

# DRAFT ENVIRONMENTAL ASSESSMENT

DOCKET NO. FD 36616

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



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**SURFACE TRANSPORTATION BOARD**

**Washington, DC 20423**

*Office of Environmental Analysis*

September 29, 2023

Re: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation – Line of Railroad in Tooele County, Utah; **Issuance of Draft Environmental Assessment and Notice of Public Comment Period**

Dear Reader:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is pleased to provide you with the Draft Environmental Assessment (Draft EA) for the proposed construction and operation of a line of railroad by the Savage Tooele Railroad (STR) Company. The Draft EA analyzes the potential environmental and historic impacts of STR's request for Board authority to construct and operate approximately 11 miles of railroad line in Tooele County, Utah. The proposed rail line would provide common carrier rail service to tenants of the Lakeview Business Park (LBP) in Grantsville, Utah.

OEA has prepared this Draft EA pursuant to the National Environmental Policy Act (NEPA) (42 U.S.C. §§ 4321-4370m-11) and related laws, including Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108). This Draft EA analyzes the potential environmental impacts of the proposed rail line. OEA also considered the No-Action Alternative, which would occur if the Board were to deny authority for STR to construct and operate the proposed line. Under the No-Action Alternative, there would be no rail service operated by STR to and from the LBP and transportation of all LBP goods would likely continue to be by commercial truck.

***WHERE TO FIND THE DRAFT EA***

The Draft EA is available for viewing and downloading on the Board's website at [www.stb.gov](http://www.stb.gov). All information that has been filed with the Board can be found on the Board's website (Docket No. FD 36616).

***HOW TO COMMENT ON THE DRAFT EA***

OEA invites public comment on all aspects of the Draft EA. OEA is providing a 30-day comment period, which will begin on September 29, 2023, and end on October 30, 2023. During the comment period, members of the public may mail written comments or submit electronic comments



through the environmental comment form on the Board's website at <https://www.stb.gov/proceedings-actions/e-filing/environmental-comments>.

***WHAT HAPPENS AFTER THE COMMENT PERIOD CLOSES***

Following the close of the comment period on the Draft EA, OEA will prepare a Final EA. The Final EA will address the comments received on the Draft EA, present OEA's final conclusions regarding the potential environmental impacts of the proposed rail line, and set forth OEA's final recommendations to the Board, including recommended environmental mitigation measures. After the Final EA is issued, the Board will issue its final decision on whether to authorize the proposed rail line. In making its final decision, the Board will consider the entire record, including the information presented on the transportation merits, the Draft EA, Final EA, and all public and agency comments received. If the Board decides to authorize the proposed line, the Board may impose conditions on STR as part of that decision, including environmental mitigation conditions.

OEA appreciates the efforts of all interested parties who have participated in this environmental review. We look forward to receiving your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Gosselin". The signature is fluid and cursive, with the first name being more prominent.

Danielle Gosselin  
Director  
Office of Environmental Analysis

# Summary

## S.1 Introduction

Below is a summary of the analysis and major conclusions in this Draft Environmental Assessment (Draft EA) assessing the potential environmental and historic impacts of Savage Tooele Railroad's (STR) request for authority to construct and operate approximately 11 miles of railroad line in Tooele County, Utah (Proposed Action).

## S.2 Purpose and Need

According to STR, the purpose of the Proposed Action is to provide rail service to tenants of the Lakeview Business Park (LBP). STR states that there is currently insufficient rail infrastructure to accommodate the rapid growth of manufacturing and warehousing facilities across the country, and specifically in the Greater Salt Lake City area, including Tooele County, as part of a national trend that started prior to the COVID-19 pandemic. This national trend has seen manufacturers and distributors of goods respond to the supply chain disruptions that resulted in part from the pandemic by adding manufacturing and warehousing capacity in the United States, either by moving existing operations from overseas or adding new capacity.

The proposed federal action is the Surface Transportation Board's (Board) decision to authorize with appropriate conditions or deny construction and operation of the proposed rail line. The proposed rail line is not being proposed or sponsored by the federal government. Therefore, the purpose and need for the proposed rail line is informed by the goals of STR as the project applicant in conjunction with the Board's enabling statutes.

## S.3 Proposed Action

STR proposes to reinstitute common carrier freight rail service over an approximately six-mile segment of a former branch line, the former "Warner Branch" segment, and to construct approximately five miles of new railroad line within the LBP, currently under development in Grantsville, Utah. On the six-mile segment of the former Warner Branch, tracks remain on approximately 5.75 miles of the right-of-way. STR would also construct four 2,500-foot segments of ancillary switching (or interchange) track to offload and onload rail cars to and from the UP main line. The construction and operation of such ancillary track does not require prior approval from the Board. Here, however, enough information about this ancillary track is available to permit its consideration in this Draft EA.

## S.4 Draft EA and Final EA Process

The Board is the lead agency for this environmental review. The Board's Office of Environmental Analysis (OEA) is responsible for conducting the environmental review process, independently analyzing environmental data, and making environmental recommendations to the Board. OEA is issuing this Draft EA for public review and

comment for 30 days. Comments are due by October 30, 2023. OEA will consider all comments received on this Draft EA and will respond to comments in the Final EA, which will include OEA's final recommended environmental mitigation. The Board will consider the entire record, including the Draft EA and Final EA, all comments received, OEA's recommendations, and the transportation merits in making its final decision on whether to authorize the Proposed Action.

## S.5 Alternatives

The regulations implementing the National Environmental Policy Act (NEPA) require that federal agencies consider reasonable alternatives to the proposed action, including a No-Action Alternative. A reasonable alternative must meet the project's purpose and need and must be logistically feasible and practical to implement.

OEA used a two-step screening process to evaluate potential alternatives. Screening 1 used criteria to evaluate the range of reasonable alternatives based on STR's stated purpose and need for the Proposed Action. Screening 2 used criteria to evaluate the potential for environmental impacts. For Screening 1, OEA developed criteria that would need to be met for an alternative to be considered reasonable for further consideration based upon the planning objectives of STR. For Screening 2, OEA defined criteria that should be met and used to distinguish relative differences between alternatives.

OEA found, based upon the information provided by STR and the evaluation of the alternatives in Screening 1 and 2 discussed above, that the Proposed Action is the only reasonable and feasible Build Alternative to carry forward for detailed analysis in this Draft EA. The reasons for this include the following:

- The Proposed Action would connect the LBP to a freight rail mainline that carries large volumes of commodities and goods transported for distribution throughout the U.S.
- The Proposed Action would be located within a former rail corridor, which is compatible with planned transportation activities and avoids greenfield construction.
- Impacts to public recreation facilities, utilities, businesses, future projects, and local plans would be minimized or avoided under the Proposed Action.

Therefore, OEA selected the Proposed Action, along with the No-Build Alternative, to carry forward for detailed analysis in this Draft EA.

## S.6 Summary of Impacts

### S.6.1 No-Action Alternative

Under the No-Action Alternative, the Board would not authorize STR's proposed construction and operation and STR would not construct and operate the proposed line. No rail traffic would serve the LBP and all goods would move by truck to and from the LBP.



## S.6.2 Proposed Action

Because the Proposed Actions would be built on existing rail right-of-way, there would be fewer environmental and historic impacts than would be the case with construction on entirely new right-of-way. As demonstrated in this Draft EA and **Table S-1**, the impacts of the Proposed Action range from no impacts to some impacts which can be minimized with mitigation. The resources for which the Proposed Action would have no or *de minimis* impacts are:

- Vibration
- Air quality
- Energy
- Land use, zoning, and local plans
- Environmental justice
- Cumulative impacts

The resources for which the Proposed Action would have some impacts which can be minimized with mitigation are:

- Noise
- Grade crossing safety
- Grade crossing delay
- Biological resources
- Water resources
- Hazardous materials
- Climate change

## S.7 Mitigation

STR provided 37 voluntary mitigation measures addressing a broad range of environmental issues and OEA is recommending 25 additional mitigation measures to further minimize project-related impacts. OEA is recommending that the Board impose all of this mitigation on any decision authorizing the proposed rail line. OEA will make its final recommendations on mitigation to the Board in the Final EA after considering all public comments on this Draft EA.

## S.8 Conclusion

OEA concludes that the Proposed Action would have no impacts for several environmental resource areas, including air quality, energy, land use and historic resources. For resource areas that have the potential to be impacted, including noise and grade crossing safety and delay, OEA concludes that these impacts can be minimized with the mitigation recommended in this Draft EA. See **Table S-1** below.

## S.9 Request for Comments

This Draft EA is available for viewing and downloading on the Board’s website ([www.stb.gov](http://www.stb.gov)) by clicking “Search STB Records” near the top of the home page and then searching for “Decisions” using Docket Number “FD 36616.” In addition, a hard copy of the Draft EA is available at the local libraries identified in **Table 1.7-1** of the Draft EA, which includes the address, telephone, website, and operating hours for each location.

OEA invites comments on all aspects of this Draft EA and will consider all timely comments received. All comments on this Draft EA must be submitted by the comment due date, within the published comment period, which will close in 30 days on **October 30, 2023**. When submitting comments on this Draft EA, OEA encourages commenters to be as specific as possible and to substantiate concerns and recommendations.

Comments on this Draft EA may be submitted electronically through the Board’s website at [www.stb.gov](http://www.stb.gov) by clicking on the “E-Filing” link on the left side of the home page and then selecting “Environmental Comments.” Brief comments may be typed within the comment field provided or longer comments may be attached as a separate file. Alternatively, comments on this Draft EA can be mailed to:

Andrea Poole

Surface Transportation Board

Environmental Filing, Docket No. FD 36616

395 E. Street SW

Washington, DC 20423

It is not necessary to mail written comments that have been filed electronically. Please refer to Docket No. FD 36616 in all correspondence addressed to the Board, including all comments submitted on the Draft EA.

**Table S-1 Project Impacts and Recommended Mitigation Summary**

| Resource Area                | Impacts, OEA Recommended Mitigation Measures, and STR Voluntary Mitigation   |
|------------------------------|--|
| <b>Noise and Vibration</b>   |  |
| Construction                 | OEA concludes that with the voluntary mitigation proposed by STR to control noise and limit construction times there would be no noise and vibration impacts during construction.  |
| Operation                    | OEA anticipates that noise from the rail operations would impact one noise receptor, receptor #6, if a quiet zone is not applied for, and granted. If there is no quiet zone, OEA concludes that noise impacts to this receptor would be minimized with building sound insulation and the other mitigation recommended by OEA. Further, because the modeled noise contour also comes close to adversely affecting several other receptors, OEA also recommends that STR be required to measure train horn and wayside noise levels from actual train operations to verify the modeled noise contour location used in this Draft EA. STR has proposed voluntary mitigation agreeing to work with the City of Erda, UDOT, and Tooele County to seek to establish quiet zones at SR 138 and Erda Way. OEA does not anticipate vibration impacts from rail operations. |
| <b>Grade Crossing Safety</b> |  |
| Construction                 | OEA concludes that while grade crossing safety impacts could result during construction of the new crossings at SR 138 and Erda Way, these impacts would be minor and temporary and would be minimized through the use of traffic control best practice measures proposed by STR as voluntary mitigation. <sup>1</sup>   |
| Operation                    | If the Board authorizes the Proposed Action, OEA estimates that the number of crashes at grade crossings would increase by 0.0102 crashes per year across the two at-grade crossings at SR 138 and Erda Way under the 2023 conditions (or one predicted crash approximately every 98 years). Under the projected 2026 conditions, the total predicted number of crashes would increase by 0.0131 crashes per year at the two at-grade crossings (or one predicted crash approximately every 76 years). OEA concludes that rail operations would increase the potential for train-vehicle crashes at grade crossings. Although the Proposed Action could result in an increase in the potential for crashes at grade crossings  |

<sup>1</sup> STR has proposed voluntary mitigation requiring it to coordinate with local agencies on construction schedules, detours, traffic control, and traffic control permits and to maintain egress or traffic routing and install temporary traffic control within the area and work zones, including pavement markings, signing, and detours as described in Chapter 4.



| Resource Area               | Impacts, OEA Recommended Mitigation Measures, and STR Voluntary Mitigation   |
|-----------------------------|--|
|                             | <p>in the study area, the number of crashes on roadways in the area could also decrease because rail freight is generally safer than truck.</p> <p>OEA anticipates that impacts to grade crossing safety from the Proposed Action would be mitigated by the voluntary mitigation measures proposed by STR and OEA’s recommended mitigation. OEA recommends mitigation measures requiring STR to consult and comply with the UDOT grade crossing requirements. Further, STR would be required not to block at-grade crossings for more than 10 minutes and to notify Emergency Services Dispatching Centers if grade crossings become blocked by trains that may be unable to move for a prolonged period. In addition, STR has proposed voluntary mitigation requiring it to consult with appropriate agencies on the design of the at-grade crossing warning devices and pavement markings, signing, delineators, and active warning devices; emergency service response; permits and approvals; information signs; and Operation Lifesaver educational programs.<sup>2</sup></p> |
| <b>Grade Crossing Delay</b> |  |
| Construction                | <p>OEA concludes that while there would be the potential for impacts to grade crossing delay from construction of the Proposed Action at the two new grade crossings on SR 138 and Erda Way, these delays would be minor and temporary and could be minimized through the use of the traffic control best practice measures proposed by STR as voluntary mitigation.<sup>3</sup></p>   |
| Operation                   | <p>OEA concludes that rail operations at at-grade crossings would cause increased delay to vehicles and emergency service providers due to the two new at-grade crossings. However, this impact would be minor. OEA predicts that the two new at-grade crossings would not cause the LOS to decrease below LOS A. On average, the grade crossing delay would be less than 1.0 second per vehicle. Because LOS A corresponds to free flow conditions, OEA concludes the two new at-grade crossings would result in</p>  |

<sup>2</sup> STR has proposed voluntary mitigation requiring it to consult with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices; consult with UDOT and applicable road authority about pavement markings, signing, delineators, and active warning devices for vehicles, pedestrians, and bicyclists; work with the local agencies to facilitate the development of cooperative agreements with emergency service providers to share services areas and emergency call response; consult with affected communities regarding clearing vegetation or installing lights; obtain and abide by applicable UDOT permits and approvals; provide and maintain permanent signs prominently displaying a toll-free telephone number enabling drivers to report promptly accidents; and to coordinate with Operation Lifesaver educational programs, as described in Chapter 4.

<sup>3</sup> STR has proposed voluntary mitigation requiring it to coordinate with local agencies on construction schedules, detours, traffic control, and traffic control permits and to maintain egress or traffic routing and install temporary traffic control within the area and work zones, including pavement markings, signing, and detours as described in Chapter 4.

| Resource Area               | Impacts, OEA Recommended Mitigation Measures, and STR Voluntary Mitigation   |
|-----------------------------|--|
|                             | <p>only minor delay impacts. To address this minor delay impact, OEA recommends mitigation requiring STR to not block at-grade crossings for more than 10 minutes and requiring STR to notify appropriate Emergency Services Dispatching Centers if grade crossings become blocked by trains for a prolonged period.</p> <p>Because the Proposed Action would not result in a decrease in the LOS at either of the proposed grade crossings at SR 138 or Erda Way, OEA did not identify grade crossing impacts at SR 138 or Erda Way that would warrant grade separation. UDOT indicated in a letter to OEA dated May 1, 2023, that STR has agreed to work with UDOT and local entities to provide funding for grade separation at SR 138 in the future if conditions warrant. STR has proposed voluntary mitigation requiring consultation with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices and to comply with applicable UDOT and local requirements. Further, OEA is recommending mitigation requiring STR to consult with UDOT and comply with their requirements for creating new rail/roadway crossings.</p> <p>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.</p> |
| <b>Biological Resources</b> |  |
| Construction/operation      | <p>OEA concludes that minor impacts to biological resources would occur during construction activities and maintenance. OEA concludes that the Proposed Action would result in some impacts to plant communities. Specifically, OEA expects that the estimated 1.8 acres of vegetation in areas temporarily altered for construction activities would recover and no permanent impacts in those areas is anticipated. However, OEA expects that an estimated 4.6 acres of vegetation would be permanently lost or altered. To address these impacts to plant communities, OEA is recommending mitigation that requires STR to limit ground disturbance and use fencing during construction, and after construction, requires STR to landscape with a native seed mix, implement a plan to address the spread of non-invasive plants, and limit the use of herbicides to only trained individuals.</p> <p>OEA concludes that the Proposed Action would result in no or negligible impacts to wildlife, ESA-listed species, state-listed and sensitive species, Bald and Golden Eagles, natural areas, and critical habitat. If the Board imposes all of OEA's recommended mitigation, including STR's voluntary mitigation, OEA anticipates no impacts to biological resources during construction or operation of the Proposed Action.</p>   |
| <b>Water Resources</b>      |  |
| Construction/operation      | <p>OEA concludes that impacts to certain water resources would occur during construction activities and maintenance. OEA anticipates that the Proposed Action would result in no or negligible impacts on</p>  |

| Resource Area              | Impacts, OEA Recommended Mitigation Measures, and STR Voluntary Mitigation   |
|----------------------------|--|
|                            | <p>ground water and floodplains. However, the Proposed Action could result in impacts on surface waters, wetlands, and water quality. OEA anticipates no impacts to water resources from rail operations.</p> <p>As part of the Proposed Action, STR would replace deteriorated existing culverts 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. To mitigate any potential for impacts on surface waters, OEA is recommending mitigation requiring STR to design the drainage crossing structures for a 100-year storm event 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.</p> <p>OEA also concludes that the Proposed Action would require the placement of fill material in some wetland areas resulting in a permanent loss of 0.5 acres of wetlands. To mitigate impacts on wetlands, OEA is recommending mitigation requiring STR to obtain a permit from the U.S. Army Corps of Engineers (USACE), minimize impacts to wetlands in the Proposed Action final design, prepare a mitigation plan in consultation with USACE if applicable, and compensate for the loss of any wetlands.</p> <p>Finally, OEA anticipates that construction of the Proposed Action would create ground disturbance that could lead to erosion of sediments into water bodies. To minimize these short-term localized impacts on water quality, STR has proposed voluntary mitigation requiring it to obtain stormwater management permits and develop a stormwater pollution prevention plan including construction best management practices BMPs. OEA is recommending additional mitigation requiring STR to obtain a Section 401 Water Quality Certification from the Utah Department of Environmental Quality (UDEQ).</p> <p>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.</p> |
| <b>Hazardous Materials</b> |  |
| Construction/operation     | <p>While OEA does not expect impacts to hazardous material release sites to occur, if 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 may be required. If the Board imposes all of OEA’s recommended mitigation, including STR’s voluntary mitigation, OEA anticipates no hazardous materials impacts during construction or operation of the Proposed Action.</p>  |
| <b>Cultural Resources</b>  |  |
| Construction/operation     | <p>OEA conducted a Class III pedestrian inventory in May 2023 under Section 106 of the National Historic Preservation Act (NHPA) after consulting with Utah State Historic Preservation (SHPO) in February 2023. The entire length of the Proposed Action along the former Warner Branch was documented. The</p>   |



| Resource Area          | Impacts, OEA Recommended Mitigation Measures, and STR Voluntary Mitigation   |
|------------------------|--|
|                        | <p>location where the Proposed Action is bisected by the Historic Lincoln Highway (SR 138) was investigated and documented. In addition, two historic structures were newly identified, documented, and evaluated for National Register of Historic Places (NRHP) significance. OEA concludes that the Proposed Action would have no adverse effect on historic properties within the Area of Potential Effects (APE). OEA is recommending mitigation requiring STR to provide OEA with a construction monitoring plan that addresses training procedures, monitoring plans, and provisions for complying with regulations in the event of an unanticipated discovery of archaeological sites, artifacts, or unmarked human remains during construction activities. OEA continues to consult with the Utah SHPO on these findings.</p>   |
| <b>Air Quality</b>     |  |
| Construction/operation | <p>OEA determined that construction would result in criteria pollutant emissions below the applicable <i>de minimis</i> thresholds. OEA also projects hazardous air pollutants (HAPs) emissions during construction to be small, with the largest single HAP emission being 0.025 tons per year of formaldehyde. OEA did not identify any air quality impacts related to construction; therefore, OEA does not recommend mitigation.<sup>4</sup></p> <p>OEA determined that operation of the Proposed Action would result in increases in criteria pollutant emissions, but that they would be below the respective <i>de minimis</i> thresholds for Tooele County. Total HAPs emissions would also be small, totaling 0.09 tons per year. Greenhouse gas emissions are estimated to be approximately 392 tons of CO<sub>2e</sub> relative to the No-Action Alternative. OEA did not identify any impacts related to air quality for the operation of the Proposed Action rail line; therefore, OEA does not recommend any mitigation.</p> |
| <b>Climate Change</b>  |  |
| Construction/operation | <p>OEA anticipates that climate change would affect rail operations. Therefore, OEA is recommending mitigation requiring STR to provide OEA with a climate change plan documenting how the effects of climate change on rail infrastructure would be considered and addressed by STR in final engineering design and construction. OEA concludes that the recommended mitigation measure would minimize the impact of climate change of the Proposed Action.</p>   |

<sup>4</sup> While OEA find not find air quality impacts requiring mitigation, STR has proposed voluntary mitigation requiring it to implement appropriate dust control measures to reduce fugitive dust emissions and to ensure that construction equipment is properly maintained to limit construction-related air pollutant emissions (see Chapter 4).

| <b>Energy</b>                              |  |
|--|--|
| Construction/operation                     | OEA concludes that the Proposed Action would result in no impacts to energy because it would increase overall energy efficiency by reducing energy used by commercial trucks. The reduction anticipated from freight shifting to rail would be greater than the minor increase in energy consumption from rail locomotives and vehicles stopped at grade crossings at SR 138 and Erda Way. |
| <b>Land Use, Zoning, and Public Policy</b> |  |
| Construction/operation                     | OEA concludes that based on a review of land use and zoning in Tooele County, the City of Grantsville and Erda City, construction and operation of the Proposed Action would not result in impacts to zoning and land use. The Proposed Action is consistent with the general plans for the City of Grantsville, Erda City, and Tooele County.   |
| <b>Environmental Justice</b>               |  |
| Construction/operation                     | OEA concludes that the Proposed Action is not anticipated to cause disproportionately adverse impacts on EJ populations because OEA did not identify minority or low-income populations in the study area for EJ analysis.   |
| <b>Cumulative Impacts</b>                  |  |
| Construction/operation                     | OEA determined that the reasonably foreseeable projects would not have overlapping impacts with the Proposed Action. Therefore, OEA does not anticipate cumulative impacts associated with the Proposed Action and any other reasonably foreseeable actions in the study area.   |

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- Appendix H Construction Description by Segment



# 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 <sub>4</sub>   | Methane   |
| CO                | Carbon monoxide   |
| CO <sub>2</sub>   | Carbon dioxide  |
| CO <sub>2</sub> 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 <sub>2</sub> O  | Nitrous oxide                                    |
| NO <sub>2</sub>   | Nitrogen dioxide                                 |
| NO <sub>x</sub>   | Nitrogen oxides                                  |

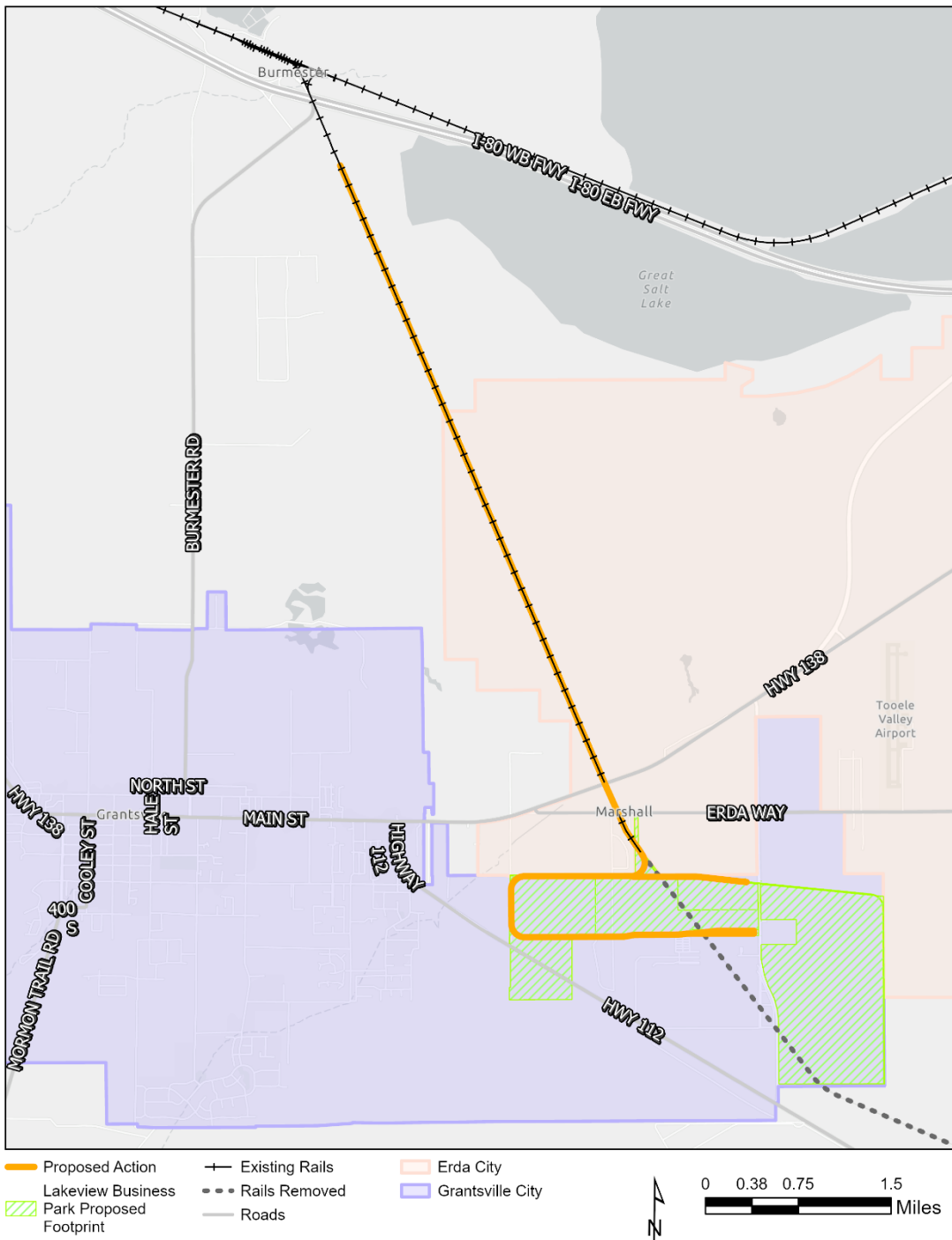
|                 |   |
|-----------------|---|
| NRC             | National Research Council   |
| NRCS            | Natural Resources Conservation Service  |
| O <sub>3</sub>  | Ozone   |
| OEA             | Office of Environmental Analysis  |
| OFCM            | Office of the Federal Coordinator for 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 <sub>2</sub> | 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   |

# 1. Purpose and Need

## 1.1 Introduction

On June 30, 2022, Savage Tooele Railroad (STR) filed a petition in Docket No. FD 36616 seeking authorization from the Surface Transportation Board (Board) for an exemption under 49 U.S.C. § 10502 from the prior approval requirements of §10901 to construct and operate approximately 11 miles of railroad line in Tooele County, Utah (Proposed Action). STR is a non-carrier, wholly owned subsidiary of Savage Enterprises, LLC, a Delaware company. Both companies are subsidiaries of the Savage Companies, which were founded in Utah in 1946 and provide transportation and logistics services worldwide. The proposed rail line would re-establish a former rail line connection to the Union Pacific Railway Company's (UP) Shafter Subdivision at Burmester, Utah and the national rail network. Under the Proposed Action, STR would provide common carrier rail service to tenants of the Lakeview Business Park (LBP) in Grantsville, Utah. LBP tenants currently are only able to receive and ship commodities by truck. STR forecasts that it would operate one roundtrip train (two trains per day, one in each direction) along the 11-mile line. STR indicates that Tooele County is one of the fastest growing areas in the country and does not have sufficient rail transportation infrastructure to meet future transportation and logistics needs. The proposed rail line would help meet the shipping needs of a growing region by creating a rail connection between the LBP and the national rail network (**Figure 1.1-1**). STR must receive Board authorization to construct and operate the 11-mile line as a common carrier.

**Figure 1.1-1. General Project Area and Access to the LBP**



More specifically, STR proposes to reinstitute common carrier freight rail service over an approximately six-mile segment of a former branch line, the former “Warner Branch” segment, and to construct approximately five miles of new railroad line within the LBP, currently under development in Grantsville, Utah. On the six-mile segment of the former Warner Branch, tracks remain on approximately 5.75 miles of the right-of-way. STR would also construct four 2,500-foot segments of ancillary switching (or interchange) track to offload and onload rail cars to and from the UP main line. The construction and operation of such ancillary track does not require prior approval from the Board. Here, however, enough information about this ancillary track is available to permit its consideration in this Draft EA.<sup>1</sup>

## 1.2 Purpose and Need

The construction and operation of the proposed new rail line is not a federal government-proposed or sponsored project. Rather, the Proposed Action is the request for authority to construct and operate 11 miles of common carrier rail line (described in this document as STR’s petition). Therefore, the project’s purpose and need is informed by both STR’s goals and the Board’s enabling statute—the Interstate Commerce Act, as amended by the ICC Termination Act, Pub. L. No. 104-188, 109 Stat. 803 (1996), which encourages the construction and operation of new rail lines to meet the nation’s transportation needs.

According to STR, the purpose of the Proposed Action is to provide common carrier rail service to tenants of the LBP. STR states that there is currently insufficient rail infrastructure to accommodate the rapid growth of manufacturing and warehousing facilities across the country generally and in the Greater Salt Lake City area, including Tooele County, specifically. This national trend, which started prior to the COVID-19 pandemic, has seen manufacturers and distributors of goods respond to the supply chain disruptions that resulted in part from the pandemic by adding manufacturing and warehousing capacity in the United States, either by moving existing operations from overseas or adding new capacity.<sup>2</sup>

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<sup>1</sup> Under 49 U.S.C. § 10906, Board authorization is not required for construction, acquisition, operation, abandonment, or discontinuance of ancillary switching or interchange track. Railroads also have the right to increase efficiency by improving, reactivating, and rehabilitating their rail lines, and rerouting their traffic without authority from the Board. In this case, however, STR asked for authority to construct and operate as a common carrier over the entire 11-mile rail line, including the six-mile former Warner Branch segment, where most track remains, and five miles of new rail line. Moreover, the planned 2,500-foot segments of ancillary switching or interchange track are an integral part of the proposed construction, and OEA has the information needed to include that track in its environmental review. Accordingly, the Draft EA considers the potential environmental impacts of the entire 11 miles of railroad line and the planned ancillary switching or interchange track.

<sup>2</sup> See generally, <https://www.forbes.com/sites/forbesrealestatecouncil/2021/02/17/the-rise-of-warehousing-a-steam-train-with-no-end-in-sight/?sh=74610fc73486>; <https://www.cnn.com/2022/10/09/economy/manufacturing-jobs/index.html>.

STR states that many of the companies seeking to locate in the LBP desire rail service for their facilities, but track and reasonable access to common carrier rail service currently does not exist. STR indicates that the proposed rail line could provide needed rail service connecting the LBP to UP's Shafter Subdivision and the national rail network. Construction of the LBP began in 2020. Currently, there are two tenants in place that are receiving commercial truck service.

Moreover, according to STR, the Proposed Action is needed to help meet the needs of the expanding population of Tooele County, which has been referred to by local officials as the seventh fastest growing county in the United States, due in large part to housing that is more affordable than neighboring Salt Lake County. Roughly 75 percent of Tooele County residents commute to Salt Lake County for work.<sup>3</sup> According to STR, the County needs manufacturing, distribution, and warehousing facilities to meet the demands of the rising population. STR indicates that rail service to LBP tenants would mean that large volumes of commodities and goods could be transported into and out of the County without tying up local roads and highways with commercial trucks.

### 1.3 Role of the Board

The Board is a nonpartisan, independent federal regulatory agency, composed of five presidentially appointed Members confirmed by the Senate. The Board has jurisdiction and licensing authority over certain rail transportation matters, including the construction and operation of new rail lines; railroad acquisitions, mergers, consolidations, and line sales; and proposals to abandon rail service (49 U.S.C. § 10901, § 11323-5, § 10903).

The Board licenses railroads as common carriers, requiring them to accept goods and materials for transport from all customers upon reasonable request (49 U.S.C. § 11101(a)). Under 49 U.S.C. § 10502, the Board must exempt the proposed construction and operation of a new rail line from the requirements of 49 U.S.C. § 10901 if it finds that regulation of the project:

- 1) is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101; and
- 2) either:
  - a) the transaction or service is of limited scope, or
  - b) the application of a subdivision of subtitle IV of the Interstate Commerce Act as amended by the Interstate Commerce Commission Termination Act of 1995 is not needed to protect shippers from the abuse of market power.

The Board does not regulate the number of trains operating over a specific section of rail line, nor does it maintain control over general day-to-day railroad operations. In this case, for the reasons discussed above, the Board will consider whether to authorize the proposed

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<sup>3</sup> <https://www.abc4.com/news/local-news/the-secrets-out-tooele-county-exploding-with-growth/>



construction and operation of the entire 11-mile line, consisting of six miles of reinstated service over the former Warner Branch and five miles of new rail line.

### 1.3.1 Request for Conditional Approval of Transportation Merits

In a letter dated December 5, 2022, STR requested that the Board conditionally approve its petition before completion of the environmental review to provide assurances to potential customers of LBP who are considering investing in rail infrastructure, among other reasons. In a decision served March 30, 2023, the Board denied STR's request. As discussed in more detail below, this means that the Board will complete the environmental and historic review before issuing a final decision on the merits, based on the entire record, including the record on the transportation merits, the Draft EA, the Final EA, and all public and agency comments received. After issuing this Draft EA for public review and comment, the Board will issue a Final EA that will consider and respond to all substantive comments received on the Draft EA and conclude the environmental review process. The Board will then issue a final decision on the merits, based on the entire record, including the record on the transportation merits, the Draft EA, the Final EA, and all public and agency comments received. In its final decision, the Board will decide whether to authorize construction and operation of the proposed rail line and, if so, what, if any, environmental mitigation conditions to impose.

## 1.4 NEPA Process

The Board is required to examine the potential environmental impacts of actions subject to its licensing authority under the National Environmental Policy Act (NEPA) (42 U.S.C. §§ 4321-4370m-11), the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108), and related environmental laws. The environmental and historic review process is intended to assist the Board and the public in identifying and assessing the potential environmental and historic consequences of a proposed action before a decision on that proposal is made. The Board's Office of Environmental Analysis (OEA) is the office within the Board responsible for ensuring the agency's compliance with NEPA, NHPA, and related environmental laws.

In conducting its environmental review, OEA considers the NEPA requirements and the Council on Environmental Quality (CEQ) implementing regulations; the Board's environmental regulations at 49 C.F.R. Part 1105; and other related environmental laws and their implementing regulations.

As part of the environmental review process, OEA makes recommendations to the Board regarding measures for mitigating potential adverse environmental impacts that could occur as a result of a Board decision. Environmental mitigation measures may include voluntary measures developed by railroad applicants and additional measures recommended by OEA. The Board encourages railroad applicants to propose voluntary mitigation. In some situations, voluntary mitigation can replace, supplement, or reach farther than mitigation measures the Board might otherwise impose. In a letter dated June 22, 2023, STR submitted voluntary mitigation measures that are discussed in more detail in Chapter 4. In making its final decision in this case, the Board will consider OEA's conclusions regarding environmental impacts and OEA's final recommendations for mitigation.

