

FINAL ENVIRONMENTAL ASSESSMENT

APPENDICES

DOCKET NO. FD 36616

Savage Tooele Railroad Company – Construction and Operation – Line of Railroad
in Tooele County, Utah.



Information Contact:

Andrea Poole, Environmental Protection
Specialist

Surface Transportation Board
Office of Environmental Analysis
395 E St SW
Washington, D.C. 20423

202.245.0305



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Acronyms

AADT	Annual average daily traffic
ACS	American Community Survey
APE	Area of potential effects
AREMA	American Railway Engineering and Maintenance-of-Way Association
Board	Surface Transportation Board of the United States
BTS	Bureau of Transportation Statistics
Btu	British thermal units
CAA	Clean Air Act
CCSP	U.S. Climate Change Science Program
CEQ	Council on Environmental Quality
C.F.R.	Code of Federal Regulations
CH ₄	Methane
CO	Carbon monoxide
CO ₂	Carbon dioxide
CO ₂ e	Carbon dioxide equivalent
Corps	U.S. Army Corps of Engineers
CWA	Clean Water Act
dB	Decibels
dBA	A-weighted decibels
DOT	Department of transportation
EA	Environmental Assessment
EJ	Environmental Justice
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act of 1973
FAQs	Frequently asked questions
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration

FRA	Federal Railroad Administration
FTA	Federal Transit Administration
GIS	Geographic information systems
GHG	Greenhouse gas
HAPs	Hazardous air pollutants
Hazmat	Hazardous materials
HCM	Highway Capacity Manual
HPMS	Highway Performance Monitoring System
HUD	U.S. Department of Housing and Urban Development
Hz	Hertz
ICC	Interstate Commerce Commission
ICCTA	Interstate Commerce Commission Termination Act
IPaC	Information for Planning and Consultation
IPCC	Intergovernmental Panel on Climate Change
Ldn	Day-night average noise levels
Leq	Energy-average noise level
LOS	Level of Service
mGTs	Million gross tons
MM	Mitigation measure
MP	Milepost
mph	Miles per hour
NAAQS	National Ambient Air Quality Standards
National Register	National Register of Historic Places
NCA4	Fourth National Climate Assessment
NCA5	Fifth National Climate Assessment
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act of 1966
N ₂ O	Nitrous oxide
NO ₂	Nitrogen dioxide
NO _x	Nitrogen oxides

NRC	National Research Council
NRCS	Natural Resources Conservation Service
O ₃	Ozone
OEA	Office of Environmental Analysis
OFCM	Office of the Federal Coordinator for Meteorological Services and Supporting Research
OSHA	Occupational Safety and Health Administration
PM	Particulate matter
QZRI	Quiet Zone Risk Index
RCP	Representative Concentration Pathway
ROW	Right-of-way
RSIP	Residential Sound Insulation Program
SEL	Sound exposure level
SHPO	State Historic Preservation Office
SIP	Safety Integration Plan
SO ₂	Sulfur dioxide
SSM	Supplemental safety measure
SWPPP	Stormwater prevention pollution plan
THPO	Tribal Historic Preservation Office
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGCRP	U.S. Global Change Research Program
USGS	U.S. Geological Survey
USDOT	U.S. Department of Transportation
VdB	Decibels (vibration)
VM	Voluntary measure
VOC	Volatile organic compound

Appendix A

Agency and Tribal Consultation

Appendix A

Agency and Tribal Consultation

A.1 Introduction

This appendix discusses consultation on the development of this Draft Environmental Assessment (EA). Consultation is described for the following three categories:

- Agency Consultation
- Government-to-Government Tribal Consultation
- Section 106 Consultation

Copies of relevant consultation correspondence are provided in Attachments 1, 2, and 3. Other correspondence not included in this appendix can be found on the Surface Transportation Board (Board) website under environmental correspondence.

A.2 Agency Consultation

Agency Consultation describes the Board's Office of Environmental Analysis (OEA) written correspondence with federal, state, and local agencies. OEA sent initial agency consultation letters to 40 federal, state, and local agencies between October 4, 2022, and October 27, 2022. These letters informed agencies of the project and requested preliminary information and comments from the agencies about resources to consider in the environmental review. Between October 12 and November 9, 2022, nine agencies or elected officials responded to these initial consultation letters (see **Table A.2-1**).

Attachment 1 contains OEA's written correspondence with federal, state, and local agencies.

Table A.2-1. Agencies Consulted and Dates of Written Correspondence

Agency	Dates of Written Correspondence
Federal Agencies	
Federal Emergency Management Agency (FEMA)	From OEA to FEMA 10/4/2022
National Park Service (NPS)	From OEA to NPS 10/4/2022
National Oceanic and Atmospheric Administration (NOAA)	From OEA to NOAA 10/4/2022
U.S. Army Corps of Engineers (Corps)	From OEA to the Corps 10/4/2022
U.S. Army, Tooele Army Depot	From OEA to U.S. Army, Tooele Army Depot 10/4/2022
U.S. Department of Agriculture Natural Resources Conservation Service (NRCS)	From OEA to NRCS 10/4/2022
U.S. Department of the Interior Bureau of Indian Affairs (BIA)	From OEA to BIA 10/4/2022 From BIA to OEA 10/12/2022
U.S. Environmental Protection Agency (EPA)	From OEA to EPA 10/4/2022 From EPA to OEA 11/3/2022
U.S. Fish and Wildlife Service (USFWS)	From OEA to USFWS 10/4/2022
U.S. Housing and Urban Development (HUD)	From OEA to HUD 10/4/2022
State Elected Officials	
Douglas Sagers, Utah House of Representatives District 21	From OEA to Representative Douglas Sagers 10/24/2022 From Representative Douglas Sagers 11/9/2022
State Agencies	
Utah Department of Cultural and Community Engagement	From OEA to Utah Department of Cultural and Community Engagement 10/4/2022
Utah Department of Cultural and Community Engagement – Division of Indian Affairs (DIA)	From OEA to Utah Department of Cultural and Community Engagement - DIA 10/4/2022
Utah Department of Environmental Quality (Utah DEQ)	From OEA to Utah DEQ 10/4/2022
Utah Department of Transportation (UDOT)	From OEA to UDOT 10/4/2022 From UDOT to OEA on 11/2/2022
Utah Public Lands Policy Coordinating Office (PLPCO)	From OEA to PLPCO 10/4/2022
Utah State Historic Preservation Office (Utah SHPO)	From OEA to Utah SHPO 10/27/2022 From Utah SHPO to OEA on 10/28/2022
Local Agencies	
City of Grantsville City Manager	From OEA to Grantsville City Manager 10/4/2022
City of Grantsville Mayor	From OEA to City of Grantsville Mayor 10/4/2022
City of Grantsville Planning & Community Development	From OEA to Grantsville Planning & Community Development 10/4/2022

City of Grantsville Soil Conservation District	From OEA to Grantsville Soil Conservation District 10/4/2022
Erda City Council	From OEA to Erda City Council 10/4/2022 From Erda City Council to OEA 10/17/2022
Erda Planning Commission	From OEA to Erda Planning Commission 10/4/2022
Grantsville City Council	From OEA to Grantsville City Council 10/4/2022
Grantsville City Police Department	From OEA to Grantsville City Police Department 10/4/2022
Tooele City Engineering	From OEA to Tooele City Engineering 10/4/2022
Tooele City Mayor's Office	From OEA to Tooele City Mayor's Office 10/4/2022
Tooele City Parks & Recreation	From OEA to Tooele City Parks & Recreation 10/4/2022
Tooele City Police Department	From OEA to Tooele City Police Department 10/4/2022
Tooele City Public Works	From OEA to Tooele City Public Works 10/4/2022
Tooele County Clerk's Office	From OEA to Tooele County Clerk's Office 10/4/2022
Tooele County Council District 4	From OEA to Tooele County Council District 4 10/4/2022
Tooele County Council District 5	From OEA to Tooele County Council District 5 10/4/2022
Tooele County Department of Economic Development/Planning and Zoning	From OEA to Tooele County Department of Economic Development/Planning and Zoning 10/4/2022
Tooele County Department of Health Services	From OEA to Tooele County Department of Health Services 10/4/2022 From Tooele County Department of Health Services 11/7/2022
Tooele County Emergency Medical Services (EMS) Council	From OEA to Tooele County EMS Council 10/4/2022 From Tooele County EMS Council to OEA 10/16/2022
Tooele County Manager	From OEA to Tooele County Manager 10/4/2022 From Tooele County Manager to OEA 10/12/2022
Tooele County Parks Department	From OEA to Tooele County Parks Department 10/4/2022
Tooele County Roads Department	From OEA to Tooele County Roads Department 10/4/2022

As indicated in EA Chapter 1, the following describes the agency consultation process in more detail to agencies including the U.S. Environmental Protection Agency (EPA), U.S. Army Corps of Engineers (Corps), U.S. Fish and Wildlife Service (USFWS), and state and local agencies.

A.2.1 U.S. Environmental Protection Agency (EPA)

EPA engages in the NEPA process through a range of statutes. EPA has broad oversight and implementing responsibility for federal environmental laws, including the Clean Air Act (42 U.S.C. §§ 7401-7671q), the Clean Water Act (33 U.S.C. §§1251-1387), the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. Chapter 103), the Toxic Substances Control Act (15 U.S.C. §§ 2601-2629), and the Resource Conservation and Recovery Act (40 U.S.C. §§ 6901-6992k). OEA consulted with EPA Region 8 during agency consultation in October and November 2022. EPA responded in a comment letter which can be found in Attachment 1 and the letter was used in preparation of the Draft EA.

A.2.2 U.S. Army Corps of Engineers (Corps)

The Corps is part of the U.S. Department of Defense, under the Secretary of the Army. The Corps, under Section 404 of the Clean Water Act (33 U.S.C. § 1344), has jurisdiction over activities that result in the discharge of dredge or fill material into any waters of the United States, including lakes, rivers, streams, oxbows, ponds, and wetlands. Activities within these waters of the United States could require Section 404 permits from the Corps. OEA sent a letter to the Corps during agency consultation in October and November 2022.

A.2.3 U.S. Fish and Wildlife Service (USFWS)

USFWS is the federal agency with primary expertise in fish, wildlife, and natural resource issues. USFWS is responsible for implementing the Endangered Species Act (ESA) and is also responsible for implementing the Migratory Bird Treaty Act (16 U.S.C. §§ 703-712) and the Bald and Golden Eagle Protection Act (16 U.S.C. §§ 668-668d). Under Section 7 of ESA, USFWS is responsible for the review of federal agency actions and potential impacts on threatened and endangered species, and could issue a determination, in the form of a biological opinion, that details projected impacts on threatened and endangered species in the area of a proposed agency action. As the lead agency for this proposal, the Board is responsible for initiating Section 7 consultation with USFWS. OEA used the EA process to concurrently complete and document compliance with Section 7. OEA sent a letter to USFWS during agency consultation in October and November 2022.

A.2.4 State and Local Agencies

The Proposed Action would affect one state, Utah. OEA consulted with relevant state agencies including departments of transportation, environment, and conservation, as well as SHPO. UDOT is the state agency with jurisdiction over new rail crossings at roadways and ensuring compliance with UDOT Administrative Rule R930-5, the requirements for new

crossings. **Section Error! Reference source not found. Consultation and Outreach**, describes the agency consultation process in more detail.

The LBP under development that would be accessed by the proposed line was subject to a local review and approval process. The LBP does not have a federal nexus that requires environmental review in compliance with NEPA. However, this EA includes an assessment of the site as a reasonably foreseeable cumulative impact in **Section 3.13, Cumulative Impacts**.

A.3 Government-to-Government Tribal Consultation

OEA sent letters to the federally recognized tribes pursuant to the National Environmental Policy Act (NEPA) and Executive Order 13175 (see **Table A.3-1**). Executive Order 13175 requires that federal agencies conduct government-to-government consultations with federally recognized Indian tribes in the development of federal policies (including regulations, legislative comments or proposed legislation, and other policy statements or actions) that have tribal implications. Tribes may have concerns about natural resources and other potential impacts that would not be brought up during the Section 106 process under the National Historic Preservation Action (NHPA), which is described below and these concerns can be voiced during government-to-government consultation if Tribes chose to consult.

Attachment 2 contains OEA’s written correspondence with federally recognized tribes listed below. To date, no response letters have been received.

Table A.3-1. Government-to-Government Consultation Dates of Written Correspondence

Tribes	Dates of Written Correspondence
Confederated Tribes of the Goshute Reservation, Nevada and Utah	From OEA to Confederated Tribes of the Goshute Reservation 10/24/22
Shoshone-Bannock Tribes of the Fort Hall Reservation (Shoshone-Bannock Tribes)	From OEA to Shoshone-Bannock Tribes 10/24/22
Skull Valley Band of Goshute	From OEA to Skull Valley Band of Goshute 10/27/22
Ute Indian Tribe of the Uintah and Ouray Reservation, Utah (Ute Indian Tribe)	From OEA to Ute Indian Tribe 10/18/22

[Additionally, OEA contacted the tribes listed in the table above by telephone between the Draft EA and Final EA and either their telephone had been disconnected, there was no answer, and a message could not be left, or a message was left, and no response was received.](#)

A.4 Section 106 Consultation under the National Historic Preservation Act

The Section 106 regulations at 36 Code of Federal Regulations (C.F.R.) Part 800 require federal agencies to consider the impact of their “undertakings” on “historic properties” listed or eligible for listing in the National Register of Historic Places prior to licensing or providing funds for a project. In considering project impacts, federal agencies are required to consult with their applicants (Savage Tooele Railroad, the Applicant, or STR), the state historic preservation officer (SHPO), tribes, and other consulting parties, including representatives of local government and certain persons or groups with a demonstrated interest in the undertaking (see Error! Reference source not found.).

OEA participated in a meeting with SHPO via Microsoft Teams. The purpose was to discuss the Section 106 process to date and the efforts needed to complete the Section 106 process if the proposed action is licensed.

Attachment 3 contains OEA’s written correspondence with the Section 106 consulting parties identified in the table below. Four individuals from three parties accepted OEA’s invitation to participate in the Section 106 process as Consulting Parties:

- Brent D Hunt, Sons of Utah Pioneers (Email on 4/28/23)
- Albert Bottema, Sons of Utah Pioneers (Email on 4/28/23)
- Glen Stevens, Tooele Pioneer Museum (Email on 4/28/23)
- Terry Miner, Erda City Council (Mail on 4/14/23)

Table A.4-1. Section 106 Consulting Parties – Dates of Written Correspondence

Consulting Party	Dates of Written Correspondence
City of Erda City Council Chair	From OEA to City of Erda City Council Chair 4/4/2023 From Terry Miner, Erda City Councilmember to OEA 4/14/23
City of Grantsville Mayor	From OEA to City of Grantsville Mayor 4/4/2023
Confederated Tribes of the Goshute Reservation, Nevada and Utah	From OEA to Confederated Tribes of the Goshute Reservation 4/4/2023
Grantsville Historic Preservation Commission (HPC)	From OEA to Grantsville HPC 4/4/2023
Shoshone-Bannock Tribes of the Fort Hall Reservation	From OEA to Shoshone-Bannock Tribes 4/4/2023
Skull Valley Band of Goshute	From OEA to Skull Valley Band of Goshute 4/4/2023
Tooele County Council Chair	From OEA to Tooele County Council Chair 4/4/2023
Tooele County Historic Preservation Commission (HPC)	From OEA to Tooele County HPC 4/4/2023
Tooele Pioneer Museum	From OEA to Tooele Pioneer Museum 4/4/2023

Table A.4-1. Section 106 Consulting Parties – Dates of Written Correspondence

Consulting Party	Dates of Written Correspondence
	From Tooele Pioneer Museum (Sons of Utah Pioneers) to OEA 4/28/23
Tooele Valley Museum and Historical Park	From OEA to Tooele Valley Museum and Historical Park 4/4/2023
Ute Indian Tribe of the Uintah and Ouray Reservation, Utah	From OEA to Ute Indian Tribe 4/4/2023

Attachment 1 Agency Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Nancy Dragani
Regional Administrator
Federal Emergency Management Agency
Denver Federal Center, Building 710
P.O. Box 25267
Denver, CO 80255-0267

By email at nancy.dragani@fema.dhs.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Nancy Dragani:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

Project Background

STR is a non-carrier, wholly owned subsidiary of Savage Enterprises, LLC both of which are subsidiaries of the Savage Companies (founded in Utah in 1946). STR is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct

approximately five miles of new railroad line to extend the reinstated railroad line to and into a planned developed business and industrial park in Grantsville, Utah, shown in the attached Figure 1. STR would construct track within the business park pursuant to a lease and/or a permanent easement obtained from the business park owners. STR anticipates that the track construction within the park would be phased in over time as the park secures new tenants. The approximately eleven miles of railroad line would re-establish the former branch line's connection to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah, and STR would provide common carrier service over the combined reinstated rail line and newly constructed track to enable tenants of the business park to receive and ship commodities by rail.

Request for Comments

OEA would like to hear from you regarding whether this proposal would require permitting, should additional fieldwork be needed, or any other requirements or concerns from your agency. Please submit your response within 30 days, so that we may begin the process of identifying the potential impacts of the proposed project.

All filings and other submissions can be submitted electronically through the Board's website at <https://stb.gov>. To submit a comment, select "File an Environmental Comment" (below the "Need Assistance?" button) on the Board's home page. Please make sure to refer to Docket No. FD 36616 in all correspondence, including e-filings, addressed to the Board. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

You may also send written comments to Andrea Poole, OEA's Project Manager for the environmental review by mail to:

Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

While paper filings are once again being accepted in accordance with the Board's regulations, stakeholders are strongly encouraged to continue to submit filings via the Board's e-filing system and to consent to e-service of decisions.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Danielle Gosselin".

Danielle Gosselin

Director

Office of Environmental Analysis

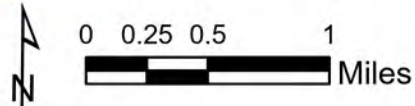
Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Proposed Rail Line
 Existing Railroad



Attachment 1: Proposed Rail Line Location Map

Docket No. FD 36616
 Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

The below table lists all Federal, State and local agencies and Tribal Nations contacted by the Office of Environmental Analysis (OEA) in connection with the above referenced Docket No. FD 36616. Agency name, region/district and contact person is listed for each.

- Melissa McCoy, NEPA Branch Chief, EPA - Region 8
- Yvette Converse, Field Office Supervisor, USFWS - Utah Ecological Services Field Office
- Jason A. Gipson, Branch Chief, USACE - Bountiful Field Office
- Nancy Dragani, Regional Administrator, FEMA - Region 8
- Kelly Jorgensen, Field Office Director, US HUD - Salt Lake City Field Office
- Emily Fife, State Conservationist, USDA - NRCS Utah Office
- Juliana Blackwell, Director, NOAA - National Geodetic Survey
- Eric Dennis, Colonel, US Army - Tooele Army Depot
- Jessie Durham, Acting Regional Director, US Department of the Interior – Indian Affairs Western Division
- Kate Hammond, Acting Regional Director, National Park Service - Regions 6, 7
- Robert Stewart, Region Director, Utah DOT - Region 2
- Jim Golden, Chief Railroad Engineer, Utah DOT - State Safety Oversight
- Chris Merritt, State Historic Preservation Officer, Utah SHPO
- Jill Remington Love, Director, Utah Department of Cultural and Community Engagement
- Dustin Jansen, Division Director, Utah Department of Cultural and Community Engagement Division of Indian Affairs
- Redge Johnson, Executive Director, Utah Public Lands Policy Coordinating Office
- Kimberly Shelley, Executive Director, Utah Department of Environmental Quality
- Rachelle Custer, Director, Tooele County Department of Economic Development/Planning and Zoning
- Andy Welch, County Manager, Tooele County
- Jared Hamner, Councilman, Tooele County Council District 4
- Tom Tripp, Councilman, Tooele County Council District 5

- Jed Bell, Director, Tooele County Roads Department
- Jeff Coombs, Executive Director, Tooele County Department of Health Services
- Tracy Shaw, County Clerk, Tooele County Clerk's Office
- Regina Nelson, Chairperson, Tooele County Emergency Medical Services Council
- Corey Bullock, Director, Tooele County Parks Department
- Neil Johnson, Chair, City of Grantsville Soil Conservation District 13
- Jesse D. Wilson, City Manager, City of Grantsville
- Jeffrey Miller, Planner, City of Grantsville Planning & Community Development
- Jacob Enslin, Chief of Police, Grantsville City Police Department
- Neil A. Critchlow, Mayor, City of Grantsville
- Jess Bird, Chairman, Erda City Council
- Cory Warnick, Chairman, Erda Planning Commission
- Paul Hansen, Contract Engineer, Tooele City Engineering
- Jamie Grandpre, Director, Tooele City Public Works
- Darwin Cook, Director, Tooele City Parks & Recreation
- Adrian Day, Chief of Police, Tooele City Police Department
- Debbie Winn, Mayor, Tooele City
- Lori Bear, Chairwoman, Skull Valley Band of Goshute
- Virgil Johnson, Chairman, Confederated Tribes of the Goshute Reservation, Nevada and Utah
- Tino Batt, Chairman, Shoshone-Bannock Tribes of the Fort Hall Reservation
- Luke Duncan, Chairperson, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
- Betsy Champoos, Director, Cultural Rights and Protection Department, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Kate Hammond
Acting Regional Director
National Parks Service, Regions 6 and 7
12795 West Alameda Parkway
Lakewood, CO 80228

By email at KATE_HAMMOND@NPS.GOV

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Kate Hammond:

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OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Danielle Gosselin".

Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

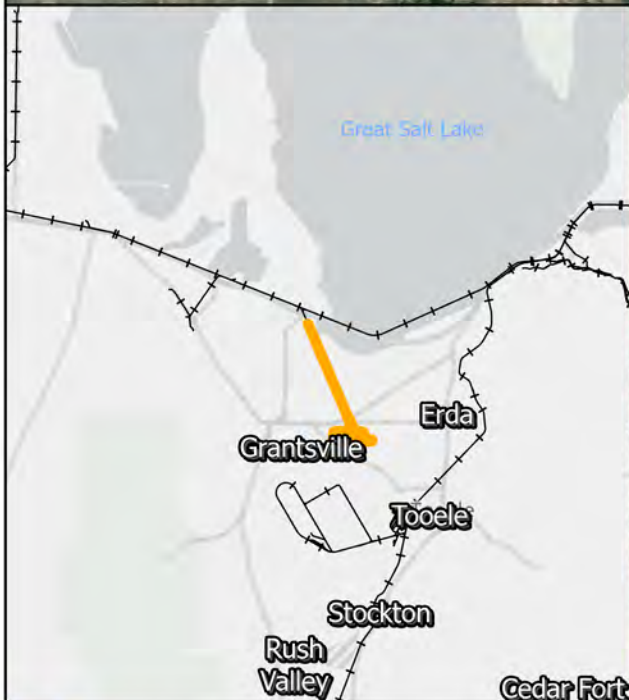
HWY 138



ERDA WAY

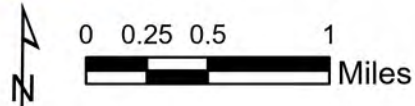
Site of Lakeview
Business Park
(Under Construction)

HIGHWAY
112

HWY 112



 Proposed Rail Line  Existing Railroad



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Juliana Blackwell
Director
NOAA National Geodetic Survey
Communications and Outreach Branch, NOAA, N/NGS12
National Geodetic Survey, SSMC3 #8716
1315 East-West Highway
Silver Spring, MD 20910-3282

By email at juliana.blackwell@noaa.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Juliana Blackwell:

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Request for Comments

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Sincerely,

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Danielle Gosselin

Director

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Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

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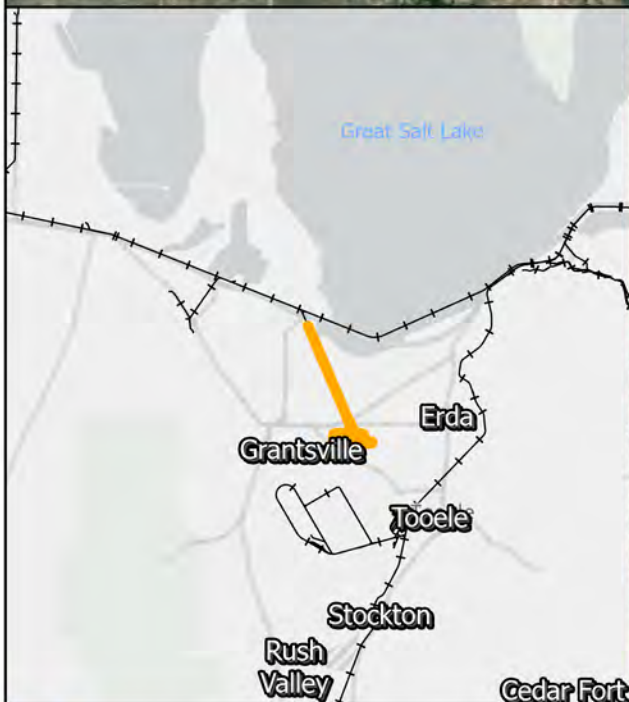
HWY 138

ERDA WAY

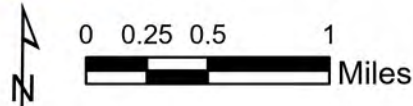
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Proposed Rail Line Existing Railroad



**Attachment 1: Proposed
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Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jason A. Gipson
Branch Chief
United States Army Corps of Engineers
Bountiful Field Office
533 West 2600 South, Suite 150
Bountiful, UT 84010-7744

By email at Jason.A.Gipson@usace.army.mil

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jason A. Gipson:

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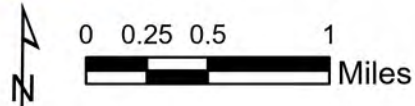
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Proposed Rail Line
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SURFACE TRANSPORTATION BOARD
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SURFACE TRANSPORTATION BOARD
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Office of Environmental Analysis

October 4, 2022

Eric Dennis
Colonel
United States Army
Tooele Army Depot
1 Tooele Army Depot
ATTN: JMTE-CO-PAO
Tooele, UT 84074

By email at usarmy.tead.jmc.list.pao@mail.mil

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Eric Dennis:

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Danielle Gosselin

Director

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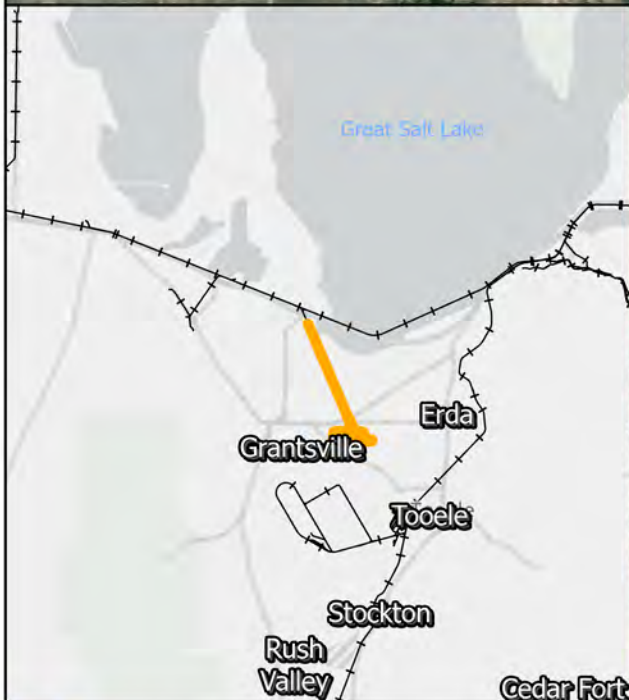
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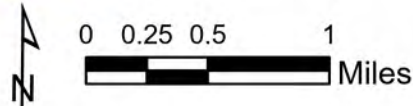
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Emily Fife
State Conservationist
USDA Natural Resources Conservation Service, Utah Office
Wallace F. Bennett Federal Building
125 South State Street, Room 4010
Salt Lake City, UT 84138-1100

By email at emily.fife@usda.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Emily Fife:

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Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Danielle Gosselin".

Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

Great Salt Lake

HWY 138

ERDA WAY

Site of Lakeview
Business Park
(Under Construction)

Grantsville

Erda

Tooele

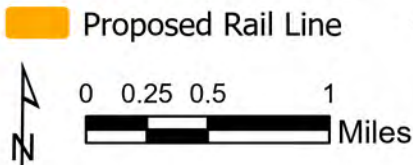
Stockton

Rush
Valley

Cedar Fort

HIGHWAY
112

HWY 112



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

The below table lists all Federal, State and local agencies and Tribal Nations contacted by the Office of Environmental Analysis (OEA) in connection with the above referenced Docket No. FD 36616. Agency name, region/district and contact person is listed for each.

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- Kate Hammond, Acting Regional Director, National Park Service - Regions 6, 7
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jessie Durham
Acting Regional Director
US Department of the Interior – Indian Affairs
Western Regional Office
2600 N. Central Avenue, 4th Floor Mailroom
Phoenix, AZ 85001

By email at jessie.durham@bia.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jessie Durham:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

Project Background

STR is a non-carrier, wholly owned subsidiary of Savage Enterprises, LLC both of which are subsidiaries of the Savage Companies (founded in Utah in 1946). STR is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct

approximately five miles of new railroad line to extend the reinstated railroad line to and into a planned developed business and industrial park in Grantsville, Utah, shown in the attached Figure 1. STR would construct track within the business park pursuant to a lease and/or a permanent easement obtained from the business park owners. STR anticipates that the track construction within the park would be phased in over time as the park secures new tenants. The approximately eleven miles of railroad line would re-establish the former branch line's connection to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah, and STR would provide common carrier service over the combined reinstated rail line and newly constructed track to enable tenants of the business park to receive and ship commodities by rail.

Request for Comments

OEA would like to hear from you regarding whether this proposal would require permitting, should additional fieldwork be needed, or any other requirements or concerns from your agency. Please submit your response within 30 days, so that we may begin the process of identifying the potential impacts of the proposed project.

All filings and other submissions can be submitted electronically through the Board's website at <https://stb.gov>. To submit a comment, select "File an Environmental Comment" (below the "Need Assistance?" button) on the Board's home page. Please make sure to refer to Docket No. FD 36616 in all correspondence, including e-filings, addressed to the Board. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

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Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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Ownership Retained

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I-80 EB FWY I-80 WB FWY

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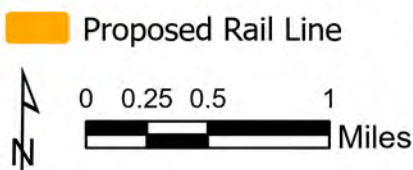
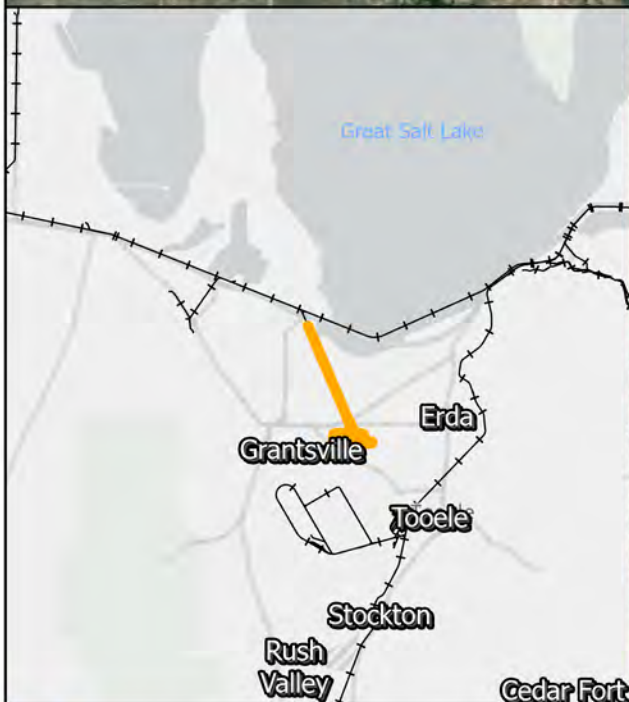
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Site of Lakeview
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Docket No. FD 36616
Savage Tooele Railroad Company – Construction
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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10/12/2022	EI-32646	FD_36616	Chip Lewis	BIA-Western Region	On behalf of Acting Regional Director Jessie Durham, The BIA-Western Region has no issues, comments, or concerns related to the subject project. The nearest reservation is approximately 100 miles away; no jurisdiction or issues related to tribal trust land.	Phoenix, AZ
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Melissa McCoy
Chief, NEPA Branch
Environmental Protection Agency, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

By email at mccoy.melissa@epa.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Melissa McCoy:

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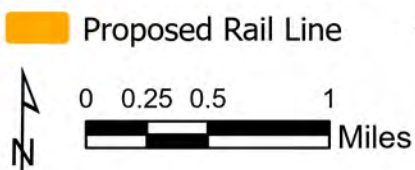
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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

November 3, 2022

Ref: 8ORA-N

Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

RE: Savage Tooele Railroad Company – Construction and Operation – Line of Railroad in Tooele County, Utah; Preliminary Consultation, Docket No. FD 36616

Dear Ms. Poole:

The U.S. Environmental Protection Agency has received the request for preliminary consultation from the Surface Transportation Board (Board) for the Savage Tooele Railroad Company (STR) Construction and Operation Project. With this project, the STR is seeking authority from the Board to reinstitute common carrier freight service on approximately six miles of a currently inactive railroad line and to construct approximately five miles of new railroad line to extend the reinstated railroad line into a planned business and industrial park in Tooele County, Utah. In accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), we are providing the enclosed comments to assist in the development of an environmental document.

Areas of consideration to meet NEPA requirements include:

Purpose and Need

The EPA recommends that the NEPA document for the proposed project clearly identify the underlying purpose and need (40 CFR § 1502.13). The purpose and need should be a clear, objective statement of the rationale for the proposed project, as it provides the basis for identifying project alternatives. The purpose of the proposed action is typically the specific objective(s) of the activity. The need for the proposed action may be to eliminate a broader underlying problem or take advantage of an opportunity. Please describe the short- and long-term transportation needs as well as the reasoning behind, and the information that supports, those needs.

Water Resources

The EPA considers the protection of water and aquatic resources a critical issue to be addressed in NEPA analyses for transportation projects, especially in the arid west. Portions of the project appear to pass through a significant palustrine wetland complex on the south shore of Great Salt Lake (GSL). The wetlands associated with GSL account for nearly 80% of the wetland acreage in Utah. The GSL is designated as a Hemispheric Site of Importance by the Western Hemisphere Shorebird Reserve Network, a designation that is shared by only seven such sites in the lower 48 states. The U.S. Fish and Wildlife Service describes the GSL ecosystem as a critically important and irreplaceable resource due to

its location, size, and ecological features. In particular, the open waters, shorelines, and adjacent mix of wetlands and uplands provide a critical migratory bird staging area in an otherwise arid region. The maintenance of the GSL ecosystem, and its component areas and functions, is essential to the continued productivity and biodiversity of migratory birds and other wildlife species dependent upon the GSL ecosystem. Many wetlands along the GSL have already been extensively altered or lost due to development pressures.

Due to the critical importance of the GSL and ongoing stresses this ecosystem is facing, we recommend including an analysis of how rehabilitation of the line (including replacing ties, rails, and culverts) and reinstating common carrier freight service could affect the functions and values of the GSL wetlands, including temporary effects to wetlands and effects to the species that utilize these resources during migration. Please also evaluate how temporary effects would be minimized and mitigated (see section below on mitigation). We also recommend coordinating with the U.S. Army Corps of Engineers (Corps) about this project to determine whether it may require either a nationwide or individual Clean Water Act (CWA) Section 404 permit. CWA Section 404(f) exempts discharges of dredged or fill material for the purposes of “maintenance and emergency reconstruction of recently damaged parts, [and] of currently serviceable structures such as ... transportation structures.” The regulations clarify that maintenance does not include any modification that would change the character, scope, or size of the original fill design. The Corps’ nationwide permit regulations define “currently serviceable” as: “useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.” If the rehabilitation of the line is not exempt under CWA Section 404(f) then a permit would be needed if the work involves a discharge of dredged or fill material into waters of the U.S. (although it may qualify for authorization under a NWP, such as NWP 14).

A map provided by the Utah Geospatial Resource Center¹ appears to show the northern part of the line could be within the GSL floodplain. If it is, then in order to avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative, we recommend the NEPA document discuss Executive Order 11988, *Floodplain Management*, and ensure adverse effects are avoided and minimized. Executive Order 13690, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input*, was published on January 30, 2015, and amended Executive Order 11988. Section 6(c) of amended Executive Order 11988 requires alternative methods of establishing the floodplain rather than basing the floodplain on the area subject to a one percent or greater chance of flooding in any given year. Section 2(a)(2) of the amended Executive Order states, "Where possible, an agency shall use natural systems, ecosystem processes, and nature-based approaches when developing alternatives for consideration." We recommend that the NEPA document discuss how the project will comply the principles in the amended Executive Order and the associated implementation guidelines,² regarding improving resiliency in a changing climate.

Construction Stormwater

Under the CWA NPDES stormwater program, a permit is required for discharges from construction activities that disturb one or more acres, and discharges from smaller sites that are part of a larger

¹ https://opendata.gis.utah.gov/datasets/d8e7d2483a364d58a6d7eac4a250449e_0/explore?location=41.103351%2C-112.742353%2C-1.00

² The Guidelines for implementing Executive Orders 11988 and 13690 can be found at: https://asfpm-library.s3-us-west-2.amazonaws.com/General/Implementing_Guidelines_for_EO11988_13690_08_Oct15_508.pdf.

common plan of development. Depending on the construction site's location, the state or EPA will administer the permit. We recommend obtaining all permits before breaking ground to ensure compliance with the CWA. We recommend that the NEPA document discuss applicable stormwater permitting requirements and specific mitigation measures that would be required to reduce adverse impacts to water quality and aquatic resources, including:

- A list of Best Management Practices (BMPs) that would be required to protect surface water and groundwater resources. These could include silt fences, detention ponds, and other stormwater control measures, as well as measures to prevent any associated construction or railroad contaminants from entering waters of the U.S.;
- A discussion of the circumstances under which the BMPs would be applied (e.g., proximity to surface water resources, presence of erosive soils, slope, shallow water aquifers, the proximity of water wells, etc.); and
- An explanation of how the STB or other responsible entity would ensure that the BMPs would be monitored and enforced.

Air Quality

Existing Air Quality and Air Quality Related Values (AQRVs)

We recommend characterizing the existing air quality baseline for criteria pollutants and AQRVs, including visibility and resources sensitive to deposition. For criteria pollutants we recommend coordinating with the Utah Division of Air Quality (UDAQ) to establish representative design values (background pollutant concentrations) based on the most recent monitoring data. Data are available to the public through EPA's outdoor air monitor webpage,³ as well as through the EPA's Air Quality System (AQS) for AQS users.⁴ We also recommend providing the attainment status for the area according to 40 CFR § 81.345 designations, including the nonattainment status for the project area for ozone and particulate matter less than 2.5 micrometers in diameter (PM_{2.5}).

We recommend characterizing trends in visibility within and near the planning area, including sensitive areas identified by Federal Land Managers (FLMs). Data are available through the IMPROVE monitoring network as well as information prepared by the FLMs. Based on the project location and proximity to an existing monitor we recommend disclosing AQRV data from the Spanish Fork monitor (AQS Site ID 49-049-5010). It may be appropriate to collaborate with UDAQ when processing the monitoring data to present trends in visibility (presented as deciviews, which are a measure of decreased visibility resulting from airborne particles). We are also available to assist. Information is also available online at:

- <https://www.epa.gov/outdoor-air-quality-data/interactive-map-air-quality-monitors>;
- <http://vista.cira.colostate.edu/Improve/>;
- <https://www.nps.gov/subjects/air/park-conditions-trends.htm>; and
- https://www.fs.usda.gov/air/technical/class_1/alpha.php

Existing deposition may be characterized by utilizing the National Atmospheric Deposition Program (NADP) monitoring network in conjunction with total deposition (TDEP)⁵ estimates and information available from the FLMs and sites bulleted above. Due to the location of the project, TDEP maps available from CIRA and EPA may be the most reasonable means for disclosing existing deposition. We

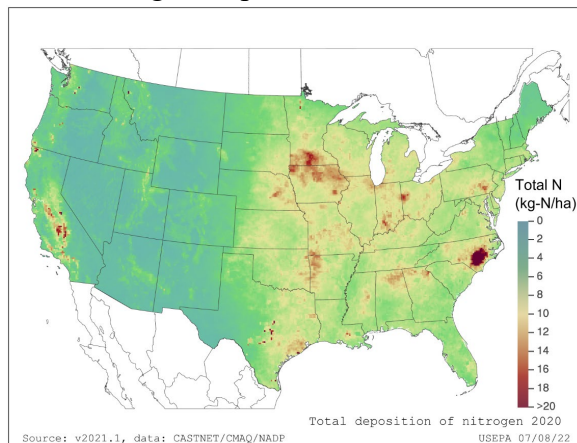
³ <https://www.epa.gov/outdoor-air-quality-data/interactive-map-air-quality-monitors>

⁴ <https://www.epa.gov/aqs>

⁵ <http://nadp2.slh.wisc.edu/committees/tdep/tdepmaps/>

also recommend explaining what levels of deposition cause negative ecological effects (in terms of critical loads for nitrogen and sulfur). An example of a map available is provided below.⁶

Total Nitrogen Deposition estimated for 2020



In addition to the recommendations above to characterize existing air quality and AQRVs, we recommend including any relevant UDAQ State Implementation Plan (SIP) considerations that are relevant to the project area.

Air Quality and AQRV Impact Analysis

To disclose the potential impacts of the alternatives, we recommend explaining the activities that would be necessary to reestablish and construct the proposed railway and alternatives. Since the railway will service a new business and industrial park, we recommend including information about the construction and operation of this park, and any potential future satellite port operation, including impacts associated with any increased traffic in the area. Based on the activities that would be necessary to develop the project and estimates of operations we recommend generating an emission inventory for each alternative and project phase to provide the foundation for understanding potential impacts on air quality.

EPA recommends that the NEPA analysis assess all impacts on air quality resulting from the project, including those emissions that are not regulated by state air permitting authorities. We look forward to working with STB and other federal and state agencies on the approach for the air quality impact analysis after completing the emission inventory for the alternatives. Based on the level of emissions, existing air quality, proximity to sensitive receptors, and input from other state, federal agencies, and community members, it may be appropriate to conduct additional analysis beyond the emission inventory. We recommend that STB work with EPA and others to address the following analysis components:

- Impacts from each of the criteria pollutants (ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide, and lead) with respect to their appropriate National Ambient Air Quality Standards (NAAQS);
- Impacts to AQRVs in potentially impacted Class I areas and any other relevant areas identified in collaboration with Cooperating Agencies and FLMs; and

⁶ https://gaftp.epa.gov/castnet/tdep/2021_01_images/n_tw-2020.png; accessible from <http://vista.cira.colostate.edu/Improve/>

- Impacts that could result from exposure to Hazardous Air Pollutants (HAPs) based on relevant health-based risk thresholds for HAPs. We are available to assist with methods of analysis, and appropriate characterization of available thresholds.

As an example of the type of analysis that may be appropriate, we recommend considering the information presented by STB for the Uinta Basin Railway EIS as well as EPA's comments on the NEPA document for that project.

General Conformity

Since the project is located within ozone and PM_{2.5} nonattainment areas, the requirements of General Conformity will need to be met for each nonattainment area. The current nonattainment classifications are marginal for ozone and serious for PM_{2.5}. As a result, the de minimis rates (see 40 CFR § 93.153(b)) for PM_{2.5} and its precursors are 70 tons per year (for each pollutant). We also wish to make STB aware that the ozone nonattainment area will be reclassified to moderate, effective November 7, 2022.⁷ UDAQ has SIP-approved General Conformity Regulations which incorporate by reference EPA's regulations at 40 CFR Part 93, Subpart B. We worked closely with STB's Office of Environmental Analysis (OEA) to address the requirements of General Conformity for the Uinta Basin Railway, which should provide a framework for the necessary analyses. As a courtesy, we are including, as an appendix to this letter, input we provided to STB regarding General Conformity for the Uinta Basin Railway. Much of the information, other than that specific to the particular nonattainment area designations, is applicable to the Savage Tooele Rail Project. We are available to assist with these analyses.

Mitigation

We recommend the NEPA document identify the mitigation that will be applied to BLM-authorized activities, including what entity will be executing the mitigation, inspection schedules, documentation procedures, and accountability processes. With these considerations in mind, we recommend the Draft EIS include the following information for each mitigation measure:

- A description of the required mitigation and its expected effectiveness.
- Designation of the entity responsible for implementing the mitigation.
- Identification of how BLM would ensure that the mitigation would be monitored to ensure timely and correct implementation as well as timely maintenance.
- Identification of funding sources and any financial assurance requirements.

If adaptive management practices will be utilized, we recommend the NEPA document include the following information:

- A defined monitoring plan.
- Specific environmental thresholds which would trigger action.
- Management alternatives and mitigation measures that would be implemented should a threshold be exceeded.
- An evaluation procedure for determining the effectiveness of the implemented mitigation and further measures to take in cases of ineffectiveness.
- A description of the mechanisms for the public disclosure of monitoring data, its analysis, and related management decisions.

⁷ See final rule at: <https://www.regulations.gov/document/EPA-HQ-OAR-2021-0742-0254>; Federal Register for Friday, October 7, 2022 (87 FR 60897).

Greenhouse Gas Emissions and Climate Change

The transportation sector emits the highest amount of greenhouse gas (GHG) emissions of all the U.S. sectors, with the rail sector contributing 2% of those emissions. Consistent with Executive Order 14008 – *Tackling the Climate Crisis at Home and Abroad* – the EPA recommends that STB assess, disclose, and mitigate the climate pollution and related effects and risks resulting from the proposed action. We recommend using the CEQ’s 2016 *Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews*⁸ as a resource for analyzing greenhouse gas (GHG) emissions, opportunities to reduce those emissions, climate impacts on the planning area, and climate change adaptation and resilience strategies.

We recommend including an estimate of the direct and indirect GHG emissions associated with the project, and an analysis of alternatives and/or identification of practicable mitigation to reduce project related GHG emissions. In addition to emissions associated with project construction, development, and operation, we recommend calculating reasonably foreseeable upstream and downstream emissions that could be attributable to the project. For the analysis, we suggest the following general approach:

- Include a summary discussion of ongoing and projected regional climate change relevant to the project area, based on U.S. Global Change Research Program assessments. This would enable the environmental report to identify impacts that may be exacerbated by climate change.
- Estimate the anticipated direct and indirect GHG emissions associated with the project. The NEPA.gov website⁹ includes a non-exhaustive list of GHG accounting tools available to agencies. We also recommend estimating GHG emissions in CO₂-equivalent terms and translating the emissions into equivalencies that are more easily understood by the public (e.g., annual GHG emissions from x number of motor vehicles, see <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>).
- Account for the project's climate impacts by utilizing the current interim values for the social cost of GHG emissions. The February 2021 Social Cost of Greenhouse Gases Technical Support Document: Social Cost of Carbon, Methane, and Nitrous Oxide Interim Estimates under Executive Order 13990¹⁰ (developed by the Interagency Working Group on Social Cost of Greenhouse Gases, United States Government) provides the most current information on generating these calculations.
- Identify and assess measures to reduce GHG emissions associated with the project, including alternatives and/or requirements to mitigate or offset emissions.
- Discuss how reasonably foreseeable GHG emissions associated with the project are, or are not, consistent with state or federal policies or goals. For example, discuss how emissions help or hinder meeting GHG reduction targets set at the federal, state, or local level as required in 40 CFR § 1506.2(d), including the U.S. 2030 Paris GHG reduction target and 2050 net-zero pathway.¹¹ We recommend that the BLM avoid percentage comparisons between project-level

⁸ <https://www.epa.gov/nepa/climate-change-guidance-national-environmental-policy-act-reviews>

⁹ https://ceq.doe.gov/guidance/ceq_guidance_nepa-ghg.html

¹⁰ https://www.whitehouse.gov/wp-content/uploads/2021/02/TechnicalSupportDocument_SocialCostofCarbonMethaneNitrousOxide.pdf

¹¹ <https://www.whitehouse.gov/briefing-room/statements-releases/2021/04/22/fact-sheet-president-biden-sets-2030-greenhouse-gas-pollution-reduction-target-aimed-at-creating-good-paying-union-jobs-and-securing-u-s-leadership-on-clean-energy-technologies/>

and national or global emissions, which inappropriately minimize the significance of planning-level GHG emissions.

Environmental Justice

Executive Order 12898 – *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* – applies to federal agencies that conduct activities that substantially affect human health or the environment. In addition, Executive Order 13985 – *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* – sets expectations for a whole-of-government approach to advancing equity for all. To that end, EJScreen was developed by EPA to highlight places that may be candidates for further review, analysis, or outreach to support the agency's environmental justice work. However, for the Savage Tooele Railroad project, we recommend against drawing conclusive decisions based on EJScreen. EJScreen cannot provide data on every environmental impact and demographic factor that may be important to any location. Therefore, its initial results should be supplemented with additional information and local knowledge whenever appropriate, for a more complete picture of a location. Therefore, consistent with these executive orders and CEQ's Environmental Justice Guidance Under NEPA¹², the EPA recommends the NEPA analysis include the following:

- Meaningful engagement of communities located near the proposed project regarding the STB's decisions on the proposed project.
- Disclosure of the project's effects on homes and populations located adjacent to the inactive railroad line.
- Consideration of impacts from noise, vibration, dust, and other air emissions during both construction and operation.
- Consideration of impacts from the business and industrial park on traffic, emergency response times, neighborhood connectivity, etc. that could warrant analysis.

Closing

We appreciate the opportunity to provide comments in the early stages of this project and look forward to the NEPA document. If you have any questions regarding our comments, please contact me at (303) 312-6128 or by email at lozano.velrey@epa.gov, or Melissa McCoy, NEPA Branch Manager, at (303) 312-6155 or mccoy.melissa@epa.gov. If you have any questions or comments regarding NEPA air quality analysis or General Conformity, please contact Christopher Razzazian at (303) 312-6648, razzazian.christopher@epa.gov for support.

Sincerely,

VelRey A. Lozano
NEPA Lead Reviewer
Office of the Regional Administrator

¹² Available along with other environmental justice resources at: <https://www.epa.gov/environmentaljustice/environmental-justice-and-national-environmental-policy-act>

APPENDIX

Below is email correspondence from EPA to STB regarding general conformity for the Uinta Basin Railway project. EPA Air Program staff are available to assist you with questions you may have regarding the information provided herein as it pertains to the Savage Tooele project.

Razzazian, Christopher

From: Russ, Timothy
Sent: Thursday, September 3, 2020 10:26 AM
To: Joshua.Wayland@stb.gov
Cc: Razzazian, Christopher; Boydston, Michael
Subject: Additional EPA General Conformity Information for the Uinta Basin Railway Project

Hi Josh,

We are providing the below information in response to your general conformity discussions with Chris Razzazian. Chris is on Leave through September 9, 2020, but he asked that we send this material to you in his absence.

As described below, we are providing you with additional information as to how the construction and implementation of the STB's proposed Uinta Basin Railway project might apply under the General Conformity (GC) regulations at 40 CFR part 93, subpart B (sections 93.150 through 93.165).

We note that under § 93.154, the STB has the right and responsibility to make its own decision as to whether GC applies to its actions, how the evaluation of GC is prepared, and the validity of a positive GC determination, if needed. We are providing this information for the STB's consideration to assist in understanding GC applicability and to help minimize potential vulnerabilities as the STB's decision is finalized and the project is implemented.

Since we last spoke, we had a chance to discuss your project with our general conformity advisor in our Office of Air Quality Planning and Standards, and based on our consultation, we offer the following comments and recommendations:

A.) Air Quality Status

Portions of the proposed railway would lie within four Utah counties, three of which include or are part of a nonattainment area (NAA) or a maintenance area (MA) that are relevant for GC (refer to the below table). The legal designation of the air quality status of each county should be verified with the EPA at the time of the GC evaluation.

Data	County Names (ref. 40 CFR 81.345) ¹		
	Utah	Uintah	Duchesne
Area Name	Utah County	Uinta Basin, UT	Uinta Basin, UT
NAAQS Criteria Pollutant	PM10 1987 NAAQS	Ozone 2015 NAAQS	Ozone 2015 NAAQS
NAAQS NAA/MA	PM10 MA	Marginal NAA	Marginal NAA

Date of Re-Designation and Maintenance Plan (end date of plan)	PM10 3/27/2020 (3/27/2030)		
Whole or Partial County	PM10 Whole	Partial	Partial
Relevant pollutants	PM10, NO _x and SO ₂	NO _x and VOC	NO _x and VOC

¹The project also includes Carbon County, which is currently in attainment for all six NAAQS.

For a GC analysis, the relevant criteria and precursor pollutants for direct and indirect emissions for the Uinta Basin Railway project are:

Uinta Basin Ozone NAA: NO_x and VOC

Utah County PM₁₀ MA: PM₁₀, SO₂, and NO_x.

If the STB chooses to prepare a GC evaluation, each NAA or MA in which the action is subject to the GC regulations must have its own evaluation and its own separate determination, if one is necessary. In each evaluation, and as applicable a conformity determination, the STB would consider only the project, or action, emissions that originate within the applicable NAA or MA.

B.) General conformity analysis, and if applicable, conformity determination: If the STB does conclude that a general conformity analysis, and determination as appropriate, is necessary for its Federal action(s) associated with this rail line project, we offer the following further comments for the STB’s consideration in preparing the general conformity documents:

1. Railway construction – For a general conformity evaluation analysis, the STB will need to consider emissions from railway construction that would occur within NAA/MAs. As noted above under (A.), those emissions must be separately evaluated under GC for each NAA/MA. In section V.E.4 of the final rule for the 2010 Revisions to the General Conformity Regulations (75 FR 17254 (Apr. 5, 2010)), the EPA affirmed that “emissions from construction activities must be considered in a conformity evaluation.” Further, in section VI.D. of the 2010 revisions, the EPA clarified that “construction emissions are part of the total direct and indirect emissions from an action,” a term that is defined in § 93.152, and is also referred to as “net emissions.”
2. Railway operation – Emissions from railway operation are not subject to GC unless they are direct emissions or indirect emissions as defined in § 93.152. We encourage the STB to carefully examine these definitions. The STB is responsible for the decision as to whether to include the railway’s operational emissions in its GC evaluation, and if so, how to prepare that evaluation. We note the following for the STB to consider:
 - (a) Indirect emissions occur at a different time or place than direct emissions, and are those for which the “Federal agency has and will continue to maintain some authority to control; in addition, the agency must have in place an effective mechanism for enforcement.” 1993 Proposed GC Rule, 58 FR 13836, 13839 (March 15, 1993).
 - (b) For emissions that are indirect, STB must have continuing program responsibility (authority) for the emissions from operation of the railway, and the agency must have practical control of those emissions based on that authority (enforcement);
 - (c) If the STB has the authority to impose conditions for its approval of the action, in this case where those conditions could affect the emissions from locomotives, and the agency has a mechanism whereby such conditions can be enforced, the emissions are indirect and would

be included in the GC applicability analysis. Some examples of control of emissions from locomotives that could be enforced:

- i.* limitations on the type/size of locomotive that can operate on the railway;
- ii.* limitations on how many trips per day are allowed;
- iii.* limitations on how many cars can be hauled by the locomotive;
- iv.* consider any contracts STB plans to make that will limit emissions from locomotives and can be enforced by STB; and
- v.* assess whether any provisions of the Board's approval or the documentation of the NEPA analysis demonstrate that STB has continuing program responsibility (authority) and can practically control emissions (enforce).

(d) The STB can find explanations and examples of what constitutes continuing program responsibility and practical control in the 1993 Proposed GC Rule beginning at 58 FR 13839 (58 FR 13836, 3/15/1993), and in the 2010 Final GC revisions at 75 FR 17260 (75 FR 17254, 4/5/2010). Based on our review of the GC regulations, we suggest that the STB consider:

- i.* If the STB decides that operation of the railway results in indirect emissions, then those emissions would be included in the applicability analysis and conformity demonstration and determination, if required, just like construction emissions.
- ii.* If the STB determines that these emissions are not considered indirect emissions, due to a lack of agency control or continuing program responsibility, we recommend STB clearly document the reasons for its decision within the NEPA document and the associated general conformity analysis.

3. Should the STB decide to prepare a GC applicability analysis for any affected NAA/MA, as required under § 93.153, the STB would need to consider:

- (a) If the annual net increase in emissions of any of the relevant pollutants is less than the applicable de minimis rates under § 93.153(b)(1) and (2), then further analysis for those pollutant emissions is not required. The STB would document their analysis and keep it in their files. The STB should note, regarding this analysis preparation and decision, in the NEPA document that the GC evaluation was completed and a demonstration and determination of conformity were not required.
- (b) If the annual net increase in emissions of any of the relevant pollutants equals or exceeds the applicable de minimis rates described in § 93.153(b)(1) and (2), a demonstration of conformity pursuant to the criteria and procedures in § 93.158(a) is required, along with consideration of the procedures under § 93.159, upon which the STB would base its general conformity determination.

4. If the STB decides to prepare a conformity determination, the STB can use one or more of the following methods (ref. 40 CFR 93.158 and 93.159):

- (a) For any of the relevant NAAQS pollutant and/or precursor emissions, STB could build operational limitations into the project, or make other changes to the plan, that would reduce the annual net emissions increase of the relevant pollutants to below the applicable de minimis rates; this would be included as part of the usual applicability analysis and is not considered mitigation or offsets. It's worth a try even it just reduces some of the net

emissions increase. However, as there is an environmental review document being prepared under NEPA, check with the NEPA advisor since all the environmental categories must assess the impacts of the changes made to the plan, including the NEPA air quality assessment.

- (b) Check with the Utah Division of Air Quality to determine for any of the relevant NAAQS pollutant or precursor emissions:
 - i.* if there is a generic construction emissions budget for Utah County in the respective NAA or MA SIP revisions that would account for the annual net increase in emissions of all or some of the construction pollutants.
- (c) Check with the Metropolitan Planning Organization (MPO) to see if all or a portion of the action's mobile source emissions are accounted for by the MPO as being included in a Regional Transportation Plan or a Transportation Improvement Program as discussed under § 93.158(a)(5)(ii).
- (d) Computer modeling – Modeling for ozone or secondarily-formed criteria pollutants is generally not appropriate under the GC regulations. This would also apply to the formation of secondary PM₁₀; therefore, computer modeling under §§ 93.158(a)(3) and (a)(4) would not be appropriate.
- (e) Consider creating “Early emission reduction credits” under 93.165 for any of the relevant NAAQS pollutant and/or precursor emissions
 - i.* Under § 93.165(c)(1), use techniques to create reductions that will occur at the same facility as the action and could have occurred in conjunction with the action, then use the credits to reduce the net emissions increase of one or more relevant pollutants to below the de minimis rates; no demonstration or determination is required for such emissions; otherwise,
 - ii.* Under § 93.165(c)(2), if (c)(1) doesn't reduce emissions to below de minimis, use the techniques available under (c)(1) to reduce at least some of the net emissions, and then apply mitigation and offsets under § 93.158, pursuant to § 93.163, so there is no increase in net emissions, also referred to as “fully offset.”
- (f) Consider fully offsetting the net emissions from the rail line project.

Finally, we encourage the STB to carefully review § 93.158 and § 93.163 for the remaining methods available to show conformity of ozone and secondarily formed PM₁₀. If, through consultation with the State, this leads to a revision to the State Implementation Plan to incorporate the project's emissions, this would then require involvement by the Utah Department of Environmental Quality, the Utah Air Quality Board, and the State Governor.

Thank you for allowing us to consult with you and we are available to assist STB as it moves forward.



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Yvette Converse
Field Office Supervisor
US Fish and Wildlife Service – Utah Ecological Services Field Office
2369 West Orton Circle
Suite 50
West Valley City, UT 84119-7603

By email at yvette_converse@fws.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Yvette Converse:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

Project Background

STR is a non-carrier, wholly owned subsidiary of Savage Enterprises, LLC both of which are subsidiaries of the Savage Companies (founded in Utah in 1946). STR is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct

approximately five miles of new railroad line to extend the reinstated railroad line to and into a planned developed business and industrial park in Grantsville, Utah, shown in the attached Figure 1. STR would construct track within the business park pursuant to a lease and/or a permanent easement obtained from the business park owners. STR anticipates that the track construction within the park would be phased in over time as the park secures new tenants. The approximately eleven miles of railroad line would re-establish the former branch line's connection to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah, and STR would provide common carrier service over the combined reinstated rail line and newly constructed track to enable tenants of the business park to receive and ship commodities by rail.

Initiation of Consultation with U.S. Fish and Wildlife Service (USFWS)

OEA plans to submit a species record request to the Utah Division of Wildlife Resources to determine if there are any site-specific or site vicinity agency records for any of the federally listed species on the IPaC list. Following the receipt of a response from the Utah Division of Wildlife Resources, we will prepare a project review request that will be submitted to the USFWS Utah Ecological Services Field Office, following the seven-step procedure set forth on the office's website. The request will include all required information, including any Utah Division of Wildlife Resources records and species determinations with supporting information for the federally listed species on the Official Species List.

Request for Comments

OEA requests your comments on the potential impacts of the proposed project. Please submit your response within 30 days, so that we may begin the process of identifying the potential environmental impacts of the proposed project.

All filings and other submissions can be submitted electronically through the Board's website at <https://stb.gov>. To submit a comment on this proceeding, select "File an Environmental Comment" (below the "Need Assistance?" button) on the Board's home page. Please make sure to refer to Docket No. FD 36616 in all correspondence, including e-filings, addressed to the Board. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

You may also send written comments to Andrea Poole, OEA's Project Manager for the environmental review by mail to:

Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

While paper filings are once again being accepted in accordance with the Board's regulations, stakeholders are strongly encouraged to continue to submit filings via the Board's e-filing system and to consent to e-service of decisions.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Gosselin". The signature is fluid and cursive, with the first name "Danielle" written in a larger, more prominent script than the last name "Gosselin".

Danielle Gosselin

Director

Office of Environmental Analysis

Enclosure:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

Great Salt Lake

HWY 138

ERDA WAY

Site of Lakeview
Business Park
(Under Construction)

Grantsville

Erda

Tooele

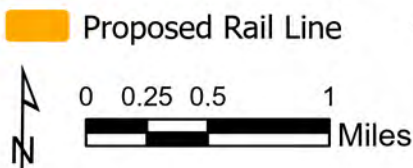
Stockton

Rush
Valley

Cedar Fort

HIGHWAY
112

HWY 112



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

The below table lists all Federal, State and local agencies and Tribal Nations contacted by the Office of Environmental Analysis (OEA) in connection with the above referenced Docket No. FD 36616. Agency name, region/district and contact person is listed for each.

- Melissa McCoy, NEPA Branch Chief, EPA - Region 8
- Yvette Converse, Field Office Supervisor, USFWS - Utah Ecological Services Field Office
- Jason A. Gipson, Branch Chief, USACE - Bountiful Field Office
- Nancy Dragani, Regional Administrator, FEMA - Region 8
- Kelly Jorgensen, Field Office Director, US HUD - Salt Lake City Field Office
- Emily Fife, State Conservationist, USDA - NRCS Utah Office
- Juliana Blackwell, Director, NOAA - National Geodetic Survey
- Eric Dennis, Colonel, US Army - Tooele Army Depot
- Jessie Durham, Acting Regional Director, US Department of the Interior – Indian Affairs Western Division
- Kate Hammond, Acting Regional Director, National Park Service - Regions 6, 7
- Robert Stewart, Region Director, Utah DOT - Region 2
- Jim Golden, Chief Railroad Engineer, Utah DOT - State Safety Oversight
- Chris Merritt, State Historic Preservation Officer, Utah SHPO
- Jill Remington Love, Director, Utah Department of Cultural and Community Engagement
- Dustin Jansen, Division Director, Utah Department of Cultural and Community Engagement Division of Indian Affairs
- Redge Johnson, Executive Director, Utah Public Lands Policy Coordinating Office
- Kimberly Shelley, Executive Director, Utah Department of Environmental Quality
- Rachelle Custer, Director, Tooele County Department of Economic Development/Planning and Zoning
- Andy Welch, County Manager, Tooele County
- Jared Hamner, Councilman, Tooele County Council District 4
- Tom Tripp, Councilman, Tooele County Council District 5

- Jed Bell, Director, Tooele County Roads Department
- Jeff Coombs, Executive Director, Tooele County Department of Health Services
- Tracy Shaw, County Clerk, Tooele County Clerk's Office
- Regina Nelson, Chairperson, Tooele County Emergency Medical Services Council
- Corey Bullock, Director, Tooele County Parks Department
- Neil Johnson, Chair, City of Grantsville Soil Conservation District 13
- Jesse D. Wilson, City Manager, City of Grantsville
- Jeffrey Miller, Planner, City of Grantsville Planning & Community Development
- Jacob Enslin, Chief of Police, Grantsville City Police Department
- Neil A. Critchlow, Mayor, City of Grantsville
- Jess Bird, Chairman, Erda City Council
- Cory Warnick, Chairman, Erda Planning Commission
- Paul Hansen, Contract Engineer, Tooele City Engineering
- Jamie Grandpre, Director, Tooele City Public Works
- Darwin Cook, Director, Tooele City Parks & Recreation
- Adrian Day, Chief of Police, Tooele City Police Department
- Debbie Winn, Mayor, Tooele City
- Lori Bear, Chairwoman, Skull Valley Band of Goshute
- Virgil Johnson, Chairman, Confederated Tribes of the Goshute Reservation, Nevada and Utah
- Tino Batt, Chairman, Shoshone-Bannock Tribes of the Fort Hall Reservation
- Luke Duncan, Chairperson, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
- Betsy Champoos, Director, Cultural Rights and Protection Department, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Kelly Jorgensen
Field Office Director
United States Department of Housing and Urban Development
Salt Lake City Field Office
125 South State Street
Suite 3001
Salt Lake City, UT 84138

By email at Kelly.L.Jorgensen@hud.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Kelly Jorgensen:

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OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

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Request for Comments

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



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I-80 EB FWY I-80 WB FWY

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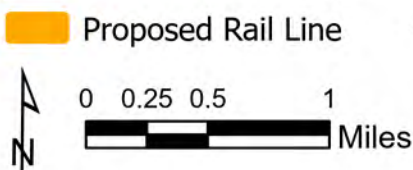
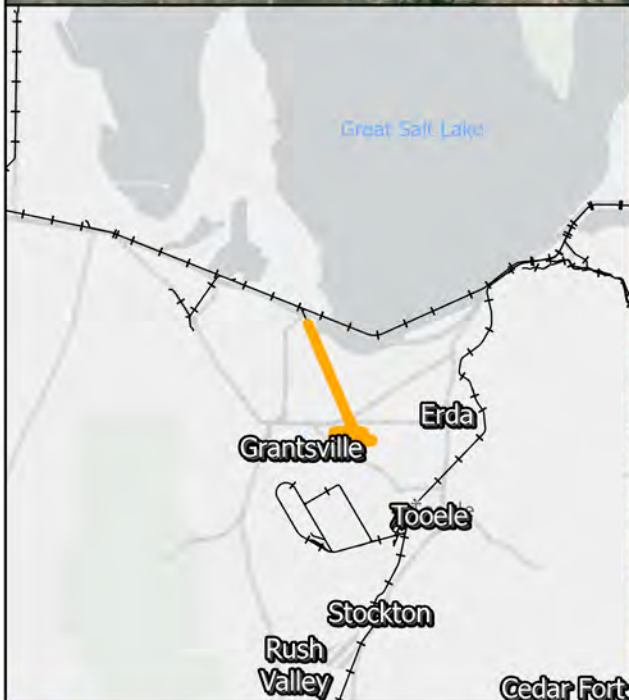
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Site of Lakeview
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HIGHWAY
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 24, 2022

Douglas V. Sagers
Utah House of Representatives – District 21
243 HOME TOWN CT
TOOELE, UT, 84074

By email at dougsagers@le.utah.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Douglas V. Sagers:

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Danielle Gosselin

Director

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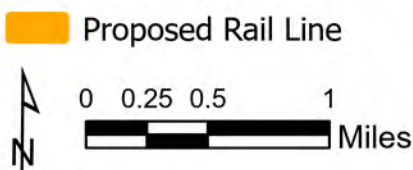
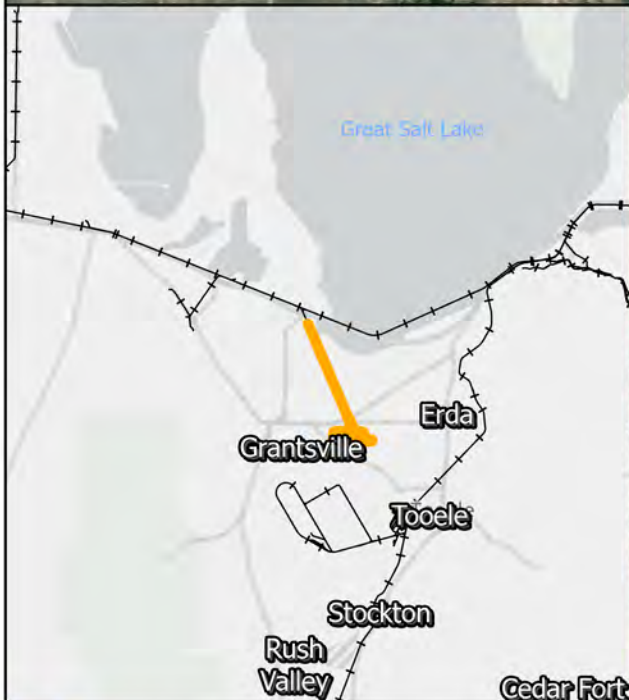
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SURFACE TRANSPORTATION BOARD
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**HOUSE OF REPRESENTATIVES
STATE OF UTAH**



**REPRESENTATIVE
DOUGLAS SAGERS**
DISTRICT 21
TOOELE COUNTY

243 HOME TOWN COURT
TOOELE, UTAH 84074
HOME (435) 882-0931
CELL (435) 830-3485
email: dougsagers@le.utah.gov

November 9, 2022

Andrea Poole
Surface Transportation Board, OEA Docket No. FD 36616
395 E Street SW
Washington, DC 20423

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah.

Preliminary Consultation

The Lakeview Business Park (“LBP”), located near the center of the Tooele Valley on the eastern edge of Grantsville City. There are many essential ingredients which are required to become a successful and sustainable light industrial and manufacturing employment center that LBP affords which include but are not limited to:

1. respect for the local environment and natural resources
2. access to vital interstate roadway and rail transportation/logistics corridors
3. available skilled labor with state-of-the-art education and training facilities nearby
4. proactive State and local community leadership guiding economic development and the future wellbeing of the communities.
5. confluence of capable and cooperative logistics organizations willing to invest large amounts of capital.

