whitmore Park alternative as the  
8 environmentally preferred alternative because that action  
9 alternative would avoid or minimize environmental impacts  
10 compared to the Indian Canyon alternative and Wells Draw  
11 alternative.

12           In particular, the Whitmore Park alternative  
13 would avoid or minimize impacts on water resources,  
14 Greater Sage-Grouse and residential areas in the Duchesne  
15 Mini Ranches area and the Argyle Canyon area of Duchesne  
16 County. For these reasons, OEA is preliminarily  
17 recommending that if the Board decides to authorize the  
18 proposed rail line, the Board should only authorize the  
19 Whitmore Park alternative to minimize environmental  
20 impacts.

21           We welcome your comments on this preliminary  
22 recommendation, as well as any of the other conclusions  
23 presented in the Draft EIS.

24           If the Board should authorize the proposed  
25 rail line, OEA also recommends that the Board impose

1 mitigation measures to mitigate impacts on the  
2 environment. The Coalition has proposed 56 voluntary  
3 mitigation measures which are described in chapter 4 of  
4 the Draft EIS.

5 In addition to those 56 voluntary mitigation  
6 measures, OEA is also recommending an additional 73  
7 preliminary mitigation measures. Those recommended  
8 mitigation measures are also set forth in chapter 4 of  
9 the Draft EIS. We welcome your comments on these  
10 preliminary mitigation measures, both the voluntary  
11 mitigation measures and the additional recommended  
12 mitigation measures.

13 After considering all public comments on the  
14 Draft EIS, OEA will make its final recommendations on  
15 mitigation to the Board in the Final EIS.

16 Now, I will discuss how you can access the  
17 Draft EIS and find more information about the  
18 environmental review process. This is a screenshot of  
19 the Board-sponsored project website for the EIS. You can  
20 find it at [www.uintabasinrailwayseis.com](http://www.uintabasinrailwayseis.com) or you can do a  
21 search for Uinta Basin Railway Environmental Impact  
22 Statement.

23 On this website, the Draft EIS is available  
24 for download, and you can also view an interactive map of  
25 the action alternatives on the website and review many

1 project-related documents, including the field surveys  
2 that were conducted to support the environmental review.  
3 You can also provide your comments on the Draft EIS  
4 through this website. To do so, just click on the public  
5 involvement page which provides a link to a comment form  
6 and instructions.

7           This is what the comment form looks like.  
8 You can type your comment right into the comment box or  
9 you can upload your comment as one or more attachments.  
10 The comment box can be used for comments up to 4,000  
11 characters long. If you would like to submit a comment  
12 that is longer than 4,000 characters, you can upload your  
13 comment in the form of a picture, a Word document, a PDF  
14 file or as another format.

15           Another place where you can find information  
16 about the proposed project is the Board's website [stb.gov](http://stb.gov)  
17 or do a search for Surface Transportation Board. The  
18 Board's website looks like this. To find information  
19 about the Uinta Basin Railway project, you can click on  
20 the link that says, "Search STB records." To do a search  
21 on the Board's website, you will need to know the docket  
22 number for the case. For the Uinta Basin Railway, the  
23 Docket number is FD36284.

24           If you conduct a search for docket No.  
25 FD36284 you will find filings and decisions about the

1 case. These include the Draft EIS, which was issued on  
2 October 30th, as well as the Coalition's petition seeking  
3 authority to construct and operate the proposed rail  
4 line.

5           The Draft EIS is currently available for  
6 public review and comment. The comment period is 45 days  
7 long. It began on October 30, 2020, and is scheduled to  
8 end on December 14, 2020. To be considered in the Final  
9 EIS therefore, your written comments must be submitted or  
10 postmarked by December 14th. You can submit your oral  
11 comments at any of the six public meetings that we are  
12 holding during the comment period.

13           Due to the ongoing COVID-19 pandemic, all of  
14 the public meetings are being held online. The dates and  
15 times of the online public meetings are shown on this  
16 slide and information on how to register for a public  
17 meeting is available on the Board-sponsored project  
18 website. That's [uintabasinrailwayeis.com](http://uintabasinrailwayeis.com).

19           Before finishing today's presentation, I  
20 would like to briefly review the ways in which you can  
21 submit your comments on the Draft EIS. There are several  
22 different options for submitting comments and OEA will  
23 consider all comments equally, regardless of how you  
24 choose to submit them.

25           You may give an oral comment at today's

1 online public meeting or at another online public  
2 meeting. You can find information about how to register  
3 for a meeting at the Board-sponsored project website.  
4 Alternatively, you can submit a written comment  
5 electronically through the project website. There is  
6 also an option of mailing your comment if you prefer.  
7 You can send your written comments to me: Joshua  
8 Wayland, Surface Transportation Board, care of ICF, 9300  
9 Lee Highway, Fairfax, Virginia 22031, attention:  
10 Environmental filing, Docket No. FD36284. We ask that  
11 you please do refer to Docket No. FD36284 in your mailed  
12 comments.

13           This brings us to the end of today's  
14 presentation. We really do appreciate your interest in  
15 and participation in the Surface Transportation Board's  
16 environmental review process for this proposed Uinta  
17 Basin Railway project. We look forward to receiving your  
18 comments and continuing to consult with you throughout  
19 the remainder of the EIS process.

20           Thank you all very much.

21           JENNIFER PIGGOTT: Thank you, Josh. We have  
22 now reached the second part of the online public meeting,  
23 a facilitated comment session. If you've not already  
24 registered to provide an oral comment and would like to  
25 speak, please send a chat message to the meeting host or



1 raise your hand using the hand raise icon located next to  
2 your name if you're on the Zoom, or for call-in only  
3 users, press star 9 to raise your hand and we will add  
4 you to the commenter list. We will call on you, if time  
5 allows, after those who have preregistered have made  
6 their comment.