### 1.4.1 Request for Preparation of an Environmental Assessment

Based on the information provided by STR and comments from the federal, state, and local agencies and tribes received during consultation conducted in October and November of 2022, OEA determined that the preparation of an Environmental Assessment (EA), instead of an Environmental Impact Statement (EIS) is appropriate in this case under 49 C.F.R. §1105.6(d).<sup>4</sup> OEA granted STR’s request for a waiver of the preparation of an EIS on January 10, 2023, for the following reasons:

- No Tribal interest has been expressed, and the Utah State Historic Preservation Officer (SHPO) raised no specific concerns during preliminary agency and tribal consultation conducted in October and November of 2022;
- The results of a wetland survey determined that any potential impacts, as defined by the U.S. Army Corps of Engineers, would likely be minimal;
- Due to the small volume of expected rail traffic (one roundtrip per day), the potential for impacts related to air quality and safety during rail operations would be minimal;
- The EA will appropriately assess potential issues and solutions related to traffic patterns and vehicle delays at the proposed crossing of State Route 138 (SR 138); and
- OEA does not expect impacts to be significant.

## 1.5 Other Agency Roles and Reviews

STR indicates that it has consulted with appropriate state, city, and local entities in Utah about the purpose, design, and implementation of the Proposed Action. STR anticipates its Proposed Action would be consistent with the General Plans of the City of Grantsville. STR has stated that it would consider any input from the City of Grantsville and the City of Erda and coordinate the project construction with them as much as possible. The environmental and historic information in this EA could help inform the permitting process of other permits that might be required. Permits are discussed in **Chapter 3. Appendix A, Agency and Tribal Consultation** describes in more detail the agency consultation process with 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.

## 1.6 Agency and Tribal Consultation

In October and November 2022, OEA consulted with relevant federal, state, and local agencies, and tribes with jurisdiction or interest in potentially affected resources associated

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<sup>4</sup> While the Board’s regulations under 49 C.F.R. §1105.6(a) state that EISs will normally be prepared for rail construction projects, under 49 C.F.R. §1105.6(d), the Board may reclassify or modify these requirements for individual proceedings. In practice, and consistent with the CEQ regulations and 49 C.F.R. §1105.6(d), OEA prepares EAs for construction projects where it does not expect impacts to be significant.

with the Proposed Action (see Agency Consultation List in **Appendix A**). OEA sent letters to 44 agency and tribal contacts providing background information on the Proposed Action and on how to participate in the environmental and historic review process. OEA provided a 30-day period for the agencies and tribes that were consulted to assist OEA in identifying potential impacts of the Proposed Action and indicate if any agencies and tribes might be interested in serving as a cooperating agency. OEA received nine comments from agencies during this consultation, including comments from the Utah SHPO and the Utah Department of Transportation (UDOT). There were no cooperating agency requests.

During scoping and the preparation of the Draft EA, OEA consulted with federally recognized Indian tribes, consistent with NEPA, Section 106 of the NHPA, and Executive Order (EO) 13175, “Consultation and Coordination with Indian Tribal Governments.” EO 13175 requires that federal agencies conduct government-to-government consultation 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. Through government-to-government consultation, tribes can voice potential concerns about significant resources that may not otherwise be raised during the Section 106 process.

OEA contacted four tribes that were listed in HUD’s Tribal Directory Assessment Tool for the project area:

- Skull Valley Band of Goshute;
- Confederated Tribes of the Goshute Reservation, Nevada, and Utah;
- Shoshone-Bannock Tribes of the Fort Hall Reservation; and
- Ute Indian Tribe of the Uintah and Ouray Reservation, Utah.

OEA also contacted the Tribal Historic Preservation Officer for the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah. No tribes chose to participate in government-to-government consultation.

### 1.6.1 Section 106 Consultation

In addition to conducting an environmental review of the Proposed Action under NEPA, OEA has assessed the potential effects of the Proposed Action on historic properties that are listed in or are eligible for listing in the National Register of Historic Places (National Register), as required by Section 106 of NHPA. OEA met with the Utah SHPO in February 2023 to review the Proposed Action and agree on a cultural resources analysis approach. OEA sent consulting party invitations for the Section 106 process to 11 potential entities, including the four tribes listed above. The four parties that accepted the invitation to be a consulting party are listed in **Appendix A**.

### 1.6.2 Consultation with UDOT

In a November 2022 letter to OEA, UDOT requested that OEA consider at-grade and grade separated crossings of SR 138 because it is a high-speed rural highway with a posted speed limit of 65 mph in the area of the Proposed Action. OEA met with UDOT in March 2023 to

discuss this request. In a subsequent letter to OEA, UDOT offered to work with STR on the development of a quiet zone for an at-grade crossing of SR 138 and stated that it does not believe grade separation is warranted at this time, based on the level of delay that exists today.<sup>5</sup> This Draft EA analyzes the potential impacts of the Proposed Action on Grade Crossing Safety and Delay in **Chapter 3**, Sections 3.2 and 3.3.

## 1.7 Requests for Comments & Next Steps

This Draft EA examines existing environmental conditions of the study area and potential environmental and historic impacts associated with the Proposed Action and the No-Action Alternative, consistent with NEPA, Section 106 of the NHPA, and other relevant environmental laws. This Draft EA will be available to the public for a 30-day comment period. Interested agencies, tribes, individuals, and other stakeholders are encouraged to submit detailed and substantive comments on this Draft EA during the 30-day comment period. A physical copy of the Draft EA is available for review at the local libraries identified in **Table 1.7-1** below.

**Table 1.7-1. Draft EA hard copy locations**

|  |
|--|
| <p><b>Grantsville City Library</b><br/>           42 Bowery St, Grantsville, UT 84029<br/>           435-884-1670<br/> <a href="https://www.grantsvilleut.gov/departments/library/">https://www.grantsvilleut.gov/departments/library/</a><br/>           Tuesday through Friday: 10:00 a.m. to 6:00 p.m.; Wednesday 10:00 a.m. to 7:00 p.m.; Saturday 10:00 a.m. to 3:00 p.m.</p> |
| <p><b>Tooele City Library</b><br/>           128 West Vine Street, Tooele, UT 84074<br/>           435-882-2182<br/> <a href="https://tooelelibrary.org/">https://tooelelibrary.org/</a><br/>           Monday through Thursday: 10:00 a.m. to 8:00 p.m.; Friday: 10:00 a.m. to 6:00 p.m.; Saturday: 10:00 a.m. to 2:00 p.m.</p>   |

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<sup>5</sup> A quiet zone is an at-grade crossing where train horn sounding is not required if certain safety measures are met and approved by FRA. As detailed in Voluntary Mitigation 13 (VM-13) in Chapter 4, STR’s voluntary mitigation would require it to confer with the City of Erda, UDOT, and Tooele County about the establishment of quiet zones at Route 138 and Erda Way.

Interested parties are encouraged to file their written comments electronically through the Board’s website, [www.stb.gov](http://www.stb.gov), by clicking on the “File an Environmental Comment” link. Please refer to Docket No. FD 36616 in all correspondence, including e-filings, addressed to the Board. Comments also may be submitted by mail, addressed to:

Andrea Poole

Surface Transportation Board

Environmental Filing, Docket No. FD 36616

395 E. Street SW

Washington, DC 20423

It is not necessary to mail written comments that have been filed electronically. Please refer to Docket No. FD 36616 in all correspondence, including all comments submitted to OEA on the Draft EA.

Comments on this Draft EA must be received or postmarked within the published comment period, which will close in 30 days on **October 30, 2023**. All comments received—mailed or e-filed—will carry equal weight in helping to complete the EA process and guide the Board in making a decision in this proceeding. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

Following the close of the comment period on the Draft EA, OEA will issue a Final EA that will consider and respond to all comments received on the Draft EA and make any modifications necessary to the existing environmental analysis. The Final EA will set forth OEA’s final recommended environmental mitigation measures to the Board. The Board will then consider the entire record, including the record on the transportation merits, the Draft EA, the Final EA, all public comments received, and OEA’s final recommended environmental mitigation measures (including STR’s voluntary mitigation and OEA’s final recommended mitigation) in making its final decision in this proceeding. The Board’s final decision will determine whether to authorize the proposed rail line, and if so, what, if any, environmental mitigation conditions to impose.

# 2. Proposed Action and Alternatives

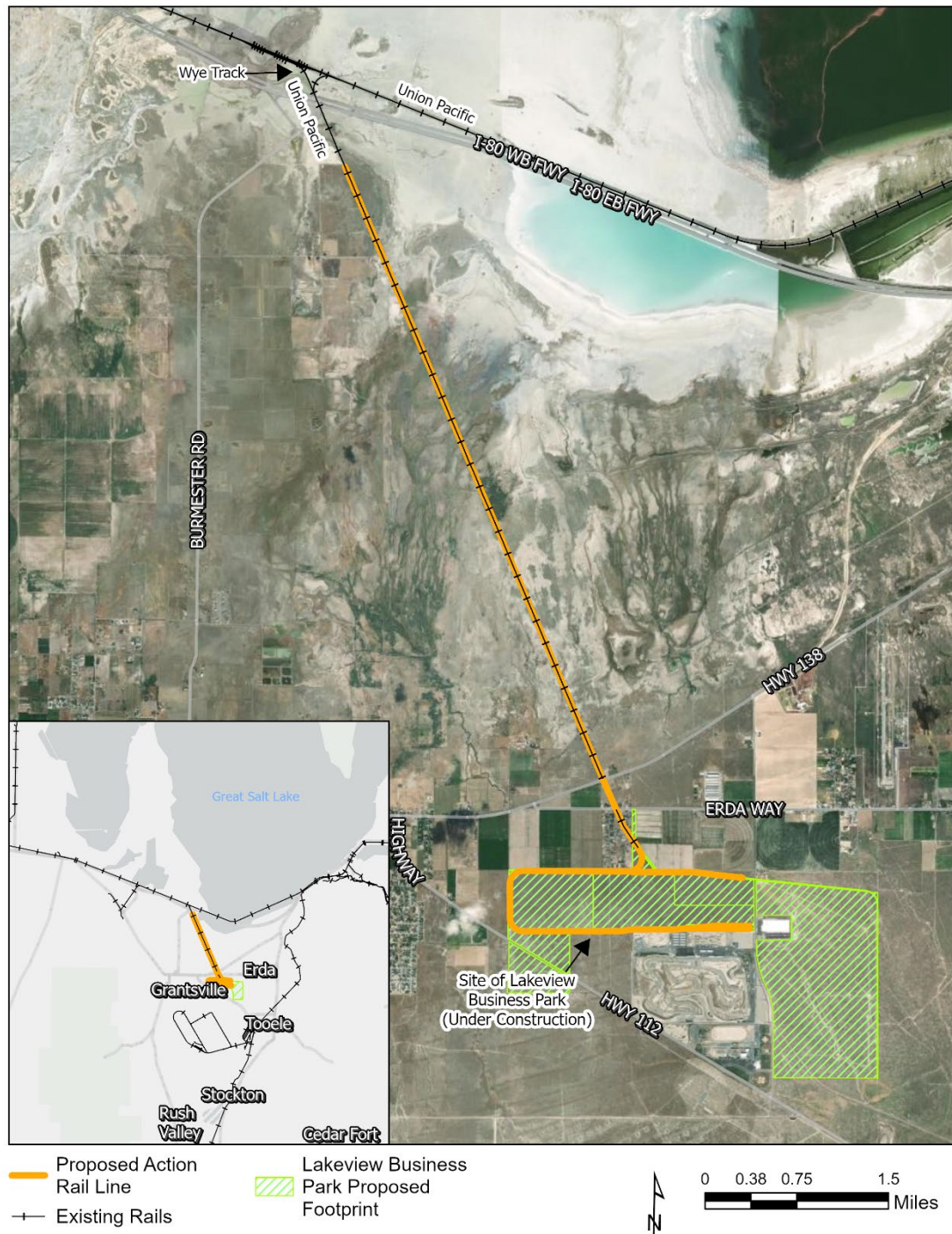
This chapter provides a detailed discussion of the Proposed Action, alternatives to the Proposed Action, and a No-Action Alternative. The NEPA implementing regulations (40 C.F.R. Parts 1500–1508) require that agencies critically evaluate alternatives to a proposed action, including a no-action alternative. Based on the purpose and need for the Proposed Action, information provided by STR, and OEA’s independent analysis, OEA has carried forward the Proposed Action and the No-Action Alternative for detailed analysis in this Draft EA.

## 2.1 Proposed Action

The Proposed Action is the proposed reinstatement of common carrier freight service over an approximately six-mile segment of a former 15.8-mile branch line and construction of approximately five miles of new rail line within the LBP under development in Grantsville, Utah (**Figure 2.1-1**). The Draft EA also considers four 2,500-foot segments of ancillary track that do not require prior approval from the Board under 49 U.S.C. § 10906 but are an integral part of the proposal and sufficiently developed to permit a meaningful environmental review.

The Proposed Action would use a six-mile segment of the former Warner Branch line which, according to STR, was fully abandoned pursuant to authority granted to UP’s predecessor, Western Pacific Railroad Company (WP), in 1983 (petition page 1); however, the railbed and tracks remain largely intact. Specifically, the Warner Branch formerly connected to the current UP Shafter Subdivision mainline in Burmester and then continued southeast for 15.8 miles to the UP Lynndyl Subdivision in the City of Tooele. Construction on the Warner Branch was completed in 1917. Rail service operated on the Warner Branch from 1917 until 1979. The former Warner Branch line was fully abandoned after the Board’s predecessor, the Interstate Commerce Commission, authorized abandonment of the Warner Branch in Finance Docket No. 30208, *Western Pacific Railroad Company - Abandonment Exemption – in Tooele County, Utah* (I.C.C. decided August 2, 1983). Under the Proposed Action, UP would retain its existing ownership and operation of the tracks between milepost 0.0, the rail interchange with the Shafter Subdivision in Burmester, Utah, and milepost 1.04, where STR’s ownership of the formerly abandoned six-mile segment of rail line would begin. STR currently is contracting to purchase all portions of the property needed to implement the Proposed Action that is owned by UP and other parties.

**Figure 2.1-1. Proposed Action**





## 2.1.1 Construction

STR anticipates construction activities for the Proposed Action would take approximately six months.<sup>6</sup> STR has indicated that rails and ties would be delivered by train flat car from UP to STR from the Shafter Subdivision via the UP wye track to STR at milepost 1.04.<sup>7</sup> Other construction materials are anticipated to be delivered to and distributed from the rail right-of-way at milepost 1.04 by truck from Interstate 80 to the north, Burmester Road to the west, and a temporary construction access road. STR anticipates the ballast for construction to be delivered by truck from quarries located in Grantsville and North Salt Lake. Rail sub-base material is needed for the siding track area and areas of new track construction, which STR anticipates being delivered by truck from pits near the site in Grantsville.

STR anticipates that the following types of construction equipment would be used during construction of the proposed rail line: graders, front end loaders, roller compactors, dump trucks, water truck for dust control, fork lifts for unloading rail materials, high-rail trucks with jib cranes, gondola rail cars for gathering old rail and ties, flatbed rail cars for distributing new rail and steel ties, a rail pusher car for manipulating gondola and flatbed cars, high-rail ballast dumps bins for distributing ballast, high-rail tamper, small blade dozer for flattening existing rail bed, and backhoes.

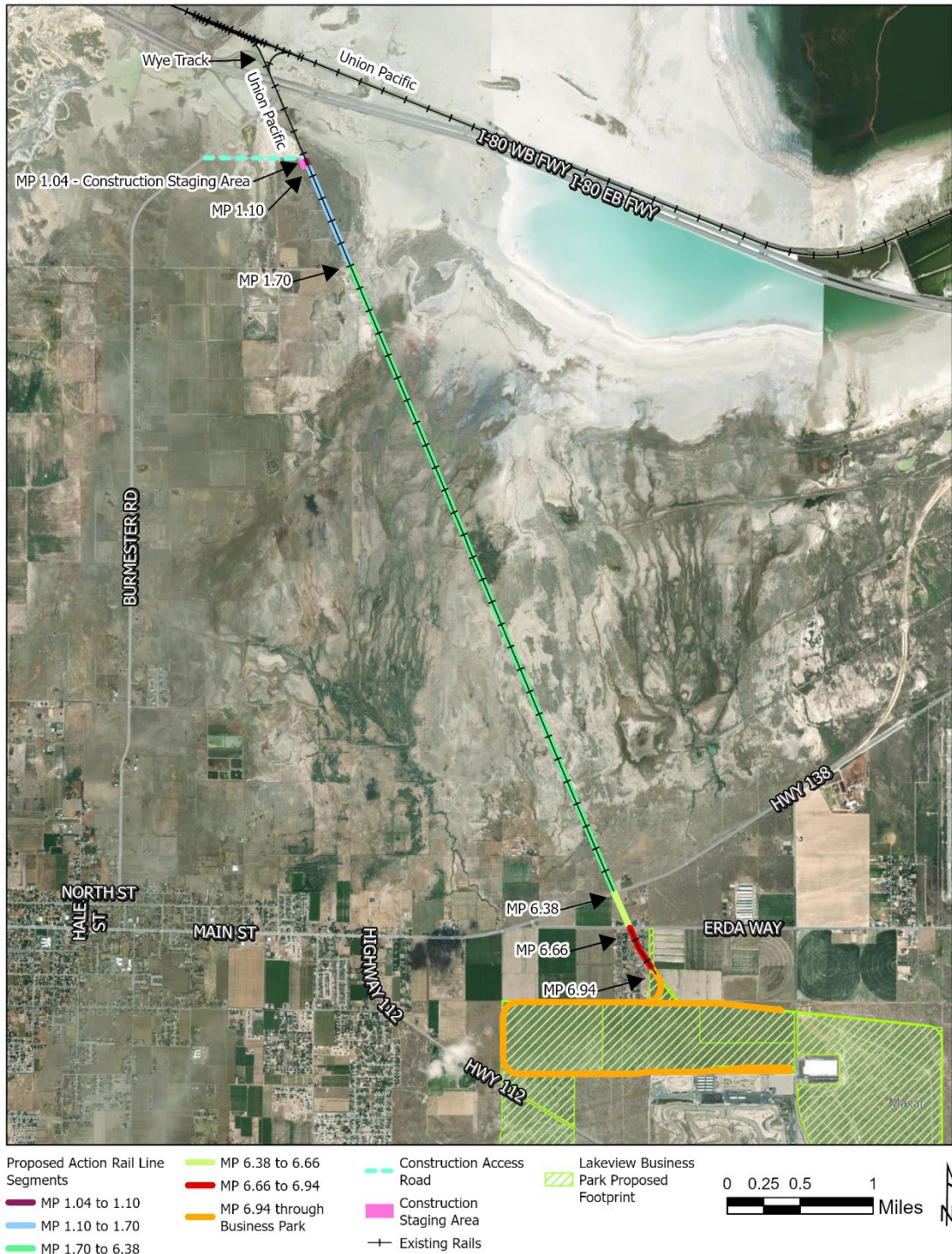
STR would use two methods for construction of the proposed line. For the six-mile segment of the former Warner Branch where there are existing tracks, the tracks would be rehabilitated using hi-rail equipment from the top of the existing rails. For the five-mile segment within the LBP and the 0.25-mile segment of the former Warner Branch where rails have been removed, new track and railbed construction would be required. Construction is summarized by segment in **Figure 2.1-2 and Table 2.1-1** and described in detail by segment in **Appendix H. Construction Description by Segment**.

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<sup>6</sup> STR assumes construction activities would overlap in duration.

<sup>7</sup> A wye is an arrangement of tracks where three lines meet that forms a "Y" shape. These tracks allow trains to be turned in the opposite direction. (Know your railroad ABCs, bnsf.com)

**Figure 2.1-2. Proposed Action Segments**



**Table 2.1-1. Construction by Segment**

| Mileposts                                    | Common Carrier Tracks Present? | Rehabilitate or construct new tracks                               | Current Owner            | Construction Method   |
|--|--------------------------------|--|--------------------------|---|
| Temporary Construction Access & Staging Area | N/A                            | N/A  | Private owner            | N/A   |
| 1.04 – 1.10                                  | Yes                            | Rehabilitate tracks  | UP                       | Top of rail   |
| 1.10 – 1.70                                  | Yes                            | Rehabilitate tracks and construct new ancillary interchange tracks | UP & other private owner | Top of rail for existing track, new construction for interchange tracks |
| 1.70 – 6.38                                  | Yes                            | Rehabilitate tracks  | UP & other private owner | Top of rail   |
| 6.38 – 6.66                                  | No                             | Construct new tracks   | Other private owner      | New construction  |
| 6.66 – 6.94                                  | Yes                            | Rehabilitate tracks  | UP                       | Top of rail   |
| 6.94 through LBP                             | No                             | Construct new tracks   | LBP                      | New construction  |

## 2.1.2 Operation and Maintenance

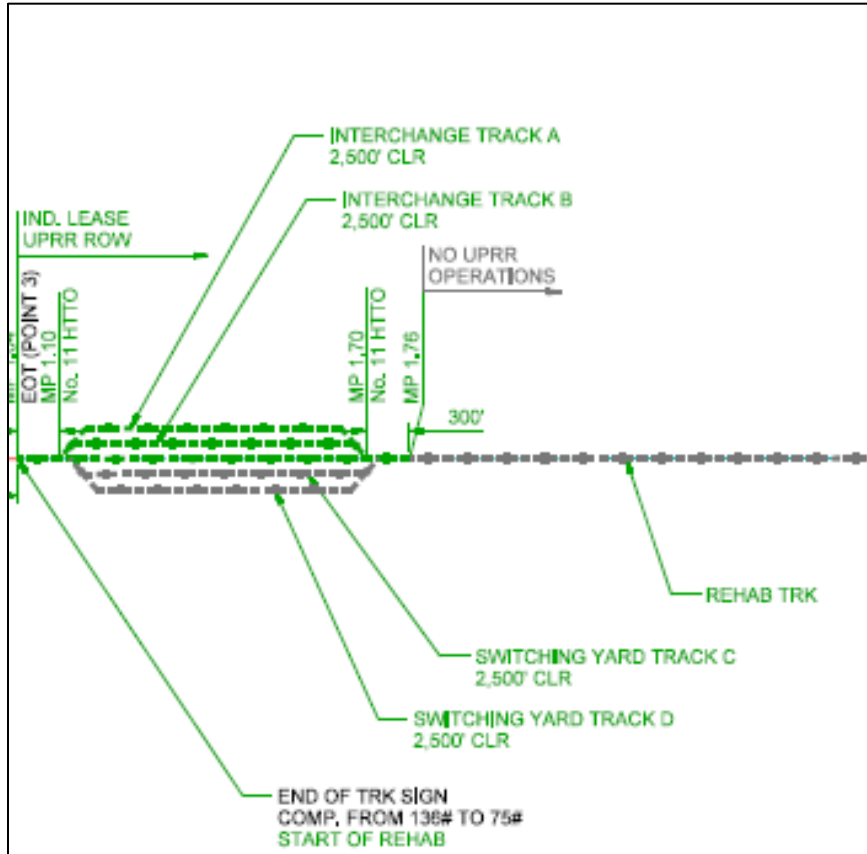
STR states that the Proposed Action would enable tenants of the LBP to receive and ship commodities by railroad. The proposed rail service is projected to transport 1,200 carloads in the first year of operation, which could expand to up to 8,000 carloads in the future, depending on the LBP tenants and their demand for rail transportation. Without the availability of freight rail service, these commodities would either ship on commercial trucks, or possibly, the businesses would not choose to locate in Tooele County.

The proposed rail line is anticipated to be used for one round trip per day or a total of two train movements per day per a letter from STR to OEA dated June 29, 2023. This letter revises the projection of four trains per day (two roundtrips) STR previously had anticipated in its request for authority filed on June 30, 2022. Based on more current projections of likely traffic volumes, STR anticipates operating one round trip most weekdays, Monday through Friday. According to STR’s June 29, 2023 letter, operations are expected to be only during the daylight hours between the hours of 7:00 AM and 10:00 PM to reduce the potential noise impacts on the local community. STR expects train speeds at grade crossings would be 20 miles per hour. STR would maintain the rail line and any grade crossing components.

UP trains would leave the Shafter Subdivision, enter the STR’s railroad line through UP wye track and deliver the railcars destined for STR’s customers to the ancillary (interchange) tracks to be constructed between mileposts 1.10 and 1.70. UP would deliver railcars to track A and pick up the railcars STR has released from interchange track B (**Figure 2.1-3**). UP would then depart back through its wye track and re-enter the Shafter Subdivision. STR

trains would deliver railcars picked up from UP to customers and then return them back to the interchange yard.

**Figure 2.1-3. Proposed Action Interchange Tracks**



Source: Savage Services

STR estimates that train lengths would range between 900 and 1,500 feet and have between 12 and 20 cars on average per train. STR plans to use two locomotives per train. The locomotives would be two Tier 0+<sup>8</sup> GP-38<sup>9</sup> or similar locomotives with approximately 2,000 horsepower. Locomotives would be approximately 60 feet in length. Car lengths would range between 42 feet and 89 feet, with an average car length of 65 feet. STR projects the gross tonnage to be handled would be approximately 2,600 tons southbound into the LBP

<sup>8</sup> The Environmental Protection Agency (EPA) has established emission standards for newly manufactured and remanufactured locomotives. These standards, which are codified at 40 C.F.R. part 1033, include several sets of emission standards with applicability dependent on the date a locomotive is first manufactured. The first set of standards (Tier 0) applies to most locomotives originally manufactured before 2001. The most stringent set of standards (Tier 4) applies to locomotives originally manufactured in 2015 and later.

<sup>9</sup> The GP-38 is a four-axle diesel-electric locomotive.

and 680 tons northbound to the interchange tracks. These numbers may evolve over time based on actual customer needs.

STR proposes to install idle technology that would shut the locomotive engine down during periods of disuse, like in overnight periods. In addition, STR would install engine block heating equipment to avoid idling the locomotives during winter conditions when the locomotive would not be used. The estimated idle time during a typical 8-hour shift would be 0.5-1.5 hours. Locomotives would not idle when not in operation. STR anticipates that locomotives would be fueled at a designated track within the LBP.

## 2.2 No-Action Alternative

Under the No-Action Alternative, the Board would not authorize STR's proposed construction and operation and STR would not construct and operate the proposed line. No rail traffic would serve the LBP and all goods would move by truck to the LBP as under current conditions.

The No-Action Alternative would not meet STR's purpose and need because the proposed rail line would not be constructed or operated. Without the proposed rail line, transport of all goods to and from the LBP would likely continue by commercial truck.

## 2.3 Alternatives Reviewed

Under the CEQ rules, an EA shall include a brief discussion of alternatives as required by section 102(2)(E) of NEPA, such as, "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources."<sup>10</sup> For proposed licensing and permitting actions, CEQ has made clear that the range of reasonable alternatives can be focused by the "Primary Objectives of the permit applicant."<sup>11</sup> STR initially reviewed two possible route alternatives leading to the LBP. Both route alternatives would utilize existing rights-of-way. STR determined, and informed OEA, that there are no greenfield alternatives that would minimize the potential for environmental impacts resulting from the construction of the Proposed Action.<sup>12</sup> In addition, no build alternatives or route modifications for the Proposed Action were suggested by federal, state, or local agencies.

Based on its review, OEA confirmed that no other reasonable build alternatives or route modifications exist that could meet STR's purpose and need with fewer potential environmental impacts. OEA therefore concluded that this EA would assess only the

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<sup>10</sup> CEQ Regulations at 40 C.F.R. § 1501.2 and Section 102(2)(E) of NEPA.

<sup>11</sup> Guidance Regarding NEPA Regulations, Memorandum For: Heads of Federal Agencies, From: A. Alan Hill, Chairman, Council on Environmental Quality, 1983.

<sup>12</sup> Greenfield construction is any kind of development on previously undeveloped land such as agricultural land, grasslands, forests, or wetlands.

Proposed Action and the No-Action Alternative. See the discussion below for a detailed analysis of OEA’s assessment of potential alternatives.

### 2.3.1 Screening Process

OEA used a two-step screening process to evaluate potential alternatives. Screening 1 used criteria to evaluate the range of reasonable alternatives based on STR’s stated purpose and need for the Proposed Action. Screening 2 used criteria to evaluate the potential for environmental impacts. The area surrounding the LBP where STR considered alternatives is depicted in **Figure 2.3-1**. Construction of the LBP began in 2020.

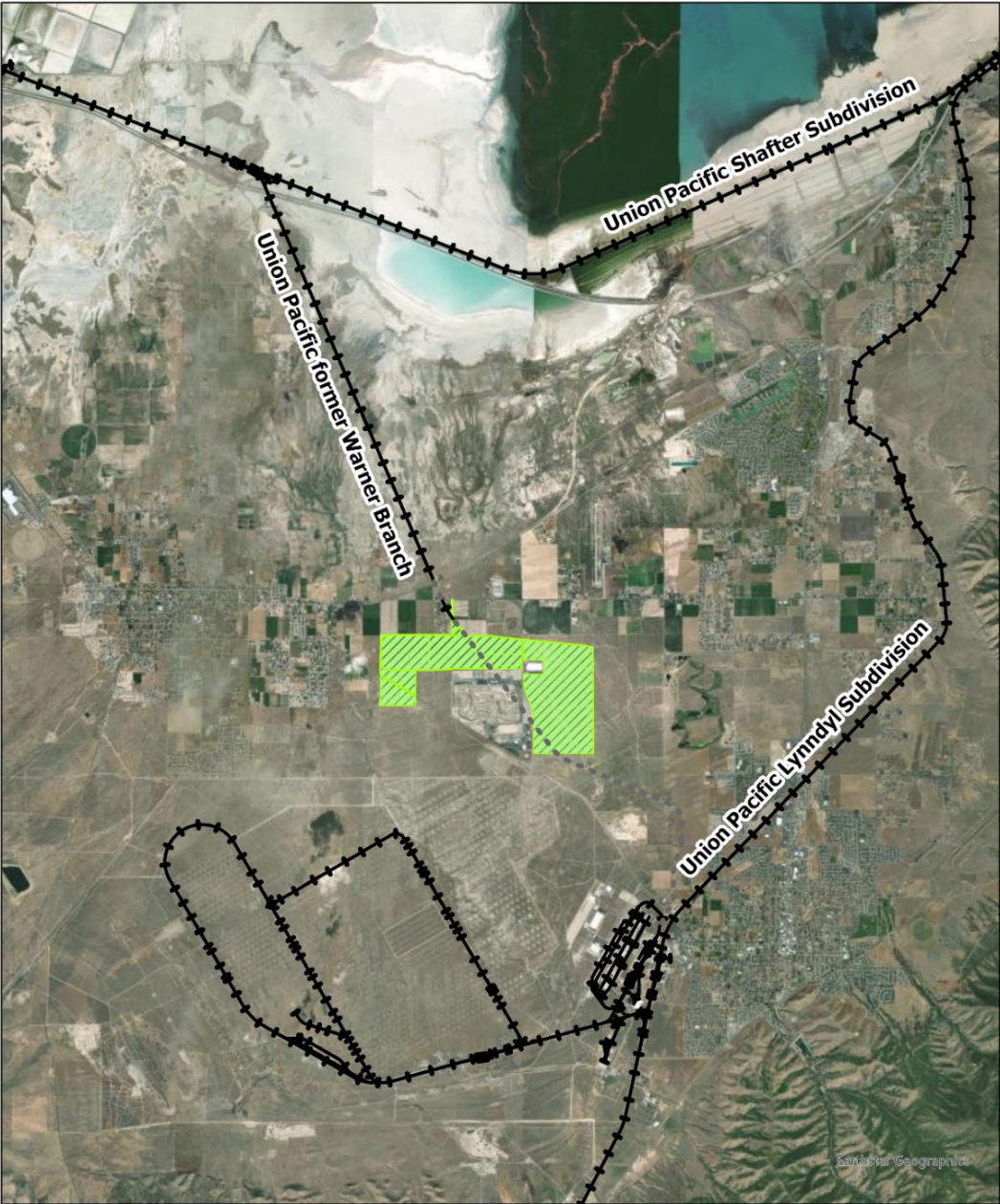
For Screening 1, OEA developed criteria presented in **Table 2.3-1** that would need to be met for an alternative to be considered reasonable for further consideration based upon the planning objectives of the STR.

**Table 2.3-1. Screening 1 - Objectives Criteria**

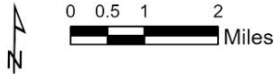
|   |   |
|---|---|
| 1 | <u>Transportation Mode</u> : Alternative would use freight rail as the mode of transport.   |
| 2 | <u>Use of Existing Right-of-Way</u> : Alternative would maximize the use of existing right-of-way.  |
| 3 | <u>Sufficient land</u> : Alternative would have sufficient land to allow for the construction of a new common carrier freight rail line and necessary ancillary facilities such as switching tracks with an appropriate shape and configuration to meet acceptable railroad design standards. |
| 4 | <u>Proximity to Class 1 Railroad Mainline</u> : Alternative would be located near and could access an existing freight rail main line on which large volumes of commodities and goods are currently transported to facilitate efficient rail access to the national rail network.             |
| 5 | <u>Proximity to LBP</u> : Alternative would be able to access the LBP site using acceptable railroad standards and configurations.  |
| 6 | <u>Location</u> : Alternative would be located in an area appropriate for and compatible with transportation activities and would minimize environmental impacts associated with greenfield construction.   |



Figure 2.3-1. Alternatives Reviewed Area



- Lakeview Business Park Proposed Footprint
- Existing Rails
- Rails Removed





For Screening 2, OEA defined criteria that should be met and used to distinguish relative differences between alternatives, which are presented in **Table 2.3-2**. Alternatives that have adverse impacts that cannot be mitigated are less desirable. OEA applied these criteria to each alternative in **Section 2.3.2**.

**Table 2.3-2. Screening 2 - Impact Criteria**

|   |   |
|---|---|
| 1 | Public facilities protected under Section (4f) impacts: Alternative should avoid and/or minimize impacts to public facilities protected under Section (4f) to preserve options for USDOT funding. |
| 2 | Local roadway impacts: Alternative should avoid and/or minimize impacts to local roadways.  |
| 3 | Utility infrastructure Impacts: Alternative should avoid and/or minimize impacts to utility infrastructure.   |
| 4 | Local business impacts: Alternative should avoid and/or minimize impacts to local businesses.   |
| 5 | Disturbance impacts: Alternative should avoid and/or minimize impacts from new disturbance.   |
| 6 | Future projects impacts: Alternative should avoid and/or minimize impacts that could interfere with future projects.  |
| 7 | Residential area impacts: Alternative should avoid and/or minimize impacts to residential areas.  |

## 2.3.2 Alternatives Screening 1

OEA screened the following alternatives to determine if they met the purpose and need and the defined Screening 1 - Objectives criteria:

- **Warner Branch Northern Rail Alignment Alternative:** An alternative that would use the Warner Branch accessing the LBP from the north.
- **Warner Branch Southern Rail Alignment Alternative:** An alternative that would use the Warner Branch to access the LBP from the south.
- **New Rail Alignment Alternative:** An alternative that would use a new alignment rather than an existing or former rail corridor.

### 2.3.2.1 Screening 1 Alternative Eliminated

OEA reviewed three Alternatives using the Screening 1 - Objectives Criteria. Based on its review, OEA eliminated the New Rail Alignment Alternative from further consideration. This alternative met the Objectives Criteria of using freight rail technology, sufficient land to allow for the construction of a freight rail line, access to an existing freight rail main line, and access to the LBP site. It was eliminated from consideration because it would not maximize use of an existing right-of-way and would require extensive greenfield construction through an area competing for space with UDOT’s long-term transportation planning initiative in Tooele County to improve traffic conditions for a growing population. UDOT’s transportation planning initiatives include the proposed construction of the Midvalley Highway directly to the east of the proposed rail line, which would preclude new rail construction. Further, per OEA’s consultation with UDOT in February 2023, the agency anticipates further growth, and work needed to accommodate that growth, in the area of

Grantsville west of the proposed project. Additionally, lots within the City of Erda to the west of the proposed rail line are zoned for rural residential use.

