

UINTA BASIN RAILWAY

DOCKET NUMBER FD 36284

DRAFT EIS

PUBLIC MEETING

December 01, 2020

ADVANCED REPORTING SOLUTIONS

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DRAFT EIS PUBLIC MEETING
December 01, 2020

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SURFACE TRANSPORTATION BOARD
UINTA BASIN RAILWAY
DOCKET NUMBER FD 36284
DRAFT ENVIRONMENTAL IMPACT STATEMENT
PUBLIC MEETING
-ooOoo-

Tuesday, December 1, 2020
2:00 p.m. to 4:00 p.m.

Reported by: Abigail D.W. Johnson, RPR, CRR, CRC

1 December 1, 2020 2:00 p.m.

2 P R O C E E D I N G S

3 -o0o-

4 JENNIFER PIGGOTT: Ladies and gentlemen,
5 the time is 2:00 p.m. local time. And we will now
6 start the Surface Transportation Board Office of
7 Environmental Analysis or OEA online public meeting.
8 This online public meeting is for the Uinta Basin
9 Railway Draft Environmental Impact Statement or EIS.

10 Thank you everyone for participating. My
11 name is Jennifer Piggott, and I will serve as your
12 neutral facilitator this afternoon. I am with ICF, who
13 is supporting OEA as an independent third-party
14 contractor. Also on the line is Josh Wayland, the EIS
15 project manager with the Surface Transportation Board
16 Office of Environmental Analysis.

17 This online public meeting is being
18 recorded and transcribed. The same presentation will
19 be made available at each of the six online public
20 meetings.

21 If you need assistance with Zoom during the
22 meeting, you can use the chat feature located at the
23 bottom of your screen to message the meeting host. We
24 appreciate your participation in this online public
25 meeting. We would much rather be with you in person.

1 But with the current conditions, we want to provide all
2 of the information we can while protecting everyone's
3 health.

4 We are going to conduct this as closely as
5 possible to a typical in-person public meeting. Please
6 make a note of the phone number of this meeting. The
7 phone number is 877-853-5247, Meeting ID:
8 874-8149-6515, Password: 05649357.

9 If you experience difficulty with your
10 Internet connection at any point during this meeting,
11 you can call this number to listen to the meeting.
12 Additionally, individual Internet connections and band
13 widths may impact your viewing experience this
14 afternoon. We recommend closing all apps and programs
15 and limiting other streaming or downloads during this
16 meeting.

17 Finally, we're running this meeting using
18 Zoom Webinar, which mutes all participants and
19 restricts video feeds. Only the meeting host can
20 unmute you.

21 For any media representatives that join
22 this afternoon, please contact the EIS project manager,
23 Josh Wayland, for any media queries or interview
24 requests. Mr. Wayland can be reached at
25 joshua.wayland@stb.gov.

1 You can see the meeting topics on the
2 slide. We will conduct the online public meeting in
3 two parts.

4 First, OEA will provide an overview of the
5 proposed project and the environmental review process
6 followed by a facilitated comment session where
7 interested parties can provide oral comments for the
8 record.

9 Before we begin, I would like to review
10 some ground rules for today's online public meeting.
11 As previously stated, we will show a presentation and
12 then receive oral comments. We will not host a
13 question-and-answer session during this meeting.

14 Please remember the meeting is being
15 recorded and transcribed, so no inappropriate or
16 threatening language. Commenters will be called on in
17 the order in which they registered with the elected
18 officials given the opportunity to speak first. If you
19 did not preregister to provide an oral comment at
20 tonight's meeting and would like to do so, please send
21 a chat message to the meeting host, raise your hand
22 using the hand raise icon next to the name or for
23 call-in only users, press star 9 to raise your hand.
24 We will receive as many comments as time allows.

25 If you are not called on to provide an oral

1 comment this evening, you may provide a written comment
2 electronically through the project website or through
3 the mail or provide an oral comment at another online
4 public meeting. Again, we will make every effort to
5 receive as many oral comments as possible during
6 today's meeting.

7 Please submit comments by the close of the
8 comment period, which is December 14th, 2020. We
9 invite you to submit comments orally at one of the
10 remaining online public meetings, in writing via the
11 Board-sponsored project website at
12 www.uintabasinrailwayeis.com or in writing to Joshua
13 Wayland, Surface Transportation Board, c/o ICF, 9300
14 Lee Highway, Fairfax, Virginia 22031, Attention:
15 Environmental filing, Docket No. FD 36284.

16 OEA will make today's presentation
17 available on the project website. We appreciate the
18 chance to share the proposed project and environmental
19 process with all of you. We wish we could be together
20 in person, but we're glad to come together virtually.

21 Again, the purpose of this online public
22 meeting is to share information about the Draft
23 Environmental Impact Statement, provide information on
24 how to provide comments and to receive oral comments.

25 Now I would like to introduce Joshua

1 Wayland, the EIS project manager with the Surface
2 Transportation Board's Office of Environmental
3 Analysis, for his welcome remarks. Josh?

4 JOSHUA WAYLAND: Thank you, Jennifer. And
5 hello, everyone. Thank you for joining us this
6 afternoon. As Jennifer said, my name is Josh Wayland,
7 and I am an environmental protection specialist with
8 the Surface Transportation Board's Office of
9 Environmental Analysis. And I am the project manager
10 for the Uinta Basin Railway Environmental Impact
11 Statement.

12 To reiterate one thing that Jennifer said,
13 we are very sorry that we are not able to be with you
14 there in person for these public meetings, but
15 everyone's health and safety comes first, of course.
16 And I certainly hope that you are all taking care of
17 yourselves and staying safe and healthy. Even though
18 we can't be there in person, we are very glad to be
19 able to meet with you through this online format and
20 are looking forward to hearing your comments a little
21 later in the meeting.

22 I see that at this time, we have 48 people
23 on the line, including folks who tuned in to the
24 webinar and those who have called in by phone. I want
25 to acknowledge Avery Cooke and Heather Haley from the

1 Utah Division of Wildlife Resources, which is one of
2 the State agencies that we have been working with on
3 the environmental review. Thanks to you both for
4 joining us today. And I also see that we have Kristy
5 Groves of Ashley National Forest who is here
6 representing the U.S. Forest Service, one of our
7 federal cooperating agencies who is also working with
8 us on this environmental impact statement.

9 Welcome, as well, to any other agency
10 representatives and elected officials who might have
11 joined us today and thank you very much for taking the
12 time to be here.

13 Before we move into the comment portion of
14 this afternoon's meeting, we would like to play a
15 presentation for you that will provide a very brief
16 overview of the proposed Uinta Basin Railway and of the
17 Surface Transportation Board's EIS process, as well as
18 some of the major conclusions of the Draft EIS.

19 This presentation will be available on the
20 Board-sponsored project website. That's
21 www.uintabasinrailwayeis.com in case you would like to
22 download it and watch it again later.

23 So, with that, I would just like to welcome
24 everyone once again to this meeting. Thank you for
25 your participation in this process and ask Jennifer to

1 please go ahead and start the presentation.

2 Hello and welcome to this online public
3 meeting for the Uinta Basin Railway Draft Environmental
4 Impact Statement. The Environmental Impact Statement,
5 or EIS, is being prepared by the Surface Transportation
6 Board, which is the federal agency that authorizes the
7 construction and operation of new rail lines.

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

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

21 Next, I will discuss the environmental
22 review process, including the different resource areas
23 that we have analyzed in the Draft EIS, the major
24 conclusions of the Draft EIS, and our preliminary
25 recommendations for mitigating environmental impacts.

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

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

16 When considering whether or not to
17 authorize the construction and operation of a new line
18 of railroad, the Board considers both the
19 transportation merits of the proposal and the potential
20 environmental impacts.

21 The Board's Office of Environmental
22 Analysis, or OEA, is the office at the Board that is
23 responsible for conducting the environmental review for
24 new railroad construction proposals.

25 OEA works under the National Environmental

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

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

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

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

1 the Uinta Basin to the Interstate Common Carrier Rail
2 Network using a route that would provide shippers with
3 a 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, but trains
7 on the proposed rail line could also carry other
8 product and commodities, potentially including frac
9 sand, other proppant material, steel, machinery, and
10 mineral and agricultural products and commodities.

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

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

1 that would be logistically feasible and practical to
2 construct and operate.

3 In the Draft EIS, these alternatives are
4 referred to as the Action Alternatives. The Action
5 Alternatives are the Indian Canyon Alternative, the
6 Wells Draw Alternative, and the Whitmore Park
7 Alternative. I will present maps of these three Action
8 Alternatives in just a moment. In addition to the
9 Action Alternatives, though, the Draft EIS also
10 considers the potential environmental impacts of the
11 No-Action Alternative, which would occur if the
12 Coalition did not construct and operate the proposed
13 rail line.

14 This map shows the route of the Indian
15 Canyon Alternative. From terminus points near South
16 Myton Bench and Leland Bench, this alternative would
17 extend westward and would then head southwest through
18 Indian Canyon, paralleling Route 191.

19 There would be three tunnels on this route
20 to maintain a safe grade while traversing the mountains
21 that surround the Uinta Basin. South of Indian Canyon,
22 the alternative would head west to a connection with an
23 existing Union Pacific Railroad rail line near Kyune.
24 The Indian Canyon Alternative would be approximately
25 81 miles long, and it would cross land that is owned or

1 managed by the Ute Indian Tribe, the U.S. Forest
2 Service, the State of Utah, and the Bureau of Land
3 Management, as well as private land.

4 The Wells Draw Alternative would also
5 connect two terminus points in the Uinta Basin near
6 South Myton Bench and Leland Bench to the existing
7 Union Pacific rail line near Kyune. This alternative
8 would follow a different route between those end points
9 compared to Indian Canyon Alternative, however. South
10 of Myton, the route would follow Wells Draw toward its
11 head waters and then would turn west into Argyle
12 Canyon.

13 The Wells Draw Alternative would cross very
14 rugged terrain and require 13 tunnels to maintain a
15 safe grade. It would be approximately 103 miles long
16 and would cross land managed by the Bureau of Land
17 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
22 is the Whitmore Park Alternative. It would be similar
23 to 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. To the
2 north, the Whitmore Park Alternative would go around
3 the Duchesne Mini Ranches area of Duchesne County to
4 avoid impacts on residences there.

5 To the South of Indian Canyon, the Whitmore
6 Park Alternative would be located further north
7 compared to the Indian Canyon Alternative and the Wells
8 Draw Alternative in order to avoid or minimize impacts
9 on greater sage-grouse in the Carbon Sage-Grouse
10 Management Area.