7 As a reminder, each commenter will have three  
8 minutes to make their comments. At the start of your  
9 comment, please state your full name for the record.

10 Ladies and gentlemen, our first speaker this  
11 afternoon is Mike McAinsh.

12 Mr. McAinsh, I'm going to ask you to unmute.

13 MIKE MCAINSH: Okay. Have I unmuted?

14 JENNIFER PIGGOTT: Yes, we can hear you. Go  
15 ahead. You have three minutes.

16 MICHAEL MCAINISH: Okay. Very good. Yes, I  
17 find it strange that the fourth possibility was not  
18 discussed in this EIS, and that is going east into  
19 Colorado. There's less of a chance of disturbing any  
20 land that would be useful as undisturbed forest land,  
21 lands that have environmental consequences for wildlife,  
22 and any wilderness lands.

23 I find that the argument that it's a little  
24 farther to connect with the railway out east in Colorado  
25 is not a logical argument. With the amount of disruption

1 of the lands that the three alternatives that were  
2 presented would cause, it would be much better if we went  
3 east into Colorado.

4 And that is why I'm opposed to these three  
5 alternatives. I go through that area quite often. I  
6 know that once you get into the areas where the oil, the  
7 petroleum products would be uploaded to trains and any  
8 supplies would be downloaded, that the land is relatively  
9 flat. There is very little that would be disrupted.

10 And I find it disingenuous that that fourth  
11 possibility was not discussed, and I would like to make  
12 my displeasure known.

13 All right. Thank you very much. End of  
14 comments.

15 JENNIFER PIGGOTT: Thank you. Can you please  
16 spell your first and last name for the record?

17 MICHAEL MCAINSH: Yes. M-I-C-H-A-E-L. My  
18 last name, McAinsh, you pronounced it well. I was very  
19 pleased with that. It's M-C, capital A, I-N-S-H.

20 JENNIFER PIGGOTT: Thank you for your  
21 comments.

22 Okay. Our next speaker is Cambria Redmond.

23 Again, our next speaker is Cambria Redmond,  
24 who I'm not seeing on the Zoom call. If you are with us,  
25 please use the raise hand function, or if you're a

1 call-in only user by chance, push star 9 to raise your  
2 hand so I can identify you. Cambria Redmond,  
3 R-E-D-M-O-N-D.

4 Okay. I'm not seeing that individual. Our  
5 next speaker is William Reese.

6 And same thing for, Mr. Reese, I'm not seeing  
7 you on the Zoom webinar today. If you are on, please  
8 raise your hand and I'll call on you, or if you are a  
9 call-in only user, Mr. Reese, go ahead and push star 9.

10 Okay. Our next speaker is Ray Dillman.  
11 Mr. Dillman, I see you. I'm going to ask you to unmute.

12 RAY DILLMAN: Hello.

13 JENNIFER PIGGOTT: Yes, go ahead. You have  
14 three minutes.

15 RAY DILLMAN: Okay. My name is Ray Dillman,  
16 and I own a piece of property in the Argyle Canyon area,  
17 160 acres, and I have a beautiful cabin on that property  
18 and my family has enjoyed it for years.

19 The proposed -- all three of the routes will  
20 climb right past -- right through my property and into a  
21 tunnel right there, and we're concerned -- I'm concerned  
22 and my family is concerned that -- we've seen at our  
23 cabin an abundance of wildlife, including black bears,  
24 deer, elk, owls, that the -- sage grouse, golden eagles,  
25 and even a mountain lion.

1           And like I say, we spend a lot of time there,  
2 and right where the railroad goes, there is also a stream  
3 that has been damned off, and there are beavers that live  
4 there, and we've seen them this fall. And the proposed  
5 railway would directly impinge and destroy -- or, at  
6 least, alter that for us.

7           We are very concerned that the construction  
8 and the -- and then the future noise and the impact from  
9 the many railcars coming and going and the vibrations  
10 and -- would definitely drive away the wildlife and ruin  
11 the area for us, as far as enjoyment of our cabin and our  
12 property. And this damage would be permanent as the  
13 railway would be there for many, many years.

14           And it is such a richly diverse habitat, and  
15 we have come to know it and love it, and I would like to  
16 just register mine and my family's concern. And we would  
17 prefer it didn't -- it didn't happen. So as far as our  
18 enjoyment and what we've come to -- one of our most  
19 prized things is that.

20           So anyway, that's my comment for today.

21           JENNIFER PIGGOTT: Thank you. And,  
22 Mr. Dillman, would you please spell your first and last  
23 name for the record?

24           RAY DILLMAN: Ray, R-A-Y, Dillman,  
25 D-I-L-L-M-A-N.

1 JENNIFER PIGGOTT: Thank you for your  
2 comments.

3 Our next speaker this afternoon is Todd  
4 Richins. Mr. Richins, I will ask you to unmute.  
5 Mr. Richins, are you there?

6 Okay. Mr. Richins, I show you unmuted on our  
7 end, and I've received your message that you are having  
8 computer issues. I will go ahead and go on to the next  
9 speaker and come back.

10 Our next speaker this afternoon is Roy Patel.  
11 Mr. Patel, I'm going to ask you to unmute. Mr. Patel,  
12 you are unmuted. Mr. Patel, if you are speaking, we are  
13 unable to hear you.

14 Okay. Mr. Patel also appears to be having  
15 computer issues. I will return to you as well.

16 Our next speaker is Tagel Patel. And, Tagel  
17 Patel, I'm not seeing you on the Zoom webinar. If you  
18 are a call-in only user today, please push star 9 so I  
19 can identify you.