Environmental and Natural Resources

LBP is one of the most environmentally friendly industrial parks in the State. There are no critical or sensitive lands, such as wetlands, within the LBP boundaries. LBP is ideally located adjacent to the east and northern borders of the Utah Motorsports Campus and just north of the Tooele Army Depot which continues to be an active munitions storage facility. LBP’s light industrial and warehousing/distribution uses provide a transitional buffer between these uses and the planned residential uses adjacent to the LBP.

Much of the vehicle pollution between Tooele Valley and the Salt Lake Valley is caused by the labor force commuting to and from work. Over 8,000 Tooele Valley residents commute back and forth between Tooele Valley and Salt Lake Valley every morning and evening. The employment which will be available at LBP will reduce commute times and vehicle emissions along the affected stretch of I-80. Further, truck traffic can avoid approximately 166 miles of freeway interstate along I-15 and I-80 by taking a parallel route from Tooele to Holden through Utah State Route 36 to Utah State Route 6 to State Route 50 and then connecting back to I-15, which will greatly reduce traffic congestion and emissions along I-15 and the Wasatch Front. Reducing trucks along I-15 will also provide safer road conditions for the traveling public along this stretch of freeway.

2UDOT completed the first phase of the Mid-Valley Highway which includes a new interchange from I-80 to Sheep Lane, which runs adjacent to LBP. Future Phases of Mid-Valley Hwy will include an extension which has an alignment that abuts the eastern boundary of LBP providing access at the future 33rd Parkway and near Hwy 112, eliminating truck traffic through local roadways and residential neighborhoods. Extending the rail from the Union Pacific Railroad mainline at the Burmester rail yard to Lakeview Business Park will reduce truck traffic and the associated emissions at a rate of approximately three trucks for every single rail car. Rail usage is more environmentally friendly than truck traffic and produces less emission.

Business will have an option of using the Utah State Route 36 truck route described above which bypasses much of the traffic congestion along I-15 saving approximately 22 minutes and 35 miles under normal traffic conditions and saving much more time if the trucks get caught in rush hour traffic.

Labor and Education

Recent labor studies in the area have noted that over 8,000 residents of the Tooele Valley commute over an hour to the Salt Lake Valley for employment due to the reduced cost of living afforded in Tooele Valley. With LBP, this labor pool will have an option of working within minutes from their homes. Reduced commute times of approximately two hours will also allow residents to live and work in the valley and be more involved with their families and the community, directly improving their quality of life.

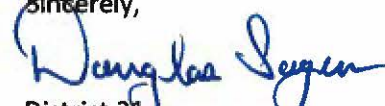
Utah State University – Tooele and the Tooele Technical College. provide educational opportunities for workers to gain new knowledge and skills to enhance their earning potential in the community and to provide a steady stream of employees for the LBP.

Local Community Leadership

The local communities in the Tooele Valley, including Grantsville City, Tooele City, Tooele County, and the Tooele Valley School District, are forward-looking groups which recognize the need to keep the workers and residents employed in the Valley. Grantsville Redevelopment Agency (“the “RDA”) has approved a project area to coincide with the boundaries of LBP which can be used for public improvements, infrastructure, and incentives to accommodate the needs of future tenants and users within LBP. To date, four projects have begun in some stage of design or construction which include a 16-inch water line, a 1.2M gallon water tank, a 4-mile 18” – 21” sewer line and a new 2,500 GPM culinary water well, all of which will enhance the Grantsville City water and sewer services.

Capital Investment and Employment

The Romney Group, LLC expects an aggregate expenditure of over \$1B to develop the park and offer both speculative and build to suit options for future tenants and major corporations. We anticipate that Lakeview Business Park may employ between 8,000 and 10,000 individuals.

Sincerely,

District 21



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jill Remington Love
Director
Utah Department of Cultural and Community Engagement
3760 S. Highland Dr
Millcreek, UT 84106

By email at jlove@utah.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jill Remington Love:

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Danielle Gosselin

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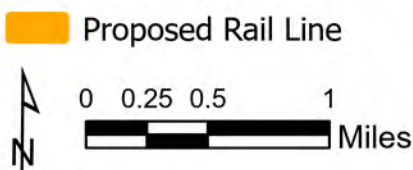
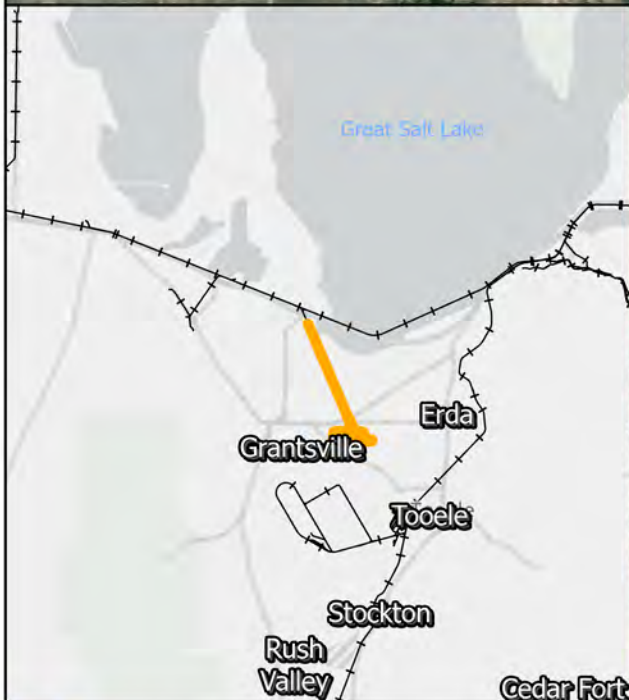
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Dustin Jansen
Division Director
Utah Department of Cultural and Community Engagement – Division of Indian Affairs
3760 S. Highland Dr
Millcreek, UT 84106

By email at djansen@utah.gov

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Dustin Jansen:

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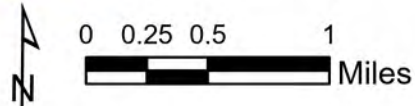
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Proposed Rail Line
 Existing Railroad



Attachment 1: Proposed Rail Line Location Map

Docket No. FD 36616
 Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Kimberly D. Shelley
Executive Director
Utah Department of Environmental Quality
195 North 1950 West
Salt Lake City, UT 84116

By email at kshelley@utah.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Kimberly D. Shelley:

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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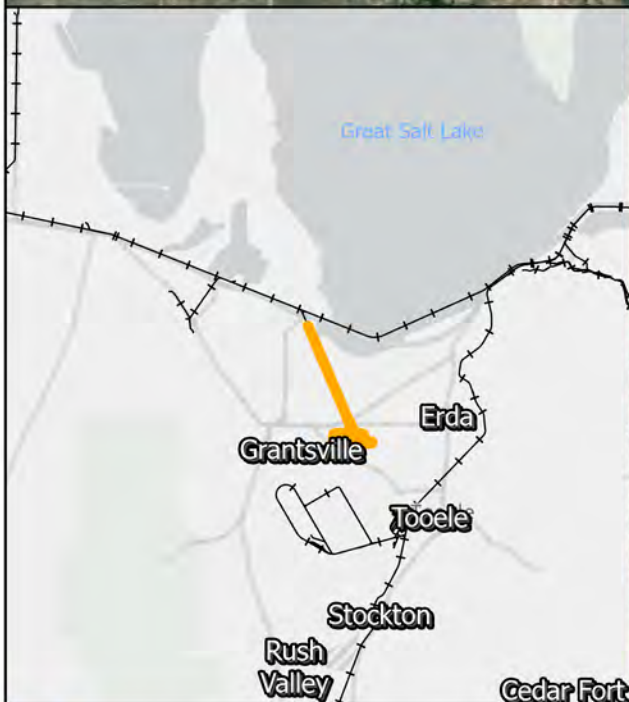
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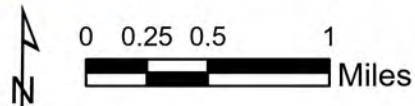
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Proposed Rail Line Existing Railroad



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Docket No. FD 36616
Savage Tooele Railroad Company – Construction
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Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Robert Stewart
Region Director
Utah Department of Transportation, Region 2
2010 South 2760 West
Salt Lake City, UT 84104

By email at rstewart@utah.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Robert Stewart:

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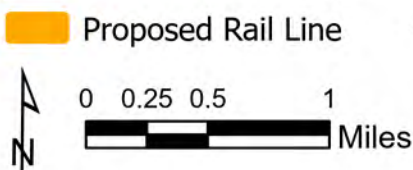
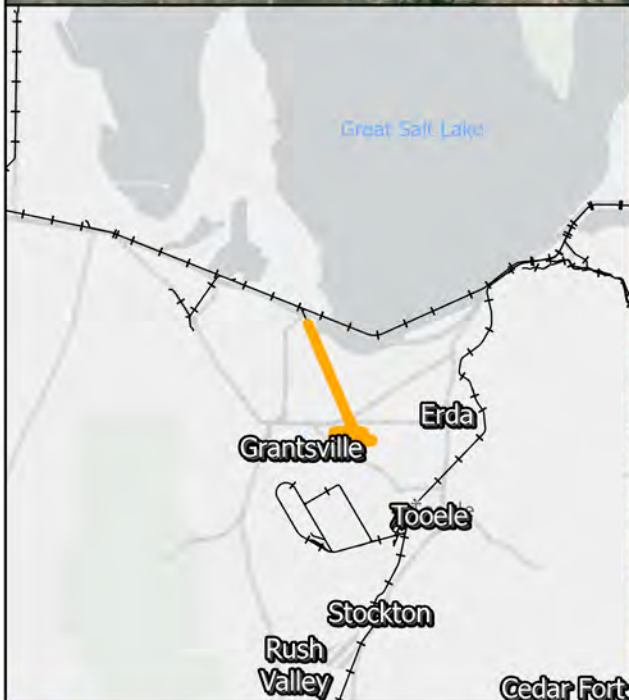
HWY 138

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SURFACE TRANSPORTATION BOARD
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Office of Environmental Analysis

October 4, 2022

Jim Golden
Chief Railroad Engineer
Utah Department of Transportation
4501 South 2700 West
Taylorsville, Utah 84129

By email at jimgolden@utah.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jim Golden:

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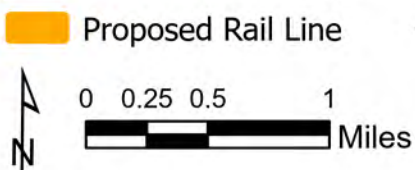
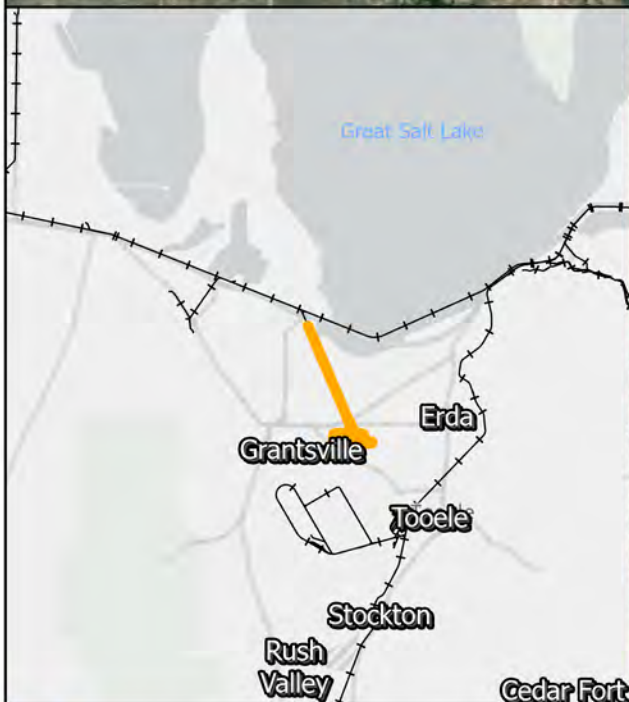
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- Luke Duncan, Chairperson, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
- Betsy Champoos, Director, Cultural Rights and Protection Department, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah

This is a written response from the Utah Department of Transportation (UDOT) to the Office of Environmental Analysis (OEA) in response to Savage Tooele Railroad Company (STR) seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. This response is intended to be primarily an environmental response and does not constitute all comments that UDOT may have to the proposed project.

When the segment of rail line was abandoned, the rail crossing at SR-138 and the rail crossing at Erda Way were closed. Since these crossings were closed the reestablishment of the line will require two crossings that will be treated as new crossings. The request for new crossings will need to meet the requirements of UDOT Administrative Rule R930-5 (attached), specifically R930-5-7.6 addresses requirements for new crossings. Also, in order to add a crossing, the Administrative Rule would require a public hearing per R930-5-13.

SR-138 is a high-speed rural highway with a posted speed limit of 65 mph in the area. It has not yet been determined whether a rail crossing at this location will be at grade or grade separated. As part of the environmental analysis, we recommend that both scenarios be considered. Consideration should also be made for any maintenance access road that may be needed with access off the highway. A section of rail has been removed and the reestablishment of the rail may necessitate roadway reconstruction to meet rail requirements, the environmental clearance should include a full geometric design, compliant with UDOT Standards, of all such roadway work. The building of these crossings will also require permits and maintenance agreements with UDOT for the crossing at SR-138 and with the local government agencies for the crossing at Erda Way.

The Department will ask for a Traffic Impact Study. The Utah Department of Transportation Traffic Impact Study Requirements document is attached.

There is also a major UDOT project in the vicinity of the proposed project. The Midvalley Highway project is close to identifying a preferred alternative and the reestablishment of this rail line would need to be compatible with the selected alternative. Provided is a link to the Midvalley Highway project page for reference.

<https://www.udot.utah.gov/midvalley/#/>

If you have any questions on these comments or if any additional detail is needed, please feel free to contact me.

Jesse R Sweeten, PE | *Statewide Railroad Engineer*
4501 South 2700 West | Salt Lake City, UT 84114
jsweeten@utah.gov

R930. Transportation, Preconstruction.

R930-5. Establishment and Regulation of At-Grade Railroad Crossings.

R930-5-1. Purpose and Authority.

(1) The Utah Department of Transportation (the "Department") oversees all Public Highway-Rail Grade Crossings ("Crossings") in the state of Utah. Railroads have jurisdiction over and are responsible for the safety of private crossings. The Department's goals are to improve the safety for all users of a Crossing and provide for the efficient operation of trains and vehicles and pedestrians access through those Crossings. As part of this effort, the Department promotes the elimination of Crossings and at regular intervals, the Department:

(a) Reviews all existing Crossings in the state for safety deficiencies;

(b) Evaluates and approves the location of a new Crossing;

(c) Prescribes the type of improvements at a Crossing;

(d) Defines maintenance responsibility for a Crossing; and

(e) Determines funding apportionments for all Section 130 Crossing Projects.

(2) This rule describes procedures for evaluating and selecting a Crossing for improvement as well as for evaluating and selecting the type of improvements at a Crossing. Such improvements include, but are not limited to:

(a) The evaluation and selection of the type of Passive and Active Warning Devices;

(b) The process for evaluating and determining whether a Crossing should be grade separated; and

(c) The process for evaluating Quiet Zones as outlined in 49 CFR 222.

(3) This Rule outlines the responsibilities of the various parties with respect to the design, maintenance and funding for Crossing improvements.

(4) This Rule is authorized by Section 54-4-15 "Establishment and Regulation of Grade Crossings," Section 54-4-14, Section 72-1-201, Section 41-6a-1205 and Title 63G, Chapter 3 "Utah Administrative Rulemaking Act."

R930-5-2. Incorporation by Reference.

The following federal law, state law, federal agency manuals, association standards and UDOT technical requirements are incorporated by reference:

(1) 23 CFR 148 "Highway Safety Improvement Program" (2005);

(2) 23 CFR 646 "Railroads" (2009);

(3) 23 CFR 655 "Traffic Operations" (2009) "Manual of Uniform Traffic Control Devices (MUTCD)" (2003, with revisions 1 and 2 incorporated, dated 2007);

(4) 23 CFR 924 "Highway Safety Improvement Program" (2009);

(5) 49 CFR 209 "Accidents and Incidents" (2009);

(6) 49 CFR 212 "State Safety Participation Regulations" (2009);

(7) 49 CFR 222 "Use of Locomotive Horns at Public Highway-Rail Grade Crossing" (2009)

(8) 49 CFR 659 "Rail Fixed Guideway Systems; State Safety Oversight" (2009);

(9) "A Policy on Geometric Design of Highway and Streets",

American Association of State Highway and Transportation Officials (AASHTO) (2004);

(10) "Railroad-Highway Grade Crossing Handbook", Federal Highway Administration (FHWA) (August 2007);

(11) "Preemption of traffic signals near Railroad Crossings", Institute of Traffic Engineers (ITE) (2004);

(12) "Manual for Railway Engineering", Chapter 28, Clearances, American Railway Engineering and Maintenance-of-Way Association (AREMA), 2007; and

(13) "Standard Drawing ST-7 Pavement Marking and Signs at Railroad Crossings", Utah Department of Transportation (UDOT) (2008).

R930-5-3. Definitions.

(1) "Active Warning Device" means traffic control devices activated by the approach or presence of a train, such as flashing light signals, automatic gates and similar devices, as well as manually operated devices and Crossing watchmen, all of which display to motorists positive warning of the approach or presence of a train.

(2) "Company" means any local district or utility company.

(3) "Diagnostic Team" means an appointed group of knowledgeable representatives of the parties of interest in a Crossing or group of Crossings.

(4) "FHWA" means the Federal Highway Administration, an agency within the United States Department of Transportation.

(5) "FRA" means the Federal Railroad Administration, an agency within the United States Department of Transportation.

(6) "FTA" means the Federal Transit Administration, an agency within the United States Department of Transportation.

(7) "Highway" means any public road, street, alley, lane, court, place, viaduct, tunnel, bridge, or structure laid out or erected for public use, or dedicated or abandoned to the public, or made public in an action for the partition of real property, including the area within the right-of-way.

(8) "Highway-Rail Grade Crossing" ("Crossing") means the general area where a Highway and a Railroad cross at the same level within which are included the Railroad, Highway, and roadside facilities for public traffic traversing the area.

(9) "Highway Authority" means the Department or local governmental entity that owns or has jurisdiction over a Highway.

(10) "MUTCD" means the Manual of Uniform Traffic Control Devices as adopted in Section 41-6a-301.

(11) "Neutral Quadrant" means the quadrant that minimizes sight distance conflicts with immediate on-coming auto traffic. Generally, the neutral quadrant is on the far side of the tracks from the direction of vehicular travel.

(12) "Passive Warning Device" means those types of traffic control devices, including signs, markings and other devices located at or in advance of a Crossing to indicate the presence of a Crossing but which do not change aspect upon the approach or presence of a train.

(13) "Preliminary Engineering" means the work necessary to produce construction plans, specifications, and estimates to the degree of completeness required for undertaking construction, including locating, surveying, designing, and related work.

(14) "PSC" means the Public Service Commission of the State of Utah.

(15) "Quiet Zone" means a section of a rail line at least one half mile in length that contains one or more consecutive public Crossings at which locomotive horns are not routinely sounded, see 49 CFR 222.

(16) "Railroad" means all rail carriers, whether publicly or privately owned, and common carriers, including line haul freight and passenger railroads, public transit districts, switching and terminal railroads, passenger carrying railroads such as rapid transit, and commuter and street railroads.

(17) "Section 130 Crossing Project" means a project that eliminates hazards and improves the safe operation of trains, vehicles, and pedestrians through a crossing and is authorized and funded by United State Code, Title 23, Section 130 Program funds.

R930-5-4. Type and Selection of Crossing Projects.

(1) Section 130 Crossing Projects:

(a) Section 130 Crossing Project types include, but are not limited to:

(i) Elimination of a Crossing by combining multiple Crossings;
(ii) Elimination of a Crossing by the relocation of a Highway;
(iii) Elimination of a Crossing by the construction of a new grade separation;

(iv) New safety improvements;

(v) Reconstruction of a Crossing grade separation structure;
and

(vi) Repair of Crossing material, that would otherwise be the responsibility of the Railroad as prescribed in Subsection R930-5-8-(1)(b), if the repair of the Crossing material affects or is an integral part of the Crossing safety devices.

(b) The Department has established a process for the evaluation and selection of Section 130 projects that considers the potential reduction in the number and/or severity of collisions, the cost of the Crossing projects, and available resources. Specific methods for selecting and prioritizing Crossings for improvement include:

(i) The collection and maintenance of data utilizing the USDOT Grade Crossing Inventory to record Crossing data including, but not limited to the current physical condition, average daily traffic, and collision data associated with a Crossing.

(ii) An engineering study conducted on a Crossing at the request of a Highway Authority, Railroad, or company or using a priority list developed using the USDOT Accident Prediction Model. The purpose of the engineering study is to review the Crossing and its environment, identify the nature of any deficiencies and recommend alternative improvements. Specifically, an engineering study reviews Crossing characteristics, the existing traffic control system, and the Highway and Railroad characteristics. Based on the review of these conditions, an assessment of existing and potential hazards is made, deficiencies are identified and countermeasures are recommended.

(iii) System or corridor evaluations consider a Crossing as a component of a larger transportation system. The objective is to improve both safety and operations of the total system or segments of the system. In such cases, all Crossings within a corridor are

evaluated and can be programmed for improvements. The optimal outcome of a corridor study involves a combination of engineering improvements and closures such that both safety and operations are highly improved.

(2) Non-Section 130 Crossing Projects:

(a) Non-Section 130 Crossing Project types include, but are not limited to:

(i) Crossing projects that use Railroad properties or involve adjustments to Railroad facilities required by Highway construction, but do not involve the elimination of hazards at a Crossing; and

(ii) Construction of a new Crossing at or over a Railroad track where the new Highway is not a relocation of an existing Highway.

(b) Non-Section 130 Crossing Projects will be evaluated and selected as part of the Department's normal STIP evaluation and approval process.

R930-5-5. Diagnostic Team.

(1) The role of the Diagnostic Team is to make recommendations to the Department for needed safety improvements at a Crossing.

(2) The Diagnostic Team reviews and evaluates proposed improvements for all Section 130 Crossing Projects and Non-Section 130 Crossing Projects. The Diagnostic Team reviews a Crossing when requested by a Highway Authority, Railroad, or Company when changes in Highway traffic patterns are proposed, when proposed Railroad traffic is determined to increase significantly, when complaints are made about a Crossing, when safety concerns arise, or when the Department receives a closure request. The Department will consider all recommendations made by the Diagnostic Team and, if appropriate, input received from the public at large (in accordance with Section R930-5-13) before issuing orders for the improvement of Crossings.

(3) The Department may also make formal findings and rulings as part of its process for evaluating Crossing improvements or during routine inspection of Crossings, independent of the Diagnostic Team.

(4) The Diagnostic Team is usually composed of the following team members:

(a) Chief Railroad Engineer for the Department;

(b) Representative from the Railroad;

(c) Representative from the appropriate Company, if applicable;

and

(d) Representative from the Highway Authority (preferably from engineering or public works), and when available, and where appropriate public school district, law enforcement agency and invites with an interest in the Crossing.

(5) The role of the Diagnostic Team is to:

(a) Recommend the elimination of a Crossing;

(b) Recommend the type of safety improvements including, but not limited to Passive Warning Devices, Active Warning Devices, the type of Crossing material, improvements to Highway approaches, removal of foliage and brush, pedestrian facilities (including compliance with ADA requirements), and improvements to street lighting;

(c) Review all requests for a new Crossing;

(d) Review all requests to reclassify a Crossing from private to public;

(e) Recommend the Department conduct an engineering study to evaluate the need for a new overpass or other grade separation

structure(s); and

(f) Recommend any other safety related changes to improve vehicle and pedestrian safety.

(6) Duties of Diagnostic Team members generally include participating in Crossings reviews and providing input into the Diagnostic Team recommendations. Specific duties include, but are not limited to the following:

(a) The Chief Railroad Engineer will, when applicable:

(i) Select a Section 130 Crossing Project from a corridor study, or based on a Highway Authority, Railroad, or Company request;

(ii) Schedule and notify Diagnostic Team members, and the FHWA, of the date and time of an upcoming review;

(iii) Conduct Crossing review and issue related reports in a reasonable time after the review and send copies to all those attending the review;

(iv) Review and approve Crossing improvements recommended by the Diagnostic Team;

(v) Determine Section 130 apportionments for Crossing projects;

(vi) Initiate all Notices of Intended Action for Crossing projects, as appropriate;

(vii) Review and approve the contractual requirements for Crossing projects using Section 130 Program funding;

(viii) Review all necessary field data obtained for the Crossing, including but not limited to site plan maps and photographs of the existing Crossing conditions.

(b) The Railroad representative shall provide all relevant data related to the Crossing, including, but not limited to train volumes, accident data and any other pertinent data regarding the Crossing;

(c) The Highway Authority representative shall:

(i) Provide relevant data regarding the Crossing including, but not limited to Highway traffic volumes, planned road construction activities, and an approved master street plan for the Highway;

(ii) Invite local school district if appropriate and request that the local school district representative provide child access and bus routing plan information; and

(iii) Invite local law enforcement agency if appropriate and request that the law enforcement agency provide relevant data, including, but not limited to any safety concerns about the Crossing.

R930-5-6. Design of a Highway-Rail Grade Crossing.

(1) The Department shall approve or disapprove, as appropriate, the design of all Crossing improvements, including the addition of a new Crossing and treatments for a closed Crossing. All design plans shall include, if available:

(i) USDOT identification numbers;

(ii) Street addresses;

(iii) Highway milepost;

(iv) Railroad subdivision; and

(v) Railroad milepost for the Crossing.

(2) Design of Crossing related facilities that are the responsibility of the Railroad shall conform to the specifications and design standards of the Railroad.

(3) Design of Crossing related Highway approaches, those areas two feet outside of rail that are the responsibility of the Highway

Authority shall conform to the specifications and design standards of the Highway Authority, subject to approval by the Department. Where a Highway Authority does not have an approved standard, Department standard drawings for the design of the Crossing approaches apply.

(4) Traffic control devices installed as part of any Crossing improvements shall comply with the MUTCD. Required clearances for all devices shall conform to the MUTCD and any variances from MUTCD requirements must be approved by the Department.

(5) When it is determined that the railroad crossing material needs to be extended or replaced, the agency doing the design of the crossing shall determine the minimum length of the crossing material. The length shall be determined based on the proposed width of the new roadway or from the approved master plan roadway width. The crossing material length shall extend at least two feet from the outer edge of the roadway, beyond the roadway clear zone area, or to the back of the concrete curb and gutter or out past the sidewalks.

(6) The Railroad is responsible for the design of Railroad Active Warning Devices, including the location, activation circuitry, hardware, and software in accordance with MUTCD.

(a) When Active Warning Devices are within 200 feet of a traffic signal, the Highway Authority and the Railroad shall coordinate the design of the interconnect between the traffic signal and Automatic Warning Device to ensure sufficient preemption time to clear potential vehicle stacking across a Crossing.

(b) Signal houses for Active Warning Devices shall be located in the Neutral Quadrant unless approved by the Department.

(7) The Railroad is responsible for the design of all required Railroad Passive Warning Devices located within the Railroad road right-of-way in accordance with the MUTCD, specific Passive Warning Devices include:

- (a) Sign R15-1 (Crossbuck);
- (b) Sign R15-2 (Number of tracks);
- (c) Sign R1-1 (STOP);
- (d) Sign R1-2 (Yield);
- (e) Sign R15-3 (Exempt);
- (f) Sign R8-9 (Tracks out of Service).

(8) Design and installation of all other Passive Warning Devices, signs, and pavement markings is the responsibility of the Highway Authority. Design and location of the devices shall be in accordance with the MUTCD.

(9) For clearances, refer to the Manual for Railway Engineering, Chapter 28, Clearances, American Railway Engineering and Maintenance-of-Way Association (AREMA), 2007.

R930-5-7. Highway Authority and Railroad Responsibility to Request Approval and Arrange for the Installation of Crossing Improvements.

(1) When a Highway Authority widens or constructs a new Highway, the Highway Authority shall be responsible to request a Diagnostic Team review of the Crossing and arrange by agreement with the Railroad to design and install all required improvements concurrent with its request for approval from the Department:

(2) Prior to approving new residential, commercial, or industrial development within 1000 feet of a Crossing, the Highway Authority shall request a Diagnostic Team review to assess the

potential traffic impacts at the Crossing.

(3) Before a Highway Authority approves increased development that changes the conditions of a Crossing by significantly increasing traffic volumes, the Highway Authority plans shall be approved by the Department.

(a) No new access openings can be opened within 250' of a Crossing unless approved by the Department.

(b) The Highway Authority shall arrange by agreement with the Railroad for any required Railroad facility changes ordered by the Department.

(4) The Highway Authority is responsible for the installation of all Passive Warning Devices outside the Railroad right-of-way, excepting those signs listed in Section R930-5-6.6, or unless a separate agreement applies.

(5) Before a Railroad modifies any safety related devices or the physical layout of a Crossing, the Railroad shall request a Diagnostic Team review of the proposed changes and request Department approval of all Crossing related designs.

(6) A Highway Authority, Railroad, or Company making a request for a new Crossing or the reclassification of a Crossing from private to public shall provide the Department with an approved master street plan from the appropriate jurisdiction showing the elimination or combination of existing Crossings and/or other safety improvements that enhance the overall safety of the corridor before a new Crossing or reclassification of a Crossing from private to public will be approved.

(a) A Highway Authority, Railroad, or Company requesting a new Crossing or reclassification of a Crossing from private to public will mutually arrange by agreement for the proposed new Crossing or reclassification of a Crossing before seeking Department approval of the change.

R930-5-8. Maintenance.

(1) Responsibility for maintenance is as described in this section unless a separate agreement applies.

(a) The Railroad is responsible for the maintenance of all Railroad Passive Warning Devices and Active Warning Devices within the Railroad right-of-way.

(b) If the Railroad has a property interest in the right-of-way, the Railroad is responsible for the maintenance of Crossing material within the Railroad right-of-way and two feet beyond each outside rail for Crossings without concrete crossing panels or edge of concrete crossing panel.

(c) On a temporary Highway Detour Crossing, the Railroad shall be responsible for the maintenance of pavement, Active Warning Devices, and Passive Warning Devices within the Railroad right-of-way at expense of the Highway Authority.

(d) When the Railroad alters the railway due to track and ballast maintenance, the Railroad shall coordinate their work with the Highway Authority so the pavement approaches can be adjusted to provide a smooth and level Crossing surface.

(e) When the Highway Authority changes the Highway profile, through construction or maintenance activities, the Highway Authority shall coordinate their work with the Railroad so the tracks can be

adjusted to provide as smooth and level a Crossing surface as possible.

(f) Where a Highway structure overpasses a Railroad, the Highway Authority is responsible for the maintenance of the entire structure and its approaches.

(g) Where a Highway underpasses a Railroad and the Railroad owns the right-of-way in fee title, the Highway Authority is responsible for the maintenance of the Highway and the entire structure below and including the deck plate, girders, handrail, and parapets. The Railroad is responsible for the maintenance of the ballast, ties, rails and any portion of the supporting structure above the top of the ballast deck plate between parapets.

(i) If the Highway Authority owns the right-of-way in fee title, the Railroad is responsible for the maintenance of the entire structure unless a separate agreement applies.

(ii) Cost of repairing damages to a Highway or a Highway structure, occasioned by collision, equipment failure, or derailment of the Railroad's equipment shall be borne by the Railroad.

(h) Responsibility for maintenance of private industrial trackage not owned by a Railroad that crosses a Highway shall be as follows:

(i) When a facility, plant, or property owner receives goods and services from a Railroad over private industrial trackage that crosses a Highway, maintenance of the Crossing shall be the responsibility of the industry owning the trackage, or as agreed to by the parties.

(ii) When the Crossing becomes a safety hazard to vehicles and is not maintained, the Department and/or the Railroad shipping the goods and services shall notify the industry owning the trackage in writing to maintain or replace the Crossing material.

(iii) If the industry owning the trackage does not maintain or replace the Crossing material by a specified date, the Department shall order the Railroad to cease and desist operations across the Crossing.

(iv) If the industry owning the trackage does not respond to the order to maintain or replace the Crossing material the Department shall arrange to have the Crossing material replaced and bill the industry owning the trackage for the expenses to repair the trackage.

R930-5-9. Funding Authorization and Apportionment of Cost for Section 130 Crossing Projects.

(1) Funding Authorization.

(a) Section 130 Crossing Projects:

(i) Costs associated with a FHWA authorized and approved program are eligible for federal participation. Eligible costs incurred in an approved program prior to authorization by FHWA are not reimbursable, but may be included as part of the Railroad share of the project cost where such a share is required. Eligible costs include, but are not limited to cost associated with environmental clearance, Preliminary Engineering, and right-of-way acquisition.

(ii) Prior to FHWA issuing its authorization to advertise the construction of a Crossing project, the Crossing project must receive environmental clearance; the plans, specifications and estimates must be approved by FHWA; and any proposed agreement between the Railroad and the Department must be reviewed and approved by FHWA, as per FHWA's

stewardship agreement with the Department.

(b) Non-Section 130 Crossing Projects:

(i) The Department will consider requests for funding of non-Section 130 Crossing Projects as part of its regular STIP evaluation and approval process.

(2) Apportionment of Costs.

(a) Section 130 Crossing Projects:

(i) Apportionment of costs for installation, maintenance, and reconstruction of safety related improvements at a Crossing shall be in accordance with 23 CFR 646 and Section 54-4-15.

(ii) When a Highway Authority widens a Highway, the Highway Authority shall fund all improvements including, but not limited to Passive Warning Devices, Active Warning Devices, Crossing material, and other improvements as ordered by the Department in consultation with the Diagnostic Team.

(iii) The Department will evaluate each Crossing project to determine the extent to which, if any, the Crossing projects benefits the respective parties. If a Crossing project is determined not to benefit a party, the party will not be required to participate in the funding.

(b) Non-Section 130 Crossing Projects.

(i) The Department will consider requests for funding of non-Section 130 Crossing Projects as part of its regular STIP evaluation and approval process.

R930-5-10. Railroad and Highway Authority Agreements.

(1) Where construction of a Section 130 Crossing Project requires use of Railroad properties or adjustments to Railroad facilities, the Department will prepare an agreement with the Railroad.

(2) Master agreements between the Department and a Railroad on an area wide or statewide basis may be used. These agreements shall contain the specifications, regulations, and provisions required in conjunction with work performed on all Crossing projects.

(3) On a project-by-project basis, the written agreement between the Department and the Railroad shall include the following minimum requirements:

- (a) Reference to appropriate federal regulations;
- (b) Detailed statement of the work to be performed by each party;
- (c) The extent to which the Railroad is required to adjust its facilities;
- (d) The Railroad's share of the project cost;
- (e) An itemized estimate of the cost of the work to be performed by the Railroad;
- (f) Method to be used for performing the work, either by Railroad forces or by contract;
- (g) Maintenance responsibility;
- (h) Form, duration, and amounts of any needed insurance; and
- (i) Appropriate reference to or identification of plans and specifications.

(4) On matching fund agreements between the Department and a Highway Authority, the written agreement shall include the following minimum requirements:

- (a) Description of work and location, city, county, and state;

(b) Reference to federal regulations that matching funds will be provided by the Highway Authority;

(c) Detailed statement of work to be preformed by each party regarding design, agreements, inspection, and maintenance;

(d) Statement of finances of project and matching funds to be provided by Highway Authority, deposits, invoices, and cost overruns or under runs.

(5) Agreements for industry track Crossings are prepared between the Highway Authority and the industry.

(6) In order that a Crossing project shall not become unduly delayed, the Department shall consider a six-month period from issuance of the Railroad agreement to be adequate for completion of work by the Railroad involved. Should more than the specified period elapse, the Department shall require the Railroad to proceed with the work covered by the agreement under the authority contained in Section 54-4-15 and approval from the FHWA will be solicited in conformance with 23 CFR 646.

R930-5-11. Crash Reporting.

A Railroad is required to report crashes resulting in injury or death to an individual or damage to equipment, roadbed, or autos occurring at a Crossing to the Department's Chief Railroad Engineer within 2 hours of the incident. Initial notification must include the USDOT Crossing number, street address, municipality, time of incident, train identifier, and contact phone number for further information. Written crash reports shall be submitted to the Department within 30 days of the incident. Current Federal Railroad Administration (FRA) form F 6180.57 shall be used to report a crash.

R930-5-12. Exemption of Railroad Crossings.

Under Section 41-6a-1205, certain vehicles are required to stop at all Crossings unless a Crossing is signed as exempt. Recommendation to exempt a Crossing is made by a Diagnostic Team and the Department is responsible for issuing the exemption order. The following Crossings are not eligible for exemption under this Section:

- (1) Mainline Crossings with Passive Warning Devices only;
- (2) Crossings within approved Quiet Zones; and
- (3) Crossings where insufficient sight distance exists.

R930-5-13. Notice of Intended Action.

(1) Public notification of a public hearing opportunity is required, in conformance with Section R930-2, when the Department is considering a proposal to permanently close a Crossing, add a track at a Crossing, or construct a new Crossing. It is the responsibility of the Highway Authority, Railroad, or Company requesting the proposed action, in consultation with the Department, to carry out the requirements of this section unless otherwise agreed to by the Department.

(2) In instances where the action proposed by the Department does not substantially affect the public, the Department may waive the requirement to notice a public hearing opportunity, provided the affected Diagnostic Team members concur in writing.

KEY: railroad, crossing, transportation, safety

Date of Enactment or Last Substantive Amendment: April 21, 2011
Notice of Continuation: November 2, 2016
Authorizing, and Implemented or Interpreted Law: 41-6a-1205;
54-4-14; 54-4-15; 72-1-201

Utah Department of Transportation Traffic Impact Study Requirements

This memo and preceding information is prepared to assist an access permit applicant fulfilling the requirement of performing a traffic impact study when requesting access to a state highway. Each permit application is unique. The agreed requirements of traffic study and assessment may vary accordingly as agreed to by the Department and the applicant and/or their representative who will perform the traffic study.

Please refer to the Department document, *Accommodation of Utilities and the Control and Protection of State Highway Rights of Way: Section 7, State Highway Access* for full information concerning the grant of access application requirements. A downloadable copy of the document is available on the Department website at <http://www.udot.utah.gov>.

The following are taken from the Utah state rule 930-6, Accommodation of Utilities and the Control and protection of State Highway Rights of Way. Statements for this guideline are also added which do not appear in the Rule.

7.2.5 Preparing The Access Application

Pre-Application/Concept Meeting

Prior to submitting a permit application, contact the appropriate Department Region or District office for information about the application process and the type of information required. The applicant is advised to consult with the Region Permit Officer during a pre-application meeting to determine the appropriate access category, permit application level, and traffic impact study requirements, and scope for the project.

Permit Level

The level of application required is based upon the size and magnitude of the proposed project applying for a permit. Threshold criteria for different levels of projects have been developed to avoid placing an undue burden on applicants with small projects, while ensuring that large projects with significant impacts are thoroughly evaluated.

Four application levels have been developed based on site-generated traffic of AADT and or peak hour volumes. Each level defines specific threshold elements related to required applicant site plan elements, permitting process, permitting schedule, applicant fees, traffic study requirements, and other permit related issues. The information and level of detail required to review an application will vary according to the type and usage of the access connection requested and will be determined based on the thresholds outlines in, Table 7.2-2: Guidelines for Access Permit Levels. The Region Permit Officer, Traffic Engineer and/or designee will determine the Permit Application Level based on preliminary data supplied by the applicant.

A Traffic Impact Study (TIS) is required of all access permit applications. The purpose of the TIS is to identify system and immediate area impacts associated with the proposed connection(s). Identification of impacts and appropriate mitigation measures allows the Department to assess the existing and future system safety, performance, maintenance, and capacity needs.

Determination of the extent of the TIS study area is at the determination of the attending Region Traffic Engineer and /or other Department employees. The study area, depending on the size and

intensity of the development and surrounding development, may be identified by parcel boundary, area of immediate influence or reasonable travel time boundary. An acceptable traffic study boundary, based on travel time, may be identified as a ten or twenty minute travel time or even by market area influence.

The TIS shall, at a minimum, incorporate traffic engineering principles and the standards as presented in this Rule. Additional requirements and investigation may be imposed upon the applicant as necessary.

Likely information presented in the TIS may include, but is not limited to, site location and proposed access point(s), phased and/or full development trip generation, connection point design elements, adjacent and relevant development, existing and future traffic volumes, assessment of the system impacts, and mitigation measures as appropriate.

The applicant will be responsible for performance and delivery of an acceptable traffic impact study. The TIS should be performed by an individual or entity demonstrating capability to analyze and report mobility, traffic engineering elements, and design elements as necessary for the application study area and site design. The TIS should be prepared directly, or by direct supervision by a State of Utah Licensed Professional Engineer. The Region Traffic Engineer may waive the licensing requirement for Permit Level I and II, and may also waive the Utah Licensure requirement.

7.2.6 Application Review

For an access permit, submit one complete application with attachments to the Region Permits Officer at the appropriate Department Region Office. The Region Permits Officer is the primary contact for the applicant with the Department throughout the process. Direct inquiries regarding a permit application or review, are directed to the Region Permit Officer.

7.2.11 Traffic Impact Studies

Need for Traffic Impact Study

A traffic study is necessary to identify, review, and make recommendations for mitigation of the potential impacts a development may have on the roadway system. Physical characteristics and operational characteristics of the roadway are typically identified. The Region Permits Officer and/or Region Traffic Engineer determine the need for a traffic impact study.

An applicant may be required to submit a traffic study for any proposed access or connection within an area identified by the Department. Area definition may be defined by, but not limited to, an identified safety problem, accident review, congested locations, or as a result of a change in land use and/or access in accordance with an access permit application. The study area may also be defined by a travel time boundary, area of influence, physical boundaries, or political boundaries.

Purpose of the Traffic Impact Study

TIS are intended to:

- Document whether or not the access request can meet the standards and requirements of this Rule and other applicable regulations.
- Analyze appropriate location, spacing, and design of the access connection(s) necessary to mitigate the traffic.

- Analyze operational impacts on the highway and permissible under the highway's assigned access category and in accordance with applicable requirements and standards of this Rule.
- Recommend the need for any improvements to the adjacent and nearby roadway system to maintain a satisfactory level of service and safety and to protect the function of the highway system while providing appropriate and necessary access to the proposed development.
- Assure that the internal traffic circulation of the proposed development is designed to provide safe and efficient access to and from the adjacent and nearby roadway system consistent with the purpose of this Rule.
- Analyze and recommend the means for land uses to minimize their external transportation costs to the traveling public through traffic improvements necessitated by that development as well as making the fullest use of alternative travel modes.

Traffic Impact Study Requirements

When a Traffic Impact Study is required (See Table 7.2-2), prepare the study according to the Department Traffic Impact Study Requirements. The appropriate Region Traffic Engineer in consultation with the permit applicant will determine the traffic study area limits.

All existing and proposed access points, driveways and streets, shall be identified for each site, including access on the opposite side of the site and within the influence area of the proposed site access. The influence area will be defined by the Region Traffic Engineer and/or designee. Each access will be labeled for proposed accesses as P1, P2, P3... and existing accesses as E1, E2, E3,...

**Accommodation of Utilities and the Control and Protection of State Highway Rights of Way
Table 7.2-2**

Guidelines for Access Permit Levels

Permit Type App. Level	Thresholds	Typical Land Use Intensity Thresholds (ITE Trip Generation)	Traffic Impact Study Required
I	Projected site traffic < 100 ADT and No proposed modifications to traffic signals or elements of the roadway	Single Family < 10 units Apartment < 15 units Lodging < 11 occupied rooms General Office < 9,000 square feet Retail < 2,500 square feet	YES Conditions Apply
II	Projected site traffic between 100 and 3,000 ADT or Projected peak hour traffic < 500 and Minor modifications to traffic signals or elements of the roadway	Single Family 10 to 315 units Apartment 15 to 450 units Lodging 11 to 330 occupied rooms General Office 9,000 to 270,000 sq. ft. Retail 2,500 to 70,000 sq. ft. Gas Station 1 to 18 fueling positions Fast Food 1,000 to 6, 000 sq. ft. Restaurant 1,000 to 26,000 sq. ft.	YES
III	Projected site traffic between 3,000 and 10,000 ADT or Projected peak hour traffic between 500 and 1,200 or Proposed installation or modification to traffic signals or elements of the roadway, regardless of project size	Single Family 315 to 1,000 units Apartment 450 to 1,500 units Lodging 330 to 1,100 occupied rooms General Office 270,000 to 900,000 sq. ft. Retail 70,000 to 230,000 sq. ft. Fast Food 6,000 to 20, 000 sq. ft.	YES
IV	Projected site traffic > 10,000 ADT or Proposed installation /modification of two or more traffic signals, addition of travel lanes to State Highway or proposed modification of freeway interchange, regardless of project size	Single Family > 1,000 units Apartment > 1,500 units Lodging > 1,100 occupied rooms General Office > 900,000 square feet Retail > 230,000 square feet	YES

Permit Level / Traffic Study level I

Project ADT < 100 trips.

No proposed modifications to traffic signals or roadway elements or geometry.

The traffic study shall, at a minimum, incorporate traffic engineering principles and standards as presented in the State Highway Access Management Rule, Department standards, and national practices. Additional requirements and investigation may be imposed upon the applicant as necessary.

The Region Permits officer and/or the Region Traffic Engineer determine the need and requirements for a traffic impact study.

1. Study Area.

Defined by Region Permits Officer and/or Region Traffic Engineer.

The study area, depending on the size and intensity of the development and surrounding development, may be identified by parcel boundary, area of immediate influence or reasonable travel time boundary.

Study area may be limited to or include property frontage and include neighboring and adjacent parcels. Identify site, cross, and next adjacent up and down stream access points within access category distance of property boundaries.

2. Design year.

Opening day of project.

3. Analysis Conditions and Period

Identify site traffic volumes and characteristics.

Identify adjacent street(s) traffic volume and characteristics.

4. Identify right-of-way, geometric boundaries and physical conflicts.

Investigate existence of federal or state, no access or limited access control line.

5. Generate access point capacity analysis as necessary.

Analyze site and adjacent road traffic for the following time periods: weekday A.M. and P.M. peak hours including Saturday peak hours. Identify special event peak hour as necessary (per roadway peak and site peak).

6. Design and Mitigation.

Identify operational concerns and mitigation measures to ensure safe and efficient operation pursuant to appropriate state highway access category.

Permit Level / Traffic Study Level II

The traffic study shall, at a minimum, incorporate traffic engineering principles and standards as presented in the State Highway Access Management Rule, Department standards, and national practices. Additional requirements and investigation may be imposed upon the applicant as necessary.

The Region Permits officer and/or the Region Traffic Engineer determine the need and requirements for a traffic impact study.

Project ADT 100 to 500 trips.

1. Study Area.
Defined by Region Permits Officer or Region Traffic Engineer.
The study area, depending on the size and intensity of the development and surrounding development, may be identified by parcel boundary, area of immediate influence or reasonable travel time boundary.

Intersection of site access drives with state highways and any signalized and unsignalized intersection within access category distance of property line. Include any identified queuing distance at site and study intersections
2. Design Year.
Opening day of project.
3. Analysis Period.
Identify site and adjacent road traffic for weekday A.M. and P.M. peak hours.
4. Data Collection
Identify site and adjacent street roadway and intersection geometries.
Identify adjacent street(s) traffic volume and characteristics.
5. Conflict / Capacity Analysis
Diagram flow of traffic at access point(s) for site and adjacent development.
Perform capacity analysis as determined by Region Traffic Engineer.
6. Right-of-Way Access
Identify right-of-way, geometric boundaries and physical conflicts. Investigate existence of federal or state, no access or limited access control line.
7. Design and Mitigation
Determine and document safe and efficient operational design needs based on site and study area data. Identify operational concerns and mitigation measures to ensure safe and efficient operation pursuant to appropriate state highway access category.

Project ADT 500 to 3,000 trips or peak hour < 500 trips.

Any proposed modification to traffic signals or roadway elements or geometry.

1. Study Area.
Defined by Region Permits Officer or Region Traffic Engineer.
The study area, depending on the size and intensity of the development and surrounding development, may be identified by parcel boundary, area of immediate influence or reasonable travel time boundary. An acceptable traffic study boundary, based on travel time, may be identified as a ten or twenty minute travel time or even by market area influence.

Intersection of site access drives with state highways and any signalized and unsignalized intersection within access category distance of property line. Include any identified queuing distance at site and study intersections.

2. Design Year.
Opening day of project and five year after project completion. Document and include all phases of development (includes out pad parcels).
3. Analysis Period.
Analyze site and adjacent road traffic for weekday A.M. and P.M. peak hours including Saturday peak hours. Identify special event peak hour as necessary (adjacent roadway peak and site peak).
4. Data Collection
 - a. Daily and Turning Movement counts.
 - b. Identify site and adjacent street roadway and intersection geometries.
 - c. Traffic control devices including traffic signals and regulatory signs.
 - d. Traffic accident data
5. Trip Generation.
Use equations or rates available in latest edition of ITE Trip Generation. Where developed equations are unavailable for intended land use, perform trip rate study and estimation following ITE procedures or develop justified trip rate agreed to by the Department.
6. Trip Distribution and Assignment
Document distribution and assignment of existing, site, background, and future traffic volumes on surrounding network of study area.
7. Conflict / Capacity Analysis.
Diagram flow of traffic at access point(s) for site and adjacent development.
Perform capacity analysis for daily and peak hour volumes
8. Traffic Signal Impacts. For modified and proposed traffic signals:
 - a. Traffic Signal Warrants as identified.
 - b. Traffic Signal drawings as identified.
 - c. Queuing Analysis
9. Right-of-Way Access
Identify right-of-way, geometric boundaries and physical conflicts. Investigate existence of federal or state, no access or limited access control line.
10. Design and Mitigation.
Determine and document safe and efficient operational design needs based on site and study area data. Identify operational concerns and mitigation measures to ensure safe and efficient operation pursuant to appropriate state highway access category.

Permit Level / Traffic Study Level III

Project ADT 3,000 to 10,000 trips or peak hour traffic 500 to 1,200 trips.

Proposed installation or modification to traffic signals or roadway elements or geometry, regardless of project size or trip generation.

The traffic study shall, at a minimum, incorporate traffic engineering principles and standards as presented in the State Highway Access Management Rule, Department standards, and national practices. Additional requirements and investigation may be imposed upon the applicant as necessary.

The Region Permits officer and/or the Region Traffic Engineer determine the need and requirements for a traffic impact study.

1. Study Area.

Defined by Region Permits Officer or Region Traffic Engineer

The study area, depending on the size and intensity of the development and surrounding development, may be identified by parcel boundary, area of immediate influence or reasonable travel time boundary. An acceptable traffic study boundary, based on travel time, may be identified as a ten or twenty minute travel time or even by market area influence.

Intersection of site access drives with state highways and any intersection within 1/2 mile of property line on each side of project site.

2. Design Year.

Opening day of project, five years and twenty years after opening. Document and include all phases of development (includes out pad parcels).

3. Analysis period.

For each design year analyze site and adjacent road traffic for weekday A.M. and P.M. peak hours including Saturday peak hours. Identify special event peak hour as necessary (adjacent roadway peak and site peak).

4. Data Collection.

- a. Daily and Turning movement counts.
- b. Identify site and adjacent street roadway and intersection geometries.
- c. Traffic control devices including traffic signals and regulatory signs.
- d. Automatic continuous traffic counts for at least 48 hours.
- e. Traffic accident data.

5. Trip Generation.

Use equations or rates available in latest edition of ITE Trip Generation. Where developed equations are unavailable for intended land use, perform trip rate study and estimation following ITE procedures or develop justified trip rate agreed to by the Department.

6. Trip Distributions and Assignment.

Document distribution and assignment of existing, site, background, and future traffic volumes on surrounding network of study area.

7. Capacity Analysis.

- a. Level of Service (LOS) for all intersections.
- b. LOS for existing conditions, design year without project, design year with project.

8. Traffic Signal Impacts. For proposed Traffic Signals:

- a. Traffic Signal Warrants as identified.
- b. Traffic Signal drawings as identified.

- c. Queuing Analysis.
 - d. Traffic Systems Analysis. Includes acceleration, deceleration and weaving.
 - e. Traffic Coordination Analysis
9. Right-of-Way Access
Identify right-of-way, geometric boundaries and physical conflicts. Investigate existence of federal or state, no access or limited access control line.
10. Accident and Traffic Safety Analysis. Existing vs. as proposed development.
11. Design and Mitigation.
Determine and document safe and efficient operational design needs based on site and study area data. Identify operational concerns and mitigation measures to ensure safe and efficient operation pursuant to appropriate state highway access category.

Permit Level / Traffic Study Level IV

Project ADT greater than 10,000 trips or peak hour traffic > 1,200 vehicles per hour.
Proposed installation or modification of two or more traffic signals, addition of traffic lanes or modification of freeway interchange.

The traffic study shall, at a minimum, incorporate traffic engineering principles and standards as presented in the State Highway Access Management Rule, Department standards, and national practices. Additional requirements and investigation may be imposed upon the applicant as necessary.

The Region Permits officer and/or the Region Traffic Engineer determine the need and requirements for a traffic impact study.

1. Study Area.
Defined by Region Permits Officer or Region Traffic Engineer
The study area, depending on the size and intensity of the development and surrounding development, may be identified by parcel boundary, area of immediate influence or reasonable travel time boundary. An acceptable traffic study boundary, based on travel time, may be identified as a ten or twenty minute travel time or even by market area influence.

Intersection of site access drives with state highways and any intersection within 1/2 mile of property line of each side of project site and any intersection or freeway interchange impacted by more than 500 peak hour trips.
2. Design Year.
Opening day of project, five years and twenty years after opening. Document and include all phases of development (includes out pad parcels).
3. Analysis period.
For each design year analyze site and adjacent road traffic for weekday A.M. and P.M. peak hours including Saturday peak hours. Identify special event peak hour as necessary (adjacent roadway peak and site peak).
4. Data Collection.
 - a. Daily and Turning movement counts.
 - b. Identify site and adjacent street roadway and intersection geometries.
 - c. Traffic control devices including traffic signals and regulatory signs.

- d. Automatic continuous traffic counts for at least 48 hours.
 - e. Traffic accident data.
5. Trip Generation
Use equations or rates available in latest edition of ITE Trip Generation. Where developed equations are unavailable for intended land use, perform trip rate study and estimation following ITE procedures or develop justified trip rate agreed to by the Department.
 6. Trip Distributions and Assignment.
Document distribution and assignment of existing, site, background, and future traffic volumes on surrounding network of study area.
 7. Capacity Analysis.
 - a. Level of Service (LOS) for all intersections.
 - b. LOS for existing conditions, design year without project, design year with project.
 8. Traffic Signal Impacts. For proposed traffic signals:
 - a. Traffic Signal Warrants as identified.
 - b. Traffic Signal drawings as identified.
 - c. Queuing Analysis.
 - d. Traffic Systems Analysis. Includes acceleration, deceleration and weaving.
 - e. Traffic Coordination Analysis.
 9. Right-of-Way Access
Identify right-of-way, geometric boundaries and physical conflicts. Investigate existence of federal or state, no access or limited access control line.
 10. Accident and Traffic Safety Analysis. Existing vs. as proposed develop.
 11. Design and Mitigation.
Determine and document safe and efficient operational design needs based on site and study area data. Identify operational concerns and mitigation measures to ensure safe and efficient operation pursuant to appropriate state highway access category.

STUDY AND REPORT FORMAT

The Traffic impact study should follow the recommended format below. Traffic impact studies shall be presented by a firm or individual recognized by the Department of Transportation as capable of performing a traffic analysis and when necessary, include engineered drawings based on Department standards drawings and specifications.

- (1) INTRODUCTION AND SUMMARY
- (2) PROPOSED PROJECT
- (3) STUDY AREA CONDITIONS
- (4) ANALYSIS OF EXISTING CONDITIONS
- (5) PROJECTED TRAFFIC
- (6) TRAFFIC ANALYSIS
- (7) CONCLUSIONS
- (8) RECOMMENDATIONS
- (9) APPENDICES
 - a) Traffic Counts
 - b) Traffic Capacity Analysis
 - c) Accident Summary
 - d) Request for change of access (if applicable)

(10) FIGURES AND TABLES

The following items shall be documented in the study:

- a) Site location – showing area roadways
- b) Site Plan
Identify geometric / physical concerns relating to area, site and specific access points. Include adjacent street and access points.
- c) Existing roadway and traffic control features (number of lanes, lane widths, alignment, location of traffic signals, signs) Include off-system features as related to site plan and access point(s).
- d) Existing daily volumes (directional if possible) and peak hour turning volumes. Discuss traffic characteristics (vehicle mix, % make-up and any special vehicle requirements).
- e) Collision diagram summary.
- f) Site generated trip summary. Discuss trip/vehicle make-up and any special vehicle requirements. Discuss trip reduction strategies if applicable.
- g) Directional distribution of site generated traffic.
- h) Assignment of Non-site related traffic (existing, background and future). Document both existing and committed development, and when appropriate other background planned development traffic. Assignment of total future non-site traffic for design year.
- i) Assignment of Site Traffic
- j) Traffic Capacity Analysis
Projected levels of service without the project – coincide with development phase years.
Projected levels of service with the project (by development phase years)
Recommended mitigation / improvement

(Scaled schematic drawings illustrating alignment, number of lanes, lane widths, signing, pavement markings. If traffic signal modifications are proposed, signal phasing, signal head locations, lane marking shall be shown.)



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Redge Johnson
Executive Director
Utah Public Lands Policy Coordinating Office
3760 S. Highland Drive, 3rd Floor
Millcreek, Utah 84106

By email at redgejohnson@utah.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Redge Johnson:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

Project Background

STR is a non-carrier, wholly owned subsidiary of Savage Enterprises, LLC both of which are subsidiaries of the Savage Companies (founded in Utah in 1946). STR is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line to extend the reinstated railroad line to and into a

planned developed business and industrial park in Grantsville, Utah, shown in the attached Figure 1. STR would construct track within the business park pursuant to a lease and/or a permanent easement obtained from the business park owners. STR anticipates that the track construction within the park would be phased in over time as the park secures new tenants. The approximately eleven miles of railroad line would re-establish the former branch line's connection to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah, and STR would provide common carrier service over the combined reinstated rail line and newly constructed track to enable tenants of the business park to receive and ship commodities by rail.

Request for Comments

OEA would like to hear from you regarding whether this proposal would require permitting, should additional fieldwork be needed, or any other requirements or concerns from your agency. Please submit your response within 30 days, so that we may begin the process of identifying the potential impacts of the proposed project.

All filings and other submissions can be submitted electronically through the Board's website at <https://stb.gov>. To submit a comment, select "File an Environmental Comment" (below the "Need Assistance?" button) on the Board's home page. Please make sure to refer to Docket No. FD 36616 in all correspondence, including e-filings, addressed to the Board. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

You may also send written comments to Andrea Poole, OEA's Project Manager for the environmental review by mail to:

Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

While paper filings are once again being accepted in accordance with the Board's regulations, stakeholders are strongly encouraged to continue to submit filings via the Board's e-filing system and to consent to e-service of decisions.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Danielle Gosselin".

Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

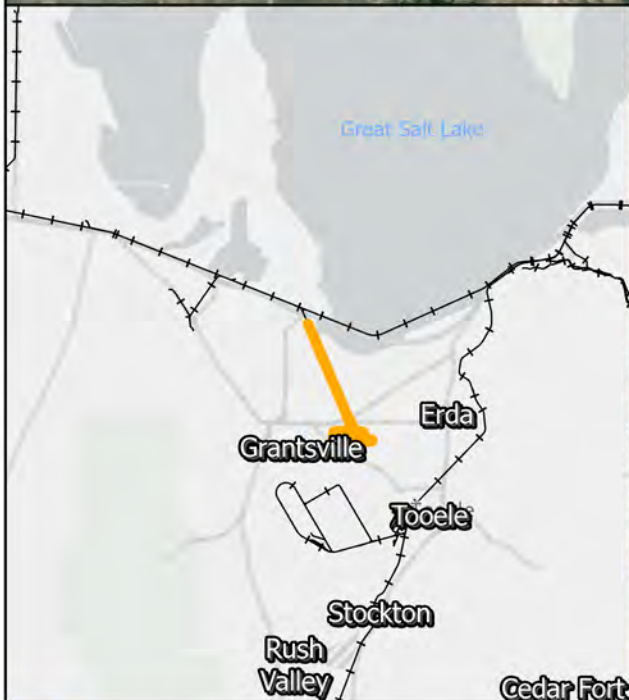
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
ERDA WAY

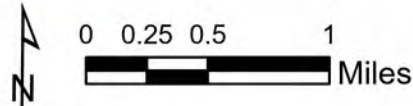
Site of Lakeview
Business Park
(Under Construction)

HIGHWAY
112

HWY 112



 Proposed Rail Line  Existing Railroad



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

The below table lists all Federal, State and local agencies and Tribal Nations contacted by the Office of Environmental Analysis (OEA) in connection with the above referenced Docket No. FD 36616. Agency name, region/district and contact person is listed for each.

- Melissa McCoy, NEPA Branch Chief, EPA - Region 8
- Yvette Converse, Field Office Supervisor, USFWS - Utah Ecological Services Field Office
- Jason A. Gipson, Branch Chief, USACE - Bountiful Field Office
- Nancy Dragani, Regional Administrator, FEMA - Region 8
- Kelly Jorgensen, Field Office Director, US HUD - Salt Lake City Field Office
- Emily Fife, State Conservationist, USDA - NRCS Utah Office
- Juliana Blackwell, Director, NOAA - National Geodetic Survey
- Eric Dennis, Colonel, US Army - Tooele Army Depot
- Jessie Durham, Acting Regional Director, US Department of the Interior – Indian Affairs Western Division
- Kate Hammond, Acting Regional Director, National Park Service - Regions 6, 7
- Robert Stewart, Region Director, Utah DOT - Region 2
- Jim Golden, Chief Railroad Engineer, Utah DOT - State Safety Oversight
- Chris Merritt, State Historic Preservation Officer, Utah SHPO
- Jill Remington Love, Director, Utah Department of Cultural and Community Engagement
- Dustin Jansen, Division Director, Utah Department of Cultural and Community Engagement Division of Indian Affairs
- Redge Johnson, Executive Director, Utah Public Lands Policy Coordinating Office
- Kimberly Shelley, Executive Director, Utah Department of Environmental Quality
- Rachelle Custer, Director, Tooele County Department of Economic Development/Planning and Zoning
- Andy Welch, County Manager, Tooele County
- Jared Hamner, Councilman, Tooele County Council District 4
- Tom Tripp, Councilman, Tooele County Council District 5

- Jed Bell, Director, Tooele County Roads Department
- Jeff Coombs, Executive Director, Tooele County Department of Health Services
- Tracy Shaw, County Clerk, Tooele County Clerk's Office
- Regina Nelson, Chairperson, Tooele County Emergency Medical Services Council
- Corey Bullock, Director, Tooele County Parks Department
- Neil Johnson, Chair, City of Grantsville Soil Conservation District 13
- Jesse D. Wilson, City Manager, City of Grantsville
- Jeffrey Miller, Planner, City of Grantsville Planning & Community Development
- Jacob Enslin, Chief of Police, Grantsville City Police Department
- Neil A. Critchlow, Mayor, City of Grantsville
- Jess Bird, Chairman, Erda City Council
- Cory Warnick, Chairman, Erda Planning Commission
- Paul Hansen, Contract Engineer, Tooele City Engineering
- Jamie Grandpre, Director, Tooele City Public Works
- Darwin Cook, Director, Tooele City Parks & Recreation
- Adrian Day, Chief of Police, Tooele City Police Department
- Debbie Winn, Mayor, Tooele City
- Lori Bear, Chairwoman, Skull Valley Band of Goshute
- Virgil Johnson, Chairman, Confederated Tribes of the Goshute Reservation, Nevada and Utah
- Tino Batt, Chairman, Shoshone-Bannock Tribes of the Fort Hall Reservation
- Luke Duncan, Chairperson, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
- Betsy Champoos, Director, Cultural Rights and Protection Department, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 27, 2022

Chris Merritt
State Historic Preservation Officer
Utah State Historic Preservation Office
300 S Rio Grande Street
Salt Lake City, UT 84101

By email at cmerritt@utah.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Chris Merritt:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new rail line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

OEA is beginning the process of gathering information on the project area and project-related issues and concerns. As part of the process, the Board must evaluate the potential impacts of the proposed project on historic properties, in accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108), the Section 106 implementing regulations (36 C.F.R. Part 800), and the Board's environmental regulations (49 C.F.R. Part 1105).

As part of the NEPA and Section 106 processes, OEA is requesting your initial comments regarding the potential for the proposed rail line to affect historical, architectural, archaeological, or other historic properties that may be in the project area.

Project Background

STR is a non-carrier, wholly owned subsidiary of Savage Enterprises, LLC both of which are subsidiaries of the Savage Companies (founded in Utah in 1946). STR is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former “Warner Branch” segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in the attached Figure 1. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of railroad line would connect to Union Pacific’s (UP) Shafter Subdivision at Burmester, Utah, and STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

Initiation of Section 106 Consultation

OEA would like to initiate consultation with your office for the project as currently proposed by STR. OEA will define the Area of Potential Effects (APE) for historic properties in accordance with 36 C.F.R. Part 800 and 49 C.F.R. § 1105.8. The proposed APE once defined, will include the entirety of the proposed rail line where ground disturbance is expected to occur, a buffer to account for refinements to the alignment or construction methods, access roads, staging, and potential visual and auditory effects that may occur beyond the limits of disturbance. The APE will be further refined as additional information about the proposed project and its potential to affect cultural resources becomes available.

Request for Comments

OEA requests that you provide information regarding your interest in participating as a Consulting Party under Section 106 and the potential effects of the proposed project. Please submit your response within 30 days so that we may begin the process of identifying historic properties and start to evaluate the potential impacts of the proposed project.

In addition, OEA has sent a separate letter to the Tribal Historic Preservation Office (THPO), Ute Indian Tribe of the Uintah and Ouray Reservation and letters to Skull Valley Band of Goshute, Confederated Tribes of the Goshute Reservation and Shoshone-Bannock Tribes of the Fort Hall Reservation requesting comments on the project whether the tribes may want any future involvement in the overall project development process.

All filings and other submissions can be submitted electronically through the Board’s website at <https://stb.gov>. To submit a comment on this proceeding, select “File an Environmental Comment” (below the “Need Assistance?” button) on the Board’s home page. Please make sure to refer to Docket No. FD 36616 in all correspondence, including e-filings, addressed to the Board. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

You may also send written comments to Andrea Poole, OEA's Project Manager for the environmental review by mail to:

Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

While paper filings are once again being accepted in accordance with the Board's regulations, stakeholders are strongly encouraged to continue to submit filings via the Board's e-filing system and to consent to e-service of decisions.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call or meeting, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,



Danielle Gosselin
Director
Office of Environmental Analysis

Enclosure:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

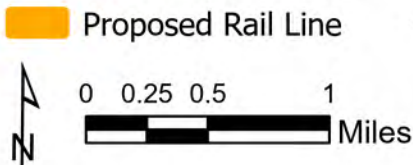
HWY 138

ERDA WAY

Site of Lakeview
Business Park
(Under Construction)

HIGHWAY
112

HWY 112



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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- Douglas Sagers, Representative, Utah House of Representatives
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Spencer J. Cox
Governor

Deidre M. Henderson
Lieutenant Governor

Jill Remington Love
Executive Director
Utah Department of Cultural
and Community Engagement



Christopher Merritt
State Historic Preservation Officer
Utah State Historic Preservation Office

October 28, 2022

Danielle Gosselin
Director
Office of Environmental Analysis
U.S. Department of Transportation - Surface Transportation Board

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County

For future correspondence, please reference Case No. 22-2149

Dear Ms. Gosselin,

The Utah State Historic Preservation Office received your submission and request for our comment on the above-referenced project on October 27, 2022. We do not have any comments at this time, but we appreciate the notification and we will look forward to further consulting on this undertaking as per the Section 106 (of the NHPA) process. If you have questions, please contact me at (801) 245-7239 or by email at clhansen@utah.gov.

Sincerely,

Christopher Hansen
Preservation Planner/Utah SHPO



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jesse D. Wilson
City Manager
City of Grantsville
429 E Main St
Grantsville, UT 84029

By email at jwilson@grantsvilleut.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jesse D. Wilson:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

Project Background

STR is a non-carrier, wholly owned subsidiary of Savage Enterprises, LLC both of which are subsidiaries of the Savage Companies (founded in Utah in 1946). STR is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line to extend the reinstated railroad line to and into a

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Request for Comments

OEA would like to hear from you regarding whether this proposal would require permitting, should additional fieldwork be needed, or any other requirements or concerns from your agency. Please submit your response within 30 days, so that we may begin the process of identifying the potential impacts of the proposed project.