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

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

23 OEA held six public meetings in the project
24 area as part of scoping. After receiving comments on
25 the scope of study for the EIS, OEA issued a final

1 scope of study in December 2019. Following the end of
2 scoping, OEA prepared the Draft EIS in consultation
3 with the cooperating agencies. The Draft EIS analyzes
4 the potential environmental impacts of the three Action
5 Alternatives. It also sets forth OEA preliminary
6 mitigation measures for addressing those impacts, and
7 it 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
11 was 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 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. In its
20 final decision, the Board may decide to deny the
21 Coalition's request for authority to construct and
22 operate the proposed rail line. It may grant authority
23 to construct and operate the proposed rail line, or it
24 may grant authority with conditions, including
25 environmental conditions. If the Board should decide

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

9 Now, I will briefly review some of the
10 major findings and conclusions of the Draft EIS.

11 The Draft EIS analyzed the potential
12 environmental impacts of the proposed rail line across
13 a range of resource areas. These include vehicle
14 safety and delay, rail operation safety, water
15 resources, biological resources, geology, soils,
16 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, socioeconomic,
20 environmental justice, and cumulative impacts.

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

1 Among the Action Alternatives, the Wells Draw
2 Alternative would permanently affect the largest area
3 of surface waters and wetlands. While the Whitmore
4 Park Alternative would permanently affect the smallest
5 area.

6 Any of the Action Alternatives would also
7 affect vegetation and wildlife, including species that
8 are listed as threatened or endangered under the
9 Endangered Species Act, as well as other species that
10 are managed by federal, state, and tribal agencies.
11 For example, any the Action Alternatives would cross
12 habitat for greater sage-grouse, which is a species
13 that is protected by the Bureau of Land Management and
14 the State of Utah.

15 For this species, the Whitmore Park
16 Alternative would minimize impacts by avoiding
17 sage-grouse lek and summer brood-rearing habitats.

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

1 Canyon Alternative, up to two residents for the
2 Whitmore Park Alternative, and up to one residence for
3 the Wells Draw Alternative.

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

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

21 The Indian Canyon Alternative and the Wells
22 Draw Alternative would both cross Bureau of Land
23 Management land. And the Wells Draw Alternative would
24 cross parts of the Bureau of Land Management's Lears
25 Canyon area of critical environmental concern, as well

1 as areas with wilderness characteristics.

2 Among many other resource areas, the Draft
3 EIS specifically analyzes areas that OEA learned are of
4 concern to the Ute Indian Tribe, including impacts
5 relating to vehicle safety and delay, rail operations
6 safety, biological resources, air emissions, and
7 cultural resources.

8 Based on OEA's analysis, and in
9 consultation with the cooperating agencies, OEA has
10 preliminarily identified the Whitmore Park Alternative
11 as the environmentally preferred alternative because
12 that action alternative would avoid or minimize
13 environmental impacts compared to the Indian Canyon
14 Alternative and the Wells Draw Alternative. In
15 particular, the Whitmore Park Alternative would avoid
16 or minimize impacts on water resources, greater
17 sage-grouse, and residential areas in the Duchesne Mini
18 Ranches area and the Argyle Canyon area of Duchesne
19 County.

20 For these reasons, OEA is preliminarily
21 recommending that if the Board decides to authorize a
22 proposed rail line, the Board should only authorize the
23 Whitmore Park Alternative to minimize environmental
24 impacts.

25 We welcome your comments on this

1 preliminary recommendation, as well as any of the other
2 conclusions presented in the Draft EIS.

3 If the Board should authorize the proposed
4 rail line, OEA also recommends that the Board impose
5 mitigation measures to mitigate impacts on the
6 environment. The Coalition has proposed 56 voluntary
7 mitigation measures, which are described in Chapter 4
8 of the Draft EIS.

9 In addition to those 56 voluntary
10 mitigation measures, OEA is also recommending an
11 additional 73 preliminary mitigation measures. Those
12 recommended mitigation measures are also set forth in
13 Chapter 4 of the Draft EIS. We welcome your comments
14 on these preliminary mitigation measures with the
15 voluntary mitigation measures and the additional
16 recommended mitigation measures.

17 After considering all public comments on
18 the Draft EIS, OEA will make its final recommendations
19 on mitigation to the Board in the final EIS.

20 Now, I will discuss how you can access the
21 Draft EIS and find more information about the
22 environmental review process.

23 This is a screenshot of the Board-sponsored
24 project website for the EIS. You can find it at
25 www.uintabasinrailwayeis.com, or you can do a search

1 for Uinta Basin Railway Environmental Impact Statement.
2 On this website, the Draft EIS is available for
3 download and you can also view an interactive map of
4 the Action Alternatives on the website and review many
5 project-related documents, including the field surveys
6 that were conducted to support the environmental
7 review.

8 You can also provide your comments on the
9 Draft EIS through this website. To do so, just click
10 on the public involvement page, which provides a link
11 to a comment form and instructions.

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

20 Another place where you can find
21 information about the proposed project is the Board's
22 website at stb.gov or do a search for the Surface
23 Transportation Board. The Board's website looks like
24 this. To find information about the Uinta
25 Basin Railway Project, you can click on the link that

1 says, "Search STB Records." To do a search on the
2 Board's website, you will need to know the docket
3 number for the case. For the Uinta Basin Railway, the
4 Docket Number is FD 36284. If you conduct a search for
5 Docket No. FD 36284, you will find filings and
6 decisions about the case. These include the Draft EIS,
7 which was issued on October 30th, as well as the
8 Coalition's petition seeking authority to construct and
9 operate the proposed rail line.

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

19 Due to the ongoing Covid-19 pandemic, all
20 of the public meetings are being held online. The
21 dates and times of the online public meetings are shown
22 on this slide, and information on how to register for a
23 public meeting is available on the Board-sponsored
24 public website at uintabasinrailwayeis.com.

25 Before finishing today's presentation, I

1 would like to briefly review the ways in which you can
2 submit your comments on the Draft EIS. There are
3 several different options for submitting comments and
4 OEA will consider all comments equally, regardless of
5 how you choose to submit them. You may give an oral
6 comment at today's online public meeting or another
7 online public meeting. You can find information about
8 how to register for a meeting at the Board-sponsored
9 project website. Alternatively, you can submit a
10 written comment electronically through the project
11 website. There is also an option of mailing your
12 comment if you prefer. You can send your written
13 comments to me, Joshua Wayland, Surface Transportation
14 Board, c/o ICF, 9300 Lee Highway, Fairfax, Virginia
15 22031, Attention: Environmental Filing Docket No. FD
16 36284. We ask that you please do refer to Docket No.
17 FD 36284 in your mailed comments.

18 This brings us to the end of today's
19 presentation. We really do appreciate your interest in
20 and participation in the Surface Transportation Board's
21 environmental review process for this proposed Uinta
22 Basin Railway Project. We look forward to receiving
23 your comments and continuing to consult with you
24 throughout the remainder of the EIS process. Thank you
25 all very much.

1 JENNIFER PIGGOTT: Thank you, Josh. We
2 have now reached the second part of the online public
3 meeting, a facilitated comment session. If you have
4 not already registered to provide an oral comment and
5 would like to speak, please send a chat message to the
6 meeting host or raise your hand using the raise hand
7 icon next to your name. If you're on Zoom or call-in
8 only users, press star 9 to raise your hand and we will
9 add you to the commenter list.

10 We will call on you, if time allows, after
11 those who have preregistered have made their comments.
12 As a reminder, each commenter will have three minutes
13 to make their comments. At the start of your comments,
14 please state your full name for the record.

15 Ladies and gentlemen, our first speaker
16 this afternoon is Representative Elizabeth Weight.
17 Representative Weight, I am going to ask you to unmute.

18 REPRESENTATIVE WEIGHT: Thank you. Okay.
19 I am Representative Elizabeth Weight. I represent in
20 District 31, which is in West Valley City and I am
21 with, of course, the -- the Utah House of
22 Representatives. But I did want to clarify that I am
23 speaking as a state representative, not as a voice of
24 the body of the legislature or the house of
25 representatives. So in that respect, it's a somewhat

1 independent expression.

2 My expressions and my comments have
3 primarily to do with my appreciation for the
4 environmental impact statement process. I am seeing
5 that -- well, and I just want to -- to comment on how
6 much value I believe there is in the process of
7 completing the entire impact analysis. I've looked
8 through the table of contents. I have not had a chance
9 to review the entire analysis, but I can see the
10 extent. And I was aware of how extensive and inclusive
11 it was with different government agencies at the
12 federal level and the state level and including other
13 entities including sovereign nation entities and local
14 input. And so I appreciate all of the steps in that
15 process.

16 For that reason, I'm looking at a page or
17 two from the request for -- the petition for exemption
18 from the prior approval requirements submitted by the
19 Seven County Infrastructure Coalition. My comment to
20 that is that I -- I understand that they're making this
21 request on the condition that the -- the Board grant
22 the request, subject to the completion of its
23 environmental review process. But I can't see anything
24 in the request that would exempt it from waiting for
25 the entire process, including the prior approval

1 requirements to be entirely met.

2 So I -- I guess what I'm -- what I'm
3 expressing is that in this process where there are so
4 many considerations, where there is so much potential
5 for disruption of environment and different elements in
6 the environment as well as potential for and need to
7 really consider all of the -- the hazards, including
8 the whole concept of possibility of denial of the
9 permit.

10 JENNIFER PIGGOTT: Forty seconds remaining.

11 REPRESENTATIVE WEIGHT: Okay. I urge the
12 board to deny the request for the waiver of the filing
13 fee and for the exemption from the prior approval
14 requirements. I would like to see the whole process
15 proceed as outlined, regardless of this request.

16 And at this time, thank you for the
17 opportunity to comment, and I'll be submitting an
18 online one, as well. Thank you.

19 JENNIFER PIGGOTT: Thank you for your
20 comments.

21 Monica Hilding, I see your hand is raised.
22 I do have you on the speaker list this afternoon. And
23 you are registered speaker No. 6.

24 Our next registered speaker is Todd
25 Richins. And Mr. Richins, I'm not seeing you on the

1 Zoom webinar this afternoon. If you're a call-in only
2 user, please press star 9 to raise your hand so I can
3 identify you. Todd Richins, R-i-c-h-i-n-s.