**Table 2.3-3. Alternatives Screening 1 - Objectives Criteria**

|  | <b>Warner Branch Northern Rail Alignment Alternative</b> | <b>Warner Branch Southern Rail Alignment Alternative</b> | <b>New Rail Alignment Alternative</b> |
|--|--|--|---------------------------------------|
| Uses freight rail as mode of transport   | ✓  | ✓  | ✓                                     |
| Maximizes use of an existing rail right-of-way   | ✓  | ✓  | X                                     |
| Sufficient land to allow for the construction freight rail   | ✓  | ✓  | ✓                                     |
| Proximity to Class 1 railroad mainline   | ✓  | ✓  | ✓                                     |
| Able to access the LBP site  | ✓  | ✓  | ✓                                     |
| Location appropriate for and compatible with current land use and transportation planning in Tooele County, UT | ✓  | ✓  | X                                     |

### 2.3.3 Alternatives Screening 2

OEA further reviewed the two potential routes that met the Screening 1 objectives criteria:

- Warner Branch Northern Rail Alignment Alternative
- Warner Branch Southern Rail Alignment Alternative

The two alternatives are mapped in **Figure 2.3-2** below. The Warner Branch Northern Rail Alignment Alternative was described previously in **Section 2.1 Proposed Action**.

The Warner Branch Southern Rail Alignment Alternative would connect the LBP, currently under construction, using approximately five miles of the former Warner Branch rail line, interchanging freight cars with UP’s Lynndyl Subdivision west of the City of Tooele and adjacent to the Tooele Army Depot. This alternative would access the southeastern side of the LBP, then follow the former Warner Branch southeast into the City of Tooele where railcars would be interchanged. This section of the former Warner Branch has had all tracks and the railroad bed removed, and it is in use as the Mid-Valley trail, a recreational trail. New track and railroad bed would be required for this alternative. Tooele County and one private party own the right-of-way required for this alternative.

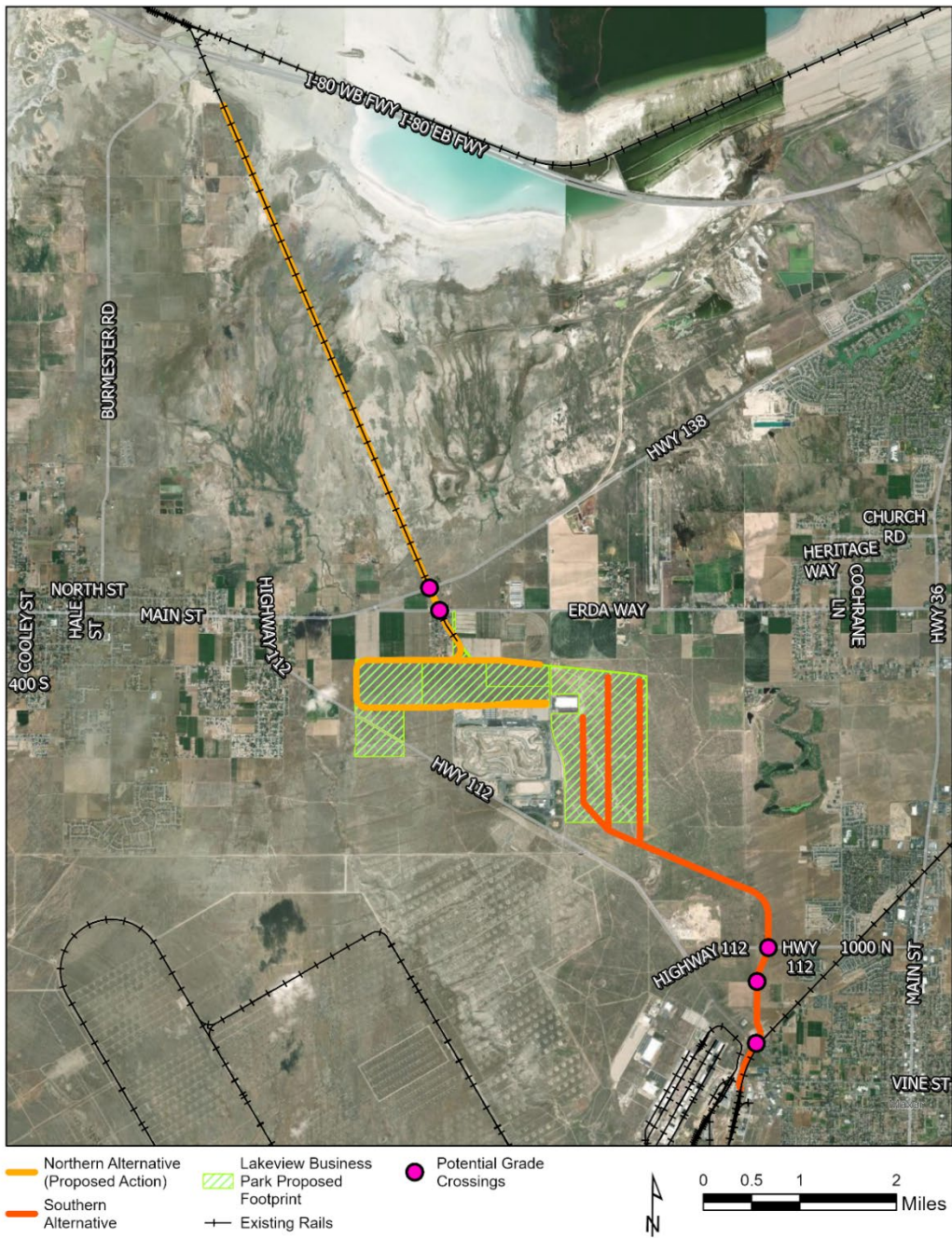
#### 2.3.3.1 Screening 2 Alternative Eliminated

OEA’s assessment of each alternative using the Screening 2 impact criteria is summarized in **Table 2.3-3**.

**Table 2.3-3. Alternatives Screening 2 - Impact Criteria**

| <b>Impact Screening Criteria</b>   | <b>Warner Branch Northern Rail Alignment Alternative</b>   | <b>Warner Branch Southern Rail Alignment Alternative</b>   |
|--|--|--|
| Avoid impacts to public facilities protected under Section (4f) to preserve option for USDOT funding | None known   | Would displace the existing Midvalley bicycle and pedestrian trail   |
| Avoid interference with local roadways   | Two new roadway crossings (SR 138 and Erda Way)  | Seven new roadway crossings: three existing roads (SR 112, W Utah Ave, and Rogers Street) and four crossings of new roads proposed in the City of Tooele Master Plan |
| Avoid interference with existing utility infrastructure  | None known   | Relocation of storm water line   |
| Avoid impacts to local businesses  | None known   | Acquisition and demolition of large building constructed in the former rail right-of-way and relocation of the building's business                                   |
| Minimize new disturbance in former rail right-of-way   | 0.25 mile of new disturbance for new railroad bed and tracks and 5.75 miles of no new disturbance for reconstructed existing rail within an existing railroad bed  | Five miles of new disturbance for new railroad bed and tracks  |
| Minimize interference with future projects   | None known   | Would cross proposed Midvalley highway (SR 179) alternative route  |
| Minimize distance to residential areas   | Located adjacent to residential development in the vicinity of Erda Way, Gunderson Circle, and Railroad Circle. Some of the residences existed when the rail line was still in operation. Construction of new residences occurred with rail bed physically present, railroad components visible from the surrounding area, and adjacent land continuously under the ownership of UP or its predecessors. | Located west of White's Mobile Home Park   |

Figure 2.3-2. Screening 2 Alternatives Reviewed



OEA compared the Northern Alternative and the Southern Alternative based on the seven evaluation criteria as shown in the table above as described below:

**Avoid impacts to public facilities protected under Section (4f):** The Southern Alternative, which follows the Warner Branch’s former route, has since been converted into a bicycle and pedestrian path that would need to be removed and/or relocated to construct the proposed rail line. According to STR, residents, officials, and users of the trail would strongly oppose removing the existing recreational trail. If the Southern Alternative were carried forward and federal funds were used to reconstruct the rail line and displace the trail, there would be Section 4(f) impacts.<sup>13</sup> The Northern Alternative would not impact any public use facilities or recreational trails.

**Avoid interference with local roadways:** The Southern Alternative would introduce seven new roadway grade crossings, three of existing roads and four grade crossings of new roads proposed in the City of Tooele Master Plan, compared with two roadway crossings for the Northern Alternative. The Southern Alternative would require adding a new at-grade crossing across Utah Avenue, just west of N 1100 W Street in Tooele, which is a major east-west access point into the City of Tooele, a major school bus route, and one of the primary egress/ingress emergency services routes for the city with an Annual Average Daily Traffic (AADT) of 6,800 in 2019. The Southern Alternative would also require the addition of a new at-grade crossing across SR 112, which, like Utah Avenue, is a major east-west access point into the City of Tooele, a major school bus route, and one of the primary egress/ingress emergency services routes for the city with an AADT of 6,200. The Southern Alternative would also require a grade crossing at Rodgers Street. The Tooele City master plan includes new arterials and collector streets, four of which would create additional new grade crossings with this southern approach alignment. According to STR, City of Tooele officials expressed significant concerns about the additional at-grade rail traffic at Utah Avenue and the new grade crossings at the other locations, especially SR 112. The Northern Alternative would add new roadway crossings at SR 138 (11,417 AADT 2023) and Erda Way (566 AADT 2023), fewer than the Southern Alternative. Other local and state officials have also generally expressed concerns about the crossings during the preliminary consultation process for the EA. For example, the Grantsville, Tooele, and Tooele School Districts stated that Utah Avenue frequently experiences trains blocking the crossing for long durations and is frequently activated for prolonged periods due to activity in the Tooele Army Depot.

**Avoid interference with existing utility infrastructure:** The Southern Alternative would have impacts on utility infrastructure. The City of Tooele has a major storm water line that would have to be relocated to reconstruct the southern rail alignment.

**Avoid impacts to local businesses:** The Southern Alternative would require the acquisition and demolition of a large building that has been constructed on top of the former rail right-of-

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<sup>13</sup> Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 which provided for consideration of park and recreation lands, wildlife and waterfowl refuges, and historic sites during transportation project development. While Section 4(f) does not apply to the Board, it would apply to funding provided by USDOT if STR were to apply for such funding.

way and relocation of the existing building's business operations. The Northern Alternative would not require any business relocations.

**Minimize new disturbance in former rail right-of-way:** The Northern Alternative would create 0.25 miles of disturbance for the construction of new railroad bed and tracks on the former Warner Branch where tracks have been removed. Tracks remain on the other 5.75 miles of the former Warner Branch; these would be reconstructed using high-rail equipment operating from the existing tracks and cause minimal disturbance. The Southern Alternative would create five miles of disturbance for new railroad bed and tracks because railroad infrastructure has been removed on this segment of the Warner Branch.

**Minimize interference with future projects:** The Southern Alternative would cross the proposed Midvalley Highway (SR 179) extension alternative route. The proposed Midvalley Highway alignment would cross the Southern Alternative rail line on grade-separated structure that would need to be designed and constructed to be large enough to accommodate the rail crossing, adding additional cost to the project. The Southern Alternative would be inconsistent with CEQ regulations (40 C.F.R. part 1506.2 (d)) because it would conflict with planned roadway network extensions and an anticipated residential development expansion contained in the City of Tooele's local plans. The Northern Alternative would not impact any of the Midvalley Highway alternative alignments or any other known future projects.

**Minimize distance to residential areas:** Both Alternatives are located primarily in non-residential areas. The closest area of residential development for the Southern Alternative would be White's Mobile Home Park to the east. The Northern Alternative would traverse an area of residential development on Erda Way, Gunderson Circle, and Railroad Circle.

Based upon this impact screening analysis, OEA found that the Northern Alternative would have fewer impacts and dismissed the Southern Alternative from further analysis because it would interfere with existing utility infrastructure and future roadway projects, would be inconsistent with local plans, and would impact public facilities protected under Section (4f).

### 2.3.4 Build Alternative Carried Forward in Draft EA

OEA found, based upon the information provided by STR and the evaluation of the alternatives in Screening 1 and 2 discussed above, that the Proposed Action is the only reasonable and feasible Build Alternative to carry forward for detailed analysis in this Draft EA. The reasons for this include the following:

- The Proposed Action would connect the LBP to a freight rail mainline that carries large volumes of commodities and goods transported for distribution throughout the U.S.
- The Proposed Action would be located within a former rail corridor that is appropriate for and compatible with planned transportation activities and avoids greenfield construction.
- Impacts to public recreation facilities, utilities, businesses, future projects, and local plans would be minimized or avoided under the Proposed Action.

Therefore, OEA selected the Proposed Action, along with the No-Build Alternative, to carry forward for detailed analysis in this Draft EA.

# 3. Affected Environment and Environmental Consequences

## Introduction

This chapter describes the affected environment and analyzes the environmental consequences for each resource that the Proposed Action and No-Action Alternative could affect. OEA determined the resources to analyze through thresholds set forth in the Board's environmental regulations at 49 C.F.R. § 1105.7(e) and agency and tribal consultation and comments.

OEA took the following steps to analyze each resource:

1. Reviewed regulations and guidance relevant to each resource, which are described in applicable sections.
2. Defined a study area or study areas to analyze.
3. Developed analysis approaches.
4. Reviewed the current conditions of the resource in the relevant study area(s).
5. Analyzed the potential impacts that the Proposed Action and No-Action Alternative would or could have on the resource.
6. Identified mitigation that would minimize or compensate for impacts, if warranted.<sup>1</sup>
7. For cumulative impacts, analyzed the impacts of the Proposed Action when combined with impacts of other past, present, and reasonably foreseeable future projects and actions.

OEA will make its final environmental recommendations to the Board, including its final recommendations on mitigation, in the Final EA, after considering all agency and public comments on the Draft EA. The Board will consider OEA's final recommendations when deciding whether or not to approve STR's request for construction and operation of the Proposed Action.

OEA compared all impacts of the Proposed Action and the No-Action Alternative. Under the No-Action Alternative, STR would not construct and operate the Proposed Action and any potential beneficial or adverse impacts would not occur. If efforts to establish a quiet

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<sup>1</sup> **Chapter 4, Mitigation**, contains the complete list of mitigation measures. Each mitigation measure has a unique identifier that consists of a prefix and a number. STR's voluntary mitigation measures have a prefix of VM while OEA's recommended mitigation measures include the prefix MM.

zone are unsuccessful, OEA identified adverse noise impacts, which could be minimized with the recommended noise mitigation in this Draft EA. OEA also identified minor impacts on other resource areas, including grade crossing safety and delay, which can be minimized with the recommended mitigation in the Draft EA. The environmental resource sections in this chapter are organized by the potential for impacts. OEA identified adverse noise impacts; therefore, it is discussed first below.

## 3.1 Noise and Vibration

### 3.1.1 Approach

OEA used well-established noise and vibration methods to analyze noise and vibration impacts associated with the Proposed Action. **Appendix B** details these methods, as well as the applicable regulations, statutes, and guidelines that OEA followed. OEA defined the study area for the noise and vibration analysis to be the area within approximately one mile to either side of the centerline of the Proposed Action rail line. OEA determined that this study area distance, based on prior OEA experience, is sufficient to identify potential noise and vibration impacts from the construction and operation of the Proposed Action.

When describing noise conditions, OEA used the following definitions:

- **Day-night average noise level (DNL):** The energy average of A-weighted decibels (dBA) sound level over a 24-hour period; 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 one 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.
- **A-weighted decibels (dBA):** A measure of noise level used to compare noise levels from various sources. A-weighting approximates the frequency response of human hearing.
- **Ambient noise:** The sum of all noise (from human and naturally occurring sources) at a specific location over a specific time is called ambient noise.

The Board's regulations for noise analysis (49 C.F.R. 1105.7e(6)) have the following criteria:

- An increase in noise exposure as measured by a day-night average noise level (DNL) of 3 A-weighted decibels (dBA) or more; and,
- An increase to a noise level of 65 DNL or greater.

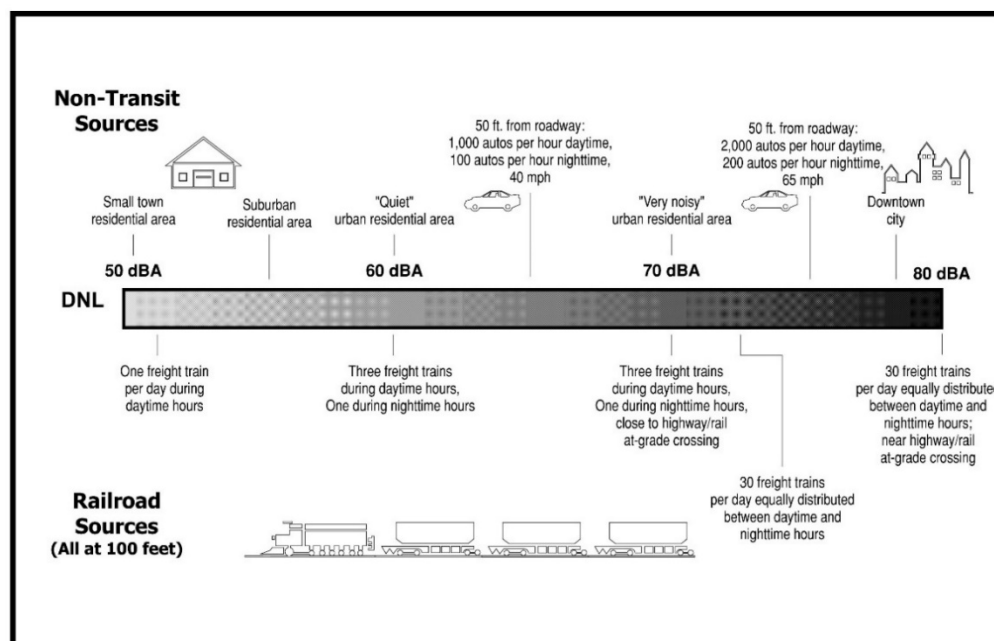
If the estimated noise level increase at a location exceeded either of these criteria, OEA estimated the number of affected receptors (*e.g.*, schools, libraries, residences, retirement communities, nursing homes) and quantified the noise increase. The two components (3 dBA increase, 65 DNL) of the Board's criteria are implemented separately to determine an upper bound of the area of potential noise impact. However, noise research indicates that



both criteria components must be met to cause an adverse noise impact (Coate, 1999<sup>2</sup>, STB 1998b<sup>3</sup>). That is, noise levels would have to be greater than or equal to 65 DNL and increase by 3 dBA or more for an adverse noise impact to occur.<sup>4</sup>

“Noise” is considered unwanted sound. Human perception of and response to a new noise source is based in part on how loud it is compared to existing/ambient noise levels. **Figure 3.1-1** shows typical community noise levels expressed in terms of DNL.

**Figure 3.1-1. Typical day-night average noise levels (DNL) for residential areas**



Noise from train operations is typically comprised of two components, wayside noise, and horn noise. Wayside noise is generated by the operation of the train including locomotive engine and wheel/rail sound. Horn noise is the sound of locomotive warning horns which are sounded at grade crossings.

<sup>2</sup> Coate, D. 1999. *Annoyance Due to Locomotive Warning Horns*. Transportation Research Board Noise and Vibration Subcommittee A1FO4. August 1–4. San Diego, CA.

<sup>3</sup> Surface Transportation Board (Board). 1998a. Final Environmental Impact Statement No. 980194, Conrail Acquisition (Finance Docket No. 33388) by CSX Corporation and CSX Transportation, Inc., and Norfolk Southern Corporation and Norfolk Southern Railway Company (NS).

<sup>4</sup> Although the Board’s regulations at 49 C.F.R. § 1105.7(e)(6) indicate that either an increase of 3 dBA or an increase to 65 dBA Ldn would be an adverse impact, research indicates that both conditions must be met or exceeded for an adverse noise impact from rail operations to occur (Board 1998; Coate 1999).

## 3.1.2 Affected Environment

The study area is relatively unpopulated, with existing noise sources such as vehicular traffic on State Route 138 (SR 138) and Erda Way. Ambient noise measurements were conducted at five locations in the study area for up to 52 hours at each location. These ambient noise measurements ranged from DNL 49 to 59. **Appendix B** details the approach and data collected as part of the noise measurement program.

The ambient noise measurements are within the “Small Town” to “Quiet Urban” residential categories shown in preceding **Figure 3.1-1**. Low (or no) population areas further from SR 138 and Erda Way have lower ambient sound levels.

## 3.1.3 Environmental Consequences

### 3.1.3.1 Proposed Action

#### *Construction*

During construction of the Proposed Action, noise levels and vibration along the right-of-way would increase temporarily as a result of increased truck traffic and use of heavy equipment. OEA anticipates that noise and vibration from construction equipment would have minimal, if any, impacts to adjacent land uses, as construction would occur on a six-mile segment of the former Warner Branch railroad line, on which the tracks remain for 5.75 miles, and on a five-mile segment of new railroad line within the LBP. STR proposed voluntary mitigation requiring it to work with its contractor(s) to make sure that project-related construction vehicles are maintained in good working order with properly functioning mufflers to control noise to mitigate these impacts (**VM-Noise-02**). In addition, STR proposed voluntary mitigation requiring it to ensure that the daily construction schedule would adhere to time restrictions limiting construction noise prior to 7:00 a.m. or after 5:00 p.m. to the maximum extent practicable—with the exception of road crossing construction, which may occur on a 24/7 schedule to lessen traffic interruptions during project-related construction (**VM-Noise-04**).

#### *Operations*

To evaluate impacts from rail operations, OEA identified where the Proposed Action would meet the criteria of an increase to a noise level of 65 DNL or greater. To do this evaluation, Computer Aided Noise Abatement (CADNA) software was used to calculate 65 DNL noise contours for the Proposed Action. Train operational assumptions from STR were used in OEA’s evaluation, including STR’s planned train length of 1,420 feet consisting of two 60-foot-long locomotives and twenty 65-foot-long rail cars. Train speed was assumed to be 20 miles per hour. One train per day would make a round trip from the north to customers at the Lakeview Business Park (LBP) and return back to the north. Therefore, under the Proposed Action two train passbys per day would occur at receptors such as residential

buildings. STR would operate Monday through Friday between the hours of 7:00 a.m. and 10 p.m.; therefore, no nighttime (10:00 p.m. to 7:00 a.m.) train activity would occur.<sup>5</sup>

**Figure 3.1-2** shows the results of this analysis with the outer red contours at 65 DNL. This figure depicts that for the Proposed Action in the area of SR 138 and Edra Way, where operations would be reinstated over the former Warner Branch railroad line, the 65 DNL noise contour includes one receptor (#6).

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<sup>5</sup> See STR Letter to the Board dated June 29, 2023 revising their Petition for Exemption and 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.

*Figure 3.1-2. Receptors within the 65 DNL Contour*



**Table 3.1-1** shows that one receptor (#6) would be exposed to 65 DNL associated with the Proposed Action as well as the associated increased noise level above ambient levels. The receptor is a residence that was constructed in 2020.<sup>6</sup> This receptor would be adversely impacted by the Proposed Action since there would be a 3 dBA or greater increase above ambient sound levels. To mitigate this impact, OEA recommends detailed mitigation to address and minimize impacts to that receptor in addition to requiring STR to comply with Federal Railroad Administration (FRA) regulations (49 C.F.R. Part 210) establishing decibel limits for train operation proposed by STR as voluntary mitigation (**VM-Noise-01**). OEA’s mitigation would require that STR employ reasonable and feasible noise mitigation such as building sound insulation for this OEA-identified receptor (receptor #6) that would experience noise impacts at or greater than the regulatory analytical threshold of 65 day-night average sound level (DNL)/+3 A-weighted decibels (dBA) (**MM-Noise-01**). OEA’s recommended mitigation would require that STR implement the following in developing the building sound insulation:

- Using industry standard loudspeaker testing, the existing building sound insulation performance shall be determined in accordance with ASTM 966-90, *Standard Guide for Field Measurements of Airborne Sound Insulation of Building Facades and Façade Elements* (**MM-Noise-01**).
- The design goal for the sound insulation shall be a 10 dBA noise reduction. The calculated Noise Level Reduction (NLR) improvement shall be at least 5 dBA. If the calculated NLR associated with acoustical replacement windows and doors is less than 5 dBA, then no additional mitigation shall be required since the improvement would be minor and likely not noticeable. The overall goal of the required sound insulation analysis is to demonstrate that interior noise levels (with the Proposed Action) at receptor #6 would be 45 DNL or lower, and to implement sound insulation to result in an NLR improvement of 5 dBA or more, where feasible and reasonable based on the characteristics of the property (**MM-Noise-01**).

**Table 3.1-1. Receptor Counts**

|             | <b>Number of Receptors</b> | <b>Increase above Ambient (dBA)</b> |
|-------------|----------------------------|-------------------------------------|
| Horn 65 DNL | 1                          | 5                                   |

Because the modeled noise contour also comes close to adversely affecting several other receptors, OEA also recommends that STR be required to measure train horn and wayside noise levels from actual train operations within one month of train operations reaching one round trip per day to verify the modeled noise contour location used in this Draft EA, and that STR shall take enough measurements of the actual train horn and wayside noise levels to demonstrate that Sound Exposure Level (SEL) values are acquired to achieve a 90 percent confidence interval of 3 dBA or less (**MM-Noise-02**). If the average measured SEL value is greater than the assumed 110 dBA for horn noise (measured at 100 feet), STR shall

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<sup>6</sup> Tooele County. Geographic Information Systems.  
<https://tooelecountygis.maps.arcgis.com/home/index.html>. Accessed February 15, 2023.

calculate the actual 65 DNL contour using the methodology in this Draft EA and comply with the mitigation in **MM-Noise-01** for any newly affected receptors (**MM-Noise-02**).

OEA further recommends mitigation that, in addition to other recommended measures, would effectively reduce noise from train operations by requiring STR to maintain rail and rail beds, lubricate curved track where effective, and employ operating procedures— such as maintaining wheels in good working order, grinding rough rail surfaces, and regularly maintaining locomotives— that can have the collateral benefit of effectively reducing noise from train operations (**MM-Noise-03, -04, -05**).

OEA also examined the potential for vibration impacts. The 80 VdB (human annoyance) vibration contour line would be 35 feet from the tracks. This would be within the 100-foot right-of-way and would not touch residential receptors. Therefore, OEA does not anticipate adverse impacts due to train passby vibration.

### **Quiet Zone Considerations**

STR has proposed voluntary mitigation requiring it to consult with the City of Erda, Utah Department of Transportation (UDOT), and Tooele County about the establishment of quiet zones at SR 138 and Erda Way and to assist the City of Erda and Tooele County in identifying appropriate supplemental or alternative safety measures, practical operational methods, or technologies that could lead to the establishment of quiet zones at those locations in accordance with FRA’s rules and procedures (**VM-Noise-03**). FRA’s Train Horn Rule (49 C.F.R. 222) requires train engineers to sound the warning horn when a train is approaching and passing through a public highway-rail at-grade crossing. A quiet zone is an FRA exemption from the Train Horn Rule so that the warning horn is not sounded at a grade crossing.

FRA has a specific process for local governments to follow if they wish to request a quiet zone.<sup>7</sup> The local government jurisdiction in which the at-grade crossing is located must apply for the quiet zone. SR 138 and Erda Way are located within the City of Erda; therefore, Erda would need to apply for the quiet zone from FRA. Other agency(ies) and/operator(s) could work with the local government making the application. The process involves a detailed series of steps that must be followed and coordinated with FRA, such as a diagnostic team review, submission of required documentation, and notice to interested parties. STR has designed the project to support the establishment and maintenance of quiet zones for both SR 138 and Erda Way. OEA performed an evaluation of the Proposed Action with and without potential quiet zones at SR 138 and Erda Way because STR cannot control the quiet zone application process.

OEA determined that there would be no noise receptors, including receptor #6, adversely impacted by operation of the Proposed Action if a quiet zone is established at SR 138 and Erda Way.

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<sup>7</sup> QuietZoneBrochure.pdf (dot.gov)

### 3.1.3.2 No-Action Alternative

The noise environment associated with the No-Action Alternative is represented by **Figure B.5-7** in **Appendix B**. If the Proposed Action does not occur, noise levels in the area are anticipated to remain unchanged.

### 3.1.4 Conclusion

OEA concludes that with the voluntary mitigation proposed by STR to control noise and limit construction times there would be no noise and vibration impacts during construction.

OEA anticipates that adverse noise impacts from rail operations would be mitigated by the voluntary mitigation measures proposed by STR and OEA's recommended mitigation. OEA anticipates that noise from the operations of the Proposed Action would adversely impact one noise receptor, receptor #6, if a quiet zone is not applied for and granted. If there is no quiet zone, OEA concludes that noise impacts to this receptor would be minimized with building sound insulation and the other mitigation recommended by OEA (**MM-Noise-01, -03, -04, -05**). Further, because the modeled noise contour also comes close to adversely affecting several other receptors, OEA also recommends that STR be required to measure train horn and wayside noise levels from actual train operations verify the modeled noise contour location used in this Draft EA (**MM-Noise-02**). STR has proposed voluntary mitigation requiring it to work with the City of Erda, UDOT, and Tooele County to seek to establish quiet zones at SR 138 and Erda Way. OEA concludes that if the City of Erda applied for, and FRA granted, a quiet zone, no noise receptors would be adversely impacted. OEA does not anticipate vibration impacts from operations.

## 3.2 Grade Crossing Safety

This section describes the existing conditions and environmental consequences resulting from the Proposed Action on safety. STR has proposed to reconstruct roadway/rail at-grade crossings (at-grade crossings) at SR 138 and Erda Way on the segment of the former Warner Branch railroad line. The former rail crossings at SR 138 and at Erda Way were closed when the rail line was abandoned. The proposed crossings at SR 138 and Erda Way to reestablish the rail line for the Proposed Action are required to be treated as new crossings according to Rule R930-5 of the Utah Administrative Code.

An at-grade crossing is defined as "a location where a public highway, road, street, or private roadway, including associated sidewalks and pathways, crosses one or more railroad tracks at grade," according to 49 C.F.R. § 234.5. Aside from crashes involving individuals trespassing on railroad tracks, the majority of rail-related fatalities and injuries, including fatalities involving motor vehicles and pedestrians, occur at grade crossings (AAR 2022). Based on FRA data from 2017 to 2021, there were 9,030 crashes at public grade crossings in the United States, resulting in 1,262 deaths and 2,865 injured people. STR's two proposed at-grade crossings could result in an increased risk of crashes involving trains and motor vehicles.

In assessing grade crossing safety impacts, OEA considered applicable federal, state, and local regulatory frameworks. At the federal level, this includes regulations administered by the Federal Highway Administration (FHWA) and FRA, which both have jurisdiction over aspects of grade crossing safety under federal law. STR's request 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. All potential new grade crossings in Utah are required to follow a multiple step process to obtain approval from UDOT, which includes a public hearing as well as a Traffic Impact Study. STR would be required to meet the requirements specified in Rule R930-5-7.6 before a new crossing request would be approved by UDOT at SR 138 and Erda Way which includes providing documentation to UDOT showing safety improvements that would enhance the overall safety of the corridor. The two proposed crossings would require permits and maintenance agreements with UDOT for the crossing at SR 138 and with the City of Erda for the crossing at Erda Way.

### 3.2.1 Approach

This subsection discusses OEA's approach for estimating safety impacts at grade crossings under the No-Action Alternative and the Proposed Action. Crashes can occur at at-grade crossings when vehicles attempt to cross the tracks at the same time as a passing train. Although such crashes are generally rare, they can result in damages, injuries, or fatalities when they occur. In 2020, FRA published a report that includes statistics on the safety performance of more than 105,000 open public at-grade crossings in the U.S. that not grade-separated (FRA 2020). During the five-year period from 2014 to 2018, there were 8,467 crashes at those at-grade crossings, representing an average of 0.016 crashes per crossing per year, or approximately one crash per crossing every 62.5 years.

OEA defined the study area for grade crossing safety to include the two new proposed public grade crossings at SR 138 and Erda Way that would result from the Proposed Action. OEA identified those grade crossings by reviewing STR's proposed railroad alignment. To quantify changes in safety, OEA used rail traffic and vehicle traffic data estimates for 2023 and projected out to 2026. The 2023 figures represent existing conditions with the current limited business park build out. In 2026, AADTs are projected as a result of growth related to the planned business park development. OEA then compared the predicted changes in safety at grade crossings under the Proposed Action to the No-Action Alternative.

OEA then estimated the probability of a crash occurring at each grade crossing and other related statistics based on FRA crash prediction methods (FRA 2019). Other related statistics included estimated crash frequency per year and intervals between crashes.

OEA used several roadway and grade crossing characteristics to estimate future crash frequency. OEA's analysis included the projected number of trains operated per day through each crossing under the Proposed Action as compared to the No-Action Alternative, the estimated train speed, the estimated average train length, the annual average daily traffic (AADT) on the crossing roadway, the type of protection at the crossing (for example, flashing lights and crossing gates), the road surface type, the number of roadway lanes, and the number of main line tracks.



As discussed above, STR supports the establishment of quiet zones for both SR 138 and Erda Way. Quiet zones are locations where trains do not need to sound their horns at at-grade crossings. Because trains do not sound their horns in quiet zones, at-grade crossings in these areas may be more susceptible to safety impacts than crossings elsewhere, depending on rail and vehicular traffic levels and crossing safety enhancements. SR 138 and Erda Way are located within the City of Erda; therefore, Erda would need to apply for a potential quiet zone from FRA. OEA performed an evaluation of the Proposed Action with and without potential quiet zones at SR 138 and Erda Way because STR cannot control the quiet zone application process. OEA considered the potential safety impacts associated with at-grade crossings in designated quiet zones.

### 3.2.2 Affected Environment

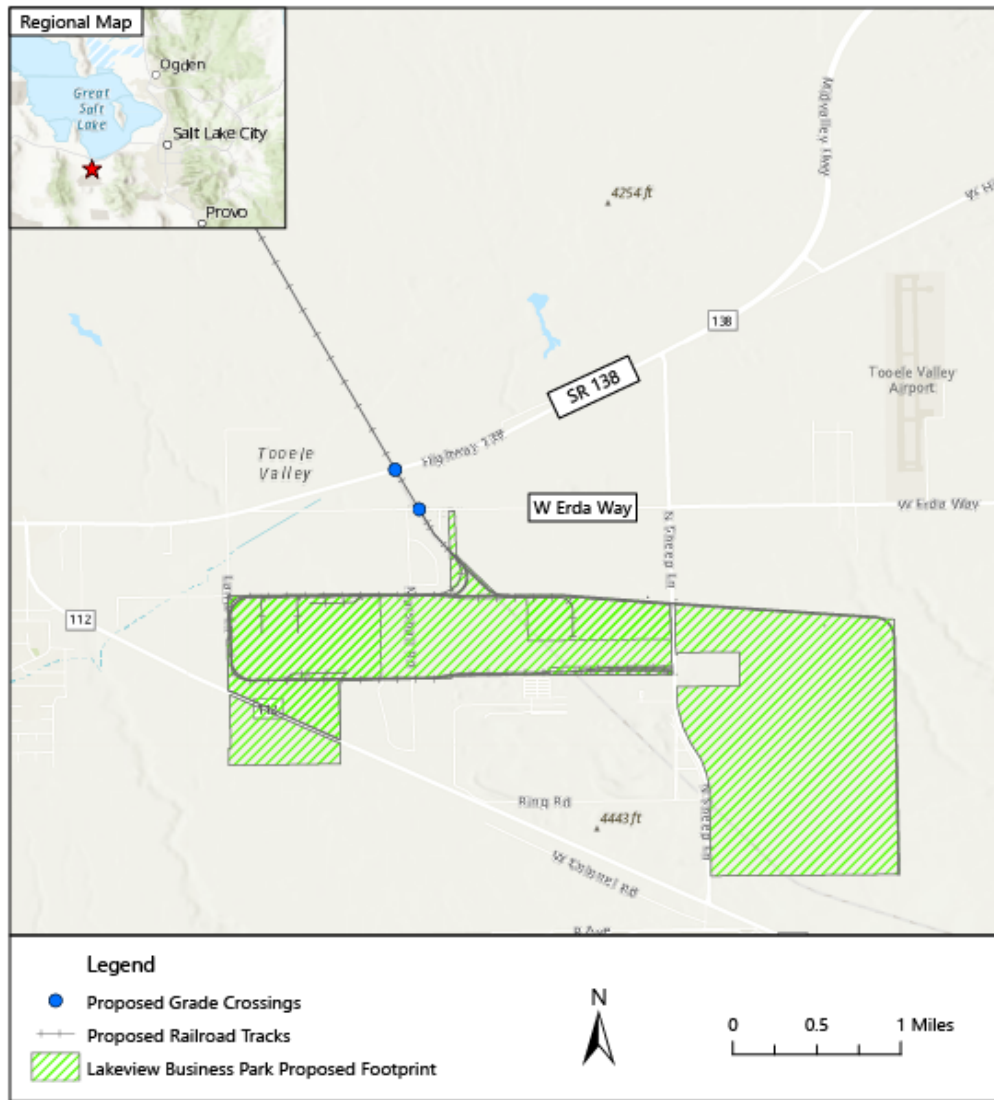
When the former rail line was abandoned, the rail crossings at SR 138 and Erda Way were closed. STR has proposed to construct new at-grade crossings at SR 138 and Erda Way at the former crossing locations (**Figure 3.2-1**). The proposed grade crossings are both rural crossings with AADTs ranging from 540 to 12,054 vehicles per day in 2023.<sup>8</sup> The 2023 AADT data represents existing conditions with the current limited business park developed. In 2026, the projected AADTs would range from 1,585 to 27,080 vehicles per day as a result of growth related to the planned business park development.<sup>9</sup> The number of proposed mainline tracks at the crossings is one track and the number of roadway lanes at the crossings is two lanes. The proposed grade crossings are paved roadways and the proposed warning devices for at-grade crossings would include flashing lights and gates. Because the former grade crossings were closed in 1983, there are no recent grade crossing crashes or crash data.