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Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
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Washington, DC 20423

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,

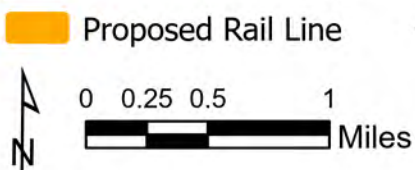
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Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Attachment 1: Proposed Rail Line Location Map

Docket No. FD 36616
 Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Neil A. Critchlow
Mayor
City of Grantsville
429 E Main St
Grantsville, UT 84029

By email at ncritchlow@grantsvilleut.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Neil A. Critchlow:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

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Request for Comments

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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

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Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

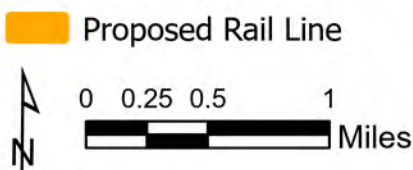
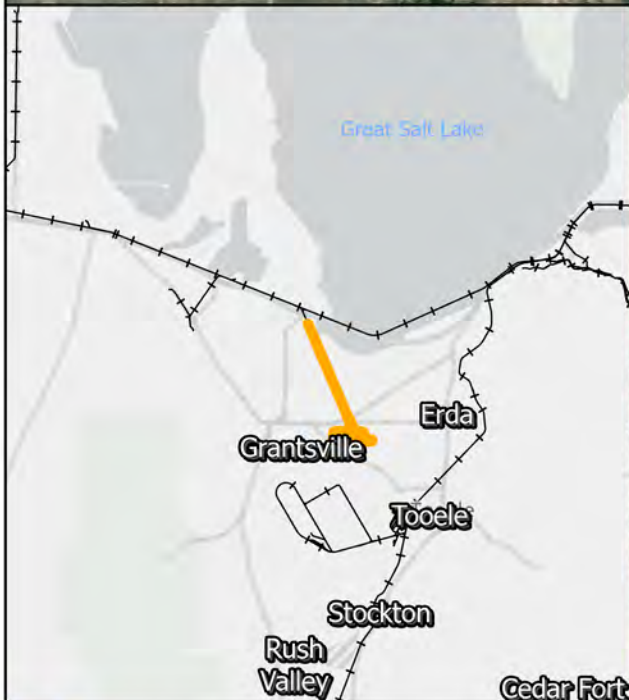
HWY 138

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Site of Lakeview
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(Under Construction)

HIGHWAY
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HWY 112



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Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
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SURFACE TRANSPORTATION BOARD
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jeffrey Miller
Planner
City of Grantsville Planning & Community Development
47 South Main, Room #208
Tooele, UT 84074

By email at jeffrey.miller@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jeffrey Miller:

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Director

Office of Environmental Analysis

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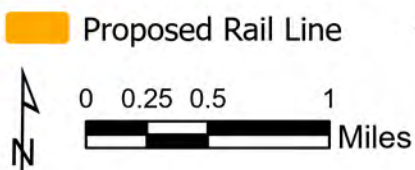
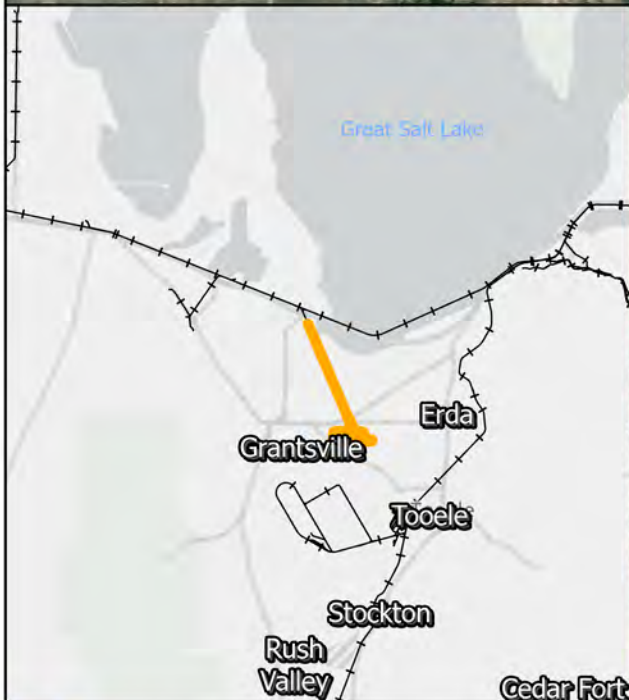
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Savage Tooele Railroad Company – Construction
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SURFACE TRANSPORTATION BOARD
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Neil Johnson
Chair
City of Grantsville Soil Conservation District
151 N Main
Tooele, UT 84074

By email at neiljoh1@msn.com

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Neil Johnson:

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Request for Comments

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Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

Great Salt Lake

HWY 138

ERDA WAY

Site of Lakeview
Business Park
(Under Construction)

Grantsville

Erda

Tooele

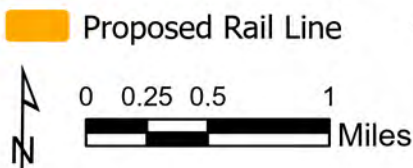
Stockton

Rush
Valley

Cedar Fort

HIGHWAY
112

HWY 112



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jess Bird
Chairman
Erda City Council
2163 W Erda Way
Erda, UT 84074

By email at jbird@erda.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jess Bird:

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Danielle Gosselin

Director

Office of Environmental Analysis

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Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

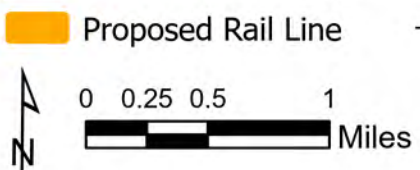
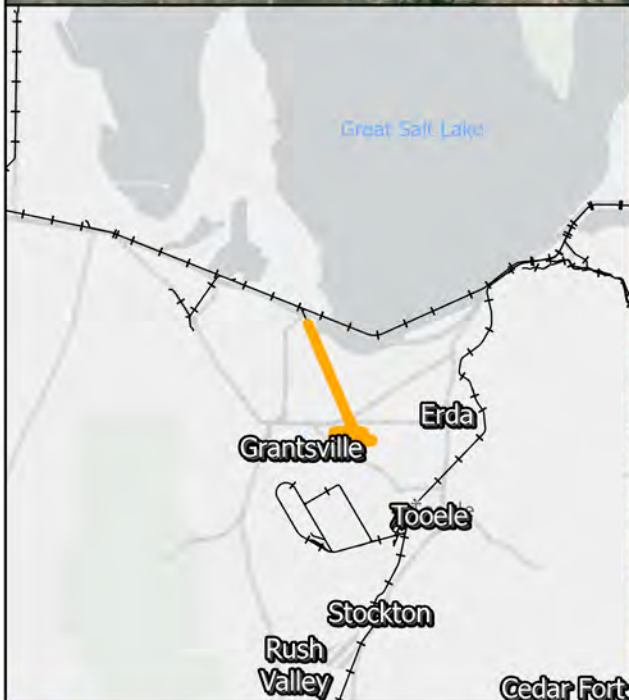
HWY 138

ERDA WAY

Site of Lakeview
Business Park
(Under Construction)

HIGHWAY
112

HWY 112



**Attachment 1: Proposed
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Docket No. FD 36616
Savage Tooele Railroad Company – Construction
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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BREMS LAW
10717 WATERY WAY
SOUTH JORDAN, UT 84009
(801) 580-2347

October 17, 2022

Andrea Poole
Surface Transportation Board, OEA Docket No. FD 36616
395 E Street SW
Washington, DC 20423

And by e mail to Board's website at <https://stb.gov>.

RE: Response to Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Dear Ms. Poole:

I am the City Attorney for Erda Utah, and this letter is being sent in response to a letter (“Letter”) from Danielle Gosselin, Director Office of Environmental Analysis U.S. Surface Transportation Board (“Board”) dated October 4, 2022. It is my understanding that Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line that is in Erda (“Railroad Extension”). The Erda City Council directed me to respond to the Letter. The City Council objects in the strongest terms possible to the Railroad Extension. Erda is submitting the following objections and comments regarding Railroad Extension.

The Railroad Extension has been Factually Abandoned.

This railroad bed has not been used for at least 30¹ years and would pass through a subdivision², and working agricultural fields, much of which has been developed long after the railroad was factually/visually abandoned, and the tracks removed. Permitting the Railroad Extension would cause a significant increase in noise pollution, air pollution, and visual pollution all disproportionately affecting the residents referenced herein.

Railroad Extension Crossings.

The Railroad Extension will pass over two well-traveled roads specifically - Erda Way and State Road 138 and a yet to be constructed road known as the Mid-Valley Highway. Erda would have to pay for intersection improvement and perpetual maintenance of these crossings and increase Erda potential liability for accident at these crossings. This would place an undue and disproportionate burden on Erda and its residents.

Railroad Extension Crosses Significant Wetlands.

The Railroad Extension passes through a significant wetlands complex on the south shore of the Great Salt Lake ("GSL"). The wetlands associated with the GSL account for nearly 80% of the wetland acreage in Utah. The GSL is designated as a Hemispheric Site of Importance by the Western Hemisphere Shorebird Reserve Network, a designation that is shared by only seven such sites in the lower 48 states. The U.S. Fish and Wildlife Service describes the GSL ecosystem as a critically important and irreplaceable resource due to its location, size, and ecological features. In particular, the open waters, shorelines, and adjacent mix of wetlands and uplands provide a critical migratory bird staging area in an otherwise arid region. The maintenance of the GSL ecosystem, and its component areas and functions, is essential to the continued productivity and biodiversity of migratory birds and other wildlife species dependent upon the GSL ecosystem. The wetlands associated with the GSL are perhaps the most ecologically important wetlands in the region. Since there is no existing rail bed in this area, and the swamp/wetlands will require significant development to accommodate the Railroad Extension, including substantial ground disturbance and disruption to these critical wetlands.

Railroad Extension Will Cause Increased Air Pollution.

¹ We are informed that the last car to run on this track was in late 1979, with a single boxcar, carrying newsprint for the Transcript newspaper in Tooele

² Some residents are 50 feet to the Railroad Extension and many other residents are 100 feet to the Railroad Extension.

There is no indication in the Letter how often trains will run on the Railroad Extension. Any train operation on the Railroad Extension will increase air pollutions to an area already prone to dangerous pollution incidents, inversions, and haze. In fact, in 2020 Salt Lake City (Erda and Salt Lake City are in the Norther Wasatch areas), was ranked as one the worst cities for air quality by IQAir, a Swiss air quality company. Furthermore, ozone monitors along the Wasatch Front continue to show exceedance of the acceptable ozone levels in Tooele County. Adding additional rail traffic on the Railroad Extension will exacerbate the dangerous pollution incidents, inversions, and haze.

Railroad Extension Will Increase Noise Pollution and Vibration Disturbance.

Once again there is no indication in the Letter how often trains will run on the Railroad Extension. Any train operation on the Railroad Extension will increase noise pollutions and vibration disturbance. These noises include but are not limited to engine noise, brake noise, train horns, crossing alarms, and track noise compounded by the extended hours of operating cause an untenable situation to resident in the areas. Furthermore, vibrations can damage nearby building and residents. Adding additional rail traffic on the Railroad Extension will create a new noise problem to residents and vibration disturbance specifically to resident near the Railroad Extension.

The Railroad Extension is in Conflicts with Land Use Plans, Policies, and Controls for Erda.

All land uses in Erda are controlled by the Erda Land Use Code (“Code”). The areas where the Railroad Extension are located are zoned residential or agriculture. Specifically, the Code governing agriculture and rural residential districts says “[n]o building, structure or land shall be used, and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural or rural residential districts except as provided in this Chapter.” There is no place in the referenced chapter that allows for the Railroad Extension so therefore the Railroad Extension is not an allowed use and no permit will be issued.

The Railroad Extension is Located in a Resource Conservation and Development Area.

The United States Department of Agriculture (“USDA”) manages the Resource Conservation and Development Area. The Resource Conservation and Development Area

contains planning tools, conservation practices, and best practices. Certainly, building the Railroad Extension is not a conservation or best practice and is contrary to the Railroad Extension.

Public Outcry

The Erda City Council has received numerous phone calls, e-mails, and face to face meetings with residents that indicates unanimous disapproval to the Railroad Extension. In fact, the Erda City Council would characterize it as a public outcry against the Railroad Extension.

In conclusion, we appreciate the opportunity to register our objections and provide our comments. We urge the Board to carefully scrutinize the proposed Railroad Extension.

Sincerely,

John Brems



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Cory Warnick
Chairman
Erda Planning Commission
2163 W Erda Way
Erda, UT 84074

By email at cwarnick@erda.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Cory Warnick:

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Danielle Gosselin

Director

Office of Environmental Analysis

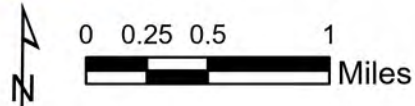
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Proposed Rail Line
 Existing Railroad



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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 24, 2022

Jolene Jenkins
Councilwoman
Grantsville City Council
429 E Main St
Grantsville, UT 84029

By email at jjenkins@grantsvilleut.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jolene Jenkins:

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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

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Erda

Great Salt Lake

HWY 138

ERDA WAY

Site of Lakeview
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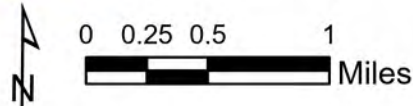
Rush
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Cedar Fort

HIGHWAY
112

HWY 112

Proposed Rail Line Existing Railroad



Attachment 1: Proposed Rail Line Location Map

Docket No. FD 36616
Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jacob Enslin
Chief of Police
Grantsville City Police Department
50 North Bowery Street
Grantsville, UT 84029

By email at police@grantsvilleut.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jacob Enslin:

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Request for Comments

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Sincerely,

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Danielle Gosselin

Director

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Enclosures:

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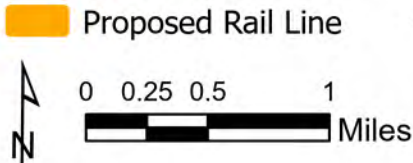
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**Attachment 1: Proposed
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Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Paul Hansen
Contract Engineer
Tooele City Engineering
90 North Main Street
Tooele, UT 84074

By email at paulh@tooelecity.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Paul Hansen:

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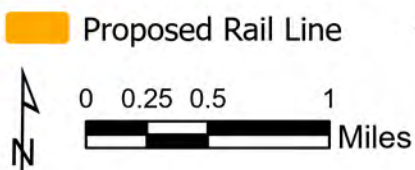
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SURFACE TRANSPORTATION BOARD
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Office of Environmental Analysis

October 4, 2022

Debbie Winn
Mayor
Tooele City
90 North Main Street
Tooele, UT 84074

By email at dwinn@tooelecity.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Debbie Winn:

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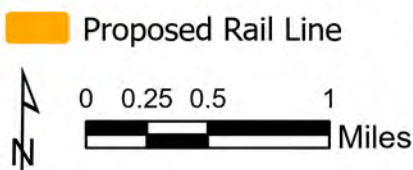
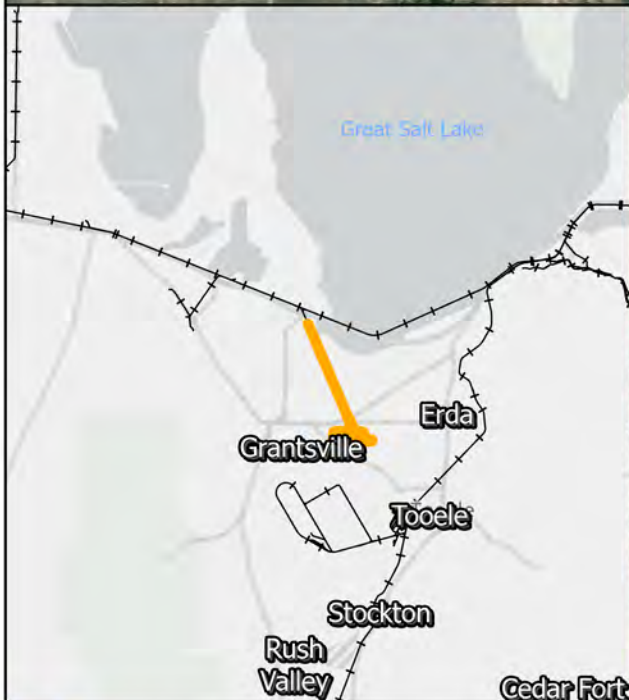
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SURFACE TRANSPORTATION BOARD
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Office of Environmental Analysis

October 4, 2022

Darwin Cook
Director
Tooele City Parks & Recreation
90 North Main Street
Tooele, UT 84074

By email at darwinc@tooelecit.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Darwin Cook:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

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Project Background

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

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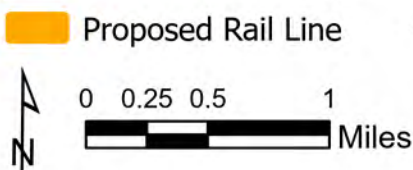
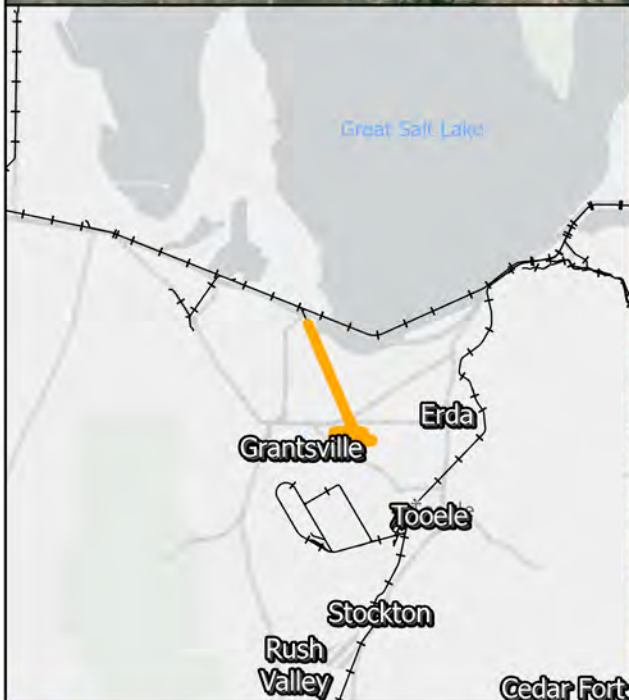
HWY 138

ERDA WAY

Site of Lakeview
Business Park
(Under Construction)

HIGHWAY
112

HWY 112



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Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Adrian Day
Chief of Police
Tooele City Police Department
50 North Garden Street
Tooele, UT 84074

By email at aday@tooelecity.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Adrian Day:

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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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Attachment 2: Agency and Tribal Distribution List



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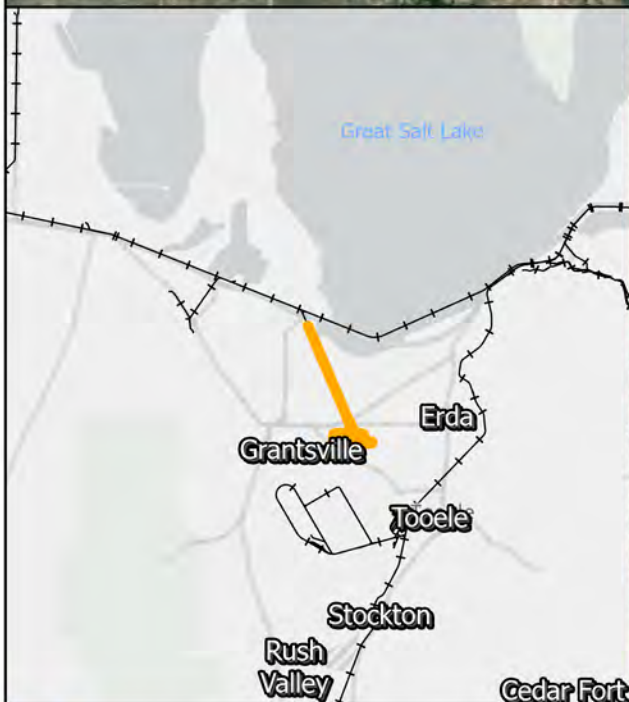
HWY 138

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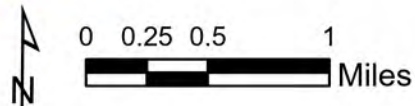
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HIGHWAY
112

HWY 112



Proposed Rail Line Existing Railroad



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jamie Grandpre
Director
Tooele City Public Works
90 North Main Street
Tooele, UT 84074

By email at jamiieg@tooelecity.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jamie Grandpre:

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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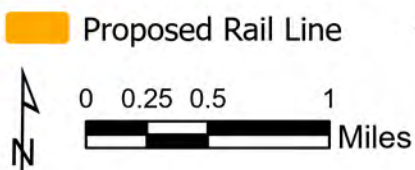
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Tracy Shaw
Tooele County Clerk
Tooele County
47 S. Main Street, Room #318
Tooele, UT 84074

By email at tracy.shaw@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Tracy Shaw:

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Danielle Gosselin

Director

Office of Environmental Analysis

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Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

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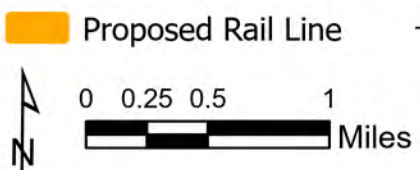
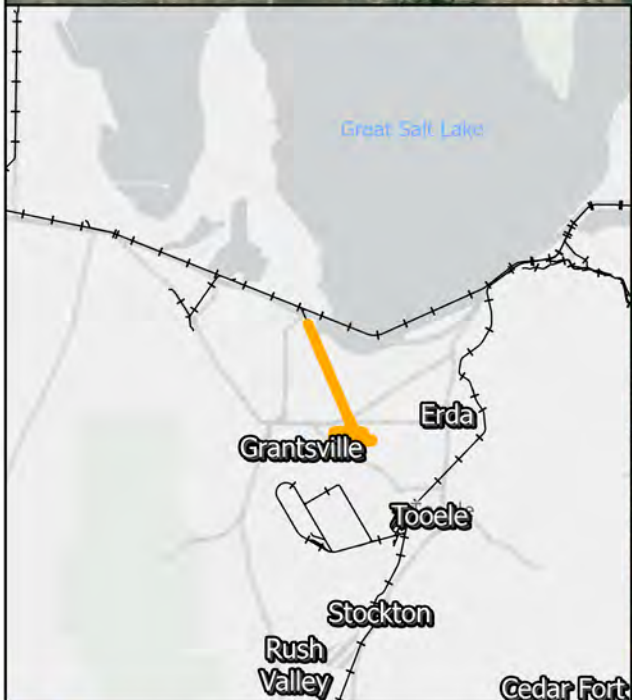
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jared Hamner
Councilman, District 4
Tooele County
47 S. Main Street
Tooele, UT 84074

By email at jared.hamner@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jared Hamner:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

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Request for Comments

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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
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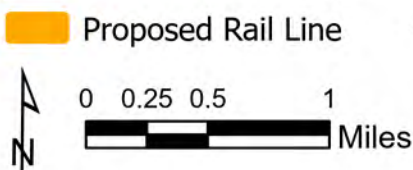
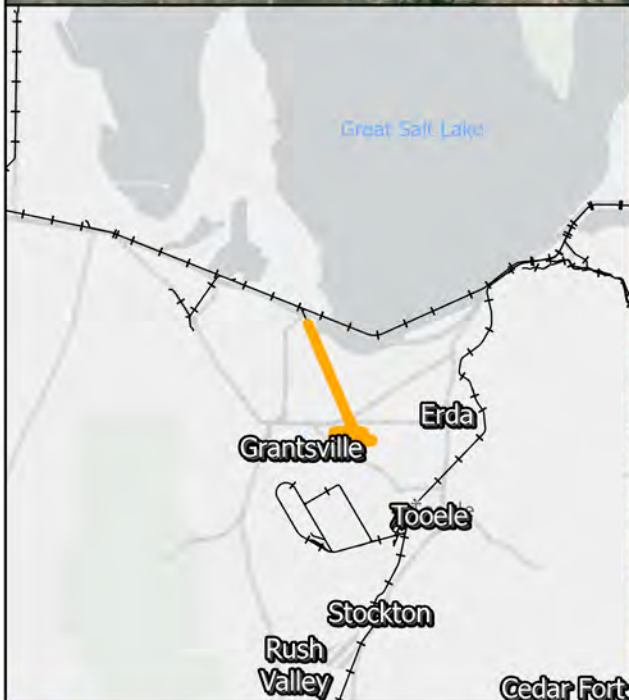
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Site of Lakeview
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HIGHWAY
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**Attachment 1: Proposed
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Docket No. FD 36616
Savage Tooele Railroad Company – Construction
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Tom Tripp
Councilman, District 5
Tooele County
47 S. Main Street
Tooele, UT 84074

By email at Tom.Tripp@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Tom Tripp:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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Attachment 2: Agency and Tribal Distribution List



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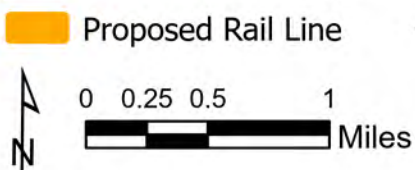
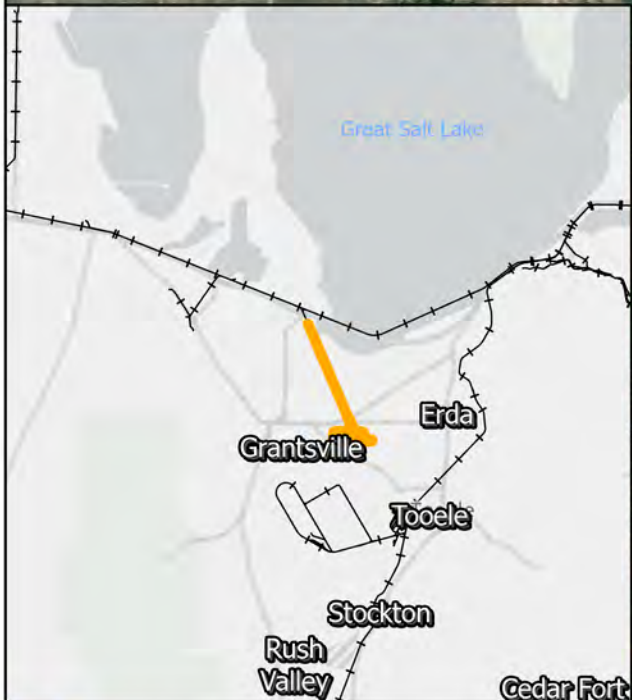
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Site of Lakeview
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SURFACE TRANSPORTATION BOARD
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Rachelle Custer
Director
Tooele County Department of Economic Development
47 S. Main Street
Tooele, UT 84074

By email at rachelle.custer@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Rachelle Custer:

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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

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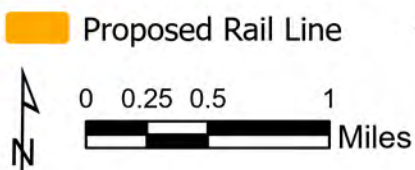
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jeff Coombs
Executive Director
Tooele County Department of Health Services
151 N. Main Street Tooele
Utah 84074

By email at jeff.coombs@tooelehealth.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jeff Coombs:

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Danielle Gosselin

Director

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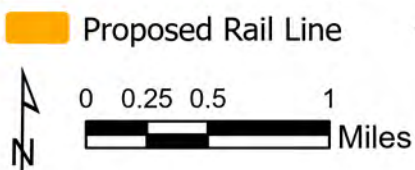
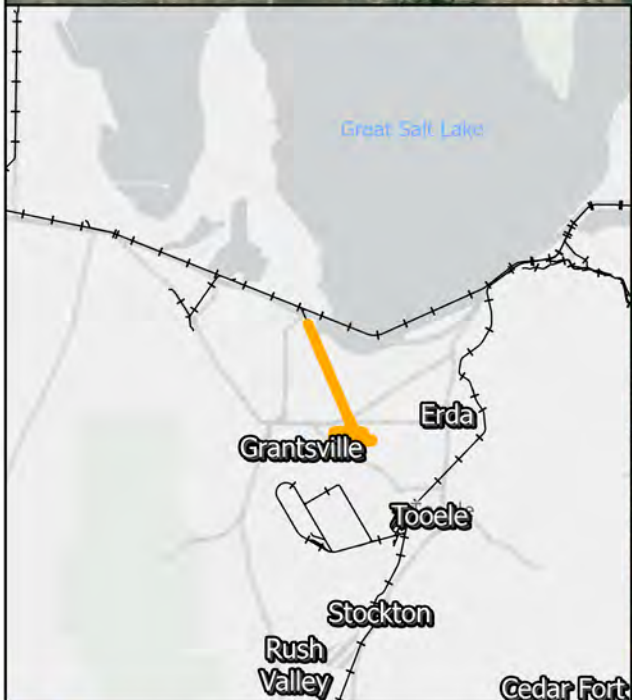
HWY 138

ERDA WAY

Site of Lakeview
Business Park
(Under Construction)

HIGHWAY
112

HWY 112



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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11/7/2022	EI-32684	FD_36616	Bryan Slade - Environmental Health Director	Tooele County Health Department	There are a couple of concerns about this proposed rail line. 1) I know that 15 or 20 years ago a proposed subdivision that bordered the old rail line was denied approval by the planning commission due to elevated lead levels (above the residential limit for lead). The soil sampling was performed along the rail line north of Erda Way. 2) I think that an active rail line crossing two major roadways and going through housing developments will potentially cause traffic concerns and will generate complaints to the county.	Tooele, UT
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Regina Nelson
Chairperson
Tooele County Emergency Medical Services Council
47 S. Main Street
Tooele, UT 84074

By email at regina.nelson@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Regina Nelson:

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OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

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Request for Comments

OEA would like to hear from you regarding whether this proposal would require permitting, should additional fieldwork be needed, or any other requirements or concerns from your agency. Please submit your response within 30 days, so that we may begin the process of identifying the potential impacts of the proposed project.

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You may also send written comments to Andrea Poole, OEA's Project Manager for the environmental review by mail to:

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395 E Street SW
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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Danielle Gosselin".

Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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Ownership Retained

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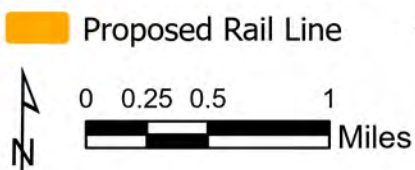
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Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

Ref: Docket No. FD 36616

Thanks for allowing members of the Tooele County EMS Council to provide comments. There are two ambulance services in Tooele County, Mountain West Ambulance Service and Wendover Ambulance Service.

Mr. Joe Carnell, Mountain West Ambulance Director, advised the biggest impact would be having the railroads crossing two major roadways if these supply trains close both roadway crossings at the same time. For example, Grantsville Ambulance responds to portions east of the proposed line. If the tracks are ground level this could delay the Grantsville Ambulance by forcing them to divert south onto SR112 Hwy and then north on Sheep Ln. If the next closest ambulance unit is dispatched out of Stansbury Ambulance via SR138 Hwy or Tooele Ambulance via Erda Way this has the potential of delaying EMS as well as other emergency responders. If one or both of the roadway crossings are raised and do not impede response Mr. Carnell did not see an issue. If there was a medical emergency on the train, they would do what they currently do with other railroad crossings and rendezvous with the train at the nearest/safest crossing.

Wendover Ambulance Director, Ms. Lauara Lisk, echoed what Mr. Carnell stated. If there are times when the railroad crossings are blocked, EMS response would be affected.

I also asked for input from Mr. Adam Cleveland. Mr. Cleveland is an area Union Pacific Railroad Special Agent. He advised after reading the letter and looking over the map, it does not appear there would be an impact on public safety operations. The potential for blocked crossings at the area of SR138 Hwy may have an impact on traffic and emergency response. However, the distance on both sides from the Burmester yard and the new park yard did not indicate a blocked crossing except when trains are passing by. He did see need for more involvement from fire/hazmat as it opens up more potential for chemical spills if your company plans to have tank cars stored in this area.

Tooele County EMS Chairperson,

10/16/2022

X Regina L. Nelson

Regina L. Nelson

Tooele County EMS Council Chairperson

Signed by: Regina



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Andy Welch
County Manager
Tooele County
47 S. Main Street, Room #300
Tooele, UT 84074

By email at andy.welch@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Andy Welch:

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Danielle Gosselin

Director

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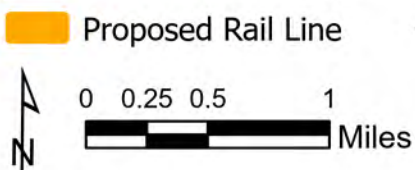
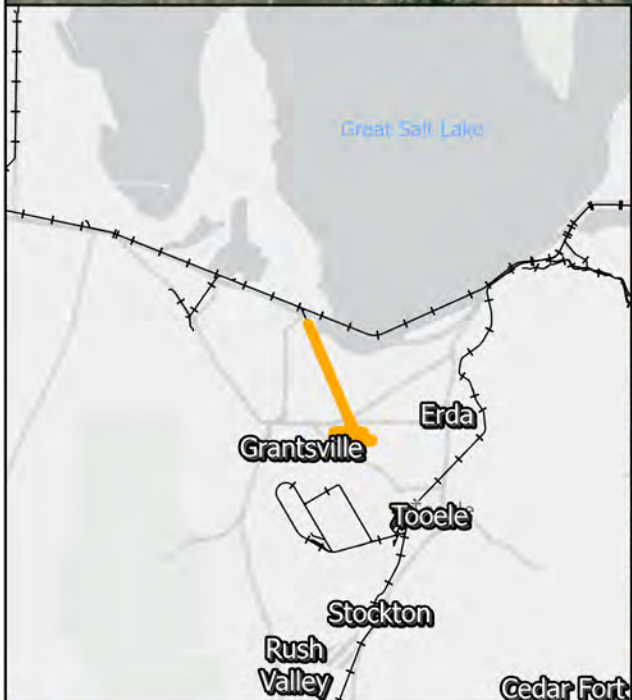
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10/12/2022	EI-32647	FD_36616	James Welch	Tooele County	As part of the environmental assessment, we would recommend consideration of a grade-separated crossing on State Route 138 (SR138). Traffic patterns, safety concerns, and vehicle delays due to rail crossing may necessitate a grade-separated crossing.	Tooele, UT
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Corey Bullock
Director
Tooele County Parks and Recreation
2930 W HWY 112
Tooele, UT 84074

By email at corey.bullock@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Corey Bullock:

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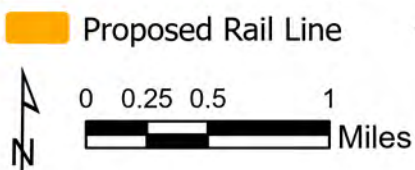
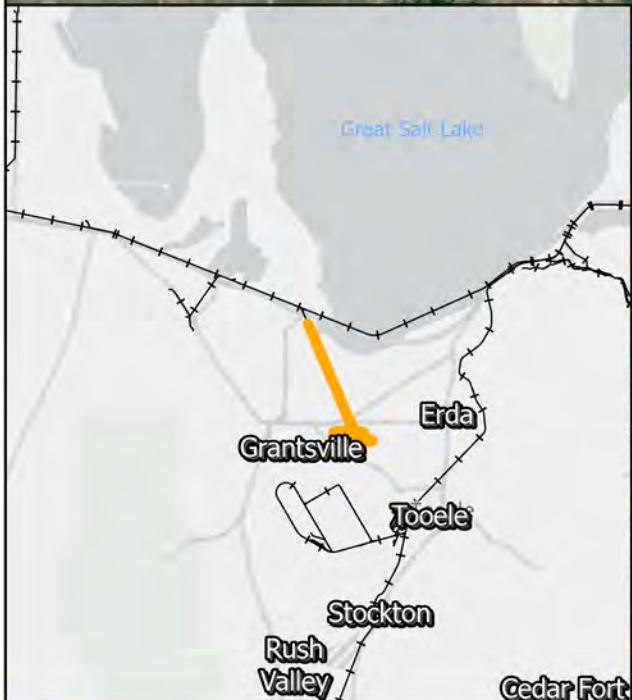
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 4, 2022

Jed Bell
Director
Tooele County Roads Department
555 West 900 South
Tooele, UT 84074

By email at jed.bell@tooeleco.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Jed Bell:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

Project Background

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Request for Comments

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Sincerely,

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Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

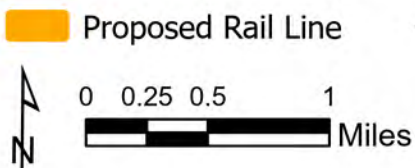
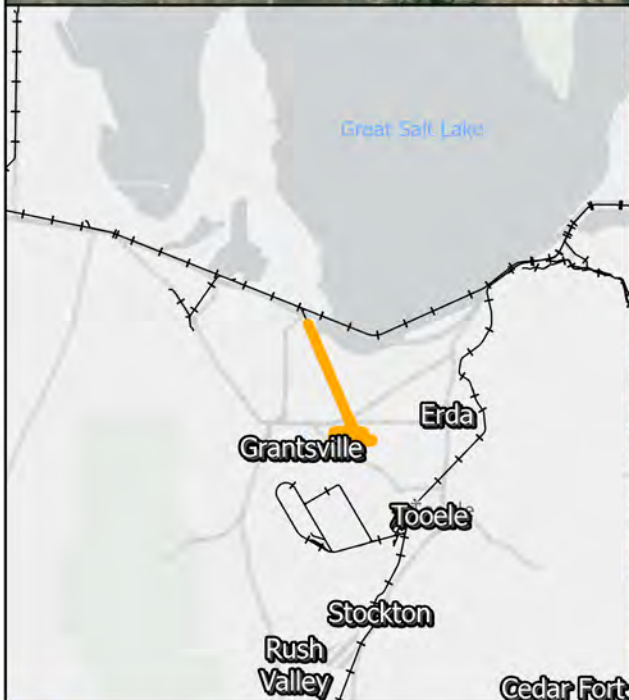
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Site of Lakeview
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HWY 112

HWY 112



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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Attachment 2 Tribal Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 27, 2022

Confederated Tribes of the Goshute Reservation, Nevada and Utah

By email at rupert.steele@ctgr.us

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Rupert Steele:

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Request for Comments

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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosure:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List



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Ownership Retained

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I-80 EB FWY I-80 WB FWY

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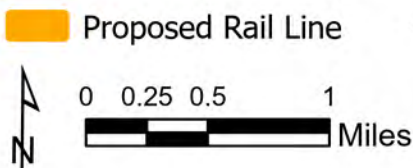
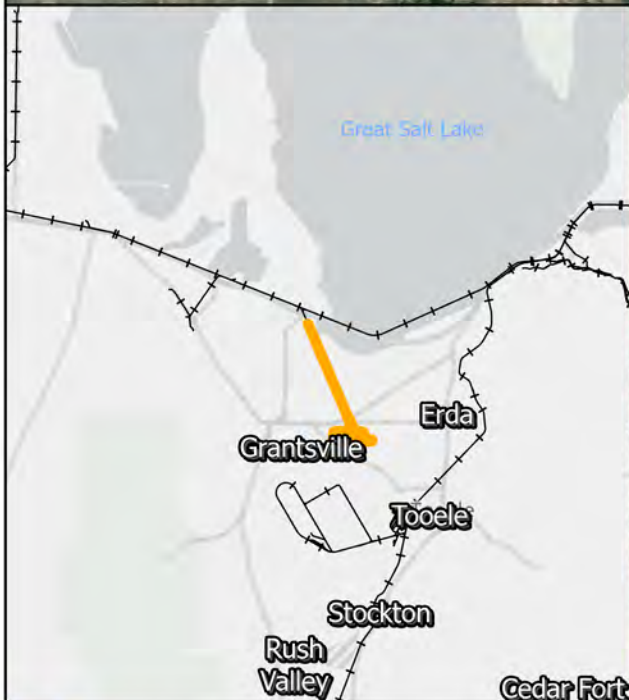
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Docket No. FD 36616
Savage Tooele Railroad Company – Construction
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 27, 2022

Shoshone-Bannock Tribes of the Fort Hall Reservation

By email at lredmo@sbtribes.com

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Ladd Edmo:

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Danielle Gosselin

Director

Office of Environmental Analysis

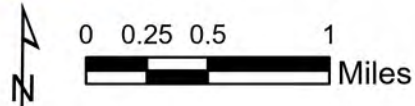
Enclosure:

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Attachment 2: Agency and Tribal Distribution List



Proposed Rail Line
 Existing Railroad



Attachment 1: Proposed Rail Line Location Map

Docket No. FD 36616
 Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 27, 2022

Skull Valley Band of Goshute

By mail at: 1198 N Main St
Tooele, Utah 84074

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Lori Bear:

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Danielle Gosselin

Director

Office of Environmental Analysis

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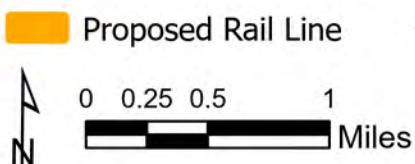
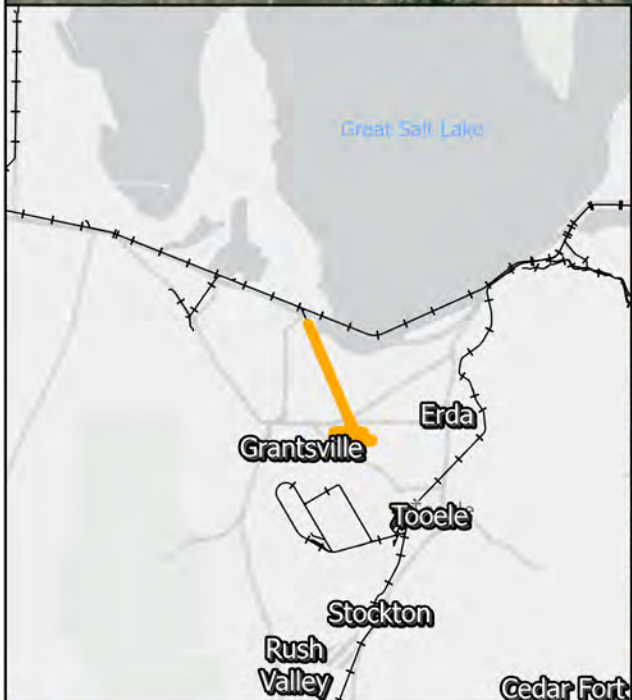
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SURFACE TRANSPORTATION BOARD
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Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

The below table lists all Federal, State and local agencies and Tribal Nations contacted by the Office of Environmental Analysis (OEA) in connection with the above referenced Docket No. FD 36616. Agency name, region/district and contact person is listed for each.

- Melissa McCoy, NEPA Branch Chief, EPA - Region 8
- Yvette Converse, Field Office Supervisor, USFWS - Utah Ecological Services Field Office
- Jason A. Gipson, Branch Chief, USACE - Bountiful Field Office
- Nancy Dragani, Regional Administrator, FEMA - Region 8
- Kelly Jorgensen, Field Office Director, US HUD - Salt Lake City Field Office
- Emily Fife, State Conservationist, USDA - NRCS Utah Office
- Juliana Blackwell, Director, NOAA - National Geodetic Survey
- Eric Dennis, Colonel, US Army - Tooele Army Depot
- Jessie Durham, Acting Regional Director, US Department of the Interior – Indian Affairs Western Division
- Kate Hammond, Acting Regional Director, National Park Service - Regions 6, 7
- Douglas Sagers, Representative, Utah House of Representatives
- Robert Stewart, Region Director, Utah DOT - Region 2
- Jim Golden, Chief Railroad Engineer, Utah DOT - State Safety Oversight
- Chris Merritt, State Historic Preservation Officer, Utah SHPO
- Jill Remington Love, Director, Utah Department of Cultural and Community Engagement
- Dustin Jansen, Division Director, Utah Department of Cultural and Community Engagement Division of Indian Affairs
- Redge Johnson, Executive Director, Utah Public Lands Policy Coordinating Office
- Kimberly Shelley, Executive Director, Utah Department of Environmental Quality
- Rachelle Custer, Director, Tooele County Department of Economic Development/Planning and Zoning
- Andy Welch, County Manager, Tooele County
- Jared Hamner, Councilman, Tooele County Council District 4
- Tom Tripp, Councilman, Tooele County Council District 5

- Jed Bell, Director, Tooele County Roads Department
- Jeff Coombs, Executive Director, Tooele County Department of Health Services
- Tracy Shaw, County Clerk, Tooele County Clerk's Office
- Regina Nelson, Chairperson, Tooele County Emergency Medical Services Council
- Corey Bullock, Director, Tooele County Parks Department
- Neil Johnson, Chair, City of Grantsville Soil Conservation District 13
- Jesse D. Wilson, City Manager, City of Grantsville
- Jeffrey Miller, Planner, City of Grantsville Planning & Community Development
- Jacob Enslin, Chief of Police, Grantsville City Police Department
- Neil A. Critchlow, Mayor, City of Grantsville
- Jolene Jenkins, Councilwoman, City of Grantsville
- Jess Bird, Chairman, Erda City Council
- Cory Warnick, Chairman, Erda Planning Commission
- Paul Hansen, Contract Engineer, Tooele City Engineering
- Jamie Grandpre, Director, Tooele City Public Works
- Darwin Cook, Director, Tooele City Parks & Recreation
- Adrian Day, Chief of Police, Tooele City Police Department
- Debbie Winn, Mayor, Tooele City
- Lori Bear, Chairwoman, Skull Valley Band of Goshute
- Rupert Steele, Chairman, Confederated Tribes of the Goshute Reservation, Nevada and Utah
- Ladd Edmo, Chairman, Shoshone-Bannock Tribes of the Fort Hall Reservation
- Luke Duncan, Chairperson, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
- Betsy Chappoose, Director, Cultural Rights and Protection Department, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 27, 2022

Ute Indian Tribe of the Uintah and Ouray Reservation, Utah

By email at betsyc@utetribes.com

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

Betsy Chapoose:

Savage Tooele Railroad Company (STR) is seeking authority from the Surface Transportation Board (Board) to construct and operate a new railroad line in Tooele County, Utah, which would in part encompass the reactivation of common carrier rail service over a segment of a previously abandoned rail line. As part of its licensing process, the Board will conduct an environmental review under the National Environmental Policy Act (NEPA). Pursuant to NEPA and the Board's environmental rules at 49 C.F.R. Part 1105, the Board's Office of Environmental Analysis (OEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed rail construction project.

OEA is beginning the process of gathering information on the project area and project-related issues and concerns. We are writing to you to ask you for information on any environmental resources that may be affected by the proposed project and request your comments. Information collected will assist us in preparing the appropriate NEPA document for the proposed project.

Project Background

STR is a non-carrier, wholly owned subsidiary of Savage Enterprises, LLC both of which are subsidiaries of the Savage Companies (founded in Utah in 1946). STR is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line to extend the reinstated railroad line to and into a planned developed business and industrial park in Grantsville, Utah, shown in the attached Figure 1. STR would construct track within the business park pursuant to a lease and/or a permanent easement obtained from the business park owners. STR anticipates that the track construction within the park would be phased in over time as the park secures new tenants. The approximately eleven miles of railroad line would re-establish the former branch line's

connection to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah, and STR would provide common carrier service over the combined reinstated rail line and newly constructed track to enable tenants of the business park to receive and ship commodities by rail.

Initiation of Section 106 Consultation

OEA would like to initiate consultation with your office for the project as currently proposed by STR. OEA will define the Area of Potential Effects (APE) for historic properties in accordance with 36 C.F.R. Part 800 and 49 C.F.R. § 1105.8. OEA expects that the APE for the proposed project will comprise the approximately 11 miles of new common carrier rail line in Tooele County, Utah. The APE for the undertaking will consist of two components; an Archaeological APE, defined as the footprint of ground disturbance, and an Above-Ground APE, defined as the existing historical built environment of the design footprint and its viewshed. Each component of the APE will extend the length of the proposed project and will extend the width of required rail Right-of-Way (ROW) to encompass the entire area in which ground disturbing activities could potentially occur. To account for potential effects to existing and unrecorded built historic properties, OEA proposes a 500-foot viewshed to be included in the Above-Ground APE (250 feet on either side of the required ROW centerline and 250 feet at each end) to account for potential setting, visual, noise, or other impacts from construction activities. The APE will be further refined as additional information about the proposed project and its potential to affect cultural resources becomes available.

Request for Comments

OEA would like to hear from you regarding whether this proposal would require permitting, should additional fieldwork be needed, or any other requirements or concerns from your tribe. Please submit your response within 30 days so that we may begin the process of identifying the potential impacts of the proposed project.

In addition, OEA has sent separate letters to Luke Duncan, Chairperson of the Ute Indian Tribe of the Uintah and Ouray Reservation, to the Skull Valley Band of Goshute, to the Confederated Tribes of the Goshute Reservation and to the Shoshone-Bannock Tribes of the Fort Hall Reservation requesting comments on the project whether the tribes may want any future involvement in the overall project development process.

All filings and other submissions can be submitted electronically through the Board's website at <https://stb.gov>. To submit a comment on this proceeding, select "File an Environmental Comment" (below the "Need Assistance?" button) on the Board's home page. Please make sure to refer to Docket No. FD 36616 in all correspondence, including e-filings, addressed to the Board. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

You may also send written comments to Andrea Poole, OEA's Project Manager for the environmental review by mail to:

Andrea Poole
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

While paper filings are once again being accepted in accordance with the Board's regulations, stakeholders are strongly encouraged to continue to submit filings via the Board's e-filing system and to consent to e-service of decisions. Please advise if you require a hard copy of the environmental analysis in addition to an electronic copy.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call or a meeting, please feel free to contact Andrea Poole of my staff at 202-245-0305 or by email at Andrea.Poole@stb.gov.

Sincerely,



Danielle Gosselin
Director
Office of Environmental Analysis

Enclosure:

- Attachment 1: Proposed Rail Line Location Map
- Attachment 2: Agency and Tribal Distribution List



Union Pacific
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

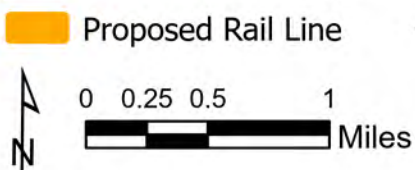
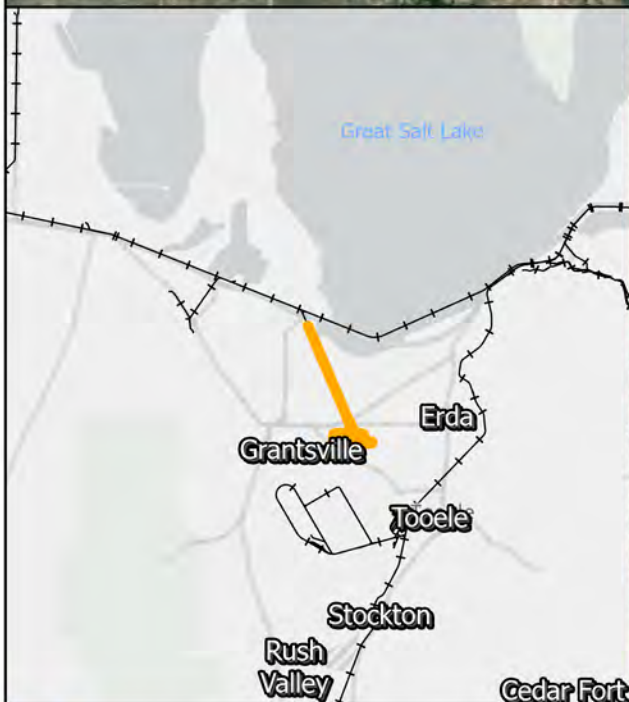
HWY 138

ERDA WAY

Site of Lakeview
Business Park
(Under Construction)

HIGHWAY
112

HWY 112



**Attachment 1: Proposed
Rail Line Location Map**

Docket No. FD 36616
Savage Tooele Railroad Company – Construction
and Operation Exemption – Line of Railroad in
Tooele County, Utah; Preliminary Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

Attachment 2: Agency and Tribal Distribution List

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation

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- Kelly Jorgensen, Field Office Director, US HUD - Salt Lake City Field Office
- Emily Fife, State Conservationist, USDA - NRCS Utah Office
- Juliana Blackwell, Director, NOAA - National Geodetic Survey
- Eric Dennis, Colonel, US Army - Tooele Army Depot
- Jessie Durham, Acting Regional Director, US Department of the Interior – Indian Affairs Western Division
- Kate Hammond, Acting Regional Director, National Park Service - Regions 6, 7
- Douglas Sagers, Representative, Utah House of Representatives
- Robert Stewart, Region Director, Utah DOT - Region 2
- Jim Golden, Chief Railroad Engineer, Utah DOT - State Safety Oversight
- Chris Merritt, State Historic Preservation Officer, Utah SHPO
- Jill Remington Love, Director, Utah Department of Cultural and Community Engagement
- Dustin Jansen, Division Director, Utah Department of Cultural and Community Engagement Division of Indian Affairs
- Redge Johnson, Executive Director, Utah Public Lands Policy Coordinating Office
- Kimberly Shelley, Executive Director, Utah Department of Environmental Quality
- Rachelle Custer, Director, Tooele County Department of Economic Development/Planning and Zoning
- Andy Welch, County Manager, Tooele County
- Jared Hamner, Councilman, Tooele County Council District 4
- Tom Tripp, Councilman, Tooele County Council District 5

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- Tracy Shaw, County Clerk, Tooele County Clerk's Office
- Regina Nelson, Chairperson, Tooele County Emergency Medical Services Council
- Corey Bullock, Director, Tooele County Parks Department
- Neil Johnson, Chair, City of Grantsville Soil Conservation District 13
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- Debbie Winn, Mayor, Tooele City
- Lori Bear, Chairwoman, Skull Valley Band of Goshute
- Rupert Steele, Chairman, Confederated Tribes of the Goshute Reservation, Nevada and Utah
- Ladd Edmo, Chairman, Shoshone-Bannock Tribes of the Fort Hall Reservation
- Luke Duncan, Chairperson, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
- Betsy Champoos, Director, Cultural Rights and Protection Department, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah

Attachment 3

Section 106 Consulting Parties



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Erda City
2163 W Erda Way
Erda, UT 84074
Attention: Jess Bird, Council Chair

By email at: jbird@erda.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Invitation to Section 106 Consultation

Jess Bird:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

OEA is conducting an environmental and historic preservation review of the proposed rail line in compliance with the National Environmental Policy Act and related environmental laws and regulations, including Section 106 of the NHPA, and its implementing regulations at 36 Code of Federal Regulations Part 800.

This letter has two purposes:

- First, to learn whether you are interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you within 30 days of receipt of this letter, we will assume that you do not want to participate as a Consulting Party in the Section 106 process.
- Second, to provide an opportunity for you to submit comments on either historic properties and/or potential effects on historic properties that may be located in the area and that OEA should consider in the environmental analysis.

Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



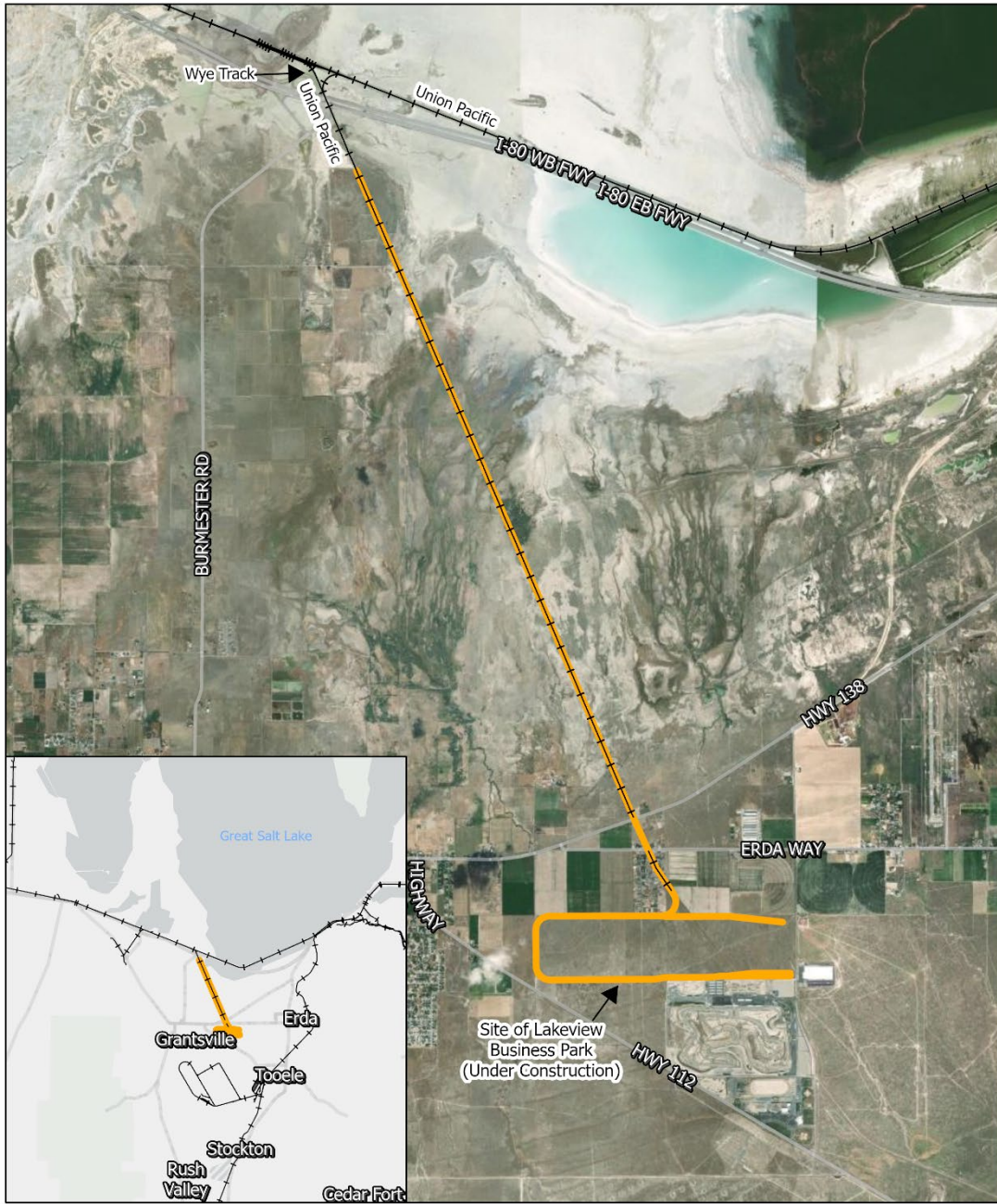
Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures:

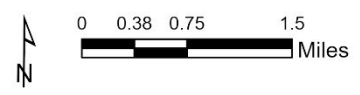
Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



- Proposed Action Rail Line
- Existing Rails



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Erda City

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

City of Grantsville
429 E Main St
Grantsville, UT 84029
Attention: Neil A. Critchlow, Mayor

By email at: ncritchlow@grantsvilleut.gov

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Invitation to Section 106 Consultation

Neil A. Critchlow:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

OEA is conducting an environmental and historic preservation review of the proposed rail line in compliance with the National Environmental Policy Act and related environmental laws and regulations, including Section 106 of the NHPA, and its implementing regulations at 36 Code of Federal Regulations Part 800.

This letter has two purposes:

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Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



Danielle Gosselin

Director

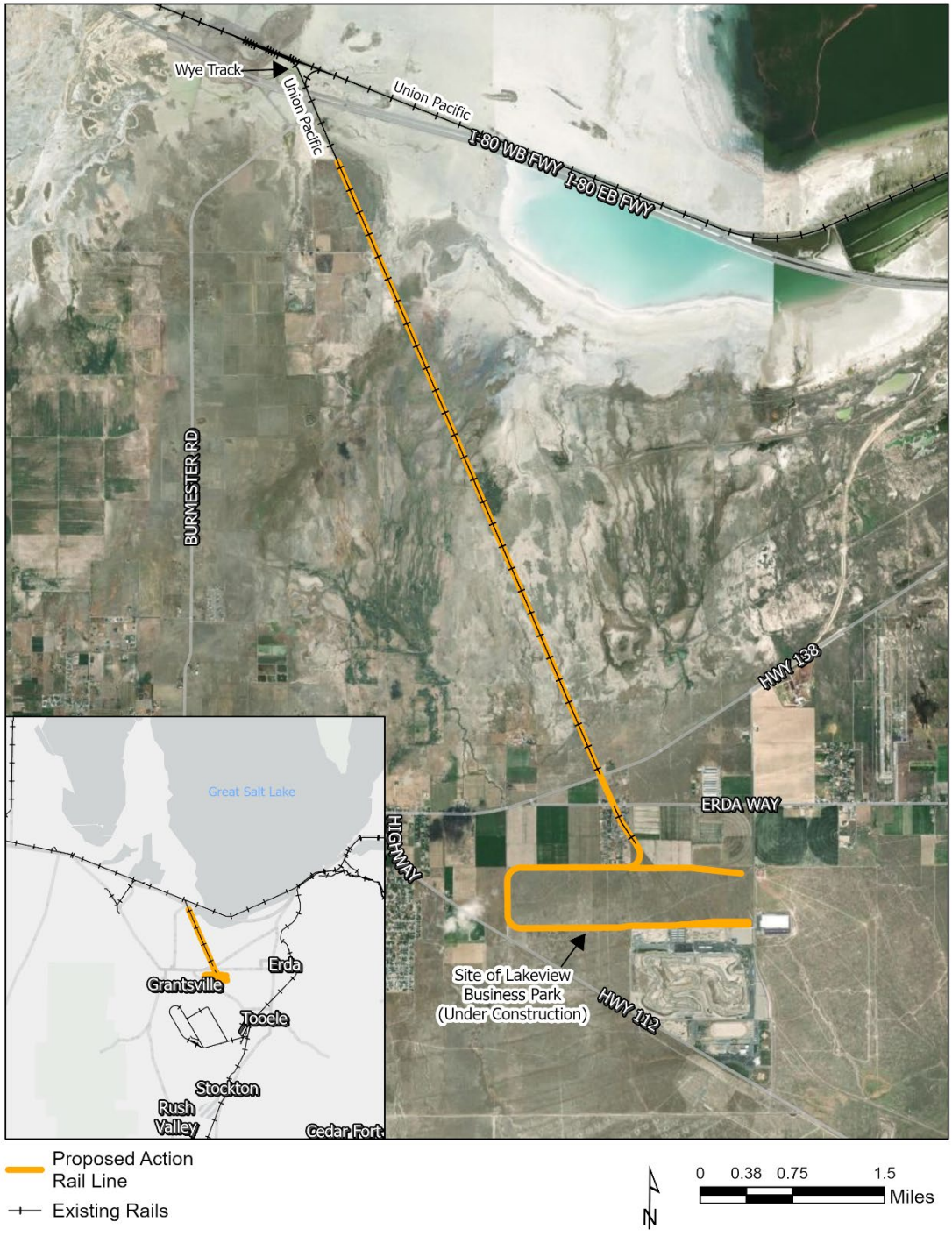
Office of Environmental Analysis

Enclosures:

Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

City of Grantsville

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Confederated Tribes of the Goshute Reservation, Nevada and Utah
HC 61, Box 6104
Ibapah, UT 84034-6104
Attention: Rupert Steele, Chairman

By email at: rupert.steele@ctgr.us

**RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and
Operation Exemption – Line of Railroad in Tooele County, Utah;
Invitation to Section 106 Consultation**

Confederated Tribes of the Goshute Reservation, Nevada and Utah:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

OEA is conducting an environmental and historic preservation review of the proposed rail line in compliance with the National Environmental Policy Act and related environmental laws and regulations, including Section 106 of the NHPA, and its implementing regulations at 36 Code of Federal Regulations Part 800.

This letter has two purposes:

- First, to learn whether you are interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you within 30 days of receipt of this letter, we will assume that you do not want to participate as a Consulting Party in the Section 106 process.
- Second, to provide an opportunity for you to submit comments on either historic properties and/or potential effects on historic properties that may be located in the area and that OEA should consider in the environmental analysis.

Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



Danielle Gosselin

Director

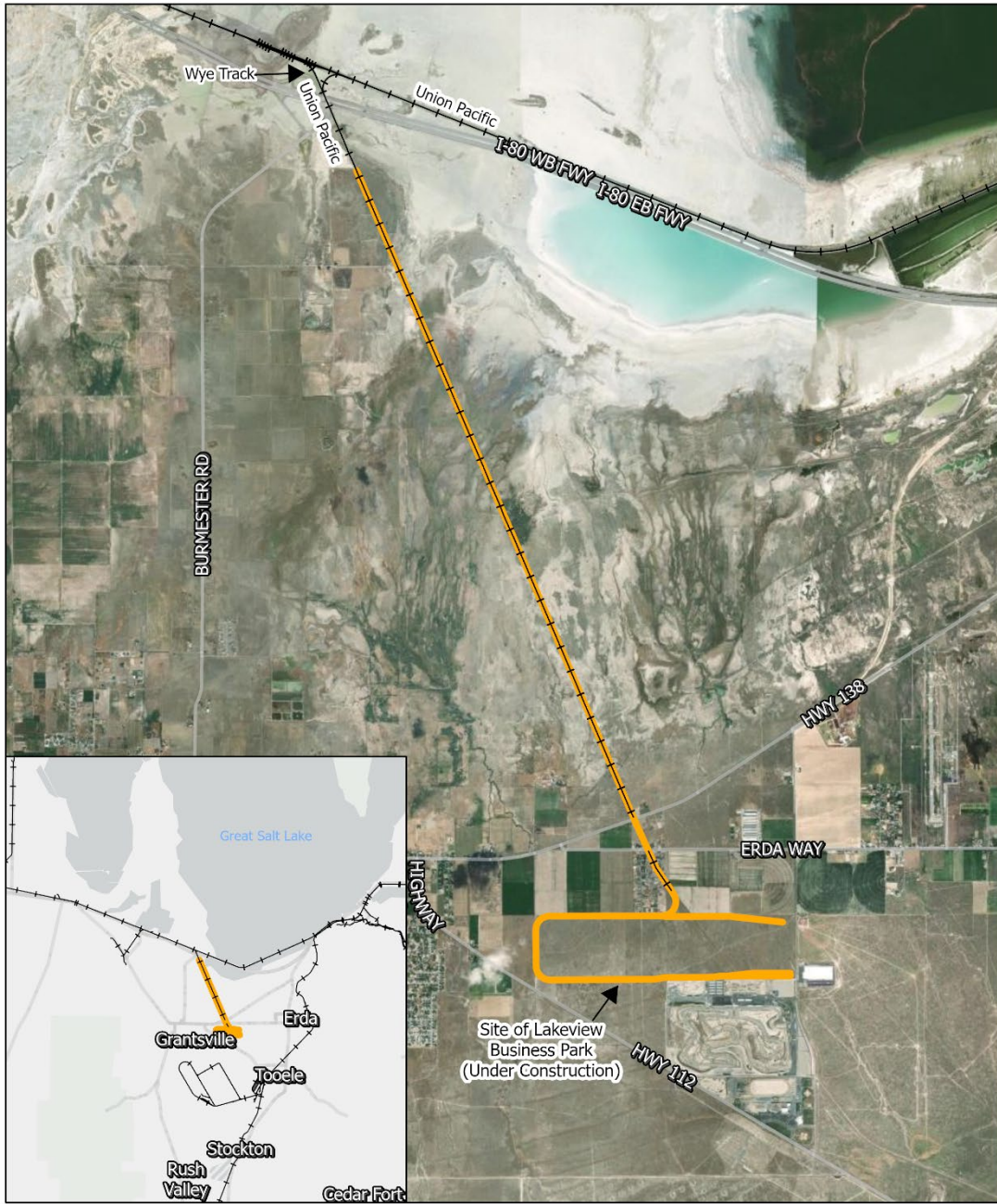
Office of Environmental Analysis

Enclosures:

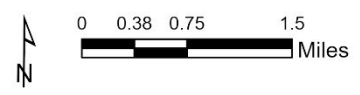
Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



- Proposed Action Rail Line
- Existing Rails



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

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Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Confederated Tribes of the Goshute Reservation, Nevada and Utah

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Grantsville Historic Preservation Commission
429 East Main Street
Grantsville, UT 84029
Attention: Alta Calcagno, Committee Chair

By email at: hpc@grantsvilleut.gov

**RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah;
Invitation to Section 106 Consultation**

Grantsville Historic Preservation Commission:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

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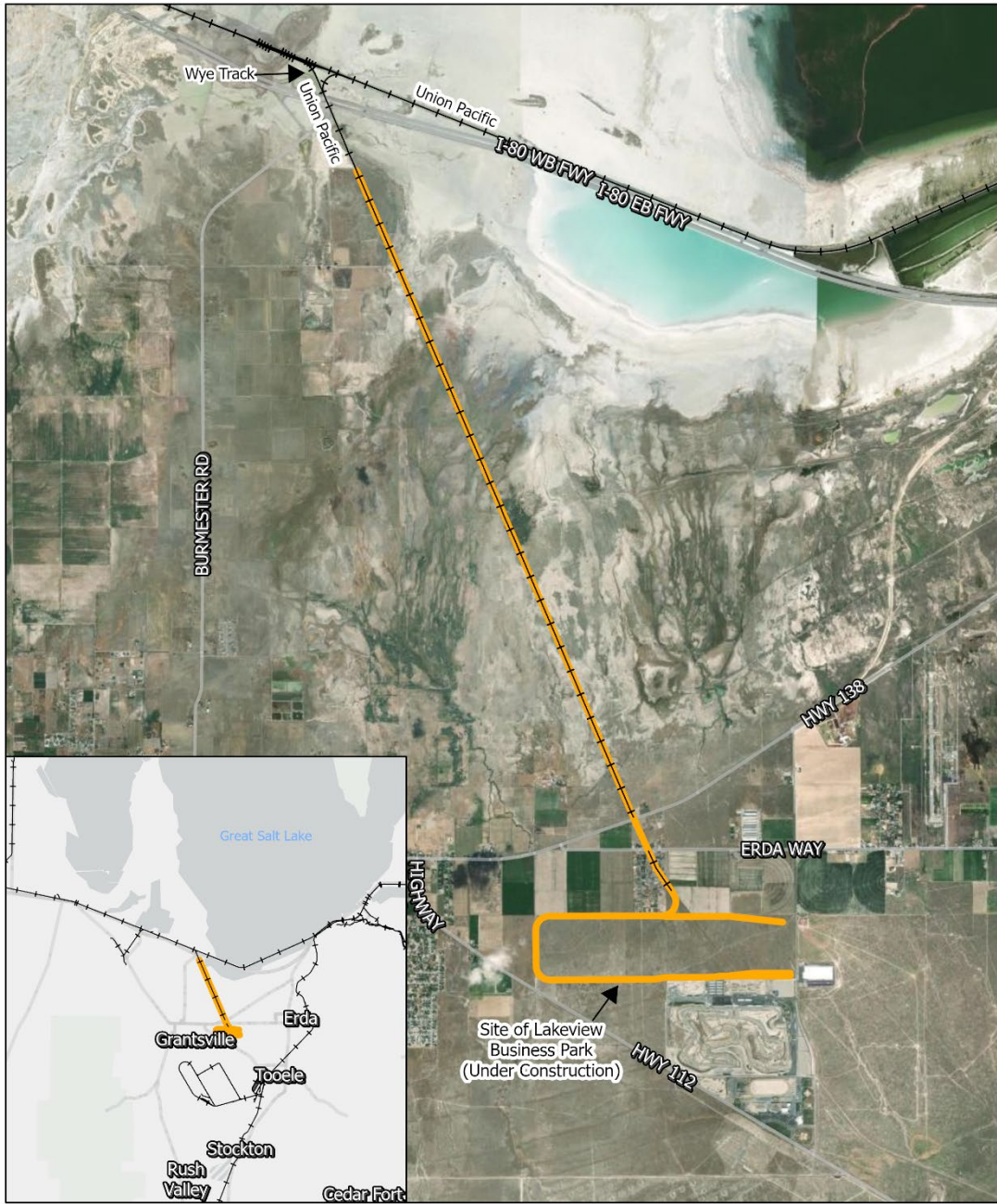
Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures:

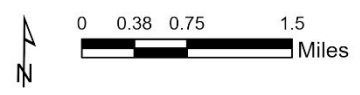
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Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



- Proposed Action Rail Line
- Existing Rails



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

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- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Grantsville Historic Preservation Commission

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Shoshone-Bannock Tribes of the Fort Hall Reservation
PO Box 306
Fort Hall, ID 83203-0306
Attention: Ladd Edmo, Chairman

By email at: lredmo@sbtribes.com

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Invitation to Section 106 Consultation

Shoshone-Bannock Tribes of the Fort Hall Reservation:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

OEA is conducting an environmental and historic preservation review of the proposed rail line in compliance with the National Environmental Policy Act and related environmental laws and regulations, including Section 106 of the NHPA, and its implementing regulations at 36 Code of Federal Regulations Part 800.