4 Okay. Not seeing any hands raised. Our
5 next registered speaker is William Reese, William
6 Reese.

7 Mr. Richins, I received your chat message,
8 no comments.

9 Okay. Our next speaker is William Reese,
10 R-e-e-s-e. I'm also not seeing Mr. Reese on the Zoom
11 webinar this afternoon. If you are a call-in only
12 user, please press star 9 to raise your hand so I can
13 identify you.

14 Okay, not seeing any hands raised. Our
15 next speaker is Matt Cazier. Matt Cazier, C-a-z-i-e-r.
16 I'm also not seeing you on the Zoom webinar feed. If
17 you are a call-in only user, please press star 9 to
18 raise your hand. Matt Cazier, C-a-z-i-e-r.

19 Okay, not seeing any hands. Our next
20 registered speaker is Stan Holmes. Mr. Holmes, I see
21 you, and I am going to ask you to unmute your line.

22 STANLEY HOLMES: Thank you. My name is
23 Stanley Holmes. I live in Salt Lake City. And I
24 appreciate the opportunity to comment.

25 In my opinion, the Uinta Basin Railway

1 represents yet another huge subsidy for the fossil fuel
2 industry, specifically oil and gas, but from government
3 agencies that should be using public monies to advance
4 the public's long-term interests in rural communities.

5 Unfortunately, the Seven County
6 Infrastructure Coalition in concert with the Utah
7 Community Impact Fund Board or CIB have been -- [audio
8 distortion] in this regard preferring to continue
9 propping up the fossil fuel industry with Mineral Lease
10 Act monies meant to mitigate impacts of fossil fuel
11 extraction, witness the \$53 million CIB authorized
12 funds for an Oakland, California coal port developer,
13 and the \$20 million advanced payment offered by SCIC
14 commissioners to bail out that coal port developer from
15 bankruptcy.

16 The proposed railway would require
17 increased oil and gas drilling, production and pollution
18 in the Uinta Basin. Uinta Basin human residents and
19 wildlife are already affected by episodic high ozone
20 levels due to oil and gas operations. Even without the
21 added pollution that the UBR would facilitate, the Uinta
22 Basin has, on the other hand, ozone non attainment
23 status by the EPA.

24 Utah State University issues ozone alert
25 warnings for the Uinta Basin. As the DEIS points out,

1 the Uinta Basin accounts for more than 90 percent of
2 Utah's criteria pollutant emissions from the oil and
3 gas sector. This is a problem year round, although the
4 ozone levels increase in the winter due to climatic
5 conditions. In addition to ozone, Basin activities
6 spew carbon monoxide, lead, nitrogen dioxide,
7 particulate matter and sulphur dioxide into the
8 atmosphere.

9 The EPA warrants that exposure to ozone is
10 linked to a wide range of health effects including
11 aggravated asthma, increased emergency room visits,
12 hospital admissions and premature death.

13 In addition to helping form ozone, volatile
14 organic compound emissions from the oil and gas
15 industry include toxic air pollutants such as benzene,
16 ethyl benzene and hexane. These air toxics are
17 pollutants known or suspected of causing cancer and
18 other serious health effects. The DEIS notes that the
19 eastern portion of the proposed rail line would be
20 located in the Uinta Basin ozone non attainment area,
21 but that much of the remainder of the proposed rail
22 line would be in attainment areas. This blindered
23 focus ignores the pollution increases in and beyond the
24 non attainment areas that would likely occur due to
25 increased fossil fuel production made possible, rather,

1 required by the railroad's construction. Intensity of
2 pollution can be expected to increase in the current
3 non attainment area. And the borders of the non
4 attainment area may have to be expanded due to
5 increased pollution.

6 The oil and gas industry is a significant
7 source of the emissions of methane, a potent greenhouse
8 gas with a global warming potential more than 25 times
9 that of carbon dioxide.

10 JENNIFER PIGGOTT: Thirty seconds
11 remaining.

12 STANLEY HOLMES: Okay, thank you. At
13 pre-Covid levels, the Uinta Basin extraction industry
14 was producing over 1,000 metric tons of methane
15 annually.

16 Let me wrap up. The DEIS failed to give
17 consideration to the No-Action Alternative. All that
18 we see is that under the No-Action Alternative, the
19 Board would not license the Coalition to construct and
20 operate the proposed rail line. The Coalition would
21 not support the rail line and the human environment
22 would not change from the current conditions.
23 Complicit here is --

24 JENNIFER PIGGOTT: Time.

25 STANLEY HOLMES: Thank you. No action,

1 please.

2 JENNIFER PIGGOTT: Thank you for your
3 comments.

4 STANLEY HOLMES: You're very welcome.

5 JENNIFER PIGGOTT: Our next registered
6 speaker is Monica Hilding. Ms. Hilding I am going to
7 ask you to unmute.

8 MONICA HILDING: Can you hear me now?

9 JENNIFER PIGGOTT: I can hear you. Go
10 ahead. You have three minutes.

11 MONICA HILDING: Okay. My name is Monica
12 Hilding. Thank you for the opportunity to speak about
13 this project, although I have very little faith that
14 public input is actually included in the decisions that
15 will be made on the Uinta Basin Railway.

16 As Covid-19 ravages the population, Utah
17 legislators and County commissioners are taking
18 advantage of this time of Zoom meetings to pass and
19 promote all sorts of boondoggle projects.

20 The proposed railway is intended to
21 facilitate the vast expansion of oil, gas and other
22 fossil fuels in the Uinta Basin to distant markets.
23 Without the railway, these fuels would have no place to
24 go and thus would not be developed. This increase in
25 oil production, potentially four times the current

1 amount, will contribute irreversibly to greenhouse gas
2 emissions to climate change.

3 Our climate is already at a tipping point.
4 We must not allow an expansion of fossil fuel
5 development on this scale. To add insult to injury,
6 Seven County Infrastructure Coalition along with the
7 community impact board want to use public money. Under
8 law, these funds are supposed to go to communities that
9 have been negatively impacted by oil and gas
10 development. Instead, these commissioners want to
11 waste this money to subsidize the oil and gas industry.
12 It should instead be investing in alternative of
13 economic development for these rural communities so
14 they can be part of the solution to the climate crisis.

15 This is a very expensive project because
16 the proposed route of the Uinta Basin Railway traverses
17 roadless areas, steep canyons and rugged terrain, over
18 10,000 acres of wild game [audio distortion] habitat
19 will be affected by the railroad. Some of this area
20 has been designated as crucial big game habitat by the
21 Forest Service. The route also impacts the 1,600 acres
22 of greater sage-grouse habitat in the areas inhabited
23 by the endangered [inaudible].

24 The environmental impacts of this project
25 are huge, not only to the Uinta Basin. Those oil

1 refineries on Beck Street in Salt Lake will be busier
2 than ever polluting our air with the oil and tar sand
3 extracted from the Uinta Basin.

4 Who are the beneficiaries of this project?
5 Is it worth polluting our air, land and water to
6 construct a project that will increase carbon emissions
7 in the state? Your statement is important. Please
8 explore all of the destruction to the environment this
9 project would cause. With wildfires raging across the
10 American West, destroying communities, blocking out the
11 sun, filling the air with illness-causing soot, and
12 inflicting immense economic damage. It makes no sense
13 to keep burning fossil fuels within the community,
14 pushing us closer to an unfixable global warming. I
15 urge this project be denied.

16 JENNIFER PIGGOTT: Thank you for your
17 comments.

18 MONICA HILDING: Thank you.

19 JENNIFER PIGGOTT: Our next speaker this
20 afternoon is -- I apologize if I mispronounce your last
21 name -- Brian Moench. I am going to ask you to unmute.

22 BRIAN MOENCH: Can you hear me?

23 JENNIFER PIGGOTT: Yes, I can. Go ahead.
24 You have three minutes.

25 BRIAN MOENCH: I'm Dr. Brian Moench,

1 president of the Utah Physicians for a Healthy
2 Environment. In 2012 and 2013, during the peak of the
3 oil and gas activity in the Uinta Basin, the University
4 of Colorado measured atmospheric VOCs over the Basin.
5 They found shocking levels of VOCs 200 to 300 times
6 higher than background levels. They equated it to the
7 pollution of 100 million cars, eight times more cars
8 than are registered in the greater Los Angeles area.

9 Other studies have shown this pollution
10 comes almost entirely from the oil and gas industry.
11 An area that has only 30,000 residents is inhaling
12 eight times more pollution than an area where 13
13 million people live.

14 The authors of the study say, in fact,
15 these levels were 10 to 100 times higher than what is
16 reported in the nation's largest cities. They also
17 found peaks of ozone up to 150 parts per billion,
18 double the EPA's limit.

19 As a precursor to ozone, the Uinta Basin
20 VOCs contribute to ozone hundreds or even thousands of
21 miles away. The authors said their observations were,
22 "Among the highest ever reported in ambient air. The
23 aromatic compounds reach or exceed those recorded from
24 the most heavily polluted inner cities. This is a
25 remarkable finding."

1 The very purpose of this railroad is to
2 quadruple the oil and gas production in the Basin that
3 has already seen 11,000 wells put into production, and
4 that would quadruple what is already a pollution
5 nightmare. Wherever you have a pollution nightmare,
6 you will have a public health nightmare if you wait
7 long enough or look hard enough.

8 While the environmental impact statement is
9 only focused on the construction and operation of the
10 railway itself, it is nonsensical that it not also
11 include as a direct consequence the environmental and
12 health consequences of the very purpose of the project.
13 The cumulative impact of the proposed project would
14 allow a public health disaster that will extend both
15 east and west of the Basin into Colorado and the
16 Wasatch Front.

17 Utah Physicians for a Healthy Environment
18 request that you deny the project. Thank you.

19 JENNIFER PIGGOTT: Thank you for your
20 comments.

21 Our next registered speaker is Mark
22 Winterton. Mr. Winterton, I am going to ask you to
23 unmute.

24 MARK WINTERTON: Okay. Can you hear me?

25 JENNIFER PIGGOTT: I can hear you. Go

1 ahead. You have three minutes.

2 MARK WINTERTON: All right, it has been
3 interesting to listen to most of these people. I can
4 tell this, they're reading from someone. Most of them
5 are from the city. I live right here in the Uinta
6 Basin, basically smack dab in the middle of it. We
7 talk about pollution. We talk about this railway being
8 mainly for fossil fuels. It could be -- we're actually
9 looking at it to be for all industries. The other
10 thing is that they talk about how it's being -- it's
11 tax dollars, it's government dollars. Whereas if
12 they've actually looked at it, it's all going to be
13 paid for by private investors.