20 Okay. Our next speaker is Katherine Cordray.  
21 I will ask you to unmute.

22 RAPHAEL CORDRAY: Can you hear me now?

23 JENNIFER PIGGOTT: Yes, I can. Please spell  
24 your first and last name.

25 RAPHAEL CORDRAY: Okay. My name is Katherine

1 Raphael Cordray. It's R-A-P-H-A-E-L C-O-R-D-R-A-Y.

2 I would like to say that I -- first of all, I  
3 believe I -- thank you for taking comments. I feel that  
4 this --

5 (Technical difficulties.)

6 RAPHAEL CORDRAY: -- different and we could  
7 be together, and I do too. But I feel like the  
8 government could do more to make the --

9 (Technical difficulties.)

10 RAPHAEL CORDRAY: -- meetings more together.  
11 We don't have any way of knowing how many people are  
12 participating in this meeting, and I would like to know  
13 that in the meeting. I would like to be able to see more  
14 of who is here, and I think that you could do more to fix  
15 that, the STB.

16 I also am very concerned because the Seven  
17 County Coalition, who is driving this project, is very  
18 closed off, and they are --

19 (Technical difficulties.)

20 RAPHAEL CORDRAY: -- who are pushing forward  
21 to try to -- the Uinta Basin into a future that we don't  
22 want. And the people of this world do not want to be  
23 locked into this fossil fuel future that we can't afford,  
24 and people are turning away from it in droves right now  
25 around the world. And there's not even going to be a

1 market for colluding fossil fuels that they want to get  
2 out of the Basin.

3           We don't -- there's not even enough money to  
4 build this railroad because people are seeing the  
5 foolishness to pursue this project. We can't tolerate  
6 this. Our health, our water, our air cannot tolerate  
7 this project. The Uinta Basin faces purple air days.  
8 They have some of the worst air pollution in the entire  
9 nation, and they -- it is not from --

10           (Technical difficulties.)

11           RAPHAEL CORDRAY: -- regulated frac wells in,  
12 and Utah is an extremely poor regulator of environmental  
13 --

14           (Technical difficulties.)

15           RAPHAEL CORDRAY: -- and do not do a proper  
16 job managing the area.

17           (Technical difficulties.)

18           RAPHAEL CORDRAY: -- any type of pollution.  
19 Future generations do not deserve this, and they don't  
20 want to --

21           (Technical difficulties.)

22           RAPHAEL CORDRAY: -- public money is urgently  
23 being stolen to pay the lawyers for the --

24           (Technical difficulties.)

25           RAPHAEL CORDRAY: -- refused to listen to the

1 public. They moved their meetings online, and they don't  
2 even allow public comments on their meetings online,  
3 which is illegal, but they don't follow the law.  
4 Citizens have to follow the law, but these leaders do not  
5 follow the law. They don't -- they are -- the Seven  
6 County Coalition are not properly registered with the  
7 Utah Governor's Office and --

8 (Technical difficulties.)

9 JENNIFER PIGGOTT: Thirty seconds remaining.

10 RAPHAEL CORDRAY: -- and so forth. I want  
11 this committee to know that the environmental impacts of  
12 this are being -- are being minimized by that, the  
13 Seven -- and the future of this area --

14 (Technical difficulties.)

15 RAPHAEL CORDRAY: -- project. We deserve  
16 better. I'm done.

17 JENNIFER PIGGOTT: Thank you for your  
18 comments. And, Ma'am, I would recommend you submit those  
19 comments either in writing or also electronically. Your  
20 connection was breaking up a little bit, just to be sure  
21 we receive your full comments and can accurately record  
22 them.

23 Okay. And, Mr. Richins, I'm going to return  
24 to you to see if we are able to hear you this time. I'm  
25 going to ask you to unmute, Todd Richins.



1 Mr. Richins, are you there? Okay. It  
2 appears that Mr. Richins is still having computer issues.

3 Again, folks, you can provide comments orally  
4 this afternoon, you can submit them electronically  
5 through the project website, or you can submit them in  
6 writing to the address on the screen. All comments,  
7 regardless of how they are received, are weighted equally  
8 and will be used for part of the analysis.

9 And, again, if the preregistered Cambria  
10 Redmond or William Reese have joined the call, you can  
11 push star 9 if you are a call-in only user, send me a  
12 chat message, or raise your hand to identify yourself, as  
13 I'm not seeing either of you on the Zoom feed.

14 Okay. And finally, Roy Patel, I will ask you  
15 to unmute, and we will try again. Roy Patel, I show you  
16 are unmuted. Go ahead Mr. Patel. Mr. Patel, if you are  
17 speaking, we are unable to hear you this afternoon.

18 Ladies and gentlemen, we have heard from  
19 everyone who has requested to speak or who is on the line  
20 that preregistered, and we still have some time left.  
21 For those of you using the Zoom webinar feed, please  
22 raise your hand by using the raise hand feature located  
23 next to your name, if you have not already provided an  
24 oral comment and would like to provide an oral comment  
25 this afternoon. For our call-in only users, please press

1 star 9 if you would like to provide an oral comment, and  
2 I will add -- I will call on you as time permits.

3 Ladies and gentlemen, is there anyone who has  
4 already spoken who would like to elaborate on their  
5 previous comments? Again, please raise your hand or push  
6 star 9.

7 Ladies and gentlemen, while there appears  
8 there are no more speakers at this time, we will continue  
9 to stay on the line until the end of the scheduled  
10 meeting to ensure everyone has an opportunity to comment.