This letter has two purposes:

- First, to learn whether you are interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you within 30 days of receipt of this letter, we will assume that you do not want to participate as a Consulting Party in the Section 106 process.
- Second, to provide an opportunity for you to submit comments on either historic properties and/or potential effects on historic properties that may be located in the area and that OEA should consider in the environmental analysis.

Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



Danielle Gosselin

Director

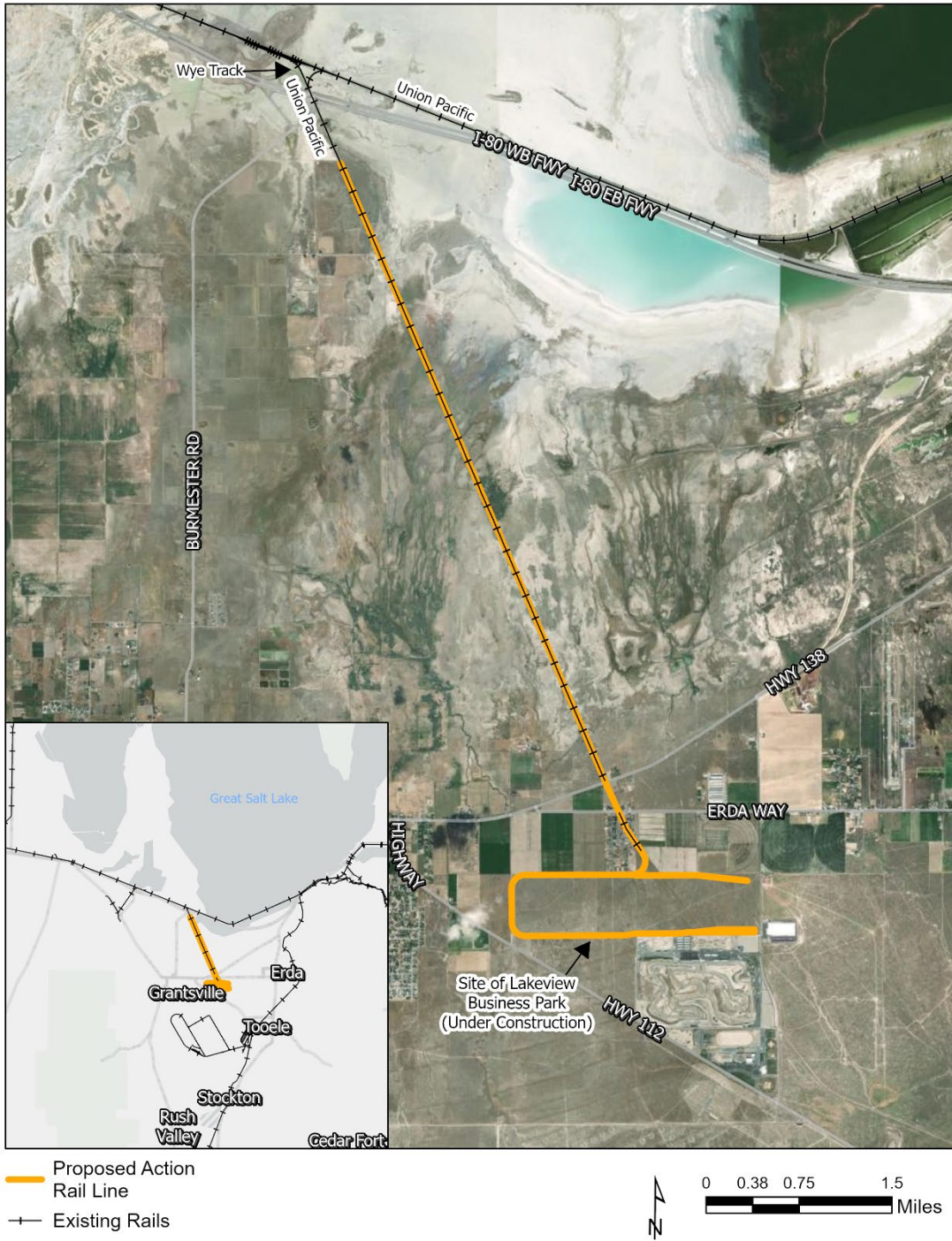
Office of Environmental Analysis

Enclosures:

Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
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Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Shoshone-Bannock Tribes of the Fort Hall Reservation

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

Skull Valley Band of Goshute
1198 N Main St
Tooele, Utah 84074
Attention: Lori Bear, Chairwoman

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Invitation to Section 106 Consultation

Skull Valley Band of Goshute:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

OEA is conducting an environmental and historic preservation review of the proposed rail line in compliance with the National Environmental Policy Act and related environmental laws and regulations, including Section 106 of the NHPA, and its implementing regulations at 36 Code of Federal Regulations Part 800.

This letter has two purposes:

- First, to learn whether you are interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you within 30 days of receipt of this letter, we will assume that you do not want to participate as a Consulting Party in the Section 106 process.
- Second, to provide an opportunity for you to submit comments on either historic properties and/or potential effects on historic properties that may be located in the area and that OEA should consider in the environmental analysis.

Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



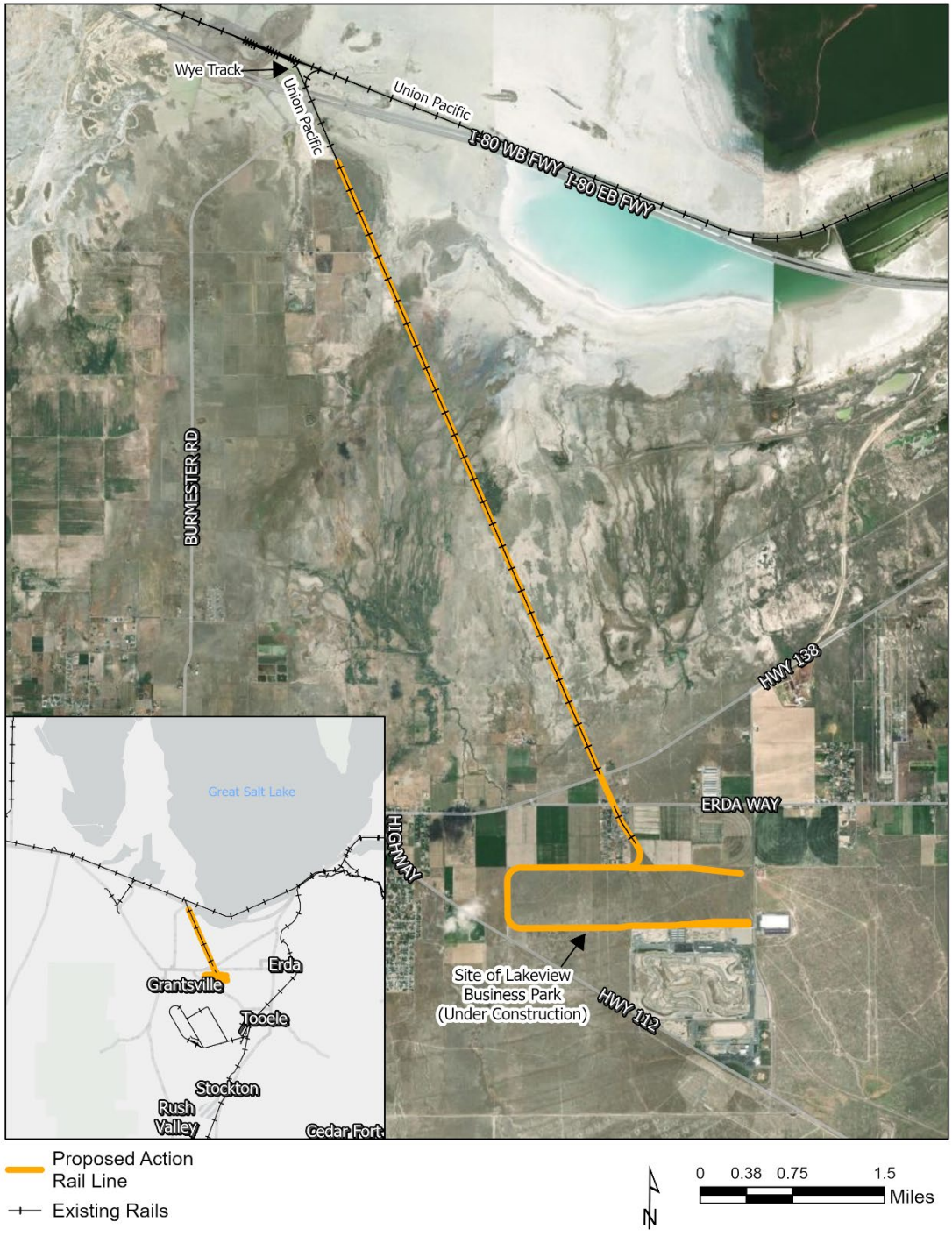
Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures:

Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Skull Valley Band of Goshute

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Tooele County
47 South Main St.
Tooele, 84074
Attention: Jared Hamner, Council Chair

By email at: jared.hamner@tooeleco.org

**RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah;
Invitation to Section 106 Consultation**

Jared Hamner:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

OEA is conducting an environmental and historic preservation review of the proposed rail line in compliance with the National Environmental Policy Act and related environmental laws and regulations, including Section 106 of the NHPA, and its implementing regulations at 36 Code of Federal Regulations Part 800.

This letter has two purposes:

- First, to learn whether you are interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you within 30 days of receipt of this letter, we will assume that you do not want to participate as a Consulting Party in the Section 106 process.
- Second, to provide an opportunity for you to submit comments on either historic properties and/or potential effects on historic properties that may be located in the area and that OEA should consider in the environmental analysis.

Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



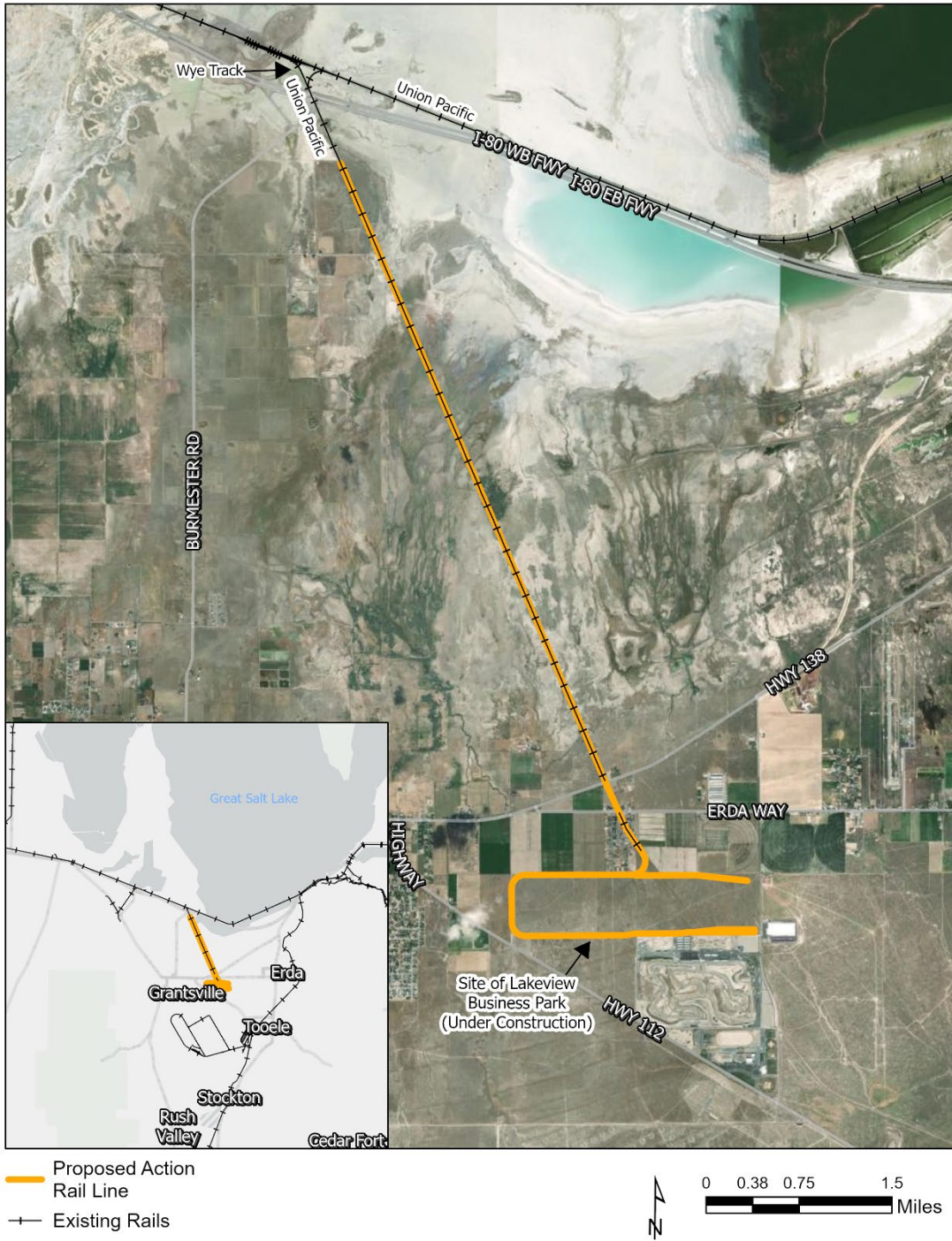
Danielle Gosselin
Director
Office of Environmental Analysis

Enclosures:

Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Tooele County

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Tooele County Historic Preservation Commission
47 South Main Street
Tooele, UT 84074
Attention: Clint Thomsen, Chair

By email at: bonnevillemariner@gmail.com

**RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah;
Invitation to Section 106 Consultation**

Tooele County Historic Preservation Commission:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

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This letter has two purposes:

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- Second, to provide an opportunity for you to submit comments on either historic properties and/or potential effects on historic properties that may be located in the area and that OEA should consider in the environmental analysis.

Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



Danielle Gosselin

Director

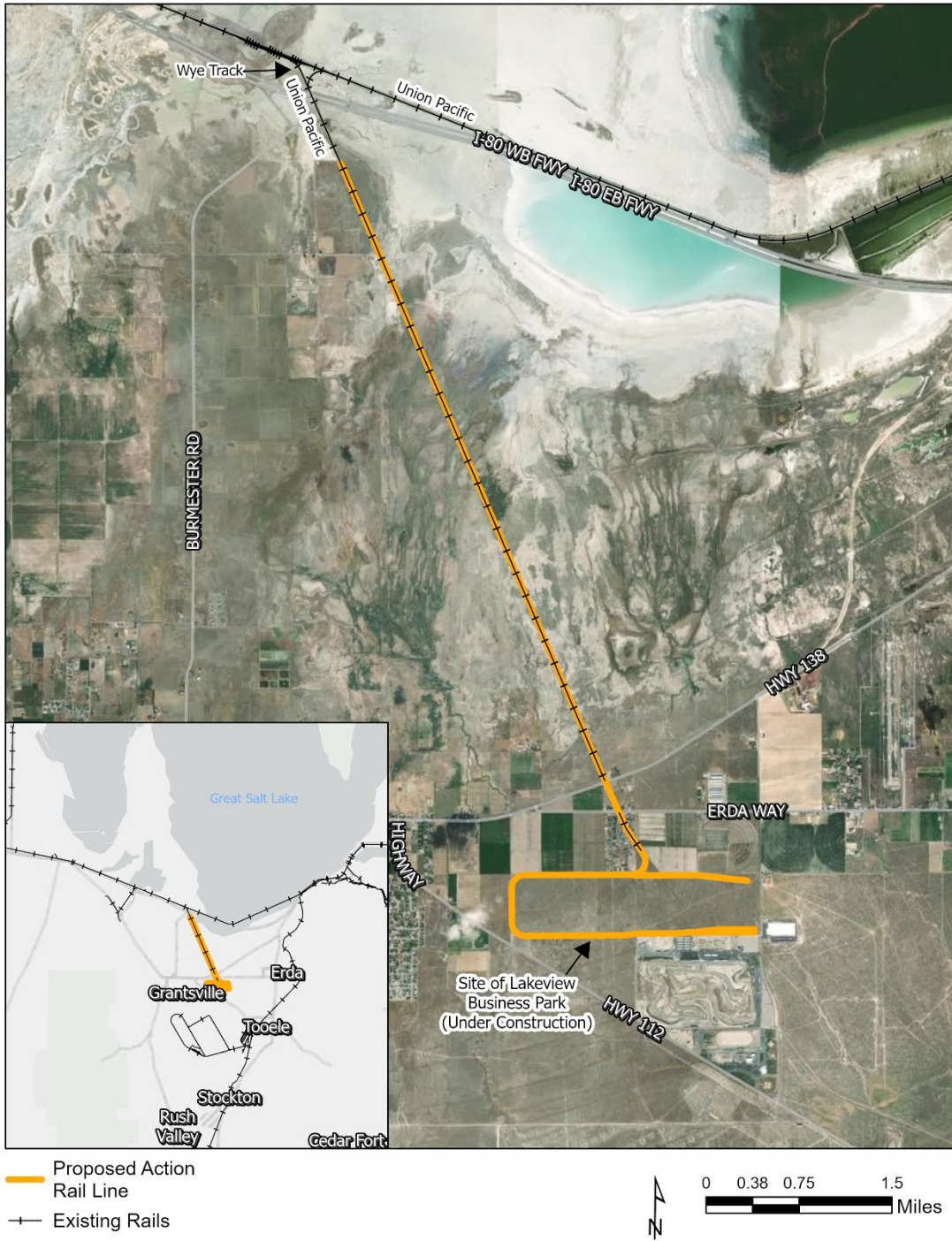
Office of Environmental Analysis

Enclosures:

Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Tooele County Historic Preservation Commission

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Tooele Pioneer Museum
47 E. Vine Street
Tooele, UT 84074
Attention: Museum Director/Board

By email at: pioneer@tooelepioneermuseum.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Invitation to Section 106 Consultation

Tooele Pioneer Museum:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

OEA is conducting an environmental and historic preservation review of the proposed rail line in compliance with the National Environmental Policy Act and related environmental laws and regulations, including Section 106 of the NHPA, and its implementing regulations at 36 Code of Federal Regulations Part 800.

This letter has two purposes:

- First, to learn whether you are interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you within 30 days of receipt of this letter, we will assume that you do not want to participate as a Consulting Party in the Section 106 process.
- Second, to provide an opportunity for you to submit comments on either historic properties and/or potential effects on historic properties that may be located in the area and that OEA should consider in the environmental analysis.

Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



Danielle Gosselin

Director

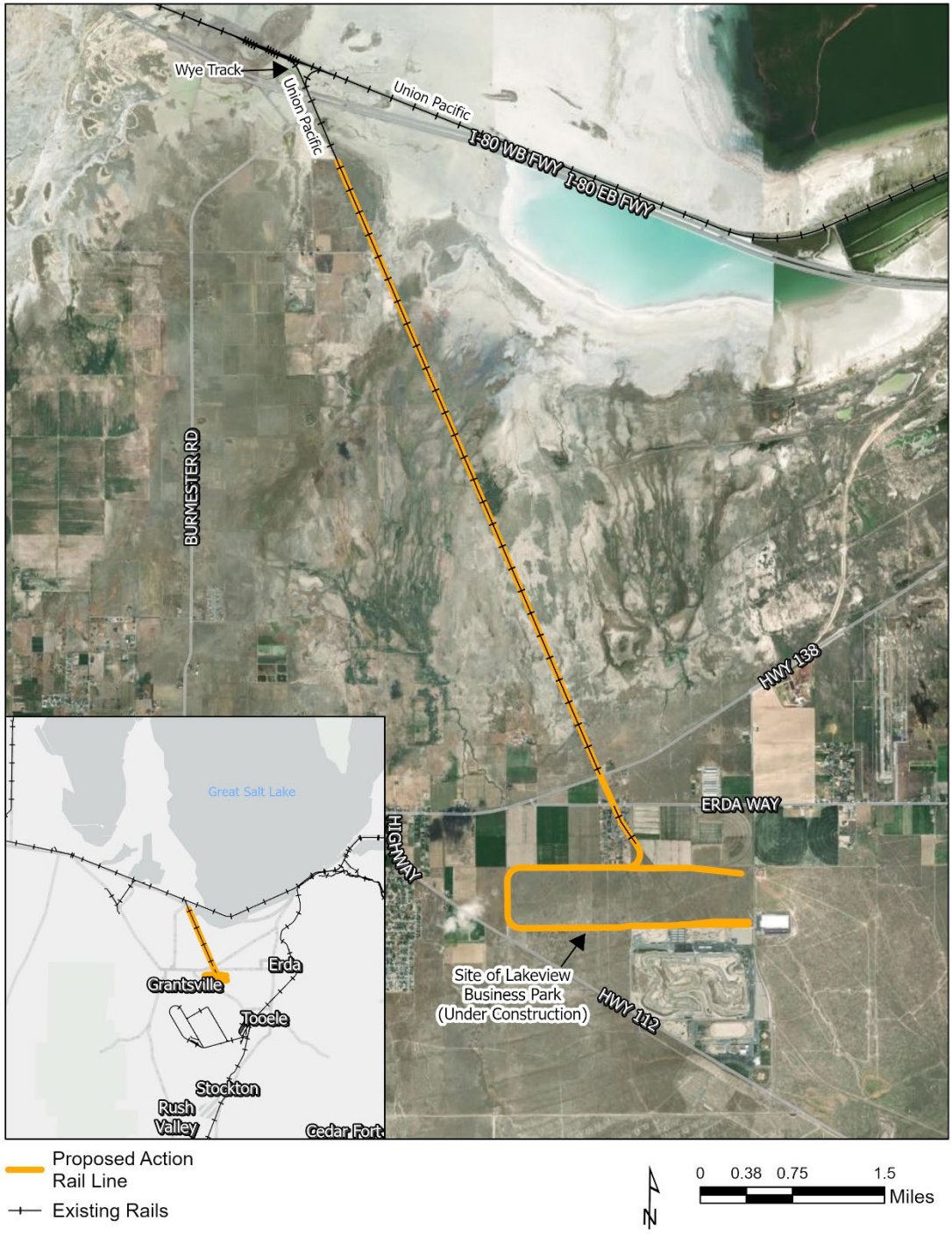
Office of Environmental Analysis

Enclosures:

Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Tooele Pioneer Museum

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Tooele Valley Museum and Historical Park
90 N Main
Tooele, UT 84074
Attention: Museum Director/Advisory Board

By email at: tooelevalleymuseum@tooelecity.org

RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Invitation to Section 106 Consultation

Tooele Valley Museum and Historical Park:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

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Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



Danielle Gosselin

Director

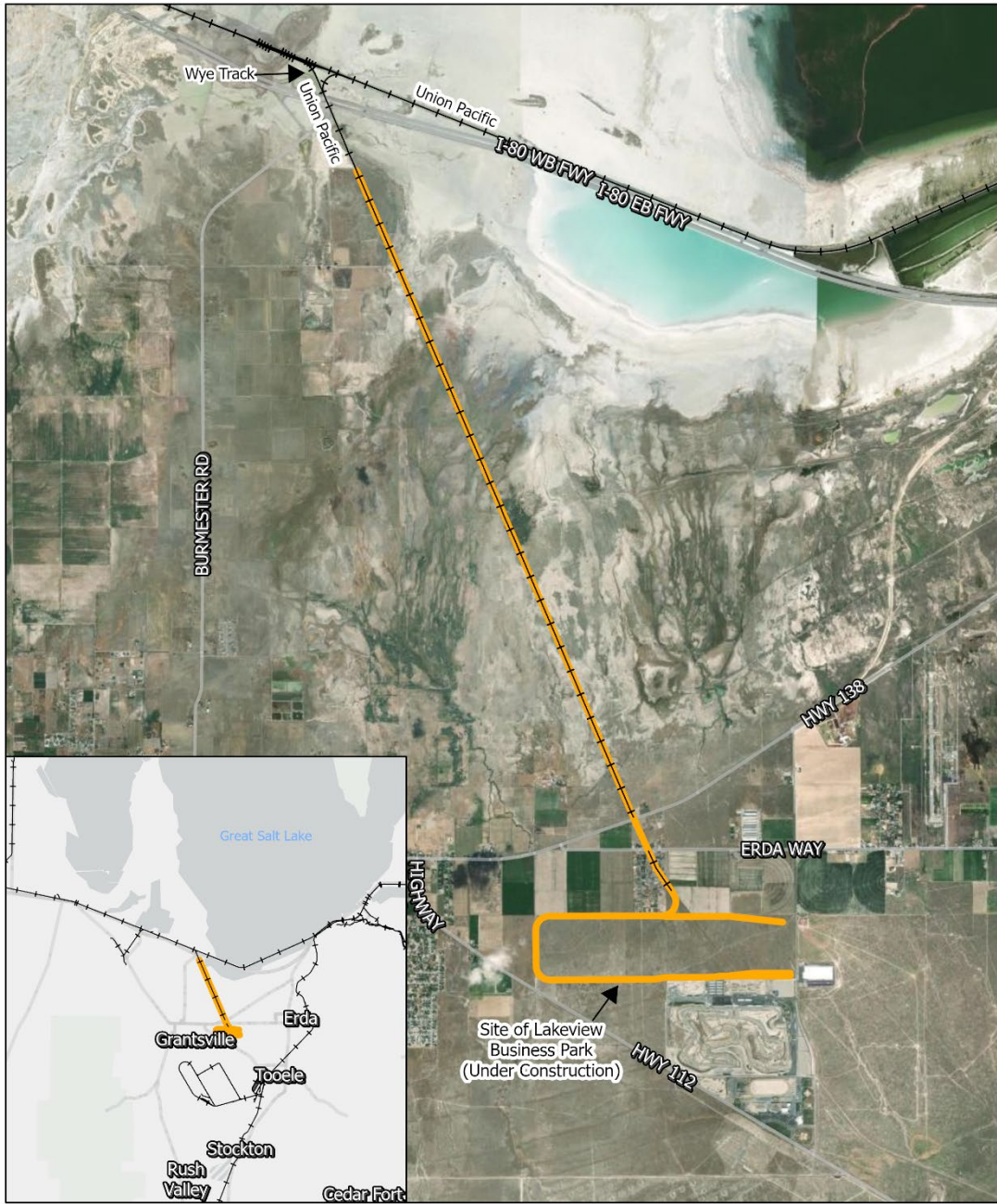
Office of Environmental Analysis

Enclosures:

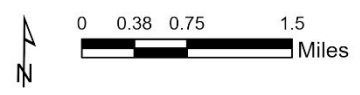
Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



- Proposed Action Rail Line
- Existing Rails



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Tooele Valley Museum and Historical Park

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 4, 2023

SENT VIA E-MAIL

Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
PO Box 190
Fort Duchesne, UT 84026-0190
Attention: Betsy Chapoose, Director, Cultural Rights and Protection Department

By email at: betsyc@utetribe.com

**RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah;
Invitation to Section 106 Consultation**

Ute Indian Tribe of the Uintah and Ouray Reservation, Utah:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) invites you to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) for the Board's review of the proposed construction and operation of a new rail line in Tooele County, Utah.

Savage Tooele Railroad (STR) is seeking authority from the Board to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former "Warner Branch" segment) and construct approximately five miles of new railroad line into a business and industrial park in Grantsville, Utah, shown in Attachment A. STR would construct track within the Lakeview business park pursuant to a lease and/or a permanent easement obtained from the business park owners. The approximately eleven miles of new railroad line would connect to Union Pacific's (UP) Shafter Subdivision at Burmester, Utah. STR would provide common carrier service over the track to enable tenants of the business park to receive and ship commodities by rail.

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Please return the Consultation Options Form in Attachment B by May 4, 2023. We look forward to your participation in the Section 106 process. If you have any questions, please feel free to contact Alan Tabachnick of my staff at 202-245-0367 or by email at alan.tabachnick@stb.gov.

Sincerely,



Danielle Gosselin

Director

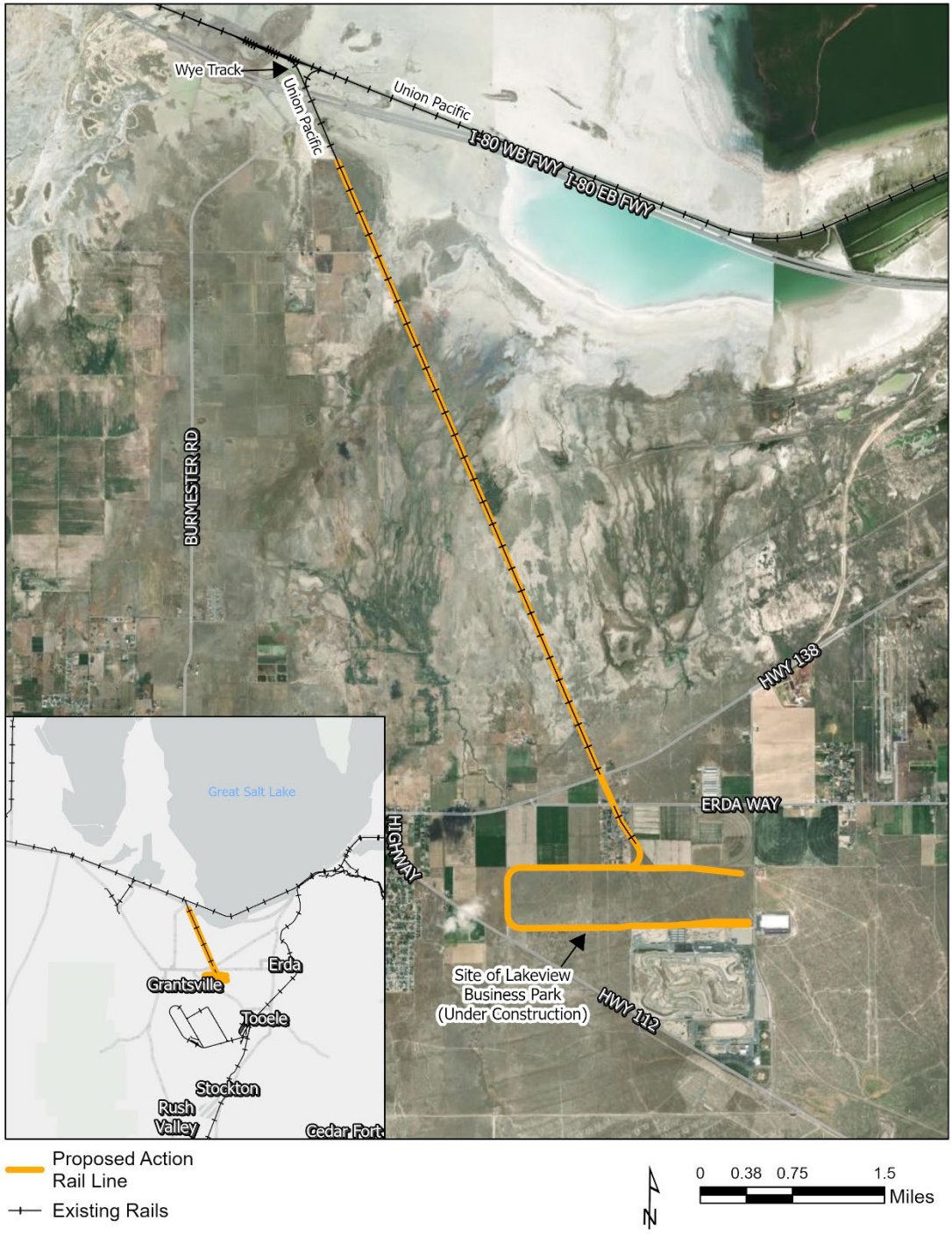
Office of Environmental Analysis

Enclosures:

Attachment A: Map

Attachment B: NHPA Section 106 Consultation Options Form

ATTACHMENT A: PROJECT MAP



ATTACHMENT B: NHPA SECTION 106 CONSULTATION OPTIONS FORM

**Surface Transportation Board Docket No. FD 36616, Savage Tooele Railroad (STR) Company
– Construction and Operation Exemption – Line of Railroad in Tooele County, Utah**

Project Name: Savage Tooele Railroad Company proposed rail line

Please check all the appropriate response(s) that apply from the list:

- We have no interests associated with the STR’s proposed rail line and further consultation with our organization is not required.
- We want to continue to receive project information by mail and participate in the public involvement process.
- We have an interest in the STR’s proposed rail line and want to participate as a “Consulting Party” in Section 106 of the NHPA process.
- We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of your designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow the STR to construct and operate a new rail line in Tooele County, Utah:

Please print or type:

Ute Indian Tribe of the Uintah and Ouray Reservation, Utah

Name: _____

Phone: _____

E-mail: _____

Signed: _____ Date: _____

Please email to: Alan Tabachnick
Alan.Tabachnick@stb.gov

Or mail to: Alan Tabachnick
Surface Transportation Board, OEA
Docket No. FD 36616
395 E Street SW
Washington, DC 20423

Attachment 4 Other Letters



LAW OFFICE OF THOMAS W. WILCOX, LLC
1629 K. STREET, NW SUITE 300
WASHINGTON, DC 20006

(202) 508-1065 (O)

(202) 365-8409 (C)

TOM@TWILCOXLAW.COM

WWW.TWILCOXLAW.COM

June 29, 2023

By E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

RE: STB Docket No. FD 36616, *Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah*

Dear Ms. Brown:

This letter is submitted on behalf of the Petitioner in this proceeding, Savage Tooele Railroad Company (“STR”), to update the Surface Transportation Board on two changes to the planned operations of the newly constructed railroad. Both modifications have been made as a result of ongoing discussions with the Office of Environmental Analysis (“OEA”) about potential environmental impacts from the project and how they might be mitigated.

First, the Petition states that STR will “operate less than three trains per day once the project is constructed” Petition at 7. STR has determined that it will only operate one train per day in and out of the Lakeview Business Park. Second, while the Petition does not specify times or days that STR would operate, STR has agreed with OEA to limit its operations to daylight hours Monday through Friday to reduce the potential noise impacts on the local community. Consequently, STR will operate between the hours of 7:00 AM and 10:00 PM most weekdays.

Please do not hesitate to contact the undersigned should you have any questions.

Sincerely,

Thomas W. Wilcox
Attorney for Savage Tooele Railroad Company

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2023, I served a copy of the foregoing Letter by electronic mail upon all parties of record on the official service list for Docket No. FD 36616.

/s/ Thomas W. Wilcox



State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

TERIANNE S. NEWELL, P.E.
Deputy Director of Planning and Investment

LISA J. WILSON, P.E.
Deputy Director of Engineering and Operations

May 1, 2023

Ms. Danielle Gosselin, Director
Office of Environmental Analysis
Surface Transportation Board
395 E Street, NW
Washington, DC 20423

Dear Ms. Gosselin:

SUBJECT: STB Docket No. FD 36616, Savage Tooele Railroad Company -
Construction and Operation Exemption - Line of Railroad in Tooele
County, Utah

The purpose of this letter is to express UDOT's support for the Savage Tooele Railroad Company's ("STR") proposal to install at-grade railroad crossings where the former Union Pacific Railroad crossed Highway 138 and Erda Way, in Tooele County, UT. As your office is aware, the STR, a subsidiary of Savage Companies, has filed a petition with the Surface Transportation Board ("STB") requesting that STR be granted the authority to construct and operate a Class III shortline that will bring freight rail service to the Lakeview Business Park in Grantsville, Utah.

UDOT met with STR, Tooele County, and Grantsville on April 5, 2023 to discuss the ramifications of the potential crossing. At that meeting, STR presented their anticipated operations. Those operations indicated a maximum of 35 rail cars per train and 2 trains per day. STR stated that this would create an interruption to SR-138 of about 2 minutes for each train; with trains never stopping on the crossing. Further, their hours of operations would be outside of the morning and afternoon peak hours. Although this level of delay is serviceable for today's conditions, UDOT believes grade-separation at this location will be safer and necessary in the future. STR has volunteered.

Although this level of delay is serviceable for today's conditions, UDOT believes grade-separation at this location will be safer and necessary in the future. STR has volunteered to collaborate with UDOT and local entities to pursue funding to provide grade separation at this location when conditions warrant.

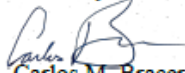
STR has also proposed to establish "quiet crossings" across both Highway 138 and Erda Way. By design, "quiet crossings" entail the installation of certain safety

Ms. Danielle Gosselin
Page 2
May 1, 2023

equipment that result in railroad operators being relieved of the requirement of sounding whistles or ringing bells, except in the case of an emergency. Quiet crossings at these locations will reduce noise levels for residents that live near them.

UDOT is committed to work with STR, Tooele County, the City of Grantsville, the City of Tooele and the City of Erda to address concerns that arise resulting from STR's new railroad operations. Through these relationships, UDOT believes any future issues can be resolved in a mutually beneficial manner. UDOT supports the addition of this crossing. Safety is a top priority, and we appreciate you bringing your concerns to our attention. We pledge our efforts to continue to work closely with Kaysville City as WDC moves forward. Thank you again for your interest and desire to help us build the best transportation infrastructure possible.

Sincerely,


Carlos M. Braceras, P.E.
Executive Director

CMB/RS/dej

Cc: Lisa Wilson, UDOT Deputy Director for Engineering and Operations
Robert Stewart, UDOT Region Two Director

Appendix B

Noise and Vibration Technical Appendix

Acronyms and Abbreviations

ANR	average noise reduction
Board	Surface Transportation Board
C.F.R.	Code of Federal Regulations
dB	decibel
dBA	A-weighted decibel
EA	environmental assessment
EIS	environmental impact statement
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
Hz	Hertz
L_{eq}	level equivalent
OEA	Office of Environmental Assessment
PPV	peak particle velocity
RMS	root-mean-square
SSM	supplementary safety measure
VdB	root-mean-square vibration velocity

B.1 Introduction

This appendix describes the methods that the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) used to estimate and analyze the potential effects of noise and vibration from construction and operation of the proposed rail line.

B.2 Wayside Noise Models

Wayside noise refers to all noise generated by rail cars and locomotives (but not including horn noise). OEA used noise measurements from past noise studies (Surface Transportation Board 1998a, 1998b) as the basis for the wayside noise level projections for the proposed rail line.

The basic equation used for the wayside noise model is as follows.

$$SEL_{cars} = L_{eqref} + 10\log(T_{passby}) + 30\log(S/S_{ref})$$

For locomotives, which can be modeled as moving monopole point sources, the corresponding equation is as follows.

$$SEL_{locos} = SEL_{ref} + 10\log(N_{locos}) - 10\log(S/S_{ref})$$

The total train sound exposure level is computed by logarithmically adding SEL_{locos} and SEL_{cars} .

$$DNL_{100'} = SEL + 10\log(N_d + 10N_n) - 49.4$$

$$DNL = DNL_{100'} + 15\log(100/D)$$

The $10\log(x)$ term in the previous equations can be used to determine the increase (or decrease) in train noise level associated with changes in traffic volumes assuming that the other factors affecting noise (speed, train consist and length, time of day, and number of locomotives) are equivalent. The change in noise level associated with two different traffic volumes would be as follows.

Delta (dB) = $10\log(N_2/N_1)$ where N_1 and N_2 are two different traffic volumes (trains/day)

For example, if rail traffic doubled, the increase in noise level would be $10\log(2) = 3$ dB.

The following parameters apply to the equations above.

SEL_{cars} = Sound exposure level of railcars (A-weighted decibels [dBA])

L_{eqref} = Level equivalent of railcar

T_{passby} = Train passby time, in seconds

S = Train speed, in miles per hour

S_{ref} = Reference train speed

SEL_{locos} = Sound exposure level of locomotive

SEL_{ref} = Reference sound exposure level of locomotive

DNL = Day-night average noise level

N_{locos} = Number of locomotives

N_d = Number of trains during daytime

N_n = Number of trains during nighttime

D = Distance from tracks, in feet

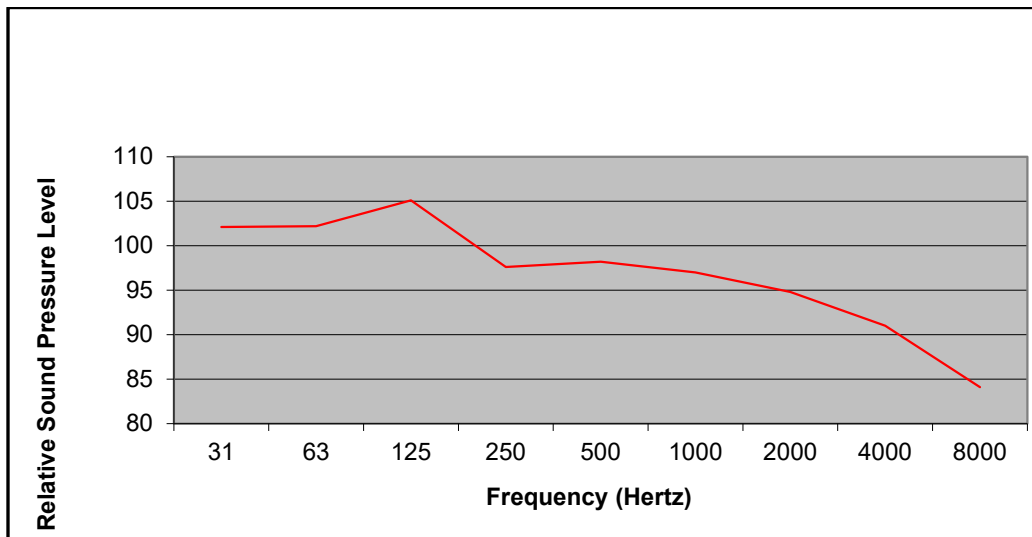
Table B.2-1 shows the reference wayside noise levels used in this study and **Figure B.2-1** shows the wayside noise frequency spectrum used in the calculations.

Table B.2-1. Reference Wayside Noise Levels

Description	Average Level (dBA)
Locomotive SEL (40 miles per hour at 100 feet)	95
Railcar Leq	82

Source: Surface Transportation Board 1998a, 1998b
dBA = A-weighted decibels; SEL = sound exposure level; Leq = level equivalent

Figure B.2-1. Wayside Noise Spectrum



Surface Transportation Board 2002

B.3 Horn Noise Models

Freight train horn noise levels can vary for a variety of reasons, including the manner in which an engineer sounds the horn. Consequently, it is important to determine horn noise reference levels based on a large sample size. A substantial amount of horn noise data is available from the *Draft Environmental Impact Statement, Proposed Rule for the Use of Locomotive Horns at Highway-Rail Grade Crossings* (Federal Railroad Administration 1999), hereafter referred to as the 1999 Federal Railroad Administration (FRA) Draft Environmental Impact Statement (EIS).

The FRA data indicates that horn noise levels increase from the point at which the horn is sounded at 0.25 mile from the grade crossing to when it stops sounding at the grade crossing. In the first 0.125-mile segment, the energy average sound exposure level measured at a distance of 100 feet from the tracks was found to be 107 dBA, and in the second 0.125-mile segment, found to be 110 dBA. The 1999 FRA Draft EIS simplified the horn noise contour shape as a 5-sided polygon, when it is actually a teardrop shape. The *Final Environmental Impact Statement, Construction and Operation of a Rail Line from the Bayport Loop in Harris County, Texas* (Surface Transportation Board 2003) discusses this subject in detail. OEA used the more accurate teardrop contour shape for this analysis. The attenuation or drop-off rate of horn noise is assumed to be 4.5 dBA per doubling of distance away from the tracks (Federal Railroad Administration 1999).

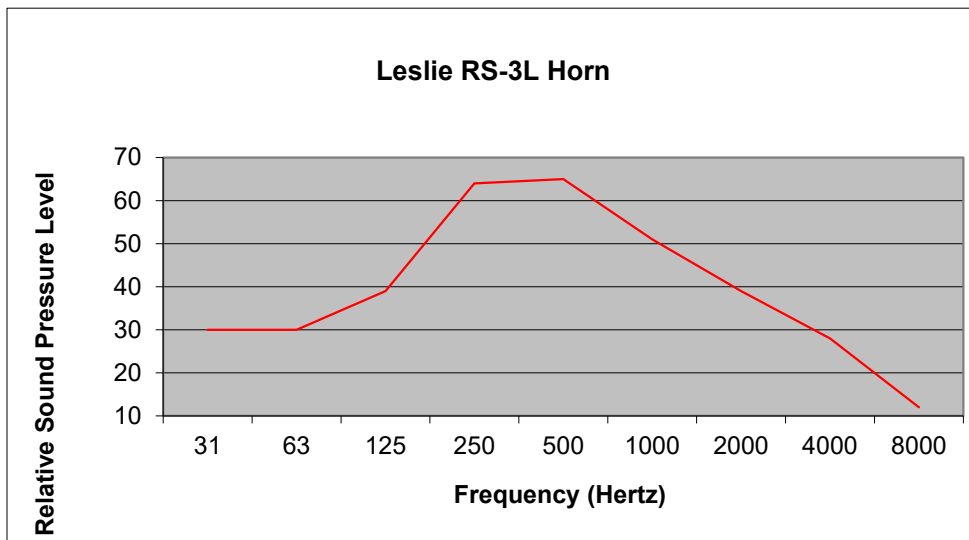
Table B.3-1 lists the reference horn noise levels used in this study, and **Figure B.3-1** shows the horn noise spectrum used in the calculations.

Table B.3-1. Reference Horn Noise Levels

Description	Average Level (dBA)
Horn SEL 1st 0.25 mile	110
Horn SEL 2nd 0.25 mile	107

Source: Federal Railroad Administration 1999
dBA = A-weighted decibels; SEL = sound exposure level

Figure B.3-1. Horn Noise Spectrum



Surface Transportation Board 2002

B.4 Rail Line Operation Vibration Analysis Methods

OEA based the vibration assessment methods on Federal Transit Administration (FTA) methods (2006). Vibration level due to train passbys is approximately proportional to:

$$V = 20 \times \log (\text{speed}/\text{speed}_{\text{ref}})$$

Where:

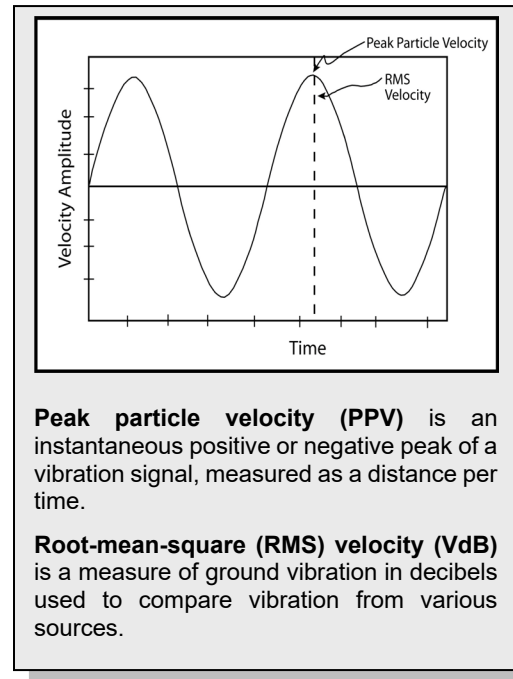
V = The ground-borne vibration velocity

Speed = The train speed

$speed_{ref}$ = The reference speed of the train relative to its corresponding vibration level

Published (FTA) ground-borne vibration levels are adjusted for train speed by this equation and distance from the rail line to estimate vibration levels at receptor locations.

There are two ground-vibration impacts of general concern: annoyance to humans and damage to buildings. In special cases, activities that are highly sensitive to vibration, such as microelectronics fabrication facilities, are evaluated separately. Two measurements correspond to human annoyance and building damage for evaluating ground vibration: peak particle velocity (PPV) and root-mean square (RMS) velocity. PPV is the maximum instantaneous positive or negative peak of the vibration signal, measured as a distance per time (such as millimeters or inches per second). This measurement has been used historically to evaluate shock-wave type vibrations from actions like blasting, pile driving, and mining activities, and their relationship to building damage. RMS velocity is an average, or smoothed, vibration amplitude, commonly measured over 1-second intervals. It is expressed on a log scale in decibels (VdB) referenced to 0.000001×10^{-6} inch per second and is not to be confused with noise decibels. It is more suitable for addressing human annoyance and characterizing background vibration conditions because it better represents the response time of humans to ground vibration signals.



B.5 Ambient Noise Measurements/Modeling

Ambient Noise Measurements

Ambient noise measurements (i.e., pre-project existing conditions) were conducted in the project area to establish baseline conditions. This step is needed to quantify potential increases in noise level at receptor locations projected to be at 65 DNL or greater due to the project. **Figure B.5-1** shows the location of long-term noise monitors 0 – 4. Long term noise measurements (to capture twenty-four hour DNL time periods) were performed from 5/22/23 to 5/26/23. Noise sources heard in the study area during the monitoring included traffic noise from West Erda Way, State Road 138, children playing, birds, horses, occasional aircraft, and raceway activities at Utah Motorsports.

Figure B.5-1. Noise Monitoring Locations

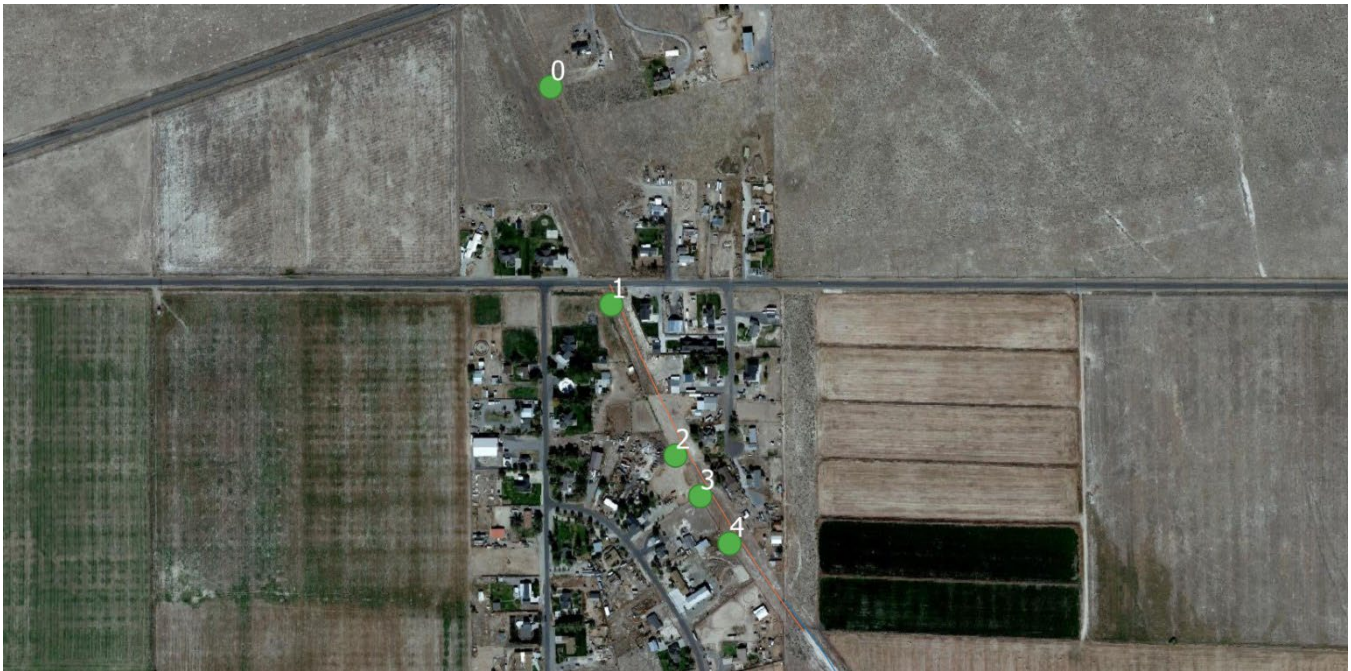


Figure B.5-2 to Figure B.5-6 show measured hourly L_{eq} and L_{90} values at each monitoring location.

-
- 1 L_{eq} is Level Equivalent- the energy averaged noise level over a specified time interval.
 - 2 The L_{90} is the noise level exceeded 90% of the measurement time interval and represents the ‘residual’ background noise level.

Figure B.5-2. Noise Monitor 0 Time History

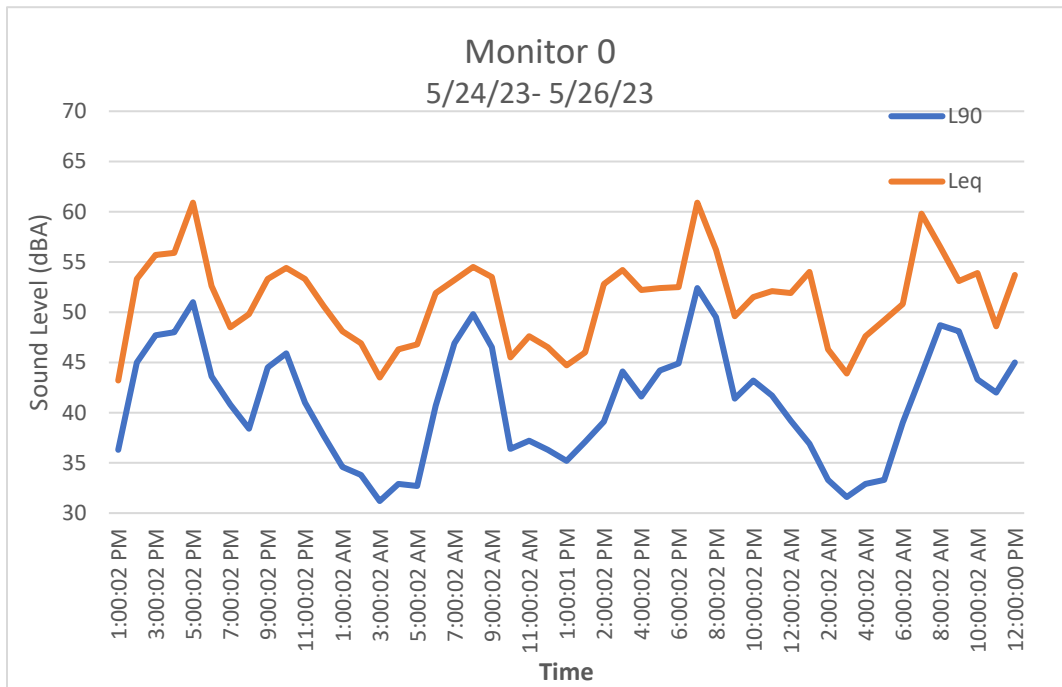


Figure B.5-3. Noise Monitor 1 Time History

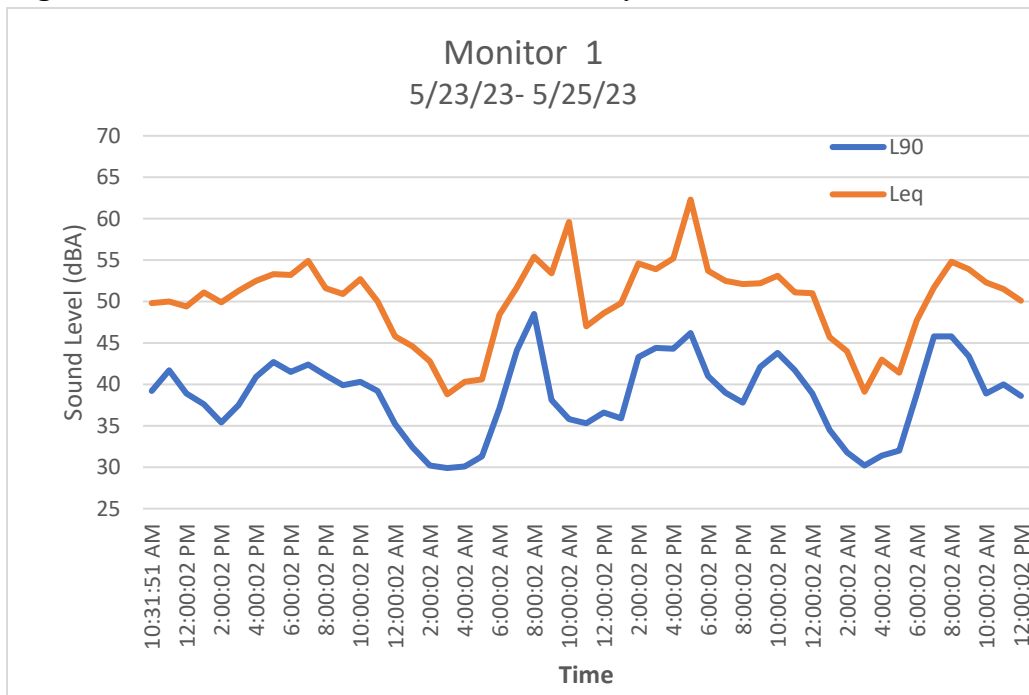


Figure B.5-4. Noise Monitor 2 Time History

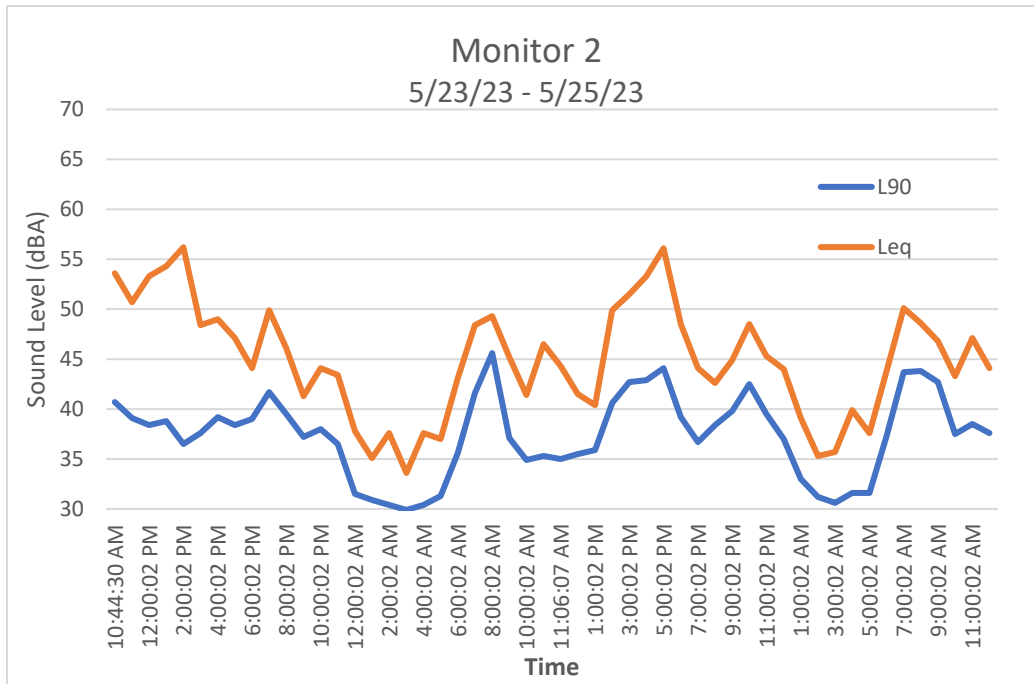


Figure B.5-5. Noise Monitor 3 Time History

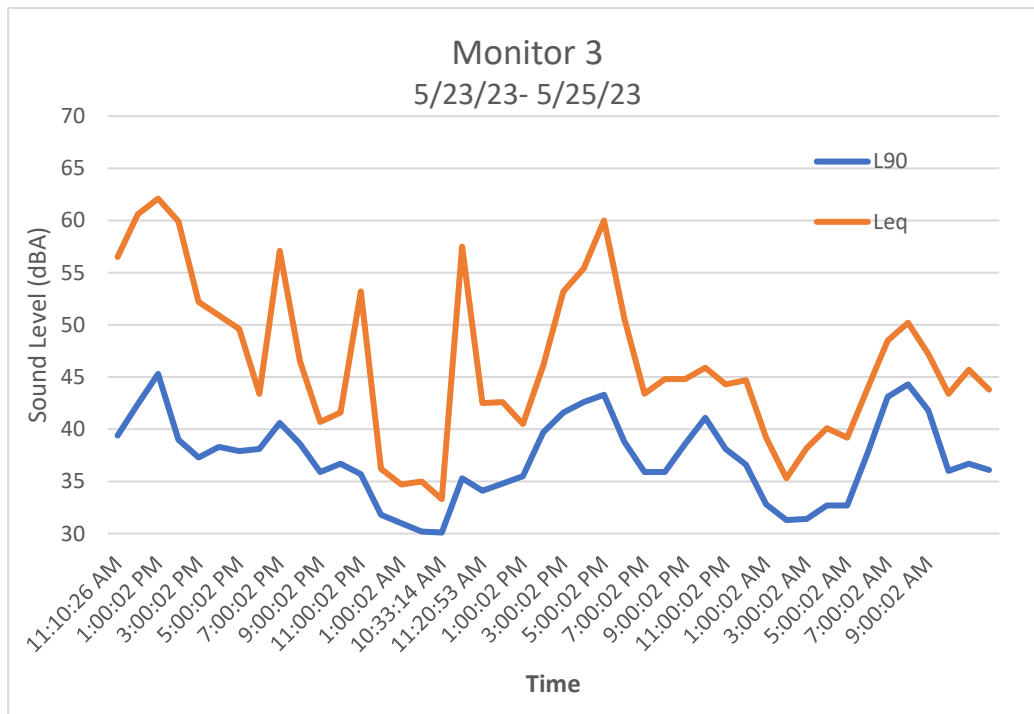
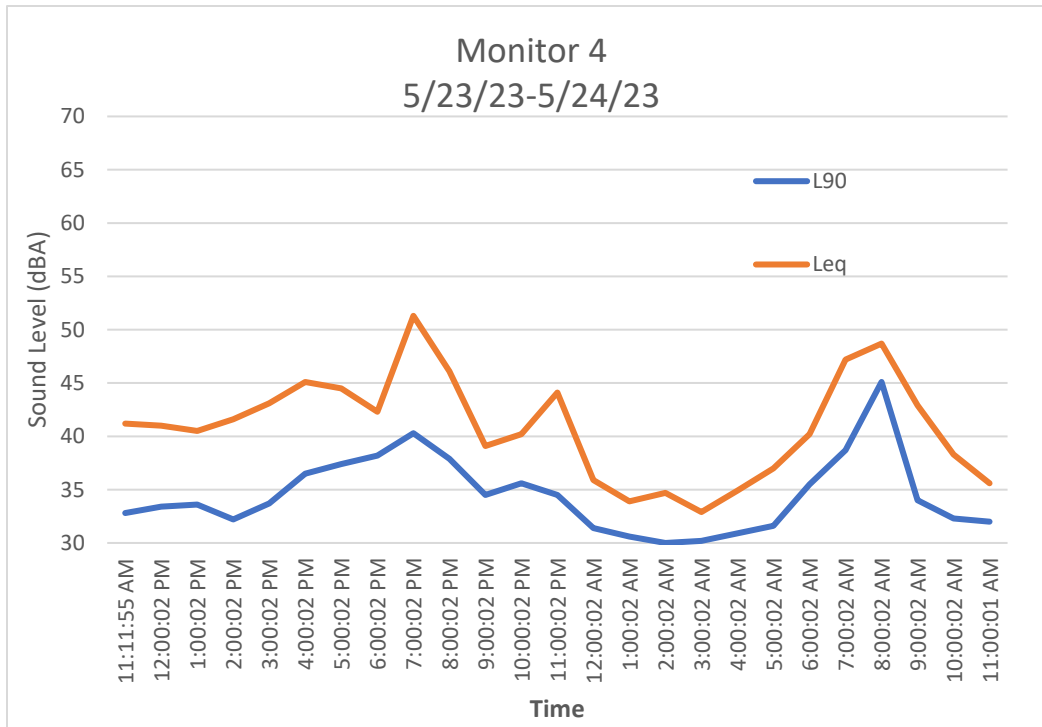


Figure B.5-6. Noise Monitor 4 Time History



The data in these figures show typical diurnal noise patterns with higher noise levels in the day and lower at night. Superimposed on these patterns are likely local noise sources (such as farm animals) since the peaks in the figures do not necessarily align with each other.

Table B.5-1 shows the summary results of the ambient noise measurement program.

Table B.5-1. Ambient Noise Monitoring Results

Monitor	DNL (dBA)	90% Confidence Interval (dB)
0	59	1.0
1	56	1.2
2	52	1.4
3	55	2.3
4	49	1.6

Based on **Figure B.3-1**, these measured values correspond with the “Small town residential area” and “Suburban residential area” categories. Up to 52 hours of noise data were collected at each site which resulted in a statistically robust data set. All of the 90% confidence intervals at each monitoring location are less than 3 dBA, the threshold of human perception (i.e., a noticeable change in noise level).

Ambient Noise Modeling

In addition to the ambient noise measurements, ambient noise modeling was conducted. The reason for this is because ambient noise levels (separate and distinct from train noise)

would likely increase due to increased vehicular traffic on State Road 138 and West Erda Way. CADNA, the leading environmental noise software application, was used to compute existing and future noise levels using the vehicular data in **Table B.5-2**.

Table B.5-2. Vehicular Traffic Data

	SR 138 Grade Crossing	W Erda Way Grade Crossing
Functional Classification	Minor Arterial	Major Collector
Speed limit	65	45
AADT 2023	11,417	566
AADT 2026	25,858	1587

For areas further away from transportation noise sources, the following relationship developed by the Environmental Protection Agency³ was used to estimate ambient noise levels.

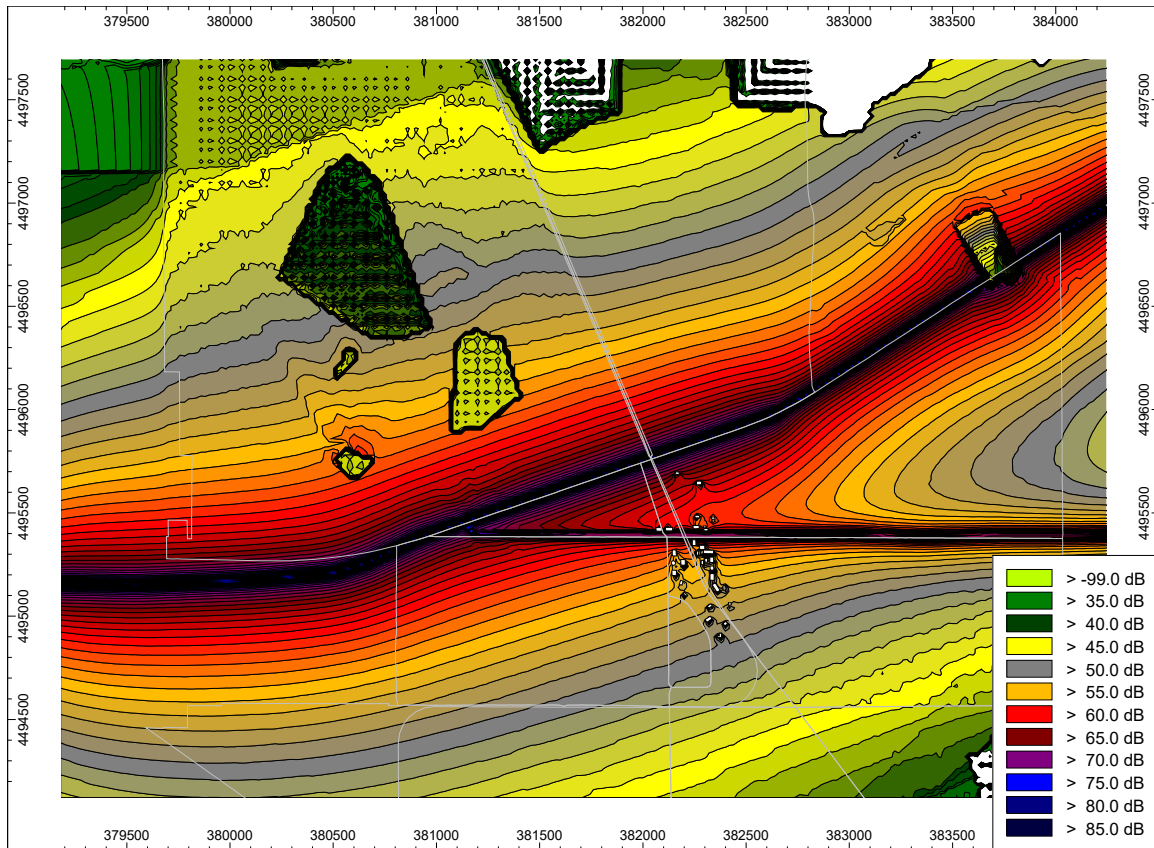
$$DNL = 22 + 10\log(p)$$

Where p = population density in people per square mile

In addition to these noise sources, ground elevation contours were also input into the model. The calculated/estimated ambient noise map is shown in **Figure B.5-7**.

³ U.S. Environmental Protection Agency, "Population Distribution of the United States as a Function of Outdoor Noise Level," Report 550/9-74-009, June 1974.

Figure B.5-7. Ambient Noise Map (DNL, dBA)



Next, the measured ambient noise data in **Table B.5-1** were compared with the computed existing noise levels in **Figure B.5-7**. This comparison is shown in **Table B.5-3**. Computed existing noise levels are in very close agreement with actual measured noise levels. Given this close agreement, the ambient noise model results for future traffic conditions can be used for comparison with the Proposed Action train noise computed noise levels. This data can be used to determine the increase in noise level caused by train noise at each receptor location.

Table B.5-3. Modeled Ambient Noise Levels (DNL, dBA)

Monitor	Future Modeled DNL (dBA)	Existing Modeled DNL (dBA)	Measured DNL (dBA)	Difference (dBA)
0	64.2	60.7	58.8	1.9
1	61.3	57.3	56.4	0.9
2	54.7	51.6	51.8	-0.2
3	53.9	50.8	55	-4.2
4	52.9	49.8	49	0.8
			Average	-0.16

Table B.5-4 shows the noise levels (DNL, dBA) associated with the Proposed Action at receptor (#6), which is the only one that would be exposed to 65 DNL, and a 5 dBA increase in noise level above ambient noise levels. OEA estimates that the Proposed Action would adversely affect this receptor since there would be a 3 dBA or greater increase above ambient sound levels.