14 As far as pollution out here, I live out
15 here because the pollution in the city is where -- is
16 bad; right? And I've seen these studies and I honestly
17 don't know what they're doing if they stick it right in
18 front of an exhaust pipe because -- because -- yeah.
19 Basically, I call bull crap on these studies about
20 pollution.

21 Leave us the hell alone is kind of what I
22 want to tell the people from the city, Salt Lake,
23 wherever you are, stay out there. Why don't you stay
24 out there where we're running this railroad, it's --
25 it's land that mostly is basically wasteland. Nobody

1 is there. Animals don't live there. We've had the
2 environmental impact statement done. It's -- they do a
3 great job. And most of them are environmentalists, so
4 you can give them that.

5 Anyways, as far as that goes, if you don't
6 live out here, I don't feel like you should even have a
7 say. Get lost. That's all I have to say. Thanks.

8 JENNIFER PIGGOTT: Thank you for your
9 comments.

10 Our next registered speaker is Heather
11 Dove. Ms. Dove, I am going to ask you to unmute.

12 HEATHER DOVE: Okay. Can you hear me?

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

15 HEATHER DOVE: Okay. Thank you. My name
16 is Heather Dove. I am president of the Great Salt Lake
17 Audubon, which is the oldest conservation organization
18 in Utah.

19 Our members are very concerned about the
20 extensive habitat loss this project would cause. We in
21 Utah have already lost a great deal of critical habitat
22 due to urban sprawl and to the extraction industries,
23 including oil and gas. We do not want to see further
24 loss, especially to an industry that only exacerbates
25 the rise of greenhouse gases and global warming,

1 especially now that we are feeling the very real
2 effects of climate change with drought, massive
3 wildfires, storms and flooding all over the planet.

4 We are also concerned about the further
5 degradation of public lands. This state and this
6 country's public lands have already sustained repeated
7 assaults in the last four years. We think these he --
8 it is time for these assaults to stop.

9 We're sympathetic to the needs for economic
10 development and jobs in rural areas of the state, but
11 we should be investing in 21st Century businesses and
12 industries, not in industries that are destined to die.

13 This project would be a huge waste of
14 public funds and would be devastating to our wildlife
15 and our wild lands. We urge you to deny this project.

16 JENNIFER PIGGOTT: Thank you for your
17 comments.

18 Our next registered speaker is Marina
19 Grossman. Ms. Grossman, I am going to ask you to
20 unmute.

21 MARINA GROSSMAN: Am I unmuted?

22 JENNIFER PIGGOTT: You are unmuted. Go
23 ahead. You have three minutes.

24 MARINA GROSSMAN: Hey, my name is Marina
25 Grossman and I live in Salt Lake City. I'm concerned

1 about this project and the long-term effects it will
2 have on our state and economy. Putting in a rail line
3 would create another human-made impact that not only
4 compromises the integrity of the land, but the
5 preferred route, the Whitmore Park Alternative, which
6 is a revised version of the Indian Canyon Alternative,
7 would affect 61 miles of streams and has 443 stream
8 crossings.

9 According to the letter from the Office of
10 Environmental Analysis, "OEA concludes that
11 construction and operation of any of the Alternatives
12 would result in significant environmental impacts.
13 Major impacts would include temporary and permanent
14 impacts on surface waters and wetlands. Impacts on
15 biological resources, including federally listed
16 threatened and endangered species and other protected
17 species, permanent changes to land uses on public and
18 private lands and noise impacts on residences near the
19 proposed rail line during rail operations."

20 Along with the negative long-term
21 human-made impacts this railway would have on our
22 state's economy, the long-term negative effects of
23 increased oil production would not only deplete our
24 already dwindling water resources, but it is not
25 sustainable to life.

1 Where will the water come from that would
2 be needed for increased oil production? Are you going
3 to start buying water from our ranchers? From our
4 farmers?

5 We are not living in the late 1800s. In
6 fact, last I checked, we are coming to the end of the
7 year 2020. And we have a new president-elect who
8 shares a different vision for our country and how the
9 economy will be stimulated.

10 The long-term future of our state economy
11 is not dependent upon rail lines for extraction. I'm
12 asking for the No-Action choice. Thank you.

13 JENNIFER PIGGOTT: Thank you for your
14 comments.

15 Our next speaker this afternoon is Pete
16 Gilmore. Pete Gilmore, G-i-l-m-o-r-e. I'm not seeing
17 you on the Zoom webinar. So if you're a call-in only
18 user, please press star 9 to raise your hand so I can
19 identify you. Pete Gilmore.

20 Not seeing any hands raised. Our next
21 speaker is David Bennett. Mr. Bennett, I'm going to
22 ask you to unmute.

23 DAVID BENNETT: Good afternoon. Let me --
24 Jennifer, let me first congratulate you on the
25 professionalism of moderating this afternoon and

1 Dr. Wayland on the comprehensiveness and thoroughness
2 of addressing this issue perhaps with the exception of
3 considering a No-Action plan, but the overall process
4 is a good one.

5 We're here today to take a look at that
6 process and to comment accordingly. There have been a
7 lot of comments regarding the impact of this railway,
8 this proposed railway on life in the Uinta Basin. I'm
9 going to take this conversation to a new level to a
10 30,000-foot level literally. We are ending this era of
11 ignoring science, of science being politics, of science
12 being something to be derived. We are done with that
13 era now. We are moving into an era of -- moving this
14 country and this planet forward as we go beyond 2020.

15 Climate change is very real. It is upon
16 us. And we need to begin right now in stopping,
17 slowing down, ending the use of fossil fuels. So while
18 we can talk about the need to mitigate the impact of
19 this particular railway, what is really at stake here
20 is a need to commit to moving on from the use of fossil
21 fuels.

22 The science has told us, there's no
23 question that continuing burning fossil fuels is going
24 to doom the planet. We can see that every day. We can
25 see that in weather changes, in wildfire activity in

1 the west.

2 The approval of this project will continue
3 this escalation of an assault on the climate that needs
4 to stop.

5 To quote Lin-Manual Miranda and his
6 Broadway show Hamilton, "History has its eyes on you."
7 No longer can we deny science. No longer can we deny
8 the impact of climate change. It starts right here.
9 We need to deliver a message. It needs to be a
10 No-Action message as far as this project is concerned,
11 that we are not going to tolerate a continued assault
12 on the environment.

13 I urge you to vote No-Action and to shelf
14 this project. Thank you very much for your time.

15 JENNIFER PIGGOTT: Thank you for your
16 comments.

17 Our next preregistered speaker is Melissa
18 Peck. Melissa Peck, P-e-c-k. Ms. Peck, I'm not seeing
19 you on the Zoom webinar feed. I see a hand raised for
20 call-in only user 3994. This might be Ms. Peck.
21 Caller user ending in 3994, I am going to ask you to
22 unmute.

23 MELISSA PECK: Can you hear me?

24 JENNIFER PIGGOTT: Yes, is this Ms. Peck?

25 MELISSA PECK: Yes.

1 JENNIFER PIGGOTT: Great. Go ahead. You
2 have three minutes.

3 MELISSA PECK: Thank you. I am a landowner
4 and a concerned citizen. I've checked out this -- this
5 project and they're going to come right across the
6 bottom of our driveway going from one tunnel to the
7 next to get down to the flat that runs along Emma Park
8 and all that. Well, there is sage-grouse all over down
9 through there. And so I don't know how come they don't
10 take that into consideration when they took it into
11 consideration with the Craig route.

12 And a previous call there is a resident
13 from Duchesne is saying that everyone else needs to
14 stay out of his business and at this place the train is
15 going through a wasteland. That is very untrue. Yeah.
16 I -- I have property in Duchesne. And I have family in
17 the Basin. And there's -- there's part of the train
18 route that may be isolated more, but this is going
19 through a canyon that it's going to affect many people
20 in this canyon.

21 The tunnel, for one, is going to need three
22 miles of one tunnel and then a second tunnel -- I don't
23 know how long that is going to be. It's going to be
24 another couple of miles. So it has got to one, raise
25 the price of this project dramatically. And two, I

1 don't know if they're taking into effect all of the
2 vibration that is going to ruin not only my spring that
3 we rely on there for water -- we would have to probably
4 pack our water in if something happens to our spring.
5 That's our only source of water. And the vibration
6 from the train being so close will ruin that.

7 The ventilation system for the tunnel is
8 going to impact the environment. This is -- this is
9 carbon country. There's a lot of gases in the ground
10 and under the surface that they have no idea what's
11 there. That -- that's a huge concern. Also, the rails
12 in the summertime, it gets very dry through this area.
13 And I worry about fires being sparked and started.
14 That will box hundreds of people in that are there all
15 summer long, and it could kill people. There won't be
16 enough time and places to get out if that were to start
17 a fire in that canyon.

18 So there's a lot of things that still need
19 to be considered. I understand that there is SITLA and
20 other groups that have not finished their testing
21 either. So I think this is premature, and I am going
22 to vote for a -- a dismissal. I know -- what is the
23 term you are looking for, that is not coming to me?
24 Anyway, I vote against it. I don't think there should
25 be any action taken.

1 JENNIFER PIGGOTT: Thank you for your
2 comments.

3 Okay, our next registered speaker is Jay
4 Griffith. Mr. Griffith, I will ask you to unmute.

5 JAY GRIFFITH: Thank you. Thank you for
6 your presentation and your time and the opportunity to
7 respond. I appreciate those who have gone before, Stan
8 and Monica and Dr. Brian and Mark.

9 Mark, I'm having a hard time understanding
10 some of the things you've said. I appreciate this last
11 speaker who is from the area. On so many levels, it is
12 difficult to understand how a project like this even
13 gets this far, knowing the circumstances of climate and
14 what -- over 90 percent of our scientists are telling
15 us.

16 We are on an urgent phase and unprecedented
17 time where humanity is causing global warming. It
18 isn't coming from some other source. We -- we have an
19 impact that is -- is so dangerous right now. And so
20 many things have been mentioned that are important,
21 whether it's, you know, the sage-grouse on the ground
22 there locally or the pollution, both in that Basin and
23 that will be added to Salt Lake City proper and
24 everything in between, refineries. I just urge you to
25 reject this -- this proposal. It -- I -- I know it

1 makes sense financially for a few people, but it
2 doesn't make any sense for the majority of people near
3 and far. So that's all I have to say. Thank you for
4 the time.