11 Ladies and gentlemen, we have plenty of time  
12 remaining if you would like to make an oral comment. To  
13 do so, please send the host a chat message, raise your  
14 hand by using the raise hand feature located next to your  
15 name, or for call-in only users, press star 9 to raise  
16 your hand.

17 While we won't be presenting any additional  
18 information or new content, we will stay on the line  
19 until the published end time to receive your oral  
20 comments.

21 Ladies and gentlemen, we have plenty of time  
22 remaining if you would like to make an oral comment. To  
23 do so, please send the host a chat message, raise your  
24 hand by using the raise hand feature located next to your  
25 name, or for call-in only users, press star 9 to raise

1 your hand.

2           While we won't be presenting any additional  
3 information or new content this afternoon, we will stay  
4 on the line until the published end time to receive your  
5 oral comments.

6           SPEAKER: Can you answer a question?

7           JENNIFER PIGGOTT: Ma'am, we are not doing a  
8 Q&A session. We are only receiving formal oral comments.  
9 If you have a question, you can type it to the meeting  
10 host, if there is something we can assist you with.

11           Did you want to make an oral comment for the  
12 record?

13           (Technical difficulties.)

14           JENNIFER PIGGOTT: Mike Hyde, I see your hand  
15 is raised. I'm going to ask you to unmute, Mike Hyde.

16           MIKE HYDE: Hello, this is Mike Hyde,  
17 community developer director for Duchesne County.

18           JENNIFER PIGGOTT: Yes. Please spell your  
19 first and last name for the record. You have three  
20 minutes.

21           MIKE HYDE: Mike is M-I-K-E, Hyde is H-Y-D-E.

22           I didn't really intend to make comments  
23 today, but just kind of listening in. I just wanted to  
24 say that I started reviewing the Draft EIS, and I found,  
25 thus far, that it is very well done.

1           Looks like the mitigation measures that are  
2 being proposed to address environmental impacts are right  
3 on the money. And I am kind of curious if anyone has  
4 requested an extension of time to review the documents.

5           We would sure like to know early on if there  
6 will be an extension of time beyond December 14th so that  
7 we can also, maybe, figure on having a little more time  
8 to get our comments done and get everything read.

9           I think based on some of the comments today,  
10 perhaps there should be some more explanation in the  
11 Environmental Impact Statement as to why that Colorado  
12 alternative was not put forward. I know there are some  
13 very good reasons for that, and, at least, one commenter  
14 today apparently is not aware of that, so that could be  
15 helpful for the public.

16           It also appears that another commenter today  
17 was using some pretty threatening language, which was in  
18 violation of the ground rules today, accusing the Seven  
19 County Coalition of illegal activities and foolishness  
20 and not following the law, so on and so forth. So I  
21 would caution you to try to keep a lid on that a little  
22 better.

23           That's all I had for today. Thank you.

24           JENNIFER PIGGOTT: Thank you for your  
25 comments.

1 Ladies and gentlemen, a preregistered  
2 speaker, Todd Richins, was having technical difficulties,  
3 but he sent over his comments to be read a loud.

4 So these are the comments of Todd Richins,  
5 T-O-D-D R-I-C-H-I-N-S. "There is an overwhelming amount  
6 of opposition to this proposed railway, but alas, we are  
7 here continuing to deliver the same message: No to the  
8 proposed railway.

9 "This is a project that will make an  
10 everlasting negative impact on a beautiful ecosystem and  
11 adversely affects many individual and family legacies,"  
12 end of comments.

13 Ms. Cordray, I see your hand is raised. I'm  
14 going to ask you to unmute.

15 RAPHAEL CORDRAY: Okay. Thank you for taking  
16 another comment from me.

17 I'm very offended that Mark Hyde took the  
18 time to characterize my comments as threatening. I think  
19 that that is very rude and inappropriate, and this is a  
20 public forum. I have the right to free speech.

21 I do believe that the Seven County Coalition  
22 is, in fact, in violation of the law. You know,  
23 I -- they are using community impact Board money. That  
24 money is designated by the law for mitigation of  
25 environmental impacts of oil and gas, and, in fact, is

1 not appropriate to be used by the Seven County Coalition.

2 I believe that Eric Johnson is a bad lawyer,  
3 and I believe that Mike McKee is getting paid way too  
4 much to push forward a project that has been repeatedly  
5 brought to the attention that it's a bad idea for the  
6 community. The environmental impacts are overwhelming,  
7 and the public has said in every single chance they've  
8 got a moment to speak that we are extremely concerned.  
9 We do not want this project.

10 Calling the Seven County Coalition foolish is  
11 not being threatening. That is my opinion. And these  
12 white, male figures that are in, pushing this forward,  
13 are harming the future generations. The Uinta Basin has  
14 an extreme infant mortality based on the air quality  
15 there, and I'm tired of these men threatening the lives  
16 of women and babies.

17 And I'm tired of Mark Hyde and others telling  
18 me that I'm -- cannot have my opinion on this railway.  
19 Thank you.

20 JENNIFER PIGGOTT: Thank you for your  
21 comments.

22 Mike McAinsh, I see that you've raised your  
23 hand. I'm going to ask you to unmute if you would like  
24 to elaborate on your previous comments.

25 MIKE MCAINSH: Thank you. First of all, I

1 would like to congratulate the lady that just spoke as  
2 her comments were not out of order.

3           Saying somebody is foolish is not -- that's  
4 quite an honest comment. The person that spoke for  
5 Duchesne County, I believe, I think he was foolish in his  
6 comments because he -- you know, there was nothing out of  
7 order. There was no threatening words. There was  
8 no -- nothing that could be construed as being obscene  
9 language or anything like that.