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<sup>8</sup> See **Appendix C**, Section C.1 Grade Crossing Safety Approach for a discussion of methods and sources used.

<sup>9</sup> Ibid.

**Figure 3.2-1. Grade Crossings for Safety and Delay Analysis**



### 3.2.3 Environmental Consequences

To characterize the potential safety-related environmental consequences at the two new public grade crossings at SR 138 and Erda Way, OEA estimated grade crossing safety performance due to anticipated train movements in 2023 with the current business park developed and in 2026 with business park development growth under the Proposed Action and the No-Action Alternative.

### 3.2.3.1 Proposed Action

#### *Construction*

During construction of the two new at-grade crossings at SR 138 and Erda Way required to reconstruct the segment of the former Warner Branch railroad line, there would be the potential for temporary minor impacts on grade crossings safety from activities related to construction of the new crossings and the presence of construction equipment and personnel at the crossings on SR 138 and Erda Way. STR anticipates construction activities for the Proposed Action would take approximately six months; therefore, OEA concludes that these minor impacts would be temporary. These temporary impacts would be minimized by construction phasing and traffic control best practice measures proposed by STR as voluntary mitigation. STR would coordinate with local agencies on construction schedules, detours, traffic control, and traffic control permits and would maintain egress or traffic routing to allow for passage of emergency and other vehicles (**VM-Grade Crossing-02**). In addition, STR would install temporary traffic control, including pavement markings, signing, and detours, throughout the project limits and applicable work zones (**VM-Grade Crossing-05**).

#### *Operation*

OEA expects that operation of the Proposed Action with the two new at-grade crossings at SR 138 and Erda required to reconstruct the segment of the former Warner Branch railroad line would result in a small increase in the predicted number of crashes at the two new at-grade crossings.

**Table 3.2-1** presents the predicted number of crashes per year and estimated time between crashes under the Proposed Action and the No-Action Alternative in 2023 and 2026. Under the 2023 conditions, the total predicted number of crashes would increase by 0.0102 crashes per year across the two at-grade crossings as a result of the Proposed Action. This corresponds to one predicted crash approximately every 98 years. Under the 2026 conditions, the total predicted number of crashes would increase by 0.0131 crashes per year across the two at-grade crossings as a result of the Proposed Action. This corresponds to one predicted crash approximately every 76 years. **Appendix C** provides detailed inputs and the results of OEA's analysis.

**Table 3.2-1. Grade Crossing Safety for 2023 and 2026 Conditions**

| Roadway Crossing | Year | AADT   | 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 | 0                     | --                | 0                                      | --                              | 2                                       | 20                | 0.007                                  | 139                             |
|                  | 2026 | 27,080 | 0                     | --                | 0                                      | --                              | 2                                       | 20                | 0.007                                  | 112                             |
| Erda Way         | 2023 | 540    | 0                     | --                | 0                                      | --                              | 2                                       | 20                | 0.003                                  | 331                             |
|                  | 2026 | 1,585  | 0                     | --                | 0                                      | --                              | 2                                       | 20                | 0.004                                  | 244                             |

-- = not applicable

Note: Road surface is paved and there are two roadway lanes for both SR 138 and Erda Way. The type of protection assumed is lights and gates for both roads.

In general, at-grade crossings with more safety measures (such as flashing lights and gates) tend to have lower predicted crashes. On the other hand, at-grade crossings with more traffic volume tend to have higher predicted crashes. Because both at-grade crossings at SR 138 and Erda Way are proposed to have the same safety measures, the roadway traffic volumes account for the difference in predicted crashes. SR 138 has the higher traffic volume; therefore, it is also associated with the higher predicted number of crashes.

Beyond the predicted number of at-grade crossing crashes, UDOT expressed safety concerns related to the SR 138 at-grade crossing due to the high-speed nature of the highway and the significant amount of truck traffic. STR has included in the Proposed Action warning systems on the approaches to the at-grade crossings in its preliminary design plan. The warning system plans include overhead warning flashers and a ‘BE PREPARED TO STOP’ sign approximately 540 feet in advance of the stop line.

OEA expects that the number of crashes on roadways could decrease as a result of the use of freight rail rather than trucks to move goods. According to UP, a single rail car can carry an equivalent amount of freight as three to four trucks.<sup>10</sup> Per STR, a single train consist that would operate on the proposed rail line would be comprised of up to 20 rail cars. Therefore, a single freight train that would operate under the Proposed Action could remove up to 80 trucks from the road, which could decrease the number of crashes on roadways.

<sup>10</sup> <https://www.up.com/customers/track-record/tr030822-12-train-facts-you-might-notknow.htm#:~:text=Because%20rail%20cars%20can%20hold,that%27s%20a%20lot%20of%20trucks!>

OEA anticipates that safety impacts identified from crashes would be minimized through the voluntary mitigation measures proposed by STR and the OEA-recommended mitigation. STR has proposed voluntary mitigation requiring it to consult with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices (**VM-Grade Crossing-01**). Warning devices on public roadways would be subject to review and approval, depending on location, by UDOT, the City of Erda, and Tooele County. STR would follow standard safety designs for each at-grade crossing for proposed warning devices and signs. These designs would follow the Federal Highway Administration’s Manual on Uniform Traffic Control Devices for Streets and Highways (2022) and the American Railway Engineering and Maintenance-of-Way Association’s guidelines for railroad warning devices. STR would also comply with applicable UDOT and local requirements. STR has proposed additional voluntary mitigation requiring it to address grade crossing safety including measures requiring it to: consult with UDOT and applicable road authority about pavement markings, signing, delineators, and active warning devices for vehicles, pedestrians, and bicyclists (**VM-Grade Crossing-04**); work with the local agencies to facilitate the development of cooperative agreements with emergency service providers to share services areas and emergency call response (**VM-Grade Crossing-06**); consult with affected communities regarding clearing vegetation or installing lights (**VM-Grade Crossing-07**); obtain and abide by applicable UDOT permits and approvals (**VM-Grade Crossing-08**); provide and maintain permanent signs prominently displaying a toll-free telephone number enabling drivers to report promptly any accidents, malfunctioning warning devices, stalled vehicles, or other dangerous conditions (**VM-Grade Crossing-09**); and coordinate with Operation Lifesaver to provide educational programs to communities, schools, and other organizations located along the proposed rail line (**VM-Grade Crossing-10**).<sup>11</sup>

OEA is recommending mitigation requiring STR to consult and comply with UDOT on its process and requirements for creating new rail/roadway crossings at SR 138 and Erda Way in accordance with the requirements of UDOT Administrative Rule R930-5, and specifically R930-5-7.6, which addresses the requirements for new crossings (**MM-Grade Crossing-01**). OEA also recommends mitigation requiring STR not to block at-grade crossings for more than 10 minutes (**MM-Grade Crossing-02**) and requiring STR to notify Emergency Services Dispatching Centers if grade crossings become blocked by trains that may be unable to move for a prolonged period (**MM-Grade Crossing-03**).

FRA would be responsible for determining whether a quiet zone is appropriate for an at-grade crossing if applied for by the local jurisdiction(s), and if deemed eligible as a quiet zone, FRA would impose the appropriate measures to ensure safety as part of that application process.

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<sup>11</sup> Operation Lifesaver is a nationwide, nonprofit organization that provides public education programs to help prevent collisions, injuries, and fatalities at highway/rail grade crossings.

### 3.2.3.2 No-Action Alternative

Under the No-Action Alternative, the Board would not authorize the Proposed Action, and there would be no new grade crossings on SR 138 and Erda Way. No adverse impacts would be expected related to safety at road crossings.

### 3.2.4 Conclusion

OEA concludes that while grade crossing safety impacts could result during construction of the Proposed Action from activities related to construction of the new crossings and the presence of construction equipment and personnel at the crossings on SR 138 and Erda Way on the reconstructed segment of the former Warner Branch railroad line, these impacts would be minor and temporary during the six-month construction period and would be minimized through the use of traffic control best practice measures proposed by STR as voluntary mitigation.<sup>12</sup>

If the Board authorizes the Proposed Action, OEA estimates that the number of crashes at grade crossings would increase by 0.0102 crashes per year across the two at-grade crossings at SR 138 and Erda Way as a result of operation of the Proposed Action under the 2023 conditions (or one predicted crash approximately every 98 years). Under the projected 2026 conditions, the total predicted number of crashes would increase by 0.0131 crashes per year at the two at-grade crossings as a result of operation of the Proposed Action (or one predicted crash approximately every 76 years). OEA concludes that operation of the Proposed Action would increase the potential for train-vehicle crashes at grade crossings as compared to zero crashes per year under the No-Action Alternative. Although the Proposed Action could result in an increase in the potential for crashes at grade crossings in the study area, the number of crashes on roadways in the area could also decrease because rail freight is generally safer than truck.

OEA anticipates that impacts to grade crossing safety from the Proposed Action would be mitigated by the voluntary mitigation measures proposed by STR and OEA's recommended mitigation. OEA recommends mitigation measures requiring STR to consult and comply with UDOT grade crossing requirements (**MM-Grade Crossing-01**). Further, STR would be required not to block at-grade crossings for more than 10 minutes (**MM-Grade Crossing-02**) and to notify Emergency Services Dispatching Centers if grade crossings become blocked by trains that may be unable to move for a prolonged period (**MM-Grade Crossing-03**). In addition, STR has proposed voluntary mitigation requiring it to consult with appropriate agencies on the design of the at-grade crossing warning devices and pavement markings, signing, delineators, and active warning devices; emergency service

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<sup>12</sup> STR has proposed voluntary mitigation requiring it to coordinate with local agencies on construction schedules, detours, traffic control, and traffic control permits and to maintain egress or traffic routing and install temporary traffic control within the area and work zones, including pavement markings, signing, and detours as described in **Chapter 4 (VM-Grade Crossing-02, -05)**.

response; permits and approvals; information signs; and Operation Lifesaver educational programs.<sup>13</sup>

### 3.3 Grade Crossing Delay

This section describes the existing conditions and environmental consequences resulting from the Proposed Action on vehicular delay. STR has proposed roadway/rail at-grade crossings (at-grade crossings) at SR 138 and Erda Way on the segment of the former Warner Branch railroad line. The former rail crossings at SR 138 and at Erda Way were closed when the rail line was abandoned. The proposed crossings at SR 138 and Erda Way to reestablish the rail line for the Proposed Action are required to be treated as new crossings according to Rule R930-5 of the Utah Administrative Code.

An at-grade crossing is defined as “a location where a public highway, road, street, or private roadway, including associated sidewalks and pathways, crosses one or more railroad tracks at grade,” according to 49 C.F.R. § 234.5. If the Board were to authorize the Proposed Action, two new grade crossings would be created at SR 138 and Erda Way. Rail traffic would increase the total amount of time during the day that the at-grade crossings would be closed to vehicle traffic, which would cause delay for drivers. The subsections that follow describe the approach used to analyze the impacts, the affected environment, and the impacts of the Proposed Action on grade crossing delay.

In assessing grade crossing delay impacts, OEA considered applicable federal, state, and local regulatory frameworks. At the federal level, this includes the regulations of FHWA and FRA, which both have jurisdiction over aspects of grade crossing safety under federal law. At the state level, requests for new crossings would need to be coordinated with UDOT and meet the requirements of Rule R930-5 of the Utah Administrative Code as described in **Section 3.2**.

#### 3.3.1 Approach

This subsection discusses OEA’s approach to estimating the expected delay at grade crossings under the Proposed Action and the No-Action Alternative. Drivers traveling on roadways experience delay whenever passing trains temporarily block crossings. For roads with low levels of vehicular traffic, the delay that drivers experience is approximately equal to the amount of time it takes the passing train to clear the at-grade crossing, which depends

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<sup>13</sup> STR has proposed voluntary mitigation requiring it to consult with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices; consult with UDOT and applicable road authority about pavement markings, signing, delineators, and active warning devices for vehicles, pedestrians, and bicyclists; work with the local agencies to facilitate the development of cooperative agreements with emergency service providers to share services areas and emergency call response; consult with affected communities regarding clearing vegetation or installing lights; obtain and abide by applicable UDOT permits and approvals; provide and maintain permanent signs prominently displaying a toll-free telephone number enabling drivers to report promptly accidents; and to coordinate with Operation Lifesaver educational programs, as described in **Chapter 4 (VM-Grade Crossing-01,-04,-06,-07,-08,-09,-10)**.

on the length of the train and the speed at which it is moving. For busier roads with more vehicle traffic, delays at at-grade crossings can be made longer by the queue of vehicles waiting for the passing train to clear the crossing. The longest delays occur when a train passes through an at-grade crossing on a busy road during the hours of peak traffic. Long delays can also occur when a train stops unexpectedly due to a crash or breakdown while traversing an at-grade crossing, but such events are relatively rare.

OEA defined the study area for grade crossing delay to include the two new proposed public grade crossings at SR 138 and Erda Way that would result from the Proposed Action. OEA identified those grade crossings by reviewing STR's proposed railroad alignment. To quantify changes in delay, OEA used rail traffic and vehicle traffic data estimates for 2023 and projected out to 2026. The 2023 figures represent existing conditions with the current limited business park build out. In 2026, AADTs are projected as a result of growth related to the planned business park development. OEA then compared the predicted delay at grade crossings under the Proposed Action to the predicted delay under the No-Action Alternative.

In characterizing the operation of grade crossings in the study area, OEA considered performance measures such as blocked crossing time per train, crossing delay per stopped vehicle, number of vehicles delayed per day, maximum vehicle queue length, average delay per vehicle in a 24-hour period, total vehicle delay per day, and level of service (LOS). 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. OEA calculated estimated delay time using the industry standard equations set forth in **Appendix C**, which include the following variables: AADT, train speed, train length, number of trains per day, number of railroad tracks, and number of roadway lanes.

OEA specifically considered the impact of increased delay on emergency vehicles. In addition to delay, OEA considered site-specific conditions, including the existing road network and the locations of nearby emergency service stations.

OEA did not quantify delay impacts at private grade crossings because insufficient data exist on vehicle traffic volumes at private grade crossings to allow for such an analysis. However, traffic on private roadways is generally very low. The Proposed Action would likely increase delay at private grade crossings, but the average delay at those grade crossings would be negligible due to the very low vehicular traffic volumes. STR has proposed voluntary mitigation that requires it to consult with railroad representatives at the appropriate agency(s) to determine the final details and reasonable signage for private at-grade crossings along access roads prior to project-related construction (**VM-Grade Crossing-03**).

### 3.3.2 Affected Environment

OEA identified two proposed public grade crossings in the study area (**Figure 3.2-1**). The proposed grade crossings are both rural crossings with AADTs ranging from 540 to 12,054 vehicles per day in 2023. In 2026, the projected AADTs range from 1,585 to 27,080 vehicles per day as a result of growth related to the planned business park. The proposed number of mainline tracks at the crossings is one track and the number of roadway lanes at the crossings is two lanes. The proposed grade crossings are both paved roads and the



proposed warning devices for at-grade crossings would include both flashing lights and gates.

### 3.3.3 Environmental Consequences

#### 3.3.3.1 Proposed Action

##### *Construction*

During construction of the new two at-grade crossings there would be the potential for temporary minor impacts on grade crossing delay from activities related to construction of the new crossings and the presence of construction equipment and personnel at the crossings on SR 138 and Erda Way. OEA expects that these minor temporary impacts would be minimized through the traffic control best practice measures proposed by STR as voluntary mitigation. STR would coordinate with local agencies on construction schedules, detours, traffic control, and traffic control permits and would maintain egress or traffic routing to allow for passage of emergency and other vehicles (**VM-Grade Crossing-02**). In addition, STR would install temporary traffic control, including pavement markings, signing, and detours, throughout the project limits and applicable work zones (**VM-Grade Crossing-05**).

##### *Operation*

OEA estimated grade crossing delay and related performance measures due to anticipated train movements in 2023 and 2026 under the Proposed Action and the No-Action Alternative to characterize the potential delay-related environmental consequences during operations at the two grade crossings.

**Table 3.3-1** shows information for both grade crossings in the study area, including the projected rail traffic, train speed, train length, AADT, and the gate down time (i.e., estimated time that a passing train would take to pass through the crossing) under the Proposed Action and the No-Action Alternative.

**Table 3.3-1. Proposed Public Grade Crossings Summary**

| Roadway 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) |
|------------------|-----------|---------------------|-------------------------------|-------------------------------------|--|--|--|---|---|---|---|
| SR 138           | 12,054    | 27,080              | 0                             | 2                                   | 900  | 1500   | 20                                       | 0                                       | 1.11  | 1.45  | 1.28  |
| Erda Way         | 540       | 1,585               | 0                             | 2                                   | 900  | 1500   | 20                                       | 0                                       | 1.11  | 1.45  | 1.28  |

**Impacts to Grade Crossings**

OEA expects that operation of the Proposed Action with at-grade crossings would result in minor impacts on grade crossing delay in the study area. Grade crossing delay would not occur under the No-Action Alternative.

**Table 3.3-2** shows the estimated delay-related performance measures in 2023 and 2026 under the Proposed Action (with the two new at-grade crossings) and the No-Action Alternative. OEA expects that the two new at-grade crossings would operate at a level of service (LOS) A, compared to the No-Action Alternative, which would also operate at LOS A under the 2023 and 2026 conditions.

**Appendix C** provides detailed inputs and results of OEA’s grade crossing delay analysis for both new grade crossings under the Proposed Action and the No-Action Alternative—including the average delay per stopped vehicle, number of vehicles delayed per day, maximum vehicle queue, average delay per vehicle in a 24-hour period, total delay in a 24-hour period, and LOS—along with the basic train, vehicle, and roadway characteristics used in the calculation of these performance measures.

**Table 3.3-2. Proposed Action Grade Crossing Delay for 2023 and 2026 Conditions**

| Roadway Crossing | Year | AADT   | Number of Roadway Lanes | 2023 No-Action |                     |                                    |   |   |                                       |                  |                          | 2023 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

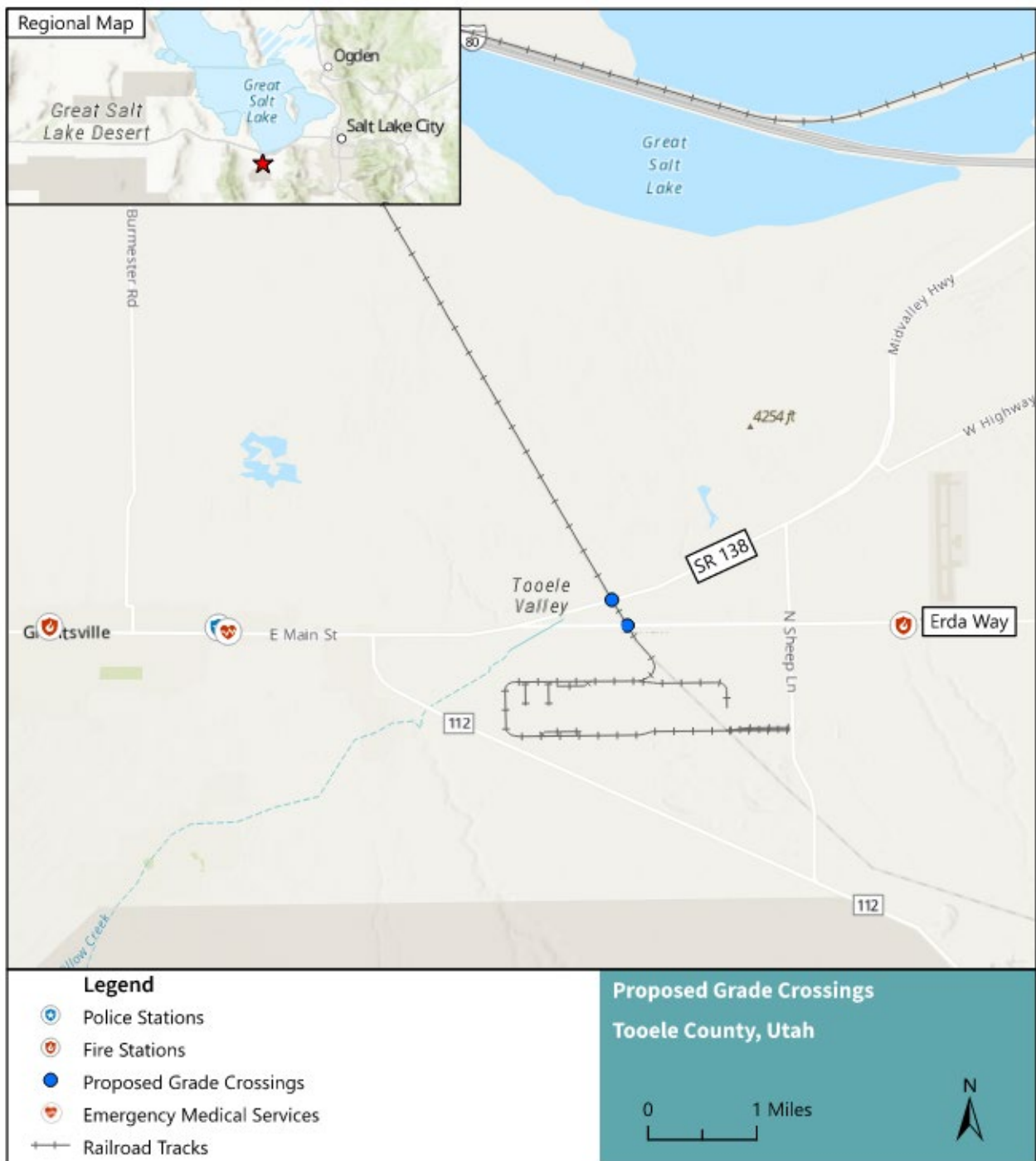
### *Impacts to Emergency Vehicles*

The same delay-related performance measures from the prior section and methods from **Appendix C** were used to estimate the potential impact on emergency vehicles, including police, fire, and emergency medical service vehicles at the two new at-grade crossings at SR 138 and Erda Way. While an emergency vehicle could potentially bypass a queue of waiting vehicles and be first to cross when the train has exited the crossing and warning devices indicate it is safe to cross, it may not always be feasible to do so. The dispatching of emergency service vehicles by local providers would depend upon conditions specific to the emergency, which would determine whether vehicles would use either of the two new grade crossings at SR 138 or Erda Way during a particular emergency, or whether there would be a better alternative route for an emergency vehicle to reach its destination. As described in the prior section and shown in **Table 3.3-2**, the average delay per stopped vehicle and the average delay for all vehicles in a 24-hour period at the two new at-grade crossings would be relatively short.

OEA also considered the location of nearby emergency service facilities. **Figure 3.3-1** shows a map of emergency service facilities, including police, fire, and emergency medical service stations, in relation to the two proposed grade crossings. The table and corresponding maps are intended to be used simultaneously to provide context for reviewers.

Given the relatively short delay times associated with the at-grade crossings, emergency vehicles would typically wait for the train to pass. Although an infrequent occurrence, an at-grade crossing can become blocked when a train comes to a stop before clearing the crossing. While also infrequent, it is possible that an emergency could occur at the same time that a stopped train blocks an at-grade crossing. These simultaneous events are rare but represent a potentially serious situation. To mitigate this potential impact, STR has proposed voluntary mitigation requiring it to work with appropriate local agencies to facilitate the development of cooperative agreements with emergency service providers to share services areas and emergency call response prior to and during construction and operation of the project (**VM-Grade Crossing-06**). OEA also recommends additional mitigation requiring that STR would not block an at-grade crossing for more than 10 minutes (**MM-Grade Crossing-02**) and that STR would notify appropriate Emergency Services Dispatching Centers if grade crossings become blocked by trains that may be unable to move for a prolonged period. (**MM-Grade Crossing-03**).

**Figure 3.3-1. Proximity of Emergency Services to Grade Crossings**



### ***Grade Separation***

USDOT, through FHWA and FRA, has regulatory jurisdiction over safety at grade crossings, pursuant to the Highway Safety Act of 1966 (HSA) (23 U.S.C. §§ 401-408). The HSA governs the distribution of funds to states aimed at eliminating hazards at grade crossings, and USDOT has issued regulations that address grade crossing safety and provides funding for the installation and improvement of warning devices through the states. Jurisdiction over grade crossings falls primarily to the states and it is up to the states to determine allocation of funds for grade crossing projects. Each state is required to periodically inspect grade crossings and to determine the adequacy of warning devices at each location, as well as to order safety improvements. USDOT oversees and approves the state determinations. In addition to federal oversight and funding, states also monitor crossings and, in many cases, designate funding to complement the federal funds. Grade separations are very costly and, because grade separations typically benefit primarily the community and not the railroad, railroads typically pay a small share of the total cost. Under USDOT regulations at 23 C.F.R. § 646.210 and pursuant to 23 U.S.C. § 130(b), the railroad share for a grade separation project seeking federal aid that would eliminate an existing crossing with active warning devices (i.e., flashing lights, bell and/or gates) would be five percent of the project costs, including preliminary engineering, right-of-way, and construction costs.

According to FHWA guidelines (FHWA and FRA 2019), grade crossings should be considered for grade separation if one or more of the following conditions exist:

- 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 number of freight trains per day times the 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 number of transit trains per day times the 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.

While OEA took the FHWA criteria into account, these are not federal requirements for grade separation and many grade crossings that meet these criteria have not been allocated federal or state funding for separation. **Table C.2-3 in Appendix C** identifies the FHWA thresholds that would suggest consideration for grade separation under the Proposed Action. 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 FHWA thresholds are met for grade separation consideration under the Proposed Action in 2023 or in 2026.

As part of its analysis of grade crossings and whether to recommend site-specific grade crossing mitigation, OEA also considered whether the Proposed Action with at-grade crossings would increase average delay per delayed vehicle by 30 seconds or more at either of the two grade crossings or whether the Proposed Action with the two at-grade crossings would result in an increase in average queue length that could adversely affect mobility of a community by blocking a major roadway that would not be blocked under the No-Action Alternative. OEA found that the average delay per delayed vehicle at the SR 138 at-grade crossing would increase by 47 and 64 seconds under the 2023 and 2026 conditions, respectively. OEA found that the average delay per delayed vehicle at the Erda Way at-grade crossing would increase by 39 and 40 seconds under the 2023 and 2026 conditions, respectively.

While the at-grade crossing of SR 138 met thresholds for grade crossing consideration and the increase in average delay per stopped vehicle is greater than 30 seconds, the Proposed Action with at-grade crossings would not cause the LOS of either of the grade crossings to decrease below LOS A.<sup>14</sup> For this reason, OEA is not recommending that the Board require STR to grade separate those roadway crossings. OEA consulted with UDOT regarding grade separation, and in response, UDOT indicated in a letter to OEA dated May 1, 2023, that it supports STR's planned at-grade crossing but indicated that if vehicular traffic increases significantly in the future, a grade separation at SR 138 could be necessary (see UDOT letter, **Appendix A**). UDOT indicated in the letter that STR has committed to collaborate with the agency and local entities to pursue funding to provide grade separation at this location if conditions warrant in the future. STR would be required to consult with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices and comply with applicable UDOT and local requirements (**VM-Grade Crossing-01**). Further, OEA is recommending mitigation requiring STR to consult with UDOT and comply with their process and requirements for creating new rail/roadway crossings, specifically regarding grade separation requirements (**MM-Grade Crossing-01**).

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<sup>14</sup> Erda Way did not meet the threshold for grade crossing consideration.

### 3.3.3.2 No-Action Alternative

Under the No-Action Alternative, the Board would not authorize the Proposed Action and there would be no new grade crossings on SR 138 and Erda Way. Therefore, potential adverse impacts related to delay at grade would not occur.

### 3.3.4 Conclusion

OEA concludes that while there would be the potential for impacts to grade crossing delay from construction of the Proposed Action at the two new grade crossings on SR 138 and Erda Way, these delays would be minor and temporary during the six-month construction period and could be minimized through the traffic control best practice measures proposed by STR as voluntary mitigation.<sup>15</sup>

OEA anticipates that impacts to grade crossing delay from the Proposed Action would be mitigated by the voluntary mitigation measures proposed by STR and OEA's recommended mitigation. OEA concludes that operation of the Proposed Action with at-grade crossings would cause increased delay to vehicles and emergency service providers due to the new at-grade crossings. However, this impact would be minor. OEA predicts that the Proposed Action with at-grade crossings would not cause the LOS of either of the grade crossings to decrease below LOS A. On average, the grade crossing delay would be less than 1.0 second per vehicle. Because LOS A corresponds to free flow conditions, OEA concludes that the Proposed Action with the two new at-grade crossings would result in only minor delay impacts at these grade crossings. To address this minor delay impact, OEA recommends mitigation requiring STR not to block at-grade crossings for more than 10 minutes (**MM-Grade Crossing-02**) and requiring STR to notify appropriate Emergency Services Dispatching Centers if grade crossings become blocked by trains for a prolonged period (**MM-Grade Crossing-03**).

The potential SR 138 grade crossing in the study area would meet certain FHWA criteria for considering grade separation under the Proposed Action. However, the Proposed Action would not result in a decrease in the LOS at either the proposed grade crossing at SR 138 or Erda Way. As such, OEA did not identify grade crossing impacts of the Proposed Action at SR 138 or Erda Way that would warrant grade separation. UDOT indicated in a letter to OEA dated May 1, 2023, that STR has agreed to work with UDOT and local entities to pursue funding to provide grade separation at SR 138 if conditions warrant in the future (see UDOT letter, **Appendix A**). STR has proposed voluntary mitigation requiring it to consult with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices and comply with applicable UDOT and local requirements (**VM-Grade Crossing-01**). Further, OEA is recommending mitigation requiring STR to consult with UDOT and comply with their process and requirements for

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<sup>15</sup> STR has proposed voluntary mitigation requiring it to coordinate with local agencies on construction schedules, detours, traffic control, and traffic control permits and to maintain egress or traffic routing and install temporary traffic control within the area and work zones, including pavement markings, signing, and detours as described in **Chapter 4 (VM-Grade Crossing-02, -05)**.



creating new rail/roadway crossings, specifically regarding grade separation requirements (**MM-Grade Crossing-01**).

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.

## 3.4 Biological Resources

This section describes the affected environment and potential environmental consequences on biological resources that could result from the Proposed Action. The subsections that follow also describe the study areas for the Proposed Action, data sources, and approach that the OEA used to analyze potential impacts. The biological resources discussed in this section include plant communities, wildlife habitat (terrestrial and aquatic), special status species, natural areas, critical habitat, and migratory birds. Special status species include listed species or those proposed to be listed as threatened or endangered under the Endangered Species Act (ESA); candidate species for ESA listing; bald and golden eagles; and sensitive species listed by state agencies.

### 3.4.1 Approach

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. Consistent with past practice, OEA also considered the potential impacts of the new rail traffic, including potential increases in rail-related noise on wildlife and critical habitat. 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 in **Appendix D**.<sup>16</sup>

OEA researched the behavior of special status species and their preferred habitat to determine whether they may occur in the study areas. In addition, OEA researched invasive species lists for species that may occur in the study area.<sup>17</sup> OEA conducted field work within the study area from October 31 to November 3, 2022, to confirm baseline conditions, existing vegetation, and wildlife presence, and protected species habitat.<sup>18</sup> OEA did not conduct field work at an approximate 1,000-foot section of track north of SR 138, which had been fenced off by a property owner.

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<sup>16</sup> IPaC is a USFWS project planning tool to research listed species, critical habitat, migratory birds, or other natural resources in an area.

<sup>17</sup> <https://ag.utah.gov/farmers/plants-industry/noxious-weed-control-resources/state-of-utah-noxious-weed-list/>

<sup>18</sup> Herbaceous plants and wildlife species that may use the area seasonally other than in the period October 31 to November 3 could be not confirmed by field work.

OEA evaluated the potential impacts of the Proposed Action on special status species, other vegetation and wildlife, and natural areas and critical habitat in the study area. OEA used in its analysis data from published reports, feasibility studies, regulatory agency documents, guidance manuals, discussions with resource personnel, aerial photographs, U.S. Geological Survey (USGS) topographic maps, field visits, and Geographic Information Systems (GIS) databases.

### 3.4.2 Affected Environment

This subsection describes the affected environment with respect to biological resources. OEA characterized the affected environment in terms of general existing conditions within the study area, plant communities, wildlife habitat, special status species, and natural areas.

The Proposed Action would be located within a developed railroad corridor formerly used for rail service and a new business park that is currently partially operational. The surrounding study area primarily consists of pasture lands that have been heavily altered and that are barren due to the use of herbicides, mechanical clearing, and grazing. The majority of the rail right-of-way contains ballast, railroad ties, and steel rails. Within the right-of-way in the LBP, the affected environment consists of heavily altered land as a result of on-going construction activities. **Appendix D** contains photos of site conditions taken during field work conducted during the fall of 2022.

#### 3.4.2.1 Plant Communities

Vegetation provides habitat and food sources for wildlife, improves air quality, provides in-stream shade, filters stormwater, and contributes to flood control.<sup>19</sup> Even though the surrounding study area is mainly pastureland, the existing vegetation within and adjacent to the right-of-way provides important functions to the immediate surroundings, affecting natural resources. Early coordination with USFWS and its Information for Planning and Consultation (IPaC) tool (USFWS n.d.) indicated that no federally listed plant species are present within the study area.

Invasive plant species identified during field work include Russian olive (*Elaeagnus angustifolia*) and salt cedar (*Tamarix ramosissima*).

#### 3.4.2.2 Wildlife Habitat

Habitat and land use types within the study area include agricultural/pasture, maintained roadway/railway/utility right-of-way, residential, salt grass meadow, wetlands/streams, sagebrush flats, and mixed scrub/shrub (see **Table 3.4-1**, below, and **Appendix D**). The existing scrub/shrub and wetland areas are primarily located along the edge of the railroad right-of-way and extend outside the study area. These areas generally provide habitat and resources for birds and wildlife. In the study area, however, herbicide use, mechanical clearing, and ballast placement within the railroad right-of-way have rendered most of these habitats as low quality. In addition, grazing by cattle has degraded the surrounding land.