5 JENNIFER PIGGOTT: Thank you for your
6 comments.

7 Okay. Our next speaker is Jeremy Raymond.
8 Mr. Raymond, I am going to ask you to unmute.

9 JEREMY RAYMOND: Yeah. Hi, Jennifer, can
10 you hear me?

11 JENNIFER PIGGOTT: We can hear you. Go
12 ahead. You have three minutes.

13 JEREMY RAYMOND: Thank you for this
14 opportunity. Jeremy Raymond, I live, work and play out
15 in the Uinta Basin. I love it out here. I raised my
16 family out here. I am 100 percent in support of this
17 rail project. This will help create jobs, sustain our
18 economy, at the same time protect our way of life. I
19 love the outdoors. I -- I didn't like science in high
20 school, but I understand that it is important. And I
21 think that along with the Coalition, the landowners,
22 the neighbors, that we can all find a common ground in
23 order to see this project come to fruition.

24 I, again, support this project 100 percent.
25 Our economy depends on oil and gas, and I would urge

1 you to see this project through and support it. Thank
2 you.

3 JENNIFER PIGGOTT: Thank you for your
4 comments.

5 Ladies and gentlemen, we've heard from
6 everyone who registered to speak and still have some
7 time left. For those using the Zoom webinar feed,
8 please raise your hand by using the raise hand feature
9 located next to your name if you have not already
10 provided an oral comment and would like to provide an
11 oral comment this afternoon.

12 Okay, I'm seeing some hands raised. Johnny
13 Gills, I am going to ask you to unmute.

14 JOHNNY GILLS: Can you hear me now,
15 Jennifer?

16 JENNIFER PIGGOTT: I can hear you. Go
17 ahead. You have three minutes.

18 JOHNNY GILLS: Yeah, I'm John Gills, and I
19 live in Salt Lake but I am also a landowner in Duchesne
20 County and I spend a lot of time up there and have an
21 interest of what goes on up there also. So thank you
22 for the opportunity to comment today.

23 This is a project that's, you know, been
24 kicked around since the turn of the century, 1900s.
25 There's probably a reason it hasn't been done yet

1 because it's not really a viable project then, nor is
2 it really a viable project now.

3 I would just question why we're moving
4 forward with an exemption before the approval on this
5 project. The estimated cost for this project is
6 \$1.5 billion.

7 They estimate that it will have about 100
8 permanent jobs and 300 periphery jobs. And that comes
9 out to about \$3 million per job. It seems like we
10 could spend money in a better way than that.

11 The cost per mile is going to be
12 \$17 million, 85 miles long and a half a mile wide. It
13 just seems like this money could be spent in a better
14 place. There's also a lot of State and federal money
15 tied up in this. That also does not include the
16 maintenance costs, which are projected at \$4 million a
17 year.

18 The railroad will cut through -- only cut
19 60 miles off the road route. And a lot of money has
20 also been already invested into this project from the
21 UPCI funds, which are supposed to be spent to reinvest
22 money in projects other than the oil and gas industry
23 that raised them to mitigate and offset the problems
24 that the oil and gas industry cause. I don't think we
25 should be investing that money back into the same

1 industry that -- that caused the problem in the first
2 place.

3 We shouldn't be promoting more of the
4 same. We should be trying to move on in a
5 different direction.

6 Whenever anybody uses the word
7 "sustainable," you have to question it because the word
8 sustainable actually means to maintain at the same
9 level, not add to the current problem.

10 JENNIFER PIGGOTT: 30 seconds remaining.

11 JOHNNY GILLS: I don't see how we can
12 sustain anything when all we're doing is adding to the
13 current problem. The Uinta Basin has some of the worst
14 air quality in the nation every single winter. It
15 affects old people. It affects children. It affects
16 people with respiratory problems.

17 Given the current status of our problems,
18 this is evidently, certainly not a good idea. I would
19 please urge you to reject this proposal. Thank you.

20 JENNIFER PIGGOTT: Thank you for your
21 comments. Okay.

22 Our next speaker is Will Munger followed by
23 Jack Green, and then we have a call-in only user 4190
24 where their hand is raised.

25 Will Munger, Will, going to ask you to

1 unmute.

2 WILL MUNGER: Hi, there, can you hear me?

3 JENNIFER PIGGOTT: I can hear you. Go
4 ahead. You have three minutes.

5 WILL MUNGER: Thank you. Well, thanks to
6 everyone for taking the time to chime in on this.
7 These sorts of projects have long-term impacts, and I
8 think that is an important thing to consider in a Draft
9 EIS statement.

10 We all understand that the point of this
11 railroad is to increase Uinta Basin oil production.
12 And I have friends who work in that industry, and I
13 myself have worked out in the Uinta Basin in ranching.
14 And yes, oil has powered the Uinta Basin for a long
15 time, but that's not the future.

16 As young people, we understand that we need
17 to be moving toward a clean economy, and it's
18 frustrating to see public money and private money being
19 used to lock us into a future of dirty energy. And the
20 thing that needs to be considered in a draft
21 environmental impact statement is how that lock-in
22 affects not only climate, not only air quality, not
23 only wildlife, not only water, but the long-term
24 economic future for the people who live in the Uinta
25 Basin and live across Utah.

1 We need to be thinking about how we use our
2 money wisely and conservatively to transition into a
3 clean energy future. And so, while a number of the
4 details of the environmental impacts have been well put
5 today, I just want to think about the future of people
6 in the Uinta Basin, because when the -- when oil and
7 gas production is increased, what that means is that
8 those wells that are [audio distortion] are next to
9 native communities. They are next to rural
10 communities. And I really appreciate the locals who
11 are jumping on this call to talk about what that means
12 for their water and their livelihood.

13 And so I'll leave it there. Thank you for
14 the opportunity to comment and thank you for your
15 attention to -- listen to our concerns.

16 JENNIFER PIGGOTT: Thank you for your
17 comments.

18 Okay. Our next speaker is Jack Green.
19 Mr. Green, I am going to ask you to unmute.

20 JACK GREEN: Yes. Thank you for allowing
21 us to express our views on this very critical matter.

22 First of all, I want to wish those in the
23 Uinta Basin the best. I have many friends out there.
24 I've spent time out there. I haven't worked there, but
25 just the same. Thank you for all those in the Uinta

1 Basin who have expressed their concerns.

2 I'm joining many students, both college and
3 secondary students, around the state who wish to
4 compliment SITLA on its interest and investment on
5 renewable energy, who have deep concerns. Also, these
6 students who have deep concerns for their future in a
7 climate compromised planet.

8 The School Trust Lands Administration is
9 reporting an incredible surge in interest in renewable
10 energy products, particularly solar, across the state
11 on parcels of land that it owns. We who have wind
12 leases and 23 solar leases with 2 more under review,
13 said Ron Torgeson, deputy assistant director for school
14 trust lands. There have been a steady flow of
15 applications for school trust lands, which is good.
16 The administration will get money once a lease is
17 secured and then additional revenue after the project
18 is operational.

19 The last board of trustees's expert named
20 to serve for SITLA is a renewable energy expert
21 expected to guide the industry into new horizons that
22 include green hydrogen generated from solar energy
23 production. Torgeson has oversight of the ambitious
24 Castle Solar Lease which offers expansive development
25 in 450 acres that will not only include the features,

1 but a canal, a power substation and more. He said it
2 will easily be the most efficiently used parcel of land
3 within the administration's portfolio once complete.

4 Rocky Mountain Power's partner, DE Shaw
5 Renewable Energy Investments, has an accomplished track
6 record in the renewable energy arena. My students and
7 I urge you to deny in the proposed railway and invest
8 in a long-term economically viable energy solutions for
9 the Uinta Basin in the State of Utah. Thank you.

10 JENNIFER PIGGOTT: Thank you for your
11 comments.

12 Our next speaker is a call-in user ending
13 in 4190. I'm going to ask you to unmute.

14 DARRELL FORDHAM: This is Darrel Fordham.
15 Can you hear me okay?

16 JENNIFER PIGGOTT: Yes, Mr. Fordham, you
17 have three minutes. Go ahead.

18 DARRELL FORDHAM: Okay. My name is Darrell
19 Fordham. During the other four public comment meetings
20 that were previously held for the Uinta Basin Railroad
21 Draft EIS, we've heard from several individuals who are
22 in support of the railway, primarily Uinta Basin
23 residents and Roosevelt and Vernal economic
24 development, government officials.

25 While I understand and empathize with the

1 desire to spur job creation and economic growth in the
2 Uinta Basin, I feel that the Seven County
3 Infrastructure Coalition and other government officials
4 who are in support of the project have lied to the
5 public and deliberately misled them in order to garner
6 public support for the project.

7 We have heard claims that the railway will
8 take trucks off of the highway. Most of the public has
9 interpreted this to indicate that the railway would
10 eliminate the tankers hauling crude oil on Highway 40
11 from the Basin to Salt Lake City. This is
12 categorically false. Salt Lake City refineries do not
13 have the capabilities to off load crude oil shipped via
14 rail. Nor do they have the space to construct one or
15 the appetite to invest in one.

16 The fact is that the railway will result in
17 an exponential increase in heavy truck traffic in local
18 highways throughout the Basin, which will be a
19 significant impact on local residents and county
20 governments tasked with road maintenance and repair.
21 Instead of alleviating the impacts of mineral
22 extraction on the community, this project will instead
23 place significant budgetary burdens on the city and
24 county governments.

25 Who will pay for the required road

1 maintenance, road improvements, new road construction
2 and additional traffic lights and other safety measures
3 that will be required to keep the public safe? The
4 Draft EIS mentions none of these impacts and makes no
5 provisions for mitigation of them. This is but one
6 example of how the Coalition has misused federal
7 mineral use money for planning this project, a project
8 which will expand negative impacts on Uinta Basin
9 communities instead of lessening them, a direct
10 violation of the Mineral Lease Act.

11 The planning for this project and the Draft
12 EIS also failed to address the need for transloading
13 roadway to serve the railway. The cost for
14 transloading facilities for crude oil and for the
15 public's goods are not included in the project
16 planning, project cost estimates or environmental
17 impact studies.

18 The Coalition and other government
19 officials have repeatedly claimed the railway will be a
20 common-carrier railway, but they have no money and no
21 plans for transloading facilities for commodities other
22 than oil and supplies related directly to oil and gas
23 production. In fact, even the oil producers have not
24 yet put any money towards planning, designing and
25 building the required transloading facilities to serve

1 their own interests of shipping crude oil, which is the
2 obvious purpose of this railway.