10           Now I would like to ask that man from  
11 Duchesne to, again, explain to us why the alternative of  
12 going east was not presented in these proposals. It was  
13 dismissed out of hand. So it makes me wonder what they  
14 are trying to hide. It makes me wonder what they are  
15 trying to hide.

16           That seems to be the most logical way, the  
17 least ecologically destructive way of dealing with this  
18 whole problem. And if that gentleman from Duchesne  
19 County would come back and explain why this is such a bad  
20 idea, I would like to hear what he has to say.

21           Thank you very much.

22           JENNIFER PIGGOTT: Again, ladies and  
23 gentlemen, we have plenty of time remaining if you would  
24 like to make an oral comment. We are not having a  
25 question-answer session this evening. We are only

1 receiving oral comments.

2           To do so, please send the host a chat  
3 message, raise your hand by using the raise hand feature  
4 located next to your name, or for the call-in only users,  
5 you can press star 9 to raise your hand.

6           While we won't be presenting any additional  
7 information or new content this afternoon, we will stay  
8 on the line until the published end time to receive your  
9 oral comments.

10           Ladies and gentlemen, we have plenty of time  
11 remaining if you would like to make an oral comment. To  
12 do so, please send the host a chat message, raise your  
13 hand by using the raise hand feature located next to your  
14 name, or for call-in only users, press star 9 to raise  
15 your hand.

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17 information or new content this afternoon, we will stay  
18 on the line until the published end time to receive your  
19 oral comments.

20           Ladies and gentlemen, we have plenty of time  
21 remaining if you would like to make an oral comment. To  
22 do so, please send the host a chat message, raise your  
23 hand by using the raised hand feature located next to you  
24 name, or for call-in only users, press star 9 to raise  
25 your hand.



1           While we won't be presenting any additional  
2 information or new content this afternoon, we will stay  
3 on the line until the published end time to receive your  
4 oral comments.

5           Ladies and gentlemen, we have another  
6 commenter that is having technical difficulty and has  
7 asked me to read his comment a loud.

8           These are from Curtis Miles, C-U-R-T-I-S  
9 M-I-L-E-S. "I think the rail project is a good thing for  
10 the Uinta Basin. A lot of our children have to leave the  
11 area to find jobs that will sustain them. The railway  
12 would provide more jobs and help the economy.

13           I think the people who have been involved in  
14 this project have done a good job looking out for the  
15 best interest of the Uinta Basin and residents. The rail  
16 would help more than just the oil and gas industry," end  
17 comments.

18           Ladies and gentlemen, we have plenty of time  
19 remaining if you would like to make an oral comment. To  
20 do so, please send the host a chat message, raise your  
21 hand by using the raised hand feature located next to  
22 your name, or for call-in only users, press star 9 to  
23 raise your hand.

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25 information or new content this afternoon, we will stay

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2 oral comments.

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4 remaining if you would like to make an oral comment. To  
5 do so, please send the host a chat message, raise your  
6 hand by using the raise hand feature located next to your  
7 name, or for call-in only users, press star 9 to raise  
8 your hand.

9 While we won't be presenting any additional  
10 information or new content this afternoon, we will stay  
11 on the line until the published end time to receive your  
12 oral comments.

13 Ladies and gentlemen, I see we have another  
14 individual requesting to make an oral comment.

15 Darrell Fordham, I will ask you to unmute.

16 DARRELL FORDHAM: Okay. Can you hear me?

17 JENNIFER PIGGOTT: Yes, go ahead. You have  
18 three minutes. Please state your first and last name for  
19 the record.

20 DARRELL FORDHAM: My name is Darrell Fordham,  
21 F-O-R-D-H-A-M. I represent the Argyle Wilderness  
22 Preservation Alliance. We are made up of a group of  
23 landowners in Argyle Canyon area.

24 I had actually just planned on listening to  
25 this meeting and was going to suspend my comments for a

1 future meeting, but honestly, after listening to  
2 Mr. Hyde's comments, I can't sit here and not say  
3 anything.

4           You know, for the past 18 or 19 months, we  
5 landowners in the area have -- we have been harassed and  
6 intimidated by the Coalition, by Duchesne County  
7 officials, and most recently, by the State Institutional  
8 Trust Land Administration, through a special agent from  
9 the Utah Attorney General's Office.

10           I don't feel like that we, as private  
11 landowners, or we, as the public that are concerned about  
12 this project, have been afforded the respect and the  
13 opportunity to fully learn about this project in the way  
14 that it -- that it should be done.

15           As Ms. Cordray mentions, the Coalition  
16 doesn't allow public comments in their electronic  
17 meetings anymore. They require those comments to be  
18 submitted in writing. And they do not even include the  
19 copies as part of their meeting minutes. They summarize  
20 the comments, and then anyone that wants to actually read  
21 those comments has to request a copy from them.

22           This is just one example of how the Coalition  
23 has intentionally withheld information from the public  
24 regarding this project, and it has fed into the  
25 opposition and the skepticism that surrounds this

1 project.

2           You know, I have spent countless hours in the  
3 last 18 months researching this project and the impacts  
4 that would be associated with it. Nearly all the  
5 information that I've tried to obtain, I've had to fill  
6 out GRAMA requests in order to get that information from  
7 the Coalition. They don't freely allow the public to  
8 view this information.

9           And most of the information that we have  
10 received in these GRAMA requests have been redacted, such  
11 that it is totally ineffective in allowing the public to  
12 truly understand what the impacts are. And if there  
13 aren't any negative impacts that can't be overcome, then  
14 why all the secrecy? Why are we hiding everything from  
15 the public and from landowners that will be directly  
16 affected by this project?