Table B.5-4. Proposed Action Noise Level and Increases in Noise Level by Receptor

Receptor	Estimated Noise Level (horn and wayside) with Proposed Action (DNL)	Estimated Increase in Noise Level Above Ambient Noise Level
1	61	+8
2	59	+2
3	62	+8
4	62	+2
5	57	-7
6	66	+5
7	59	-2
8	62	+10
9	56	+4

Figure B.5-8 shows the location of the receptors in relationship to the Proposed Action 65 DNL Contour.

Figure B.5-8. Receptors and the 65 DNL Contour



B.6 Mitigation Feasibility Analysis

OEA analyzed the feasibility of noise mitigation for receptors that OEA estimates would be adversely affected by noise. OEA used this analysis to develop the recommended noise mitigation described in Chapter 4, *Mitigation*. This mitigation analysis considers possible combinations of quiet zones, noise barriers, and building sound insulation.

For the purpose of developing potential mitigation measures, the sections that follow **Table B.5-1** discuss various types of noise mitigation techniques that could be applied to the receptors listed in the table.

B.6.1 Potential Building Sound Insulation

Building sound insulation can be used to mitigate both wayside and horn noise. Building sound insulation usually consists of upgraded acoustical windows and doors. These building sound insulation treatments improve indoor noise levels, typically by 5 to 10 dBA. Low frequency engine noise is more difficult to reduce with building sound insulation treatments. Noise levels outside the structure are not affected.

Building sound insulation treatments vary in cost often in direct proportion to the number of windows and doors of a particular structure. Costs include the acoustical replacement windows and doors, engineering design, and pre- and post-construction noise level reduction acoustical testing. A conservative cost estimate for building sound insulation is

\$65,000 per residence.⁴ Applying this cost assumption, OEA estimates that building sound insulation costs for the one residence impacted by the Proposed Action within the horn and wayside 65 DNL contour would be approximately \$65,000.

The (ASTM) E966-10 acoustical test method employs a test loudspeaker to determine the Noise Level Reduction (NLR) of building façade/window elements. This data is used to determine various sound insulation treatments needed to achieve desired acoustical goals and improved NLR. Acoustical tests are performed prior to and after treatments are installed. The building interior noise level design goal after treatments are installed is DNL 45. Detailed information on building sound insulation methods and criteria are available from the Federal Aviation Administration.⁵

B.6.2 Potential Noise Barriers

Wayside noise mitigation options include noise barriers. Noise barriers can reduce both outdoor, and in turn, indoor sound levels. The noise reduction design goal for noise barriers is typically 10 dBA. However, freight railroad noise can be challenging to mitigate because of low frequency diesel engine noise and the high elevation of the exhaust stack noise source. Locomotive horn noise can be challenging as well because the horn is mounted on top of the locomotive. The performance of a noise barrier is based in part on how much the line-of-sight is broken between the source and receptor, which is not ideal when the noise source is relatively high in elevation. In this case, a noise barrier to protect one receptor is not feasible because the length of the barrier would render it cost ineffective in terms of cost/dwelling unit protected. In addition, the barrier would end at W. Erda Way leaving the receptor unshielded.

B.6.3 Potential Quiet Zone

FRA's Train Horn Rule (49 CFR 222) requires the train engineer to sound the warning horn when a train is approaching and passing through a public highway-rail at-grade crossing. Many communities have successfully reduced horn noise by implementing the FRA quiet zone program. FRA's final Train Horn Rule (9 Code of Federal Regulations [C.F.R.] Part 222, 2005) presents the requirements of a quiet zone and supplementary safety measures (SSMs) to mitigate the risks of not sounding train horns. Examples of SSMs include medians or channelization devices, one-way streets with gates, four quadrant gate systems, median barriers, and temporary or permanent crossing closures.

The Applicant has stated to OEA that they recommend that quiet zones be considered for both SR 138 and Erda Way. The FRA has a specific process to be followed to request a quiet zone.⁶ The local government jurisdiction in which the at grade crossing is located must be the applicant to the FRA requesting the Quiet Zone. SR 138 and Erda Way are located within the City of Erda; therefore, Erda would be the applicant to the FRA if they chose to do so. Other agency(ies) and/operator(s) could work with the local government

⁴ FAA, 2014

⁵ Guidelines for Sound Insulation of Structures Exposed to Aircraft Noise, FAA, 2022

⁶ QuietZoneBrochure.pdf (dot.gov)

making the application. The process involves a detailed series of steps that must be followed and coordinated with the FRA, such as a diagnostic team review, submission of required documentation, and notice to interested parties. OEA cannot require or mandate Quiet Zones which must be approved by the FRA and initiated by local jurisdictions.

Horn sounding is not required in a Quiet Zone as long as certain safety measures are met at specific at-grade crossings. Because the absence of routine horn sounding increases the risk of a crossing collision, a public authority that desires to establish a quiet zone usually will be required to mitigate this additional risk. Within a Quiet Zone each rail public roadway crossing, at a minimum, must be equipped with active warning devices (flashing lights, gates, constant warning time devices, and power out indicators). In order to create a quiet zone, one of three FRA conditions must be met:

1. The Quiet Zone Risk Index (QZRI) is less than or equal to the Nationwide Significant Risk Threshold (NSRT) with or without additional safety measures.
2. The Quiet Zone Risk Index (QZRI) is less than or equal to the Risk Index With Horns (RIWH) with additional safety measures.
3. Install SSMs at every public highway-rail crossing.

The third condition “Install SSMs at every public highway-rail crossing”, which is indicated to be the best method to reduce risks in a proposed quiet zone and enhance safety, would be addressed by the Applicant. The Applicant proposes, as part of the Proposed Action, to install SSMs. Because the Applicant proposes to meet the third condition analysis of the other two conditions was not required.

For informational purposes, the CADNA model was modified to assume that the City of Erda would receive permission from the FRA to implement Quiet Zones at SR138 and West Erda Way. **Figure B.6-1** shows the results of this analysis with no horn noise and only wayside noise. The 65 DNL wayside noise contour would not include any receptors.

Figure B.6-1. Quiet Zone Analysis - 65 DNL Wayside Noise Contour (dBA)



The FRA notes that the enabling Federal statute did not provide funding for the establishment of quiet zones; therefore, local governments seeking to establish quiet zones should be prepared to finance the installation of Supplementary Safety Measures (SSMs) or Alternative Safety Measures (ASMs), the cost of which can vary from \$30,000 per crossing to more than \$1 million depending on the number of crossings and the types of safety improvements required.⁷

B.6.4 Potential Mitigation Cost

Table B.6-1 shows the estimated costs of a hypothetical noise mitigation strategy for the project area, assuming the grade crossings are upgraded to a quiet zone and the adversely impacted receptor is mitigated with building sound insulation treatments.

Table B.6-1. Hypothetical Noise Mitigation Costs for Proposed Action

	Horn Mitigation (Quiet Zone with improvements)	Building Sound Insulation	Total
Proposed Action (without quiet zone)	--	\$65,000	\$65,000
Proposed Action (with quiet zone)	\$1,000,000	---	\$1,000,000

⁷ QuietZoneBrochure.pdf (dot.gov)

Glossary

<i>Ambient noise</i>	The sum of all noise (from human and naturally occurring sources) at a specific location over a specific time is called ambient noise.
<i>Day-night average sound level</i>	The energy average of A-weighted decibel sound levels over 24 hours, which includes a 10-decibel adjustment factor for noise between 10 p.m. and 7 a.m. to account for the greater sensitivity of most people to noise during the night. The effect of nighttime adjustment is that 1 nighttime event, such as a train passing by between 10 p.m. and 7 a.m., is equivalent to 10 similar events during the daytime.
<i>Decibel (dB)</i>	A standard unit for measuring sound pressure levels based on a reference sound pressure of 0.0002 dyne per square centimeter. This is nominally the lowest sound pressure that people can hear.
<i>Decibel, A-weighted (dBA)</i>	A measure of noise level used to compare noise from various sources. A-weighting approximates the frequency response of the human ear.
<i>Hertz (Hz)</i>	A unit of frequency equal to one cycle per second.
<i>Peak particle velocity (PPV)</i>	The maximum instantaneous positive or negative peak of the vibration signal, measured as a distance per unit time (such as millimeters or inches per second). This measurement has been used historically to evaluate shock-wave type vibrations from actions like blasting, pile driving, and mining activities, and their relationship to building damage.
<i>Root-mean-square vibration velocity (VdB)</i>	An average or smoothed vibration amplitude, commonly measured over 1-second intervals. It is expressed on a log scale in decibels (VdB) referenced to 0.000001 inch per second and is not to be confused with noise decibels.

Appendix C

Grade Crossing Safety and Delay

Appendix C

Grade Crossing Safety and Delay

C.1 Grade Crossing Safety Approach

For grade crossing safety, the analyses are based on current and potential future conditions under the No-Action Alternative and Proposed Action. The No-Action condition reflects the current and projected train and vehicle traffic levels in the analysis year 2023 without the Proposed Action. Year 2023 represents existing conditions with the current limited business park developed. The Proposed Action includes at-grade highway-rail crossings. The Proposed Action analysis was conducted for 2023, accounting for projected train traffic levels as a result of the Proposed Action. The No-Action Alternative and Proposed Action were also analyzed for the year 2026, which represents a potential future condition with the planned business park development. The following data sources serve as the basis for the grade crossing safety analysis.

Crash data are from the Federal Railroad Administration (FRA) database are not applicable because these are new proposed crossings. However, FRA published a report in 2020 that includes statistics on the safety performance of similar grade crossings nationally (FRA 2020). The analysis included more than 105,000 public grade crossings in the U.S. that are not closed and not grade separated. During the five-year period from 2014 to 2018, there were 8,467 crashes at those grade crossings, representing an average of 0.016 crashes per grade crossing per year, or approximately one crash per grade crossing every 62.5 years, which is greater than the average crashes per grade crossing included in the safety analysis for this study.

Average Annual Daily Traffic (AADT) data are based on traffic counts from the Utah Department of Transportation (UDOT). UDOT maintains a public database containing Average Daily Traffic (ADT) volumes for state highways and federal-aided roads throughout the state. The volumes are collected through permanent count stations or short-term counts that are generally obtained every three years. ADT volumes from this database for years 2001 through 2021 for SR 138 and years 2007 through 2021 for W Erda Way were obtained to derive growth rates and extrapolate volumes beyond that range. Compound annual growth rates from observed AADT data for SR 138 were as follows: 2.4 percent (20-year), 2.0 percent (15-year), 2.8 percent (10-year), and 2.9 percent (5-year). Compound annual growth rates from observed AADT data for W Erda Way were as follows: 0.8 percent (10-year) and 0.4 percent (5-year). Given the region is experiencing high growth in recent years based on conversation with UDOT representatives, the 5-year annual growth rate on SR 138 was rounded up to 3.0 percent and applied to observed AADT volumes from 2021 to extrapolate to years 2023 and 2026 for both roads.

Traffic volumes obtained from the UDOT database were grown from 2021 values to 2023 volumes and subsequently to year 2026. For year 2023, traffic volumes were projected as 12,054 vehicles on SR 138 and 540 vehicles on W Erda Way. For year 2026, traffic volumes were projected as 13,172 vehicles on SR 138 and 590 vehicles on W Erda Way.

The 2021 Traffic Impact Study (TIS) by Hales Engineering for the proposed Grantsville Lakeview Business Park includes vehicular trip generation for the proposed business park development at the end of the proposed rail extension. The TIS includes estimates of PM peak-hour volumes for design year 2026 and provides "added trips" generated by the business park from various directions in the surrounding road network, including SR 138 and W Erda Way. The added PM peak-hour trips listed in the TIS are 825 vehicles on SR 138 and 59 vehicles on W Erda Way. Applying the ratio of networkwide added trips in the evening peak hour (3,009) to the total networkwide daily added trips (50,726), the estimated daily added trips are 13,908 vehicles on SR 138 and 995 vehicles on W Erda Way. These values were added to the projected 2026 volumes for a final 2026 Proposed Action volume of 27,080 vehicles on SR 138 and 1,585 vehicles on W Erda Way.

There is no existing train traffic, so the number of trains, train length, and train speed are all zero for the 2023 and 2026 No-Action Alternative. Future train characteristics, including train volume, train length, and train speed are based on estimates by the Applicant (**Chapter 3, Section 3.1.3.1 Proposed Action**).

Table C.1-1 presents a summary of the two potential public grade crossings within the study area. The table includes basic details for the crossing roadway and the railway, including AADT, train speed, train length, number of trains per day, and average gate down time. Separate values are presented for the No-Action Alternative and Proposed Action as applicable.

Table C.1-1. Summary of Public Grade Crossings

Street Crossing	2023 AADT	2026 Projected AADT	Trains Per Day with No-Action	Trains Per Day with Proposed Action	Minimum Train Length with Proposed Action (feet)	Maximum Train Length with Proposed Action (feet)	Train Speed with Proposed Action (mph)	Gate Down Time with No-Action (minutes)	Minimum Gate Down Time with Proposed Action with At-Grade Crossings (minutes)	Maximum Gate Down Time with Proposed Action with At-Grade Crossings (minutes)	Average Gate Down Time with Proposed Action with At-Grade Crossings (minutes)	Gate Down Time with Proposed Action with Grade-Separated Crossings (minutes)
SR 138	12,054	27,080	0	2	900	1500	20	0	1.11	1.45	1.28	0
Erda Way	540	1,585	0	2	900	1500	20	0	1.11	1.45	1.28	0

C.1.1 Grade Crossing Safety Analysis Methods

The predicted crashes at highway/rail at-grade crossings is calculated using Equation (1) (FRA 2019). This method is similar to the method described in FRA’s *Summary of the DOT Rail-Highway Crossing Resource Allocation Procedure-Revised* (FRA 1987a), but with updated adjustment factors in Equation (1). The results include expected vehicle/train crash rates at all at-grade crossings that meet the threshold under future conditions with and without the Proposed Action.

$$NC = \frac{(a \times T_0) + N}{T_0 + 5} \times adj \tag{1}$$

Where:

NC = Predicted number of train-vehicle crashes per year at the grade crossing;

a = Initial predicted train-vehicle crashes per year (based on Equation (2));

T₀ = Weighting factor in the DOT crash prediction formula (based on Equation (3));

N = Number of train-vehicle crashes in previous five years at grade crossing (which is 0 in both cases because these are new proposed crossings); and

Adj = Coefficient to normalize predicted train-vehicle crashes in year with actual counts (current values are normalized for year 2013).

The initial predicted train-vehicle crashes per year (a) is based on several factors as shown in Equation (2). **Table C.1-2** presents the values and formulas used to compute each of these factors based on the type of grade crossing control. The type of control includes passive, flashing lights, and lights and gates.

$$a = K \times EI \times DT \times MS \times MT \times HP \times HL \tag{2}$$

Where:

K = Basic crash prediction formula constant;

EI = Exposure index factor (Expose = AADT * trains per day);

DT = Factor for the number of through trains per day during daylight (dthru = number of through trains per day during daylight), which is derived from train schedule in combination with train traffic;

MS = Factor for maximum freight timetable speed (ms = maximum timetable speed at crossing);

MT = Factor for number of main tracks (tracks = number of main tracks);

HL = Factor for number of roadway lanes (lanes = number of highway lanes);

HP = Factor for paved roadway (1 if highway is paved; 2 if unpaved); and

Adj = Coefficient to normalize predicted train-vehicle crashes in year with actual counts.

The weighting factor in the DOT crash prediction formula (T_0) is based on Equation (3).

$$T_0 = \frac{1}{0.05+a} \quad (3)$$

Where:

All terms as previously defined.

Table C.1-2. Factors to Predict Train-Vehicle Crashes

Factor	Passive Control	Flashing Lights	Lights and Gates
K	0.0006938	0.0003351	0.0005745
EI	$\left(\frac{Expose + 0.2}{0.2}\right)^{0.37}$	$\left(\frac{Expose + 0.2}{0.2}\right)^{0.4106}$	$\left(\frac{Expose + 0.2}{0.2}\right)^{0.2942}$
DT	$\left(\frac{dthru + 0.2}{0.2}\right)^{0.1781}$	$\left(\frac{dthru + 0.2}{0.2}\right)^{0.1131}$	$\left(\frac{dthru + 0.2}{0.2}\right)^{0.1781}$
MS	$e^{0.0077*ms}$	1	1
MT	1	$e^{0.1917*tracks}$	$e^{0.1512*tracks}$
HL	1	$e^{0.1826*(lanes-1)}$	$e^{0.142*(lanes-1)}$
HP	$e^{-0.5966*(paved-1)}$	1	1
Adj	0.5086	0.3106	0.4846

The predicted number of crashes by severity is based on the predicted number of train-vehicle crashes per year (NC) at the grade crossing. The predicted crash frequency by severity is subdivided into two categories, fatal crashes and casualty crashes. Fatal crashes are those that result in at least one fatality, independent of injuries or property damage. Casualty crashes are those that result in at least one fatality or injury, independent of property damage. The predicted number of injury crashes is simply the difference between the predicted number of fatal crashes and predicted number of casualty crashes. The equations are based on the Rail-Highway Crossing Resource Allocation Procedure-User's Guide (FRA 1987b).

The probability of a fatal crash, given a crash occurs, is based on Equation (4).

$$P(F|C) = \frac{1}{1+KF*MS^{-0.9981}*(TT+1)^{-0.0872}*(TS+1)^{0.0872}*e^{0.3571*UR}} \quad (4)$$

Where:

$P(F|C)$ = Probability of a fatal crash, given a crash occurs;

KF = Constant (440.9);

MS = Maximum freight timetable speed (mph);

TT = Number of thru trains per day;

TS = Number of switch trains per day; and

UR = Urban or rural crossing (urban = 1; otherwise, 0).

The predicted number of fatal crashes is based on Equation (5).

$$F = P(F|C) * NC \quad (5)$$

Where:

F = Predicted fatal crashes per year;

$P(F|C)$ = Probability of a fatal crash, given a crash occurs; and

NC = Predicted number of train-vehicle crashes per year at the grade crossing.

The probability of a casualty crash, given a crash occurs, is based on Equation (6).

$$P(C|C) = \frac{1}{1 + KC * MS^{-0.343} * e^{0.1153 * TK} * e^{0.296 * UR}} \quad (6)$$

Where:

$P(C|C)$ = Probability of a casualty crash, given a crash occurs;

KC = Constant (4.481);

MS = Maximum freight timetable speed (mph);

TK = Number of tracks; and

UR = Urban or rural crossing (urban = 1; otherwise, 0).

The predicted number of casualty crashes is based on Equation (7).

$$C = P(C|C) * NC \quad (7)$$

Where:

C = Predicted casualty crashes per year;

$P(C|C)$ = Probability of a casualty crash, given a crash occurs; and

NC = Predicted number of train-vehicle crashes per year at the grade crossing.

The predicted number of injury crashes is based on Equation (8).

$$I = C - F \quad (8)$$

Where:

I = Predicted injury crashes per year;

C = Predicted casualty crashes per year; and

F = Predicted fatal crashes per year.

C.1.1.2 Quiet Zones

There are many measures that can be employed to reduce the risk of a collision between a train and a road user. Train horns are one such measure. Train horns alert road users of approaching trains near highway-rail at-grade crossings. As per the Code of Federal Regulations Title 49, Part 222 (49 C.F.R. 222), the FRA's Train Horn Rule requires the engineer to sound the horn under specific conditions when a train is approaching and passing through a public highway-rail at-grade crossing.

While train horns reduce crash risk and increase awareness of approaching trains, some oppose the noise generated by horns. A community (i.e., the City of Erda), in cooperation with the applicable agency(ies), may apply to the FRA to create a quiet zone. A Quiet Zone is an FRA exemption to the Train Horn Rule. The Quiet Zone is a section of rail line at least one-half mile in length that contains one or more consecutive public at-grade crossings.

In general, one of the following four conditions must be met to establish a quiet zone:

- One or more Supplemental Safety Measures (SSMs) are installed at each public crossing in the quiet zone.
- The risk at the crossing(s) is less than or equal to the nationwide average risk level.
- Additional safety measures are implemented to reduce the risk at the quiet zone crossing(s) to a level that is less than or equal to the nationwide average risk level.
- Additional safety measures are implemented to reduce the risk at the quiet zone crossing(s) to a level that is less than or equal to the risk level with train horns (such as, the risk level that would exist if train horns were sounded at every public crossing in the quiet zone).

A quiet zone could be disqualified, even after it is established. If the conditions change, resulting in the quiet zone no longer being qualified, then the public authority would have to implement additional measures that create a condition that qualifies. Otherwise, the quiet

zone would no longer remain in effect. **Table C.1-3** provides a summary of the four conditions that can help to establish a quiet zone and the corresponding conditions, if applicable, that could disqualify the quiet zone.

Table C.1-3. Conditions to Establish and Disqualify Quiet Zones

Conditions to Establish a Quiet Zone (1 or more must be met)	Conditions to Disqualify a Quiet Zone
One or more SSMS are installed at each public crossing in the quiet zone.	Quiet zone could be disqualified if the SSMS are removed and one of the other 3 conditions is not met.
Risk at the crossing(s) is less than or equal to the nationwide average risk level.	Quiet zone could be disqualified if the risk at the crossing(s) exceeds the national average risk. The national average risk changes over time, so there is no guarantee that the quiet zone would remain qualified under this condition.
Additional safety measures are implemented to reduce the risk at the quiet zone crossing(s) to a level that is less than or equal to the nationwide average risk level.	Quiet zone could be disqualified if the risk at the crossing(s) exceeds the national average risk. The national average risk changes over time, so there is no guarantee that the quiet zone would remain qualified under this condition.
Additional safety measures are implemented to reduce the risk at the quiet zone crossing(s) to a level that is less than or equal to the risk level with train horns (such as, the risk level that would exist if train horns were sounded at every public crossing in the quiet zone).	Quiet zone could be disqualified if the SSMS are removed and one of the other 3 conditions is not met.

C.1.2 Grade Crossing Safety Results

Table C.1-4 presents the grade crossing safety results by individual crossing for the expected 2023 and 2026 conditions. The AADT, number of roadway lanes, and road surface type represent the expected 2023 and 2026 conditions common to both the No-Action Alternative and the Proposed Action. The trains per day, train speed, type of proposed protection, and safety-related performance measures represent the expected conditions and estimated performance in 2023 and 2026 for the No-Action Alternative and Proposed Action.

C.1.2.1 Quiet Zones

The Proposed Action with at-grade crossings would have lights and gates installed as the crossing protection as well as supplemental safety measures, including median barrier. Based on the installation of active protection with supplemental safety measures, the two at-grade crossings would meet the qualifications for a quiet zone if the City of Erda applied for one.

Table C.1-4. Grade Crossing Safety for 2023 and 2026 Conditions

Roadway Crossing	Year	AADT	Type of Protection	Number of Roadway Lanes	Road Surface Type Paved	No-Action Alternative				Proposed Action with At-Grade Crossings			
						Trains Per Day	Train Speed (mph)	Predicted Total Crashes	(crashes/year) Years between Predicted Crashes	Trains Per Day	Train Speed (mph)	Predicted Total Crashes	(crashes/year) Years between Predicted Crashes
SR 138	2023	12,054	Lights and Gates	2	Yes	0	--	0	--	2	20	0.007	139
	2026	27,080	Lights and Gates	2	Yes	0	--	0	--	2	20	0.009	112
Erda Way	2023	540	Lights and Gates	2	Yes	0	--	0	--	2	20	0.003	331
	2026	1,585	Lights and Gates	2	Yes	0	--	0	--	2	20	0.004	244

C.2 Grade Crossing Delay

C.2.3 Grade Crossing Delay Approach

For grade crossing delay, the analyses are based on current and potential future conditions under the No-Action Alternative and Proposed Action. The No-Action condition reflects the current and projected train and vehicle traffic levels in the analysis year 2023 without the Proposed Action. Year 2023 represents existing conditions with the current limited business park developed. The Proposed Action includes at-grade highway-rail crossings. For comparative purposes, grade-separated crossings were also examined. The Proposed Action analysis was conducted for 2023, accounting for projected train traffic levels as a result of the Proposed Action. The No-Action Alternative and Proposed Action were also analyzed for the year 2026, which represents a potential future condition with the planned business park development. The following data sources serve as the basis for the grade crossing delay analysis.

AADT data are based on traffic counts from UDOT. As described in Appendix C, Section C.1, the five-year ADT annual growth rate on SR 138 (calculated as 2.95 percent) was rounded up to 3.0 percent to serve as the basis for growing traffic volumes. The 2021 AADT values were used as a baseline for subsequent volume projections in this analysis.

Traffic volumes obtained from the UDOT database were grown from 2021 values to 2023 volumes and subsequently to year 2026. For year 2023, traffic volumes were projected as 12,054 vehicles on SR 138 and 540 vehicles on W Erda Way. For year 2026, traffic volumes were projected as 13,172 vehicles on SR 138 and 590 vehicles on W Erda Way.

To analyze the potential impacts with the proposed business park, the 2026 traffic volumes on SR 138 and W Erda Way were adjusted to reflect the “added trips” generated by the business park. The added trips are 13,908 vehicles per day on SR 138 and 995 vehicles per day on W Erda Way. The projected 2026 volumes with the proposed business park are 27,080 vehicles per day on SR 138 and 1,585 vehicles per day on W Erda Way.

There is no existing train traffic, so the number of trains, train length, and train speed are all zero for the 2023 and 2026 No-Action Alternative. Future train characteristics, including train volume, train length, and train speed are based on estimates by the Applicant (**Chapter 3, Section 3.1.3.1 Proposed Action**).

C.2.3.1 Grade Crossing Delay Analysis Methods

The grade crossing delay analysis includes the two general components, one focused on individual train crossings and one focused on cumulative events over an entire day. The performance measures for individual train crossings include blocked crossing time per train, crossing delay per stopped vehicle, and maximum vehicle queue. The performance measures for cumulative events over an entire day include number of vehicles delayed per day, average delay for all vehicles, and level of service (LOS) for vehicular traffic. For

simplification purposes, it is assumed that both rail and road traffic are uniform throughout the day, although proposed rail operations would primarily occur on weekdays.

The blocked crossing time per train (T) includes the time for the train to pass and the time for any warning device to engage and disengage (FRA 2019). The blocked crossing time per train is based on Equation (9).

$$T = T_W + \frac{L}{V * 88} \quad (9)$$

Where:

T = Blocked crossing time per train (minutes);

T_w = Lead time (assumed 0.6 minutes for gate closing and opening);

L = Average train length (feet);

V = Average train speed (miles per hour); and

88 = Conversion factor from miles per hour to feet per minute.

The number of vehicles delayed per day (N_v) is the number of vehicles that would be stopped for trains in a 24-hour period as shown in Equation (10).

$$N_V = \frac{T}{1,440} N * AADT \quad (10)$$

Where:

N_v = Number of vehicles delayed per day;

T = Blocked crossing time per train (minutes);

1,440 = Factor to convert vehicles per day to vehicles per minute;

N = Number of trains per day; and

AAADT = Annual average daily traffic (vehicles per day).

The average delay per stopped vehicle is shown in Equation (11).

$$D_A = \frac{T * \frac{R_D}{R_D - R_A}}{2} \quad (11)$$

Where:

D_A = Average delay per stopped vehicle (minutes);

T = Blocked crossing time per train (minutes);

R_D = Vehicle departure rate (vehicles per minute per lane), which can vary by location;¹

R_A = Vehicle arrival rate (vehicles per minute per lane), which is based on AADT data from the FRA database with updates from state and local transportation agencies where available;

2 = Averaging factor to account for vehicles that do not experience delays from the entire time the train blocks the crossing.

The average delay per vehicle in a 24-hour period (D_V) is shown in Equation (12).

$$D_V = \frac{N_V}{AADT} * \frac{T * \frac{R_D}{R_D - R_A}}{2} \quad (12)$$

Where:

D_V = Average delay per vehicle in a 24-hour period (minutes);

N_V = Number of vehicles delayed per day;

T = Blocked crossing time per train (minutes);

R_D = Vehicle departure rate (vehicles per minute per lane), which can vary by location;²

R_A = Vehicle arrival rate (vehicles per minute per lane), which is based on AADT data from the FRA database with updates from state and local transportation agencies where available;

AADT = annual average daily traffic volume for the highway at the grade crossing (in vehicles per day), which is based on AADT data from the FRA database with updates from state and local transportation agencies where available; and

2 = Averaging factor to account for vehicles that do not experience delays from the entire time the train blocks the crossing.

¹ Vehicle departure rate varies by location based on factors such as number of lanes, lane width, grade, and sight distances. This information is not readily available for the grade crossings included in this analysis. As such, this analysis assumed common values based on the Highway Capacity Manual (Transportation Research Board 2016). The assumed vehicle departure rates (in vehicles/minute/lane) are 30 for highways, 23.3 for arterials, 15 for collectors, and 11.7 for local roads.

² Vehicle departure rate varies by location based on factors such as number of lanes, lane width, grade, and sight distances. This information is not readily available for the grade crossings included in this analysis. As such, this analysis assumed common values based on the Highway Capacity Manual (Transportation Research Board 2016). The assumed vehicle departure rates (in vehicles/minute/lane) are 30 for highways, 23.3 for arterials, 15 for collectors, and 11.7 for local roads.

Total vehicle delay (D) is the product of average delay per vehicle (D_v) and the AADT as shown in Equation (13).

$$D = D_v * AADT \quad (13)$$

Where:

D = Total vehicle delay (minutes);

D_v = Average delay per vehicle in a 24-hour period (minutes); and

AADT = annual average daily traffic volume for the highway at the grade crossing (in vehicles per day), which is based on AADT data from the FRA database with updates from state and local transportation agencies where available.

The LOS for vehicular traffic in this analysis is based on the average delay per vehicle at each grade crossing and the LOS criteria for signalized intersections from the 2016 Highway Capacity Manual (Transportation Research Board 2016). LOS is a qualitative measure of motor vehicle traffic flow, indicated by letters from A to F, where A represents free-flow conditions and F indicates extreme congestion. **Table C.2-1** presents the LOS categories along with the applicable ranges of average delay per vehicle and general descriptions.

Table C.2-1. Level of Service Designations

LOS	Average Delay per Vehicle (DV) (seconds/vehicle)	General Description
A	DV ≤ 10	Free flow
B	10 < DV ≤ 20	Stable flow (slight delays)
C	20 < DV ≤ 35	Stable flow (acceptable delays)
D	35 < DV ≤ 55	Approaching unstable flow
E	55 < DV ≤ 80	Unstable flow
F	80 < DV	Forced flow (congested and queues fail to clear)

Source: Highway Capacity Manual, Sixth Edition: A Guide for Multimodal Mobility Analysis. (Transportation Research Board 2016)

The maximum vehicle queue (Q) is the estimated length of the longest line of vehicles expected to occur at the grade crossing. It is assumed that the maximum vehicle queue would occur during the peak hour for vehicle traffic and that the peak-hour traffic represents 10 percent of the AADT. The calculation is given by Equation (14).

$$Q = AADT * \frac{0.1 * 0.6}{60} * \frac{T}{NL/2} \quad (14)$$

Where:

Q = Maximum vehicle queue length (in number of vehicles);

AADT = annual average daily traffic volume for the highway at the grade crossing (in vehicles per day), which is based on AADT data from the FRA database with updates from state and local transportation agencies where available;

0.1 = Factor to convert AADT (in vehicles per day) to peak-hour traffic (in vehicles per hour);

0.6 = Factor to convert two-way traffic to peak direction traffic, assuming traffic is split 60/40 during the peak hour;

60 = Factor to convert vehicles per hour to vehicles per minute;

T = Blocked crossing time per train (minutes);

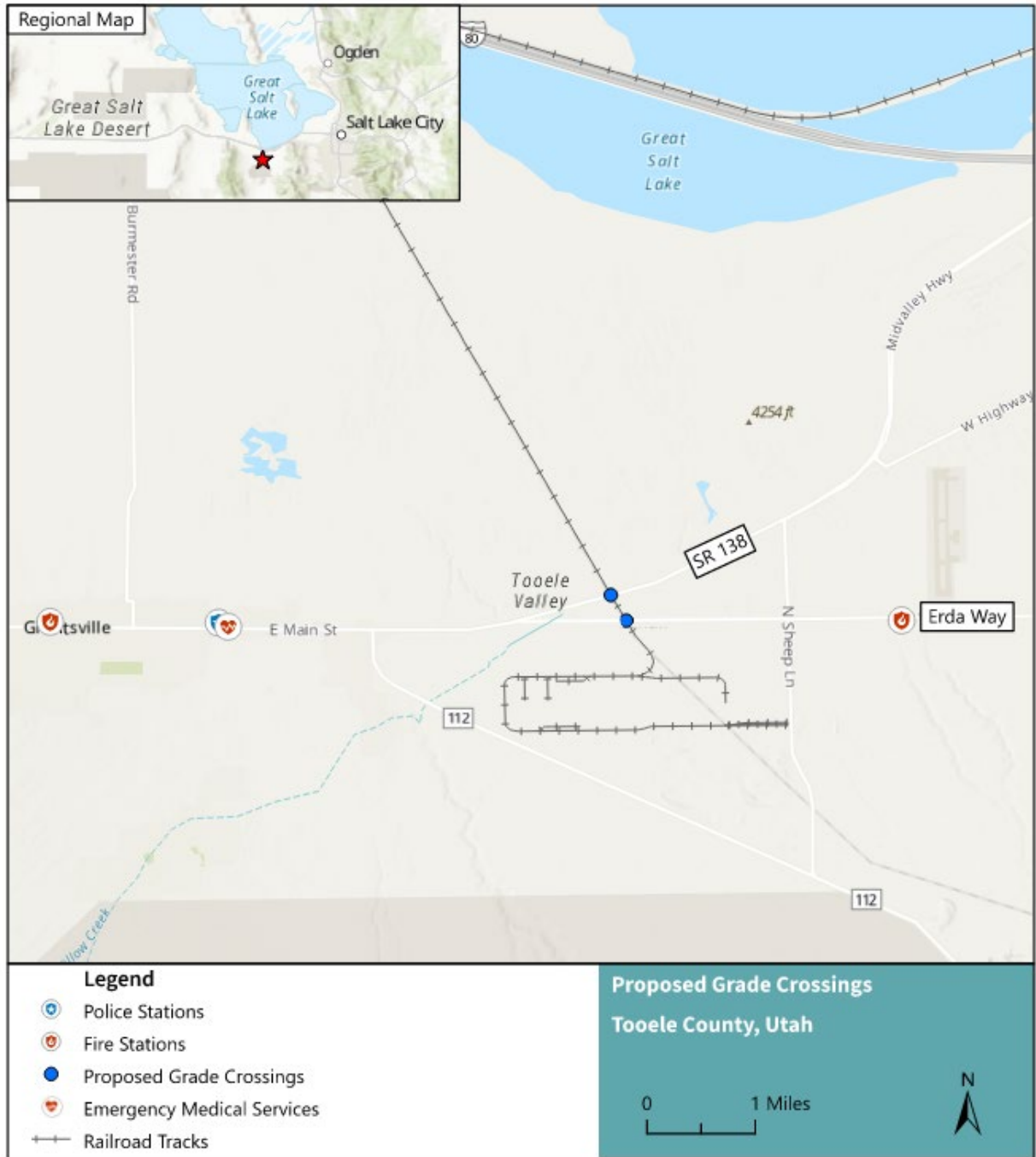
NL = Number of highway lanes at the grade crossing, which was obtained from the FRA database; and

2 = Factor to convert total lanes to lanes in peak direction.

C.2.3.2 Emergency Vehicle Delay

The same general methods from the prior section apply to estimating the potential delay for emergency vehicles, including fire, police, and emergency medical service vehicles. While an emergency vehicle could potentially bypass a queue of vehicles waiting for a train to pass, it may not always be feasible to do so. As such, the same delay-related performance measures from **Section C.2.1.1** are used to estimate the potential impact on emergency vehicles rather than using the gate down time. Further, OEA considered the location of nearby emergency service facilities. **Figure C.2-1** shows a map of emergency service facilities, including hospitals, fire stations, and police stations, in relation to the two grade crossings. The table and corresponding maps are intended to be used simultaneously to provide context for reviewers.

Figure C.2-1. Proximity of Emergency Services to Grade Crossings



C.2.4 Grade Crossing Delay Results

Table C.2-2 presents the grade crossing delay results by individual crossing for the expected 2023 and 2026 conditions. The AADT and number of roadway lanes represent the expected 2023 and 2026 conditions common to both the No-Action Alternative and the Proposed Action. The trains per day, train length, train speed, and delay-related performance measures represent the expected conditions and estimated performance in 2023 and 2026 for the No-Action Alternative and Proposed Action. The expected impact of the Proposed Action is the difference between the performance measure for the Proposed Action and the same performance measure for the No-Action Alternative.

Table C.2-2. Grade Crossing Delay for 2023 and 2026 Conditions with Proposed Action with At-Grade Crossings

Scenario	Street Crossing	AADT	Number of Roadway Lanes	No-Action								Proposed Action								
				Trains Per Day	Train Length (feet)	Number of Stopped Vehicles Per Day	Average Delay per Stopped Vehicle (minutes)	Average Delay per Vehicle in 24-hour Period (seconds)	Total Delay in 24-hour Period (hours)	Level of Service	Maximum Queue (vehicles)	Trains Per Day	Average Train Length (feet)	Train Speed (mph)	Number of Stopped Vehicles Per Day	Average Delay per Stopped Vehicle (minutes)	Average Delay per Vehicle in 24-hour Period (seconds)	Total Delay in 24-hour Period (hours)	Level of Service	Maximum Queue (vehicles)
SR 138	2023	12,054	2	0	--	0	0	0	0	A	0	2	1200	20	21	0.78	0.08	16.8	A	15
	2026	27,080	2	0	--	0	0	0	0	A	0	2	1200	20	48	1.07	0.11	51.8	A	35
Erda Way	2023	540	2	0	--	0	0	0	0	A	0	2	1200	20	1	0.65	0.07	0.62	A	1
	2026	1,585	2	0	--	0	0	0	0	A	0	2	1200	20	3	0.67	0.07	1.9	A	2

-- = not applicable

C.2.5 Grade Separation

The Applicant would be required to follow the UDOT's process to determine whether a grade separation at the two proposed roadway crossings would be required under UDOT standards. OEA performed an evaluation of the two proposed grade crossings in the Proposed Action for consideration of grade separation. This evaluation used the Federal Highway Administration (FHWA) criteria for identifying grade crossings where grade separation could be considered. According to FHWA guidelines (FHWA and FRA 2019), grade separation should be considered when:

- The road is a limited access facility,
- The posted highway speed equals or exceeds 55 mph,
- AADT exceeds 30,000 in urban areas or 20,000 in rural areas,
- Maximum authorized train speed exceeds 79 mph,
- Freight trains average 30 or more trains per day,
- Passenger trains average 75 or more per day in urban areas or 30 or more per day in rural areas,
- Transit trains average 150 or more per day in urban areas or 60 or more per day in rural areas,
- Freight train crossing exposure (the product of the number of freight trains per day and AADT) exceeds 900,000 in urban areas or 600,000 in rural areas,
- Passenger train crossing exposure (the product of the number of passenger trains per day and AADT) exceeds 2,250,000 in urban areas or 600,000 in rural areas,
- Transit train crossing exposure (the product of the number of transit trains per day and AADT) exceeds 4,500,000 in urban areas or 1,200,000 in rural areas,
- The expected accident frequency for active devices with gates, as calculated by the USDOT Accident Prediction Formula, including five-year history, exceeds 0.5 per year. If the highway is a part of the designated National Highway System, the expected accident frequency for active devices with gates, as calculated by the USDOT Accident Prediction Formula including five-year accident history, exceeds 0.2 per year, or
- Vehicle delay exceeds 30 vehicle hours per day with consideration for cost effectiveness.

Note that while OEA considered the above criteria, these are not federal requirements for grade separation. Further, only select criteria are applicable to evaluating the potential impacts of the Proposed Action. There are many criteria that would remain the same in both the No-Action Alternative and the Proposed Action, including road facility type, posted speed of the roadway, AADT, train speed, number of passenger and transit trains, and the crossing exposure for passenger and transit trains. As such, OEA focused on the number of freight trains per day, freight train crossing exposure, expected accident frequency, and vehicle delay.

C.2.5.1 Thresholds for Grade Separation Consideration

Table C.2-3 presents conditions that would exceed the FHWA threshold for grade separation consideration under the Proposed Action but not under the No-Action Alternative. For the SR 138 grade crossing, the threshold for posted highway speed (exceeds 55 mph) is met under existing conditions, and the threshold for vehicle delay (exceeds 30 vehicle hours per day) is met for grade separation consideration under the Proposed Action in 2026. In addition, the threshold for AADT (exceeds 20,000 in rural areas) is met for grade separation consideration under the Proposed Action in 2026. For the Erda Way grade crossing, none of the thresholds are met for grade separation consideration under the Proposed Action in 2023 or in 2026.

Table C.2-3. Grade Crossings vs. Thresholds for Grade Separation Consideration

FHWA Thresholds for Grade Separation Consideration	2023		2026	
	SR 138	Erda Way	SR 138	Erda Way
The road is a limited access facility	--	--	--	--
The posted highway speed equals or exceeds 55 mph	●	--	●	--
AADT exceeds 30,000 in urban areas or 20,000 in rural areas	--	--	●	--
Maximum authorized train speed exceeds 79 mph	--	--	--	--
Freight trains average 30 or more trains per day	--	--	--	--
Passenger trains average 75 or more per day in urban areas or 30 or more per day in rural areas	--	--	--	--
Transit trains average 150 or more per day in urban areas or 60 or more per day in rural areas	--	--	--	--
Freight train crossing exposure (the product of the number of freight trains per day and AADT) exceeds 900,000 in urban areas or 600,000 in rural areas	--	--	--	--
Passenger train crossing exposure (the product of the number of passenger trains per day and AADT) exceeds 2,250,000 in urban areas or 600,000 in rural areas	--	--	--	--
Transit train crossing exposure (the product of the number of transit trains per day and AADT) exceeds 4,500,000 in urban areas or 1,200,000 in rural areas	--	--	--	--
The expected accident frequency for active devices with gates, as calculated by the USDOT Accident Prediction Formula, including five-year history, exceeds 0.5 per year. If the highway is a part of the designated National Highway System, the expected accident frequency for active devices with gates, as calculated by the USDOT Accident Prediction Formula including five-year accident history, exceeds 0.2 per year	--	--	--	--
Vehicle delay exceeds 30 vehicle hours per day with consideration for cost effectiveness	--	--	●	--

References

- FHWA and FRA. 2019. *Highway-Rail Crossing Handbook, 3rd Edition*. Report FHWA-SA-18-040/FRA-RRS-18-001. Washington, D.C.
- FRA. 1987a. *Summary of the DOT Rail-Highway Crossing Resource Allocation Procedure-Revisited*, Report No. DOT/FRA/OS-87/05, Office of Safety, Federal Railroad Administration. June 1987.
- FRA. 1987b. *Rail-Highway Crossing Resource Allocation Procedure-User's Guide, Third edition*. Report No. DOT/FRA/OS-87/10, Federal Railroad Administration. August 1987.
- FRA. 2019. *GradeDec.Net 2019 Reference Manual*. Accessed January 21, 2022. Available online at:
<https://railroads.dot.gov/sites/fra.dot.gov/files/2021-09/GradeDecNET%202019%20Reference%20Manual.pdf>
- FRA. 2020. *New Model for Highway-Rail Grade Crossing Accident Prediction and Severity*, Report DOT/FRA/ORD-20/40. Washington, D.C.: Federal Railroad Administration.
- FRA. 2021. Federal Railroad Administration Database.
- Transportation Research Board. 2016. *Highway Capacity Manual, Sixth Edition: A Guide for Multimodal Mobility Analysis*.

Appendix D

Biological Resources and Water Resources Appendix

Appendix D

Biological Resources and Water Resources Appendix

D.1 Biological Resources

OEA obtained and reviewed the U.S. Fish and Wildlife Service (USFWS) Official Species List from USFWS's online Information for Planning and Consultation (IPaC) system as well as the Utah Natural Heritage Program Online Species Search Report to determine species that could occur in the study area. USFWS and State reports are included as **Attachment 1** to this appendix.

D.2 Jurisdictional Waters

D.2.1 Introduction

OEA conducted an initial site visit of the proposed project area in mid-October 2022 with Savage Tooele Railroad (STR) (see **Attachment 2 Figure D-1** and **Figure D-2** for Project Vicinity and Project Location Maps). Upon completion of the site visit OEA decided to complete a more detailed analysis of the field conditions to determine the approximate location of jurisdictional Waters of the United States (WOTUS) that the Proposed Action might affect. OEA returned to the project site on October 31, 2022, to complete this evaluation following the approach described below.

D.2.2 Approach

Jurisdictional Waters of the U.S. are defined by 33 CFR Part 328.3(b) and are protected by Section 404 of the Clean Water Act (33 USC 1344), which is administered and enforced by the U.S. Army Corps of Engineers (USACE). OEA reviewed the NRCS Web Soil Survey (see **Attachment 2 Figure D-3- Soils Map**) for the presence of hydric soils prior to conducting field investigations. Also, the US Geological Service (USGS) 7.5-minute topographic quadrangle map and the associated National Wetlands Inventory (NWI) map (see **Attachment 2 Figure D-4**) were reviewed to identify any Jurisdictional Waters of the US (WOTUS) that occur within the vicinity of the proposed project. Potential jurisdictional areas are assessed using one of three methods outlined in the Army Corps of Engineers Wetlands Delineation Manual (1987 Federal Manual). All three methods take into account soils, vegetative, and hydrologic parameters to determine if a habitat should be classified as a jurisdictional wetland. Wetlands were identified using US Army Corps methodology (US

Army Corps of Engineers 1987, US Army Corps of Engineers 2010). Although data forms were not completed, the data criteria identified on the data form from the USACE Arid West Regional Supplement (Version 2.0) were used as a guide to identify hydric soils, and whether hydrophytic vegetation and hydrology were present to clearly identify jurisdictional WOTUS at the site.

Upon completion of the review of background data, a pedestrian survey of the existing roadbed and proposed alignment was completed on October 31 to November 3, 2022. The area surveyed included the existing railroad ballast, ties, and rails and an area approximately 300 feet beyond the proposed project limits; a proposed 200 foot by 400-foot construction laydown area; a proposed gravel access road from Burmester Road and the area within the proposed business park where the common carrier rail line is proposed. The pedestrian survey was completed to evaluate the above noted areas except for an approximate 1,000-foot section of track north of SR 138 which had been fenced off by an adjacent property owner. The WOTUS encountered on the project site were demarcated with flagging hung from vegetation or flags on metal pins where vegetation suitable for hanging flags was not present. The wetland points marked in the field were georeferenced using a Trimble R1 GNSS receiver. Photographs of the typical jurisdictional waters encountered are presented in **Attachment 2**.

D.2.2.1 Opinions

The proposed project area contains an abandoned railroad line, which consists of the ballast, timber ties, and steel rail. The timber ties were in poor condition and in some isolated section of the corridor the rails have been removed or disturbed. A series of existing culverts are present including three-sided timber culverts (most in poor condition and collapsing), some corrugated metal culverts, and reinforced concrete pipe (RCP) culverts. It is evident that the rail line was originally constructed across a large wetland area located across the majority of the corridor, and the culverts have served as connection points for the wetlands now located on both sides of the railroad track. At the northern end of the corridor, it appears that a large ditch network was constructed along the western edge of the railroad tracks to facilitate drainage towards the Salt Lake areas located east of the project. These ditches have effectively drained some of the wet areas on the west side of the tracks.

The project area includes one intermittent stream, and 28 wetland areas (see **Attachment 2 Figure D-5- Waters Map**). The majority of the wetlands at the site consist of wet meadows dominated by various grasses and herbs including salt grass, red saltwort, and rabbit brush. Near the central area of the site a scrub shrub type wetland feature was identified and is dominated by Russian olive and salt cedar trees. At the southern end of this scrub shrub wetland an artesian well was identified just outside the project limits to the east; although the well discharge was draining into the project corridor within a channel directly adjacent to the east side of the railroad bed (see Photographs in **Attachment 2**). Approximately half of the wetland areas appear to be used for cattle grazing pastures and have therefore been substantially degraded.

The Proposed Action could result in a minor impact to wetlands that would occur from fill associated with the additional storage tracks at the northern project limits, and also associated with the proposed clearing of brush in the area where the Russian olive bushes

are growing within and across the railroad ballast and tracks. Based upon the applicant's plans it appears that the impacts would be minor enough to qualify for a Nationwide 404 Permit. It may also be feasible to modify the design so that WOTUS are avoided. The applicant will need to coordinate with the US Army Corps of Engineers to confirm whether a permit is required.

Attachment 1 Official Species Lists



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Utah Ecological Services Field Office
2369 West Orton Circle, Suite 50
West Valley City, UT 84119-7603
Phone: (801) 975-3330 Fax: (801) 975-3331

In Reply Refer To:
Project Code: 2023-0041491
Project Name: STR, Tooele County UT

February 03, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Utah Ecological Services Field Office

2369 West Orton Circle, Suite 50

West Valley City, UT 84119-7603

(801) 975-3330

Project Summary

Project Code: 2023-0041491

Project Name: STR, Tooele County UT

Project Type: Railroad - Maintenance/Modification

Project Description: Warner Branch Rail line Reconstruction

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@40.62794605,-112.40846836585376,14z>



Counties: Tooele County, Utah

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPaC User Contact Information

Agency: Surface Transportation Board

Name: Todd Hill

Address: 1355 PEACHTREE ST NE STE 100

City: ATLANTA

State: GA

Zip: 30309-3269

Email: thill@vhb.com

Phone: 6782057315



Utah Natural Heritage Program Online Species Search Report

Project Information

Project Name

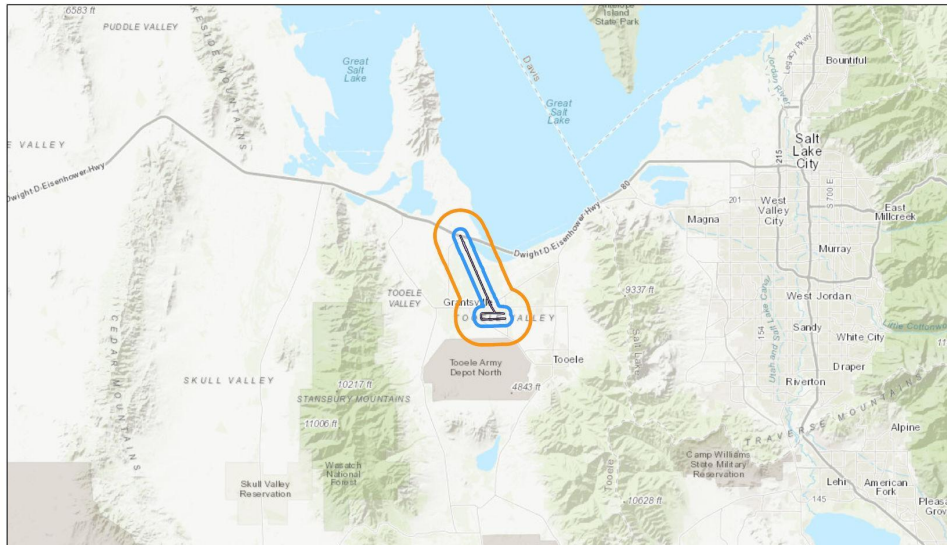
Savage Tooele Railroad

Project Description

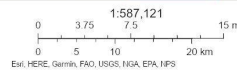
On June 30, 2022 Savage Tooele Railroad (STR) filed a petition in Docket No. FD 36616 seeking authorization from the Surface Transportation Board (Board) to reinstitute common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line (the former Warner Branch segment) and construct approximately five miles of new railroad line to extend the reinstated railroad line to and into a business and industrial park under development in Grantsville, Utah.

Location Description

Grantsville, Utah



January 13, 2023



Animals within a 1/2 mile radius

Common Name	Scientific Name	State Status	U.S. ESA Status	Last Observation Year
-------------	-----------------	--------------	-----------------	-----------------------

No Species Found

Plants within a 1/2 mile radius

Common Name	Scientific Name	State Status	U.S. ESA Status	Last Observation Year
-------------	-----------------	--------------	-----------------	-----------------------

No Species Found

Animals within a 2 mile radius

Common Name	Scientific Name	State Status	U.S. ESA Status	Last Observation Year
Golden Eagle	Aquila chrysaetos	SGCN		

Plants within a 2 mile radius

Common Name	Scientific Name	State Status	U.S. ESA Status	Last Observation Year
-------------	-----------------	--------------	-----------------	-----------------------

No Species Found

Definitions

State Status

SGCN	Species of greatest conservation need listed in the Utah Wildlife Action Plan
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U.S. Endangered Species Act

LE	A taxon that is listed by the U.S. Fish and Wildlife Service as "endangered" with the probability of worldwide extinction
LT	A taxon that is listed by the U.S. Fish and Wildlife Service as "threatened" with becoming endangered
LE;XN	An "endangered" taxon that is considered by the U.S. Fish and Wildlife Service to be "experimental and nonessential" in its designated use areas in Utah
C	A taxon for which the U.S. Fish and Wildlife Service has on file sufficient information on biological vulnerability and threats to justify it being a "candidate" for listing as endangered or threatened
PT/PE	A taxon "proposed" to be listed as "endangered" or "threatened" by the U.S. Fish and Wildlife Service

Disclaimer

The information provided in this report is based on data existing in the Utah Division of Wildlife Resources' central database at the time of the request. It should not be regarded as a final statement on the occurrence of any species on or near the designated site, nor should it be considered a substitute for on-the-ground biological surveys. Moreover, because the Utah Division of Wildlife Resources' central database is continually updated, any given response is only appropriate for its respective request.

The UDWR provides no warranty, nor accepts any liability, occurring from any incorrect, incomplete, or misleading data, or from any incorrect, incomplete, or misleading use of these data.

The results are a query of species tracked by the Utah Natural Heritage Program, which includes all species listed under the U.S. Endangered Species Act and species on the Utah Wildlife Action Plan. Other significant wildlife values might also be present on the designated site. Please [contact](#) UDWR's regional habitat manager if you have any questions.

For additional information about species listed under the Endangered Species Act and their Critical Habitats that may be affected by activities in this area or for information about Section 7 consultation under the Endangered Species Act, please visit <https://ecos.fws.gov/ipac/> or contact the [U.S. Fish and Wildlife Service Utah Ecological Services Field Office](#) at (801) 975-3330 or utahfieldoffice_esa@fws.gov.

Please contact our office at (801) 538-4759 or habitat@utah.gov if you require further assistance.

Your project is located in the following UDWR region(s): Central region

Report generated for:

Sydney Feldt
VHB
1355 Peachtree Street Suite 100
Atlanta, GA 30309
(404) 417-4083
sfeldt@vhb.com




Attachment 2 Figures

Figure D-1: Project Vicinity | Proposed Savage Tooele Railroad



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/20/2022)

Legend

 Survey Area

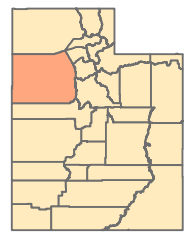
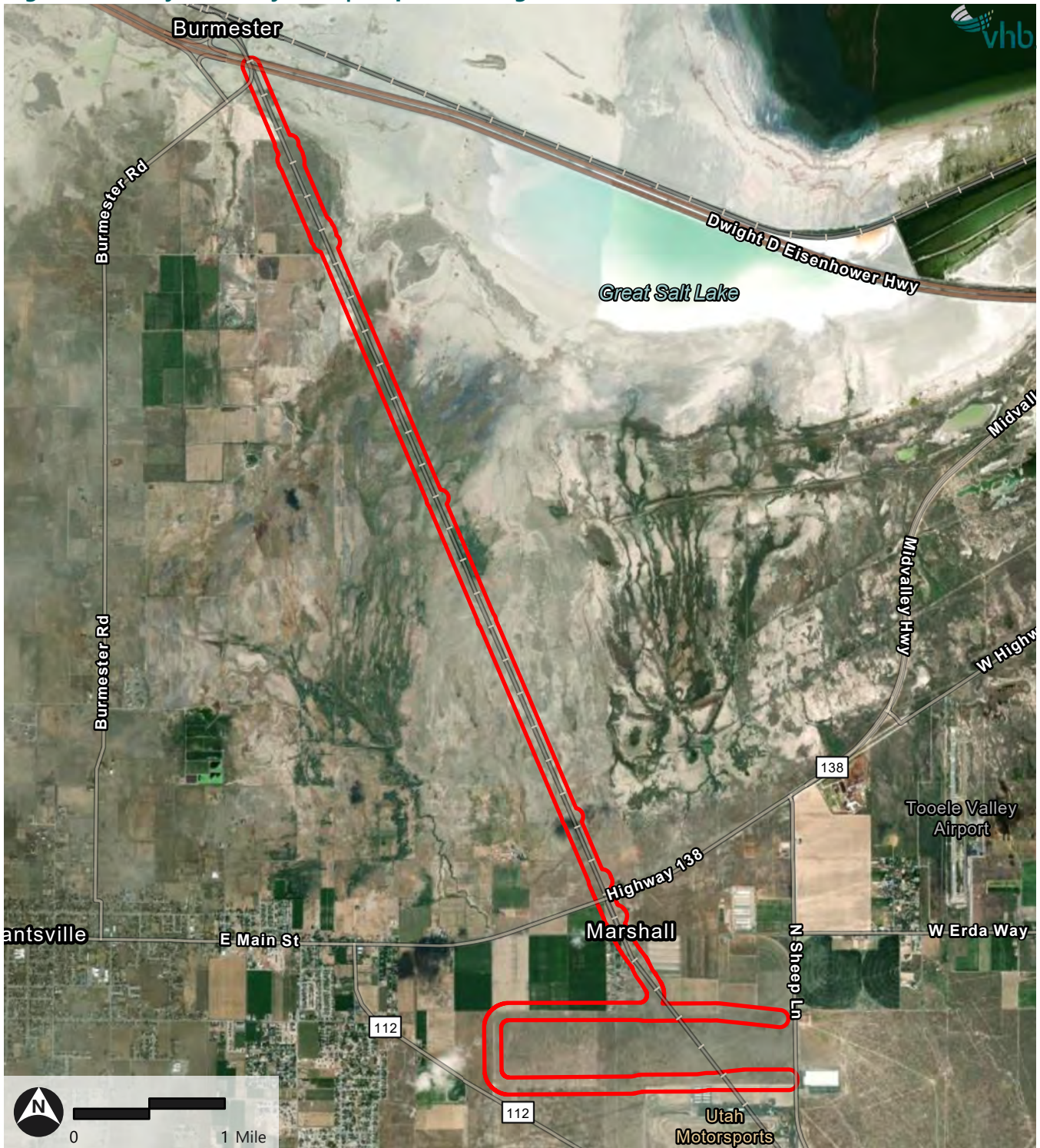



Figure D-2: Project Survey Area | Proposed Savage Tooele Railroad



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Legend
 Survey Area

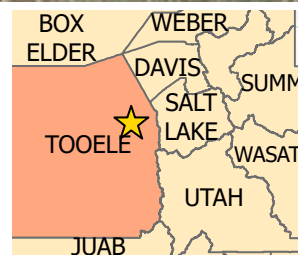


Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 1 of 8)



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

Legend

- Survey Area
- Rail Alignments
- Manassa silt loam, 0 to 3 percent slopes
- Taylorsflat loam, saline, 0 to 3 percent slopes

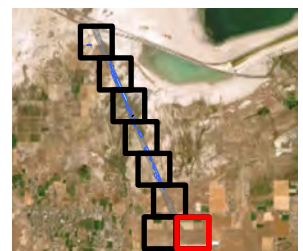
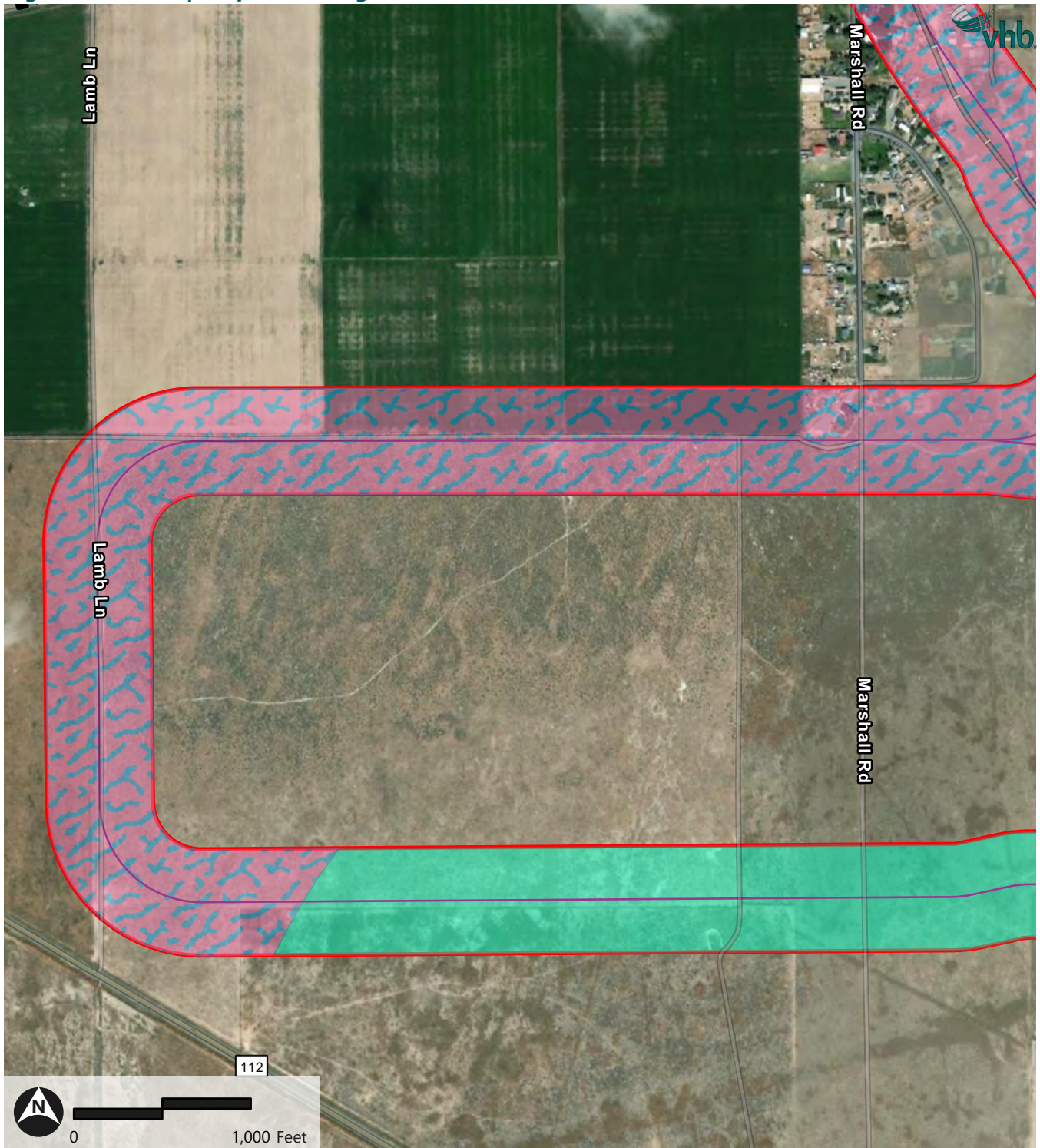


Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 2 of 8)



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Legend

- Survey Area
- Rail Alignments
- Manassa silt loam, 0 to 3 percent slopes
- Taylorsflat loam, saline, 0 to 3 percent slopes

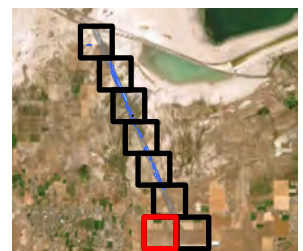
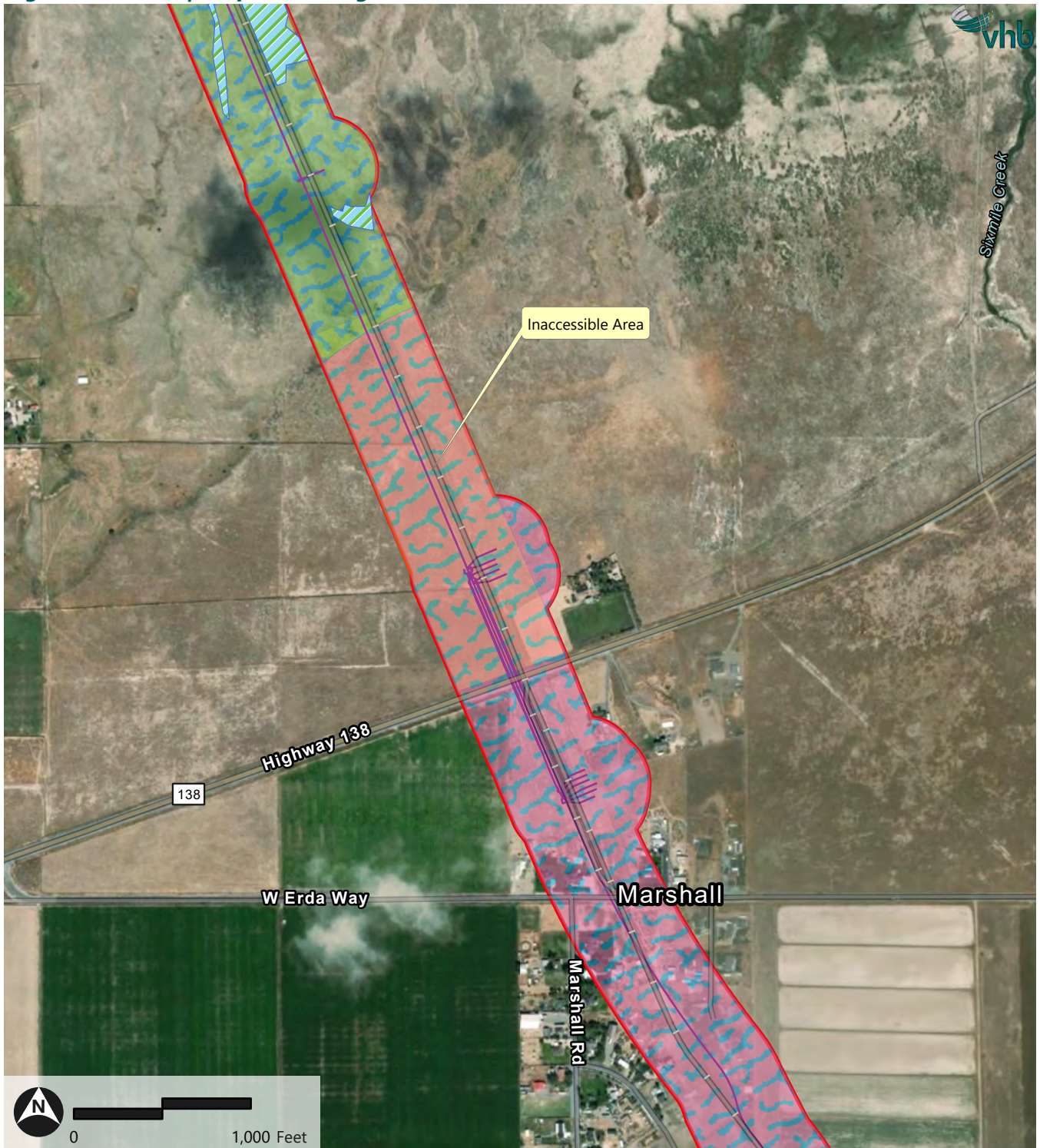
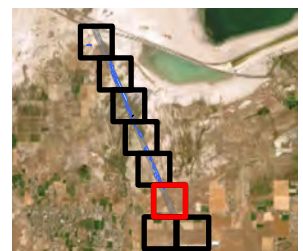


Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 3 of 8)



Legend

- Survey Area
- Rail Alignments
- Wetland
- Kanosh-Saltair-Logan complex, 0 to 2 percent slopes
- Manassa silt loam, 0 to 3 percent slopes



Sixmile Creek

Marshall

W Erda Way

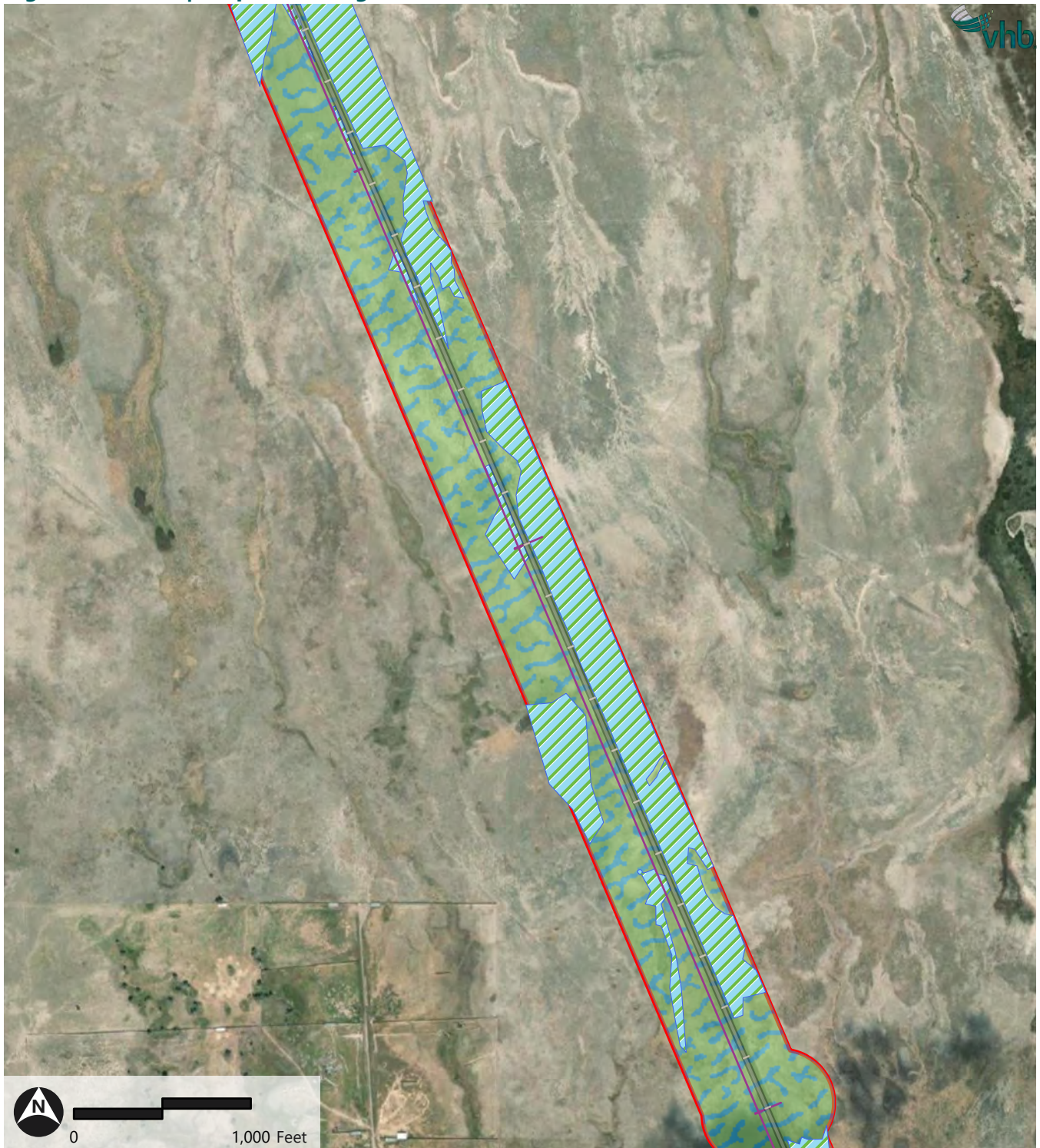
Highway 138

Inaccessible Area







0 1,000 Feet

Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 4 of 8)