3 It is ludicrous to suggest or believe that
4 the oil companies are going to spend their own money to
5 build facilities or lumber, agricultural products,
6 steel or other goods that will allegedly be shipped on
7 this railway. The oil companies haven't spent a penny
8 of their own money to plan and support the project. So
9 why should the public believe that they will spend the
10 money on transloading facilities that do not reflect
11 their own interests?

12 JENNIFER PIGGOTT: Thirty seconds
13 remaining.

14 DARRELL FORDHAM: The fact is that this
15 project is so speculative that private investors have
16 refused to invest their own money in the planning,
17 permitting and preliminary engineering of the project.
18 These private investors instead relied on the public
19 money that has been misappropriated by the Coalition
20 and the Utah Permanent Community Impact Fund Board that
21 is, essentially, being gambled on the railway project.

22 The fact that private investors and private
23 oil companies have, to date, refused to invest their
24 own money speaks volumes about the precarious nature of
25 this project and its questionable financial viability.

1 Thank you.

2 JENNIFER PIGGOTT: Thank you for your
3 comments.

4 Okay, our next speaker, John -- is it
5 Prehn, P-r-e-h-n. I am going to ask you to unmute.

6 JOHN PREHN: Can you hear me? It's Prehn.

7 JENNIFER PIGGOTT: Sorry, Mr. Prehn. You
8 have three minutes.

9 JOHN PREHN: Thank you very much. It
10 occurred to me listening to the comments maybe this is
11 a Monte Python spoof or a maybe Borat pilot. This
12 project is, obviously, the most backward, corrupt,
13 dirty and cynical project you could possibly imagine
14 for Utah. And so all I can think of is that it's some
15 kind of test for the citizenry to see what the bottom
16 level of acceptance could possibly be.

17 So, I think all you have to do is just look
18 at it as it was put forward in the presentation. It
19 takes you 30 seconds to realize that it's completely
20 nonviable and a complete step backward into the dark
21 ages. So, I would vote no on this project. I think it
22 should be canceled today. And No-Action is the only
23 action. Thank you very much.

24 JENNIFER PIGGOTT: Thank you for your
25 comments.

1 Our next speaker is Sarah Stock. Ms.
2 Stock, I am going to ask you to unmute.

3 SARAH STOCK: Hello. Can you hear me?

4 JENNIFER PIGGOTT: I can hear you. Go
5 ahead. You have three minutes.

6 All right. Thank you. I guess I would
7 like to -- my name is Sarah Stock and today I'm
8 representing an organization called Living Rivers.
9 We're based in southeastern Utah, but we focus a lot on
10 protecting the water sheds of the Colorado River,
11 including the Green River and the Duchesne and the
12 Price.

13 And I was -- I went to -- I share many of
14 the concerns that were voiced here today, especially
15 about the impacts of increased oil and gas production
16 that would be possible only because of this project in
17 the Uinta Basin. And those -- those impacts include
18 air quality and climate change. But today I'd like to
19 speak more specifically about water and water
20 resources.

21 So the railway itself would have direct
22 impacts on almost 450 miles -- or there would be almost
23 450 stream crossings. And we need to -- we need to
24 take care of and preserve our perennial streams in
25 Utah. We are the second most arid state in the nation.

1 And these perennial waterways are incredibly important
2 for big game and fish species and birds and all kinds
3 of things.

4 So the fact that the railway would run
5 almost right on top of Indian Canyon Creek for almost
6 its entire duration is a huge concern to us. Also,
7 where the rail line would connect to the existing
8 railway up near Soldier Summit, up in the mountains, is
9 right on the Price River where there are these special
10 wetland environments. And so we're really concerned
11 about the loss of wetlands, the habitat associated with
12 that and the impacts on water quality. And then, above
13 and beyond the railway itself, the increased drilling
14 for oil and gas in the Uinta Basin depletes the waters
15 in that area, and it also pollutes the waters in that
16 area. And the Colorado River system -- as I said
17 before, the Duchesne River, the Indian Creek flows into
18 the Duchesne River, the Duchesne flows into the Green
19 River and that flows into the Colorado River. The
20 whole Colorado River system supports nearly 40 million
21 people and agriculture.

22 So to increase oil and gas production in
23 the Uinta Basin is folly. And this project should be
24 denied on those grounds. The impacts to water are too
25 great. The impacts on climate change are too great.

1 And the impacts on wildlife are also very great.

2 Anyway, thank you for gathering these
3 comments today. That's all I have.

4 JENNIFER PIGGOTT: Thank you for your
5 comments.

6 Okay, our next speaker is a call-in only
7 user ending in 3225. Call-in user ending in 3225. I
8 am going to ask you to unmute.

9 RAPHAEL CORDRAY: Hi -- [audio distortion.]

10 JENNIFER PIGGOTT: I believe this might be
11 Raphael Cordray. It's very, very soft. We're not able
12 to hear you.

13 RAPHAEL CORDRAY: Can you hear me now?

14 JENNIFER PIGGOTT: Yes, yes. Go ahead.
15 You have three minutes.

16 RAPHAEL CORDRAY: Okay. Well, thank you
17 for allowing me to speak. I am -- my name is Raphael
18 Cordray, and I have spent years and years out in the
19 Uinta Basin, and I am concerned about this project. I
20 don't think that we should build the railroad. I'm
21 sure that's clear. One -- but I want to bring up
22 another issue that is concerning me.

23 I feel that the STV should grant the
24 extension of time for folks to look into this longer.
25 And I don't know why they're delaying doing that. I am

1 concerned that -- that -- that I -- I want to know what
2 is being done to include the residents of the Uintah
3 Ouray Reservation. Why is there no copies showing up
4 on the reservation? The website says you have got one
5 at every library in that area, but nothing at the
6 Uintah Ouray Reservation.

7 I don't speak for the tribe. I'm not a
8 member of the tribe, but I do want to say for the
9 record, that there are many concerns about the lack of
10 inclusion of the people of the Ute Indian Tribe. And
11 there are also people who live on the Uintah Ouray
12 Reservation who are not registered members of the
13 tribe, including the Uintah Valley Shoshone tribe. And
14 they are not here at the table. I am concerned about
15 that.

16 How are the people at the tribe being
17 contacted? The Ute reservation has temporarily closed
18 some of its government functions because of Covid. And
19 I don't believe they're given a proper opportunity to
20 participate in this process. And I -- I think that
21 needs to be raised as an issue. They're a huge part of
22 the people who live in that area and will be the most
23 impacted by that -- by the environmental impacts. They
24 suffer from purple air days.

25 And I also just want to reflect that the

1 Seven County Infrastructure Coalition and other local
2 people in the basin claim that the Ute tribe wants this
3 railway. But why don't we hear people from the Ute
4 tribe saying that?

5 I also am concerned that the Seven County
6 Infrastructure Coalition is part of a group with other
7 states claiming to be helping native tribes get energy
8 development and, you know, I just feel like they're
9 dishonest and disingenuous and I would --

10 JENNIFER PIGGOTT: Thirty seconds
11 remaining.

12 RAPHAEL CORDRAY: -- that you put more
13 information for people on the reservation of where they
14 can physically look at the environmental impact
15 statement and expand the comment period and time frame
16 into next year. Thank you.

17 JENNIFER PIGGOTT: Thank you for your
18 comments.

19 Ladies and gentlemen, we've heard from
20 everyone who requested to speak and still have some
21 time left. For those on 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. For our call-in users,
25 press star 9 if you would like to provide an oral

1 comment and I will call on you as time permits.

2 (Pause.)

3 JENNIFER PIGGOTT: Okay. Ms. Wright, I see
4 your hand is raised. I am going to ask you to unmute.

5 MS. WRIGHT: Hello?

6 JENNIFER PIGGOTT: Yes. Ms. Wright, go
7 ahead. You have three minutes.

8 MS. WRIGHT: Yes. I don't have a prepared
9 statement, and I'm speaking only for myself. I -- I am
10 speaking in favor of the No-Action Alternative. I
11 think this is a really devastating idea to put a rail
12 line in. And I think that there are better ways to
13 move this crude to processing and I -- I really -- I --
14 I think that devastating effects on the environmental
15 are just paramount to put a rail line through this
16 area, especially through sage-grouse lek and across the
17 streams and on and on and on. And environmentally, I
18 think it is bad, even for the humans. And I'm just --
19 [audio distorted] that money has been given towards
20 this project as supposedly a means to mitigate mineral
21 impacts on the -- on the residents of the area.
22 Because, in truth, this is -- I don't see how in any
23 way, shape or form this is mitigating any impacts,
24 economically or otherwise on any residents in the area.
25 In fact, it's -- it's doing an opposite effect of

1 imposing what is proposed and posing terrible effects
2 upon the environment and also have terrible effects on
3 the environmental health of people in the area. And
4 that concludes my comments. Thank you.

5 JENNIFER PIGGOTT: Thank you for your
6 comments.

7 Ladies and gentlemen, we've heard from
8 everyone who requested to speak and still have some
9 time left. Is there anyone who's already spoken who
10 would like to elaborate on their previous comments?

11 Okay, Mr. Fordham, I see your hand is
12 raised again. I am going to ask you to unmute.

13 DARRELL FORDHAM: Okay. I would just like
14 to expand on my comments previously. I would just like
15 to ask, have any of the members of the public,
16 specifically those of you who are in support of this
17 project, asked yourself why the private equity firms
18 and private oil companies haven't paid for the planning
19 of this project?

20 Have any of you asked why \$28 million of
21 mineral lease monies have been risked and gambled on
22 planning this project, with no guarantees that the
23 project will be approved or that it will actually pay
24 off to construct, operate and maintain it, especially
25 during times when crude oils are low?

1 Why haven't you asked these questions? I
2 have, over and over and over for the past 20 months.
3 My questions have been ignored and deflected and
4 answered with half-truths and with redacted documents
5 with all pertinent financial information blotted out.
6 This should make every member of the public, as well as
7 the Surface Transportation Board, question the approval
8 of this project, especially with the identified and yet
9 to be discovered environmental and socioeconomic and
10 other impacts.

11 I strongly urge the Surface Transportation
12 Board to choose the No-Action Alternative. And if for
13 no other reason than that the Coalition has not proven
14 to the public that the proposed railway is economically
15 feasible or viable.

16 Until the Coalition provides verifiable
17 proof to the public and comes out of the shadows and
18 out from behind their closed doors, this project should
19 either be suspended or the No-Action Alternative be
20 selected.

21 The Surface Transportation Board's role in
22 this entire process is to protect not only the
23 environment, but also the public. Everyone should be
24 asking how goods, including oil, are going to be
25 transloaded on and off this proposed railway.

