



**Surface Transportation Board  
Uinta Basin Railway Environmental Impact Statement  
Section 106 Consulting Parties Teleconference Notes  
August 26, 2020**

Meeting Participants

Surface Transportation Board (STB), Office of Environmental Analysis (OEA) – Alan Tabachnick, Joshua Wayland  
Bureau of Indian Affairs (BIA) – Garry Cantley  
U.S. Forest Service (USFS) – Jeffrey Rust  
Bureau of Land Management (BLM) – Roger Bankert, Nicole Lohman, Bill Reitze  
Utah State Historic Preservation Officer (SHPO) – Chris Merritt  
Utah Public Land Policy Coordinating Office (PLPCO) – Kris Carambelas  
Utah School and Institutional Trust Lands (SITLA) – Joel Boomgarden  
Utah Department of Transportation (UDOT) – Liz Robinson  
Carbon County – Casey Hopes  
Duchesne County – Gregory Todd  
Uintah County – Ross Watkins  
Seven County Infrastructure Coalition (Coalition) – Mike McKee  
HDR – Andrea Clayton, Catherine Dobbs, Kevin Keller, Doree Magiera  
Jones and DeMille – Brian Barton  
Venable – Maggie Fawal, Kathryn Floyd  
SWCA – Kelly Beck  
Colorado Plateau Archeological Alliance – Jerry Spangler  
Nine Mile Canyon Coalition – Dennis Willis  
Utah Rock Art Research Association – Troy Scotter  
ICF – Colleen Davis, Debi Rogers, Mikenna Wolff

Introductions, Background, and Project Updates

- There have been no changes to the list of Consulting Parties and no changes to the project design since our last meeting.

Programmatic Agreement (PA) Workshop

- Alan Tabachnick (OEA) gave an overview of the PA development to date. The Draft PA was distributed on August 21, 2020 for a 30-day review period, after which, the revised PA will be included in the Draft EIS. However, there will be additional opportunities for consultation and PA revisions later in the process.
- Troy Scotter (URARA) did not receive the PA on Friday. Alan will send him a copy.

- Colleen Davis (ICF) gave an overview of the structure of the PA. The first few pages are the "Whereases" or the Recitations. If anyone has suggestions for additions or revisions to these clauses, OEA would appreciate the input.
- Stipulations
  - Stipulation III specifically discusses consultation with the Ute Tribe because the project crosses their land. Stipulation IV discusses consultation with all other parties.
  - Stipulation VI lays out a process for potential adjustments to the APE based on potential visual effects, provides guidance on the coordination and execution of field surveys, and lays out the evaluation process for properties identified in the field surveys.
  - Dennis Willis (Nine Mile Canyon Coalition) asked if the field survey work is already underway. Alan clarified that the Coalition has done reconnaissance-level survey work on portions of the three alternatives. This information is being used to inform OEA's Technical Memo. However, this work only covers a small portion of each alternative, so more field surveys will be done as the project moves forward.
  - Nicole Lohman (BLM) asked about the use of the term "concurrence" from the Ute Tribe. She suggested changing this to a different term (ex. "agreement") unless OEA is specifically requesting concurrence under Section 106.
    - Colleen also clarified that a Whereas clause has been included stating that the Ute Tribe does have the responsibility of concurrence under Section 106, even though they do not have a THPO.
  - Stipulation VII lays out the process for assessment of effects as they apply to a phased identification PA.
  - Stipulation VIII details the process by which the Technical Reports will be developed and distributed to all Consulting Parties.
  - Jeff Rust (USFS) said this is a great draft PA. He suggested that OEA include a measure in Stipulation VIII that they will get some sort of agreement from the landowners along the preferred alternative. This will be important so the federal land management agencies can use the Technical Reports for their Section 106 process as well.
  - Chris Merritt (Utah SHPO) suggested splitting Stipulation VIII into two tiers of initial review - the first tier being OEA's review and the second tier being review by land management agencies. He also requested that Utah SHPO be involved at an earlier stage in the review process, so they are not a bottleneck in agreement.
  - Kevin Keller (HDR) noted that the inclusion of some sort of timeline would be helpful.
  - Stipulation IX discusses the Historic Properties Treatment Plan and how OEA plans to mitigate adverse effects.
  - Stipulation X provides for training of construction personnel to ensure basic understanding of historic properties and their importance.

### Next Steps

- The next workshop on the PA will be held on September 9, 2020 at 1:00pm Mountain Time.
- Consulting Party Actions
  - Consulting Parties should send written comments on the Draft PA to Alan Tabachnick by September 21, 2020.
- OEA Actions
  - Alan Tabachnick will send the Draft PA to Troy Scotter (URARA).
  - ICF will send out a calendar invitation for the second PA workshop on September 9, 2020.