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

Legend

-  Survey Area
-  Rail Alignments
-  Wetland
-  Kanosh-Saltair-Logan complex, 0 to 2 percent slopes

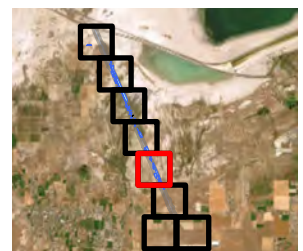
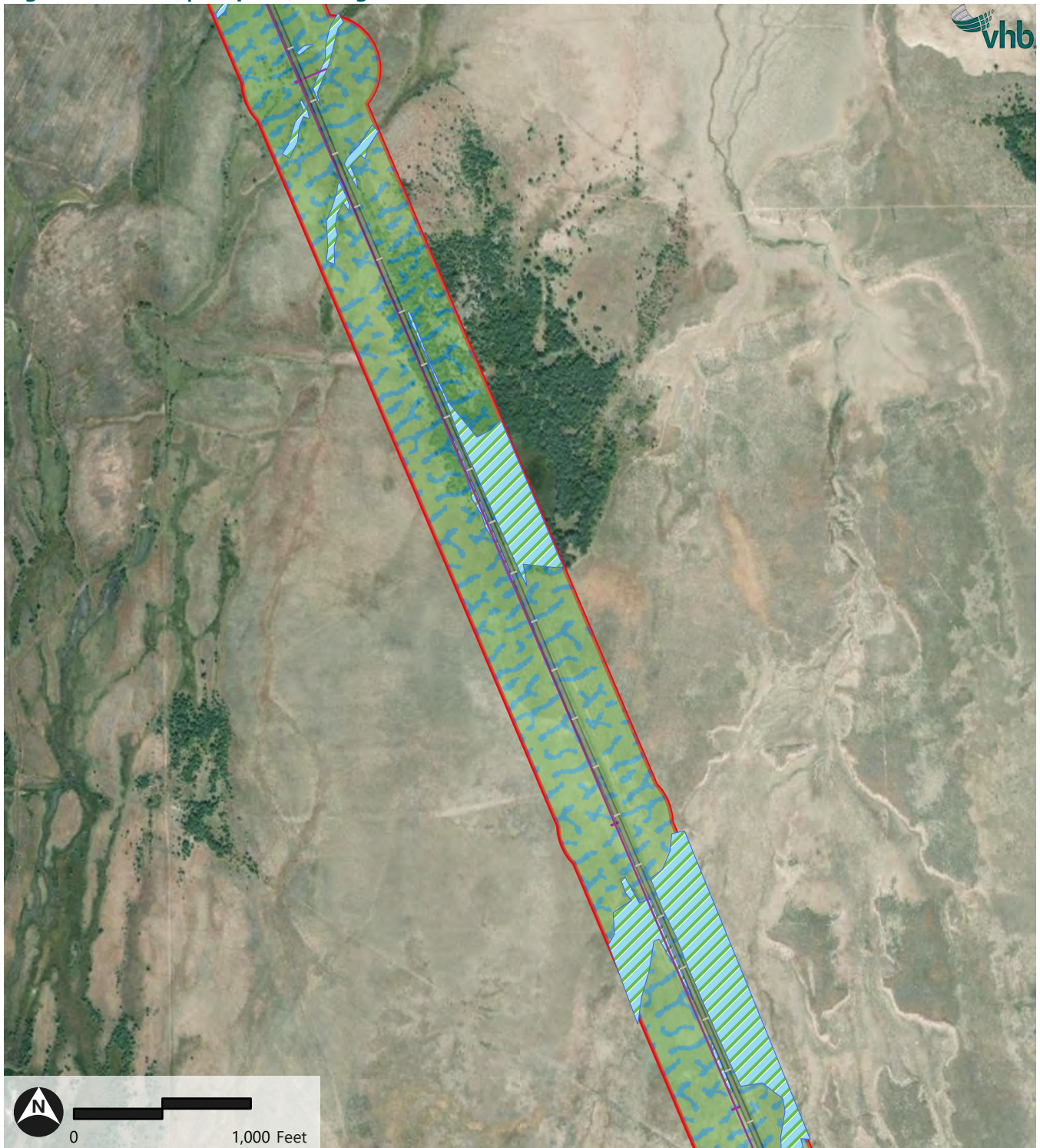






Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 5 of 8)



Legend

-  Survey Area
-  Rail Alignments
-  Wetland
-  Kanosh-Saltair-Logan complex, 0 to 2 percent slopes

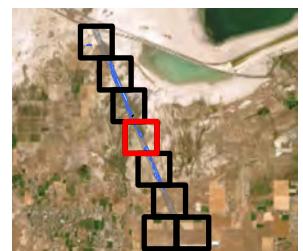
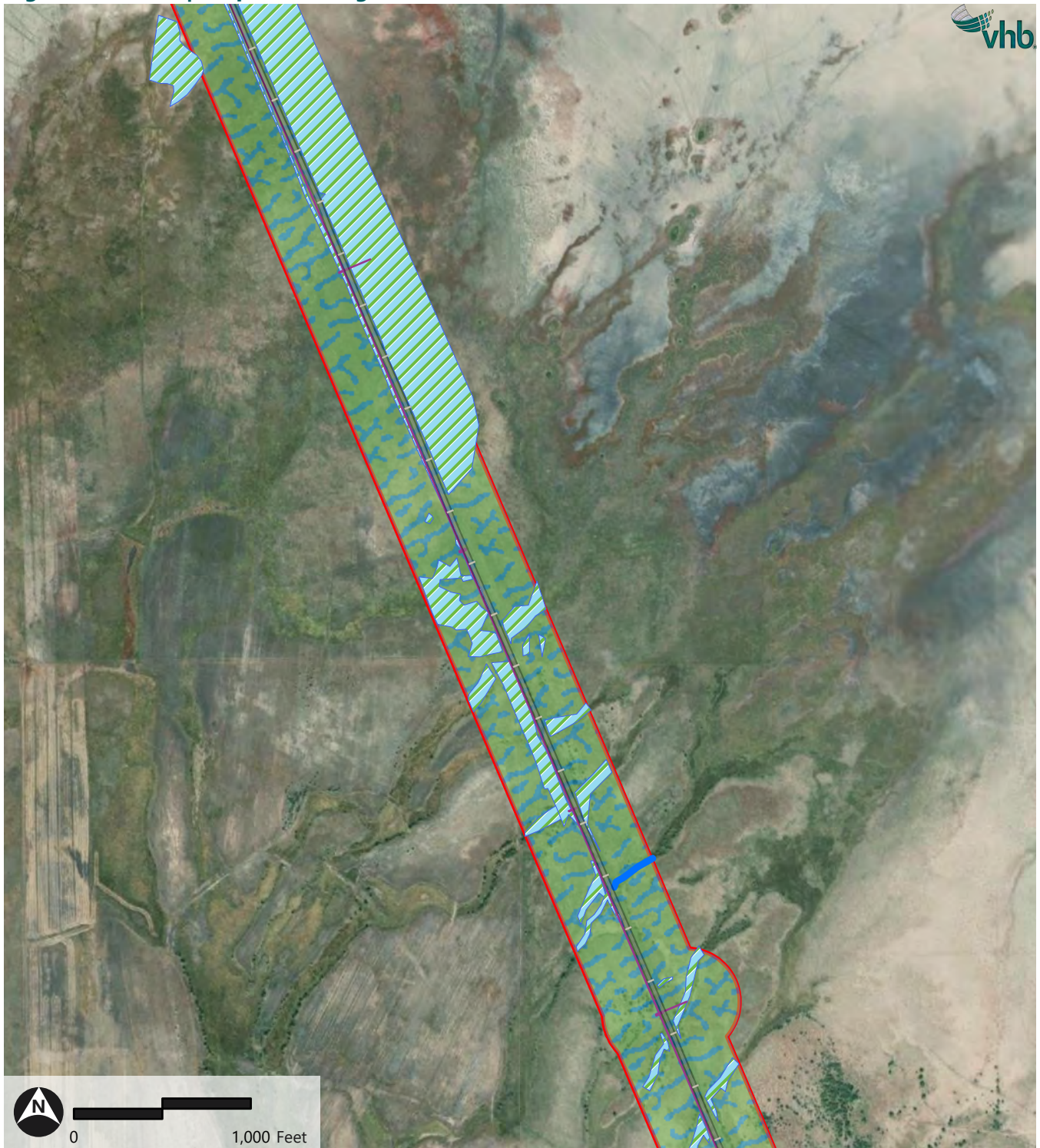





Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 6 of 8)



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map.aprx (jlopez, 12/21/2022)

Legend

-  Survey Area
-  Rail Alignments
-  Wetland
-  Stream
-  Kanosh-Saltair-Logan complex, 0 to 2 percent slopes

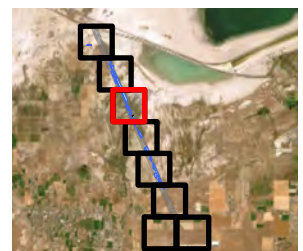
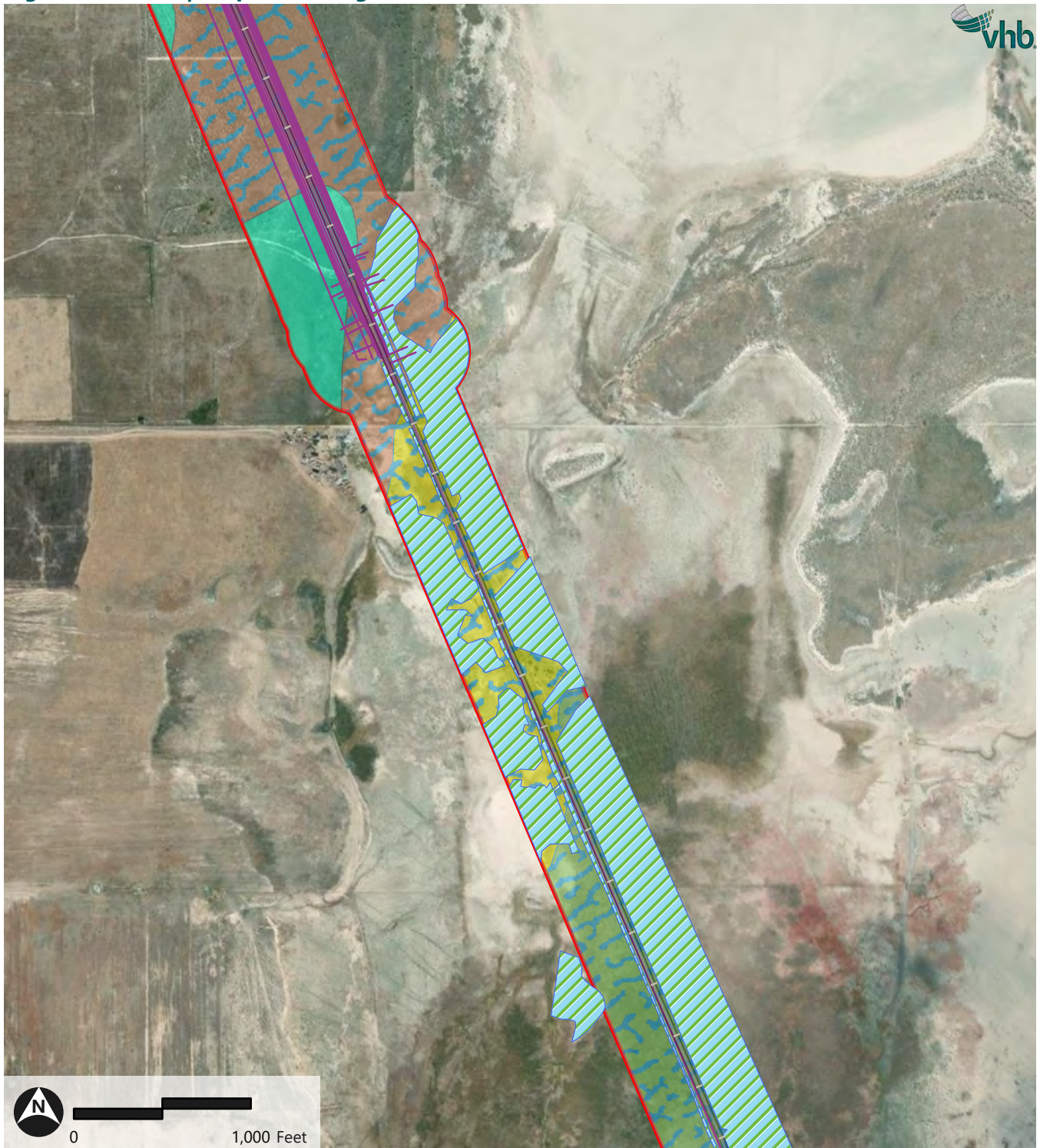









Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 7 of 8)



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Legend

-  Survey Area
-  Rail Alignments
-  Wetland
-  Kanosh-Saltair-Logan complex, 0 to 2 percent slopes
-  Saltair-Playas complex, 0 to 1 percent slopes
-  Skumpah silt loam, saline, 0 to 2 percent slopes
-  Taylorsflat loam, saline, 0 to 3 percent slopes

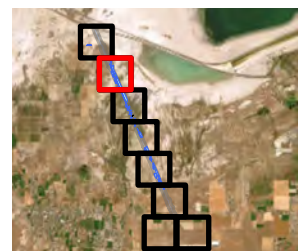
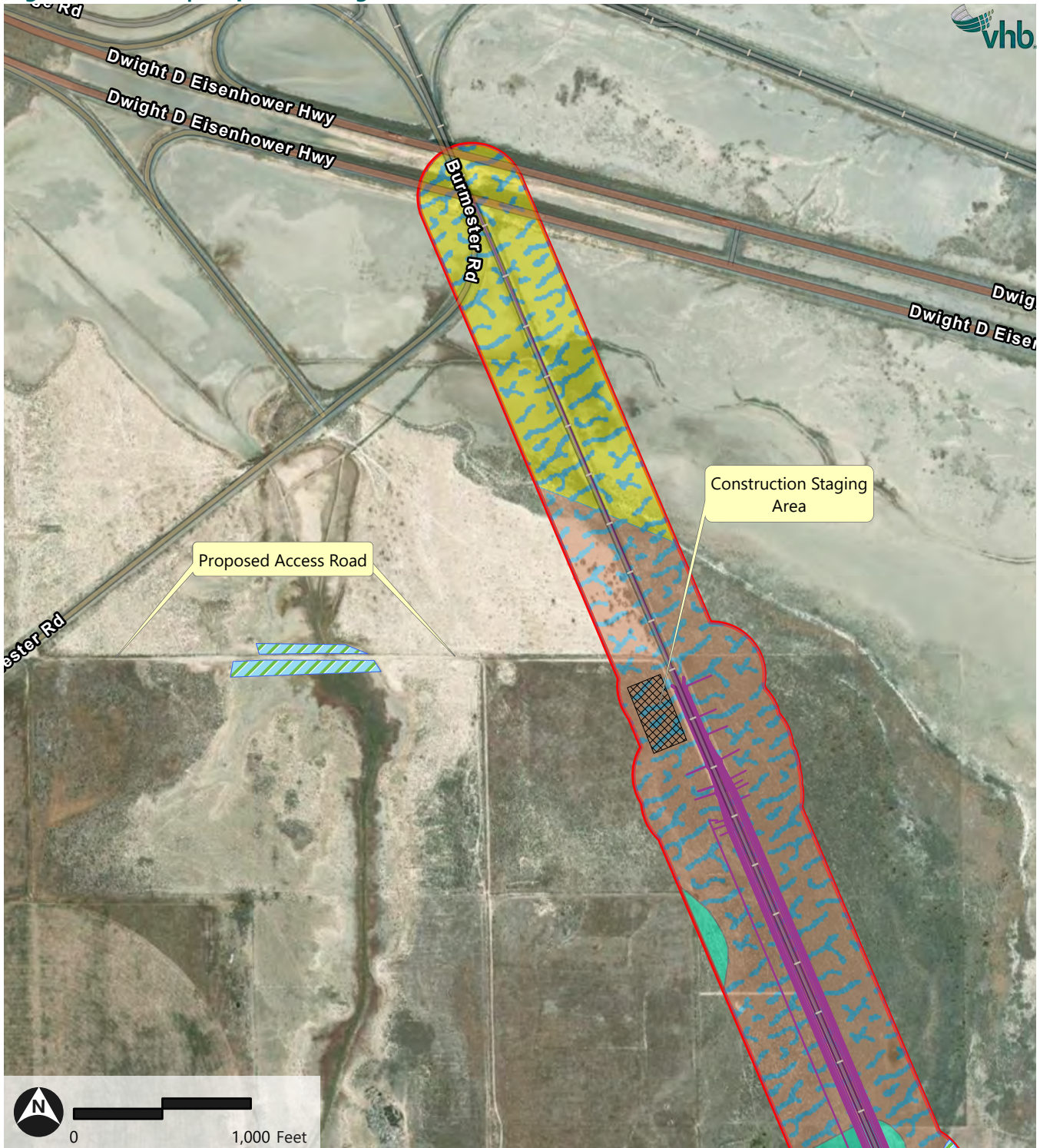


Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 8 of 8)



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

Legend

- Survey Area
- Rail Alignments
- Wetland
- Saltair-Playas complex, 0 to 1 percent slopes
- Skumpah silt loam, saline, 0 to 2 percent slopes
- Taylorsflat loam, saline, 0 to 3 percent slopes

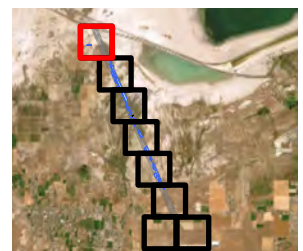
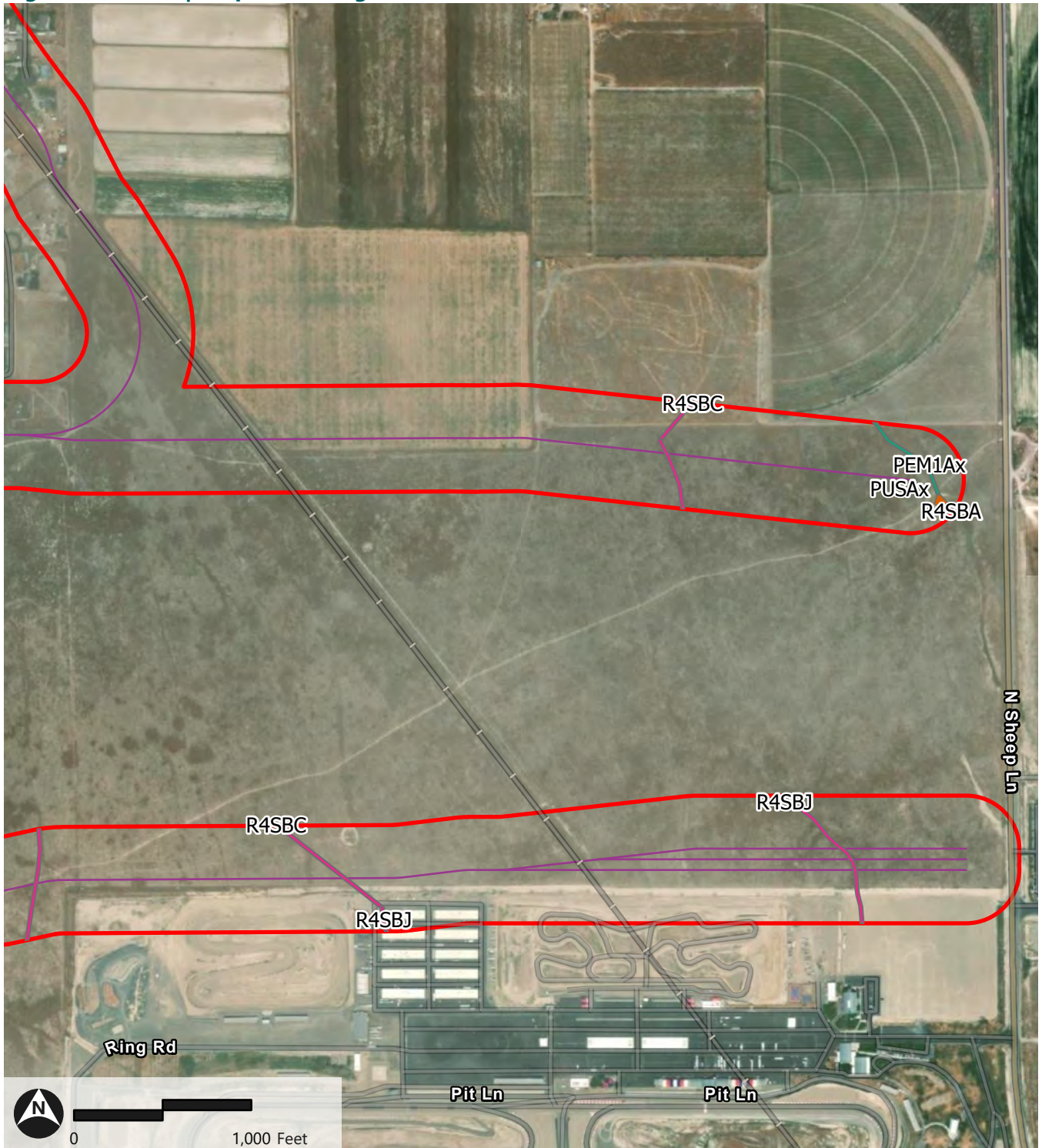


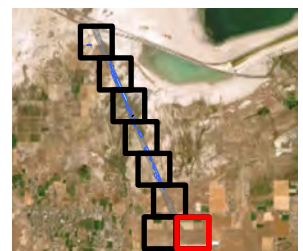
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 1 of 8)



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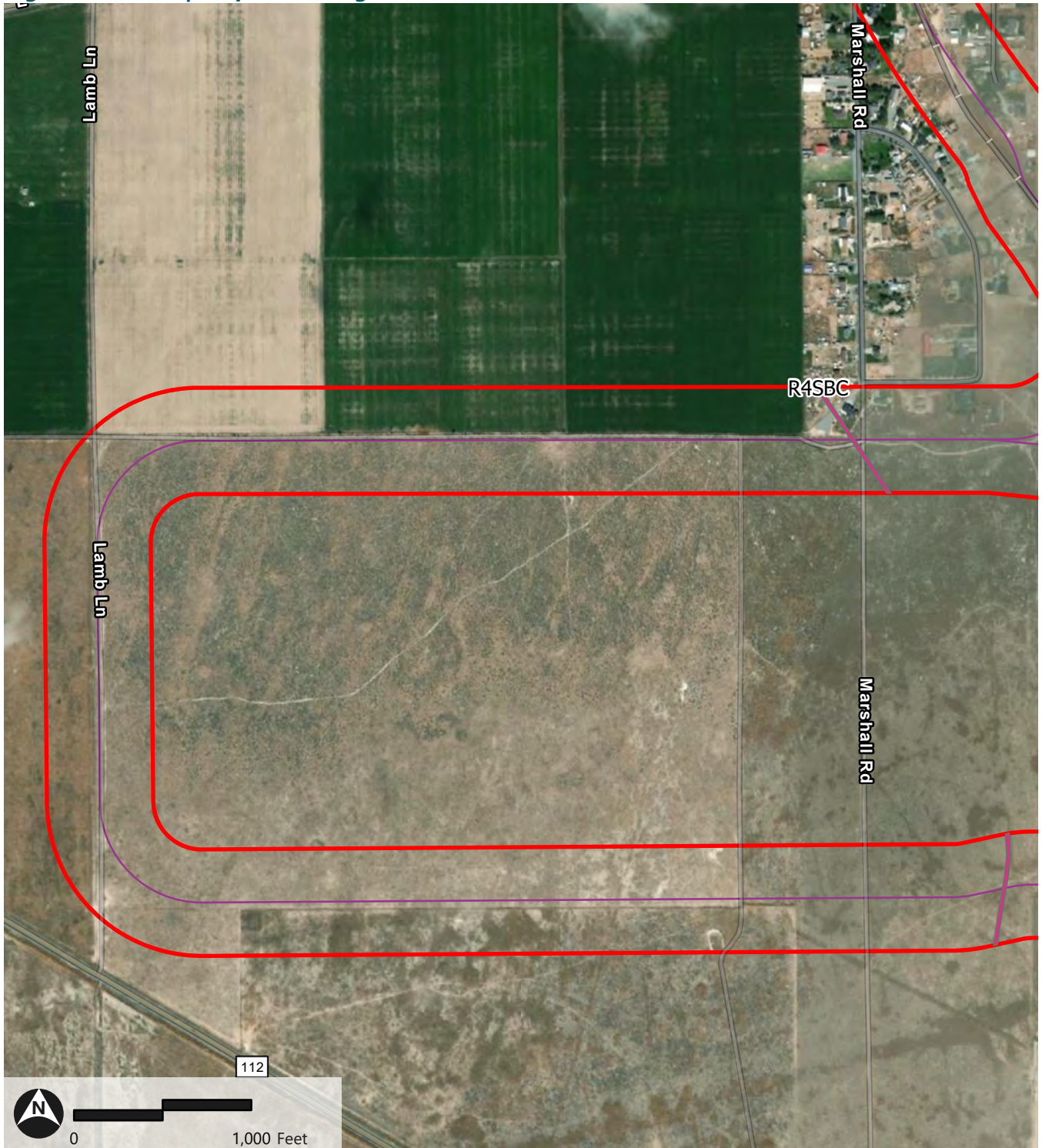
Legend

- Survey Area
- Rail Alignments
- Freshwater Emergent Wetland
- Freshwater Pond
- Riverine






* Aquatic Resource Classifications located on last page

Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 2 of 8)



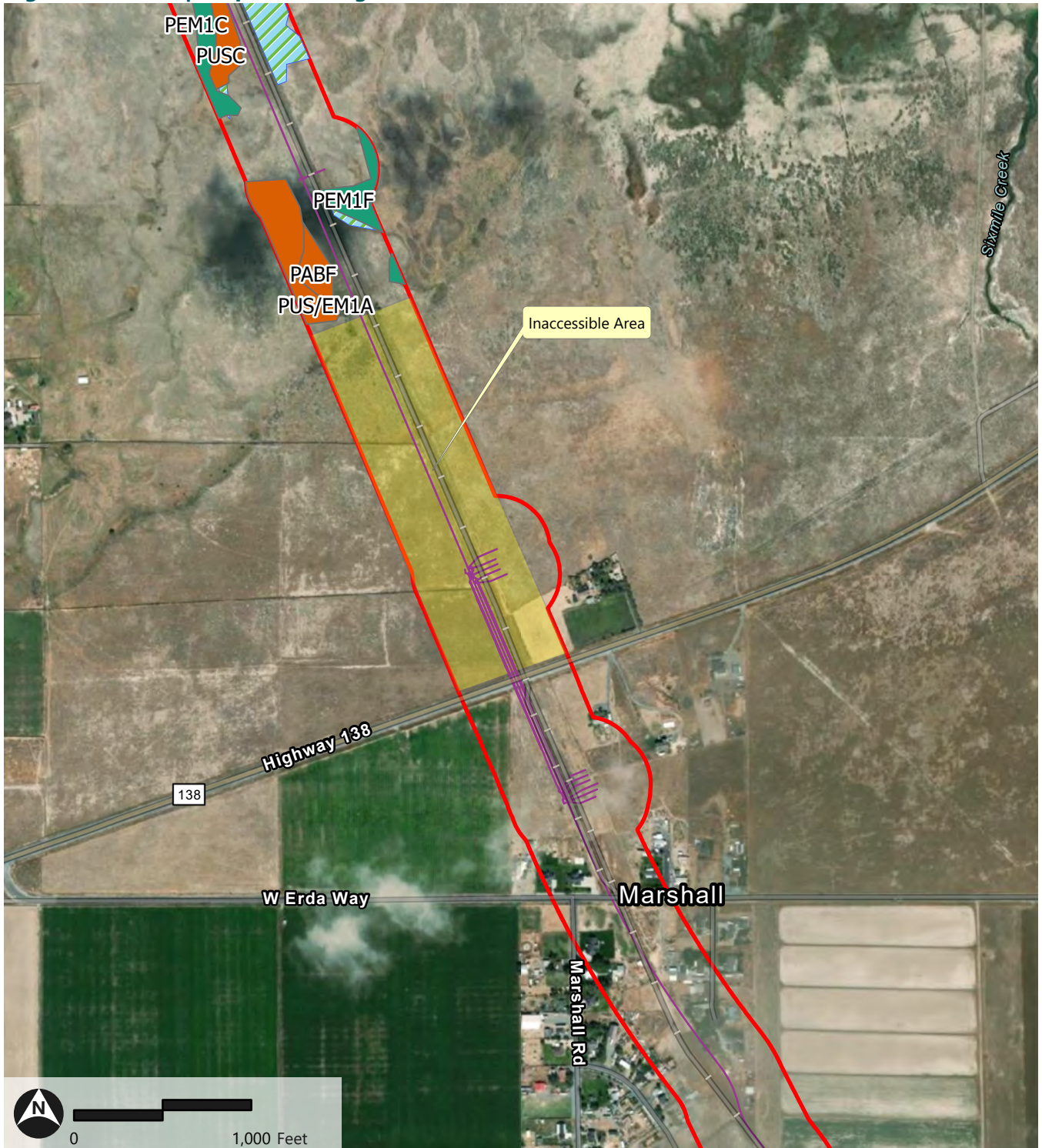
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Legend

-  Survey Area
-  Rail Alignments
-  Riverine

* Aquatic Resource Classifications located on last page

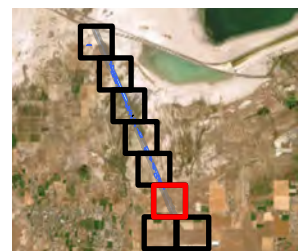
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 3 of 8)



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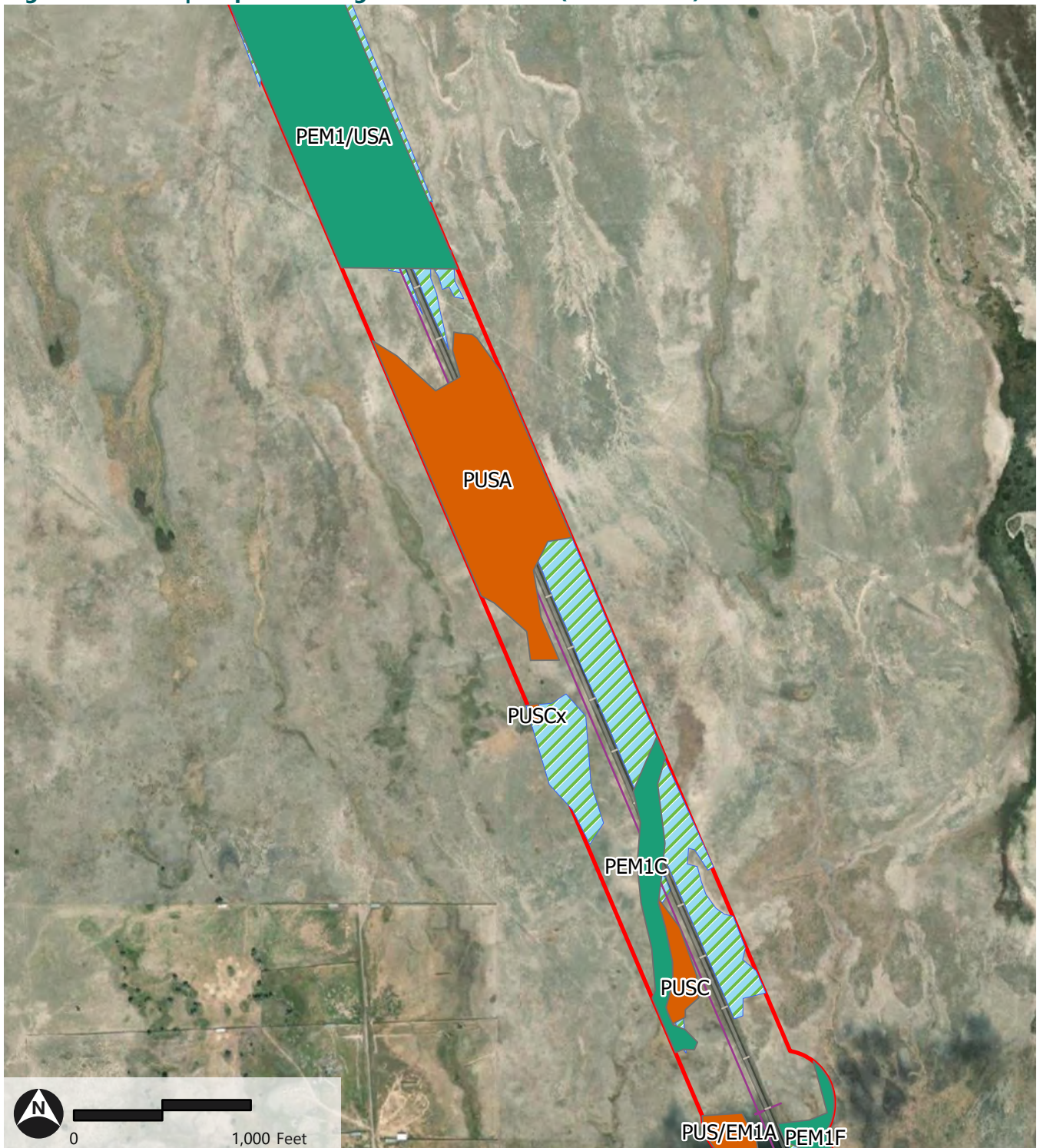
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- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland
- Freshwater Pond



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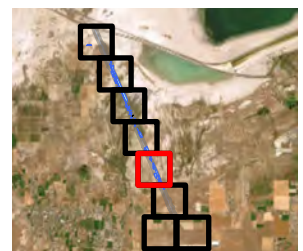
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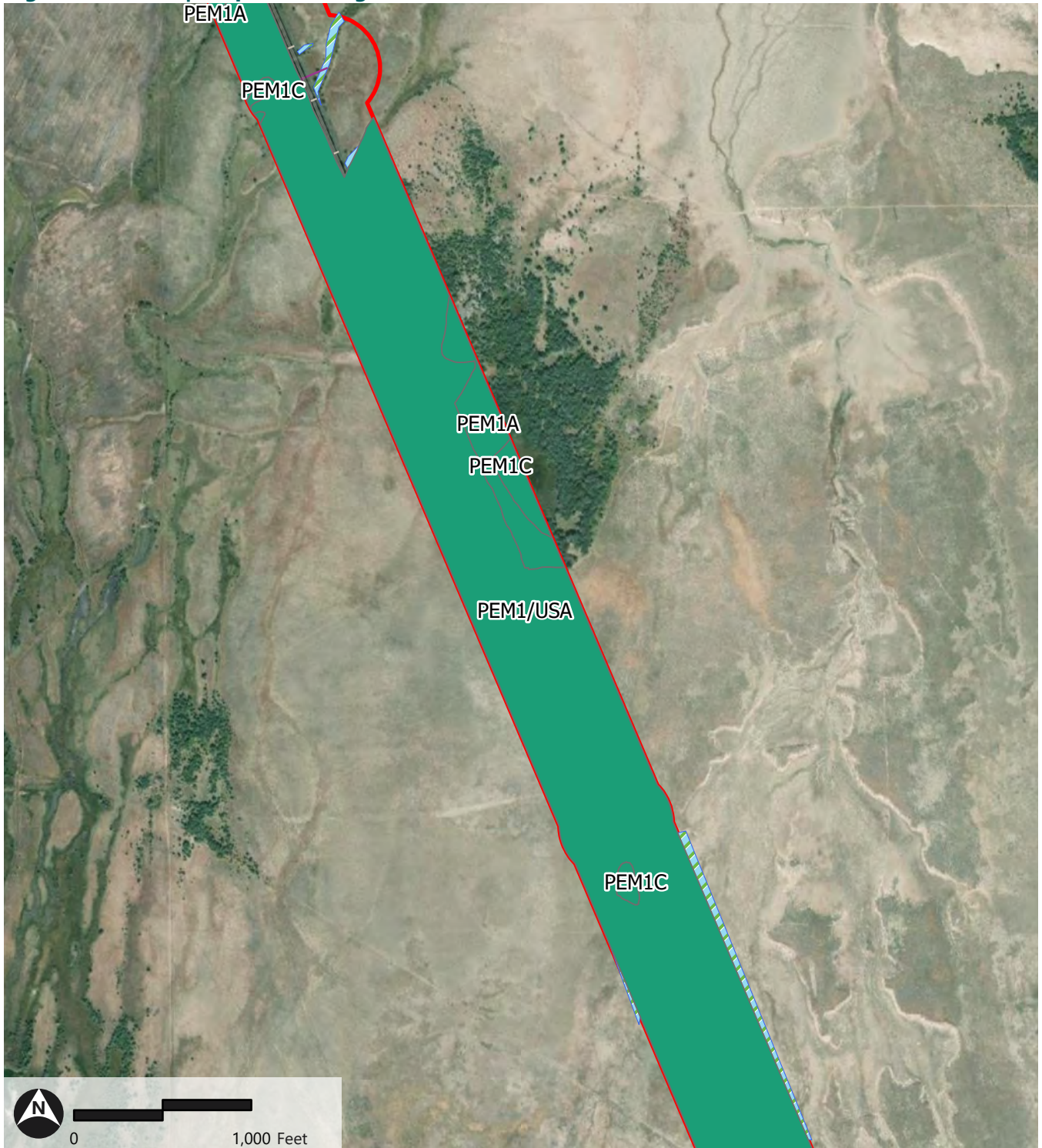
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- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland
- Freshwater Pond



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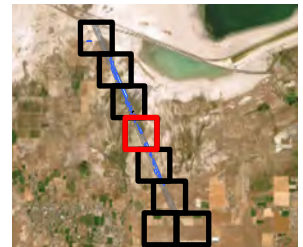
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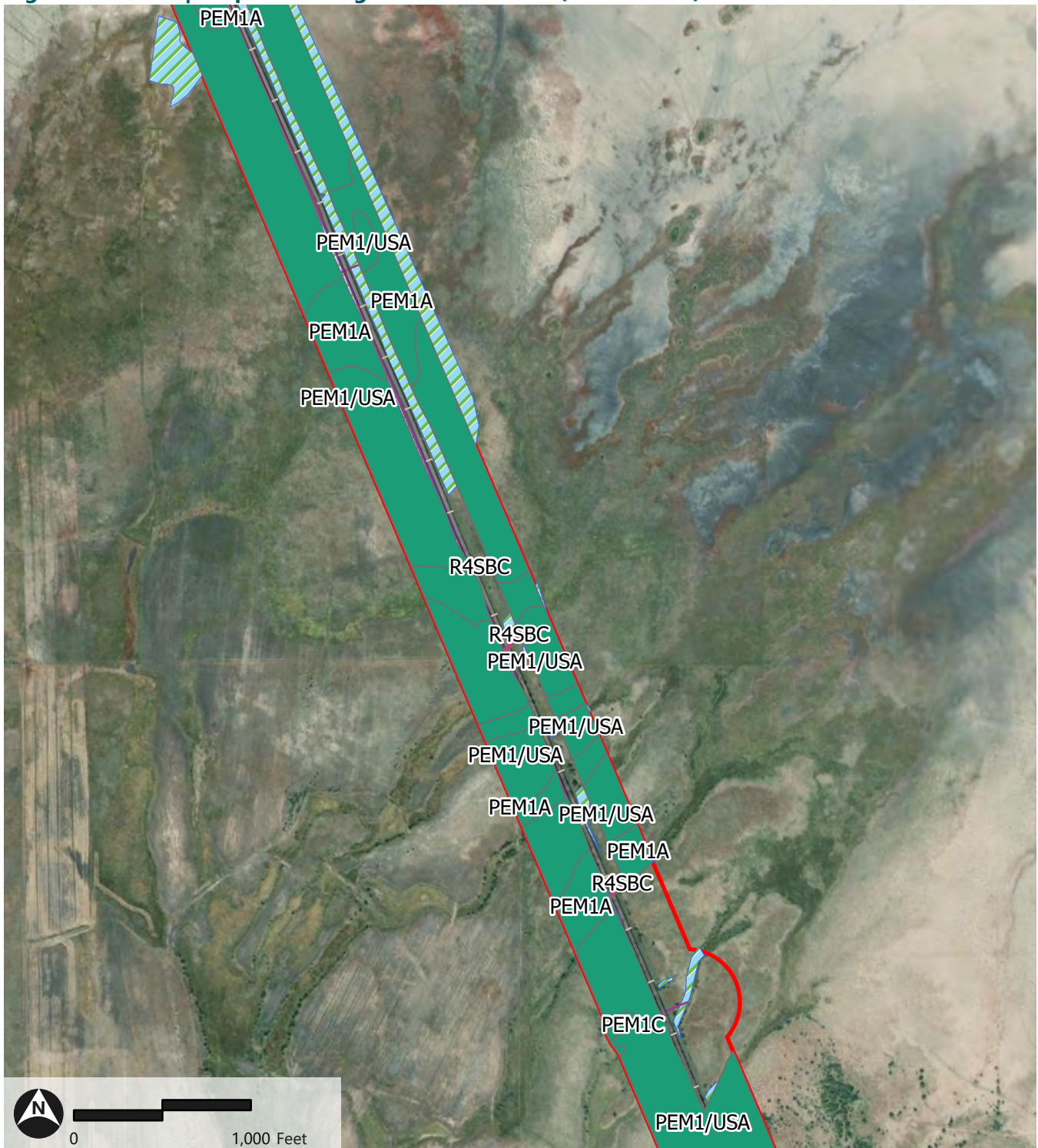
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- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland



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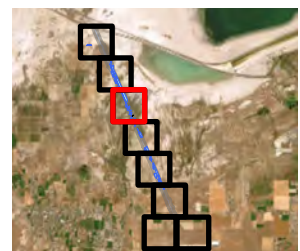
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 6 of 8)



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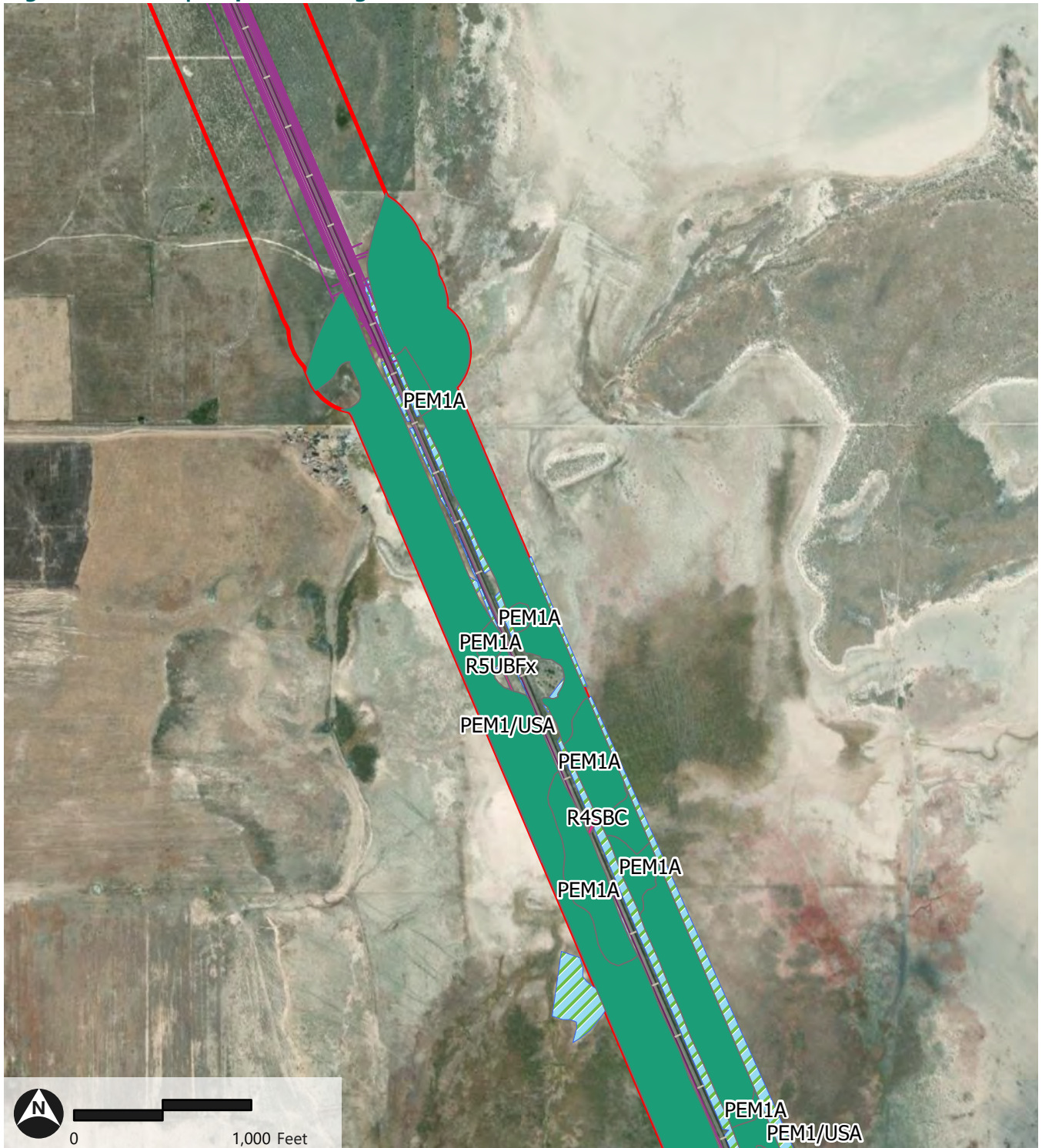
Legend

- Survey Area
- Rail Alignments
- Wetland
- Stream
- Freshwater Emergent Wetland
- Riverine



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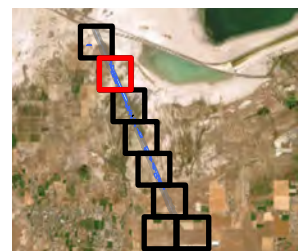
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 7 of 8)



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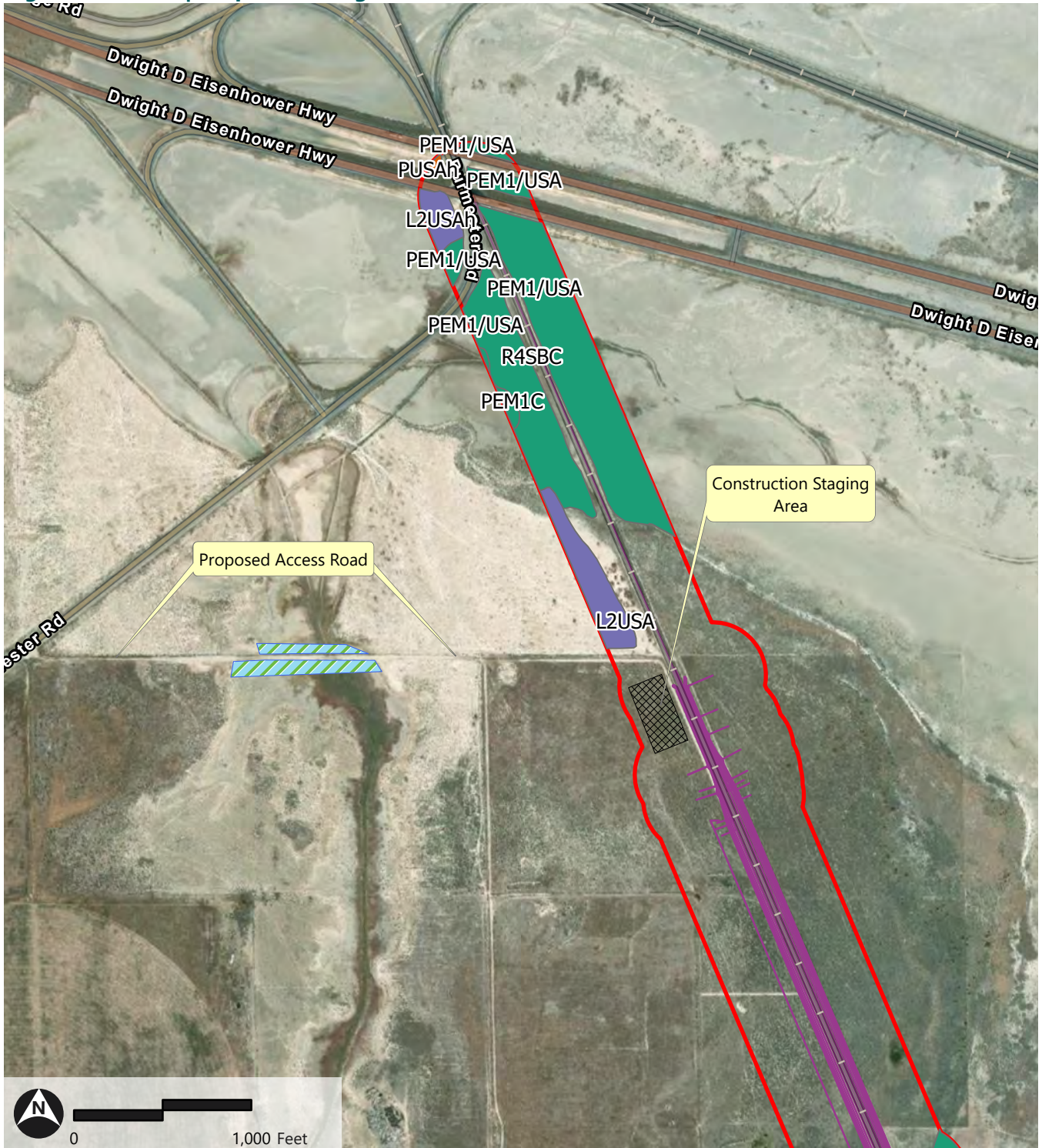
Legend

- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland
- Riverine



* Aquatic Resource Classifications located on last page

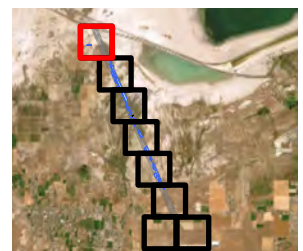
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 8 of 8)



Path: \\whb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

Legend

- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland
- Freshwater Pond
- Lake
- Riverine



* Aquatic Resource Classifications located on last page

Aquatic Resource Classifications

Freshwater Emergent Wetland

PEM1A: Palustrine, Emergent, Persistent, Temporarily Flooded

PEM1Ax: Palustrine, Emergent, Persistent, Temporarily Flooded, Excavated

PEM1C: Palustrine, Emergent, Persistent, Seasonally Flooded

PEM1F: Palustrine, Emergent, Persistent, Semi permanently Flooded

PEM1/USA: Palustrine, Emergent, Persistent/Palustrine, Unconsolidated Shore, Temporarily Flooded

Freshwater Pond

PABF: Palustrine, Aquatic Bed, Semi permanently Flooded

PUS/EM1A: Palustrine, Unconsolidated Shore

PUSA: Palustrine, Unconsolidated Shore, Temporarily Flooded

PUSAh: Palustrine, Unconsolidated Shore, Temporarily Flooded, Diked/Impounded

PUSAx: Palustrine, Unconsolidated Shore, Temporarily Flooded, Excavated

PUSC: Palustrine, Unconsolidated Shore, Seasonally Flooded

PUSCx: Palustrine, Unconsolidated Shore, Temporarily Flooded, Excavated

Lake

L2USA: Lacustrine, Littoral, Unconsolidated Shore, Temporarily Flooded

L2USAh: Lacustrine, Littoral, Unconsolidated Shore, Temporarily Flooded, Diked/Impounded

Riverine

R4SBC: Riverine, Intermittent, Streambed, Seasonally Flooded

R5UBFx: Riverine, Unknown Perennial, Unconsolidated Bottom, Semi permanently Flooded, Excavated

R4SBA: Riverine, Intermittent, Streambed, Temporarily Flooded





R4SBJ: Riverine, Intermittent, Streambed, Intermittently Flooded

Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 1 of 8)



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

Legend

-  Survey Area
-  Rail Alignments
-  Wetland
-  Stream

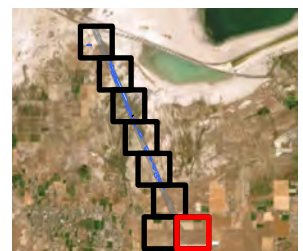
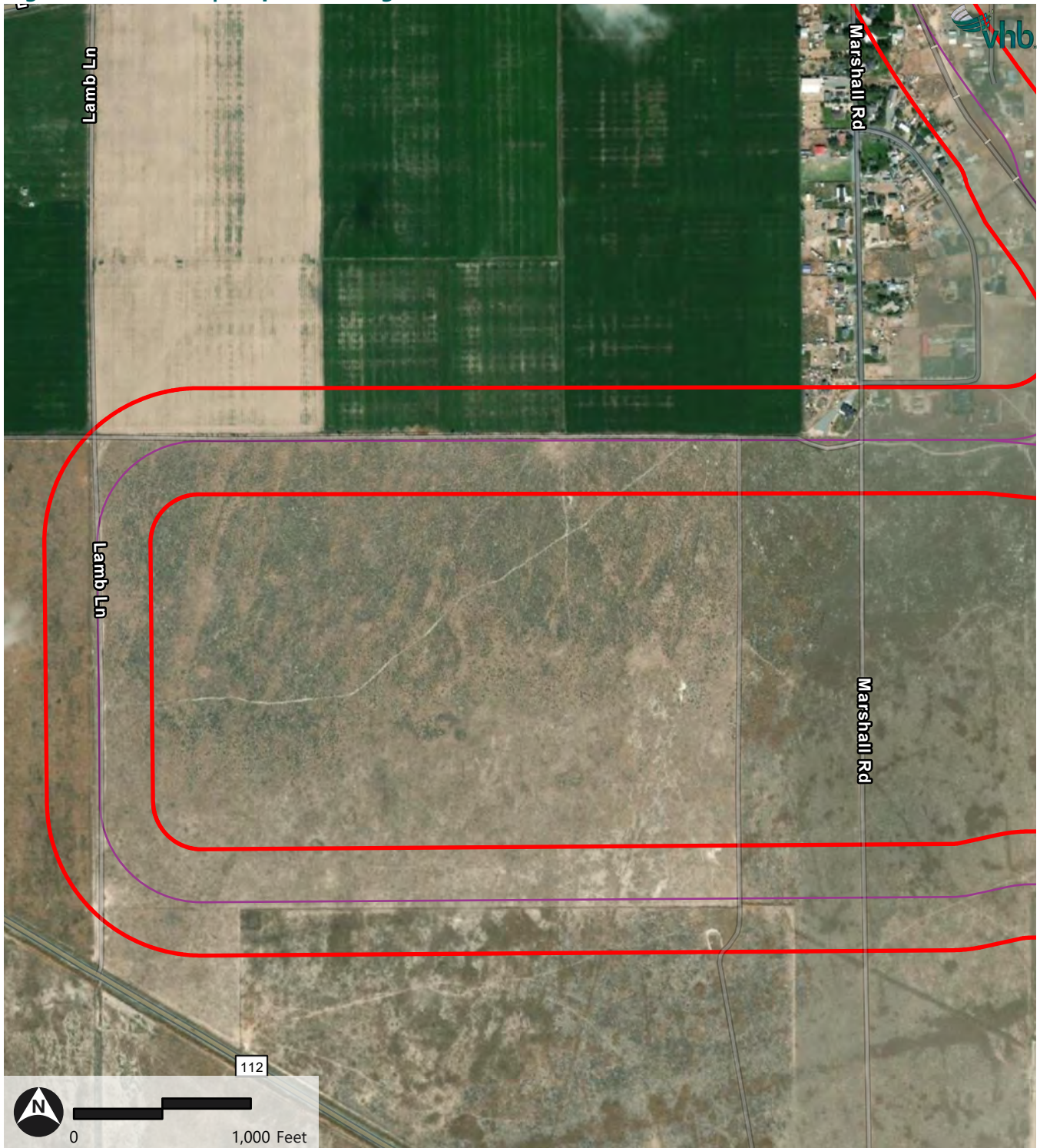


Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 2 of 8)



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Legend

- Survey Area
- Wetland
- Rail Alignments
- Stream

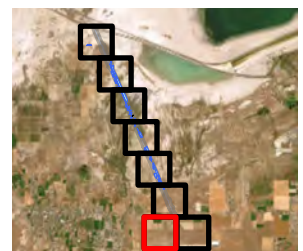
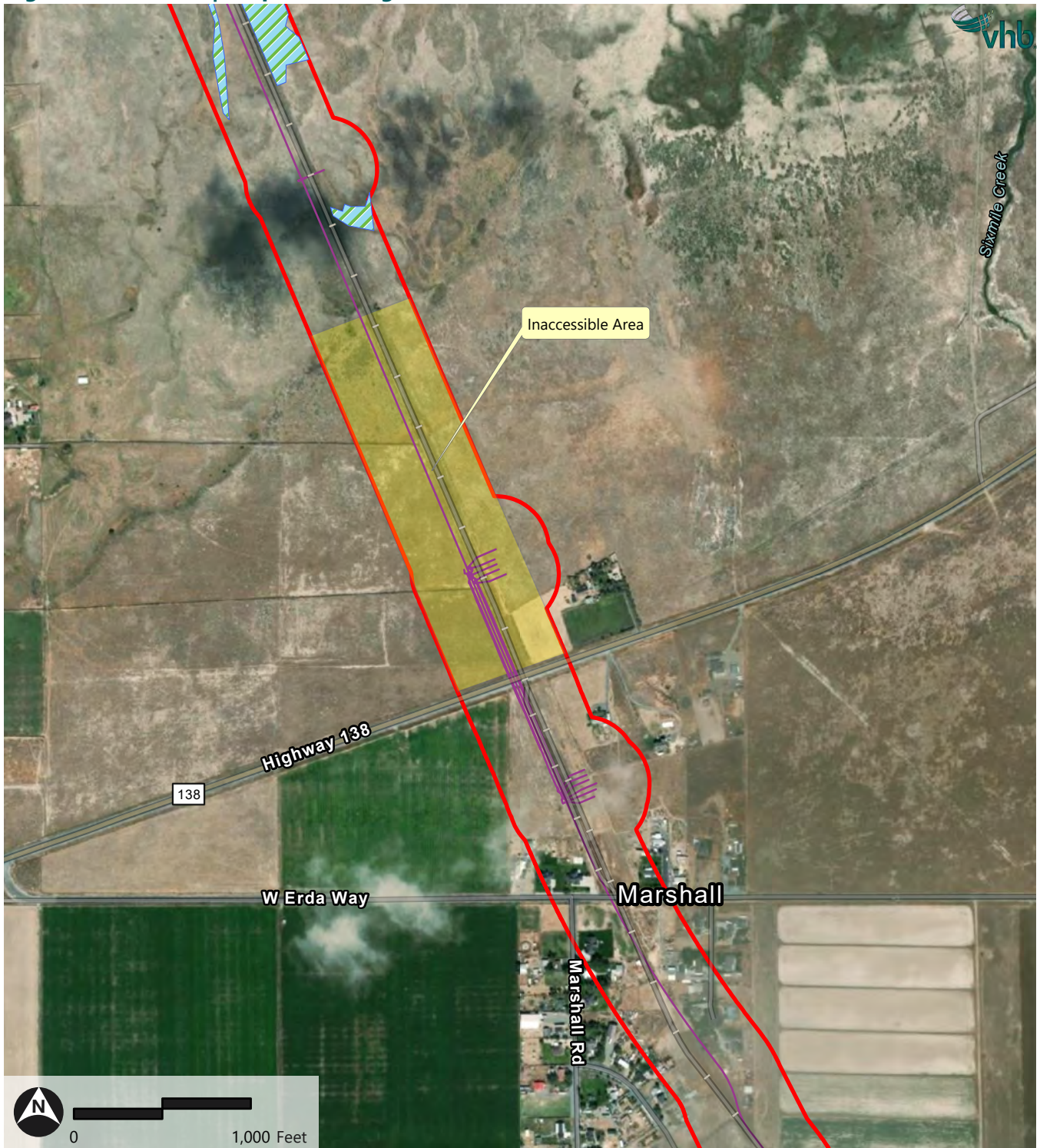






Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 3 of 8)



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Legend

-  Survey Area
-  Rail Alignments
-  Wetland
-  Stream

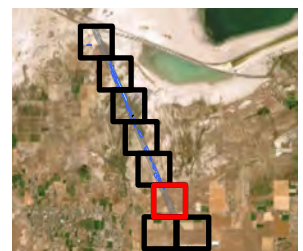
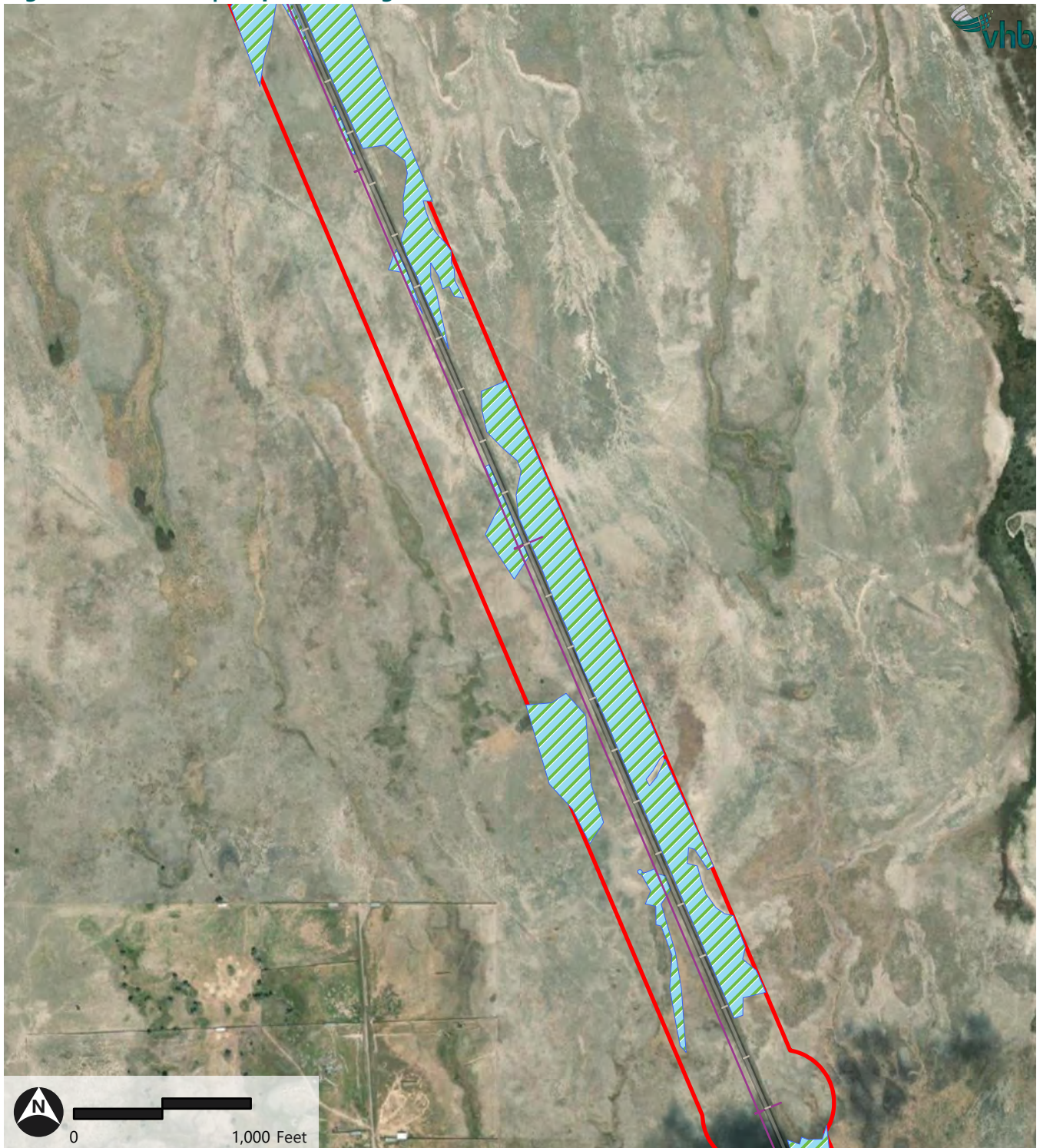






Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 4 of 8)



Legend

-  Survey Area
-  Wetland
-  Rail Alignments
-  Stream

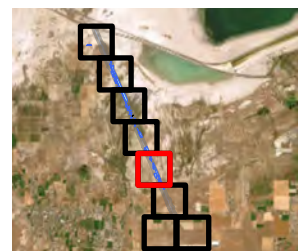
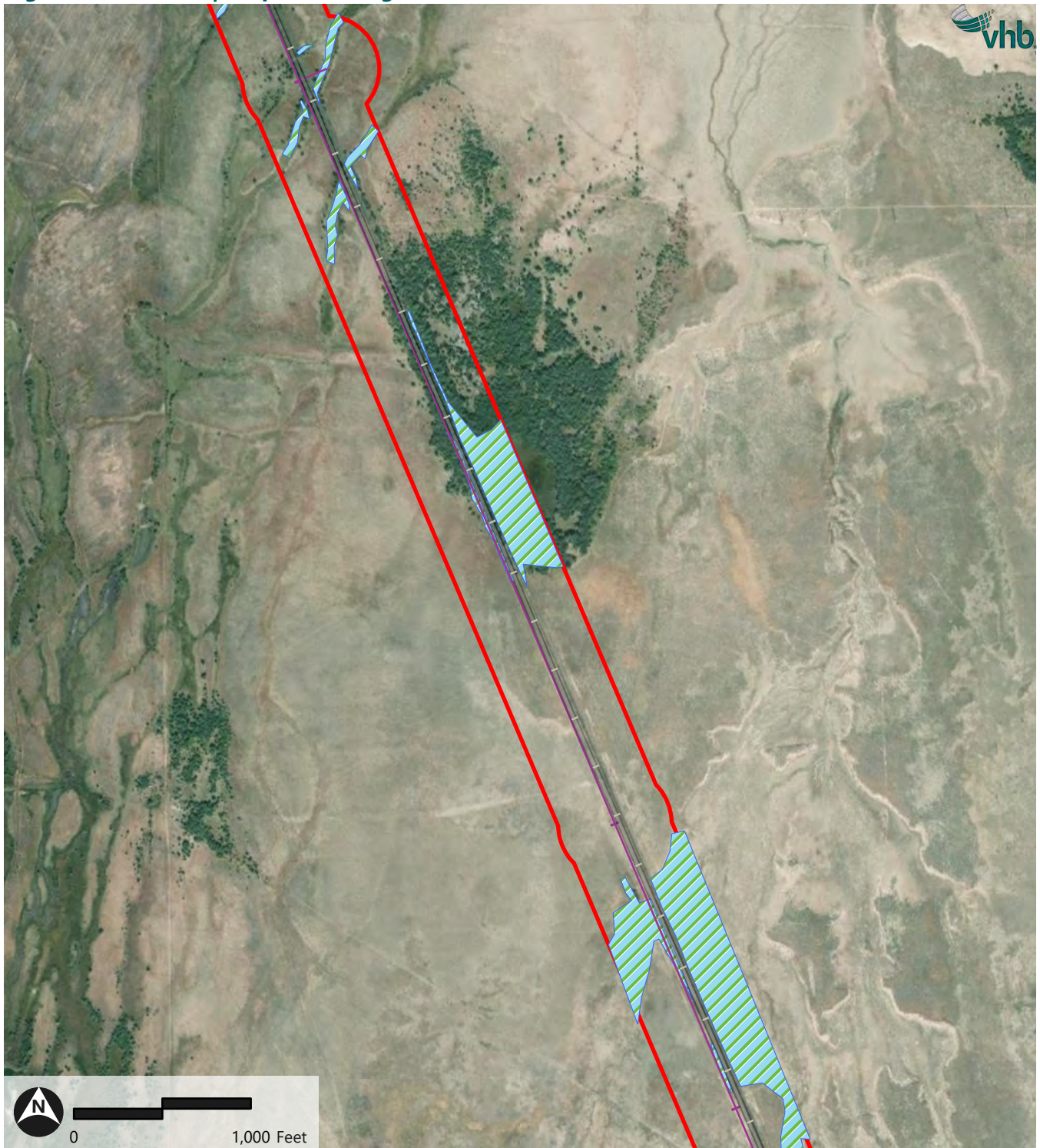






Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 5 of 8)