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<sup>19</sup> <https://www.epa.gov/system/files/documents/2021-11/bmp-vegetated-filter-strip.pdf>

**Table 3.4-1. Total Acreage by Habitat Type within the Study Area**

| Habitat Type                                    | Acreage |
|---|---------|
| Agricultural/Pasture                            | 364.2   |
| Sagebrush Flats                                 | 136.4   |
| Maintained Roadway/Railway/Utility right-of-way | 22.0    |
| Salt grass Meadow                               | 131.2   |
| Wetlands/Stream                                 | 114.3   |
| Residential                                     | 49.8    |
| Commercial                                      | 22.5    |
| Mixed Scrub/Shrub                               | 18.6    |

Previous construction activities for the rail corridor and adjacent and bisecting roads, as well as actions associated with converting land for agricultural, residential, and commercial use, have resulted in fragmentation of the habitat that remains in the study area. Land use changes have disrupted the original wildlife habitat continuity, which has likely affected wildlife foraging habits, reproductive habits, and migratory movements. While some wildlife may still use the remaining patches of habitat along the Proposed Action rail line, those animals have likely adapted to the fragmented and heavily altered state of the habitat.

### 3.4.2.3 ESA-Listed Species

Early coordination with USFWS and its Information for Planning and Consultation (IPaC) tool (USFWS n.d.) indicated that no federally listed species and one species that is a candidate for listing (the monarch butterfly) could be present in the study area (see **Table 3.4-2** for the list of species).

**Table 3.4-2. Federally Protected Species Potentially in Study Area**

| Species Name      | Federal Protected | Suitable Habitat Present?  |
|-------------------|-------------------|--|
| Monarch butterfly | Candidate         | Yes, open habitats with milkweed plants and other nectar-producing plants are located throughout the corridor. |

Source: IPaC

### 3.4.2.4 State Protected Species

Early consultation with the Utah Division of Wildlife Resources and review of its Natural Heritage Program Online Species Search tool indicated that one species identified as a State Species of Greatest Conservation Need (the Golden eagle) could be present in the study area (see **Table 3.4-3** for the list of species). OEA conducted field work to determine if suitable habitat for protected species was present in the study area and determined that the area would be undesirable for golden eagle habitat.

**Table 3.4-3. State Protected Species Potentially in Study Area**

| Species Name | State Protected                 | Suitable Habitat Present?  |
|--------------|---------------------------------|--|
| Golden eagle | Species of conservation concern | No, grasslands and wetlands are present throughout the survey boundary along the tracks, these areas have been developed for pastureland and previously maintained with herbicide or mechanical clearing making them undesirable for golden eagle. |

Source: IPaC

### 3.4.2.5 Bald and Golden Eagles

OEA conducted field work to determine if suitable habitat for bald or golden eagles is present in the study area. OEA did not identify suitable habitat for bald (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*) within the study area.

### 3.4.2.6 Natural Areas

Natural areas refer to areas that are protected under federal or state law for the purpose of providing habitat for native vegetation, fish, and wildlife such as wilderness areas and conservation areas and easements. OEA did not identify any natural areas in the vicinity of the Proposed Action using the USGS Protected Areas Database of the United States.<sup>20</sup>

### 3.4.2.7 Critical Habitat

Critical habitat is defined by the USFWS as the “specific areas within the geographic area, occupied by the species at the time it was listed, that contain the physical or biological features that are essential to the conservation of endangered and threatened species and that may need special management or protection.” The USFWS IPaC report indicated that there is no critical habitat for federally listed species within the Project study area (see IPaC lists in **Appendix D**).

### 3.4.2.8 Migratory Birds

The Migratory Bird Treaty Act (16 U.S.C. 703-711) protects migratory birds by prohibiting the take of birds, feathers, eggs, and nests without prior authorization from the U.S. Department of Interior. Actions must be taken to avoid or minimize impacts to migratory birds and to prevent or abate the detrimental alteration of the environment, for the benefit of migratory birds, as practicable. No evidence of nesting migratory birds was observed at the location of the Proposed Action.

<sup>20</sup> <https://www.usgs.gov/programs/gap-analysis-project/science/pad-us-online-applications>

### 3.4.3 Environmental Consequences

#### 3.4.3.1 Proposed Action

Construction activities may result in impacts to biological resources as described below by resource area. Maintenance activities such as plant vegetation clearing in the right-of-way for the Proposed Action could also result in impacts on biological resources and could continue during rail operations. No new impacts from operational activities are expected.

##### *Plant Communities*

Adverse impacts are not expected on federally listed plant species as a result of the Proposed Action. Construction of the Proposed Action would involve minimal clearing, grubbing, grading, and some excavating and placing fill material for construction of the proposed interchange tracks.<sup>21</sup> Clearing of vegetation, including clearing of the invasive Russian olive trees identified during field work, as described in **Section 3.4.2.1**, would be completed within the existing right-of-way along the railroad using hi-rail vehicles.<sup>22</sup> Land disturbing activities would also occur in the temporary construction access and staging area. These activities could result in permanent or temporary alteration of existing vegetation. However, OEA expects vegetation to recover in the temporarily disturbed areas, as they are proposed to be used only for the construction period of the Proposed Action.

**Table 3.4-4** details the estimated acres of habitat that would be permanently lost or temporarily impacted during construction of the Proposed Action. The estimates in the table are based on the preliminary design information provided by STR. OEA is recommending mitigation requiring STR to use temporary barricades, fencing, and/or flagging in habitats to limit construction-related impacts to the area within the construction right-of-way and to the extent possible and to locate staging areas in previously disturbed sites and not in habitat areas (**MM-Biological-01**). OEA is also recommending mitigation requiring STR to limit ground disturbance to only the areas necessary for construction (**MM-Biological-02**) and to ensure that all disturbed soils are landscaped, seeded with a native seed mix, or otherwise permanently stabilized following project-related construction (**MM-Biological-03**). OEA further recommends mitigation requiring STR to develop and implement a mitigation plan to address the spread and control of non-native invasive plants (**MM-Biological-04**) and to use herbicides that are approved by the U.S. Environmental Protection Agency (USEPA) and applied by trained individuals in right-of-way maintenance to control vegetation and to limit application of the herbicides to the extent necessary for safe rail operations (**MM-Biological-05**).

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<sup>21</sup> Grubbing is the clearing or removal of removal of the roots of trees, shrubs, and other vegetation from a site preceding construction.

<sup>22</sup> Hi-rail vehicles have both rubber tires and steel wheels so that they can operate on both railroad tracks and roads.

**Table 3.4-4. Acres of Potential Plant Community Impacts**

| <b>Capital Improvement</b> | <b>Plant Type</b>   | <b>Permanent Impact (acres)</b> | <b>Temporary Impact (acres)</b> |
|----------------------------|---------------------|---------------------------------|---------------------------------|
| Construction Laydown Area  | Sagebrush Flat      | 0.0                             | 1.8                             |
| Interchange Tracks         | Sagebrush Flat      | 1.5                             | 0.0                             |
| Interchange Tracks         | Salt Grass Meadow   | 0.2                             | 0.0                             |
| Interchange Tracks         | Wetland             | 0.4                             | 0.0                             |
| Railway Track right-of-way | Scrub/shrub Wetland | 1.25                            | 0.0                             |
| Railway Track right-of-way | Scrub/shrub         | 1.25                            | 0.0                             |
| <b>Total</b>               |                     | 4.6                             | 1.8                             |

**Wildlife**

OEA expects the Proposed Action to result in negligible impacts to wildlife. Construction activities within portions of the rail right-of-way, such as land clearing, earthmoving, constructing the railbed, and laying rail line, could result in temporary and some permanent impacts on wildlife. Permanently altered habitats would cause species displacement to similar adjacent habitat. The intensity of these impacts would vary depending on the type of habitat and specific species affected. The Proposed Action could result in wildlife mortality or injury from construction- and operation-related collisions or crushing. Collisions or crushing would be more likely to affect smaller, less mobile species (such as reptiles and insects) that are not able to move away quickly from construction equipment. Collisions with larger animals and birds would be less likely because those animals could move more quickly and vacate a construction area. OEA expects that wildlife fatalities and injuries from operating construction equipment would be infrequent because construction vehicles typically move at slow speeds and because most construction activities would take place within or immediately adjacent to a previously disturbed and heavily maintained rail corridor. While some species could be more susceptible to collisions or crushing, many species would likely vacate an area once land clearing activities start, and noise and construction equipment become perceptible to wildlife. This temporary impact would only last for the duration of construction.

During operation of the Proposed Action, OEA expects that wildlife fatalities and injuries from trains could occur but would be infrequent. Similar to construction activities, once the Proposed Action is in operation, many species would likely vacate the immediate area. Because the Proposed Action would add only one round-trip train per day and rail traffic would likely be diverted from truck transportation, OEA anticipates that there would be no or negligible impacts to wildlife associated with the Proposed Action; therefore, no mitigation is recommended.

**ESA-Listed Species**

OEA determined that construction of the Proposed Action would result in no impact to ESA-listed species because no ESA-listed species, or their habitats, are located within the

study area. OEA recommends mitigation requiring STR to review updated USFWS species lists prior to project-related construction to see if any special status species were added after the Final EA (**MM-Biological-06**). STR would be required to notify OEA if new species are identified so that appropriate action can be taken if warranted.

### ***State-Listed and Sensitive Species***

OEA determined that construction of the Proposed Action would result in no impact to state-listed and sensitive species because no state-listed or sensitive species, or their habitats, are located within the study area. OEA is nevertheless recommending mitigation requiring STR to review updated Utah species lists prior to the start of project-related construction to see if any special status species were added after issuance of the Final EA. If new species are identified, STR would be required to notify OEA so that appropriate action can be taken if warranted (**MM-Biological-06**).

### ***Bald and Golden Eagles***

The Bald and Golden Eagle Protection Act (BGEPA) provides for the protection of the bald eagle and the golden eagle by prohibiting, except under certain specified conditions, the taking, possession, and commerce (buying or selling) of such birds. Under the BGEPA, a “take” of an eagle is defined as to “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb.” As noted in **Section 3.4.2.5**, consultation with the Utah Division of Wildlife Resources and review of its Natural Heritage Program Online Species Search tool indicated that the Golden Eagle is listed as a State Species of Greatest Conservation Need that could be present in the study area; however, OEA conducted field work and determined that the habitat in the study area would be undesirable for golden eagle. OEA determined that construction of the Proposed Action would result in no impact to bald or golden eagles because no eagles, or their habitats, are located within the study area.

### ***Natural Areas***

OEA determined that construction of the Proposed Action would result in no impact to natural areas because no natural areas are located within the study area.

### ***Critical Habitat***

OEA determined that construction of the Proposed Action would result in no impact to critical habitat because no critical habitat is located within the study area.

### ***Migratory Birds***

To ensure compliance with the Migratory Bird Treaty Act, OEA is recommending mitigation requiring STR to clear vegetation in preparation for construction before or after the breeding bird nesting season to avoid inadvertent removal of active nests (nesting adults, young, or eggs) or, if clearing is required during nesting season, STR would consult with OEA and the local office of the USFWS on appropriate nest survey methods for that area (**MM-Biological-07**).

### 3.4.3.2 No-Action Alternative

Under the No-Action Alternative, STR would not construct, reactivate, and operate the proposed rail line. Accordingly, OEA concludes that the No-Action Alternative would result in no impact on plant communities, wildlife, special status species, critical habitat, or natural areas.

### 3.4.4 Conclusion

OEA concludes that minor impacts to biological resources would occur during construction activities and maintenance of the Proposed Action. OEA concludes that the Proposed Action would result in some impacts to plant communities. Specifically, OEA expects that the estimated 1.8 acres of vegetation in areas temporarily altered for construction activities would recover and no permanent impacts in those areas would be anticipated. However, OEA expects that an estimated 4.6 acres of vegetation would be permanently lost or altered for the Proposed Action. To address these impacts to plant communities, OEA is recommending mitigation that requires STR to limit ground disturbance (**MM-Biological-01**) and use fencing (**MM-Biological-02**) during construction, and after construction requires STR to landscape with a native seed mix (**MM-Biological-03**), implement a plan to address the spread of non-invasive plants (**MM-Biological-04**), and limit the use of herbicides to only trained individuals (**MM-Biological-05**).

OEA concludes that the Proposed Action would result in no or negligible impacts to wildlife, ESA-listed species, state-listed and sensitive species, Bald and Golden Eagles, natural areas, and critical habitat. 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 biological resources during construction or operation of the Proposed Action.

## 3.5 Water Resources

This section describes the potential impacts on water resources that could result from the Proposed Action. The subsections that follow describe the study area, data sources, and approach used to analyze potential impacts. Water resources considered in this section include groundwater, surface waters (streams), wetlands, and water quality.

### 3.5.1 Approach

OEA defined the study area for water 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 performed both desktop analysis and field work to determine the study area existing conditions for water resources. In addition, OEA conducted field work within the study area from October 31 to November 3, 2022, to evaluate existing water resources conditions in the project study area. The analysis is described below by topic.



### 3.5.1.1 Groundwater

OEA used the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey to estimate near-surface groundwater depths. The USDA NRCS Web Soil Survey lists depth to water table based on existing soils within Proposed Action study area. Deeper principal aquifers occur in the study area and are referenced in the USGS Ground Water Atlas of the United States, which describes the location, extent, and geologic and hydrologic features of the important aquifers of the nation.

### 3.5.1.2 Surface Waters and Wetlands

The U.S. Army Corps of Engineers (USACE) and state environmental departments administer Sections 404 and 401 of the Clean Water Act (CWA), 33 U.S.C. §§ 1251-1389, which regulates discharges of fill into waters of the U.S., including wetlands. Wetlands are defined at 33 C.F.R. § 328.3(b) as “those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils.” Executive Order (EO) 11990, “Protection of Wetlands,” discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative (White House 1977a). OEA used available topographic surveys, GIS elevation data, and field surveys to identify and characterize waterways and hydrology within the study area.

### 3.5.1.3 Floodplains

A floodplain is an area of land that is susceptible to being inundated by floodwaters from riverine flooding or other sources of flooding. EO 11988, “Floodplain Management” (White House 1977b) requires federal agencies 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.” The Federal Emergency Management Agency (FEMA) has primary federal jurisdiction for the administration of EO 11988 and their guidance (44 C.F.R. Part 9; EO 13690). To evaluate potential impacts on floodplains, OEA compared the locations of proposed construction and fill to FEMA floodplain mapping. FEMA typically maps the 100-year (1 percent annual chance base flood) floodplain at points along a stream where the contributing drainage area is generally one square mile or larger.

### 3.5.1.4 Water Quality

Water quality is enforced at the state level, based on standards set by both the state and U.S. EPA. States also issue National Pollutant Discharge Elimination System (NPDES) permits with EPA approval for controlling pollutants generated during construction when land disturbance exceeds one acre. OEA assessed impacts from the Proposed Action on water quality based on OEA’s understanding of how construction could proceed if the Board authorizes the Proposed Action.

## 3.5.2 Affected Environment

Land use types within the study area include agricultural/pasture, maintained roadway/railway/utility right-of-way, residential, salt grass meadow, wetlands/streams, sagebrush flats, and mixed scrub/shrub (see **Table 3.4-1**, above, and **Appendix D**).

### 3.5.2.1 Groundwater

Groundwater within the vicinity of the project and across the Tooele Valley occurs both as water-table in unconsolidated aquifers and under artesian conditions. An aquifer is rock that transmits water to wells and springs.<sup>23</sup> An unconsolidated aquifer contains water in an unconfined, or water-table, condition, and generally consists of loosely packed material with a wide range in grain size and variable hydraulic conductivity.<sup>24</sup> An artesian aquifer is groundwater that flows to the land surface because pressure in the rocks underground force it to the surface.<sup>25</sup> Most of the wells in the study area are tapped into the artesian aquifer system, which is approximately 80 to 100 feet thick and starts at a depth of 50 to 300 feet below the ground. According to the USDA Soil Survey for the Tooele County, unconfined groundwater can be found over much of the study area (especially in the areas identified as wetlands) from at the surface to three feet below the ground surface. The Soil Survey identifies groundwater as occurring at greater than eight feet in depth in the upland areas at the northern end of the Proposed Action and near the southern end by the LBP.

### 3.5.2.2 Surface Waters and Wetlands

As noted above, OEA conducted fieldwork for water resources at the location of the Proposed Action and identified surface waters and wetlands in the study area. The study area includes one intermittent stream and 28 wetland areas. No perennial streams with aquatic organisms are present. Most of the wetlands 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.

### 3.5.2.3 Floodplains

OEA determined that there are no Zone A or Zone AE FEMA flood areas in the study area, based upon review of FEMA floodplain mapping. The Proposed Action study area is in Flood Hazard Zone D, which is an area where undetermined flood hazards/no flood hazard analysis has been conducted.<sup>26</sup>

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<sup>23</sup> [www.usgs.gov](http://www.usgs.gov).

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Zone A: Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Zone AE: The base floodplain where base flood elevations are provided. Zone D: Areas with possible but undetermined flood hazards. (<https://www.fema.gov/about/glossary>)

### 3.5.2.4 Water Quality

OEA considered the water quality of state surface waters within the watershed of the study area for the Proposed Action. As required by the CWA, Utah collects and maintains water quality data for all state surface waters to determine if the waterbodies support their designated uses. These uses include drinking water, recreation, aquatic life, agriculture, and the Great Salt Lake. Waterbodies that do not support one or more of their designated uses are classified as non-supporting and placed on the CWA 303(d) list of impaired waters. Every two years, in compliance with Sections 303 and 305 of the CWA, the Utah Department of Environmental Quality (UDEQ) prepares a list that identifies the quality of the state waters and whether they meet the criteria for their designated use.

**Table 3.5-1** provides information about three watersheds near the Proposed Action containing four different waterbodies that are identified in the 2022 integrated 303/305 list. Of these four nearby waters only the Grantsville Reservoir is identified as an impaired water as it does not meet the standard for pH.

**Table 3.5-1. Watershed and Impaired Waterbodies**

| Name                  | Watershed  | 303(d) Listed | Impaired Water Body   | Impairment   |
|-----------------------|--|---------------|---|--|
| Grantsville Reservoir | South Willow Creek-Frontal Great Salt Lake Watershed | Yes           | Condition Impaired for State Waterbody ID: UT-L-16020304-005_00 | Bioassessment: Aquatic Life (Freshwater, 95.3 acres) |
| South Willow Creek    | South Willow Creek-Frontal Great Salt Lake Watershed | No            | Condition Unknown for State Waterbody ID: UT16020304-008_00     | None Listed  |
| Gilbert Bay           | Sixmile Creek-Frontal Great Salt Lake Watershed      | No            | Condition Good for State Waterbody ID: UT-L-16020310-001_00     | None Listed  |
| Middle Canyon         | Middle Canyon Watershed                              | No            | Condition Unknown for State Waterbody ID: UT16020304-007_00     | None Listed  |

## 3.5.3 Environmental Consequences

### 3.5.3.1 Proposed Action

OEA anticipates construction activities would result in minor impacts to water resources as described below by resource area. Impacts from operations are not expected.

#### **Groundwater**

Impacts to groundwater typically occur from water withdrawals, changes in aquifer recharge areas, or excavation of the landscape, which may draw down the surficial water table. OEA expects that construction of the Proposed Action would involve minimal removal of ground

surface vegetation, adding ballast, replacement of the rail ties and steel rails, and replacement of existing drainage culverts. These activities would not involve significant water withdrawals, changes in aquifer recharge areas, or excavation. As described in **Section 2.1.2**, STR anticipates construction of the Proposed Action from the existing rail bed with the use of hi-rail equipment, limiting ground disturbance. Therefore, OEA concludes that the Proposed Action would have a negligible impact on groundwater. OEA is recommending mitigation requiring STR to only use herbicides that are approved by EPA and are applied by trained individuals in right-of-way maintenance to control vegetation and to limit application to the extent necessary for safe rail operations (**MM-Biological-05**).

### ***Surface Waters and Wetlands***

The Proposed Action has the potential to impact wetlands and streams. The Proposed Action would be constructed within an existing rail right-of-way, where railroad tracks already cross the potentially affected waterways and a business park that is currently under construction. STR would reconstruct culverts in waterways. STR has indicated that it would replace existing culverts with culverts equivalent to or larger than the existing culverts in its preliminary design information. OEA anticipates that the connection of replacement culverts to existing wetlands and waterways would have a small fill impact due to transitional grading from the culvert opening to the receiving waters. STR may install new culverts of equal or greater capacity than those currently in place, which could improve the movement of surface water and the connectivity of wetlands. STR has proposed voluntary mitigation requiring its contractor(s) to construct stream crossings during low-flow periods, when practical (**VM-Water-04**). OEA 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 FEMA if construction of the culverts would result in an unavoidable increase greater than one foot to the 100-year water surface elevations (**MM-Water-02**).

STR would place ballast and other fill material within wetlands to construct interchange tracks at the northern end of the rail line. OEA assumed that wetlands that run parallel to the existing tracks would be filled to construct the proposed interchange tracks. OEA estimated the area of new fill based on preliminary design information provided by STR to be less than 0.5 acre. One wetland area along the existing railroad tracks is overgrown with Russian olive trees and requires clearing within the existing railroad right-of-way. STR has indicated hi-rail tree removal equipment would be used to avoid the need for grubbing activities, thus minimizing the impacts to wetlands. OEA anticipates that STR would have to obtain a Nationwide 404 permit under the CWA from USACE for these minimal impacts to wetlands if STR cannot avoid filling the wetlands during final design. OEA is recommending mitigation requiring STR to consult with USACE and obtain a 404 Nationwide permit from USACE, if applicable, before initiating project-related construction in wetlands and other jurisdictional waters of the United States and to comply with all conditions of the Section 404 permit (**MM-Water-03**). OEA also recommends mitigation requiring STR to minimize impacts to wetlands to the extent practicable in the final design and to prepare a mitigation plan for any remaining wetland impacts in consultation with the USACE (**MM-Water-04**). Further, OEA is recommending mitigation requiring STR to compensate for the loss of any wetlands through any one, or a combination of the following:

purchasing credits from an authorized wetland mitigation bank, restoring a previously existing wetland or other aquatic site, enhancing an existing aquatic site's function, preserving an existing aquatic site, and/or creating a new aquatic site (**MM-Water-05**).

CWA Section 404(b)(1) Guidelines state that “secondary effects are effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material.” (40 C.F.R. § 230.11). OEA does not expect that the Proposed Action would result in any secondary impacts.

### ***Floodplains***

The Proposed Action is located outside of regulated floodplains; therefore, OEA expects that it would not result in impacts to floodplains.

### ***Water Quality***

OEA identified one impaired waterbody near the Proposed Action, the Grantsville Reservoir, located approximately six miles southwest of the location of the Proposed Action. OEA determined the Proposed Action site drains northeast towards the Great Salt Lake and not toward the Grantsville Reservoir to the southwest; therefore, the Proposed Action would not result in impacts to the Grantsville Reservoir.

Construction of the Proposed Action could result in short-term localized and downstream water quality impacts. During construction, ground disturbance could lead to erosion of sediments, which could flow down gradient into low lying areas and eventually into water bodies. During operations, erosion at culvert crossings and changes in flow patterns have the potential to deliver sediment and pollutants to downstream waters. STR has proposed voluntary mitigation requiring it to submit a Notice of Intent to request permit coverage under Utah Pollutant Discharge Elimination System (UPDES) Construction General Permit (CGP) or Common Plan Permit (CPP) for construction stormwater management (**VM-Water-01**) and submit an application for coverage under the NPDES stormwater construction permit pursuant to Section 402 of the CWA for construction stormwater management (**VM-Water-02**). In addition, STR has proposed voluntary mitigation requiring it to develop a stormwater pollution prevention plan, which would include construction best management practices (BMPs) to control erosion and reduce the amount of sediment and pollutants entering surface waters, groundwater, and waters of the United States, and STR would require contractor(s) to follow all water quality control conditions identified in permits (**VM-Water-03**). OEA is recommending mitigation requiring STR to obtain a Section 401 Water Quality Certification from the UDEQ, incorporate the conditions of the Certification into its construction contract specifications, and monitor the project for compliance (**MM-Water-06**).

### **3.5.3.2 No-Action Alternative**

Under the No-Action Alternative, STR would not construct, reactivate, and operate the proposed rail line. Therefore, no impacts on groundwater, surface water, floodplains, and water quality would be anticipated.

### 3.5.4 Conclusion

OEA concludes that impacts to certain water resources would occur during construction activities and maintenance of the Proposed Action. OEA anticipates that the Proposed Action would result in no or negligible impacts on ground water and floodplains. However, the Proposed Action could result in impacts on surface waters, wetlands, and water quality. OEA anticipates no impacts to water resources from rail operations.

As part of the Proposed Action, STR would replace deteriorated existing culverts 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. To mitigate any potential for 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**).

OEA also concludes that the Proposed Action would require the placement of fill material in some wetland areas resulting in a permanent loss of 0.5 acres of wetlands. To mitigate impacts on wetlands, OEA is recommending mitigation requiring STR to obtain a permit from the USACE (**MM-Water-03**), minimize impacts to wetlands in the Proposed Action final design (**MM-Water-04**), prepare a mitigation plan in consultation with USACE if applicable, and compensate for the loss of any wetlands (**MM-Water-05**).

Finally, OEA anticipates that construction of the Proposed Action would create ground disturbance that could lead to erosion of sediments into water bodies. To minimize these short-term localized impacts on water quality, STR has proposed voluntary mitigation requiring it to obtain stormwater management permits and develop a stormwater pollution prevention plan including construction BMPs (**VM-Water-01, VM-Water-02, VM-Water-03, and VM-Water-04**). OEA is recommending additional mitigation requiring STR to obtain a Section 401 Water Quality Certification from the UDEQ (**MM-Water-06**).

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.

## 3.6 Hazardous Materials

### 3.6.1 Approach

The following section describes the methods OEA used to identify hazardous material release sites and evaluate each hazardous material release site's potential to affect or be affected by the Proposed Action. OEA defined the study area for hazardous material release sites as the area within a 500-foot buffer around the estimated construction area of the Proposed Action. OEA then conducted a search for hazardous material release sites in the study area. For the purposes of this analysis, a hazardous material release site is an area that has been affected by a documented release of hazardous material into soil, groundwater,

surface water, sediments, and/or air. Hazardous materials are hazardous substances as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. § 103), including hazardous wastes. EPA defines hazardous waste as waste with properties that make it dangerous or potentially harmful to human health or the environment.

To search for documented releases of hazardous materials, OEA obtained environmental database reports from Environmental Risk Information Services (ERIS) to identify environmental database listings within the study area. OEA also conducted a review of the FRA database of train collision reports and incidents reported to the Pipeline and Hazardous Materials Safety Administration to identify recorded hazardous materials incidents within the Study Area as well as of the Emergency Response Notification System (ERNS) database.<sup>27</sup> Additionally, OEA reviewed a previous ASTM Phase I Environmental Site Assessment (ESA) completed for the majority of the study area by Ramboll US Consulting, Inc. (Ramboll) in November 2021 for STR.

After identifying hazardous material release sites in the study area, OEA evaluated whether construction of the Proposed Action could potentially affect those hazardous material release sites, based on the available information about each site. OEA concluded the Proposed Action could result in potential impacts on a hazardous material release site if one or more of the following conditions were met:

- The construction activities would disturb existing soil and ballast where identified hazardous material sites had not achieved regulatory closure with the applicable state or federal agency.
- The construction activities would disturb hazardous material release sites where an existing land use restriction prohibited disturbing contamination that was left in place (for example, contaminated soil covered with asphalt, clean soil, or another barrier).
- If insufficient documentation was available for a hazardous material release site (such as a rail-related spill of hazardous materials) to make conclusions about potential impacts, OEA conservatively assumed that no remediation had occurred and that the hazardous materials might still be present at the sites identified in **Section 3.6.2**.

### 3.6.2 Affected Environment

The Proposed Action would involve construction activities within an existing railroad right-of-way. Soils located within railroad rights-of-way can often be impacted with contaminants associated with spills and releases associated with typical railroad operations. Fill of unknown origin is often used to bring the railroad tracks to grade and may contain debris, coal, coal ash, coal slag, or other related contaminants such as metals and polycyclic

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<sup>27</sup> The ERNS program is a cooperative data sharing effort among the USEPA Headquarters, the Department of Transportation Research and Special Programs Administrations (RSPA) John A. Volpe National Transportation Systems Center, other DOT program offices, the 10 EPA Regions, and the National Response Center.

aromatic hydrocarbons (PAHs). Other railroad-related sources of petroleum and/or hazardous substances may include creosote- or arsenic-laced railroad ties, herbicides, lubricating oils, diesel fuel, and diesel exhaust.

According to the November 2021 ASTM Phase I ESA, no Recognized Environmental Conditions (RECs) were identified for the Proposed Action as defined by the ASTM International *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E1527-13* (the “ASTM Standard”). Additional concerns identified for the Proposed Action during the Phase I ESA include the past railroad operations as well as the use of slag ballast along the railroad right-of-way, which may be associated with elevated concentrations of arsenic in soil.

According to the Pipeline and Hazardous Materials Safety Administration hazardous material incidents database, three incidents are recorded in Grantsville, Utah within the study area. Two of the three releases did not result in a release to the environment; however, one bulk release of product was reported. A summary of the incident is provided below:

- Incident X-2014080319: In July 2014, a release of approximately 120 gallons of sulfuric acid occurred from a tank railroad car. The ground was reportedly neutralized, and no further response actions were conducted. The exact location of the release is unknown.

Based on a review of the ERIS Report, no other hazardous material release sites were identified within the Study Area. Five listings in the ERNS database were identified; however, the exact location of these listings is unknown. Based on the limited location information provided, one of the five ERNS listings may potentially be located within the construction area of the Proposed Action. A summary of the ERNS listing is provided below:

- Report No. 274115: In December 1994, a continuous release of chlorine equating to 58 tons occurred along a railroad siding. The media impacted was listed as the air and atmosphere. Therefore, presumably no soil was impacted by the release and no response actions were deemed necessary.

### 3.6.3 Environmental Consequences

#### 3.6.3.1 Proposed Action

##### **Construction**

OEA did not identify impacts from the Proposed Action to known hazardous material release sites. OEA determined that unanticipated impacts are possible during construction of the Proposed Action due to the proposed rail line’s history of past railroad operations. Construction activities would mainly occur within the right-of-way of a former active railroad. If soils impacted with contaminants typical of railroad rights-of-way, such as arsenic from slag ballast and contaminants associated with nearby hazardous material release sites and rail incidents discussed above in **Section 3.6.2**, are encountered, OEA is



recommending mitigation requiring STR to perform a Phase 2 environmental investigation in addition to the Phase 1 previously performed by STR (**MM-HazMat-01**). Further, should findings of a Phase 2 environmental investigation identify contamination in soil and/or groundwater, STR would be required to coordinate with relevant state agencies on regulatory obligations and comply with those agencies' reasonable requirements for avoiding impacts related to soil and/or groundwater contamination (**MM-HazMat-01**). In addition, STR proposed hazardous materials best management practices as voluntary mitigation.<sup>28</sup>

### ***Operation***

OEA does not anticipate that operation of the Proposed Action would impact hazardous material release sites because train operations would not disturb soil or ballast. Regular maintenance activities such as replacing tracks and ties could disturb soil or ballast. STR has proposed voluntary mitigation requiring it to comply with applicable regulation and notification requirements proposed as voluntary mitigation to avoid the potential for impacts (**VM-HazMat-03**).

#### **3.6.3.2 No-Action Alternative**

Under the No-Action Alternative, no construction activities or modifications to the existing railroad right-of-way would be performed. Therefore, there would be no impacts on hazardous materials spills or releases.

#### **3.6.4 Conclusion**

While OEA does not expect impacts to hazardous material release sites to occur, if 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 may be required (**MM-HazMat-01**). If the Board authorizes the Proposed Action and imposes all of OEA's recommended mitigation, including STR's voluntary mitigation, OEA anticipates no hazardous materials impacts during construction or operation of the Proposed Action.

## **3.7 Cultural Resources**

### **3.7.1 Approach**

To gain an understanding of the potential for the Proposed Action to affect historic properties, OEA conducted background research using available sources, state surveys, state archaeological site records, tribal documentation, National Register files, state historic

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<sup>28</sup> STR has proposed voluntary mitigation requiring it to prepare a hazardous waste management plan and a hazardous materials emergency response plan, to comply with applicable regulations and notification requirements, and responsibly handle and store materials as described in **Chapter 4 (VM-HazMat-01, -02, -03, -04, -05, -06, 07)**.

context documents, historic mapping, aerial photography review, and other information, as was available. As a result of this review, one previously recorded historic resource (the Western Pacific Railroad Warner Branch) was identified within the Area of Potential Effects (APE) of the Proposed Action. The Proposed Action proposes to improve the portion of this resource within the APE by restoring the rail line.

During this review of historic background information, OEA also sought to identify potential consulting parties who may have associated interest in the Proposed Action. These identified consulting parties included the Utah State Historic Preservation Office (SHPO), Tribal Historic Preservation Offices (THPOs), American Indian tribes, county and local elected officials, local historic preservation commissions, and local museums (for a full list of all consulting parties see **Appendix A**). OEA consulted with the following American Indian tribes: Skull Valley Band of Goshute; Confederated Tribes of the Goshute Reservation, Nevada, and Utah; Shoshone-Bannock Tribes of the Fort Hall Reservation; and Ute Indian Tribe of the Uintah and Ouray Reservation, Utah.

Initiation of the Section 106 process and a request for consultation for the Proposed Action, was done through the issuance of two notification letters dated October 18 and October 27, 2022, sent by OEA to all identified consulting parties. On February 9, 2023, OEA conducted a consultation meeting with the Utah SHPO to discuss the APE and any historic property concerns. At that time, the Utah SHPO agreed with OEA's definition of the APE for historic properties and requested a cultural resources survey to identify unrecorded above-ground and below-ground resources within the APE.

The APE for historic properties was defined as consisting of a Below-Ground APE for archaeological resources and an Above-Ground APE for historic structures/resources. The Below-Ground APE consists of the Proposed Action, which includes access roads, the existing and required right-of-way along the corridor, and all easements (temporary and permanent) needed for project implementation. The Above-Ground APE includes all portions of the Proposed Action (as described above) and those surrounding areas extending out to a 250-foot radius from the Proposed Action. The Below-Ground APE and the Above-Ground APE are collectively known as the APE.

## 3.7.2 Affected Environment

### 3.7.2.1 Previously Recorded Cultural Resources Near the Proposed Action

Historic background review revealed the presence of two previously recorded historic resources located within the APE of the Proposed Action:

**Western Pacific Railroad Warner Branch (42TO505):** The Warner Branch of the Western Pacific Railroad is a 15.5-mile-long branch extending from the mainline at Burmester south to about one-mile west of the City of Tooele. The line operated as a transportation route for the processing of ore, smelting, and mining within the Tooele Valley and is known for its association with the development of the Tooele Army Depot. The rail line operated from 1917 to 1979 and was abandoned in 1983. The historic resource is situated along the same alignment currently proposed for the Proposed Action and has been previously documented in two non-contiguous segments along the alignment and in one

additional segment located just south of the Proposed Action. The first segment is a 1,150-meter (3,771-foot) portion located in Section 5, of Township 2 South, Range 5 West. This resource was originally documented in 1988 and updates were made in 2000, 2004, 2006, 2008, 2009, 2011, and 2022.

This resource has been recorded in several segments over the past 30 years. Site 42T0505 was originally recorded in 1988 by P-III Associates, Inc (P-III). P-III originally identified the site as the Utah Nevada Railroad. Baseline Archaeological Services Ltd. Encountered the site in 2004 and discovered that P-III had misidentified the site and research indicated the railroad was the Western Pacific Railroad Warner Branch. The site was updated by SWCA in 2000, and by Sagebrush in 2008. EPG updated the site in 2008 and 2009 for the Mona to Oquirrh Power Line Project and Cardno ENTRIX archaeologists revisited and re-recorded the site during inventory for Questar FL 38 pipeline in 2011. In 2022, a portion of the site was documented for the Midvalley Highway Extension. The other recorded segments of the resource are located south of the Proposed Action.

Based on previous surveys of this resource, and current field studies within the APE, it retains integrity and is listed as eligible in the Utah site file database under Criterion A of the National Register of Historic Places (NRHP). It is significant for its association with the area's historic transportation of ore within the Tooele Valley, the development of smelting and mining in the Oquirrh Mountains, and the establishment of the Tooele Army Depot between 1917 and 1979.