17           JENNIFER PIGGOTT: Thirty seconds remaining.

18           DARRELL FORDHAM: You know, we've tried to  
19 challenge this legally, and the Coalition has an  
20 unlimited legal budget, funded by our public moneys, that  
21 they use to fight us. It is just a no-win situation for  
22 us.

23           And, you know, the Coalition doesn't discuss  
24 any of the particulars of the projects in their monthly  
25 Board meetings. You know, they intentionally meet in

1 subcommittees, where a quorum --

2 JENNIFER PIGGOTT: Time.

3 DARRELL FORDHAM: Thank you. I'd like to  
4 make additional comments if there's time, and there's no  
5 one else who wants to.

6 JENNIFER PIGGOTT: Okay. Thank you for your  
7 comments.

8 I am not seeing anyone else with their hand  
9 raised.

10 Mr. Fordham, if you'd like to expand upon  
11 your comments, I will ask you to unmute again.

12 DARRELL FORDHAM: Thank you, I appreciate  
13 that.

14 So as I was saying, virtually all the  
15 planning and discussions and everything surrounding this  
16 project has been done in secret and outside of the public  
17 eye. The Coalition meets in subcommittees where a quorum  
18 isn't present, so they don't have to make those  
19 discussions available to the public. I feel like that's  
20 deceitful, and that's just not the way that a public body  
21 that is supposed to represent us as the public should  
22 conduct their actions.

23 You know, we are not against economic  
24 prosperity in the Uinta Basin. You know, all of us  
25 landowners that are up in that area, in the Argyle Canyon

1 area, you know, the vast majority of us are not full-time  
2 residents, but we still pay significant property taxes to  
3 Duchesne County every single year.

4 We get no exemption from being a permanent  
5 resident. We get hammered on our taxes, and we get  
6 virtually no services from the county up there  
7 whatsoever. And then the county comes in and is going to  
8 run this project over the top of us, and yeah, we are  
9 angry, and we are upset about it and we don't feel like  
10 it is appropriate.

11 And while they are doing that, they continue  
12 to raise our property taxes in the area, when, clearly,  
13 this project, and even the possibility of this project,  
14 significantly decreases the value of our properties in  
15 that area.

16 You know, nobody knows and understands the  
17 environmental impacts that this is going to have in this  
18 area, specifically in Argyle Canyon, better than us who  
19 are residents and landowners in that area. I don't know  
20 where the OEA gets their standards that they feel like  
21 are permissible and acceptable, but, you know, the  
22 impacts that are going to come from this project are far  
23 reaching and will -- many of them will be irreparable.

24 In addition, there's still no private  
25 financing in place for this project. So the Coalition is

1 spending all this public money to plan this project, and  
2 they don't even know whether it will ever be built,  
3 because Drexel Hamilton, the private investment company,  
4 still doesn't have any investment in place and funding in  
5 place to fund this project.

6 JENNIFER PIGGOTT: Thirty seconds remaining.

7 DARRELL FORDHAM: You know, I feel like that  
8 speaks volumes to just how -- just how questionable this  
9 project is. You know, if there is not financing already  
10 in place for it, why not? If this project is so vital  
11 and so viable, why isn't the financing already in place  
12 for it? Why aren't the investors and the oil companies  
13 that are going to benefit from this project putting up  
14 the funds to plan it, rather than relying on the  
15 Coalition, a government entity, gambling with our public  
16 moneys to plan this project that may never happen?

17 It's just flat-out wrong, and I totally  
18 disagree with it. Thank you.

19 JENNIFER PIGGOTT: Thank you for your  
20 comments.

21 Ladies and gentlemen, we have plenty of time  
22 remaining if you would like to make an oral comment. To  
23 do so, please send the host a chat message, raise your  
24 hand by using the raise hand feature located next to your  
25 name, or for call-in users, press star 9 to raise your

1 hand.

2           While we won't be presenting any additional  
3 information or new content this afternoon, we will stay  
4 on the line until the published end time to receive your  
5 oral comments.

6           Again, ladies and gentlemen we have plenty of  
7 time remaining if you would like to make an oral comment.  
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9 hand by using the raise hand feature located next to your  
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19 hand by using the raise hand feature located next to your  
20 name, or for the call-in only users, please star 9 to  
21 raise your hand.

22           While we won't be presenting any additional  
23 information or new content this afternoon, we will stay  
24 on the line until the published end time to receive your  
25 oral comments.



1           Todd Richins, I see that you raised your  
2 hand. I'm going to ask you to unmute.

3           TODD RICHINS: Okay. I got it. Can you hear  
4 me okay?

5           JENNIFER PIGGOTT: Yes, we can hear you. Go  
6 ahead. You have three minutes. Please be sure to state  
7 your first and last name for the record.

8           TODD RICHINS: Todd Richins, the computer was  
9 not cooperating.

10           First of all, thanks for the presentation of  
11 this Environmental Impact Statement. What I have viewed  
12 so far, which is not the document in its entirety, seems  
13 to be well done. I'm really grateful for a third party  
14 to be hosting this meeting. Based on -- actually, let  
15 me -- I'm really grateful we have a third party hosting  
16 this meeting.

17           To date, property owners have been -- have  
18 been left out of key discussions and planning, and we've  
19 had our rights of free speech infringed upon by the  
20 exclusive nature of the meetings that have been held.

21           I was really sad to hear our Duchesne County  
22 official ask you to limit the -- or remind -- remind  
23 speakers about not using inappropriate or threatening  
24 language. The language that was used could have been  
25 inflammatory, but certainly was not inappropriate nor

1 threatening. I believe that his statement was yet  
2 another attempt to limit the opportunity for those in  
3 opposition to have their voices heard.