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Legend

-  Survey Area
-  Wetland
-  Rail Alignments
-  Stream

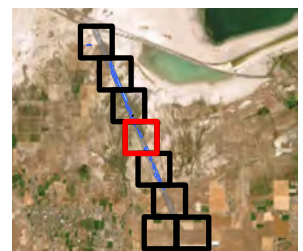
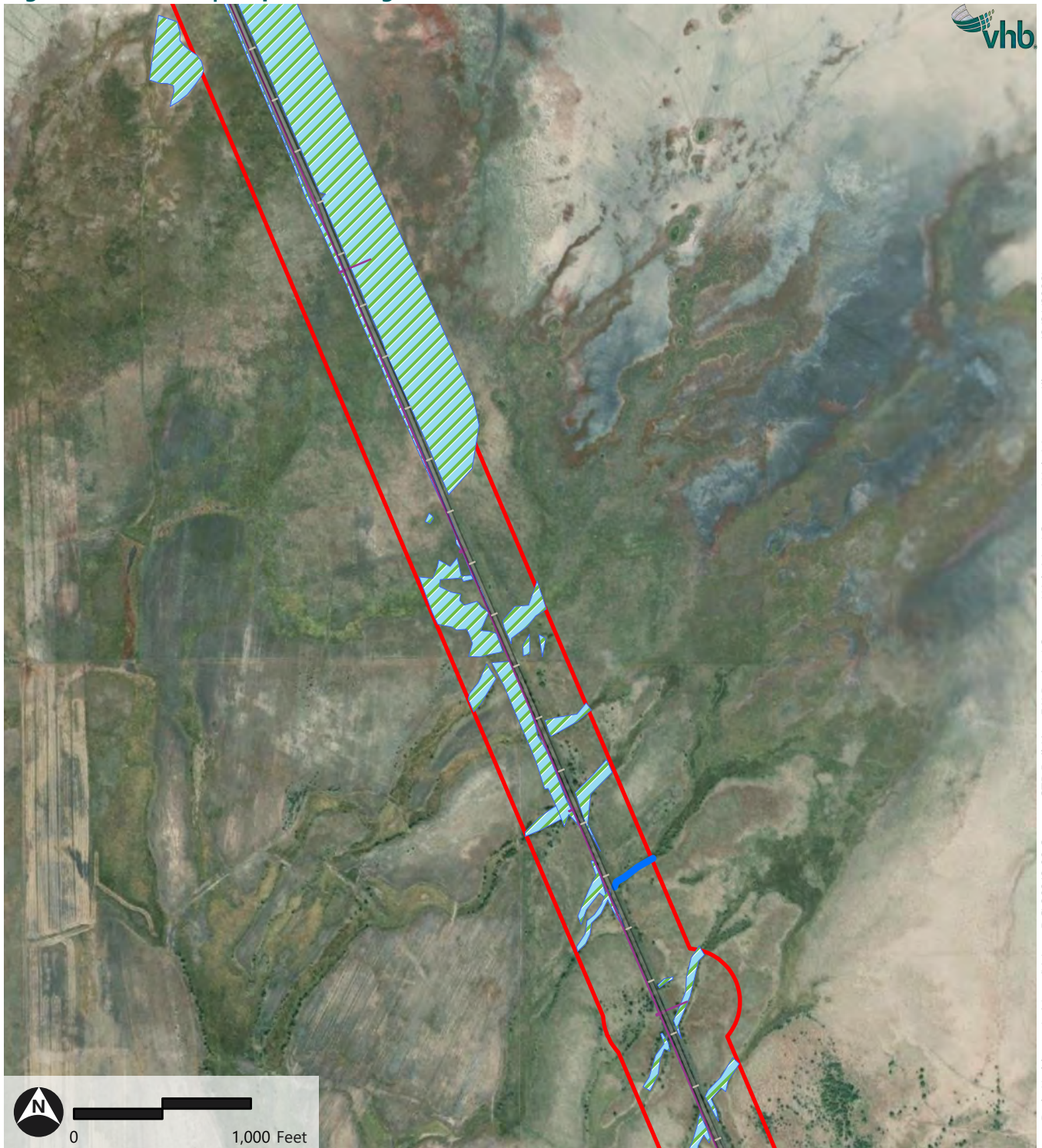






Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 6 of 8)



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Legend

-  Survey Area
-  Wetland
-  Rail Alignments
-  Stream

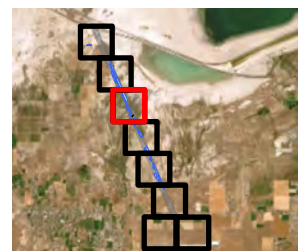
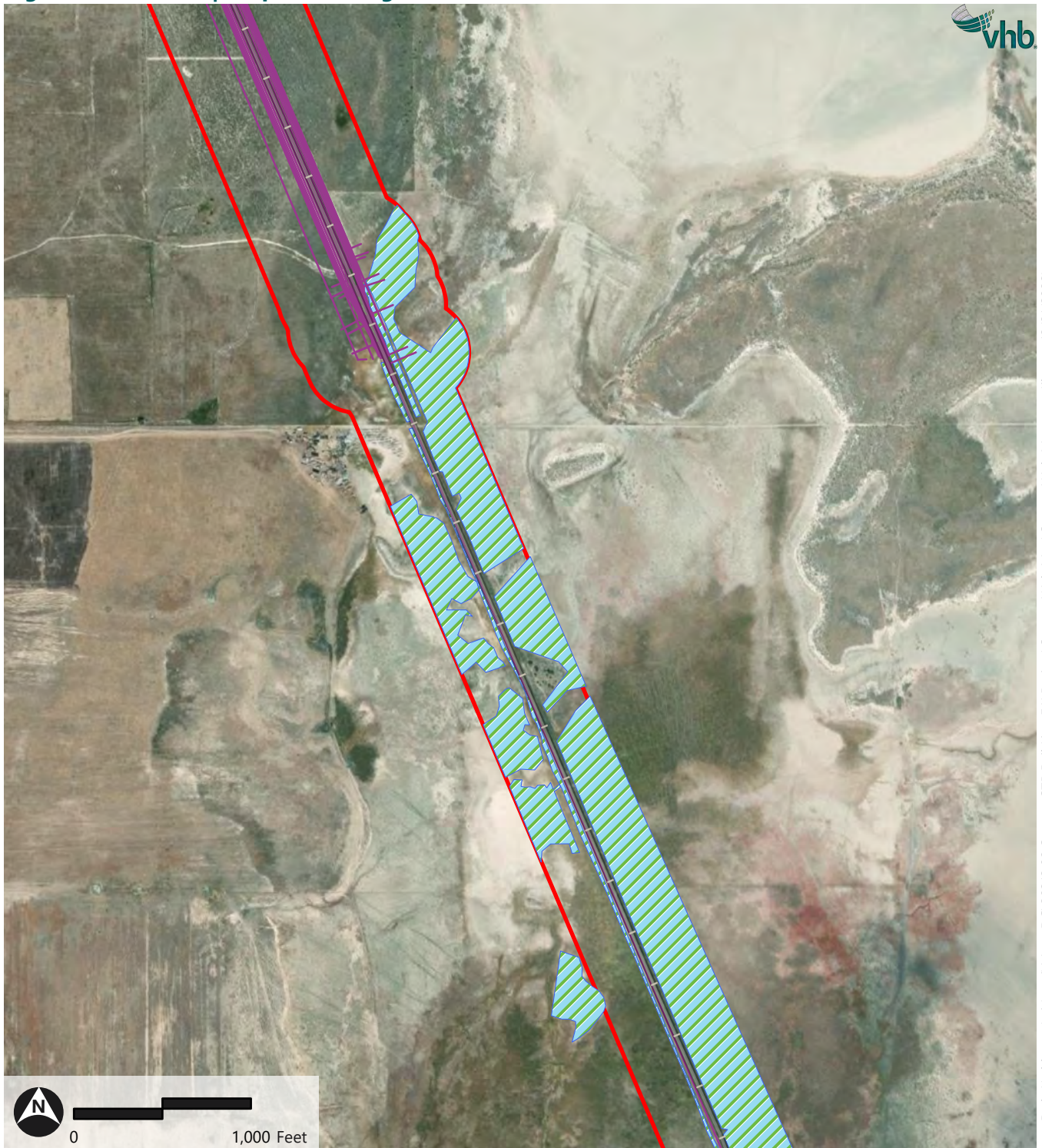






Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 7 of 8)



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Legend

-  Survey Area
-  Wetland
-  Rail Alignments
-  Stream

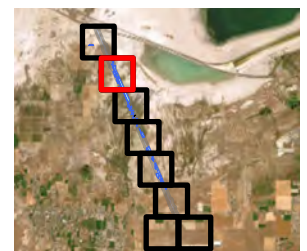
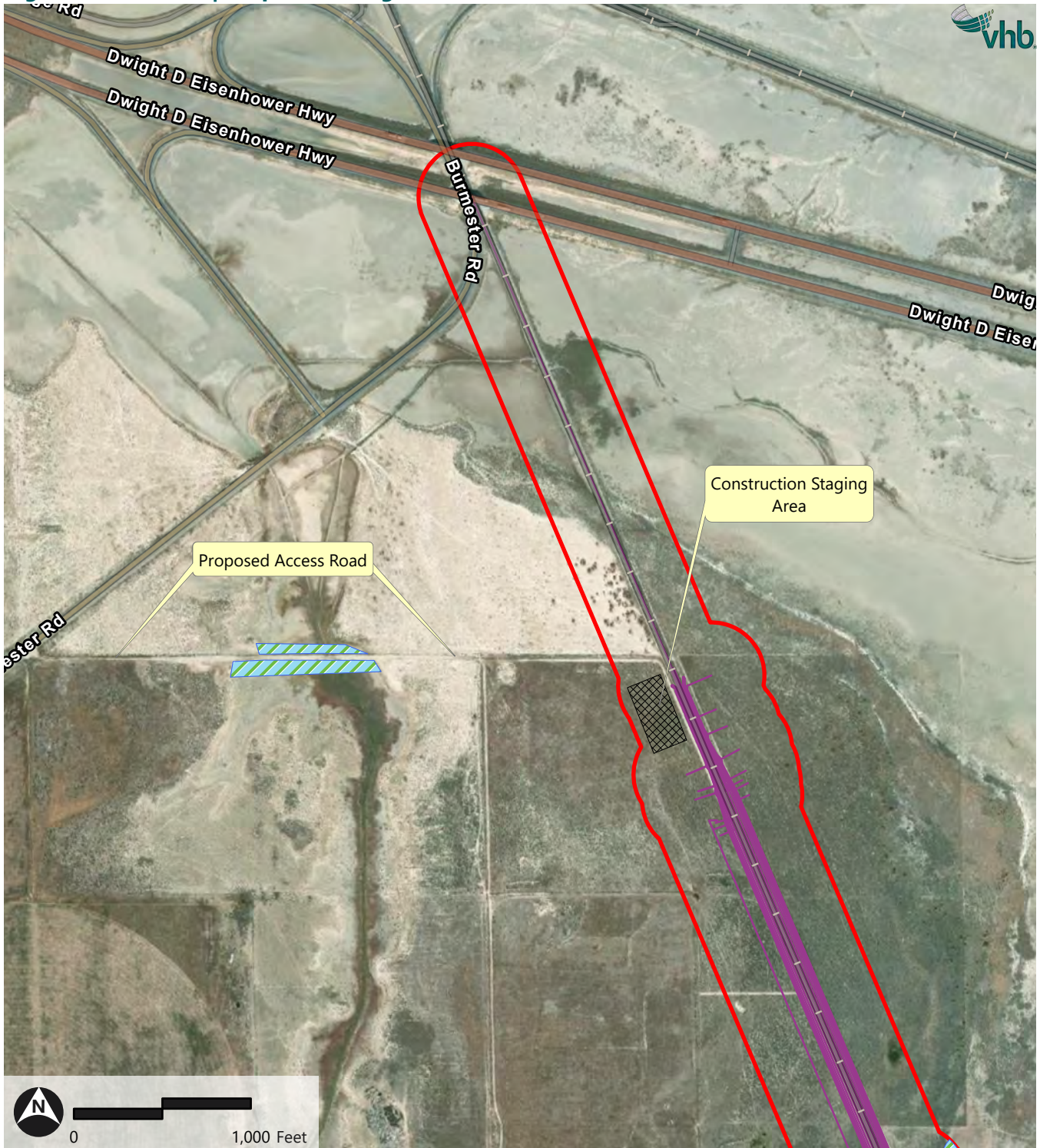


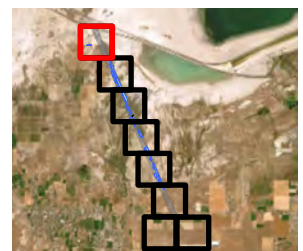
Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 8 of 8)



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

Legend

- Survey Area
- Wetland
- Rail Alignments
- Stream



Attachment 2 Photographs



Existing gravel access road

Wetland area

Existing access road off Burmester



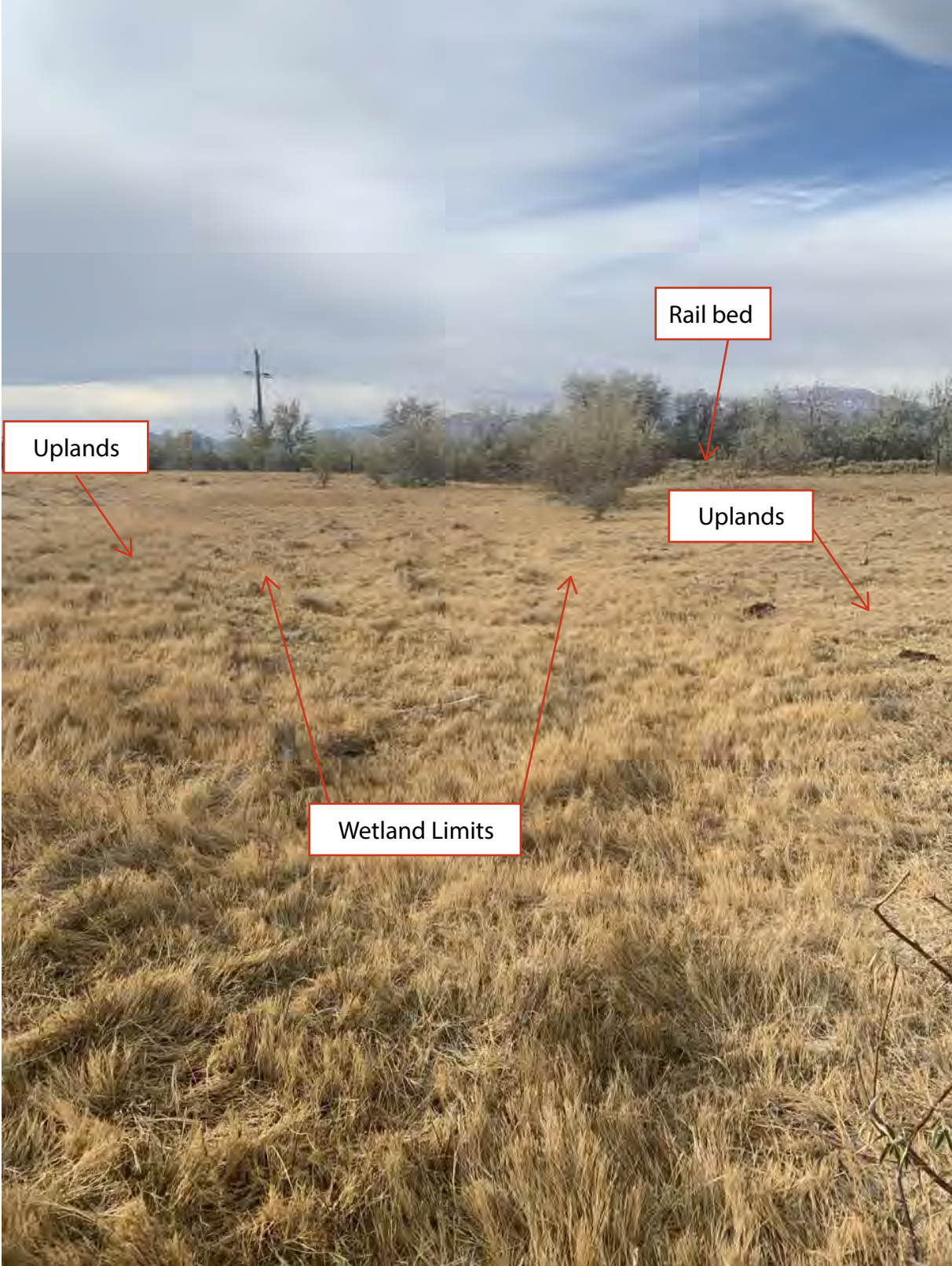
Typical emergent wetland area



Proposed construction staging area



Typical wetland ditch along west side of rail line



Typical wetland area



Flooded wet area located adjacent to tracks within olive bush overgrowth



Artesian well at south end of olive bush area



Flooded area associated with artesian well

Appendix E

Air Quality

Appendix E

Air Quality

E.1 Affected Environment

E.1.1 Background Concentrations

Background concentrations are ambient pollution levels from other stationary, mobile, and area sources surrounding the Project Area. The background concentrations of air pollutants in the Project Area are obtained using EPA’s 2021 Air Quality Design Value Reports and Utah Air Monitoring Program.^{1,2} The total concentrations that receptor locations would experience include background concentrations from other surrounding emission sources and ambient air and any emissions emanating from the Project.

The Utah Department of Environmental Quality maintains air quality monitoring networks and produces annual air quality reports that include monitoring data for CO, NO₂, O₃, PM₁₀, PM_{2.5}, and SO₂. These reports were reviewed to determine the pollutant concentrations at monitoring sites near the Project. Generally, state air agencies maintain only a handful of monitoring sites across a state to establish attainment statuses and may not have a station in every county for every criteria pollutant. Monitoring stations are typically established where the greatest potential for NAAQS exceedances may occur. Background concentrations are determined by looking at the monitoring station most representative of the project site (often the closest station). The background concentration values of the pollutants are shown in **Table E.1-1** for the monitoring station closest to the Project with data available. All background concentrations for each criteria pollutant were below their respective NAAQS with the exception of ozone, which is at the NAAQS.

¹ EPA 2021 Air Quality Design Value Reports. Air Quality Design Values | US EPA. Accessed January 19, 2023.

² Utah Air Monitoring Program. [AMP450_1998640_1998640-4.pdf \(utah.gov\)](#). Accessed January 19, 2023.

Table E.1-1. Background Air Quality Concentrations

Pollutant	Averaging Time	Monitoring Location ¹	Level	NAAQS
Carbon Monoxide	8 hours	South Galleria Drive, Murray	1.2 ppm	9 ppm
	1 hour		1.6 ppm	35 ppm
Nitrogen Dioxide	1 hour	W. Erda Way, Erda	21 ppb	100 ppb
	1 year		3 ppb	53 ppb
Ozone	8 hours	W. Erda Way, Erda	0.070 ppm	0.070 ppm
Particulate Matter 2.5	1 year	W. Erda Way, Erda	6.8 µg/m ³	12.0 µg/m ³
	24 hours		27 µg/m ³	35 µg/m ³
Particulate Matter 10	24 hours	Mirabella Drive, Herriman	91 µg/m ³	150 µg/m ³
Sulfur Dioxide	1 hour	S. Monroe Street, Midvale	3 ppb	75 ppb

Source: <https://www.epa.gov/criteria-air-pollutants/naaqs-table>; EPA 2021 Air Quality Design Value Reports. [Air Quality Design Values | US EPA](#); Utah Air Monitoring Program. [AMP450_1998640_1998640-4.pdf \(utah.gov\)](#). Accessed January 19, 2023.

1 The monitoring location represents the closest to the Project limits with data available for a specific pollutant.

E.2 Pollutant Descriptions and Effects

OEA identified pollutants to consider and summarized their effects on human health and the environment based on regulations and EPA databases. This section describes the various pollutants OEA analyzed and their potential effects on human health or the environment. These descriptions include criteria pollutants, hazardous air pollutants (HAPs), and greenhouse gases. A summary of criteria pollutants and their effects is presented in **Table E.2-1**.

Table E.2-1. Criteria Pollutant Summary

Pollutant	Description
Ozone (O ₃)	O ₃ is a highly reactive compound of oxygen. At very high concentrations O ₃ appears blue in color, is a highly unstable gas and is pungent in odor. At ambient concentrations, O ₃ is colorless and odorless. O ₃ is not emitted directly into the atmosphere by pollutant sources, but instead is produced by an atmospheric reaction of NO _x and VOCs. Generally, this reaction is most favorable during the warmer summer months when sunlight is stronger. Exposure to O ₃ may impair lung function and cause respiratory difficulties to sensitive populations (for example a person with asthma, emphysema, or reduced lung capacity).
Sulfur Dioxide (SO ₂)	SO ₂ emissions are the main components of the “oxides of sulfur,” a group of highly reactive gases from fossil fuel combustion at power plants, other industrial facilities, industrial processes, and burning of high sulfur containing fuels by large ships and non-road equipment. High concentrations of SO ₂ will lead to formation of other sulfur oxides. By reducing the SO ₂ emissions, other forms of sulfur oxides are also expected to decrease. When oxides of sulfur react with other compounds in the atmosphere, small particles that can affect the lungs can be formed. This can lead to respiratory disease and aggravate existing heart disease.

Table E.2-1. Criteria Pollutant Summary

Pollutant	Description
Particulate Matter (PM ₁₀ and PM _{2.5})	Particulate matter is comprised of small solid particles and liquid droplets. PM ₁₀ refers to particulate matter with a nominal aerodynamic diameter of 10 micrometers or less, and PM _{2.5} refers to particulate matter with an aerodynamic diameter of 2.5 micrometers or less. Particulates can enter the body through the respiratory system. Particulates over 10 micrometers in size are generally captured in the nose and throat and are readily expelled from the body. Particles smaller than 10 micrometers, and especially particles smaller than 2.5 micrometers, can reach the air ducts (bronchi) and the air sacs (alveoli) in the lungs. Particulates are associated with increased incidence of respiratory diseases, cardiopulmonary disease, and cancer.
Carbon Monoxide (CO)	CO is a colorless and odorless gas that is a product of incomplete combustion. CO is absorbed by the lungs and reacts with hemoglobin to reduce the oxygen carrying capacity of the blood. At low concentrations, CO has been shown to aggravate the symptoms of cardiovascular disease. It can cause headaches, nausea, and at sustained high concentration levels, can lead to coma and death.
Nitrogen Dioxide (NO ₂)	When combustion temperatures are extremely high, such as in engines, atmospheric nitrogen gas may combine with oxygen gas to form various oxides of nitrogen. Of these, nitric oxide (NO) and NO ₂ are the most significant air pollutants. This group of pollutants is generally referred to as NO _x . Nitric oxide is relatively harmless to humans but quickly converts to NO ₂ . NO ₂ has been found to be a lung irritant and can lead to respiratory illnesses. Nitrogen oxides, along with VOCs, are also precursors to ozone formation.
Lead (Pb)	Pb is a heavy metal that can affect the nervous system, kidneys, immune system, reproductive system, and cardiovascular system when exposed to substantial doses. Pb is emitted through some heavy industrial manufacturing processes, especially those associated with metal processing. The addition of Pb to fuel increases engine performance and reduces valve wear; however, general use of Pb as a fuel additive has been phased out for on-road vehicles in the United States. Since this phase out, Pb concentrations in ambient air are often low. States with no significant lead emitting sources typically do not measure Pb at their ambient air monitoring stations.

E.2.2 Hazardous Air Pollutants

Controlling air toxic emissions became a national priority with the passage of the Clean Air Act Amendments (CAAA) of 1990, whereby Congress mandated that EPA regulate 188 air toxics, also known as hazardous air pollutants (HAPs). EPA has assessed this expansive list in their latest rule on the Control of Hazardous Air Pollutants from Mobile Sources (*Federal Register*, Vol. 72, No. 37), and identified a group of 93 compounds emitted from mobile sources, listed in their Integrated Risk Information System (EPA 2021h). In addition, EPA identified nine compounds with significant contributions from mobile sources that are among the national and regional-scale cancer risk drivers from their 2011 National Air Toxics Assessment (EPA 2021i). The nine compounds are called mobile source air toxics (MSATs) and are typically associated with transportation sources including motor vehicles, construction equipment, and locomotives. These are 1,3-butadiene, acetaldehyde, acrolein, benzene, diesel particulate matter (diesel PM), ethylbenzene, formaldehyde, naphthalene, and polycyclic organic matter (POM). OEA considered these nine compounds in the emissions assessment.

E.2.3 Greenhouse Gases

In nature, carbon dioxide (CO₂) is exchanged continually between the atmosphere, plants, and animals through processes of photosynthesis, respiration, and decomposition, and between the atmosphere and ocean through gas exchange. Oceans and living biomass (i.e., sinks) absorb billions of tons of carbon in the form of CO₂ and emit it to the atmosphere annually through natural and man-made processes (i.e., sources). CO₂, however, constitutes less than 1/10th of a percent of the total atmosphere gases. Similar to the glass in a greenhouse, certain gases, primarily CO₂, nitrous oxide (N₂O), and methane (CH₄) absorb heat that the surface of the Earth radiates. Increases in the atmospheric concentrations of these gases can cause the Earth to warm by trapping more heat. The common term for this phenomenon is the “greenhouse effect,” and these gases are typically referred to as “greenhouse gases.” Greenhouse gas emissions have effects at the regional and global scale and are thus reviewed at a regional scale. In 2007, the Supreme Court determined that greenhouse gases are anticipated to endanger public health and therefore are part of the EPA’s responsibility to regulate under the CAA. In 2009, the EPA signed an endangerment finding in the CAA that stated the current and projected concentrations of the six key greenhouse gases in the atmosphere could threaten the public health and welfare of current and future generations.

EPA has not established ambient air standards for greenhouse gases like the criteria pollutants have under the NAAQS. However, the Council on Environmental Quality (CEQ) has created guidelines for conducting greenhouse gas and climate change analyses in NEPA Documents (CEQ 2016). A draft greenhouse gas guidance document was released by CEQ in 2019; however, Presidential Executive Order 13990, signed in 2021, rescinded the 2019 draft guidance, making the previously implemented 2016 guidance document the current guidance for use in NEPA documents. The 2016 guidance states that where feasible, federal agencies should include a quantitative analysis of potential greenhouse gas emissions from a Proposed Action. On January 9, 2023, new interim guidance was issued effective immediately and reflects similar guidance as 2016. The only greenhouse gas guidance that applies to the Proposed Action are those at a national level. The State of Utah currently has no state-specific plan or target for greenhouse gas reductions.³ When tools, methodologies, or data inputs are not reasonably available, a qualitative evaluation should be provided. This analysis should consider direct, indirect, and cumulative emissions. It should evaluate both short- and long-term effects of the Proposed Action and alternatives. When appropriate, mitigation should be considered to avoid, minimize, and compensate for increased greenhouse gas emissions.

Class I Areas

The CAA establishes a list of federal lands with special air quality protections from major stationary sources (40 CFR Part 52 Subpart 21, 40 CFR Part 81). These areas primarily include national parks, national wilderness areas, and national monuments. The CAA

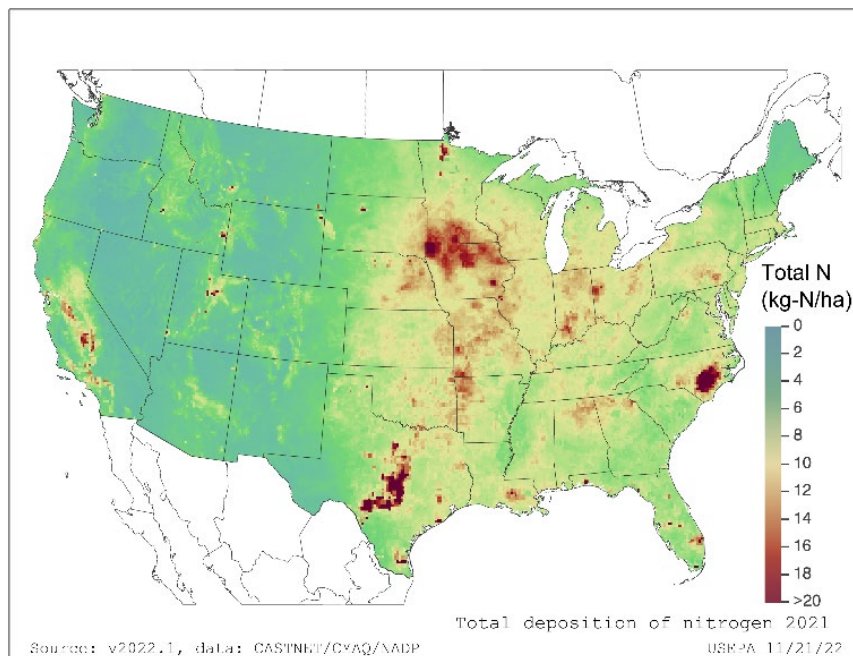
³ Center for Climate and Energy Solutions, 2022. U.S. State Greenhouse Gas Emissions Targets - Center for Climate and Energy Solutions Center for Climate and Energy Solutions (c2es.org). Accessed January 19, 2023.

divides the lands into Class I, II, or III where restrictions on emissions are most severe in Class I areas and are progressively more lenient in Class II and III areas. Mandatory Class I areas include all national wilderness areas exceeding 5,000 acres and national parks exceeding 6,000 acres (NPS 2020). There are no elements of the Proposed Action within the boundaries of any Class I area. Although rail lines are not a major stationary source, the EPA recommends a review of any Class I areas within 100 kilometers (62 miles) of the project elements that exceed the Board’s thresholds. However, there are no Class I areas within 100 kilometers of the Proposed Action.

Acid Deposition

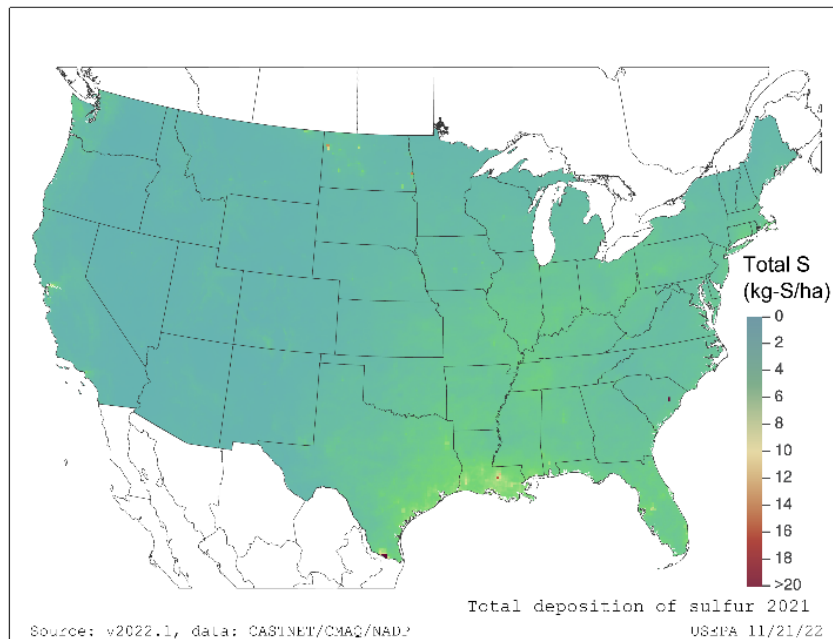
Acid deposition occurs when sulfur oxides (SO_x) and nitrogen oxides (NO_x) release from various sources and combine in the atmosphere to form acidic substances. These sulfuric and nitric acids damage soil, vegetation, and water quality and particularly, the acid-neutralizing capacity of lakes. In 2021, total nitrogen deposition was approximately 7 kg/ha and total sulfur deposition was approximately 3 kg/ha in the area of the Proposed Action (see **Figure E.2-1** and **Figure E.2-2**).⁴

Figure E.2-1. Total Nitrogen Deposition, 2021



⁴ EPA, 2022. [n_tw-2021.png \(3300×2550\) \(epa.gov\)](#) and [s_tw-2021.png \(3300×2550\) \(epa.gov\)](#). Accessed January 20, 2023.

Figure E.2-2. Total Sulfur Deposition, 2021



Analysis for acid deposition is required when there is a Class I area within 100 kilometers of a project site. Since there are no Class I areas within 100 kilometers of the Proposed Action, an analysis for acid deposition was not performed.

Visibility

The Interagency Monitoring of Protected Visual Environments (IMPROVE) is a network established by EPA to monitor atmospheric aerosols and visibility degradation issues at Class 1 areas throughout the U.S. The closest active IMPROVE monitoring sites to the Project are located at Dinosaur National Monument and Great Basin National Park, both approximately 240 kilometers away from the Project location.⁵ Since these monitoring locations are distant and analysis of visibility is not required as there are no Class I areas within 100 kilometers of the Proposed Action, visibility data was not reviewed in the affected environment.

⁵ Note, the EPA AirData Air Quality Monitoring website (<https://www.epa.gov/outdoor-air-quality-data/interactive-map-air-quality-monitors>) indicates that Spanish Fork is an IMPROVE Monitor. However, this monitor is not recognized as an active monitoring location on the IMPROVE website (<http://vista.cira.colostate.edu/Improve/improve-data/>) and OEA could not locate visibility data associated with the monitor.

E.3 Detailed Approach

E.3.1 Construction

OEA quantified estimated emissions from non-railroad equipment based on the list of equipment necessary to complete the new track work. Equipment expected to be used in the track work is dump trucks, excavators, backhoes, bulldozers, soil compactors, grapple trucks, welding trucks, tampers, ballast regulators, stabilizers, and truck mounted cranes. Emission factors for these types of equipment are available in the EPA's NONROAD model algorithms included in the EPA's MOVES3 mobile source emissions model.⁶ Average January through December emission factors for diesel construction equipment specific to Tooele County were used in the analysis. CO₂e emissions were estimated using NONROAD methane emission rates with a global warming potential of 25 combined with nitrogen dioxide emission rates with a global warming potential of 298 and atmospheric CO₂ emission rates based on pollutants available in EPA's model. Based on the construction schedule and equipment information provided to OEA, the number of operational hours for each piece of equipment was estimated. Multiplying the 12-month estimated hours of operation by the NONROAD equipment emission factor in mass per hour combined with the load factor produced an emissions total for the period. OEA combined these operating hours with emission factors and load factors to estimate equipment emissions. [The construction equipment emissions analysis can be found in Attachment 1.](#)

OEA quantified fugitive dust emissions associated with construction of the Proposed Action from general site work and earthwork. Fugitive dust emissions are emissions of the criteria pollutant particulate matter. OEA referenced emission factors from the "WRAP Fugitive Dust Handbook" for construction emissions and corresponding earthwork emissions.⁷ Per the guidance, OEA quantified fugitive dust emissions based on the hours of general construction and earthwork. OEA assumed general construction hours to be all the operating hours associated with construction. OEA assumed PM_{2.5} emissions to be 10 percent of the PM₁₀ emissions as described by the guidance. OEA conservatively assumed no control measures in the estimation of fugitive dust emissions.

E.3.2 Operations

OEA evaluated the environmental consequences of operation of the Proposed Action by measuring air quality and greenhouse gas impacts. To do so, OEA assessed changes in pollutant emissions for Proposed Action. OEA compared emissions under the Proposed Action to the No-Action Alternative to determine Action-related emissions. Note that as the

⁶ EPA has adopted emission standards for all types of nonroad (or non-automobile) engines, equipment, and vehicles including locomotives as was used in this case. See: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-emissions-nonroad-vehicles-and-engines>

⁷ Western Governors' Association (WGA). "WRAP Fugitive Dust Handbook." September 7, 2006.

Proposed Action is non-operational in the No-Action Alternative, no locomotive emissions occur in this scenario.

OEA estimated emissions for nitrogen oxides (NO_x), volatile organic compounds (VOC), PM₁₀, PM_{2.5}, SO₂, CO, Carbon Dioxide Equivalent (CO_{2e}), Methane (CH₄), Nitrogen Dioxide (N₂O), and HAPs. OEA calculated CO_{2e} by deriving CO₂, CH₄, and N₂O emissions and applying global warming potentials (EPA 2021a). OEA compared emissions in nonattainment areas to the *de minimis* thresholds for context; however, operational emissions are not subject to General Conformity determination.⁸

OEA used the number of locomotives per day, the rated HP of locomotives in the fleet, idle load factor, and idle time to calculate the estimated daily idling activity during rail operations. OEA used the number of locomotives per day, the rated HP of locomotive in the fleet, the track length, and average travel speed to calculate the estimated daily moving activity during rail operations. The fuel usage associated with idling and moving activity were added together to get the total daily fuel usage. OEA obtained emission factors for calculating locomotive emissions using EPA methodology (EPA 2009). STR provided OEA with the emissions tier standards for the locomotive fleet. OEA used this information to create fleet emission factors by pollutant for the rail line analysis. Emission factors were converted into a grams per gallon format using the EPA-provided conversion factor from brake horsepower-hours to gallons (EPA 2009), and HAPs emission rates were estimated by applying speciation profiles to the VOC or PM emission rates (EPA 2021c). OEA combined the No-Action Alternative and Proposed Action fuel usages with the emission factors to calculate the emissions inventory for the Proposed Action.

⁸ Under the General Conformity rule, federal agencies must work with state, tribal and local governments in a nonattainment or maintenance area to ensure that federal actions conform to the air quality plans established in the applicable state or tribal implementation plan.

Attachment 1 Construction Equipment Emissions Analysis

Construction Equipment Emissions Analysis by Site

Site	County	State	Attainment	NA Pollutant	Equipment	SCC Modeled	Days of Construction	Total Op Hours	Load	Quantity	State and SCC Code
							days	hrs	Factor	# of pcs	
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Graders	2270002048	182.00	1,456.00	0.59	1	UT-2270002048
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Tractors/Loaders/Backhoes	2270002066	182.00	1,456.00	0.21	3	UT-2270002066
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Dumpers/Tenders	2270002078	182.00	1,456.00	0.21	2	UT-2270002078
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Off-highway Trucks	2270002051	182.00	1,456.00	0.59	1	UT-2270002051
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Rough Terrain Forklifts	2270003020	182.00	1,456.00	0.59	2	UT-2270003020
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Railway Maintenance	2285002015	182.00	1,456.00	0.21	11	UT-2285002015
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Tampers/Rammers	2270002006	182.00	1,456.00	0.43	1	UT-2270002006
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Crawler Tractor/Dozers	2270002069	182.00	1,456.00	0.59	1	UT-2270002069
Savage Tooele	Tooele	UT	Non Attainmen	Ozone/PM 2.5/SO2	Rollers	2270002015	182.00	1,456.00	0.59	2	UT-2270002015

Equipment	Criteria Pollutant Emission Factors (g/hr)								
	NOX	VOC	PM10	PM2.5	SO2	CO	CO2	CH4	N2O
Graders	47.18	2.60	3.03	2.94	0.17	14.66	64,818.26	0.23	0.04
Tractors/Loaders/Backhoes	43.53	5.36	4.61	4.47	0.04	28.89	13,056.19	0.27	0.05
Dumpers/Tenders	23.61	4.07	2.60	2.52	0.02	16.79	4,757.72	0.16	0.03
Off-highway Trucks	686.69	16.27	12.38	12.01	0.67	60.41	248,212.23	1.39	0.27
Rough Terrain Forklifts	78.48	3.22	4.82	4.67	0.09	27.99	32,524.96	0.30	0.06
Railway Maintenance	93.53	13.98	10.04	9.74	0.06	57.03	19,227.00	0.65	0.13
Tampers/Rammers	7.63	1.49	0.47	0.45	0.00	4.60	1,061.93	0.13	0.03
Crawler Tractor/Dozers	128.38	5.36	5.82	5.64	0.23	35.03	82,764.75	0.49	0.10
Rollers	66.01	3.03	3.26	3.17	0.08	19.69	30,453.13	0.30	0.06

Equipment	HAPs Emission Factors (g/hr)										
	Acetaldehyde	Acrolein	Benzene	1,3-Butadiene	Ethyl Benzene	Formaldehyde	Napthalene	Hexane	Toluene	Xylene	POM
Graders	0.24	0.04	0.11	0.00	0.01	0.63	0.01	0.00	0.09	0.07	0.00
Tractors/Loaders/Backhoes	0.48	0.12	0.20	0.01	0.03	1.34	0.01	0.01	0.14	0.09	0.00
Dumpers/Tenders	0.35	0.10	0.13	0.01	0.03	0.98	0.01	0.01	0.09	0.07	0.00
Off-highway Trucks	1.63	0.29	0.83	0.03	0.08	4.50	0.04	0.00	0.60	0.26	0.00
Rough Terrain Forklifts	0.32	0.06	0.16	0.01	0.01	0.90	0.01	0.00	0.11	0.05	0.00
Railway Maintenance	1.23	0.30	0.49	0.03	0.08	3.47	0.03	0.02	0.36	0.23	0.00
Tampers/Rammers	0.15	0.03	0.08	0.00	0.01	0.43	0.00	0.00	0.06	0.02	0.00
Crawler Tractor/Dozers	0.52	0.09	0.25	0.01	0.03	1.42	0.01	0.00	0.19	0.10	0.00
Rollers	0.30	0.05	0.15	0.01	0.01	0.85	0.01	0.00	0.11	0.04	0.00

Equipment	Construction Emissions (tons/year)									
	NOX	VOC	PM10	PM2.5	SO2	CO	CO2e	CO2	CH4	N2O
Graders	0.045	0.002	0.003	0.003	0.000	0.014	61.396	61.378	0.000	0.000
Tractors/Loaders/Backhoes	0.044	0.005	0.005	0.005	0.000	0.029	13.224	13.201	0.000	0.000
Dumpers/Tenders	0.016	0.003	0.002	0.002	0.000	0.011	3.216	3.207	0.000	0.000
Off-highway Trucks	0.650	0.015	0.012	0.011	0.001	0.057	235.149	235.039	0.001	0.000
Rough Terrain Forklifts	0.149	0.006	0.009	0.009	0.000	0.053	61.645	61.598	0.001	0.000
Railway Maintenance	0.347	0.052	0.037	0.036	0.000	0.211	71.483	71.284	0.002	0.000
Tampers/Rammers	0.005	0.001	0.000	0.000	0.000	0.003	0.740	0.733	0.000	0.000
Crawler Tractor/Dozers	0.122	0.005	0.006	0.005	0.000	0.033	78.411	78.372	0.000	0.000
Rollers	0.125	0.006	0.006	0.006	0.000	0.037	57.722	57.674	0.001	0.000

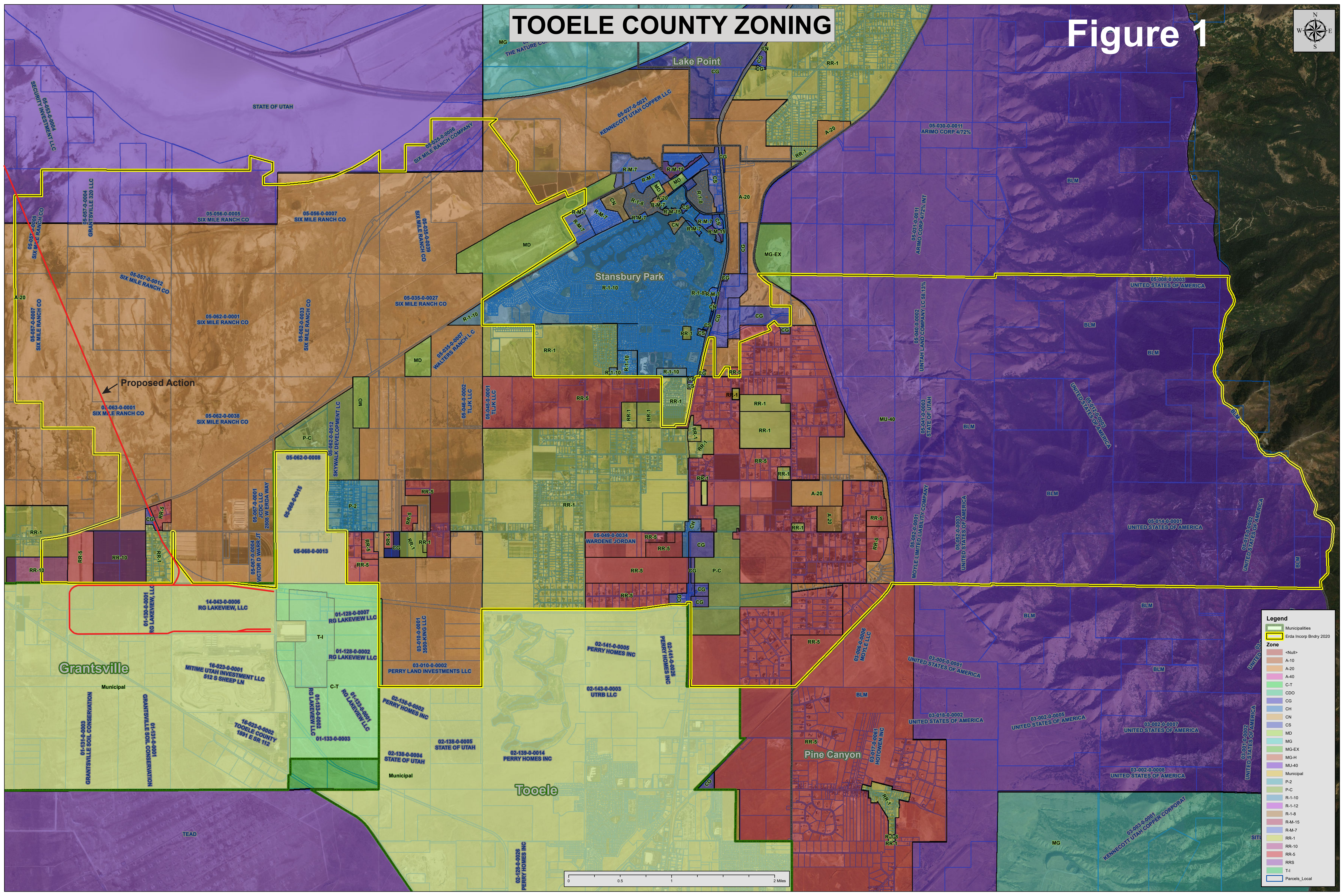
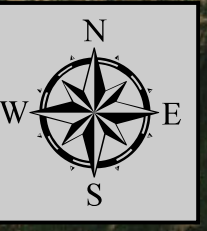
Equipment	Construction Emissions (tons/year)										
	Acetaldehyde	Acrolein	Benzene	1,3-Butadiene	Ethyl Benzene	Formaldehyde	Napthalene	Hexane	Toluene	Xylene	POM
Graders	0.000	0.000	0.000	0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.000
Tractors/Loaders/Backhoes	0.000	0.000	0.000	0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.000
Dumpers/Tenders	0.000	0.000	0.000	0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.000
Off-highway Trucks	0.002	0.000	0.001	0.000	0.000	0.004	0.000	0.000	0.001	0.000	0.000
Rough Terrain Forklifts	0.001	0.000	0.000	0.000	0.000	0.002	0.000	0.000	0.000	0.000	0.000
Railway Maintenance	0.005	0.001	0.002	0.000	0.000	0.013	0.000	0.000	0.001	0.001	0.000
Tampers/Rammers	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Crawler Tractor/Dozers	0.000	0.000	0.000	0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.000
Rollers	0.001	0.000	0.000	0.000	0.000	0.002	0.000	0.000	0.000	0.000	0.000

Appendix F

Land Use, Zoning, and Local Plans

TOOELE COUNTY ZONING

Figure 1



Proposed Action

Legend	
	Municipalities
	Erida Incorp Bndry 2020
Zone	
	<Null>
	A-10
	A-20
	A-40
	C-T
	CDO
	CG
	CH
	CN
	CS
	MD
	MG
	MG-EX
	MG-H
	MU-40
	Municipal
	P-2
	P-C
	R-1-10
	R-1-12
	R-1-8
	R-M-15
	R-M-7
	RR-1
	RR-10
	RR-5
	RRS
	T-1
	Parcels_Local

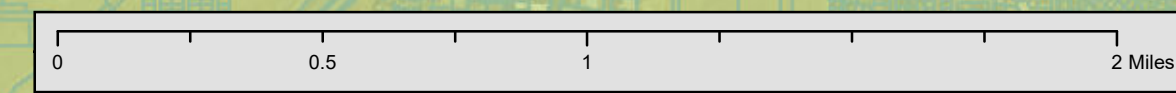


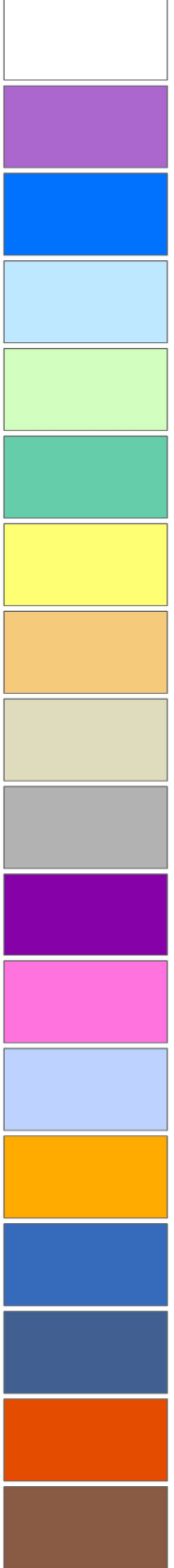
Figure 2

LEGEND

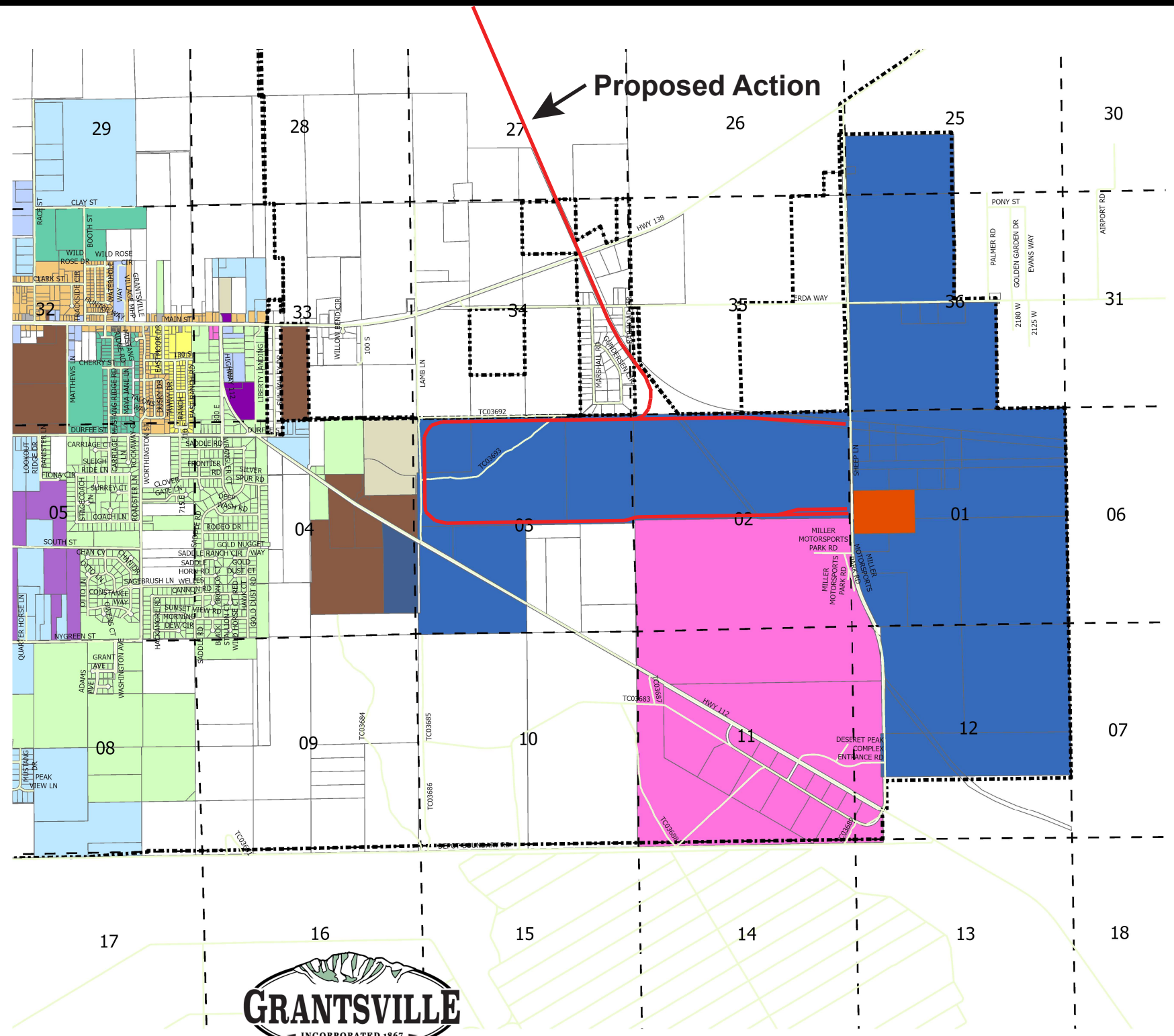


Grantsville City Boundary

Zoning

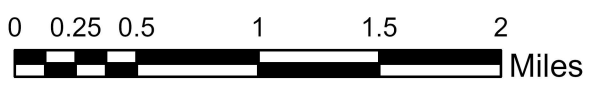


- A-10** 10 Acre minimum. The purpose is to promote and preserve conditions favorable to agriculture and to maintain green belt spaces.
- RR-5** 5 Acre lot minimum. The purpose is to provide a rural residential district.
- RR-2.5** 2.5 Acre lot minimum.
- RR-1** 1 Acre lot minimum.
- R-1-21** 21,780 square feet in size. The purpose is to promote environmentally sensitive and visually compatible development suitable for rural locations.
- R-1-12** 12,000 square feet in size.
- R-1-8** 8,000 square feet in size.
- RM-7** 7,000 square feet in size. The provide areas for medium density single family and multi-family residential.
- RM-15** 8,000 square feet in size. The purpose is to provide areas for medium high density residential.
- CN** Neighborhood Commercial District is intended to provide for small scale commercial uses that can be located within residential neighborhoods without having significant impacts upon residential uses.
- CS** 60,000 square feet in size. Commercial Shopping District is to provide an environment for efficient and attractive shopping center development.
- CG** 10,000 square feet in size. General District is to provide an environment for a variety of commercial uses.
- CD** The purpose is to provide areas for high intensity public, quasi-public, commercial, office and residential uses by conditional use only.
- MD** 20,000 square feet in size. Light Manufacturing and Distribution District is to provide an environment for light industrial uses.
- MG** 20,000 square feet in size. General Manufacturing District is to provide an environment for larger and more intensive industrial uses.
- MG-EX** Mining, quarry sand and gravel extraction industrial uses.
- PUD** An integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the district is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements.
- MU** A mixture of commercial/retail and residential uses, allowing up to 10 units per acre where surrounding uses are compatible. Heights are limited to two stories or a maximum of 35' above grade at street. Three stories above grade at street and /or 15 units per acre may be approved with special considerations of landscaping, buffering, and architectural design that fits the scale of the surrounding properties in the zone.



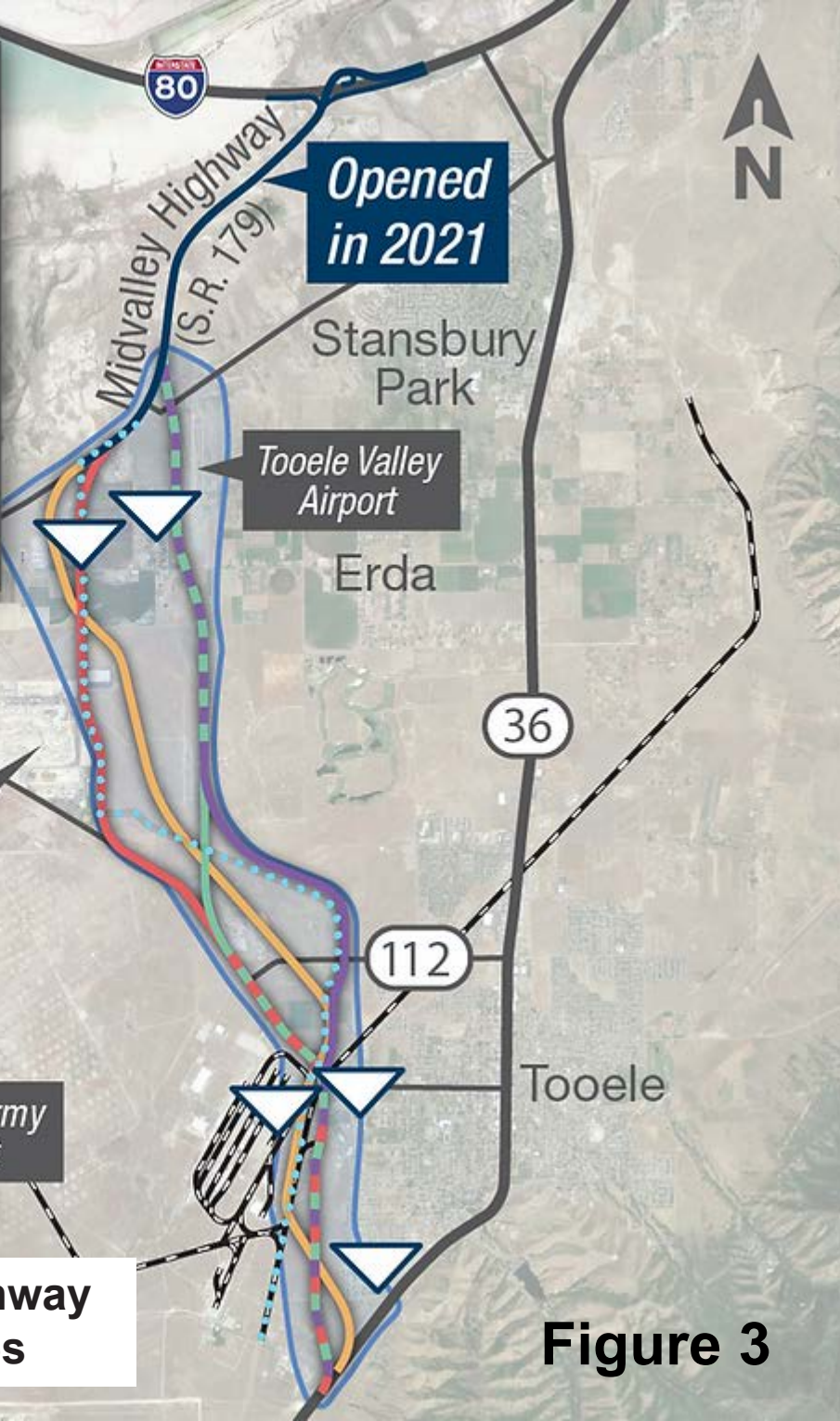
**ZONING MAP
DESERET PEAK AREA**

Draft October 19, 2022



(MU Description Updated with Ordinance 2021-35)

- ▭ Study Area
- Draft Alignment 1 (EIS)
- Draft Alignment 2
- Draft Alignment 3
- Draft Alignment 4
- Railroad
- ⋯ UNEV Pipeline
- ▽ Historic Architecture

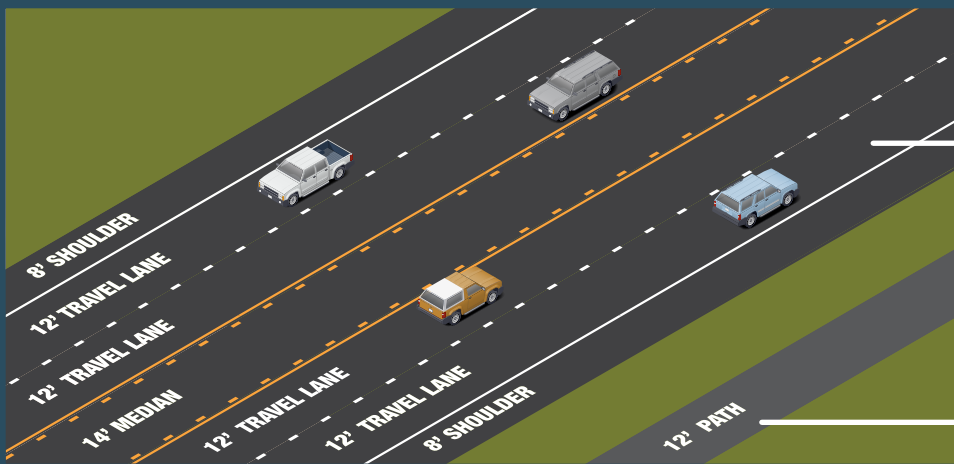


Proposed Midvalley Highway Alignment Alternatives

Figure 3

Figure ES.2 Preferred Alternative

FOUR-LANE, ARTERIAL



New four-lane (two travel lanes in each direction) arterial between SR-112 and SR-36

Shared-use path along the alignment of Midvalley Highway

FOUR-LANE, GRADE-SEPARATED FREEWAY



New, four-lane (two travel lanes in each direction), grade-separated freeway between the end of the existing segment of Midvalley Highway and SR-112



LEGEND

- Existing Roads
- Preferred Alternative
- Union Pacific Railroad
- Signalized Intersection
- Interchange
- Future Intersection (to be built by others)
- Future Interchange (to be built by others)

Appendix G

Public Comments

Appendix G

Public Comments

During agency consultation, comments from received from other parties that are listed in **Table G.5-1** below.

Attachment 1 contains additional comments received by OEA from the parties listed in the table below.

Table G.1-1. Additional Comments Received

Organization/Name	Dates of Written Correspondence
Friends of the Great Salt Lake (GSL)	From Friends of the GSL to OEA on 11/26/2022
Kyle Matthews	From Kyle Matthews to OEA on 11/13/2022
Utah Environmental Caucus	From Utah Environmental Caucus to OEA on 11/13/2022

Attachment 1 Public Comments Received



FRIENDS *of* GREAT SALT LAKE

150 South 600 East, Suite 5D • Salt Lake City, UT 84102 • (801) 583-5593 • www.fogsl.org

Surface Transportation Board
Docket No. FD 36616
FRIENDS of Great Salt Lake Comments

1. Under Title 49 1105.6 (d) the Board may reclassify or modify these requirements [Classification of Actions] for individual proceedings.
2. For actions generally requiring an Environmental Assessment (EA), the Board may prepare a full Environmental Impact Statement (EIS) where the probability of significant impacts from the particular proposal is high enough to warrant an EIS.
3. FRIENDS of Great Salt Lake recommends conducting an EIS because potential impacts are likely significant when assessed relative to air quality, water quality, wetlands, wildlife habitat, threatened and endangered species, cultural/historic resources, environmental justice, and climate change, especially when considered cumulatively with other development occurring in this area and the extremely high value of natural resources and human environment found in the project area.
4. Modelling air and water quality impacts should be mandatory for a project that will increase rail traffic within non-attainment areas, critical water resources, and internationally significant wildlife habitat. This level of assessment is typically not included in an EA.
5. Similarly, an impact mitigation and monitoring plan must be included in an analysis and an EIS is the appropriate NEPA document for this information.
6. Since the results of an EA will likely require completion of an EIS and not a Finding of No Significant Impact (FONSI), drafting an EA is unnecessary.
7. The effects to wetlands and other waters of the U.S. could be significant enough to not only require a Department of Army Permit but also a third-party EIS coordinated by the U.S. Army Corps of Engineers. In lieu of attaching an EIS to a future permitting process, the EIS should be completed as part of the project planning phase, i.e., STB review.

Sincerely,

Lynn de Freitas, Executive Director

26 November 2022

Memorandum: Savage Tooele Railroad Company, Tooele County

Subject: Surface Transportation Board; Docket No. FD 36616

To Whom it may concern:

I am writing this letter in protest of the Savage Tooele Railroad Company, Tooele County, that The Romney Group has submitted for approval. I oppose and object to this project in the utmost way. The implications and cons by FAR out weigh the pros! In no way shape or form will this be of any advantage to the local communities. In fact, it will only create problems logistically, crossing several roads that are close to the end of the line on this project and you can be assured, no matter how much the Romney's say it will not be a problem, we can all be certain that there will be problems with trains stopped on major highways and blocking traffic for who knows how long.

It will be traversing through wet lands that are extremely precious to our community and environment in general. We cannot afford to lose any more of our precious wet land to frivolous development from developers that have no concern other than to line their pockets at the expense of the environment and the community.

There has NOT been one person that I have talked to in the community that thinks this is a good option or will be an advantage to the community. I am a life long resident of this valley and in fact a very close proximity to the proposed rail line and I see NOTHING good coming from a project like this.

We as a community have seen nothing but crooked, deceitful, ways and intentions from The Romney Group, we have ZERO interest giving up the things discussed by this letter and other letters I have read that have been submitted in opposition of this project, for The Romney Group to further line their pockets at the expense of the local community. The Romney Group are NOT the kind of people that we would choose to have in our community EVEN IF we approved of this project. They have skirted around laws and even gotten laws changed, literally for a 3-month period, so they could proceed with their crooked ways. I could go on with the unethical things they have done just to get to the point that they are at now, I cannot emphasize enough how much we DO NOT want the Romney's anywhere near this valley!! I know that that is not part of your decision making as the STB but it is an important factor for our community as citizens and we ask that you REJECT this project.

We really appreciate your attention to this matter and accepting comments. Again, we ask that you DENY The Romney Group approval of this project.

Sincerely

Kyle Mathews

Lifelong resident

11/13/2022	EI-32685	FD_36616	Monica Hilding	Utah Environmental Caucus	The rail spur is designed to make Romney's warehouse farm more profitable - but would do tremendous harm by among other things going through/next to people's back yards. It would harm high functioning wetlands and would enable development of millions of new square feet of warehouse space that would cause thousands of additional tons of diesel pollution in an area that already is not in attainment of federal air quality standards. And it would put thousands of new trucks on the roads in Tooele County. All in all, a terrible project that will cause public harm and is not in the public interest.	Salt Lake City, UT
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Appendix H

Construction Description by Segment

Appendix H

Construction Description by Segment

As indicated in Draft EA **Chapter 2**, the following describes the proposed construction of the Proposed Action by segment:

H.1 Temporary Construction Access and Staging

A temporary access road connecting the proposed line to Burmester Road to the west would be used for the delivery of construction materials and egress of waste. The temporary access road for construction would use an existing road that is approximately 3,600 feet in length and 20 feet in width between Burmester Road and the rail line at milepost 1.10. A temporary equipment staging and laydown area approximately 400 feet in length and 200 feet in width would be located adjacent to the rail line in the vicinity of milepost 1.10. STR would purchase or acquire rights to the necessary property to facilitate temporary construction access and staging.

H.2 Milepost 1.04 to 1.10 – Rehabilitate Tracks

The existing railroad track on this portion of the former Warner Branch that remains in place is within an existing railbed with an area of disturbance approximately 60 feet in width within a 200-foot-wide rail right-of-way owned by UP. STR would reconstruct the existing rail line from the top of the existing railbed using high-rail equipment. Construction would occur entirely within the rail right-of-way using high-rail equipment with jib cranes to remove ties and rails, replacing them with new materials. Gondola and flatbed railcars would follow the high-rail equipment to collect old materials and distribute new rails and ties.

H.3 Milepost 1.10 to 1.70 – Rehabilitate Tracks and Construct New Ancillary Interchange Tracks

The existing railroad track that remains in place here is within an existing railbed with an area of disturbance approximately 60 feet in width within a 100-foot-wide rail right-of-way owned by UP. STR would reconstruct the existing rail line from the top of the existing railbed using high-rail equipment, as described in **Section 2.1.2 Construction**.

In addition, on this segment STR would construct four 2,500-foot ancillary interchange tracks that would be used to interchange rail cars to and from UP and BNSF. The area of

disturbance in the interchange area would increase by 70 feet (35 feet from the track centerline), from 60 feet in width to 130 feet in width under the Proposed Action. STR would use grubbing, cut, and fill construction methods in the interchange track area where two new interchange tracks would be constructed on either side of the existing railbed and exceeding the boundaries of the existing rail right-of-way. STR would purchase or acquire rights to the necessary property to facilitate exceeding horizontal boundaries of existing right-of-way ownership. STR would need to purchase or acquire rights from private owners for 15 additional feet on each side of the existing rail right-of-way, expanding the right-of-way by 30 feet to a total of 130 feet, for the construction of the four planned ancillary interchange tracks considered in the Draft EA.

H.4 Milepost 1.70 to 6.38 – Rehabilitate Tracks

The existing railroad track that remains in place here is within a rail right-of-way that varies between 100, 150, and 200 feet in width. The existing railbed area of disturbance is generally approximately 60 feet wide, reducing to 40 feet wide in some locations where the railroad fill is narrow. STR would reconstruct the existing rail line from the top of the existing railbed using high-rail equipment, as described in **Section 2.1.2 Construction**. In an area where trees cross the rail right-of-way in the vicinity of milepost 3, STR proposes the use of high-rail tree removal equipment. Branches up to six inches in diameter would be ground and pulped and distributed as ground cover. Larger branches and tree trunks would be cut to a manageable size and loaded onto rail gondola cars, transferred back to the laydown area, then transferred to a long bed side dump trailer and taken to an area landfill to be converted into mulch. Existing pipe and timber culverts would be replaced with corrugated steel pipe (CSP) culverts at mileposts 2.75, 3.07, 3.38, 3.62, 4.49, 4.82, 5.27, 5.54, and 5.93. STR would acquire this segment from UP as well as another private property owner for a parcel north of SR 138.

H.5 Milepost 6.38 to 6.66 – Construct New Tracks

Former tracks and road grade crossings on this segment of the former Warner Branch have been removed and would be reconstructed by STR within the existing railbed area of disturbance, which is generally 60 feet wide.

Two railroad crossings of existing roadways would be required along this segment of the Proposed Action at SR 138 and Erda Road. These previously existed as at-grade crossings but are no longer active in the FRA rail crossing database; therefore, the Proposed Action would be considered new crossings rather than reopenings. Requests for new crossings would need to meet the requirements of Rule R930-5 of the Utah Administrative Code which establishes the state's intent to reduce the total number of grade crossings and create a net safety increase, which is described in greater detail in **Chapter 3.2 Grade Crossing Safety**.

STR proposes a new at-grade crossing of SR 138 between milepost 6.38 and 6.40. The construction of the at grade crossing would require permits and maintenance agreements with UDOT. In a letter UDOT indicated that grade separation is not warranted at this time

and supported STR working towards development of a quiet zone at the crossing. In accordance with Administrative Rule R930-5-7.6, all potential new grade crossings are required to follow a multiple step process to obtain approval from UDOT, which includes a public hearing per R930-5-13 as well as a Traffic Impact Study.

From milepost 6.40 to 6.65 property in this segment of the Proposed Action was previously sold by UP to another private owner. However, STR is currently in the process of purchasing land from the private owner and indicates that the transaction should be completed within a short timeframe.

STR proposes a new at-grade crossing of Erda Way between milepost 6.65 and 6.66. As discussed in **Chapter 3.2 Grade Crossing Safety**, the construction of the at-grade crossing would require permits and maintenance agreements with local government agencies.

H.6 Milepost 6.66 to 6.94 – Rehabilitate Tracks

The existing railroad track remains in place within an existing railbed with an area of disturbance approximately 60 feet in width within a 100-foot-wide rail right-of-way owned by UP. STR would reconstruct the existing rail line from the top of the existing railbed using high-rail equipment, as described in **Section 2.1.2 Construction**.

H.7 Milepost 6.94 through Business Park – Construct New Tracks

STR would construct the new rail line from milepost 6.94 where the Proposed Action leaves the former Warner Branch into and through the LBP from access roads. Construction materials for the rail line would be delivered to the LBP by truck. The railbed through the LBP would be approximately 25 feet wide, terminating near Sheep Lane at three transload tracks in an area 2,939 feet in length and 252 feet in width.