**1913 Lincoln Highway (42TO1077):** The historic Lincoln Highway was constructed in 1913 and extended from New York City to San Francisco. Portions of the original roadway are visible across several states, including Utah. It was the first transcontinental automobile highway and is associated with events significantly impacting the history of Utah and the United States. The Lincoln Highway provided for interstate travel as well as commerce and access to towns and cities along the route. Lincoln Highway was important in connecting Utah to a broader interstate travel and commerce system. The portion of the Lincoln Highway recorded as 42TO1077 consists only of the highway route which has been upgraded, paved, and maintained over numerous years. This historic route follows the modern alignment of SR 138 and crosses the APE.

The portion of the Lincoln Highway within the vicinity of the Proposed Action was recorded on an updated site form in 2007 for UDOT. The segments noted in the vicinity are described as intact roadbeds constructed of gravels and sands. A gutter is located along both sides of the berm which measures 3 to 5 feet (~1.5 meters) in width. Associated features with the Lincoln Highway include partially buried metal culverts. As listed in the Utah site file database, the entire Lincoln Highway system is eligible for the NRHP under Criterion A for its association with the interstate highway system with various intact and preserved segments of the resource eligible under Criterion C. The portion of the linear resource recorded and evaluated within the APE during the 2007 update was determined to be a non-contributing segment to the resource's overall NRHP eligibility under Criterion A.

### 3.7.2.2 Previously Recorded Architectural/Historic Resources Near the Proposed Action

The Utah online database for historic buildings shows one historic building within 0.5 mile of the railway alignment. This resource (Property Record #2702) is located approximately 1,500 feet (460 meters) west of the APE; however, the address listed for the property (3073 W SR 138, Erda, Utah) is two miles east of the Proposed Action. Recent Google Earth images (2022) do not show any existing structures at the location provided for the resource in the Utah online site database.

### 3.7.2.3 Previous Cultural Surveys

Four previously completed cultural resource inventories have been completed within or intersecting with the APE. These include an inventory for the Mona to Oquirrh Transmission corridor conducted in 2010 (Huffman and Weymouth 2010). This corridor bisects the northern end of the APE just south of Interstate 80. A fiber optic line between Mills Junction and Grantsville, Utah was completed by Nielson and Seacat (2005). This project runs adjacent to SR 138. Reale and Collister (2011) completed an inventory for the Questar Feeder pipeline in Tooele County, which bisects the APE at Erda Way. They recorded a segment of 42TO505, discussed previously. Finally, a cultural resources inventory was completed in the northeastern portion of Section 2, Township 3 South, Range 5 West. Although this report (SHPO Report No. U07LI1107) is not available through the online database, no previously recorded historic properties were noted or recorded in that portion of the inventory survey area.

### 3.7.2.4 Pedestrian Survey

Pedestrian survey of the APE was completed under the guidelines and reporting standards issued by, and in consultation with, the Utah SHPO and under the conditions of Public Lands Policy Coordinating Office (PLPCO) Permit No. 125. OEA completed the fieldwork on May 16 and 17, 2023. The purpose of the survey was to identify and evaluate new historic properties that have reached 50 years of age and to revisit previously recorded resources to evaluate their current status and integrity within the APE. All archaeological sites and historic resources were evaluated using the NRHP criteria set forth under the National Historic Preservation Act (NHPA).

As a result of the survey, two previously recorded historic properties, the Warner Branch of the Western Pacific Railroad (42TO505) and the Lincoln Highway (42TO1077), were relocated within the Below-Ground APE and revisited. In addition, two historic residential structures (STRR01 and STRR03) were newly recorded within the Above-Ground APE. State site forms were updated for the revisited resources and new site forms were created for the newly recorded resources.

The Warner Branch of the Western Pacific Railroad resource was previously determined eligible for the NRHP under Criterion A for its association with the development of mining, ore transportation throughout the Tooele Valley, and the establishment of the Tooele Army Depot with an overall period of significance between 1917 and 1979. As a result of the survey, the segment of the resource within the APE was found to retain integrity and significance. It remains eligible for the NRHP under Criterion A.

The Lincoln Highway resource was previously determined to be eligible for the NRHP under Criterion A, with specific intact and well-preserved segments eligible under both Criteria A and C. A segment of the Lincoln Highway, currently used as SR 138, bisects the APE. During the revisit, no original features of the highway were identified. Development of the current SR 138 has obliterated any trace of the original roadway.

Two historic structures (STRR01 and STRR03) were newly recorded during the survey within the Above-Ground APE. Historic structure STRR01 was originally built in 1961, during a time when the railroad was in full operation. During the survey, STRR01 was found to retain integrity and significance under Criterion C as a good example of the Contemporary style. It has been determined to be eligible for the NRHP. Historic structure STRR03 has been heavily altered and lacks integrity. It does not meet any of the NRHP criteria and is not eligible for the NRHP.

The Section 106 process is ongoing, and the documentation supporting these determinations and findings (cultural resource survey report, survey forms) will be submitted to SHPO for review and concurrence in the near future, during the review period for this Draft EA. Consultation with the SHPO will continue with the intent to obtain concurrence prior to the issuance of the Final EA.

### **3.7.3 Environmental Consequences**

#### **3.7.3.1 Proposed Action**

##### ***Construction***

Construction of the Proposed Action has the potential to impact features and/or artifacts of previously recorded historic properties (e.g., archaeological sites and historic resources) within the APE.

The Below-Ground APE encompasses an approximately six-mile-long segment of the previously recorded Warner Branch of the Western Pacific Railroad (42TO505). This resource has been previously determined eligible for the NRHP under Criterion A by the Utah SHPO. Project implementation would consist of rebuilding and repairing the existing railroad grade where needed, installation of new rail track, rail ties, ballast, and the construction of at-grade highway crossings along the approximate six-mile segment.

As the significance of 42TO505 is derived primarily from its historic association with the development of mining and the establishment of the Tooele Army Depot, the proposed reinstallation of the railroad segment would maintain the original alignment and not alter the physical features or characteristics of the property that support the resource's overall eligibility under Criterion A. The rehabilitation of the rail line would also support the continued use of the corridor for rail transportation and would therefore not diminish the characteristics of the property that make it eligible for listing in the National Register. Therefore, OEA has determined that the Proposed Action would have no adverse effect to this resource.

The Below-Ground APE encompasses a small segment of the previously recorded Lincoln Highway. This segment of the Lincoln Highway has been completely incorporated into modern SR 138 and is considered a non-contributing element to the resource's overall eligibility for the NRHP under Criterion A. Accordingly, OEA has determined that the Proposed Action would have no adverse effect to this resource.

Two newly recorded historic residential properties were recorded within the Above-Ground APE. One of the resources, STRR01 retains integrity and is significant under Criterion C of the NRHP. The residential property has been in continual use as a residence from 1961 to the present day. Rehabilitation of the rail line would restart train operations along the historic rail route, and as a result, restore aspects of the property's original 1961 setting, feeling and association with the adjacent historic rail route. As a result, effects resulting from reinstalling the rail line on its original route would not be considered adverse. Therefore, OEA has determined that the Proposed Action would have no adverse effect to this resource.

STRR03 lacks integrity and does not meet any of the NRHP significance criteria.

The APE was surveyed for archaeological and historical sites. Since no precontact or historic archaeological sites were found during the survey, the potential for the APE to contain American Indian Indigenous sites and/or historic sites is considered very low.

To address the potential for the unanticipated discovery of archeological sites or artifacts during construction activities, OEA is recommending mitigation requiring STR to provide OEA with a construction monitoring plan that addresses training procedures to familiarize construction personnel with the identification and appropriate treatment of historic properties, monitoring of construction activities by a qualified professional archaeologist, provisions for the unanticipated discovery of archaeological sites or associated artifacts, and provisions for complying with the Native American Graves Protection and Repatriation Act (25 U.S.C. § 3001-3013) and other applicable federal, state, and local laws and regulations in the event of an unanticipated discovery of unmarked human remains during construction activities (**MM-Cultural-01**).

### ***Operation***

The Proposed Action would continue the historic transportation use of the rail line. Therefore, OEA does not anticipate impacts to the surrounding historic properties within the APE, which are already characterized by their close association with the railroad.

### **3.7.3.2 No-Action Alternative**

Under the No-Action Alternative, the Board would not authorize the Proposed Action and STR would not construct or operate rail service in the APE. Therefore, potential impacts to cultural resources would not occur under the No-Action Alternative.

## **3.7.4 Conclusion**

OEA conducted a Class III pedestrian inventory in May 2023 under Section 106 of the NHPA per consultation with Utah SHPO in February 2023. The entire length of the

Proposed Action along the former Warner Branch was documented. The location where the Proposed Action is bisected by the Historic Lincoln Highway (SR 138) was investigated and documented. In addition, two historic structures were newly identified, documented, and evaluated for NRHP significance. OEA concludes that the Proposed Action would have no adverse effect on historic properties within the APE. However, OEA is recommending mitigation requiring STR to provide OEA with a construction monitoring plan that addresses training procedures, monitoring plans, and provisions for complying with regulations in the event of an unanticipated discovery of archaeological sites, artifacts, or unmarked human remains during construction activities (**MM-Cultural-01**). OEA is continuing to consult with the Utah SHPO on these findings.

## 3.8 Air Quality

This section describes the existing conditions and environmental consequences for air quality and greenhouse gas emissions under the Proposed Action and the No-Action Alternative. Under the Proposed Action, OEA examined whether construction and operation of the Proposed Action could have potential impacts on air quality and greenhouse gas emissions. Air quality can be an area of concern because air pollutants, such as emissions from locomotives, can affect human health and the environment. Greenhouse gas emissions are also a concern because they contribute to climate change. OEA defined study area for air quality and greenhouse gas emissions as Tooele County, Utah. **Appendix E** contains further details on the affected environment for the air quality analysis conducted.

### 3.8.1 Approach

The Clean Air Act (CAA) requires the EPA to set National Ambient Air Quality Standards (NAAQS) (40 C.F.R. part 50) for six (6) air pollutants known as criteria pollutants: carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and sulfur dioxide (SO<sub>2</sub>). NAAQS standards are based on human health criteria for the protection of public health (primary standards) and on environmental criteria to prevent environmental and property damage and for the protection of public welfare (secondary standards).<sup>29</sup>

The CAA amendments, issued by EPA, set agency guidelines for attainment of the National Ambient Air Quality Standards (NAAQS). The CAA requires the EPA to set NAAQS (40 C.F.R. Part 50) for six criteria pollutants: carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), particulate matter less than 10 and 2.5 microns in diameter (PM<sub>10</sub> and PM<sub>2.5</sub>, respectively), and sulfur dioxide (SO<sub>2</sub>). NAAQS standards are based on human health criteria to protect public health (primary standards), on environmental criteria to prevent environmental and property damage, and to protect public welfare (secondary standards).

The CAA allows for one exceedance of the CO and SO<sub>2</sub> short-term NAAQS per year. The highest second-high accounts for the one exceedance. Annual NAAQS are never to be

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<sup>29</sup> 40 C.F.R. § 50

exceeded. The 24-hour PM<sub>10</sub> standard is not to be exceeded more than once per year on average over three years. To attain the 24-hour PM<sub>2.5</sub> standard, the three-year average of the 98th percentile of 24-hour concentrations must not exceed 35 µg/m<sup>3</sup>. For annual PM<sub>2.5</sub> averages, the average of the highest yearly observations was used as the background concentration. To attain the one-hour NO<sub>2</sub> standard, the three-year average of the 98th percentile of the maximum daily one-hour concentrations must not exceed 188 µg/m<sup>3</sup>. **Table 3.8-1** presents the current NAAQS.

**Table 3.8-1. National Ambient Air Quality Standards**

| Pollutant              | Primary or Secondary  | Averaging Time          | Level                  | Form  |
|------------------------|-----------------------|-------------------------|------------------------|---|
| Carbon Monoxide        | Primary               | 8 hours                 | 9 ppm                  | Not to be exceeded more than once per year                                    |
|                        |                       | 1 hour                  | 35 ppm                 |   |
| Lead                   | Primary and Secondary | Rolling 3-month Average | 0.15 µg/m <sup>3</sup> | Not to be exceeded  |
| Nitrogen Dioxide       | Primary               | 1 hour                  | 100 ppb                | 98th percentile of 1-hour daily maximum concentrations; averaged over 3 years |
|                        | Primary and Secondary | 1 year                  | 53 ppb                 | Annual Mean   |
| Ozone                  | Primary and Secondary | 8 hours                 | 0.070 ppm              | Annual 4th highest daily maximum 8-hour concentration; averaged over 3 years  |
| Particulate Matter 2.5 | Primary               | 1 year                  | 12.0 µg/m <sup>3</sup> | Annual mean, averaged over 3 years  |
|                        | Secondary             | 1 year                  | 15.0 µg/m <sup>3</sup> | Annual mean, averaged over 3 years  |
|                        | Primary and Secondary | 24 hours                | 35 µg/m <sup>3</sup>   | 98th percentile; averaged over 3 years  |
| Particulate Matter 10  | Primary and Secondary | 24 hours                | 150 µg/m <sup>3</sup>  | Not to be exceeded more than once per year on average over 3 years            |
| Sulfur Dioxide         | Primary               | 1 hour                  | 75 ppb                 | 99th percentile of 1-hour daily maximum concentrations; averaged over 3 years |
|                        | Secondary             | 3 hours                 | 0.5 ppm                | Not to be exceeded more than once per year                                    |

EPA uses the term “*de minimis*” across a variety of contexts to describe impacts that are too small or trivial for consideration by regulatory authorities. Under EPA’s Transportation Conformity (40 C.F.R. Part 93, Subpart A) and General Conformity (40 C.F.R. Part 93, Subpart B) regulations, federal agencies compare the total estimated annual emissions from their projects to *de minimis* emissions thresholds to determine whether additional analysis and consultation are appropriate. The Transportation Conformity regulations pertain to highway and transit projects under the jurisdiction of the U.S. Department of Transportation (USDOT) and thus do not apply to Board actions. In consultation with EPA, OEA has determined that certain emissions from Board actions, such as emissions from construction activities related to the jurisdictional construction of a new line of railroad, are subject to the General Conformity regulations because those meet the definition of direct or indirect emissions set forth at 40 C.F.R. § 93.152. However, emissions related to projected increases in rail operations on rail lines or projected increases in activities at rail yards and intermodal facilities resulting from Board decisions are not subject to General Conformity regulations because the Board does not exercise continuing program responsibility over and cannot



practically control rail operations on rail lines or activities at rail yards and intermodal facilities (STB 2021). Accordingly, emissions from projected increases in rail traffic resulting from the Proposed Action are not subject to General Conformity regulations. Nevertheless, OEA has compared those emissions to the *de minimis* thresholds to contextualize the potential air quality impacts of the Proposed Action (presented in **Table 3.8-2**).

**Table 3.8-2. Applicable EPA De Minimis Thresholds**

| Pollutant  | Status                   | Threshold (tons/year) |
|--|--------------------------|-----------------------|
| Oxides of Nitrogen (NO <sub>x</sub> )                        | Moderate – Nonattainment | 100                   |
| Volatile Organic Compounds (VOC)                             | Moderate – Nonattainment | 100                   |
| Particulate Matter < 2.5 μm in diameter (PM <sub>2.5</sub> ) | Serious – Nonattainment  | 70                    |
| Sulfur Dioxide (SO <sub>2</sub> )                            | Nonattainment            | 100                   |

Source: <https://www.epa.gov/general-conformity/de-minimis-tables>

The following sections describe the methodology used to estimate emissions associated with construction and operation of the Proposed Action.

### 3.8.1.1 Construction

OEA assessed air quality impacts from construction of the Proposed Action. The construction assessment included data on the air quality impacts of the construction equipment to be used as well as fugitive dust associated with the general construction sitework and earthwork. OEA’s analysis estimated the duration of the planned construction to be 130 working days as STR stated that construction would take approximately 26 weeks to complete. OEA estimated emissions assuming an analysis year of 2023. Emissions from both non-railroad equipment and fugitive dust were quantified for the construction analysis are described below. Equipment and fugitive dust emissions were added together to create a total construction emissions inventory.

OEA quantified estimated emissions from non-railroad equipment based on the list of equipment necessary to complete the new track work, which is described in greater detail in **Appendix E**. Based on the construction schedule and equipment information provided to OEA, the number of operational hours for each piece of equipment was estimated. OEA combined these operating hours with emission factors and load factors to estimate equipment emissions.

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 quantified fugitive dust emissions based on the hours of general construction and earthwork.

### 3.8.1.2 Operations

OEA evaluated the environmental consequences of Proposed Action operation by calculating 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

Proposed Action is non-operational in the No-Action Alternative, no locomotive emissions occur in this scenario.

OEA estimated emissions for nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOC), PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, CO, Carbon Dioxide Equivalent (CO<sub>2e</sub>), Methane (CH<sub>4</sub>), Nitrogen Dioxide (N<sub>2</sub>O), and HAPs. OEA calculated CO<sub>2e</sub> by deriving CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O emissions and applying global warming potentials (EPA 2021a).

OEA combined the No-Action Alternative and Proposed Action fuel usages with the emission factors to calculate the emissions inventory for the Proposed Action as described in **Appendix E**.

### 3.8.2 Affected Environment

EPA classifies each county in the U.S. as being in "attainment" or "nonattainment" for each criteria pollutant. A county is in attainment for a specific pollutant when the pollutant concentration is below the NAAQs. A county is in nonattainment for a specific pollutant when the pollutant concentration exceeds the NAAQS. Some nonattainment pollutants (such as ozone, CO, and PM<sub>10</sub>) are further classified by the degree to which they exceed the NAAQS. For ozone, these classifications rank in severity in the order of "Marginal," "Moderate," "Serious," "Severe," and "Extreme." A county can be in attainment for some pollutants and in nonattainment for other pollutants. A third category, "maintenance area," is an area that was formerly in nonattainment but has reduced pollutant concentrations to be in attainment of the NAAQS. EPA bases its attainment status designations on ongoing air monitoring studies and the number of times specific criteria pollutants exceed NAAQS. EPA uses a fourth category, "unclassifiable," for areas with insufficient data to make an attainment determination. EPA treats unclassifiable areas like attainment areas.

Utah has established Air Quality Control Regions to monitor air quality as required by EPA under the provisions of the federal CAA. The affected environment is located in Tooele County, Utah where the rail line is proposed. According to EPA, Tooele County is designated as being in attainment (i.e., meeting NAAQS) for all current criteria pollutants except for the 2015 Ozone standard, the 2006 PM<sub>2.5</sub> standard, and the 1971 Sulfur Dioxide standard.<sup>30</sup> As such, Conformity determinations are limited to Ozone, PM<sub>2.5</sub>, and Sulfur Dioxide for this county. Utah has State Implementation Plans (SIPs) for PM<sub>2.5</sub> and Sulfur Dioxide in the study area. However, neither specifically applies to the activities of the Proposed Action. The PM<sub>2.5</sub> SIP states that violations have only been observed from short-term meteorological events<sup>31</sup> and the Sulfur Dioxide SIP was created due to the high

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<sup>30</sup> 40 C.F.R. 81.345; USEPA. 2023. "Nonattainment Areas for Criteria Pollutants (Green Book)" January 2023. <https://www.epa.gov/green-book>

<sup>31</sup> Utah DEQ, 2014. "Control Measures for Area and Point Sources, Fine Particulate Matter, PM<sub>2.5</sub> SIP for the Salt Lake City, UT Nonattainment Area." Accessed January 19, 2023. SIP IX.A.21\_SLC\_FINAL\_Adopted 12-3-14.pdf (utah.gov)

emissions from the Kennecott Copper smelter.<sup>32</sup> **Table 3.8-3** presents the attainment status of Tooele County, Utah.

**Table 3.8-3. Tooele County Attainment Status**

| Standard                         | Attainment Status   |
|----------------------------------|---|
| 8-Hour Ozone (2015)              | Moderate – Nonattainment (North Wasatch Front) <sup>2</sup> |
| 8-Hour Ozone (2008)              | Attainment  |
| 8-Hour Ozone (1997) <sup>1</sup> | Attainment  |
| 1-Hour Ozone (1979) <sup>1</sup> | Attainment  |
| PM <sub>2.5</sub> (2012)         | Attainment  |
| PM <sub>2.5</sub> (2006)         | Serious – Nonattainment (Salt Lake City) <sup>2</sup>       |
| PM <sub>2.5</sub> (1997)         | Attainment  |
| PM <sub>10</sub> (1987)          | Attainment  |
| Sulfur Dioxide (2010)            | Attainment  |
| Sulfur Dioxide (1971)            | Primary, Secondary – Nonattainment <sup>2</sup>             |
| Lead (2008)                      | Attainment  |
| Lead (1978)                      | Attainment  |
| Carbon Monoxide (1971)           | Attainment  |
| Nitrogen Dioxide (1971)          | Attainment  |

<sup>1</sup> Revoked

<sup>2</sup> Partial County. See 40 C.F.R. 81.345 for details.

EPA uses the term *de minimis* to describe matters that are too small or trivial for regulating authority consideration. Air quality analyses compare the total estimated annual changes in these operational emissions of each pollutant with the *de minimis* emissions thresholds provided under 40 C.F.R. Part 93, Subpart B. The Board does not exercise continuing program control over rail operation and would not exercise such control over operation of the Proposed Action. Accordingly, the Proposed Action is not subject to the General Conformity Rule and no assessment of *de minimis* thresholds is needed. However, OEA used the *de minimis* emissions thresholds in the air quality analysis to provide context for the estimated operational emissions (presented in **Table 3.8-3**). The Board would exercise control over the construction of the Proposed Action, thus emissions during construction are subject to a General Conformity Determination if emissions are estimated to exceed the *de minimis* thresholds.

### 3.8.3 Environmental Consequences

The following sections estimate pollutant emissions for the Proposed Action and No-Action Alternatives and compare the emissions to regulatory thresholds to determine the Proposed Action’s potential to impact air quality and greenhouse gases.

<sup>32</sup> Utah DEQ, 2006. “Utah State Implementation Plan Section IX Part B Control Measures for Area and Point Sources Sulfur Dioxide.” Accessed January 19, 2023.  
C:\TEMP\GWViewer\SECIXB (utah.gov)

### 3.8.3.1 Proposed Action

The following sections evaluate the Proposed Action’s potential to affect air quality during both construction and operations.

#### Construction

Emissions of criteria pollutants, greenhouse gases, and hazardous air pollutants (HAPs) were estimated for construction activities for the Proposed Action. Criteria pollutants consist of NO<sub>x</sub>, VOCs, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, and CO. Greenhouse gases consist of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O but are presented as an equivalent value of CO<sub>2</sub>e. HAPs included Acetaldehyde, Acrolein, Benzene, 1,3-Butadiene, Ethyl Benzene, Formaldehyde, Naphthalene, and polycyclic organic matter (POM). These pollutants result from the combustion of fuel in internal combustion engines associated with heavy-duty construction equipment.

**Table 3.8-4** presents the peak 12-month construction emissions totals by construction activity. The results show the construction emissions would be far less than any applicable *de minimis* thresholds.

**Table 3.8-4. Construction Emissions Estimates**

| Pollutant                                   | Construction Activity  |                   |
|---|------------------------|-------------------|
|   | Estimated Emissions    | <i>de minimis</i> |
| <b>Criteria Pollutants (tons/year)</b>      |                        |                   |
| NO <sub>x</sub>                             | 1.50                   | 100               |
| VOC   | 0.10                   | 100               |
| PM <sub>10</sub>                            | 21.22                  | -                 |
| PM <sub>2.5</sub>                           | 2.19                   | 70                |
| SO <sub>2</sub>                             | 0.0016                 | 100               |
| CO  | 0.45                   | -                 |
| <b>Greenhouse Gases (tons/year)</b>         |                        |                   |
| CO <sub>2</sub> e                           | 582.99                 | -                 |
| <b>Hazardous Air Pollutants (tons/year)</b> |                        |                   |
| Acetaldehyde                                | 8.9 x 10 <sup>-3</sup> | -                 |
| Acrolein                                    | 1.9 x 10 <sup>-3</sup> | -                 |
| Benzene                                     | 3.9 x 10 <sup>-3</sup> | -                 |
| 1,3-Butadiene                               | 1.7 x 10 <sup>-4</sup> | -                 |
| Ethyl Benzene                               | 5.2 x 10 <sup>-4</sup> | -                 |
| Formaldehyde                                | 2.5 x 10 <sup>-2</sup> | -                 |
| Naphthalene                                 | 1.9 x 10 <sup>-4</sup> | -                 |
| POM   | 1.4 x 10 <sup>-5</sup> | -                 |

*de minimis* values are only shown for criteria pollutants for which Tooele County is in nonattainment. CO<sub>2</sub>e values were calculated using the 100-year potential global warming potential (GWP) values from the IPCC Fourth Assessment Report (IPCC 2007)

NO<sub>x</sub> = Oxides of Nitrogen; VOC = Volatile Organic Compounds; PM<sub>10</sub> = Particulate Matter 10 microns or less in diameter; PM<sub>2.5</sub> = Particulate Mater 2.5 microns or less in diameter; SO<sub>2</sub> = Sulfur Dioxide; CO = Carbon Monoxide; CO<sub>2</sub>e = Carbon Dioxide Equivalent; POM = Polycyclic Organic Matter

OEA determined that construction of the Proposed Action would result in criteria pollutant emissions below the applicable *de minimis* thresholds. The construction analysis determined that equipment emissions during the approximately six-month construction period would be relatively small. Relatively larger emissions of PM would be expected to result from earthwork activity and fugitive dust emissions, but these emissions are still *de minimis*. OEA conservatively assumed for its analysis that no control measures were used to minimize fugitive dust. OEA also projects HAPs emissions during construction to be small, with the largest single HAP emission being 0.025 tons per year of formaldehyde. Moreover, while not required as emissions are less than the *de minimis* thresholds, 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 to limit construction-related air pollutant emissions (**VM-Air-02**).

### **Operations**

OEA analyzed the estimated pollutant emissions from operation of the Proposed Action. According to STR, train trips associated with the Proposed Action would be approximately 11 miles at an average speed of 20 miles per hour.<sup>33</sup> Each train was assumed to idle between 30 and 90 minutes. Locomotive emission factors were obtained from EPA using projected fleet emissions.<sup>34</sup>

The Proposed Action would result in increased pollutant emissions from rail operations on the proposed rail line relative to the No-Action Alternative. OEA's emissions analysis shows that rail operations would result in criteria pollutant, HAPs, and greenhouse gas emissions (see **Table 3.8-5**). The increases in criteria pollutant emissions would all be below the respective *de minimis* thresholds for Tooele County. Total HAPs emissions would also be small, totaling 0.09 tons per year. Greenhouse gas emissions are estimated to be approximately 392 tons of CO<sub>2</sub>e relative to the No-Action Alternative. Therefore, mitigation would not be required for the operation of the Proposed Action.

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<sup>33</sup> "Savage Tooele Information Response No. 1". Savage Tooele Railroad. January 3, 2023.

<sup>34</sup> "Emission Factors for Locomotives" US EPA Office of Transportation and Air Quality. EPA-420F-09-025. April 2009.

**Table 3.8-5. Operational Emissions Estimates**

| Pollutant                                   | Operational Activity   |                   |
|---|------------------------|-------------------|
|   | Estimated Emissions    | <i>de minimis</i> |
| <b>Criteria Pollutants (tons/year)</b>      |                        |                   |
| NO <sub>x</sub>                             | 5.74                   | 100               |
| VOC   | 0.25                   | 100               |
| PM <sub>10</sub>                            | 0.16                   | -                 |
| PM <sub>2.5</sub>                           | 0.15                   | 70                |
| SO <sub>2</sub>                             | 0.0036                 | 100               |
| CO  | 1.02                   | -                 |
| <b>Greenhouse Gases (tons/year)</b>         |                        |                   |
| CO <sub>2e</sub>                            | 392.46                 | -                 |
| <b>Hazardous Air Pollutants (tons/year)</b> |                        |                   |
| Acetaldehyde                                | 2.0 x 10 <sup>-2</sup> | -                 |
| Acrolein                                    | 4.0 x 10 <sup>-3</sup> | -                 |
| Benzene                                     | 5.7 x 10 <sup>-3</sup> | -                 |
| 1,3-Butadiene                               | 4.7 x 10 <sup>-4</sup> | -                 |
| Ethyl Benzene                               | 9.7 x 10 <sup>-4</sup> | -                 |
| Formaldehyde                                | 5.6 x 10 <sup>-2</sup> | -                 |
| Naphthalene                                 | 6.9 x 10 <sup>-4</sup> | -                 |
| POM   | 7.0 x 10 <sup>-4</sup> | -                 |

*de Minimis* values are only shown for criteria pollutants for which Tooele County is in nonattainment. CO<sub>2e</sub> values were calculated using the 100-year potential global warming potential (GWP) values from the IPCC Fourth Assessment Report (IPCC 2007)

NO<sub>x</sub> = Oxides of Nitrogen; VOC = Volatile Organic Compounds; PM<sub>10</sub> = Particulate Matter 10 microns or less in diameter; PM<sub>2.5</sub> = Particulate Mater 2.5 microns or less in diameter; SO<sub>2</sub> = Sulfur Dioxide; CO = Carbon Monoxide; CO<sub>2e</sub> = Carbon Dioxide Equivalent; POM = Polycyclic Organic Matter

### 3.8.3.2 No-Action Alternative

Under the No-Action Alternative, the Board would not approve the construction and operation of the Proposed Action, and STR would not construct or operate the Proposed Action. Tooele County would remain designated as being in attainment for all current criteria pollutants except for the 2015 Ozone standard, the 2006 PM<sub>2.5</sub> standard, and the 1971 Sulfur Dioxide standard.

### 3.8.4 Conclusion

OEA determined that construction of the Proposed Action would result in criteria pollutant emissions below the applicable *de minimis* thresholds. OEA also projects HAPs emissions during construction to be small, with the largest single HAP emission being 0.025 tons per

year of formaldehyde. OEA did not identify any impacts related to air quality for construction of the Proposed Action; therefore, OEA does not recommend mitigation.<sup>35</sup>

OEA determined that operation of the Proposed Action would result in increases in criteria pollutant emissions, but that they would be below the respective *de minimis* thresholds for Tooele County. Total HAPs emissions would also be small, totaling 0.09 tons per year. Greenhouse gas emissions are estimated to be approximately 392 tons of CO<sub>2</sub>e relative to the No-Action Alternative. OEA did not identify any impacts related to air quality for the operation of the Proposed Action rail line; therefore, OEA does not recommend any mitigation.

## 3.9 Climate Change

Many factors can affect global climate change, including changes in atmospheric composition due to greenhouse gas emissions, as described above in **Section 3.8, Air Quality**. This section describes the regional and local existing conditions, evaluates anticipated impacts of climate change in the study area, and analyzes how climate change could affect the Proposed Action.

### 3.9.1 Approach

OEA selected the project location region of analysis established by the 2018 *Fourth National Climate Assessment* (NCA4), which is the most recent published assessment by the U.S. Global Change and Research Program.<sup>36</sup> NCA4 summarizes current and future impacts of climate change in the U.S. OEA defined the study area for climate change as the NCA4 Southwest region, in which Utah is located. To assess existing climate change conditions, OEA reviewed key climate trends in the Southwest region. OEA also reviewed state-level and county-level information from state government websites, as well as tools such as the Climate Explorer, managed by the National Oceanic and Atmospheric Administration (NOAA).

To evaluate climate change impacts on the Proposed Action, OEA also reviewed the U.S. Geological Survey (USGS) National Climate Change Viewer. OEA based its analysis of predicted climate change outcomes on future scenarios often used in climate change research, called Representative Concentration Pathways (RCPs). RCPs estimate factors such as emissions, greenhouse gas concentrations, and particulate matter; various climate models use these data to predict future climate outcomes (USGCRP 2018). Specifically, OEA assessed outcomes under the RCP4.5 and RCP8.5 scenarios. The RCP4.5 is considered a lower scenario with less warming, in which lower population growth, more

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<sup>35</sup> While OEA did not find air quality impacts requiring mitigation, STR has proposed voluntary mitigation requiring it to implement appropriate dust control measures to reduce fugitive dust emissions and to ensure that construction equipment is properly maintained to limit construction-related air pollutant emissions (**VM-Air-01, -02**).

<sup>36</sup> USGCRP is currently developing the *Fifth National Climate Assessment* (NCA5) and anticipates releasing this next report in 2023.

technological innovation, and lower carbon intensity occur (USGCRP 2018). The RCP8.5 is associated with more warming and higher population growth, less technological innovation, and higher carbon intensity (USGCRP 2018). OEA also applied the USDOT Climate Change Sensitivity Matrix (USDOT 2014) to evaluate climate change impacts on the Proposed Action. This tool presents the relationship between climate stressors (such as wildfires and extreme heat) and impacts on transportation systems, including railroads.

Further, OEA reviewed STR's *Sustainability Report*, which presents its sustainability strategy and details other elements of its environmental, social, and governance (ESG) approach. The report also provides information regarding STR's understanding of climate-related risks and opportunities and its effort to evaluate such risks in three categories: transitional, regulatory, and physical (STR 2021).

### 3.9.2 Affected Environment

This section summarizes recent and projected climate conditions (including temperature and precipitation trends and projections) in the portion of the NCA4 Southwest region and Tooele County where the Proposed Action would be located.

The Southwest is home to the hottest and driest climate in the U.S. Ecosystems here vary from deserts and grasslands in the hotter, lower elevations to forests and alpine meadows in cooler, higher elevations (USGCRP 2018). Notably, both naturally occurring and human-caused wildfires are prevalent and affect the forest and shrub cover in the region. NCA4 notes that climate change in particular is altering ecosystem services via substantial vegetation shifts and increases in wildfire-burned areas. Regionally, the average annual temperature increased by 1.6 degrees Fahrenheit between 1901-2016 and, of the six years with the highest recorded temperatures, four have occurred in the past decade (2014, 2015, 2016, and 2017) (USGCRP 2018). These hotter temperatures have also contributed to regional reductions in seasonal maximum snowpack water content, which has magnified hydrological droughts in the region.

Currently, in the 2020 decade, Tooele County is projected to experience an average of 265.2 dry days<sup>37</sup> per year under the RCP8.5 scenario and 267.5 dry days under the RCP4.5 scenario (NOAA 2023a). This does not vary substantially from the 1961-1990 observed average of 264.1 dry days (NOAA 2023a). Specifically, NOAA and the National Integrated Drought Information System (NIDIS) reported that 2022 was the 34th driest year to date over the past 128 years (2023). The current U.S. Drought Monitor shows that 100 percent of Tooele County is in severe drought conditions and that 47 percent of the county is in extreme drought conditions (NDMC, NOAA, and USDA 2023). Included within part of the area under extreme drought conditions is the Great Salt Lake. According to a report by Utah State University, the lake has lost 73 percent of its water since 1850 and could disappear entirely within five years if there is no intervention (such as legislative action to

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<sup>37</sup> Defined by NOAA's Climate Explorer tool as "the number of days per year—days when precipitation is less than 0.01 inches—gives a sense of the portion of the year when no moisture is being added to the environment. Changes in the number of dry days can indicate a tendency toward drier or wetter conditions." (NOAA 2023a)



increase water flow to the lake) (Gilbert 2023). Evaporation of water bodies such as the Great Salt Lake can lead to other environmental concerns in the surrounding Tooele County area such as increased air and water pollution, increased Endangered Species Act listings due to habitat loss and ecosystem modifications, and declines in agriculture (Gilbert 2023).

**Table 3.9-1** below includes information about projected temperature and precipitation changes in Tooele County as compared to historic conditions.

**Table 3.9-1. Projected Temperature and Precipitation Changes in Tooele County, Utah under the RCP4.5 and RCP 8.5 Scenarios**

|                      | Projected Temperature Change (degrees Fahrenheit) <sup>1</sup> | Projected Precipitation Change (inches per month) <sup>2</sup> |
|----------------------|--|--|
| <b>Tooele County</b> |  |  |
| RCP4.5               | +3.12  | +0.05  |
| RCP8.5               | +3.70  | +0.07  |

<sup>1</sup> Change is the difference in mean annual temperature (measured in degrees Fahrenheit) between historical data (1981-2010) and the future climatology period from 2025-2049.