1 The economic development officials from
2 Roosevelt and Vernal are on the record stating that the
3 railway will bring in future business and new
4 industries to the Uinta Basin. What industries? Which
5 companies? There should be volumes of information
6 about companies who've expressed interest in moving
7 into the Basin, who are not currently there but for a
8 lack of rail.

9 Who are these companies? How soon after
10 the railway is built will they be moving in? Have they
11 committed to spending tens of millions of their own
12 dollars to build the transloading facilities that will
13 be required in order for them to utilize the railway?

14 Where are those commitments? They should
15 be in writing and should be publicly available. This
16 is a huge project with a -- with -- accompanied by
17 irreparable impacts that is proposed and planned and
18 studied with a Field-of-Dreams mentality that
19 somehow --

20 JENNIFER PIGGOTT: 30 seconds remaining.

21 -- "if we build it, they will come." This
22 is not some Hollywood movie. This doesn't only affect
23 a single farm or a single corn field somewhere in the
24 middle of Iowa. The Surface Transportation Board
25 should also be requiring the Coalition to provide such

1 information and documentation to approve such a massive
2 project like this with its accompanying myriad of
3 environmental, socioeconomic and other impacts, most of
4 which cannot and will not be completely and effectively
5 mitigated, is highly irresponsible at this juncture.
6 And I'll suspend my questions there.

7 JENNIFER PIGGOTT: Thank you for your
8 comments.

9 Okay. Our next speaker is Jan Ellen
10 Burton. Ms. Burton, I am going to ask you to unmute.

11 JAN ELLEN BURTON: Can you hear me?

12 JENNIFER PIGGOTT: I can hear you. Go
13 ahead. You have three minutes.

14 JAN ELLEN BURTON: Thank you. My name is
15 Jan Ellen Burton, and I live in Salt Lake City. And I
16 was blind-sided by this audacious plan to build the
17 Uinta Basin railway. The EIS for the railway contains
18 a myriad of aspects which are of concern, including
19 impacts to surface water, wetlands, wildlife and noise,
20 much of which have already been discussed by others.

21 Given the range of known and potential
22 problems, the plan to mitigate problems as they occur,
23 appears weak at best.

24 In 1989, I bought land above Argyle Canyon
25 right near the juncture of Highway 191 because of the

1 relatively wild lands. Cabins in the area were small
2 and there were elk, deer, bear, hawks and owl and
3 coyote in residence. I could hear the birds in the
4 bushes as I walked along the Forest Service Road and
5 passed in the Ashley National Forest.

6 In a time in which many species are
7 endangered, the destruction of an expanse of this
8 habitat and water sources seemed unimaginable, let
9 alone the estimated cost of \$1.5 to \$4.5 billion to
10 destroy these lands.

11 The March 3, 2020, contribution to a
12 compilation of articles accessible on the Utah and
13 Native Plant Society's website, indicates that there
14 are at least six sensitive plant species in Argyle
15 Canyon. I personally have seen two of these. And I
16 would regularly search for a good rich columbine
17 beneath a particular tree when I go to my property.

18 This article written by Brian Beam, the
19 Center for Biological Diversity, and Tony Flats, the
20 Utah Native Plant Society, also shows a picture of a
21 fire. Of course, all of these native plants are at
22 risk in the event of a fire as is the wildlife. This
23 fire occurred in Argyle Canyon in 2012. The same fire
24 burned in Indian Canyon threatening the closing of
25 Highway 191. It wasn't closed, and it wasn't the first

1 fire to burn in this area.

2 The Whitmore Alternative is preferred for a
3 number of seemingly good reasons. Specifically, it
4 reportedly minimizes impacts to wetlands to the extent
5 that is practical, whatever that means, creates fewer
6 impacts to the sage-grouse and avoids more of the
7 residential areas. And I would add that the land on
8 either side of Route 191 is also less forested than
9 much of Argyle Canyon and it might not burn as easily.
10 However, it is not denuded land and the potential of
11 fire is not at all well addressed in this document.

12 Safety is considered in terms of minimizing
13 train derailments or spills, but the risk for
14 significant wildfire is rated as low, as mitigating
15 emergency plans will be put in place. We have all seen
16 evidence that the effects of wildfires are not easily
17 negated. This area of Utah has been incredibly dry for
18 a number of years and it will likely continue to be.

19 I no longer own property there, but it's my
20 former neighborhood, and the question is not whether
21 there will be a big fire, but when? That is why the
22 Forest Service has been actively cutting dead wood.

23 Our billions of dollars for a railway may
24 lead to greater costs for repairs for the railway and
25 in the event of a spark or another event --

1 JENNIFER PIGGOTT: 30 seconds remaining.

2 JAN ELLEN BURTON: -- triggering a fire.

3 Okay. Thank you.

4 I'm not sure that oil and gas-related jobs
5 in the Uinta Basin is a good return for this amount of
6 money. Actually, I am fairly sure a good investment
7 advisor would not think so. So I urge you to take no
8 action, and thank you for the opportunity to comment.

9 JENNIFER PIGGOTT: Thank you for your
10 comments.

11 Our next speaker is Lionel Trepanire. I
12 ask you to unmute.

13 LIONEL TREPANIRE: Hello, and good
14 afternoon. This is Lionel Trepanire with the Utah Tar
15 Sands Resistance.

16 I am very thankful for the comments that
17 we've heard this afternoon from concerned citizens
18 wherever they are and residents and visitors to the
19 Basin.

20 I myself have been a visitor to the Basin
21 for, oh, going on near a decade now. And I'm going to
22 first address the Surface Transportation Board
23 regarding the Uinta Basin Railway Environmental Impact
24 Statement and ask that the -- and particularly
25 Mr. Wayland, to extend the comment period on this

1 environmental impact statement regarding this oil
2 railroad. And there's a lot of reasons to extend this
3 comment period, but let me just talk about a couple of
4 them.

5 The difficulty registering for the online
6 meetings appoints to increasing the opportunity for a
7 public comment by extending the period. The difficulty
8 getting into these meetings -- the greatest part I
9 believe has been caused by an unnecessary filtering of
10 participation through registration at Eventbrite. And
11 I've spoken with Mr. Wayland directly regarding this
12 matter, but I just wanted to be on the record that
13 telling people through the Eventbrite web page, up to
14 an hour prior to that meeting, having told the people
15 that the tickets to the meeting were closed was wrong
16 and prevented public participation in this meeting. I
17 think that should be corrected in the future and more
18 clear and direct information on how to participate in
19 these electronic meetings should be provided to the
20 public.

21 Also, the comment period should be extended
22 regarding the oil -- the Uinta Basin oil railroad
23 environmental impact statement by the sheer size of
24 that environmental impact statement and the ongoing
25 health emergency actually declared in the federal

1 government, health emergency, that is the Covid-19.
2 With the size of the environmental impact statements
3 and the limited amount of the ability of people to
4 review that document and materials in a reasonable
5 matter also justifies an extension of the comment
6 period.

7 JENNIFER PIGGOTT: Thirty seconds
8 remaining.

9 LIONEL TREPANIRE: I am just getting
10 started. There is so much more to say. I want to say
11 that this -- that the Board -- I urge you to deny this
12 project, deny a permission for this project because of
13 the devastating climate change, impacts that the
14 project would certainly cause and also because there's
15 not a -- in the future, there's not the public need to
16 support this railroad.

17 And finally, I would urge the Board to deny
18 the request for an exemption because the use of this
19 railroad currently is merely speculative. And the
20 transportation merits proceeding is justified in this
21 instance. Thank you for the opportunity to comment.

22 JENNIFER PIGGOTT: Thank you for your
23 comments.

24 Our next speaker, Johnny Giles. I see your
25 hand is raised that you would like to expand upon your

1 comments. I am going to ask you to unmute.

2 JOHNNY GILES: Hi, can you hear me,
3 Jennifer?

4 JENNIFER PIGGOTT: I can hear you. Go
5 ahead. You have another three minutes.

6 JOHNNY GILES: Yeah, I would just like to
7 expand on John Prehn's comments and this is kind of
8 like a Monte Python show and possibly the worst project
9 ever.

10 I would just have to add that possibly the
11 bridge project should be good competition to it, the
12 worst project ever in the nomination. They want to
13 provide an 85-mile road through the Book Cliffs just
14 east of this project, which would also be a huge
15 environmental impact. Both of these projects would be
16 funded by the UPCI fund, which should not be used for
17 these type of projects.

18 Another project that probably would be in
19 the running for worst ever projects is the inland port
20 in Salt Lake City. And all these projects are promoted
21 by a very small handful of people in Utah including the
22 Utah Legislature. And the citizens of Utah should just
23 be very concerned about projects like this that spend
24 millions and millions of dollars by people on boards
25 and in committees that are not elected by citizens.

1 So I would just extend to everybody an
2 invitation to do some more homework on these projects.
3 That's my comment.

4 JENNIFER PIGGOTT: Thank you for your
5 comments.

6 I see we have a hand raised by a
7 participant identified as "Idaho." I am going to ask
8 you to unmute.

9 IDAHO: Unmute? Can you hear me now?

10 JENNIFER PIGGOTT: I can hear you. You
11 have three minutes.

12 IDAHO: Okay. My main concern is simple as
13 this. I don't know if you are familiar with the Short
14 Line Railroad line that goes from the UP system up to
15 INL, Idaho National Laboratories. Idaho National
16 Laboratories a number of years ago stopped them from
17 putting on the -- [audio distortion].

18 JENNIFER PIGGOTT: Ma'am, I apologize for
19 interrupting, but it's very difficult -- most of what
20 you are saying is not coming through clearly, at all.
21 And we are not able to make out what you are saying.
22 Are you able to get closer to a microphone or perhaps
23 call in?

24 IDAHO: Well, I am on a -- [audio
25 distortion] now. I'm looking at better signal aspects.

1 Am I talking too fast? Is it a signal issue?

2 JENNIFER PIGGOTT: I'm not sure. You can
3 try again.

4 IDAHO: Try again. Yes. Continue now?

5 JENNIFER PIGGOTT: Yes, please do.

6 IDAHO: I was saying -- I will make it
7 short. The railroad track of the UP railroad system,
8 Union Pacific has a number of locations throughout the
9 west where they put uranium materials as storage and
10 also as ballast on the railroad tracks. And I'm sure
11 Utah has considerable amounts of it because Arizona
12 made them remove it and so did INL in Idaho on those
13 Short Line.