The LBP under development is proposed to include up to 1,700-acres of new facilities for manufacturing, distribution and research and development. Ancillary track would be added as appropriate to connect the LBP tenants with rail service at points along the proposed five miles of new line to be constructed within the LBP boundaries. This connecting track would be designed and constructed in the future at the discretion of individual business owners and is not part of STR's proposed 11-mile common carrier rail line.

Appendix I

Response to Comments on the Draft EA

Response to Comments on the Draft EA

I.1 Introduction

This appendix responds to the comments that the Surface Transportation Board’s (Board) Office of Environmental Analysis (OEA) received on the Draft Environmental Assessment (Draft EA) and describes how and where those comments may have led to changes in the Final EA. OEA’s responses to comments explain the analyses on the issue raised in the comment on the Draft EA, clarify and correct information in the Draft EA, explain and communicate government policy or regulations, and answer technical questions.

Table I.1-1, at the end of this appendix, provides an index that allows readers to find comments and the associated responses. The table is in alphabetical order by commenter first name or organization. The table lists the Board’s website comment identification number, commenter type category (federal agencies, elected officials, organizations, and individuals), the Final EA comment number, topic, and appendix section number. Some commenters had multiple discrete comments on several different topics. Therefore, each comment is assigned a comment number, which is comprised of the commenter number and the commenter’s discrete comment, separated by a dash. For example, 15-3, would be the third discrete comment made by commenter 15.

To find OEA’s response to a comment, find the commenter’s name or organization in **Table I.1-1** and note the comment number and section number of this appendix, then find the comment number in that appendix section. Changes in this Final EA to address substantive comments or the results of further analysis are indicated by change bars in the left-hand margin within each Final EA chapter and appendix.

I.2 Approach

In preparing this Final EA, OEA responded to substantive comments received on the Draft EA, individually or in groups, in accordance with the Council on Environmental Quality (CEQ) requirements at 40 C.F.R. § 1503.4, Response to comments. OEA prepared the responses to comments in accordance with CEQ guidance in the *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations* (CEQ 1986), which states “an agency is not under an obligation to issue a lengthy reiteration of its methodology for any portion of an EA if the only comment addressing the methodology is a simple complaint that the EA methodology is inadequate. But agencies must respond to comments, however brief, that are specific in their criticism of agency methodology.”

The CEQ guidance goes on to state that “if a number of comments are identical or very similar, agencies may group the comments and prepare a single answer for each group. Comments may be summarized if they are especially voluminous.”

The following paragraphs describe the approach OEA used to capture, track, and respond to comments on the Draft EA:

- OEA received comments from 21 individual commenters. OEA read all comments and their attachments to identify and extract concerns. OEA identified 52 discrete substantive issues that warranted responses.
- Frequently, commenters raised identical or similar concerns or issues. OEA grouped such comments together by issue. If the comment resulted in a change to the Draft EA, OEA’s response describes the change.
- To the extent practicable, OEA presented the comments in this document by topic. Each comment-response pair, individual or summary, consists of three parts: (1) the comment, (2) the assigned comment identification number, and (3) the response by OEA.
- OEA paraphrased or took excerpts from the individual comments to capture the main points where appropriate. Summarized comments are, of necessity, paraphrased, but OEA made every effort to capture the essence of every comment received. The full text of all comments received by OEA can be viewed on the STB’s website (www.stb.gov) by searching “Environmental Comments” for the docket number of this petition (Docket No. FD 36616).
- If the meaning of a comment was not clear, OEA made a reasonable attempt to interpret the comment and to respond based on that interpretation.
- When a comment resulted in a revision (addition, deletion, correction, etc.) to the Draft EA text, the response states that OEA made a change and directs the reader to the location of the edited text in this Final EA. Substantive changes in text from the Draft EA in this Final EA are indicated by change bars in the left-hand margin of each chapter and appendix; substantive changes made to the text of the Draft EA appear in red and blue in the Final EA (track changes indicate the language deleted in red and new language added appears in blue). If the response does not state that the comment required a change in the Final EA text, no changes were made.

The approach described herein enabled OEA to efficiently consider, individually and collectively, all comments it received on the Draft EA and to respond to those comments. The remainder of this appendix is organized so that each section corresponds to the associated EA section. The exception to that organizational structure is the section on Environmental Review Process.

I.3 Comments and Responses

I.3.1 Environmental Review Process

Comment 10-10: EPA Region 8 (EI-33135)

The Draft EA identified that letters were sent by STB to four Tribes as part of consultation and no responses were received. Suggest making attempts to reach out through more than written letters alone.

OEA Response

OEA has conducted appropriate tribal outreach and consultation efforts. In the Bureau of Indian Affairs (BIA) response to agency contact letters sent by OEA on October 4, 2022, the BIA commented that the “BIA-Western Region has no issues, comments, or concerns related to the subject project. The nearest reservation is approximately 100 miles away; no jurisdiction or issues related to tribal trust land” (EI-32646). OEA still initiated government-to-government contact with the four tribes identified by the U.S. Department of Housing and Urban Development’s Tribal Directory Assessment Tool in October 2022, as well as Section 106 consultation requests in April 2023. In addition, OEA contacted the following tribes by telephone between the Draft EA and Final EA and either their telephone had been disconnected, there was no answer and a message could not be left, or a message was left and no response was received: Skull Valley Band of Goshute; Confederated Tribes of the Goshute Reservation, Nevada and Utah; Shoshone-Bannock Tribes of the Fort Hall Reservation; and the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah.

Comment 13-1: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146).

The stated purpose and need are contrary to STB’s statutory obligation. STB is being asked by a private business to approve a project that will have a profound impact, much of it negative, on the community at large, purely for the benefit of investors in the business park. As a public, taxpayer funded agency, the STB should prioritize serving the public good, not private business interests.

OEA Response

Railroads are private companies requesting authorization from the Board to construct and operate private rail line projects. The Board does not fund these projects. The Board has jurisdiction and licensing authority over the construction and operation of new rail lines (49 U.S.C. §§ 10901, 10502) as described in *Chapter 1, Section 1.3* of the EA. The Board, in deciding whether to authorize the project, will consider the transportation merits of this particular project and the potential environmental impacts.

Comment 13-2: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

The STB’s posture of “accommodating the rapid growth of manufacturing and warehousing facilities across the country, and specifically in the Greater Salt Lake City area, including Tooele County,” is at odds with the current and future public interest in Tooele County, the Great Salt Lake ecosystem and biological resources, the residents of the greater Salt Lake City area, and the state of Utah. The agency’s enabling statutes includes whether the construction of the railway is “inconsistent with the public convenience and necessity,” and includes the policy to operate rail facilities without detriment to the public health and safety. STR’s proposal is a detriment to public health and safety and a profound degradation of quality of life.

OEA Response

The suggestion in the comment that this project is inducing growth and development is belied by the analysis in *Chapter 3, Section 3.11.3.1*. As explained there, this project will not impact land use and zoning because the Lakeview Business Park (LBP) already exists and is consistent with the local zoning and land use plans.

Comment 13-3: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

The Draft EA fails to consider upstream and downstream environmental/public health consequences. The Board’s determination that an EA rather than an Environmental Impact Statement (EIS) was appropriate is in error because the Board limited the scope of the environmental/public health issues to what could be directly attributed to the building and conducting of the rail line and did not include the upstream and downstream effects of the rail line, i.e. all the development and consequent traffic and pollution that would be stimulated by the existence of the rail line.

The standard for when an EIS should be prepared is: “An agency shall issue an environmental impact statement with respect to a proposed agency action requiring an environmental document that has a reasonably foreseeable significant effect on the quality of the human environment.” We believe that standards are easily met in this case and request that the project be denied, or at the very least, trigger a full EIS.

OEA Response

This comment and similar comments fail to identify upstream and downstream impacts “attributable” to the Proposed Action that have not been analyzed in this EA. To the extent that the commenter is referring to the LBP, see response to comments 13-5 and 10-9 explaining that the LBP is already under construction and would reduce the number of trucks serving the LBP by providing a rail alternative to existing and potential tenants. The LBP already exists and is serving shippers by truck. Furthermore, Savage Tooele Railroad (STR) has stated that it has no plans to serve the Utah Inland Port Authority (UIPA) Project Areas or any new or existing businesses outside the LBP (see Comment 11-2: Tom Wilcox on behalf of Savage Tooele Railroad (EI-33156)). As presented in *Chapter 1, Section 1.4.1*

of the EA, *Request for Preparation of an Environmental Assessment*, OEA determined that preparation of an EA rather than an EIS is appropriate in this case under 49 C.F.R. §1105.6(d) because OEA did not expect impacts to be significant for a number of reasons. The EA's findings have shown that an EA is adequate here. Neither OEA's analysis, nor the commenters, have shown that there is a potential for significant environmental impacts warranting an EIS. For example, the Utah State Historic Preservation Officer (SHPO) concurred with OEA that there would be no adverse effects to historic resources, a wetland survey determined that any potential impacts would likely be minimal, the potential for impacts related to air quality and safety would be minimal due to the small volume of expected rail traffic (one round trip per day), and the EA properly assessed traffic patterns and vehicle delays at the proposed crossing of SR 138. Therefore, OEA stands by its conclusion that the preparation of an EA was appropriate.

Comment 13-4: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

Recently, in a case regarding a proposed railway in Utah's Uinta Basin, the D.C. Circuit Court of Appeals held that the STB was required to analyze the indirect and cumulative impacts of an oil railway, which was proposed to deliver hundreds of thousands of barrels of oil to the Gulf Coast daily. The Court found the STB failed to adequately analyze (1) the Railway's "upstream" impacts, including the effects of drilling thousands of new oil and gas wells that would be induced by the Railway on the Uinta Basin's vegetation and special-status species, and (2) its "downstream" impacts—the effects of refining the oil in Gulf Coast communities, including Houston, Port Arthur, Texas, and Louisiana. These impacts were "reasonably foreseeable," because "[t]he undisputed purpose of the railway is to expand oil production in the Uinta Basin, by enabling it to be brought to market via the proposed rail line connecting the Basin to existing lines that run to Gulf Coast refineries."

The Court also held the Board "cannot avoid its responsibility under NEPA to identify and describe the environmental effects of increased oil drilling and refining on the ground that it lacks authority to prevent, control, or mitigate those developments." This is because the Board "has authority to deny an exemption to a railway project on the ground that the railway's anticipated environmental and other costs outweigh its expected benefits." In other words, the Court held that the STB erred in not considering all the pollution, public health and climate consequences of the new railway stimulating massive increases in oil and gas extraction and production on both the upstream and downstream communities. The STB has made the same type of mistake in this case and in doing so has severely underestimated the consequences.

OEA Response

The court in Eagle County, Colorado v. Surface Transportation Board, No. 22-1019 (D.C. Cir. 2023) (Eagle Cty. v. STB) found that, in that case, there were upstream and downstream impacts related to the transportation of crude oil that were reasonably foreseeable that the EIS failed to fully take into account. Here, the commenter has not identified any upstream or downstream impacts that are reasonably foreseeable and were not analyzed in the EA but should have been, nor has OEA identified any. Moreover, the facts presented in this case as

they relate to upstream and downstream impacts are fundamentally different from those that the court considered and opined on in Eagle Cty. v. STB. Thus, Eagle Cty. v. STB is inapposite.

Comment 13-5: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

STB’s enabling statutes require that it consider the public’s “convenience and necessity.” Even without any new warehouse capacity in Tooele, construction of distribution warehouses has exploded in the Salt Lake Valley and is poised to extend that rapid growth throughout the Wasatch Front. There is no net societal benefit of even further massive expansion of warehouse capacity in Tooele or the Wasatch Front. In order to approve the project, the Board must find that the project’s transportation merits, and therefore economic merits outweigh its environmental harms. We believe that the transportation merits do not come close to outweighing the environmental harm of the proposal.

OEA Response

Comment noted. Because the LBP already exists and is serving shippers by truck, the merits of the LBP are not part of the Proposed Action before the Board. As discussed in *Chapter 3, Section 3.13.3* of the EA, the Proposed Action is not by itself inducing development in the project area. In making its final decision in this case, the Board will consider what is before it here; the transportation merits of the proposed rail line and the potential environmental impacts of that proposal.

Comment 4-4: Christopher Howard (EI-33091)

Property values will be very negatively impacted. There is already a railroad less than five miles away from the business park and our neighborhood will be damaged so that a railroad can be just a few miles closer.

OEA Response

NEPA requires agencies to evaluate the “environmental impact” and any unavoidable adverse “environmental effects” of a proposed action. A potential change in property values would not be an effect on the environment. OEA concludes in *Chapter 3, Section 3.11.4* of the EA that the Proposed Action would be consistent with the zoning and land use of the area, that the rail line predated most, if not all, of the current development, and that the current development has taken place without an operating rail option. Therefore, OEA appropriately did not assess potential effects on property values as part of the environmental review.

Comment 6-1: Derek Miller, Salt Lake Chamber (EI-33131)

The Salt Lake Chamber supports STR and its proposed rail line to serve the LBP tenants and OEA making a recommendation to the STB based on the merits of the project and the Draft EA findings. It appears clear that the proposed STR would not pose significant environmental risks and that any potential risks can be effectively mitigated. STR will

result in benefits consistent with state and federal objectives concerning more environmentally sustainable freight movement by shifting the mode of transportation from truck to rail. Rail connectivity into the LBP provides businesses the ability to transport products and materials via rail, which more than doubles the fuel efficiency of transporting cargo via truck and has air quality benefits of reducing the number of trucks on the road. Re-establishing the six miles of previously abandoned rail infrastructure will provide modal choice for tenants of the LBP and will contribute to the business park's investment attraction, leading to employment creation and bolstering the economic vitality of the rapidly growing region. There is insufficient rail infrastructure in Tooele County to accommodate the demands of a rising population for manufacturing, distribution, and warehousing facilities. The STR will aid in meeting these needs. Savage is also committed to being a good partner to the communities in which they operate. We request full and fair consideration of the STR's application and merit-based recommendation to the STB.

OEA Response

Comment noted.

Comment 7-1: Jesse D. Wilson, City Manager, Grantsville City (EI-33129)

We support STR and its proposed rail line to serve tenants of the LBP and the OEA making a positive recommendation to the STB based on the merits of the project Draft EA and findings. It appears clear that the proposed STR would not pose significant environmental risks and that any potential risks can be effectively mitigated. STR will provide multimodal connectivity to national freight rail lines to the LBP. The optimized modal choice for tenants will contribute to the business park's investment attraction, leading to employment creation and bolstering the economic vitality of the rapidly growing region. Tooele County is rapidly growing and there is currently insufficient rail infrastructure to accommodate the demands of a rising population for manufacturing, distribution, and warehousing facilities. The STR will aid in meeting these needs. STR's potential positive impact on regional air quality is significant and shifting from truck to rail benefits the estimated 9,000+ Tooele County residents that commute to Salt Lake daily for work. We support the STR's objective of providing safe, efficient, and environmentally sustainable movement of freight to and the economic development opportunities it offers to the region. We respectfully request your full and fair consideration of the STR's application and merit-based recommendation to the STB.

OEA Response

Comment noted.

Comment 8-1: Jonathan Freedman, World Trade Center Utah (EI-33133)

We support STR and its proposed rail line to serve tenants of the LBP. We support OEA making a recommendation to the STB based on the merits of the project and findings of the Draft EA. Implementation of the STR will result in benefits consistent with state and federal objectives concerning more environmentally sustainable movement of freight by shifting the mode of transportation from truck to rail. Re-establishing six miles of

previously abandoned rail infrastructure will provide modal choice for tenants of the LBP and will contribute to the business park's investment attraction, leading to employment creation and bolstering the economic vitality of the rapidly growing region. Currently there is insufficient rail infrastructure in Tooele County to accommodate the demands of a rising population for manufacturing, distribution, and warehousing facilities. The STR will aid in meeting these needs. We are passionate about the STR's primary goal of providing safe, efficient, and environmentally sustainable movement of freight, and the distinct economic development opportunities it provides to the region. We request your full and fair consideration of the STR's application and merit-based recommendation to the STB.

OEA Response

Comment noted.

I.3.2 Noise and Vibration

Comment 9-1: Jess Bird, Councilman, City of Erda (EI-33132)

The proposed railroad has a significant impact to residents that live in the immediate adjacent area and more study is needed on noise and vibration impact caused by railroad operation, including night operation that would disturb the sleep of residents, and vibration impact on residential culinary water wells.

OEA Response

OEA conducted extensive noise analysis to determine whether impacts to residential receptors could occur as a result of freight train operations related to the Proposed Action. STR proposes to operate two approximately 1,420-foot-long trains per day, one in each direction, along the proposed rail line between the hours of 7:00 a.m. and 10:00 p.m. There would be no operations in the overnight period (10:00 p.m. to 7:00 a.m.).¹ As described in *Chapter 3, Section 3.1* of the EA, ambient noise measurements were conducted at five locations in the study area for up to 52 hours at each location. The resulting analysis found that one receptor (#6) would be exposed to 65 day-night average noise level (DNL) associated with the Proposed Action as well as the associated increased noise level above ambient levels, which would cause an adverse impact. As described in *Chapter 3, Section 3.1.3*, no other receptors would be adversely impacted.

As described in *Chapter 4, Section 4.6.2*, OEA recommends several mitigation measures that would require STR to employ reasonable and feasible noise mitigation such as building sound insulation where appropriate. Additionally, STR has volunteered mitigation to work with the City of Erda and the Utah Department of Transportation (UDOT) to facilitate establishment of quiet zones at SR 138 and Erda Way, which, if approved by the Federal Railroad Administration (FRA), would result in no adverse noise impacts from the Proposed

¹ See STR Letter to the Board dated June 29, 2023 revising their operating plan to state that STR plans to operate one roundtrip per day during daytime hours between 7:00 a.m. and 10:00 p.m. on weekdays to reduce potential impacts to the local community.

Action. In addition, as noted in *Chapter 4, Section 4.6.1*, STR has proposed voluntary mitigation requiring it to assist the City of Erda and Tooele County in identifying appropriate supplemental or alternative safety measures, practical operational methods, or technologies that lead to the establishment of Quiet Zones at those locations, in accordance with FRA's rules and procedures (**VM-Noise-03**). OEA recommends that all of the voluntary noise mitigation should be imposed by the Board (**VM-Noise-01, -03, -04, -05**).

As described in *Chapter 3, Section 3.1.3.1*, OEA does not anticipate adverse impacts due to train passby vibration. The 80 VdB vibration contour line would be 35 feet from the tracks. This would be within the 100-foot right-of-way and would not impact residential receptors or wells.

Comment 4-3: Christopher Howard (EI-33091)

We moved to Marshall Road for the quiet country atmosphere for our families and many have horses and livestock that would be disrupted and upset by trains passing through. The railroad was long since abandoned and much of the line removed multiple decades ago.

OEA Response

See response to comment 9-1 above regarding impact to residential noise receptors. As noted in *Chapter 1, Section 1.1* of the EA, much of the right-of-way remains intact. Specifically, on the six-mile segment of the former Warner Branch, tracks remain on approximately 5.75 miles of the right-of-way. Moreover, livestock adapt to railroad-related noise and graze adjacent to railroads throughout the United States, including in areas that experience significantly greater volumes of freight and passenger train traffic than would occur on the proposed rail line, two trains per day, one in each direction, as stated in *Chapter 2, Section 2.1.3*. FRA employs the Sound Exposure Level (SEL) value of 100 A-weighted decibels (dBA) to evaluate adverse noise effects on wildlife. Train noise levels typically drop below this value within a few hundred feet of the tracks. Therefore, OEA does not anticipate noise impacts to wildlife which would be beyond the rail right-of-way.

I.3.3 Grade Crossing Safety and Delay

Comment 9-4: Jess Bird, Councilman, City of Erda (EI-33132)

Alternative alignments such as east of Sheep Lane that would reduce the number of road crossings and risk of automobile/train accidents were not considered.

OEA Response

OEA contacted the City of Erda to request clarification on the alternative route that the commenter proposes (EO-3849). However, the City of Erda has not responded to OEA's request.

As described in *Chapter 2, Section 2.3* of the EA, OEA conducted a thorough alternatives analysis, which led to the selection of the Proposed Action as the only build alternative to be carried through for detailed analysis in the EA. OEA did consider an alternative alignment,

which would approach the LBP from the southeast (east of Sheep Lane) but as detailed in the EA, found that it would have more road crossings (seven) than the Proposed Action (two), which would increase the risk of automobile/train interactions. According to STR, officials expressed concerns about the additional at-grade rail traffic at Utah Avenue and the new grade crossings at the other locations, especially SR 112. As described in *Chapter 2, Section 2.3.3.1*, Utah Avenue already experiences crossing blockages from Tooele Army Depot Activity. Therefore, OEA properly determined that the Proposed Action would present fewer grade crossing risks and eliminated from consideration in the EA an alternative east of Sheep Lane in part because of the greater risks it could pose to grade crossing safety.

Comment 3-1: Lyle Lawton (EI-33076)

Depending on the time of day, the volume of traffic could be substantially greater. Rush hour traffic is almost always a constant flow resulting in far greater number of vehicles than in the Draft EA.

OEA Response

The grade crossing safety and delay analysis in *Chapter 3, Sections 3.2 and 3.3* of the EA, respectively, uses Annual Average Daily Traffic (AADT), which includes both rush hour conditions that the commenter describes, when traffic levels are at their highest, and the remainder of the day when traffic levels are lower. AADT data are based on traffic counts from UDOT. UDOT maintains a public database containing Average Daily Traffic (ADT) volumes for state highways and federal-aided roads throughout the state. The volumes are collected through permanent count stations or short-term counts that are generally obtained every three years (see **Appendix C** for further description). As described in *Chapter 3, Section 3.3.3.1*, the level of service, which is a qualitative measure of motor vehicle traffic flow, indicated by letters from A to F, where A represents free flow, would remain at A under the Proposed Action, which is the same as under existing conditions. Only two trains per day, one in each direction, with an average length of 900 to 1,500 feet would operate on the proposed rail line under the Proposed Action. The results of the grade crossing delay analysis show that the average delay per vehicle in a 24-hour period is 0.11 seconds in 2026 on SR 138, which reflects full build-out of the LBP. As described in *Chapter 3, Section 3.3.4* of the EA, OEA expects that STR's voluntary mitigation measures and OEA's additional recommended mitigation measures would minimize the impact of the Proposed Action on grade crossing delay.

I.3.4 Biological Resources

Comment 9-2: Jess Bird, Councilman, City of Erda (EI-33132)

The City has information that there are red hawks nesting in the area. The impact to these nesting hawks needs more study.

OEA Response

Prior to completing field surveys of the study area, OEA reviewed the U.S. Fish and Wildlife Service Information and Planning Consultation (IPaC) tool and the Utah Heritage Program Online Species Search Report to assess whether federally or state protected species are known to occur in the study area. OEA assumes that the commenter is referring to the red-tailed hawk, or the red-shouldered hawk, which are both common birds of prey. Although neither of these hawks are identified as a federally threatened or endangered species, they are protected under the Migratory Bird Treaty Act as are all birds of prey in Utah. During ecology field surveys of the study area, OEA did not identify birds of prey or their nests. See Attachments to **Appendix D** for a copy of the IPaC and Natural Heritage outputs. Also see mitigation measure **MM-Biological-07**, which is being proposed to protect migratory birds.

Comment 13-6: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

There is inadequate assessment of harms to biological resources. The study area OEA used to assess impacts to biological resources is too small yet the potential for impacts is significant. OEA also doesn't take into account the scope of intended industrial development incentivized by the rail line which will destroy significantly more habitat. In the immediately adjacent areas, there is habitat identified by Utah's 2015 Wildlife Action Plan for Utah Species of Greatest Conservation Need. These are species the state has prioritized for special attention because of the threats they face, and to stave off potential Endangered Species Act listings. In close proximity to the proposed rail line and the industrial development it will help induce, is habitat for white faced ibis, American white pelican, snowy plover, peregrine falcon, burrowing owl, greater sage grouse, bald eagle, ferruginous hawk, golden eagle, flammulated owl, caspian tern, Lewis's woodpecker and kit fox. Given that Great Salt Lake is on the verge of ecological collapse, protecting habitat for these species is all the more important. The stress on these species from habitat loss and degradation increase the potential for listings under the Endangered Species Act. Other than looking for golden eagle habitat in the narrowly defined project area, the Draft EA failed to examine what impacts might occur to the immediately adjacent landscape and the Species of Greatest Conservation Need habitat in and adjacent to Great Salt Lake.

STR is within the state line establishing land eligible for Great Salt Lake wetland mitigation funds, demonstrating that the area deserves great scrutiny. OEA needs to examine the eco-region impacts to biological resources and the broader habitat impacts of the industrial development that will be induced by the proposed STR.

OEA Response

See response to comment 13-14 addressing the commenter's assertion of induced industrial development. The impacts of the Proposed Action on biological resources are limited to the existing right-of-way, the adjacent interchange tracks, and the track inside the rail-served portion of the LBP. The LBP site has been approved by the local jurisdiction and is already operating and under construction. OEA defined the study area for biological resources as the existing and proposed rail right-of-way, plus a buffer of 300 feet to either side of the

centerline, and the proposed construction laydown area and access road. OEA has determined that the study area is consistent with past practice and is the appropriate size for the Proposed Action.

I.3.5 Water Resources

Comment 4-2: Christopher Howard (EI-33091)

The proposed rail line will run through wetlands area causing significant disruption to the ecosystem in this area.

OEA Response

The Proposed Action utilizes an existing right-of-way and only involves placing fill material into wetlands for the construction of the adjacent proposed interchange tracks, which would constitute less than 0.5 acres. As noted in *Chapter 3, Section 3.5.4* of the EA, as part of the Proposed Action, STR would replace deteriorated existing culverts on the existing right-of-way with new culverts equivalent to or larger than the existing culverts. OEA anticipates that the new culverts would have the benefit of improving the movement of surface waters and the connectivity of wetlands. Additionally, STR has proposed voluntary mitigation requiring its contractor(s) to construct stream crossings during low-flow periods, when practical (**VM-Water-04**). OEA also recommends mitigation requiring STR to design culverts to maintain existing surface water drainage patterns, to design drainage crossing structures for a 100-year flood event (**MM-Water-01**), and to coordinate with the Federal Emergency Management Agency (FEMA) if construction of the culverts would result in an unavoidable increase greater than 1 foot to the 100-year water surface elevations (**MM-Water-02**). As stated in *Chapter 3, Section 3.5.4*, if the Board authorizes the Proposed Action and imposes all of OEA's recommended mitigation, including STR's voluntary mitigation, OEA anticipates no impacts to water resources during construction or operation of the Proposed Action.

Comment 10-1: EPA Region 8 (EI-33135)

We recommend the voluntary mitigation measures for water quality be conditions of STB's decision in order to support a finding of no significant impact. We support and recommend that the STB-proposed mitigation measure to have STR obtain a Clean Water Act (CWA) Section 401 certification from the Utah Department of Environmental Quality be a condition of the STB's approval. We recommend that the EA identify what actions (e.g., STB's decision, USACE's 404 permitting, etc.) would require a CWA Section 401 certification. If the certification would likely be a requirement for the project, then it may not be mitigation, but a necessary component of STB's decision. We recommend that the EA evaluate the potential types of industrial activities that the proposed rail line could support and their potential impacts to groundwater as well as surface water.

OEA Response

In the EA, OEA recommends that the Board impose compliance with all of STR's voluntary mitigation as well OEA's final recommended mitigation in its final decision if the Board authorizes the Proposed Action. See response to comment 10-2, which addresses Section 401 water quality certification. See response to comment 13-14 regarding the commenter's assertion of induced industrial development.

Comment 10-2: EPA Region 8 (EI-33135)

The Draft EA assumes that STR will be able to obtain a Nationwide Permit from the USACE; however, it is unknown if an Individual Permit (IP) may be necessary as consultation has not been initiated. If an IP is necessary, there will likely be considerably more work to determine the least environmentally damaging practicable alternative. A 404 IP would require a 401 certification as discussed above. Identifying if a 401 certification would be a mandatory requirement for this decision. We recommend that completion of the Section 404 consultation be a condition of STB's decision.

OEA Response

Nationwide permits (NWP) by their nature have been designed to permit certain types of projects that produce minimal impact on the nation's aquatic environment. As discussed in *Chapter 3, Section 3.5.3.1* of the EA, based on STR's current concept plans it appears that the proposed improvements to the existing rail line would fall below the impact threshold established by USACE for a NWP. When a project qualifies for and meets the conditions defined for a NWP, formal consultation with USACE is typically not required and the application for the permit satisfies consultation with the agency. In addition, projects that qualify for NWPs also automatically receive Section 401 certification. OEA anticipates that the Proposed Action would qualify for and meet the conditions for a NWP and Section 401 certification and that USACE consultation would not be required. Moreover, OEA is recommending mitigation requiring STR to consult with USACE on a wetland mitigation plan in the event that there are remaining impacts to wetlands from the Proposed Action after final design (**MM-Water-04**).

Comment 10-3: EPA Region 8 (EI-33135)

Our review indicates an absence of analysis of FEMA's Federal Flood Risk Management Standard (FFRMS). FFRMS identifies that it "requires agencies to select one of the three following approaches for establishing the flood elevation ("how high") and corresponding flood hazard area ("how wide") used for project siting, design, and construction: Climate Informed Science Approach (CISA), Freeboard Value Approach (FVA), and 500-year floodplain. We recommend the EA utilize one or more of these approaches to evaluate project alternatives and development of impacts analyses.

OEA Response

As discussed in *Chapter 3, Section 3.5.3.1* of the EA, culverts along the existing rail line would not be modified to a degree that would change the hydrology in the area. OEA

anticipates that the new culverts would have the benefit of improving the movement of surface waters and the connectivity of wetlands as stated in *Chapter 3, Section 3.5.3.1*. To mitigate any potential impacts on surface waters, OEA is recommending mitigation requiring STR to design the drainage crossing structures for a 100-year storm event (**MM-Water-01**) and to coordinate with FEMA if the culverts would result in an unavoidable increase greater than 1 foot to the 100-year water surface elevations (**MM-Water-02**). According to FEMA guidance, FFRMS analysis “applies only to federally funded actions involving new construction, substantial improvement or repairs to substantial damage.”² Therefore, OEA determined that FFRMS is not an appropriate approach to evaluate the Proposed Action because it is a private, non-federally funded project, to partially restore an existing rail line. OEA concludes that the approach used to evaluate the flood hazard area for the Proposed Action in the EA is appropriate. In addition, OEA sent a consultation letter regarding the Proposed Action to FEMA Region 8 on October 4, 2022, to which no response was received (see **Appendix A**).

I.3.6 Hazardous Materials Transportation and Hazardous Material Release Sites

Comment 10-4: EPA Region 8 (EI-33135)

It is unclear from review of the EA what types of industry could be authorized and developed at the LBP due to the operation of this line and there is no analysis of incidental spills of materials coming into and out the complex. Small leaks or accidental releases of transported materials could present a source of chronic pollution nearby and downstream in the GSL. There is no evaluation of impacts resulting from major spills or derailment. Due to the proposed line’s proximity to the Great Salt Lake and surrounding sensitive aquatic habitat, it will be essential for decision makers and stakeholders to understand the potential impacts of leaks, spills, and derailments.

OEA Response

As stated in *Chapter 3, Section 3.13.2.1* of the EA, the “LBP master plan indicates that it would contain a mix of manufacturing, distribution, research, and development buildings.” According to STR’s response to OEA’s Information Request #1, STR does not know at this time whether it would be asked to transport any hazardous materials. As a common carrier, STR would be obligated to transport hazardous materials upon reasonable request, per 49 U.S.C. § 11101(a). Because there is no data on amounts and types of hazardous materials that could be transported, OEA cannot predict the likelihood of leaks, spills, or releases and thus any analysis of these issues would be speculative and would not inform the decision-making process. Regarding the Proposed Action’s proximity to the Great Salt Lake, OEA has added text to *Chapter 3, Section 3.5.2.2*, to clarify that the Proposed Action varies from a distance of approximately three miles from the Great Salt Lake at its northern end, to approximately seven miles at its southern terminus in the LBP.

² FEMA Publishes a Proposed Rule for Public Comment on the Federal Flood Risk Management Standard | FEMA.gov, September 20 ,2023, retrieved February 21, 2024.

Based on this comment, OEA has added additional text to *Chapter 3, Section 3.6.3.1* of the Final EA discussing the potential risks associated with hazardous material transport. In the event these materials would be transported and a release of hazardous materials occurs, the impacts of the release would depend on many factors, including the type of material or materials released; the number of rail cars involved; the volume of material released; the location of the incident in relation to inhabited or sensitive environmental areas; and the timing and effectiveness of local government and railroad emergency response plans.³ Based on the short length of the Proposed Action (approximately 11 miles) and the small number of trains per day (one round trip), OEA expects that most hazardous materials releases resulting from rail incidents would be small and infrequent. In general, OEA expects that a release of hazardous materials would involve a relatively short duration exposure and would be contained quickly. This would minimize the potential for groundwater contamination, limit the extent of any soil contamination, and allow for the proper management of any surface water contamination. As detailed in *Chapter 4, Section 4.10.1* of the EA, in the unlikely event of a hazardous materials release along the proposed line, STR has proposed a voluntary mitigation measure (**VM-HazMat-05**). That mitigation measure would require STR to prepare and comply with a hazardous materials emergency response plan, which is intended to address potential derailments or spills. This plan would address the requirements of the Pipeline and Hazardous Materials Safety Administration and FRA requirements for comprehensive spill response plans. OEA recommends that the Board impose this condition in any final decision authorizing the Proposed Action.

Comment 4-1: Christopher Howard (EI-33091)

Trains often carry some of the most dangerous chemicals and substances; therefore, concerned about potential accident impacts like what happened in Ohio. Concerned that chemicals would impact local well water and the water underneath used for the Erda and other surrounding areas.

OEA Response

See response to comment 10-4 regarding hazardous materials spills.

Comment 5-1: Sid Atkin (EI-33097)

The proposed rail line is too close to my home, practically on the other side of my property line. Why does this have to be built so close to private residences? Negative effects include noise pollution from trains going by, safety hazards of trains not being able to stop quickly being near houses, accidental industrial chemical was to spills from a rail cars on the ground water that supplies my well. Surely there are regulations that new rail lines should be set back and not be built so close to private property. The rail line should run through the industrial area, not neighborhoods.

³ As required by 49 C.F.R. Parts 172 and 174.

OEA Response

Comment noted. See response to comment 9-1 above regarding noise. See response to comment 10-4 regarding hazardous materials spills. See response to comment 4-4 regarding the railroad location.

Comment 9-3: Jess Bird, Councilman, City of Erda (EI-33132)

The City has information that there is lead contamination north of Erda Way. The impact to lead contamination needs more study.

OEA Response

As described in the approach to the analysis of Hazardous Materials Release Sites conducted in *Chapter 3, Section 3.6.1* of the EA, OEA defined the study area as the area within a 500-foot buffer around the estimated construction area of the Proposed Action. To search for documented releases of hazardous materials within the study area, OEA obtained environmental database reports from Environmental Risk Information Services (ERIS). OEA did not identify any impacts from the Proposed Action to known hazardous materials waste sites, including lead contamination sites. The commenter did not provide information to substantiate that there is an area of lead contamination that would be impacted by the Proposed Action. In the event that unanticipated contaminated soils related to the line's history of past railroad operations or associated with nearby hazardous material release sites and incidents are encountered during construction and regular maintenance of the Proposed Action, mitigation would be required in accordance with OEA recommended mitigation measure **MM-HazMat-01**.

I.3.7 Air Quality

Comment 2-1: LD (EI-33085)

The EPA is likely to move Utah's non-attainment status for ozone pollution from "moderate" to "serious." EPA's standards for ozone do not reflect the threats to public health as outlined in the majority of the medical literature. We are in violation of a standard already set too low. The state's priorities don't align with the public's on this issue. Rather than targeting polluters, they attempted to actually get the EPA to waive the standard for Utah. Rather than investing in and prioritizing mass transit, the state is approving highway expansions. We're also seeing the rapid expansion of the Utah Inland Port across the state. A state putting so many residents at risk with extreme ozone pollution should not be tying its economy to diesel transportation. We saw state legislators pass a fee for residents with electric vehicles, actually de-incentivizing one of the few individual actions available to residents to reduce their own ozone impact.

OEA Response

Comment noted. OEA determined that construction and operation of the Proposed Action would result in criteria pollutant emissions, including nitrogen oxides (NO_x) and Volatile

Organic Compounds (VOC), that would be below the applicable *de minimis* thresholds (see *Chapter 3, Section 3.8.4*).

Comment 10-6: EPA Region 8 (EI-33135)

We appreciate inclusion of voluntary mitigation to control fugitive dust and maintenance of construction equipment to limit construction-related pollutant emissions and recommend that construction equipment use newest engine technology where possible to reduce emissions and pollutants even further.

We recommend Appendix E include the detailed emission inventory to substantiate the Applicability Analysis for General Conformity. We recommend that comparisons to the *de minimis* rates be conducted for each nonattainment area separately. While the rates for ozone are indeed 100 tpy, for PM_{2.5} and its precursors the rate is 70 tpy for the nonattainment area based on its classification. Therefore, the *de minimis* rates for NO_x, VOC, and SO₂ are all 70 tpy for the purposes of the PM_{2.5} nonattainment area. We recommend this be clarified in the EA. We appreciate that the STB considered the 1971 SO₂ nonattainment area designation; however, we recommend verifying whether the project is in the nonattainment area, which was reduced in size. The area was redesignated to attainment with the exception of a portion of the Oquirrh Mountains above the 5,600-foot contour and north of Middle Canyon.

OEA Response

OEA did not find air quality impacts from the Proposed Action that warranted recommended mitigation measures; therefore, OEA did not recommend mitigation requiring STR to use specific types of construction equipment such as those with the newest engine technology. However, while OEA did not find air quality impacts, STR has proposed voluntary mitigation requiring it to implement appropriate dust control measures to reduce fugitive dust emissions (**VM-Air-01**) and to ensure that construction equipment is properly maintained, and that mufflers and other required pollution-control devices are in working condition in order to limit construction-related air pollutant emissions (**VM-Air-02**).

In response to this comment, OEA has added a new Attachment 1 to **Appendix E** of the Final EA that shows the detailed construction equipment emissions analysis inventory. Further, the thresholds for NO_x, VOC, and SO₂ have all been changed from 100 tons per year (tpy) to 70 tpy in the Final EA and Appendix E. The study area is not in the nonattainment area of the Oquirrh Mountains above the 5,600-foot contour line and is therefore in attainment for the 1971 SO₂ designation.

Comment 10-7: EPA Region 8 (EI-33135)

The EA identifies hazardous air pollutants (HAPs) from operation of the rail to be small for Tooele County; however, we recommend that analyses be based on quantitative air modeling results compared to relevant health-based risk thresholds. For instance, the residence and businesses in Marshall may be exposed to greater and more significant concentrations of HAPs due to their immediate proximity to the rail line.

OEA Response

The EA quantitatively assessed the estimated annual emissions of HAPs from the Proposed Action's locomotives in *Chapter 3, Section 3.8.3*. Total HAPs emissions were estimated to total 0.09 tons per year, with the single largest HAP being formaldehyde at 0.056 tons per year. These increases of HAPs are relatively small. For context, a stationary emissions source would need to either emit more than 10 tons per year of any single HAP or more than 25 tons per year of all combined HAPs to be required to obtain a Title V air quality permit. The estimated amount of HAPs emissions presented in the EA is a regional estimate over the entire 11-mile track segment. Since these emissions would be geographically dispersed over the study area, the local exposure for the half-mile of track segment with residences proximate to the rail line would be smaller than the regional numbers presented. Exposure would be limited to the relatively short duration of a train passby, with only two passbys per day under the Proposed Action. In addition, OEA determined that the methods used to quantify HAPs emissions for the Proposed Action are consistent with past practices including analyses with substantially more train operations such as the Final EIS for the Proposed Acquisition of Kansas City Southern Railway (KCS) by Canadian Pacific Railway (CP). The Final EIS for CP's acquisition of KCS did not determine that HAPs emissions were substantial enough to warrant a dispersion analysis of HAPs emissions for comparison to health-based risk thresholds. Therefore, OEA's analysis of HAPs in this case is appropriate and consistent with prior Board precedent.

Comment 10-8: EPA Region 8 (EI-33135)

To provide a complete picture of potential air quality impacts resulting from this project, we recommend including information about the construction and operation of LBP and its indirect effects on air quality. This may include operational emissions from industries and businesses likely to utilize the park as well as additional vehicle traffic as a result of the development.

OEA Response

See response to comment 13-8 explaining that OEA has determined that based on the existing development of the LBP, it is reasonably foreseeable that development of the LBP would continue regardless of whether the Board approves STR's proposal. The EA treats the LBP as a cumulative action in *Chapter 3, Section 3.13*. Air quality is one of the resources for which the Proposed Action would have no or *de minimis* impacts. Therefore, the cumulative impact analysis did not include air quality.

Comment 13-7: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

Claims of reducing truck traffic and pollution defy reason and empirical evidence. The entire purpose of the rail line would be to serve two new proposed industrial zones, likely to be largely warehouse farms, directly stimulating the growth of the LBP. Based on the amount of truck traffic per square foot of warehouse space in the Inland Empire in California, between these two industrial zones an additional 30,000 daily truck trips could

be generated. The LBP Traffic Impact Study (TIS) concluded that 50,726 vehicles trips would be generated at full build out. If we hypothesized a similar volume of car and truck traffic generated by the UIPA proposed Zenith-Bolinder industrial zone, that would represent a massive influx of new traffic and associated air pollution, completely transforming the character of Grantsville and Erda from rural or semi-rural to heavily urbanized and industrialized communities.

Only 12-20 rail cars would be on a typical train. The first year they expect to transport 1,200 cars per year, increasing to 8,000 car loads per year. At even the latter number, that would only be 22 rail cars per day. The carrying capacity of one rail car is no more than 4 trucks. A fully operational rail line would only reduce 88 trucks of the over 30,000 daily truck trips or well over 50,000 vehicle trips modeled in the TIS from just the one industrial zone. How could anyone claim that the rail line would be responsible for any measurable decrease in air pollution, traffic congestion, or energy consumption compared to no rail line?

The claim is even more preposterous given the amount of pollution generated by the two diesel locomotive engines. Two tier 0+ diesel locomotive engines will produce the equivalent in direct PM_{2.5} of what would be expected from 500,000 average cars, equal to half of all the cars registered in the state. Even worse is that engines larger than 750 hp are never inspected once they are on the road or tracks and there is no law requiring it. These diesel engines in the real world perform even worse. Further, diesel engines produce a disproportionate amount of ultrafine particulate matter (UFP), by far the most toxic subset of the inventory of atmospheric particulate matter. Importantly, UFP contributes only a negligible amount to PM mass measured at PM_{2.5} monitors within Utah's and the nationwide EPA network, but dominates the particle number, which is the most relevant metric of PM human health toxicity. Estimating tons of emitted PM_{2.5} and other pollutants as a surrogate for its air pollution related health hazard is not adequate or accurate.

OEA Response

As stated in *Chapter 3, Section 3.2 and Section 3.9* of the EA, OEA expects that the number of trucks on roadways could decrease under the Proposed Action as a result of the use of freight rail rather than trucks to move goods, which could have a positive effect on air quality and climate change. See response to comment 12-1 explaining that the purpose and need of the Proposed Action is to serve the LBP, not the UIPA Tooele Valley Project Area on the Zenith Bolinder site. In addition, STR stated that it has not expanded the purpose and need of the Proposed Action to include providing rail service to entities other than LBP (see comment 11-2).

As described in *Chapter 3, Section 3.13.2.3*, the UIPA Tooele Valley Project Area on the Zenith Bolinder site is only a proposal at this time. The commenter's hypothesizing about car and truck traffic related to what is now only a UIPA Project Area proposal with few details is unsupported and speculative. The comment is trying to assign all of the LBP traffic and Zenith Bolander's hypothesized traffic to the proposed rail line. However, the Lakeview Business Park Traffic Impact Study (TIS)⁴, assessing traffic to and from the LBP, analyzed all vehicle trip types (e.g. including employees travelling to work), while traffic

⁴ Hales Engineering, Lakeview Business Park Traffic Impact Study, June 18, 2021.

from the proposed rail line would be limited to serving LBP's tenants that could utilize freight rail. Additionally, the 30,000 daily truck trips figure cited in the comment is extrapolated from an unrelated project in California and has no relationship to the Proposed Action. Finally, the LBP has already been approved, construction began in 2020, and currently there are tenants in place that receive deliveries by commercial truck (see *Chapter 3, Section 3.13.2.1*).

While the commenter claims that Erda City and the City of Grantsville would be transformed into heavily urbanized and industrialized communities as a result of the Proposed Action, the Tooele County council ratified a resolution that was published in the UIPA Tooele Valley Project Area Plan, which states that the Project Area for the Tooele Valley Project Area, as an inland port location, fits within the county's economic development vision. See also comment response 13-12, explaining the Proposed Action is consistent with local zoning and land use plans.

Finally, EPA standards, which OEA followed in its analysis, are designed to protect human health. The EA does consider the potential impacts of emissions from the diesel locomotives that would be operated on the proposed rail line in *Section 3.8.3.1*, and OEA found in its analysis that any effects would be *de minimis*.

Comment 13-8: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

Air quality/public health impact would not be "de minimis." The EA is completely absent in addressing other sources air pollution beyond the trucks and rail locomotives. Turning tens of thousands of acres of open space and grasslands into seas of asphalt and concrete contributes to air pollution irrespective of the vehicles that travel on them. Issues include: laying hot asphalt releases toxic VOCs; even long after asphalt continues to emit toxic VOCs and "secondary organic aerosols" (SOC) which are major components of PM2.5; water consumption secondary to this project will increase ozone formation; water consumption will further deplete the size of the Great Salt Lake; solar reflectivity which is a catalyst for the formation of ozone; Tooele County is already in an area that chronically violates the EPA's air quality standards (NAAQS) for both PM2.5 and ozone, violates the EPA's NAAQS for 24 hr. PM2.5, ozone, and sulfur dioxide; new pollution sources created in Tooele also affect the greater Great Salt Lake area, home to nearly 2 million people; more air pollution has severe public health consequences; and there is no safe level of any of the pollutants for which the EPA sets standards. An attached states that even EPA's proposed tightening of the annual PM2.5 is not adequate to protect public health, and that its 24 hr. PM2.5 standard, is profoundly inadequate. The likely end result of the pollution and public health consequences implied in the EA will be much more significant than "de minimis."

The potency of ozone, and the inadequacy of EPA's standards are illustrated by a recent study. The EPA's regulatory thresholds notwithstanding, there is no safe level of ozone. Diesel truck emissions include both precursors, and therefore a significant increase in truck traffic in Tooele County will increase ozone levels far removed from the industrial zones served by the STR.

OEA Response

OEA has appropriately analyzed the reasonably foreseeable past, present, and future actions in the project area. The LBP has already been approved, is operating, and land has been cleared to facilitate its further construction. OEA appropriately considered the LBP as a cumulative action, and air quality is one of the resources for which the Proposed Action would have no or *de minimis* impacts. Therefore, there would be no cumulative impacts on air quality. To the extent the commenter is referring to other projects in the Tooele County area, the EA has identified and analyzed them as cumulative impacts.

I.3.8 Climate Change

Comment 10-9: EPA Region 8 (EI-33135)

The Draft EA identifies that a climate change plan will be developed to address and mitigate impacts of climate change on the rail but does not detail what will be included in this plan and how it will mitigate impacts of climate change. The Draft EA does not evaluate the project's cumulative impacts on greenhouse gas emissions and climate change, including the indirect impacts of Lakeview Business Park. To achieve the objectives laid out in Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, the EPA recommends using the CEQ's National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change to ensure that the Final EA includes an adequate analysis of greenhouse gas emissions and climate change, and measures available to address and mitigate climate change and greenhouse gas emissions. We recommend mitigation through adoption of practices to minimize greenhouse gas pollutants during construction and operation of the rail line. Regardless of whether the Draft EA determines that the proposed action would be below *de minimis* thresholds for greenhouse gas emissions, the cumulative contributions of GHGs are not insignificant and should be mitigated to the extent possible.

OEA Response

Comment noted. OEA used an approach in *Chapter 3, Section 3.9.1* of the EA that is consistent with the objectives laid out in Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, and the CEQ's National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change. To mitigate potential impacts of climate change, OEA is appropriately recommending mitigation requiring STR to prepare a climate change plan (**MM-Climate-01**). In response to this comment, OEA has updated **MM-Climate-01** in the Final EA to require that the climate change plan developed by STR use the Council on Environmental Quality's National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change to achieve the objectives laid out in Executive Order (EO) 14008, Tackling the Climate Crisis at Home and Abroad.

OEA properly considered the LBP as a cumulative action in *Chapter 3, Section 3.13*. The cumulative impacts of climate change are discussed in *Chapter 3, Section 3.13.3.2*. OEA analyzed air quality, including greenhouse gas emissions, consistent with current guidance

and did not identify any impacts related to air quality for the construction and operation of the Proposed Action in *Chapter 3, Section 3.8.4*. For cumulative impacts, the EA assesses the greenhouse gas emissions from the two locomotives on their daily round trip in *Chapter 3, Section 3.8.3.1*. As stated in *Chapter 3, Section 3.2 and Section 3.9*, OEA expects that the number of trucks on roadways could decrease under the Proposed Action as a result of the use of freight rail rather than trucks to move goods, which could have a positive effect on climate change. OEA anticipates that the LBP, the Midvalley Highway extension, the UIPA Tooele Valley Project Area, and the UIPA Twenty Wells Project Area would generate substantial greenhouse gas emissions from automobile and truck trips to and from these developments. Therefore, OEA concludes in *Chapter 3, Section 3.13.3.2* that there would be cumulative greenhouse gas emissions impacts from the Proposed Action when added to the greenhouse gas emissions impacts from these projects, but that they would be negligible.

Comment 13-9: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

The Utah drought cannot sustain this level of industrial development. Ground water is the sole source of drinking water in the Tooele Valley. Well water levels are dropping valley wide. Further industrial growth in Tooele would exacerbate water demand. The area is suffering from decades long and likely worsening severe drought in the future related to the climate crisis. The Draft EA does not address the impact of the climate crisis on the sustainability of the increased population, economic activity, and water demand stimulated by the rail line.

OEA Response

The commenter's concerns related to drought and sustainability relate solely to independent development undertaken by third parties in the area, and because there were no impacts on these resource areas from the Proposed Action, they were not carried forward into the cumulative impacts analysis. Further, there is no evidence that the Proposed Action would stimulate water demand, another assertion by the commenter predicated on the assumption that the Proposed Action would cause population growth outside of what is desired and planned for in the general plans for the area.

Comment 13-10: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

Meaningful discussion of climate change impacts is lacking. The Draft EA fails to evaluate the significance of the project's direct, indirect, and cumulative greenhouse gas emissions on climate change, and relies on a STR propaganda piece. STR is a project of Savage Companies, which promotes refinery services, handling of chemicals and is involved in oil and gas industry activity, as well as mining. This is not a company that cares about carbon emissions as a significant percentage of their business is in the fossil fuel and chemical industries.

OEA Response

Comment noted. See response to comment 10-9 explaining OEA’s approach to the climate change evaluation and recommended mitigation. There is no inherent connection between Savage Companies’ handling of chemicals and involvement in the oil and gas, and mining industries (which it lists on its website) and the Proposed Action.

I.3.9 Land Use, Zoning, and Public Policy

Comment 13-11: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

OEA makes a questionable assumption about the market for warehouse space. If Great Salt Lake continues its ecological collapse, the market for anything in northern Utah will be collapsing too. The two planned industrial projects connected to the STR are not “market based” as they are planning on receiving significant public subsidies from the UIPA.

OEA Response

Comment noted. This comment is not relevant to the Proposed Action or its reasonably foreseeable impacts.

Comment 13-12: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

The statements that Tooele County and Erda seek to halt rapid population growth while also attracting commercial opportunities and that the Proposed Action would be consistent with their general plans because it would not add population and would support new commercial opportunities in an area designated for growth are contradictory to itself, reality, and the disposition of the majority of Grantsville and Erda residents. Affected residents do not want to see population growth but economic growth fostered by the rail line can be reasonably expected to lead to population growth, and both lead to consumption of natural resources, water consumption, and energy consumption, which will have significant adverse impacts on the quality of life in the community.

OEA Response

Comment noted. As discussed in *Chapter 3, Section 3.11.3.1* of the EA, OEA found the Proposed Action to be consistent with local plans in the Tooele Valley following a review of the general plans for Tooele County, Erda City, and the City of Grantsville. The Proposed Action also is consistent with the goal of the Grantsville City general plan to maintain community character, manage growth, and support a mixture of land uses. One of the stated goals of the City of Erda 2022 general plan and the 2022 Tooele County General Plan Update, as the commenter notes, is to halt rapid population growth while also attracting commercial opportunities that would improve the quality of life for residents. Both cities and the county recognize that commercial growth can occur without stimulating continued population growth, particularly where, as here, there is no residential component related to the Proposed Action.

I.3.10 Environmental Justice

Comment 10-11: EPA Region 8 (EI-33135)

We recommend that the STB reevaluate the analysis of Environmental Justice and other marginalized communities in the EA. The Draft EA identifies that no Environmental Justice communities were identified in the area; however, looking at EPA's EJScreen⁴ tool identified that Marshall and surrounding communities experience higher percentiles of unemployment and air toxics health impacts. This review is not holistic and should be scrutinized in greater detail, yet it does imply that there may be marginalized communities within the project vicinity that could be further impacted by the return of rail traffic, LBP development and increased HAPs in the area. It appears that approximately 30 to 40 years have passed since the rail was active, it is possible that a whole generation has resided or worked in the area without experiencing the impacts of rail traffic in such proximity. We recommend that STB and STR reach out directly to the occupants of residences and businesses in Marshall and those near the rail line to gather their input. This information will help inform whether the community that will be primarily impacted has concerns and whether there may be mitigation to minimize impacts.

OEA Response

OEA conducted the Environmental Justice analysis in accordance with EO 14096, which updates and recommits to EO 12898 as described in *Chapter 3, Section 3.12* of the EA. Environmental justice is defined in the EO as “the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other Federal activities that affect human health and the environment.” In its determination that there are no persons of this status that could be affected by the Proposed Action, OEA correctly applied the intent of this EO. EO 14096 did not change the criteria for identifying low-income and minority populations. *Chapter 3, Section 3.12* of the EA states that based on the criteria in EO 14096:

No census block met the EJ criteria for minority population for either of the census block groups that intersect the Proposed Action. All minority populations occupy less than 50 percent of the census block group populations. Neither of the census block groups that would be crossed by the Proposed Action have poverty rates for individuals and families that exceed the county or state estimates, and they are not considered low-income EJ populations for the purpose of this analysis.

Regarding EPA's suggestion to reach out directly to residents and businesses in Marshall, in September 2023 when the Draft EA was released, OEA contacted the landowners directly and residents of each tax lot adjacent to the proposed rail line, including within the Gunderson Circle development in Marshall, Utah, with a postcard mailing. The postcard informed recipients that the Draft EA was issued on September 29th, where to access a digital or hard copy of the Draft EA, and how to submit comments during the 30-day comment period that ended on October 30, 2023. No further outreach was necessary because OEA did not identify Marshall as an EJ community.

I.3.11 Cumulative Impacts

Comment 12-1: Friends of the Great Salt Lake (EI-33147)

OEA has unreasonably narrowed the scope of its examination of the consequences of this project and has not considered the cumulative impacts associated with STR's project on the wetlands and uplands of Great Salt Lake. This is especially true in light of the ongoing authorization and construction of multiple industrial parks/inland ports within the Great Salt Lake ecosystem. OEA must consider the cumulative impacts of this project in the larger context of other reasonably foreseeable inland port projects affecting Great Salt Lake wetlands and uplands including UIPA-approved projects in the Northwest Quadrant area of Salt Lake City, as well as the Golden Spike Project in Brigham City, Garland, Tremonton and Box Elder County. Further, both Tooele County and Weber County have requested approval for port projects located within those counties, including the project supported by this proposal. Each of those projects and proposed projects will have significant negative impacts on wetlands and uplands associated with Great Salt Lake.

OEA looked strictly at the direct footprint of STR's project and failed to consider the project in the context of the other existing and proposed inland port projects. In the Cumulative Impacts section, no consideration was given to this project in the context of the reasonably foreseeable future inland port projects and the cumulative impact of those projects on Great Salt Lake wetlands and is woefully inadequate. It failed to consider this project in the context of the near simultaneous development of the various inland ports on the Great Salt Lake ecosystem.

Under NEPA, segmenting or piecemealing a project means examining parts of an action as though they were independent and unrelated activities. This is explicitly forbidden because it would allow an examining entity to minimize the overall environmental impact by evaluating individual parts of a much larger action rather than acknowledging the cumulative impacts of that larger action as a whole. It is reasonably foreseeable that this project is only one part of a much larger effort to create a web of industrial port facilities that wrap around Great Salt Lake.

OEA Response

OEA appropriately considered reasonably foreseeable actions near the Proposed Action study area in *Chapter 3, Section 3.13* of the Final EA, *Cumulative Impacts*. In response to comments such as this, OEA augmented its cumulative impact analysis in the Final EA to include the UIPA Project Area proposals in Tooele County for the Tooele Valley Project Area (Zenith Bolinder site) and Twenty Wells Project Area. Also, in response to comments such as this, OEA added context regarding the Proposed Action's proximity to the Great Salt Lake to *Chapter 3, Section 3.5.2.2*, to clarify that the Proposed Action varies from a distance of approximately three miles from the Great Salt Lake at its northern end, to approximately seven miles at its southern terminus in the LBP.

OEA did not segment the Proposed Action and the potential UIPA Project Areas by treating them as cumulative impacts because they are independent proposals and do not meet the purpose and need for the Proposed Action, which is to serve the LBP.

The UIPA Tooele Valley Project Area Plan recognized the site's proximity to important wetlands and that its adjacency to the Great Salt Lake needs "particular attention so as not to destroy any part of the Great Salt Lake's ecosystem." OEA cannot determine whether the development of the UIPA Tooele Valley Project Area would have impacts to the ecosystem including the Great Salt Lake, based on the preliminary nature of the available information. OEA does not anticipate cumulative impacts associated with the Proposed Action and any of the other reasonably foreseeable actions in the study area.

Comment 13-13: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

Another developer, Zenith Bolinder LLC, is planning a 162.74-acre industrial development (that they would eventually like to double in size) on the shores of the imperiled Great Salt Lake. The UIPA cites the Savage Tooele Rail line several times in the draft Project Area Plan for the location next to the proposed rail line. There is an on-going legal dispute between the city of Erda, and Grantsville City regarding several thousand acres of land in Great Salt Lake wetlands, on the south side of the proposed rail line that developers also want to turn into an industrial area.

OEA Response

In response to this comment, appropriate information and analysis regarding the UIPA Tooele Valley Project Area, and UIPA Twenty Wells Project Area, have been added to the Final EA in *Section 3.13, Cumulative Impacts*. The legal dispute noted in the comment is not relevant to OEA's environmental analysis of the Proposed action evaluated in this Final EA.

Comment 11-2: Tom Wilcox on behalf of Savage Tooele Railroad (EI-33156)

The Utah Physicians Letter is wrong in stating that the purpose and scope of STR's project has been expanded to include providing rail service to entities other than LBP, such as an industrial development that, if constructed, would be on a 162.74-acre parcel. In stark contrast to the Lakeview Business Park, which has received all required permits and where facilities are being constructed, that project is only conceptual. It should not be misconstrued to infer that STR has plans to serve that development or any new or existing businesses outside the Lakeview Business Park. The Utah Physicians Letter assertions about the potential environmental impacts from daily truck trips, emissions by trucks and locomotives, pollution, degradation of quality of life, etc., are all significantly overstated and not based on actual facts. There is no reason for OEA to analyze the potential impacts of a development project that is not part of STR's plans, is only conceptual, and may never receive approval from the relevant state and federal authorities.

OEA Response

Comment noted.

Comment 13-14: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

The rail line is contrary to the public interest. There are no plans or even discussions for pollution mitigation from UIPA or developers of the two industrial zones to be served by STR. Approval of this project would open the door to the creation of diesel death zones in Grantsville and Erda. The downstream effects would extend far beyond because the area is part of the airshed of the Salt Lake Valley, add tens of thousands of daily truck trips to roads in the greater Salt Lake City area, and also add to pollution-caused death and disease for millions.

The Draft EA fails to assess cumulative impacts. The OEA did not fully examine the impact of all of the industrial development the STR is designed to incentivize. Communities where manufacturers and distributors of goods are adding warehousing capacity in the United States are becoming victims of the trend, not beneficiaries. If the LBP is built to capacity STR would be a primary enabler of tens of thousands of new daily truck trips and vehicle trips in the area.

The rail line would dramatically degrade quality of life in adjacent communities. The developers of these industrial zones and the STR would thoroughly degrade the rural character of the towns of Tooele, Grantsville and Erda and become a massive new air pollution and traffic burden and are inconsistent with improving quality of life in the area. This kind of development is inconsistent with the STB's statutory requirement to prioritize "public convenience and necessity." This development would be a negative transformation. Several community referendums have been conducted on this issue and the overwhelming majority of residents of both Erda and Grantsville do not want these industrial projects.

The Draft EA is irrational in denying the role that the rail line will play in creating much more commodity movement and therefore truck traffic. It is not a matter of the same amount of shipping of goods will occur no matter what transportation mode is available. The Draft EA is self-contradictory in that on the one hand it claims a rail line would be an important contributor to LBP's viability, but on the other hand, it states in section 3.13.3 that it would not contribute to a cumulative impact on "air quality, energy use, land use, zoning, or local plans."

The Draft EA fails to inform the public of significant environmental consequences. The Draft EA falls short of NEPA's "twin aims." It fails to disclose the Project's purpose and effect of increasing industrial development. The very purpose of the project is to incentivize industrial development in Tooele County by providing another transportation method for freight. It does not consider the reasonably foreseeable effects of accelerated industrial development in an area adjacent to the ecologically imperiled Great Salt Lake, with declining water quality and quantity, and that fails to meet federal clean air quality standards.

OEA Response

This comment is predicated on the assumption that the Proposed Action is stimulating industrial and warehouse development. As discussed in *Chapter 3, Section 3.13.2.1* of the EA, OEA properly determined that the LBP is not part of the Proposed Action but it is a

past, present, and reasonably foreseeable independent project within the same study area; therefore, it was analyzed for potential cumulative impacts. See response to comment 12-1 regarding the purpose and need for the Proposed Action, which is to serve the LBP, not UIPA's proposed Project Areas, and *Chapter 1, Section 1.2* of the EA, describing the Proposed Action Purpose and Need.

While OEA acknowledges that a non-urban environment and lifestyle can lead residents to choose to reside in Tooele County, the EA properly explains that the Proposed Action would not induce substantial commercial development in the county. Development has been occurring in Tooele County for some time. For example, the Purple Mattress Company opened a warehouse and manufacturing facility the size of 10 football fields in 2018. Additionally, the approximately 700-acre Utah Motorsports Campus has operated in Tooele County south of the Proposed Action since 2006. Moreover, Jesse D. Wilson, City Manager for the City of Grantsville commented on the Draft EA stating that the city government supports STR's objective of providing safe, efficient, and environmentally sustainable movement of freight and the economic development opportunities it offers to the region (see comment 7-1).

In addition, train operations on the proposed rail line, which would occur on the exact right-of-way where trains formerly operated in Tooele County, would only involve one train per day in each direction. Freight train service has operated in Tooele County, on the existing right-of-way that the Proposed Action would utilize and on the current Union Pacific (UP) Shafter and Lynndyl subdivisions, for over 150 years. The last spike that completed the transcontinental railroad was driven on the north side of the Great Salt Lake from Tooele County in 1869 when Utah was far more rural than it is today. To suggest that reintroduction of two trains per day on an existing right-of-way would cause a dramatic impact on residents' quality of life ignores 150 years of railroading and American history.

Comment 1-1: Katie Pappas (EI-33084)

This project will enable and support increased industrial development, warehousing, and diesel traffic with resulting environmental and human impacts and the projects it enables will not receive the same scrutiny and oversight and they are occurring in an area already facing huge development pressure and water scarcity. The nearby GSL and its wetlands will be further impacted by the development this will inevitably lead to.

OEA Response

See response to comment 12-1 above.

Comment 18-1: Liesa Manuel (EI-33142)

I oppose this outrageous plan to add further injury to the wetlands surrounding the Great Salt Lake. It should consider the cumulative effects of the development projects, both existing, and planned, surrounding the Lake. I defer to the expertise of the Center for Biological Diversity, and Physicians for a Healthy Environment et al, that that the true purpose of this rail line is to incentivize development of over 35 million square feet of industrial development on land that is currently open space, uplands, playa and wetlands and

in some places less than a mile from Great Salt Lake, a critical water body on the verge of ecological collapse. The economic benefit to the community has not been explained for the need for additional warehouse space and the need to site huge projects in such sensitive areas. Note the proximity of the Utah Inland Port in Salt Lake City and a proposed project in nearby Grantsville. Harm is to wildlife habitat by loss of land area or from toxic storm water run-off, to air quality, and to quiet enjoyment of life, from thousands of diesel trucks.

OEA Response

Comment noted. See responses to comment 13-1 through comment 13-14.

Comment 20-1: Malin Moench (EI-33139)

I fully endorse the comments Utah Physicians for a Healthy Environment, et al.; building this line would harm wetlands critical to the survival of the Great Salt Lake, pollute the air, and incentivizing the building of massive warehouse farms.

OEA Response

Comment noted.

Comment 21-1: Courtney Henley (EI-33138)

Do not approve this rail project. The life span and well-being of the millions of people and animals that live around the Great Salt Lake basin would be sacrificed for profit of the Savage Tooele Railroad. We have the worst air pollution in the world at times due to cold temperature inversions; the ozone is horrible; industrial development is hastening the disappearance of the Great Salt Lake and the dry lake bed will have catastrophic health consequences. The Railroad and the UIPA are an example of graft. There is no cogent purpose for a rail line through Tooele. The new rail line would be a large contributor to a cascade of development consequences having far reaching, undesirable effects, throughout the major urban areas of the Wasatch Front. The Draft EA fails to acknowledge that the true purpose of this rail line is to incentivize development of over 35 million square feet of industrial development. The EA does not take a hard look at the consequences of this with regard to air pollution, and water quality, and quantity.

OEA Response

Comment noted. See comment responses 12-1 and 13-14. As the EA shows, OEA took the required “hard look” at the potential environmental consequences of the Proposed Action.

Comments 14-1: Gary E. Hanneman, (EI-33143), 15-1: Joan M. Gregory (EI-33140), 16-1: Larry Dean (EI-33145), 17-1: Melinda McIlwaine (EI-33144), 19-1: Monica Hilding, Utah Environmental Caucus (EI-33141)

I agree with the Utah Physicians for a Healthy Environment, et al and their list of 15 reasons that the project should be rejected.

OEA Response

Comment noted.

I.3.12 Mitigation

Comment 11-1: Tom Wilcox on behalf of Savage Tooele Railroad (EI-33148)

STR requests MM-Grade Crossing 01 be withdrawn or revised to clarify that STR's compliance with UDOT's requirements concerning reinstatement of the two crossings is at all times subject to the well-established rules governing preemption of state laws and regulations by §10501(b).

OEA Response

In response to this comment, OEA has revised **MM-Grade Crossing-01** to clarify that STR shall abide by the agencies' reasonable requirements.

Comment 10-5: EPA Region 8 (EI-33135)

We recommend that the mitigation measure to ensure appropriate pesticides are used by trained individuals to maintain the right-of-way and limit impacts of pesticides to ground and surface waters be enhanced by prescribing that pesticides not be used in the presence of wetlands and by following the instructions on the pesticide label.

OEA Response

OEA's recommended mitigation measure **MM-Biological-05** has been revised to state the following: "STR shall only use herbicides in right-of-way maintenance to control vegetation that are approved by EPA and are applied by trained individuals, following the instructions on the pesticide label, who will limit application to the extent necessary for safe rail operations and not use the pesticides near wetlands. Herbicides shall be applied to prevent or minimize drift off of the right-of-way into adjacent areas."

Comment 13-15: Utah Physicians for a Healthy Environment, Center for Biological Diversity, et al (EI-33146)

The voluntary measures provide no public protection. There is no reason to believe any volunteer measures that cost STR money will be adopted. The statement "OEA also encourages applicants to negotiate mutually acceptable agreements with affected communities and other government entities. Negotiated agreements can be with neighborhoods, communities, counties, cities, regional coalitions, states, and other entities" is hollow and of no value in protecting the community from collateral damage.

OEA Response

It is the Board's practice, as described in *Chapter 4, Section 4.2* of the EA, to require compliance with any relevant voluntary mitigation offered by applicants in any final decision authorizing construction and operation of a proposed rail line. Should the Board

authorize the Proposed Action and impose STR's voluntary mitigation, STR would be required to comply with that mitigation regardless of the cost. Because voluntary mitigation can be more far reaching than mitigation the Board can unilaterally impose, the Board's practice is to encourage railroad applicants to develop voluntary mitigation or negotiated agreements with affected communities if possible.

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Table I.1-1. Comment Index Organized Alphabetically by Commenter First Name or Organization

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Christopher Howard	EI-33091	Individuals	4-2	Water Resources	I.3.5
Christopher Howard	EI-33091	Individuals	4-3	Noise	I.3.2
Christopher Howard	EI-33091	Individuals	4-4	Environmental Review	I.3.1
Courtney Henley	EI-33138	Individuals	21-1	Cumulative Impacts	I.3.11
Derek Miller, Salt Lake Chamber	EI-33131	Organizations	6-1	Environmental Review	I.3.1
EPA Region 8	EI-33135	Federal Agencies	10-1	Water Resources	I.3.5
EPA Region 8	EI-33135	Federal Agencies	10-2	Water Resources	I.3.5
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Gary E. Hanneman	EI-33143	Individuals	14-1	Cumulative Impacts	I.3.11
Jess Bird, Councilman, City of Erda	EI-33132	Elected Officials – Local	9-1	Noise	I.3.2
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Joan M. Gregory	EI-33140	Individuals	15-1	Cumulative Impacts	I.3.11
Jonathan Freedman, World Trade Center Utah	EI-33133	Organizations	8-1	Environmental Review	I.3.1
Katie Pappas	EI-33084	Individuals	1-1	Cumulative Impacts	I.3.11
Larry Dean	EI-33145	Individuals	16-1	Cumulative Impacts	I.3.11
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