<sup>2</sup> Change is the difference in mean annual precipitation (measured in inches per month) between historical data (1981-2010) and the future climatology period from 2025-2049.

In addition to wildfire risk, increased drought conditions and warming trends over time can also intensify other natural hazards in the state, including avalanches, dam failure, drought, landslides, flooding, and severe weather (Utah Department of Public Safety 2023).

### **Industry and STR's Current Climate Change Response**

STR's 2021 *Sustainability Report* identifies climate-related risks and opportunities and outlines its approach to protecting the environment. Specifically, STR focuses on supporting sustainable supply chains, aiding the energy transition to renewable sources, promoting sustainable farming practices, and restoring and protecting the environment (STR 2021). STR is also committed to promoting the transition to a lower-carbon economy. Evaluating climate risks in three categories, STR looks at transitional, regulatory, and physical risks to its business and infrastructure. Transitional risks are those related to changing market forces and consumer preferences, which include how businesses must adapt their practices to mitigate carbon emissions (STR 2021). Regulatory risks are those resulting from legal, regulatory, policy, and liability actions associated with climate change and physical risks include those that are caused by the effects of carbon emissions that, when released into the atmosphere, impact the physical environment. These include extreme weather events such as abnormal temperatures, floods, and storms (STR 2021). STR considers its customers' locations, where it provides services, and how those locations could be affected by climate change (e.g., hurricanes, droughts, and flooding). Part of the company's risk management process includes developing mitigation strategies and action plans depending on the severity and likelihood of such weather events; for instance, its storm response plan includes pre-staging equipment, evacuation planning, and programs to assist its staff and customers during and after a storm (STR 2021).

The American Railway Engineering and Maintenance-of-Way Association (AREMA), which sets industry standards and publishes recommended practices for railway infrastructure design, construction, and maintenance, also provides guidance for rail network resiliency in response to climate change. AREMA’s *Climate Resilient Railroads: Vulnerability Assessment Methodologies and Solutions* (2021) recommends performance-based resilience solutions to supplement code-level design standards. The assessment recommends that railroads focus on site-specific elements (such as aging infrastructure materials) that are vulnerable to climate change shocks and stresses by implementing physical improvements to mitigate future impacts to people, assets, operations, and revenue. Specifically, it recommends strategies such as flood-resistant backup power systems, flood walls and pressure slabs, and continuous waterproofing (AREMA 2021).

### 3.9.3 Environmental Consequences

#### 3.9.3.1 Proposed Action

##### *Extreme Heat and Increased Drought*

The NCA4 Southwest region and Tooele County specifically are expected to experience increased temperatures in the coming decades, which could potentially impact the rail lines and supporting infrastructure in the area. Under extreme heat, buckling can occur (110 degrees Fahrenheit is typically the threshold), which is when the metal in the track expands beyond the capacity of its support infrastructure and kinks either vertically or horizontally (Agarwal and Wickersham 2010; OFCM 2002; Rossetti 2002, 2007; Peterson et al. 2008; U.S. CCSP 2008; Bipartisan Policy Center 2009; Zeman et al. 2009; EC 2012). This damage can increase the risk of derailment (OFCM 2002) and requires replacement of the affected track. OEA evaluated the frequency of days in Tooele County projected to exceed a maximum temperature of 105 degrees Fahrenheit. In the 2030 decade, the number of days projected are 2.6 under a higher emissions scenario and 2 under a lower emissions scenario (NOAA 2023b). Extreme heat can also lead to electrical equipment (such as track sensors and signal sensors) overheating and malfunctioning; in some cases, extreme heat can lead to a temporary disruption in cases where temperature thresholds result in an automatic shutdown (USDOT 2014). Buckled tracks and automatic shutdowns can temporarily remove rail lines from service, which reduces efficiency (USDOT 2014). High heat can also affect service personnel (FTA 2011; NJTC 2012). Heat indices above 105 degrees Fahrenheit increase health and safety risks for rail personnel, potentially leading to operational delays (OFCM 2002). To minimize potential impacts from extreme heat and drought, OEA is recommending mitigation requiring STR to provide OEA with a Climate Change Plan documenting how the effects of climate change on rail infrastructure would be considered and addressed by STR in the final engineering design and construction of the project and in protective health and safety measures for rail personnel exposed to extreme heat (**MM-Climate-01**).

##### *Increased Wildfires*

NCA4 documents the prevalence of wildfires in the Southwest region, which are expected to continue if Utah’s drought persists over time (Utah Department of Public Safety 2023).

Wildfires pose a serious risk to rail infrastructure. Metal rail components can warp or melt from the high heat, including rail ties and tracks (USDOT 2014). Wooden ties can combust from fire exposure (FTA 2011; NRC 2008). Rail equipment can also be destroyed from direct exposure to fire. This type of damage can disrupt rail line service and the wildfire itself can cause service disruptions if rail runs through an active wildfire area (FTA 2011). Smoke from wildfires may also reduce visibility for train operators. To minimize the potential impacts from wildfires, OEA is recommending mitigation requiring STR to provide OEA with a Climate Change Plan documenting how the effects of climate change on rail infrastructure would be considered and addressed by STR in the final engineering design and construction of the project, including provisions for wildfires (**MM-Climate-01**).

### ***Greenhouse Gas Emissions***

As described in **Section 3.8.4** regarding air quality, greenhouse gas emissions from the Proposed Action would be below *de minimis* thresholds therefore no mitigation is required for the Proposed Action's effect on climate change.

#### **3.9.3.2 No-Action Alternative**

Under the No-Action Alternative, the Board would not authorize the Proposed Action, and STR would not construct the Proposed Action. Any changes to the affected environment of the study area resulting from climate change would occur regardless of whether or not the Board authorizes the Proposed Action.

#### **3.9.4 Conclusion**

OEA anticipates that climate change would affect rail operations. Therefore, OEA is recommending mitigation requiring STR to provide OEA with a climate change plan documenting how the effects of climate change on rail infrastructure would be considered and addressed by STR in the final engineering design and construction of the project (**MM-Climate-01**). OEA concludes that the recommended mitigation measure would minimize the impact of climate change on the Proposed Action. Greenhouse gas emissions from the Proposed Action would be below *de minimis* thresholds therefore no mitigation is required for the Proposed Action's effect on climate change.

## **3.10 Energy**

The Board's environmental regulations, 49 C.F.R. § 1105.7(e)(4), require an evaluation of the potential impacts on energy, which is defined to include transportation of energy resources, recyclable commodities, increase or decrease in energy efficiency, and diversion of freight from rail to trucks. OEA determined that the Proposed Action would not transport energy resources, affect the transportation of recyclable commodities, or cause the diversion of freight from rail to trucks. Therefore, these energy topics did not require evaluation. OEA considered whether the Proposed Action would result in an increase or decrease in overall energy efficiency.

### 3.10.1 Approach

OEA defined the study area for energy efficiency as Tooele County, Utah. OEA evaluated energy information related to changes in railroad operations and fuel consumption for the Proposed Action compared to the No-Action Alternative. OEA also evaluated changes in energy use due to construction and operation of the Proposed Action as well as its potential impact on energy efficiency.

### 3.10.2 Affected Environment

Energy use for ground transportation in the study area is limited to primarily gasoline and diesel fuel for automobiles and trucks. As there is not currently freight rail service in the study area, there is no energy use associated with existing rail operations.

### 3.10.3 Environmental Consequences

#### 3.10.3.1 Proposed Action

##### *Construction*

Construction of the Proposed Action would require the consumption of diesel fuel for construction equipment—such as excavators, trucks, bulldozers, and cranes—to perform such activities as clearing and grubbing, grading, infrastructure and track construction, and site cleanup. Track reconstruction on the six-mile reactivation of the former Warner Branch would be conducted using diesel hi-rail equipment from the top of the existing rail as described in **Section 2.1.2**. Energy consumption during the construction period would be temporary and would place minimal additional demand on the local energy supply. Therefore, OEA expects no impacts on energy availability or supply from construction of the Proposed Action.

##### *Operations*

Operation of the Proposed Action would require the consumption of diesel fuel for the operation of locomotives. In addition, cars and trucks would be required to wait at the new roadway at-grade crossings at SR 138 and Erda Way that would be built under the Proposed Action, and the cars and trucks would consume fuel while delayed at these grade crossings. However, according to the traffic study provided by STR, the efficiency of rail to and from the LBP will reduce the need for trucks that would otherwise access the site.<sup>38</sup> Additionally, according to a study by the Upper Great Plan Transportation Institute, trains are up to 5.0 times more energy-efficient than the largest trucks for the movement of goods.<sup>39</sup> Therefore, OEA anticipates that, although the Proposed Action would result in the use of diesel fuel of rail operations and a minor increase in fuel consumption by vehicles stopped at grade crossings, the reduction in commercial trucks from the shift to freight rail from the Proposed

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<sup>38</sup> Hales Engineering, Lakeview Business Park Traffic Impact Study, June 18, 2021.

<sup>39</sup> <https://www.sciencedirect.com/science/article/abs/pii/S1361920913000898>

Action would result in an increase in overall energy efficiency as compared to the No-Action Alternative.

### **3.10.3.2 No-Action Alternative**

Under the No-Action Alternative, STR would not construct, reactivate, or operate the Proposed Action. The No-Action Alternative would not result in providing rail transport to the LBP that is now under development. Another solution for transporting goods to the LBP would be required, most likely moving goods by commercial truck.

### **3.10.4 Conclusion**

OEA concludes that the Proposed Action would result in no impacts to energy because it would increase overall energy efficiency by reducing energy used by commercial trucks. The reduction anticipated from freight shifting to rail would be greater than the minor increase in energy consumption from rail locomotives and vehicles stopped at grade crossings at SR 138 and Erda Way.

## **3.11 Land Use, Zoning, and Local Plans**

This section addresses land use, zoning, and local plans and the potential impacts of the Proposed Action and No-Action Alternative.

### **3.11.1 Approach**

To evaluate the potential impacts related to land use and zoning associated with the Proposed Action and the No-Action Alternative, OEA reviewed the existing land use and zoning categories for consistency with local land use plans. The study area for land use, zoning, and local plans includes the right-of-way for the Proposed Action and the surrounding area in the City of Grantsville, City of Erda, and Tooele County. OEA reviewed local zoning maps for the City of Grantsville and the City of Erda and documented existing land uses through field observations and land use maps. OEA also reviewed existing General Plans for Tooele County and the relevant incorporated areas, the Cities of Grantsville and Erda.

### **3.11.2 Affected Environment**

#### **3.11.2.1 Land Use and Zoning**

The Proposed Action would be located in a primarily rural area in Tooele County. The northern two miles of the reactivated rail line, from milepost 1.04 to approximately milepost 3.15, would be located in unincorporated Tooele County. The remainder of the reactivated rail line, from milepost 3.15 to milepost 6.94, would be located within the boundaries of the recently incorporated Erda City. Milepost 6.94 to the end of the Proposed Action would be located within the City of Grantsville.

A Manufacturing General (MG) district is in unincorporated Tooele County on the west side of the right-of-way, from the construction access road at approximately milepost 1.04 to approximately milepost 1.75. The proposed right-of-way itself in this area, and as far south as milepost 3.15, where it crosses into Erda City, is located within an unincorporated portion of Tooele County that is zoned MU-40, which is multiple-use land with a 40-acre minimum. The only developed properties within a half-mile of the right-of-way in the unincorporated area are a scrap yard and a petting zoo approximately half a mile to the west, both along Higley Road. The Proposed Action from milepost 3.15 to milepost 6.38, at the crossing of SR 138 within the City of Erda, is zoned A-20, which stipulates agricultural uses with a 20-acre minimum. Land use in this area is primarily pasture land.

The Proposed Action is located in an area zoned Commercial General (CG) between SR 138 at milepost 6.38 to milepost 6.65 at Erda Way, which provides an environment for a variety of commercial uses. East of the CG district, which covers the right-of-way, are seven properties in a rural residential district with a five-acre minimum (RR-5). From milepost 6.66 at the south side of Erda Way to milepost 6.94, where the Proposed Action crosses into Grantsville and the LBP property, the property is zoned for Rural Residential use with a 1-Acre minimum (RR-1). There are approximately three properties located adjacent to the proposed right-of-way in the RR-1 area north of Erda Way and 12 properties to the road's south within that same zoning district. These properties contain a mix of homes, trailers, animal barns, and equipment sheds. Within Erda City west of the RR-1 district is the RR-10 district, which is undeveloped.

The track that would be constructed within the LBP would be in the Grantsville General Manufacturing District (MG). According to the draft Grantsville Zoning Map from October 2022, an MG district provides an environment for larger and more intensive industrial uses that are at least 20,000 square feet in size. The Erda City Zoning map, current as of December 2022, and the October 2022 draft City of Grantsville Zoning map are included in **Appendix F as Figure 1 and Figure 2.**

### 3.11.2.2 Local Plans

Tooele County adopted its updated general plan in May 2022, which is focused on sustainable growth in the Tooele Valley, where the proposed rail line is located, and preserving the character of the remainder of the predominantly rural county. Tooele County has experienced rapid population growth since 2020 due to people moving to the county, which this recent general plan update seeks to address.

The goals of the Grantsville City general plan for land use are to maintain community character, manage growth, and support a mixture of land uses. In addition, Grantsville City proposes to annex approximately 74,724 acres of land in Tooele County, primarily to the north and south of the existing Grantsville City area that comprises 24,058 acres. The proposed future annexation boundary would encompass the entirety of the reactivated portion of the Proposed Action. The Proposed Action would reactivate six miles of former rail line within Grantsville City and the proposed annexation area. This would be consistent with historic uses, which include railroad operation, and the character of the area, which is primarily rural and uninhabited, and therefore consistent with the City of Grantsville's general plan.

Erda City was incorporated in January 2022 and published its first general plan in June 2022. However, as the plan notes, it is based heavily on the 2022 Tooele County General Plan Update, which was developed and neared completion during the Erda City incorporation process. At that time, Erda was still part of unincorporated Tooele County, although Erda residents contributed to and provided feedback on the update. The Erda 2022 general plan is intended to serve as an interim document to help guide short- and medium-term growth and development for Erda City. Like Tooele County, Erda seeks to halt rapid population growth while also attracting commercial opportunities that would improve the quality of life for residents. The Proposed Action would be consistent with the Erda general plan and with the Tooele County general plan because it would not add population to the Tooele Valley and would support new commercial opportunities in an area designated for growth while preserving the natural character of the remainder of the county.

### **3.11.3 Environmental Consequences**

#### **3.11.3.1 Proposed Action**

The Proposed Action appears to be consistent with the existing General Plans for Tooele County and the relevant incorporated areas as well as the Cities of Grantsville and Erda. The Proposed Action would use right-of-way of the former Warner Branch and would extend beyond the former right-of-way between milepost 1.10 and milepost 1.75 for construction and operation of interchange tracks. Fifteen feet of privately owned land would be required to facilitate construction of two additional tracks on either side of the existing railroad right-of-way for the construction of the four 2,500-foot segments of ancillary switching (or interchange) track. The land in this area is zoned for multiple uses with a minimum of 40-acre lots. The nearest residence or business is over half a mile away to the west, and a vast majority of the surrounding land is undeveloped pasture land.

The Proposed Action would be located immediately adjacent to several developed properties on the north and south sides of Erda Way, between milepost 6.38 and the entrance to the LBP at milepost 6.94. The nearest residence is located just off Erda Way, approximately 60-feet east of the Proposed Action and adjacent to the existing railroad right-of-way.

In the area of the LBP, land has already been disturbed and cleared in preparation for its construction. The northern segment of the new business park tracks would run approximately 250-feet south of the southernmost residences in the RR-1 zoned area. This area was previously undeveloped plains and pasture land. The business park tracks would terminate just north of the Utah Motorsports Campus.

Although the Proposed Action would reconstruct and reactivate railroad operations in close proximity to a small number of residences, the right-of-way is predominantly characterized by industrial or large undeveloped lots, much of which is currently used as pasture land. The reactivated portion of the proposed rail line would be constructed and operated on the historic Warner Branch where intact tracks exist today. Although it has not been in use for rail in several decades, this right-of-way has remained intact and undeveloped. Rail

transportation would not be a new use in this area and would be consistent with its historic purpose and use.

According to the Tooele County General Plan, the County is well positioned to support distribution and manufacturing activities because of a wealth of vacant land and its proximity to Interstate 80, major freight rail lines, and Inland Port development. The Proposed Action would be located primarily in areas that are zoned for large multiple use or agricultural lots, and the land use is consistent with those zoning regulations. Furthermore, Tooele County is focused on managing growth as a result of in migration and implementing strategies for managed, sustainable growth that maintain the natural character of the majority of its area. The Proposed Action would be consistent with these goals by serving commercial and industrial development in an area designated for such activity. STR indicated that rail service under the Proposed Action to business park tenants would mean that large volumes of commodities and goods could be transported into and out of the County without tying up local roads and highways with commercial trucks. Reducing the number of trucks required to serve the LBP would be consistent with Tooele County's 2022 general plan.

In Grantsville, the Proposed Action would be located in and serve the LBP, which is an area zoned for general manufacturing that supports larger and more intensive industrial uses at least 20,000 square feet in size. The Proposed Action would be consistent with and help facilitate the distribution, manufacturing, and industrial uses planned for the LBP, which are encouraged by the zoning in that area.

In the vicinity of Erda Way, shown in **Figure 3.11-1**, the Proposed Action would run through a small residential neighborhood that is currently zoned for rural residential development, with a minimum one-acre lot size under Erda's zoning code. Although the former Warner Branch ceased rail operations in 1979 and was abandoned in 1983, railroad tracks remain in the former right-of-way in this area on land retained by UP (see **Appendix H**). Nine of the properties that are directly adjacent to the right-of-way were constructed before or within five years of the suspension of rail activity on the Warner Branch. Since that time, residences and other associated outbuildings have been constructed adjacent to and in the vicinity of the proposed right-of-way, which has a visible railroad bed and tracks. The railroad right-of-way as a transportation land use has been present in the study area for several decades. Therefore, the Proposed Action would not be inconsistent with the zoning and land use of the area as the railroad predated most, if not all, of the current development. In addition, much of the current development preceded railroad abandonment and recent structures were built with knowledge of the railroad right-of-way ownership and in view of railroad tracks.

### 3.11.3.2 No-Action Alternative

Under the No-Action Alternative, STR would not construct and operate the rail line. The land use of the area surrounding area would continue to be undeveloped plains and pasture land with residential development in the vicinity of Erda Way. Similar to the Proposed Action, land development would continue in accordance with zoning, and local plans would be advanced in Tooele County and the Cities of Erda and Grantsville.



**Figure 3.11-1. Closest Residence to Proposed Action**



### 3.11.4 Conclusion

OEA concludes that based on a review of land use and zoning in Tooele County, the City of Grantsville and Erda City, construction and operation of the Proposed Action would not result in impacts to zoning and land use. The Proposed Action is consistent with the general plans for the City of Grantsville, Erda City, and Tooele County.

## 3.12 Environmental Justice

Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994), requires agencies to make

environmental justice part of the agency’s mission by identifying and addressing disproportionately high and adverse human health and environmental effects of programs, policies, and projects on EJ populations, which are defined as minority populations and low-income populations.<sup>40</sup> EO 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All (April 21, 2023), updates and recommits to EO 12898 by requiring agencies to account for the unique and heightened impacts to communities with EJ concerns.<sup>41</sup>

### 3.12.1 Approach

OEA applied the following steps to evaluate the potential for the Proposed Action to cause disproportionately adverse impacts on EJ populations:

- OEA identified all potentially high and adverse impacts of the Proposed Action. OEA defined potentially adverse impacts as impacts that would be significant under NEPA or above generally accepted norms.
- Based on the identified adverse impacts, OEA defined the study area within which the Proposed Action could adversely affect potential EJ populations.
- OEA identified potential EJ populations (low-income and minority populations, including American Indians) in the study area using the best available demographic data managed by the U.S. Census Bureau and the U.S. Department of Housing and Urban Development (HUD), as well as through public outreach. OEA considered populations with high rates of limited English-speaking households to inform the public outreach process.

To identify potential EJ populations, OEA defined the study area for analysis as all census block groups that would intersect with the proposed rail line. The analysis primarily considered income and share of the population that falls within a minority group. Consistent with EPA’s definition of low-income, OEA defined low-income to mean individuals earning an income less than 200 percent of the federal poverty level. The minority population consisted of all individuals who identify as non-White. A potential EJ population would have to meet the following thresholds:

- a census block group where at least 50 percent of the population identify as minority and/or low-income (earn an income less than 200 percent of the federal poverty level); or
- a census block group where the share of the minority population and/or low-income population is at least 10 percent higher than that of the entire county where the population is located.

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<sup>40</sup> <https://www.epa.gov/environmentaljustice>

<sup>41</sup> <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/04/21/executive-order-on-revitalizing-our-nations-commitment-to-environmental-justice-for-all/>

### 3.12.2 Affected Environment

Race, ethnicity, and poverty rates in the census block groups crossed by the Proposed Action are summarized in **Table 3.12-1** and shown in **Figure 3.12-1**. Demographic data for Tooele County and the state of Utah are also provided as a point of comparison.

**Table 3.12-1. Race, Ethnicity, and Poverty Level**

|  | Utah                | Tooele County    | CT 130706<br>BG 2 | CT 130708<br>BG 3 |
|--|---------------------|------------------|-------------------|-------------------|
| <b>Race (%)</b>                          |                     |                  |                   |                   |
| White                                    | 2,455,192<br>(77.9) | 57,134<br>(82.9) | 2,606<br>(91.6)   | 2,423<br>(82.4)   |
| Black or African American                | 34,982<br>(1.1)     | 437<br>(0.6)     | 0                 | 0                 |
| American Indian or Alaska Native         | 27,734<br>(0.9)     | 350<br>(0.5)     | 0                 | 0                 |
| Asian                                    | 72,061<br>(2.3)     | 486<br>(0.7)     | 0                 | 0                 |
| Native Hawaiian or Pacific Islander      | 28,820<br>(0.9)     | 444<br>(0.6)     | 0                 | 0                 |
| Some Other Race                          | 6,851<br>(0.2)      | 351<br>(0.5)     | 104<br>(3.7)      | 0                 |
| Two or More Races                        | 79,532<br>(2.5)     | 1,704<br>(2.4)   | 41<br>(1.4)       | 45<br>(1.5)       |
| Hispanic of All Races                    | 446,067<br>(14.2)   | 8,834<br>(12.7)  | 93<br>(3.3)       | 474<br>(16.1)     |
| Total Population                         | 3,151,239           | 69,740           | 2,844             | 2,942             |
| % Minority <sup>1</sup>                  | 19.3                | 15.1             | 3.3               | 16.1              |
| % Individuals Below Poverty <sup>2</sup> | -                   | -                | 19.5%             | 18.9%             |
| % Families Below Poverty <sup>2</sup>    | 30.4                | 32.7             | -                 | -                 |

Source: U.S. Census Bureau, American Community Survey 2020, 5-year estimates.

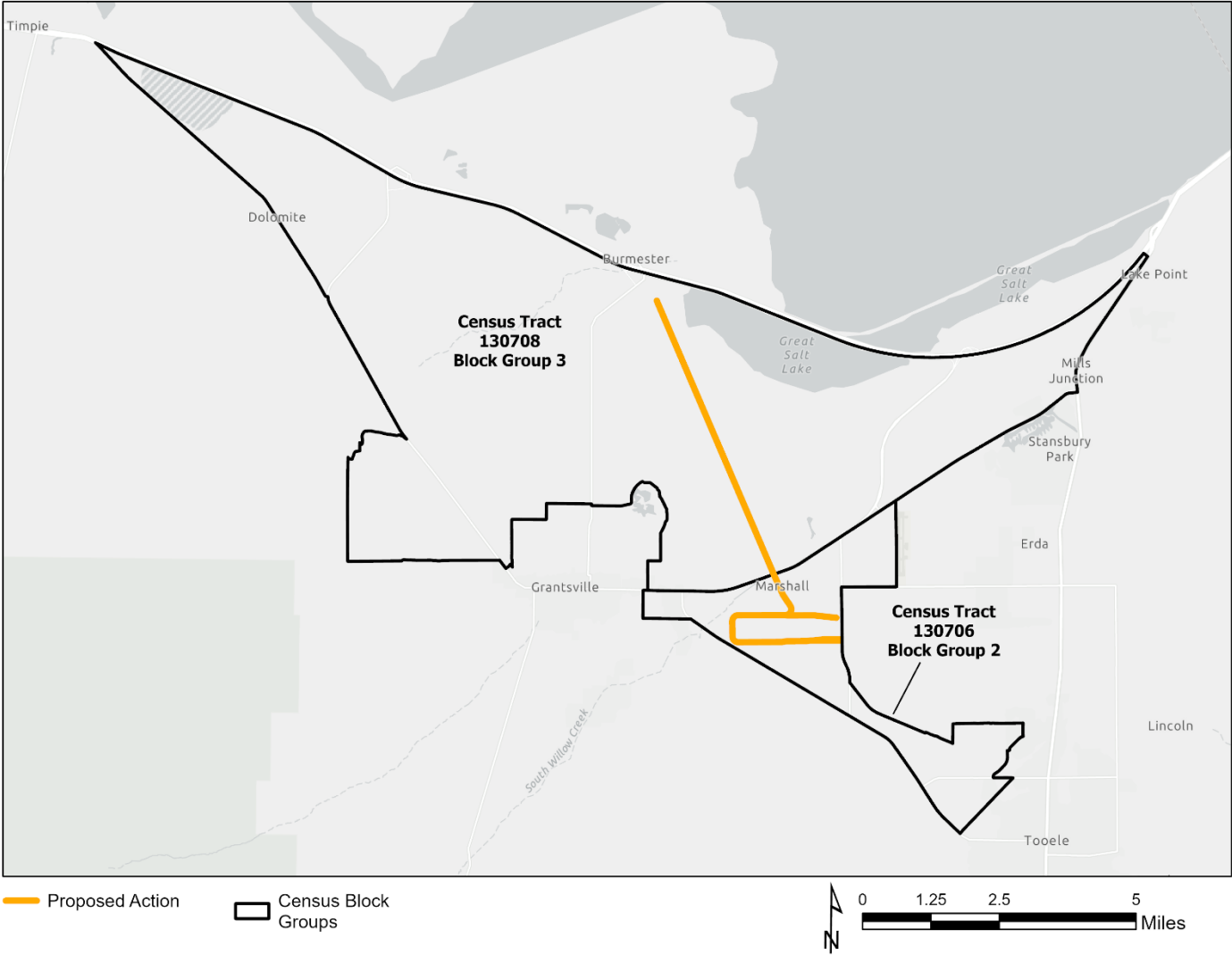
Notes:

<sup>1</sup> Calculated as the sum of census respondents that identified as Black, American Indian or Alaska Native, Asian, Hawaiian or other Pacific Islander (not Hispanic), or Hispanic (all races).

<sup>2</sup> Percentage of individuals/families who earn an income below 200 percent of the federal poverty level.

Based on these criteria, 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.

**Figure 3.12-1. Block Groups in EJ Study Area**



**3.12.3 Environmental Consequences**

OEA did not identify minority or low-income populations in the study area; therefore, no further EJ analysis is warranted.

### 3.12.4 Conclusion

OEA concludes that the Proposed Action is not anticipated to cause disproportionately adverse impacts on EJ populations because OEA did not identify minority or low-income populations in the study area for EJ analysis.

## 3.13 Cumulative Impacts

Cumulative impacts are defined as “the impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions” (40 C.F.R. § 1508.7). The impacts of individual minor disturbances and other changes to the environment by humans would accumulate when the frequency of disturbances is so high that the ecosystem or human environment has not fully rebounded before another stressful event is introduced.

This section describes the cumulative impacts of the Proposed Action and other past, present, and reasonably foreseeable future projects and actions. The sections that follow describe the approach, affected environment, and environmental consequences for the cumulative impacts analysis. OEA analyzed the potential cumulative impacts of other activities within the study area with the Proposed Action.

### 3.13.1 Approach

CEQ developed the handbook, *Considering Cumulative Effects under the National Environmental Policy Act* (1997), to assist federal agencies in assessing cumulative impacts. OEA has followed these guidelines in its evaluation of whether cumulative impacts could result from impacts of the Proposed Action and impacts of past, present, and reasonably foreseeable future projects and actions in the study area. OEA defined the study area and analysis period for cumulative impacts to include reasonably foreseeable projects and actions that could affect the same resource areas as the Proposed Action. For the cumulative impact analysis, OEA considered the reasonably foreseeable projects and actions discussed below.

### 3.13.2 Past, Present, and Reasonably Foreseeable Future Projects and Actions

#### 3.13.2.1 Lakeview Business Park

LBP is a business and industrial park proposed on 1,700 acres in Grantsville City, located on Sheep Lane, which runs north-south through the site as depicted in **Figure 1.1-1**. The LBP master plan indicates that it would contain a mix of manufacturing, distribution, research, and development buildings.<sup>42</sup> Construction of the LBP began in 2020, and currently there are two tenants in place that receive deliveries by commercial truck. STR

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<sup>42</sup> Property Overview - LAKEVIEW BUSINESS PARK ([lakeviewbusinesspark.com](http://lakeviewbusinesspark.com))

indicates that the LBP would meet tenant demand for rail service by including track infrastructure to be constructed and operated by STR and additional rail facilities to be utilized by additional rail-served businesses. STR indicates that a variety of potential warehouse tenants would benefit from rail service, such as operators of cold storage facilities. STR provided OEA with a Traffic Impact Study (TIS) of the LBP conducted in 2021.<sup>43</sup> The TIS estimates that four million square feet of the development would be complete by 2026, eight million by 2030, and full build of the project by 2040. According to the TIS, the project is anticipated to generate approximately 50,726 weekday daily trips, including 2,667 trips in the morning peak hour, and 3,009 trips in the evening peak hour. The TIS indicates that the efficiency of rail to and from the project site reduces the need for trucks, which would reduce congestion, and improve traffic safety in Tooele Valley. LBP developers have indicated a desire to pursue tenants appropriate for Utah’s climate and resource scarcity concerns.<sup>44</sup> The TIS additionally indicates that because of the reduced truck traffic resulting from operation of the proposed rail line and relatively low percentage of workers commuting to and from Salt Lake Valley, the environmental impacts of the LBP Project are likely lower than they would be otherwise.<sup>45</sup>

### 3.13.2.2 Midvalley Highway (SR-179)

The Midvalley Highway (SR-179) is a partially completed state highway that is proposed to connect Interstate 80 to the north, through the middle of the Tooele Valley to SR-36 to the south in the area of Tooele City. The purpose and need for the Midvalley Highway is to create an alternative to SR-36 for Tooele County residents to reach points east in the Salt Lake Valley via I-80 and relieve the pinch point at the meeting of SR-36 and I-80 at Lake Point. As of March 2023, approximately three miles of the highway have been completed between I-80 and SR 138. The connection to the completed portion of the Midvalley Highway is located approximately two miles east of the Proposed Action in the vicinity of Sheep Lane. An EA for the remainder of the highway, including selection of a preferred alignment, was completed in September 2023 by UDOT. A map of the four highway alignment options under consideration can be found in **Appendix F, Figure 3**. The preferred alternative chosen is included as **Appendix F, Figure 4**. OEA examined the four possible alignments under consideration for the extension of the Midvalley Highway and found that they would be located one to two miles east of the Proposed Action at the closest point.

### 3.13.3 Cumulative Impacts

As demonstrated in **Section 3.1** through **Section 3.12** of this Draft EA, the impacts of the Proposed Action range from no impacts to some impacts which can be addressed with

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<sup>43</sup> Hales Engineering, Lakeview Business Park Traffic Impact Study, June 18, 2021.

<sup>44</sup> On average in the US, non-refrigerated warehouses use less electricity than refrigerated warehouses (6.1 kilowatt-hours (kWh) as compared to 24.9 kWh) while refrigerated warehouses use less natural gas than non-refrigerated warehouses (9,200 Btu as compared to 13,400 Btu) per square foot annually (source: Business Energy Advisor | Warehouses (bizenergyadvisor.com))

<sup>45</sup> Ibid.

mitigation. OEA reviewed these resources to determine if there would be impacts from the construction of LBP or from the proposed extension of the Midvalley Highway (SR-179) that could be combined with the impacts associated with the Proposed Action to result in cumulative impacts.

For resources in which there would be no impact from the Proposed Action, no beneficial or adverse impacts would be added cumulatively. The resources for which the Proposed Action would have no or *de minimis* impacts are:

- Air quality
- Energy
- Land use, zoning, and local plans
- Environmental justice

The following examines the potential cumulative construction and operations impacts of the projects.

### 3.13.3.1 Construction

**Biological Resources:** OEA anticipates that construction of the Proposed Action could impact plant communities. The LBP and Midvalley Highway extension are not anticipated to have impacts to these same plant community locations. Therefore, OEA does not anticipate that Proposed Action would result in cumulative impacts to biological resources.

**Water Resources:** OEA anticipates that construction of the Proposed Action could result in impacts on surface waters, wetlands, and water quality, including the placement of fill material or conveyance structures. The Proposed Action would reconstruct culverts in waterways that cross the existing rail right-of-way which could cause erosion of sediment at culvert crossings. Wetlands at the northern end of the rail line and parallel to the existing tracks would be impacted for the construction of interchange track. These impacts would be localized on the existing rail right-of-way of the Proposed Action and would be minimized by STR's proposed voluntary mitigation and OEA recommended mitigation. Overall, OEA anticipates that the new culverts would have a benefit by improving the movement of surface waters and the connectivity of wetlands. As the location of these waterbodies are within and along the Proposed Action rail right-of-way, the impacts, mitigation, and benefits would not extend to the location of the LBP and Midvalley Highway extension. Therefore, OEA does not anticipate that the Proposed Action would result in cumulative impacts to water resources.

**Hazardous Materials:** OEA does not anticipate impacts to hazardous material sites a result of construction of the Proposed Action. However, discovery of unanticipated hazardous materials could occur because there would be construction within a former active rail bed. These materials, if encountered, would be located in the Proposed Action study area. These locations would not overlap with either the LBP or Midvalley Highway extension. Therefore, OEA does not anticipate that the Proposed Action would result in cumulative impacts to hazardous materials sites.

**Cultural Resources:** OEA does not anticipate any impacts to cultural resources as a result of the Proposed Action. However, in the event unanticipated resources are discovered during construction, they would be located in the Proposed Action area of disturbance and would not overlap with either the LBP or Midvalley Highway extension. Therefore, OEA does not anticipate that construction of the Proposed Action would result in cumulative impacts to cultural resources.

### 3.13.3.2 Operations

**Noise:** Operation of the Proposed Action, along with the LBP and Midvalley extension, has the potential to increase ambient noise. However, OEA found that the four potential alignments under consideration for the Midvalley Highway are between approximately one and two miles east of the Proposed Action at their closest point. Given these distances it is unlikely that noise contours would overlap. There are no known noise impacts associated with the operation of LBP. Therefore, OEA does not anticipate cumulative noise impacts.

**Grade Crossing Safety:** OEA anticipates that the number of cars on Erda Way and SR 138 that would use the at-grade crossings at those locations would increase as a result of the operation of the LBP. However, it is anticipated that the efficiencies associated with rail transportation would reduce road truck traffic. Therefore, OEA does not anticipate the LBP to create cumulative grade crossing safety impacts with the Proposed Action overall. The Midvalley Highway extension proposed alignments are located east of the proposed roadway crossings, and none are anticipated to create cumulative grade crossing safety impacts when added to the impacts of the Proposed Action.

**Grade Crossing Delay:** OEA anticipates that delays from the Proposed Action at roadway crossings would be minor and not cause the LOS of either crossing to decrease below LOS A, even with the proposed LBP in operation. The Midvalley Highway extension proposed alignments are located east of the proposed roadway crossings, and none are anticipated to create cumulative grade crossing delay impacts with the Proposed Action.