4           And I believe that this being hosted by a  
5 third party, there's a lack of control on the information  
6 that can be shared. And I think that we saw a stretch  
7 of -- we saw a stretch of -- we saw government overreach  
8 in that point, when he couldn't limit or exclude the  
9 comments from coming in. We wanted -- he wanted to label  
10 them inappropriate or threatening and I'm saddened by  
11 that.

12           We have strong opinions on both sides of this  
13 argument. I believe Mr. Fordham said, "We are not in  
14 opposition to Duchesne County infrastructure creating a  
15 viable economic base, and we" -- as he said, "We support  
16 that through our taxes," which provide us property owners  
17 in the Argyle Canyon Wilderness Preservation zero  
18 resources from the county.

19           And I think we all do that very willing and  
20 happy to provide -- to pay our taxes to have our property  
21 and that in that beautiful area.

22           Because of the history, the secrecy and  
23 exclusive nature of the meetings that have been held and  
24 the strong opposition, I'm not sure it is possible to  
25 move forward in a constructive manner. I think that --

1 JENNIFER PIGGOTT: Thirty seconds remaining.

2 TODD RICHINS: How many?

3 JENNIFER PIGGOTT: Thirty seconds, sir.

4 TODD RICHINS: Okay. I think the fourth  
5 option needs to be explored. And if that's explored or  
6 not explored, I think that this has to start over from  
7 the very beginning of the process, where there is open  
8 public meetings that demonstrate just what an open public  
9 meeting is, and that's official records that are kept and  
10 opinions from both sides shared and welcomed in an open  
11 manner.

12 If the county is not willing to do that, I  
13 think the opposition will continue to grow stronger, and  
14 that's just not -- not where we need to go. As good  
15 neighbors, we need to --

16 JENNIFER PIGGOTT: Time.

17 TODD RICHINS: -- each other. Thank you.

18 JENNIFER PIGGOTT: Ladies and gentlemen, we  
19 have time remaining if you would like to make an oral  
20 comment.

21 Seeing none, Mr. Richins, would you like to  
22 expand upon your comments?

23 TODD RICHINS: Thank you. I think that was  
24 it. I just think that we need to be neighborly. We need  
25 to continue to explore other options that haven't been

1 explored. And we need to start this process from the  
2 very beginning in the manner in which the process is  
3 supposed to be held, and that is, public -- welcome  
4 public -- open to the public and public opinions on both  
5 sides represented. Thank you.

6 JENNIFER PIGGOTT: Thank you for your  
7 comments.

8 Ladies and gentlemen, we have about ten  
9 minutes remaining if you would like to make an oral  
10 comment. To do so, please send the host a chat message,  
11 raise your hand by using the raise hand feature located  
12 next to your name, or for call-in only users, press star  
13 9 to raise your hand.

14 While we won't be presenting any additional  
15 information or new content this evening, we will stay on  
16 the line until the published end time to receive your  
17 oral comments.

18 Okay. Tyson Todd, I see your hand is raised.  
19 I will ask you to unmute.

20 TYSON TODD: Does that work?

21 JENNIFER PIGGOTT: It does. Go ahead. You  
22 have three minutes. Please state your first and last  
23 name for the record.

24 TYSON TODD: Great, thank you. Tyson Todd,  
25 T-Y-S-O-N T-O-D-D. I'm with the SITLA, the School and

1 Institutional Trust Land Administration.

2 I just had some high-level comments here.  
3 Looking at the International Energy Agency, it looks like  
4 they project oil demands to grow to 2030, and then after  
5 2030, it will start the -- the demand for oil will start  
6 decreasing at that point, not disappearing but decreasing  
7 after 2030, which I think was, just from a high-level  
8 demand for the product, primarily being shipped on the  
9 rail, both for the long-term economics of the rail.

10 We all know that there are demand disruptions  
11 as evident by the COVID-19 pandemic, but generally  
12 looking forward, it looks like the level amount for oil  
13 is trending upward.

14 I also have here a report from the Bingham  
15 Research Center in Vernal, Utah, out of Utah State  
16 University, talking about winter ozone production  
17 decreasing over time. In part, it reads: For a given  
18 set of metrological conditions, winter ozone  
19 concentrations are now lower than they would have been in  
20 the past. The annual ozone reduction has been about four  
21 parts per billion per year, from 2011 to 2020, with a  
22 total drop of more than 30 parts per billion. And the  
23 number of ozone exceedance stays per year has also  
24 decreased. Evidence is that the decline in wintertime  
25 ozone is driven by changes in emission, not metrology.

1 I think that's an important environmental  
2 factor to consider as well. At the same time, gas  
3 production has gone down over the last couple years in  
4 the Uinta Basin, but there are industry controls and new  
5 regulatory environments that are helping with the ozone  
6 pre-cursor emissions that allows the oil and gas industry  
7 to be a cleaner industry in the Uinta Basin.

8 And there are lots of people in the Uinta  
9 Basin working in the oil and gas industry. I think it's  
10 a fair assessment to say that it is the backbone economic  
11 driver of the Uinta Basin, even though we are trying to  
12 diversify. Those economic factors and environmental  
13 factors regarding oil and gas development in the Uinta  
14 Basin need to be strongly considered.

15 And also from a trust land's perspective, you  
16 know, we issue oil and gas leases depending on the price  
17 of oil and gas. It's a substantial amount of our  
18 revenue.

19 JENNIFER PIGGOTT: Thirty seconds.

20 TYSON TODD: -- oil and gas. And the rail  
21 and the opportunities to find new markets for oil and gas  
22 developed on trust lands would help grow the trust, and  
23 in turn, fund public education across the state.