14 We would very much not to see that used in
15 any way whatsoever in the Uinta Basin. And since you
16 have the monies, we're also concerned that you actually
17 do the readings on the track balasts because these
18 things will leach into streams, other ways they get off
19 of the tracks and contaminate a much larger area.

20 Now, this stuff is put on all over the west
21 by the Union Pacific Railroad. Millions of tons are
22 spread out there. And so we're concerned that you in
23 Utah take a closer look at your tracks and where it is
24 and look at removal and in no way spread more of it
25 into the Uinta Basin.

1 My full name is Idaho Law. And I'm a
2 candidate for U.S. Senate, Idaho. And I am a
3 specialist in this area. Thank you for your time and
4 your awareness. And we will take a closer look at the
5 railroad lines in Utah and see what kind of public data
6 has been done by citizen scientists or EPA or anybody
7 else regarding the locations of materials -- [audio
8 distortion] Can you hear me?

9 JENNIFER PIGGOTT: Yes. Thank you for your
10 comments.

11 Ladies and gentlemen, we've heard from
12 everyone who's requested to speak and still have some
13 time remaining. Is there anyone who hasn't already
14 spoken who would like to provide a comment this
15 afternoon?

16 William Ingals, I see your hand is raised.
17 I am going to ask you to unmute.

18 WILLIAM INGALS: Hello?

19 JENNIFER PIGGOTT: Yes, go ahead. You have
20 three minutes.

21 WILLIAM INGALS: Yes. This will be very
22 short. I believe the environmental impact statement
23 should consider the full impact of exploration,
24 drilling and production, plus the eventual combustion
25 of fossil fuels on the environment.

1 With our climate at a tipping point and air
2 quality in the Uinta Basin already exceeding federal
3 standard, a four-fold increase of fossil fuels
4 production along with exploration and drilling will
5 contribute considerably to the greenhouse emission and
6 climate change. And that's all I have. Thank you.

7 JENNIFER PIGGOTT: Thank you for your
8 comments.

9 Mr. Law, I see your hand is raised again.
10 I am going to ask you to unmute.

11 IDAHO LAW: Okay. Can you hear me clearly?

12 JENNIFER PIGGOTT: Yes.

13 IDAHO LAW: Okay. I'm just concerned about
14 what access I would have for these testimonies and this
15 information. I am a reporter too, and I like to make
16 public documents with my team of editors and especially
17 in certain topic areas, even the ones in Utah about
18 information shared by the public. So I would like
19 access, hopefully in digital form, for some of that
20 testimony or as much as we deem worthy or concerned of
21 with our editors and people who work on the stories and
22 information for Utah and other elements that were
23 mentioned in my reporting earlier.

24 So where would I have access to that since
25 this is a public hearing? Collecting public

1 transcripts or public data, and we would like access to
2 that. So, this is more of a question of information
3 than testimony.

4 JENNIFER PIGGOTT: Yes. Additional
5 information can be found on the project website at
6 www.uintabasinrailwayeis.com. And eventually the final
7 EIS will also be posted there.

8 IDAHO LAW: What about the testimonies of
9 individuals? Will that be present there? And if so,
10 when? The final EIS report, final impact reports do
11 not always contain testimonies. Sometimes they just
12 contain topic-grouped areas. I know from my
13 participation in the past.

14 So, when, and will these testimonies, and
15 will they be as individuals available?

16 JENNIFER PIGGOTT: Okay. Thank you for
17 your comments. Again, additional information will be
18 made public on the project website at
19 www.uintabasinrailwayeis.com.

20 IDAHO LAW: Okay. Thank you.

21 JENNIFER PIGGOTT: Thank you.

22 Mr. Fordham, I also see that your hand is
23 raised to elaborate on your previous comments. I am
24 going to ask you to unmute.

25 DARRELL FORDHAM: Yeah. To continue my

1 comments, Drexel Hamilton Infrastructure Partners, the
2 private equity firm that is allegedly going to finance
3 the construction of this railway has not signed a
4 contract with the committed funds in place to construct
5 the railway.

6 The current contract with the Coalition
7 allows them up to five years to put the financing in
8 place with an option for an additional five-year
9 extension beyond that. If this railway is so needed
10 for the oil industry and the other Field-of-Dreams
11 industries that will purportedly come after it is
12 built, then where is their money? Why isn't there a
13 secured contract backed by secured financing in place
14 for this project? Why hasn't Drexel Hamilton paid for
15 the planning already and gambled their own \$27.9
16 million on the project instead of the Coalition
17 gambling the public's money on it?

18 The fact is that if Drexel Hamilton decides
19 not to proceed with the project, the \$29.9 million that
20 the Coalition has spent planning the project will be
21 wasted.

22 Nearly \$28 million of public money, money
23 that could have and should have been used to pay for
24 utility projects, police and fire and municipal
25 buildings, rural health facilities, et cetera,

1 throughout all of rural Utah. Do those of you who live
2 in rural Utah understand that? I don't think that you
3 do. Because the Coalition has gone to great lengths to
4 assure the public that this money will not be wasted
5 and lost if the construction on this project does not
6 commence.

7 Come on people. Follow the money. No one
8 should be given approval to construct a project of this
9 size and scope without first having guaranteed funds in
10 place, not only to cover the cost of construction, but,
11 also, to absolutely guarantee that all of the required
12 mitigation measures are implemented in their entirety.

13 Should the Surface Transportation Board
14 approve any alternative other than the No-Action
15 Alternative, it should and must be contingent upon the
16 Coalition verified financing for the project to include
17 all mitigation costs. And it should be stipulated that
18 the monies required for mitigation be held in trust and
19 be set aside prior to construction commencement. So if
20 construction commences and is then delayed or abandoned
21 entirely, money exists to fully mitigate and remediate
22 any and all associated impacts.

23 The Coalition itself does not have
24 sufficient financial resources requisite to pay for the
25 mitigation costs associated with a project of this

1 scale.

2 In addition, it is likely that the public
3 and private landowners would be faced with funding an
4 extremely expensive legal battle in order to force the
5 Coalition and/or Drexel Hamilton and its partners to
6 pay for the mitigation and remediation that may be
7 required. For all of the public, specifically Uinta
8 Basin residents --

9 JENNIFER PIGGOTT: Thirty seconds.

10 DARRELL FORDHAM: -- are you willing to
11 foot the bill if construction commences and isn't
12 completed due to unanticipated construction costs, low
13 crude oil prices, changes in crude oil market
14 conditions, and lack of investor confidence,
15 bankruptcy, recession, future pandemics or many other
16 possible factors which could delay or suspend
17 construction? Are you willing to bear incredibly
18 expensive tax increases to pay for mitigation of this
19 project should the project investors and proponents
20 declare bankruptcy and go belly-up before the project
21 is completed and generating revenue?

22 Have you thought about the possibilities?
23 Who is going to protect the public and the environment?
24 Who has the millions of dollars to fight the project
25 proponents in court should they suspend or abandon the

1 project after it is commenced? Are you personally
2 willing to foot that bill --

3 JENNIFER PIGGOTT: Time.

4 DARRELL FORDHAM: -- I'm not.

5 JENNIFER PIGGOTT: Thank you for your
6 comments. Our next speaker is Mike Hyde. Mr. Hyde, I
7 am going to ask you to unmute.

8 MIKE HYDE: Hello, this is Mike Hyde. I'm
9 a resident Roosevelt, Utah, one of the few speakers
10 today who actually lives in the project area.

11 What we have heard today are not
12 substantive comments, but the height of hypocrisy. The
13 people from the Salt Lake area lecturing us in the
14 Uinta Basin on air pollution, climate change, water
15 quality, et cetera, while they themselves live in the
16 midst of the most polluted area of the state. During
17 the winter, you have to chew the air in Salt Lake
18 before you can breathe it. And that air drifts
19 eastward into the Uinta Basin and contributes to our
20 wintertime ozone problems.

21 There's a full range of infrastructure in
22 the Salt Lake valley, including railways, freeways and
23 airports, which have enabled that area to prosper
24 economically. In contrast, the Uinta Basin has been
25 left behind when it comes to such prosperity, the main

1 reason is that the basin is subject to the booms and
2 busts of the oil and gas industry. Due to the lack of
3 transportation infrastructure, we in the basin are at a
4 competitive disadvantage when it comes to attracting
5 new companies that might help diversify our economy.

6 Duchesne County and Uintah County have been
7 found by the department of workforce services to have
8 the least diversified economies in the state. If the
9 oil and gas industry dies as some of the climate change
10 activists speaking today suggest, the rail line will
11 still be here to help support new industries who might
12 be attracted here for our better quality of life, less
13 crime, less traffic and lower land costs.

14 The DEIS does a great job of analyzing the
15 environmental impacts and how mitigation would minimize
16 those impacts. I am in full support of the project.
17 Thank you.

18 JENNIFER PIGGOTT: Thank you for your
19 comments.

20 Mr. Fordham, I see your hand raised. I am
21 going to ask you to unmute.

22 DARRELL FORDHAM: Yeah. Just a couple of
23 final sentences. I'm just asking, you know, is the Ute
24 Indian tribe prepared to foot the bill since they will
25 be equity partners in the construction and operation of

1 the railway? Both our federal, state and local
2 governments exist to protect the public and the
3 environment from such possibilities. Yet, I can find
4 nothing in any of the project planning permitting
5 procedures or Draft EIS to address and accommodate such
6 possibilities. Why not? Thank you.

7 JENNIFER PIGGOTT: Thank you for your
8 comments.

9 Ladies and gentlemen, thank you for
10 participating in this online public meeting. All
11 comments, whether submitted orally, electronically
12 through the project website or in writing through the
13 U.S. Mail will receive equal consideration in preparing
14 the final EIS. Please submit your comments
15 electronically via the Board-sponsored public website
16 at www.uintabasinrailwayeis.com or you can mail your
17 comments to Josh Wayland, Surface Transportation Board,
18 c/o ICF, 9300 Lee Highway, Fairfax, Virginia 22031,
19 Attention: Environmental filing, Docket No. FD 36284.

20 To be considered in the final EIS, all
21 substantive comments should be received or postmarked
22 by the close of the comment period on December 14th,
23 2020 . Remember that the Draft EIS is available on the
24 Board-sponsored project website at
25 www.uintabasinrailwayeis.com and at libraries in the

1 project area.

2 Ladies and gentlemen, thank you for your
3 participation and interest. This meeting is adjourned.

4 (Adjourned at 4:02 p.m.)

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