24 Thank you.

25 JENNIFER PIGGOTT: Thank you for your

1 comments.

2           Okay. Darrell Fordham, I see that you have  
3 raised your hand again. I'm going to ask you to unmute.

4           DARRELL FORDHAM: Thank you. Darrell Fordham  
5 again, just two quick comments.

6           First, to echo what Ms. Cordray said in her  
7 comments for these meetings, I would strongly encourage  
8 that ICF and STB come up with some sort of mechanism or  
9 platform for the balance of these public comment meetings  
10 so that all participants can view and see, you know, who  
11 is participating, either on the computer or via phone.

12           You know, these -- these online meetings need  
13 to mirror, you know, what a public in-person meeting  
14 would be as closely as possible. So I don't know how you  
15 accomplish that, but I feel like it is pretty important  
16 and pretty vital for all participants to see who is in  
17 attendance.

18           And then my second comment, just in regard to  
19 Mr. Todd's comment, you know, if oil and gas production  
20 is going to begin declining in 2030, this railroad will  
21 be far from paid for. And that is one of our big  
22 concerns also is the financial viability of this rail.

23           Again, it goes back to all the information  
24 that we've requested from the Coalition that they sent to  
25 us redacted because they don't want to share what the

1 true economic viability of the railway is. But I can  
2 tell you that it is going to take more than seven or  
3 eight years to pay for this railway. And so if oil  
4 production begins to decline or there is another, you  
5 know, economic impact such as this pandemic, what then?  
6 You know, what happens then?

7 I feel like there's far too much uncertainty  
8 surrounding this project, and it has the potential to,  
9 sure, improve the booms and make them exponentially  
10 larger, but at the same time, it also has the ability to  
11 exponentially increase the negative impacts of the bust  
12 cycles that are inherent --

13 JENNIFER PIGGOTT: Thirty seconds remaining.

14 DARRELL FORDHAM: -- that are -- those are  
15 inherent in the petroleum industry. I feel like that  
16 public moneys are better spent investigating and planning  
17 and pushing alternatives to fossil fuel production to  
18 create a stable economy for the Uinta Basin. Thank you.

19 JENNIFER PIGGOTT: Thank you for your  
20 comments.

21 Tyson Todd, I see that your hand is raised.  
22 If you would like to expand upon your comments, I'm going  
23 to ask you to unmute.

24 TYSON TODD: Thank you. Just to clarify my  
25 comment, I was hoping to communicate that oil productions



1 is not going to decrease in 2030. Rather, that the  
2 International Energy Agency predicts that the rate at  
3 which demand grows will decrease in 2030. That's all.  
4 Thank you.

5 JENNIFER PIGGOTT: Thank you for your  
6 comments.

7 Ladies and gentlemen, would anyone else like  
8 to make an oral comment this evening?

9 Okay. Mike McAinsh, I see your hand is  
10 raised. I'm going to ask you to unmute.

11 MICHAEL MCAINSH: Thank you very much. This  
12 is Michael McAinsh, M-C-A-I-S-H.

13 I would like to make one quick comment about  
14 the last two commenters. California is going to be  
15 selling all electric cars by 2035. As California goes,  
16 so goes the rest of the nation.

17 We need to be thinking about what's going to  
18 happen in the future. Our future is not extractive  
19 industry. Our future is tourism. And if we don't do  
20 something about keeping the ground pristine, people will  
21 find other places to go.

22 And Utah is a wonderful place, but it is  
23 getting really overworked in a lot of areas. We have to  
24 decide what we value most. Do we value the extractive  
25 industries that we dig holes in the ground, leave oil

1 spills, leave all kinds of environmental destruction, or  
2 do we value the fresh air, the open ground, the open  
3 country that we have all come to love?

4 That is my comment. Thank you very much.

5 JENNIFER PIGGOTT: Thank you for your  
6 comment.

7 Ladies and gentlemen, seeing no additional  
8 hands raised, thank you for participating in this online  
9 public meeting. All comments, whether submitted orally,  
10 electronically through Board-sponsored project website or  
11 in writing through the U.S. mail will receive equal  
12 consideration in preparing the final EIS.

13 Please submit your comments electronically  
14 via the Board-sponsored website at  
15 [www.uintabasinrailwayeis.com](http://www.uintabasinrailwayeis.com), or you can mail comments to  
16 Joshua Wayland, Surface Transportation Board, care of  
17 ICF, 9300 Lee Highway, Fairfax, Virginia 22031,  
18 attention: Environmental filing, Docket No. FD36284.

19 To be considered in the Final EIS, all  
20 substantive comments should be received or postmarked by  
21 the close of the comment period on December 14, 2020.  
22 Remember that the Draft EIS is available on the  
23 Board-sponsored project website at  
24 [www.uintabasinrailwayeis.com](http://www.uintabasinrailwayeis.com) and at libraries in the  
25 project area.

1 Thank you. This meeting is adjourned.  
2 (The meeting was concluded at 4:05 P.M.)

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REPORTER'S CERTIFICATE

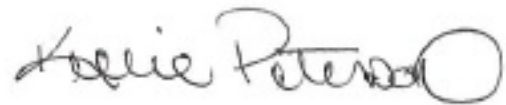
State of Utah            )  
                                  )  
County of Salt Lake)

I hereby certify that the said meeting  
was taken at the time and place herein named;

That the testimony of said witness was  
reported by me in stenotype and thereafter transcribed  
into typewritten form.

I further certify that I am not of kin  
or otherwise associated with any of the parties of said  
cause of action and that I am not interested in the  
events thereof.

IN WITNESS WHEREOF, I set my hand this  
29th day of November, 2020.



\_\_\_\_\_  
Kellie Peterson, RPR

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