**Cultural Resources:** OEA anticipates that if cultural resources impacts are discovered as a result of construction and operation of the Proposed Action, they would be located in the Proposed Action area of disturbance within the former Warner Branch rail line right-of-way and would not have cumulative impacts because the former Warner Branch does not overlap with either the LBP or Midvalley Highway extension. Therefore, OEA does not anticipate that operation of the Proposed Action would result in cumulative impacts to cultural resources.

**Climate Change:** OEA anticipates that climate change would impact the Proposed Action, the LBP, and the Midvalley Highway extension and that the impact of climate change would be specific to each project. OEA's recommended mitigation for the Proposed Action would include development of a climate action plan, which would address and respond to these impacts. Therefore, OEA anticipates cumulative impacts of the projects would be negligible.



### 3.13.4 Conclusion

OEA determined that the reasonably foreseeable projects discussed above would not have overlapping impacts with the Proposed Action. Therefore, OEA does not anticipate cumulative impacts associated with the Proposed Action and any other reasonably foreseeable actions in the study area.

# 4. Mitigation

This chapter describes mitigation measures that, if imposed by the Board, would avoid, minimize, or mitigate potential environmental impacts of the Proposed Action. The regulations implementing NEPA require that agencies consider mitigation that could reduce the environmental impacts of their actions, but NEPA does not mandate the form or adoption of any mitigation (40 C.F.R. § 1508.1(s)). In this Draft EA, OEA is preliminarily recommending mitigation measures based on the results of OEA’s environmental analysis and public and agency consultation. The mitigation includes voluntary mitigation proposed by STR and additional measures developed by OEA. If the Board decides to grant Savage Tooele Railroad’s (STR) request for authority to construct and operate the Proposed Action, the mitigation measures set out in this chapter could become conditions of the Board’s decision.

If efforts to establish a quiet zone are unsuccessful, OEA identified adverse noise impacts, which could be minimized with the recommended noise mitigation in this Draft EA. OEA also identified minor impacts on other resource areas, including grade crossing safety and delay, which can be minimized with the recommended mitigation in the Draft EA. The environmental resource sections in this chapter are organized by the potential for impacts; with noise being addressed first.

## 4.1 Conditioning Power of the Board

The Board has the authority to impose conditions to mitigate environmental impacts, but that authority is not limitless. Any mitigation measure the Board imposes must relate directly to the transaction before the Board, must be reasonable, and must be supported by the record before the Board. OEA’s consistent practice has been to recommend mitigation only for those impacts that would result directly from a proposed action. The Board does not require mitigation for pre-existing environmental conditions.

## 4.2 Voluntary Mitigation

OEA encourages applicants seeking Board authority to propose voluntary mitigation to address the potential environmental impacts of their proposals. In some situations, voluntary mitigation could replace, supplement, or extend further than mitigation measures the Board might otherwise impose. Applicants often have knowledge about issues associated with their Proposed Action because of project planning and consultation with regulatory agencies during the planning process. As a result, applicants can volunteer mitigation that often is above and beyond or in addition to mitigation the Board could unilaterally impose. The Board’s practice

is to require compliance with any voluntary mitigation agreed to by applicants in any final decision authorizing a proposed line.

STR has proposed voluntary mitigation. OEA has reviewed the voluntary mitigation and included in **Chapter 4** the voluntary mitigation relevant to the Proposed Action.<sup>1</sup> OEA made minor modifications to the wording of the voluntary mitigation for consistency, correctness, and clarity without changing the meaning or intent.

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. In this case, if STR informs the Board that any negotiated agreements have been reached, the Board would require compliance with the terms of the agreements as environmental conditions in any final decision authorizing the Proposed Action.

### 4.3 Preliminary Nature of Mitigation

OEA's preliminary recommended mitigation measures are based on information available to date, consultation with appropriate agencies, and the environmental analysis presented in this Draft EA. The mitigation in this chapter includes both STR's voluntary mitigation and mitigation developed by OEA. OEA emphasizes that the identified mitigation measures are preliminary and invites public comment on these proposed mitigation measures. For OEA to assess the comments effectively, it is critical that the public be specific regarding any desired mitigation and the reasons why the suggested mitigation would be appropriate.

After OEA issues the Draft EA, receives comments on the document, and the public comment period closes, OEA will prepare a Final EA. The Final EA will respond to all comments received, may include additional analyses, and will make final recommendations to the Board on what mitigation to impose. After the conclusion of the EA process, the Board will make its final decision weighing both the transportation merits of the proceeding and the full environmental record—which includes this Draft EA, the Final EA, all public and agency comments received, and OEA's final recommended mitigation.

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<sup>1</sup> OEA did not include in Chapter 4 voluntary mitigation proposed by STR that was not relevant to the Proposed Action. Specifically, STR proposed voluntary mitigation requiring it to survey for burrowing owls and limit activities or remove owls and/or their borrows if the owls are observed; however, OEA did not identify burrowing owls or habitat in the study area; therefore, this voluntary mitigation was not included in Chapter 4. In addition, STR proposed voluntary mitigation requiring it to comply with any conditions and mitigation commitments recommended by the Utah Division of Wildlife Resources and/or the U.S. Fish and Wildlife Service, for sensitive species, including plants, that could potentially be impacted by the project; however, none were identified; therefore, this voluntary mitigation was not included in Chapter 4.

## 4.4 Mitigation Measures

The following sections include Voluntary Mitigation (VM) offered by STR and OEA's recommended preliminary mitigation measures (MM) to address potential project-related impacts discussed in the Draft EA. OEA recommends that, if the Board grants STR authority to construct and operate the Proposed Action, such authority should be subject to the mitigation measures identified below. If a resource topic is not listed below, OEA did not identify any adverse impacts that warrant mitigation and has therefore not proposed mitigation measures for this resource area.

## 4.5 General Mitigation Measures

### 4.5.1 STR's Voluntary Mitigation Measures

**VM-General-01.** STR will follow all applicable federal Occupational Safety and Health Administration, Federal Railroad Administration, and operational safety regulations to minimize the potential for accidents and incidents during project-related construction and operation.

**VM-General-02.** STR's contractor(s) will limit ground disturbance to only the areas necessary for project-related construction.

**VM-General-03.** STR's contractor(s) will stockpile excavated soil in areas away from environmentally or culturally sensitive areas and will use appropriate erosion control measures to prevent or contain erosion.

**VM-General-04.** STR's contractor(s) will perform finish grading and surface disturbed areas with appropriate best management practices, where practical and in consultation with the City of Erda when construction is completed.

**VM-General-05.** Prior to project-related construction, STR will secure agreements with utility owners to establish responsibility for protecting or relocating existing utilities, if impacted by construction.

**VM-General-06.** STR will appoint a liaison to consult with communities, businesses, agencies, tribal governments, educational institutions, and nonprofit organizations to provide general project information, progress on construction, information on rail operations and safety as needed and will seek to develop cooperative solutions to local concerns regarding project-related construction.

**VM-General-07.** STR and its contractor(s) will consult with appropriate adjacent landowners for coordination of construction schedules and temporary access during project-related construction.

**VM-General-08.** STR will install construction warning and detour signs throughout the corridor and at recreation sites around the project area as needed.

**VM-General-09.** During project-related construction activities, STR and its contractors will comply with speed limits and applicable laws and regulations when operating vehicles and equipment on public roadways.

**VM-General-10.** STR will design and construct any new temporary or permanent access roads and road realignments to comply with the reasonable requirements of the UDOT

Roadway Design Manual (UDOT 2020), other applicable road construction guidance (e.g., county road right-of-way encroachment standards), and agency or landowner requirements regarding the establishment of safe roadway conditions.

#### 4.5.2 OEA's Preliminary Recommended Mitigation

**MM-General-01.** If there is a material change in the facts or circumstances upon which the Board relied in imposing specific environmental mitigation conditions, and upon petition by any party who demonstrates such material change, the Board shall consider revising its final mitigation, if warranted and appropriate.

### 4.6 Noise

#### 4.6.1 STR's Voluntary Mitigation Measures

**VM-Noise-01.** STR will comply with Federal Railroad Administration regulations (49 C.F.R. Part 210) establishing decibel limits for train operation.

**VM-Noise-02.** STR will work with its contractor(s) to make sure that project-related construction and maintenance vehicles are maintained in good working order, with properly functioning mufflers to control noise.

**VM-Noise-03.** Prior to commencing construction activities STR will confer with the City of Erda, UDOT, and Tooele County about the establishment of Quiet Zones at Route 138 and Erda Way and will 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-04.** During project-related construction, STR's daily construction schedule will adhere to time restrictions that limit construction noise prior to 7:00 a.m. or after 5:00 p.m. to the maximum extent practicable, with the exception of road crossing construction, which may occur on a 24/7 schedule to lessen traffic interruptions.

**VM-Noise-05.** Prior to project-related construction outside of local time restrictions within the city limits of the City of Erda, STR will consult with and comply with the reasonable requirements of the City of Erda for a special use permit to allow nighttime construction.

#### 4.6.2 OEA's Preliminary Recommended Mitigation

**MM-Noise-01.** STR shall employ reasonable and feasible noise mitigation, such as building sound insulation where OEA identified one receptor (receptor #6) that would experience noise impacts at or greater than the regulatory analytical threshold of 65 day-night average sound level (DNL)/+3 A-weighted decibels (dBA). STR shall implement the following in developing the building sound insulation:

- Using industry standard loudspeaker testing, the existing building sound insulation performance shall be determined in accordance with ASTM 966-90, *Standard Guide for Field Measurements of Airborne Sound Insulation of Building Facades and Façade Elements*.

- The design goal for the sound insulation shall be a 10 dBA noise reduction. The calculated Noise Level Reduction (NLR) improvement shall be at least 5 dBA. If the calculated NLR associated with acoustical replacement windows and doors is less than 5 dBA then no additional mitigation shall be required since the improvement would be minor and likely not noticeable. The overall goal of the required sound insulation analysis is to demonstrate that interior noise levels (with the Proposed Action) at receptor #6 would be 45 DNL or lower, and to implement sound insulation to result in an NLR improvement of 5 dBA or more, where feasible and reasonable based on the characteristics of the property.

**MM-Noise-02.** Because the modeled noise contour also comes close to adversely affecting several other receptors, STR shall measure train horn and wayside noise levels from actual train operations to verify the modeled noise contour location used in this Draft EA within one month of train operations reaching one roundtrip per day. STR shall take enough measurements of the actual train horn and wayside noise levels to demonstrate that Sound Exposure Level (SEL) values achieve a 90 percent confidence interval of 3 dBA or less. If the average measured SEL value is greater than the assumed 110 dBA for horn noise (measured at 100 feet), STR shall calculate the actual 65 DNL contour using the methodology in this Draft EA and comply with the mitigation in **MM-Noise-01** for any newly affected receptors.

**MM-Noise-03.** STR shall maintain rail and rail beds according to American Railway Engineering and Maintenance-of-Way Association (AREMA) standards.

**MM-Noise-04.** STR shall consider lubricating curves, where doing so would both be consistent with safe and efficient operating practices and significantly reduce noise for residential or other noise sensitive receptors.

**MM-Noise-05.** STR shall employ safe and efficient operating procedures that, in lieu of or as a complement to other noise mitigation measures, can have the collateral benefit of effectively reducing noise from train operations. Specifically, STR shall inspect rail car wheels and maintain wheels in good working order to minimize the development of wheel flats, inspect new and existing rail for rough surfaces and, where appropriate, grind these surfaces to provide a smooth rail surface during operations, and regularly maintain locomotives.

## 4.7 Grade Crossing Safety and Delay

### 4.7.1 STR's Voluntary Mitigation Measures

**VM-Grade Crossing-01.** STR will consult with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices. Warning devices on public roadways will be subject to review and approval, depending on location, by the Utah Department of Transportation, City of Erda, and Tooele County. STR will follow standard safety designs for each at-grade crossing for proposed warning devices and signs. These designs will follow the Federal Highway Administration's Manual on Uniform Traffic Control Devices for Streets and Highways (2022) and the American Railway Engineering and Maintenance-of-Way Association's guidelines for railroad warning devices. STR will also comply with applicable UDOT and local requirements.

**VM-Grade Crossing-02.** Prior to construction of road crossings, when reasonably practical, STR and its contractor(s) will consult with local transportation officials regarding construction phasing and temporary traffic control. STR's contractor(s) will be responsible for local agency coordination of construction schedules, detours, and temporary traffic control, as well as obtainment of necessary temporary traffic control permits from the City of Erda and Tooele County. As appropriate, STR's contractor(s) will maintain egress or traffic routing to allow for passage of emergency and other vehicles.

**VM-Grade Crossing-03.** Prior to project-related construction, STR will consult with UDOT and other appropriate agency(s) to determine the final details and reasonable signage for private at-grade crossings along access roads.

**VM-Grade Crossing-04.** Prior to project-related construction, STR will consult with UDOT and applicable road authority regarding roadway safety and user expectations, which includes items such as pavement markings, signing, delineators, and active warning devices for vehicles, pedestrians, and bicyclists at proposed at-grade crossings.

**VM-Grade Crossing-05.** Prior to and during project-related construction, in accordance with project plans, specifications, and permits, STR's contractor(s) will install temporary traffic control, including pavement markings, signing, and detours, throughout the project limits and applicable work zones.

**VM-Grade Crossing-06.** Prior to and during construction and operation of the project, STR will work with local agencies to facilitate the development of cooperative agreements with emergency service providers to share services areas and emergency call response.

**VM-Grade Crossing-07.** STR will consult with affected communities regarding ways to improve visibility at highway-rail at-grade crossings, including by clearing vegetation or installing lights at the crossing during construction.

**VM-Grade Crossing-08.** STR will obtain and abide by the reasonable requirements of applicable permits and approvals for any project-related construction activities within UDOT rights-of way or state highways where UDOT has jurisdiction and off-system roads that are maintained by UDOT.

**VM-Grade Crossing-09.** For each of the public at-grade crossings on the proposed rail line, STR will provide and maintain permanent signs prominently displaying both a toll-free telephone number and a unique grade-crossing identification number in compliance with Federal Highway Administration regulations (23 C.F.R. Part 655). The toll-free number will enable drivers to report promptly any accidents, malfunctioning warning devices, stalled vehicles, or other dangerous conditions.

**VM-Grade Crossing-10.** STR will coordinate with Operation Lifesaver to provide educational programs available to communities, schools, and other organizations located along the proposed rail line. Operation Lifesaver is a nationwide, nonprofit organization that provides public education programs to help prevent collisions, injuries, and fatalities at highway/rail grade crossings.

## 4.7.2 OEA's Preliminary Recommended Mitigation

**MM-Grade Crossing-01.** STR shall consult with and comply with the UDOT requirements for creating new rail/roadway crossings at SR 138 and Erda Way. Specifically, STR shall

comply with UDOT Administrative Rule R930-5, and specifically R930-5-7.6, which addresses the requirements for new crossings.

**MM- Grade Crossing-02.** STR shall not block at-grade crossings for more than 10 minutes at a time, when reasonably practical, unless mechanical failure, an obstruction on the track, or a similar emergency condition prevents a train from being moved clear of the crossing.

**MM- Grade Crossing-03.** STR shall notify appropriate Emergency Services Dispatching Centers if grade crossings become blocked by trains that may be unable to move for a prolonged period.

## 4.8 Biological Resources

### 4.8.1 OEA's Preliminary Recommended Mitigation

**MM-Biological-01.** STR shall use temporary barricades, fencing, and/or flagging in habitats to contain construction related impacts to the area within the construction right-of-way. To the extent possible, staging areas shall be located in previously disturbed sites and not in habitat areas.

**MM-Biological-02.** STR shall limit ground disturbance to only the areas necessary for construction.

**MM-Biological-03.** STR shall ensure that all disturbed soils are landscaped, seeded with a native seed mix, or otherwise permanently stabilized following project-related construction.

**MM-Biological-04.** Prior to any project-related construction, STR shall develop and implement a mitigation plan to address the spread and control of non-native invasive plants during the construction. This plan shall address the following: (a) planned seed mixes, (b) weed prevention and eradication procedures, (c) equipment cleaning protocols, (d) revegetation methods, and (e) protocols for monitoring revegetation.

**MM-Biological-05.** STR shall only use herbicides in right-of-way maintenance to control vegetation that are approved by EPA and are applied by trained individuals who will limit application to the extent necessary for safe rail operations. Herbicides shall be applied to prevent or minimize drift off of the right-of-way into adjacent areas.

**MM-Biological-06.** STR shall review updated U.S. Fish and Wildlife Service and Utah species lists prior to the start of project-related construction to see if any special status species were added after issuance of the Final EA. If new species are identified, STR shall notify OEA so that appropriate action can be taken if warranted.

**MM-Biological-07.** STR shall clear vegetation in preparation for construction before or after the breeding bird nesting season to avoid inadvertent removal of active nests (nesting adults, young, or eggs) and to ensure compliance with the Migratory Bird Treaty Act. If clearing is required during nesting season, STR shall consult with OEA and the local office of the U.S. Fish and Wildlife Service (USFWS) on appropriate nest survey methods for that area.



## 4.9 Water Resources

### 4.9.1 STR's Voluntary Mitigation Measures

**VM-Water-01.** STR's contractor(s) will submit a Notice of Intent to request permit coverage under Utah Pollutant Discharge Elimination System (UPDES) Construction General Permit (CGP) or Common Plan Permit (CPP) for construction stormwater management.

**VM-Water-02.** STR's contractor(s) will submit an application for coverage under the National Pollutant Discharge Elimination System stormwater construction permit pursuant to Section 402 of the Clean Water Act for construction stormwater management.

**VM-Water-03.** STR will develop a stormwater pollution prevention plan, which will include construction BMPs to control erosion and reduce the amount of sediment and pollutants entering surface waters, groundwater, and waters of the United States. STR will require its construction contractor(s) to follow all water quality control conditions identified in all permits that might be required, including the Section 404 permit from the U.S. Army Corps of Engineers (Corps) and the Section 401 Water Quality Certification from the Utah Department of Environmental Quality and the U.S. Environmental Protection Agency.

**VM-Water-04.** STR's contractor(s) will construct stream crossings during low-flow periods, when practical.

### 4.9.2 OEA's Preliminary Recommended Mitigation

**MM-Water-01.** STR shall design drainage crossing structures for a 100-year storm event. STR shall design culverts to maintain existing surface water drainage patterns to the extent practicable and not cause or exacerbate flooding.

**MM-Water-02.** STR shall 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-03.** STR shall obtain a permit if applicable from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act before initiating project-related construction in wetlands and other jurisdictional waters of the United States. STR shall comply with all conditions of the Section 404 permit.

**MM-Water-04.** STR shall minimize impacts to wetlands to the extent practicable in the final design. After all practicable steps have been taken to minimize impacts to wetlands, STR shall prepare a mitigation plan for any remaining wetland impacts in consultation with the U.S. Army Corps of Engineers, if applicable.

**MM-Water-05.** STR shall compensate for the loss of any wetlands through any one, or a combination of, the following purchasing credits from an authorized wetland mitigation bank, restoring a previously existing wetland or other aquatic site, enhancing an existing aquatic site's function, preserving an existing aquatic site, and/or creating a new aquatic site.

**MM-Water-06.** STR shall obtain a Section 401 Water Quality Certification from the Utah Department of Environmental Quality. STR shall incorporate the conditions of the Section 401 Water Quality Certification into its construction contract specifications and shall monitor the project for compliance.

## 4.10 Hazardous Materials

### 4.10.1 STR's Voluntary Mitigation Measures

**VM-HazMat-01.** Prior to initiating any project-related construction, STR's contractor(s) will prepare a hazardous waste management plan detailing the manner in which hazardous wastes will be managed and describing the types and volumes of hazardous wastes anticipated to be managed. There will be no export of hazardous materials off-site other than used rail ties. The hazardous waste management plan will address both onsite and offsite hazardous waste management and include the following: description of the methods to be used to ensure accurate piece counts or weights of shipments; waste minimization methods; facilities to be used for treatment, storage, and disposal; onsite areas designated where hazardous wastes are to be handled; identify whether transfer facilities are to be used, and if so, how the wastes will be tracked to ultimate disposal. Additionally, STR's contractor(s) will document hazardous waste inspections on a weekly basis.

**VM-HazMat-02.** In accordance with STR contractor(s)'s hazardous waste management plan and emergency management plan, and in the event of a spill over the applicable reportable quantity, each STR's contractor will comply with its spill prevention, control, and countermeasures plan and applicable federal, state, and local regulations pertaining to spill containment, appropriate clean-up, and notifications.

**VM-HazMat-03.** STR will document all activities associated with hazardous material spill sites and hazardous waste sites and will notify the appropriate state and local agencies according to applicable regulations. The goal of the measures is to ensure the proper handling and disposal of contaminated materials, including contaminated soil, groundwater, and stormwater, if such materials are encountered. STR will use disposal methods that comply with applicable solid and hazardous water regulations.

**VM-HazMat-04.** STR's contractor(s) will responsibly handle and store gasoline, diesel fuel, oil, lubricants, and other petroleum products to reduce the risk of spills contaminating soils or surface waters. If a petroleum spill occurs in the project limits as a result of project-related construction, operation, or maintenance and exceeds specific quantities or enters a waterbody, STR's contractor(s) will be responsible for promptly cleaning the spill and notifying responsible agencies in accordance with federal and state regulations.

**VM-HazMat-05.** STR's hazardous materials emergency response plan will address potential derailments or spills. This plan will address the requirements of the Pipeline and Hazardous Materials Safety Administration and Federal Railroad Administration requirements for comprehensive oil spill response plans. STR will distribute the plan to federal, state, and local emergency response agencies. This plan will include a roster of agencies and people to be contacted for specific types of emergencies during project-related construction, operation and maintenance activities, procedures to be followed by particular rail employees, emergency routes for vehicles, and the location of emergency equipment.

**VM-HazMat-06.** In the event of a reportable hazardous materials release, STR will notify appropriate federal and state environmental agencies as required under federal and state law.

**VM-HazMat-07.** STR will comply with applicable Federal Railroad Administration, Pipeline and Hazardous Materials Safety Administration, and Transportation Security Administration regulations for the safe and secure transportation of hazardous materials.

## 4.10.2 OEA's Preliminary Recommended Mitigation

**MM-HazMat-01.** If STR encounters contamination (or signs of potential contamination) during construction activities, STR shall perform a Phase 2 environmental following American Society of Testing and Materials E1527-05, Standard Practice for Environmental Site Assessments, in addition to the Phase 1 previously performed by STR. Should findings of a Phase 2 environmental investigation identify contamination in soil and/or groundwater, STR shall coordinate with relevant state agencies on regulatory obligations and comply with those agencies' reasonable requirements for avoiding impacts related to soil and/or groundwater contamination.

## 4.11 Cultural Resources

### 4.11.1 OEA's Preliminary Recommended Mitigation

**MM-Cultural-01.** STR shall prepare and provide to OEA a construction monitoring plan no later than 30 days prior to the start of construction and shall abide by the provisions of the plan, including any revisions by OEA, during construction activities. The plan shall address the following:

1. Training procedures to familiarize construction personnel with the identification and appropriate treatment of historic properties,
2. Monitoring of construction activities by a qualified professional archaeologist,
3. Provisions for the unanticipated discovery of archaeological sites or associated artifacts during construction activities, including procedures for notifying OEA and the Utah State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO), pursuant to 36 C.F.R. § 800.13(b) in the event of an unanticipated discovery; and,
4. Provisions for complying with the Native American Graves Protection and Repatriation Act (25 U.S.C. § 3001-3013) and other applicable federal, state, and local laws and regulations in the event of an unanticipated discovery of unmarked human remains during construction activities.

## 4.12 Air Quality

### 4.12.1 STR's Voluntary Mitigation Measures

**VM-Air-01.** In accordance with Utah or local agency dust control permitting requirements, STR's contractor(s) will implement appropriate dust control measures to reduce fugitive dust emissions created during project-related construction. STR will require its construction contractor(s) to regularly operate water trucks on haul roads to reduce dust generation.

**VM-Air-02.** STR will work with its contractor(s) to make sure 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.

## 4.13 Climate Change

### 4.13.1 OEA's Preliminary Recommended Mitigation

**MM-Climate-01.** STR shall prepare a climate change plan documenting how the effects of climate change on rail infrastructure will be considered and addressed by STR in the final engineering design and construction of the project. The plan shall account for the extreme heat, drought, and wildfires that are anticipated in this region, which can cause track buckling, warping/melting, and electrical equipment disruptions. The plan shall also cover protective health and safety measures for rail personnel exposed to extreme heat.

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# DRAFT ENVIRONMENTAL ASSESSMENT

## APPENDICES

DOCKET NO. FD 36616

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



Information Contact:

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# Appendices

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- Appendix D Biological Resources and Water Resources Appendix
- Appendix E Air Quality
- Appendix F Land Use, Zoning, and Local Plans
- Appendix G Public Comments
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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 <sub>4</sub>   | Methane   |
| CO                | Carbon monoxide   |
| CO <sub>2</sub>   | Carbon dioxide  |
| CO <sub>2</sub> 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 <sub>2</sub> O  | Nitrous oxide                                    |
| NO <sub>2</sub>   | Nitrogen dioxide                                 |
| NO <sub>x</sub>   | Nitrogen oxides                                  |

|                 |   |
|-----------------|---|
| NRC             | National Research Council   |
| NRCS            | Natural Resources Conservation Service  |
| O <sub>3</sub>  | 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 <sub>2</sub> | 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**

| <b>Agency</b>   | <b>Dates of Written Correspondence</b>   |
|---|--|
| <b>Federal Agencies</b>   |  |
| 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<br>From BIA to OEA 10/12/2022  |
| U.S. Environmental Protection Agency (EPA)  | From OEA to EPA 10/4/2022<br>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  |
| <b>State Elected Officials</b>  |  |
| Douglas Sagers, Utah House of Representatives District 21                               | From OEA to Representative Douglas Sagers 10/24/2022<br>From Representative Douglas Sagers 11/9/2022 |
| <b>State Agencies</b>   |  |
| 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<br>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<br>From Utah SHPO to OEA on 10/28/2022                              |
| <b>Local Agencies</b>   |  |
| 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<br>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<br>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<br>From Tooele County EMS Council to OEA 10/16/2022                             |
| Tooele County Manager  | From OEA to Tooele County Manager 10/4/2022<br>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 1.6 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 Act (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**

| <b>Tribes</b>  | <b>Dates of Written Correspondence</b>                              |
|--|---|
| 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                               |

### 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 **Table A.4-1**).

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**

| <b>Consulting Party</b>   | <b>Dates of Written Correspondence</b>   |
|---|--|
| City of Erda City Council Chair                                 | From OEA to City of Erda City Council Chair 4/4/2023<br>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<br>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](mailto: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**

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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.

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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:

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Attachment 2: Agency and Tribal Distribution List



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Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

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Erda

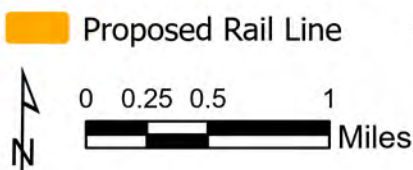
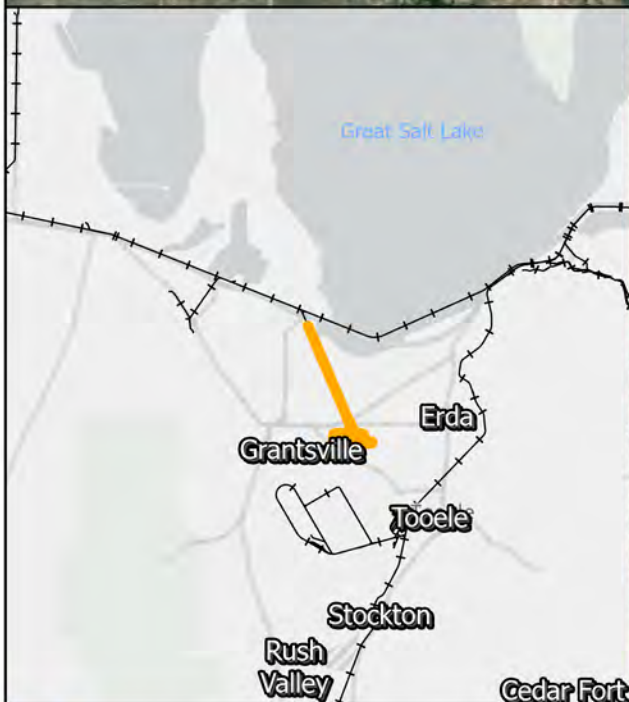
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Site of Lakeview  
Business Park  
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HIGHWAY  
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Savage Tooele Railroad Company – Construction  
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**SURFACE 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

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](mailto: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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### **Request for Comments**

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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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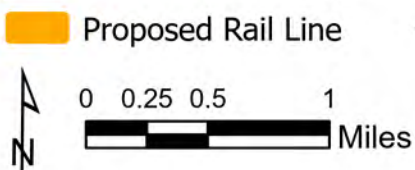
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**SURFACE TRANSPORTATION BOARD**  
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*Office of Environmental Analysis*

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](mailto:juliana.blackwell@noaa.gov)

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Juliana Blackwell:

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Danielle Gosselin

Director

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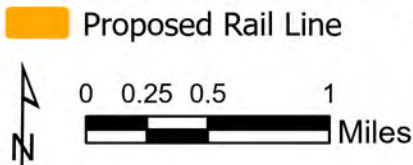
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**SURFACE TRANSPORTATION BOARD**  
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October 4, 2022

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](mailto: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:

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:

Attachment 1: Proposed Rail Line Location Map

Attachment 2: Agency and Tribal Distribution List





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Ownership Retained

Union Pacific

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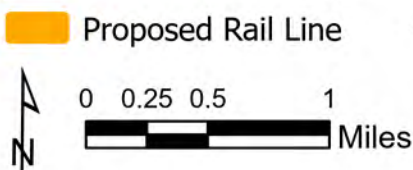
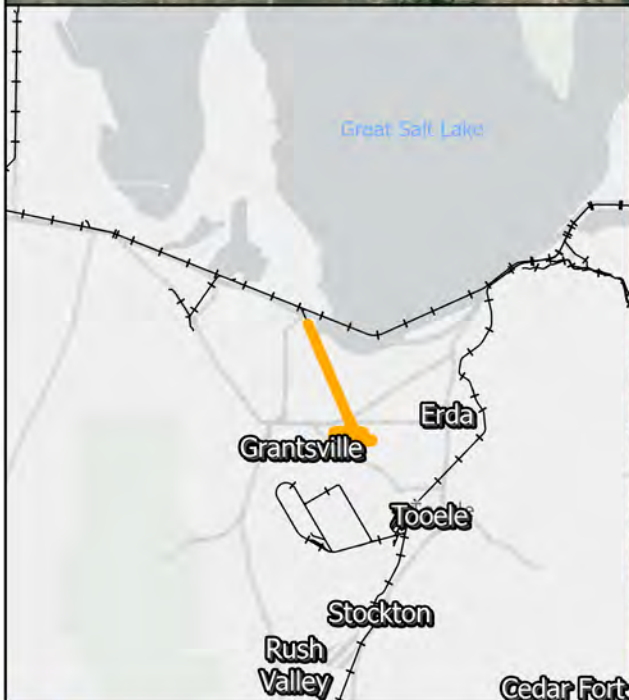
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Savage Tooele Railroad Company – Construction  
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

October 4, 2022

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](mailto:usarmy.tead.jmc.list.pao@mail.mil)

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Eric Dennis:

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Danielle Gosselin

Director

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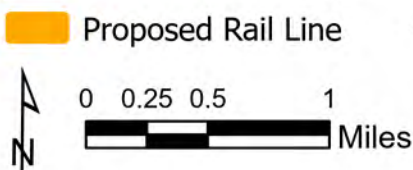
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

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**SURFACE TRANSPORTATION BOARD**  
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*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](mailto: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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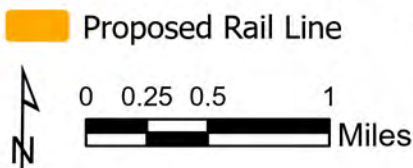
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**SURFACE TRANSPORTATION BOARD**  
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**SURFACE TRANSPORTATION BOARD**  
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*Office of Environmental Analysis*

October 4, 2022

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](mailto:jessie.durham@bia.gov)

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Jessie Durham:

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Danielle Gosselin

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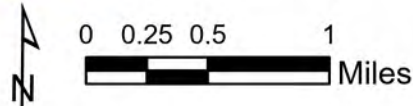
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Proposed Rail Line      Existing Railroad



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- 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
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- 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

|            |          |          |            |                    |   |             |
|------------|----------|----------|------------|--------------------|---|-------------|
| 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 |
|------------|----------|----------|------------|--------------------|---|-------------|



**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](mailto: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:

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](mailto: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

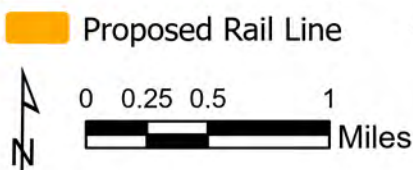
Stockton

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*

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
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- Kimberly Shelley, Executive Director, Utah Department of Environmental Quality
- Rachelle Custer, Director, Tooele County Department of Economic Development/Planning and Zoning
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- Neil A. Critchlow, Mayor, City of Grantsville
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- Jamie Grandpre, Director, Tooele City Public Works
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- 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





**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 Center<sup>1</sup> 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,<sup>2</sup> 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

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<sup>1</sup> [https://opendata.gis.utah.gov/datasets/d8e7d2483a364d58a6d7eac4a250449e\\_0/explore?location=41.103351%2C-112.742353%2C-1.00](https://opendata.gis.utah.gov/datasets/d8e7d2483a364d58a6d7eac4a250449e_0/explore?location=41.103351%2C-112.742353%2C-1.00)

<sup>2</sup> 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](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,<sup>3</sup> as well as through the EPA's Air Quality System (AQS) for AQS users.<sup>4</sup> 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<sub>2.5</sub>).

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](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)<sup>5</sup> 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

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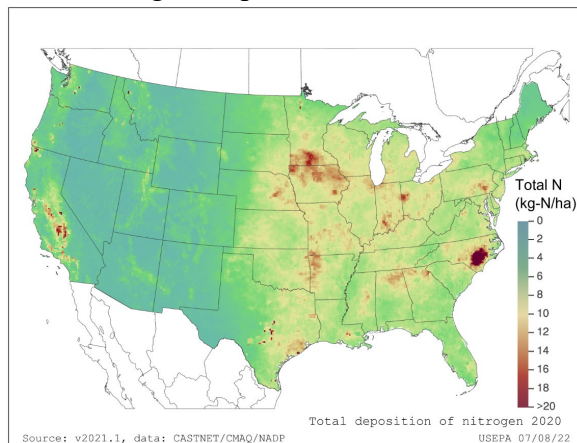
<sup>3</sup> <https://www.epa.gov/outdoor-air-quality-data/interactive-map-air-quality-monitors>

<sup>4</sup> <https://www.epa.gov/aqs>

<sup>5</sup> <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.<sup>6</sup>

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

<sup>6</sup> [https://gaftp.epa.gov/castnet/tdep/2021\\_01\\_images/n\\_tw-2020.png](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<sub>2.5</sub> 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<sub>2.5</sub>. As a result, the de minimis rates (see 40 CFR § 93.153(b)) for PM<sub>2.5</sub> 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.<sup>7</sup> 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.

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<sup>7</sup> 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*<sup>8</sup> 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 website<sup>9</sup> includes a non-exhaustive list of GHG accounting tools available to agencies. We also recommend estimating GHG emissions in CO<sub>2</sub>-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 13990<sup>10</sup> (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.<sup>11</sup> We recommend that the BLM avoid percentage comparisons between project-level

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

<sup>9</sup> [https://ceq.doe.gov/guidance/ceq\\_guidance\\_nepa-ghg.html](https://ceq.doe.gov/guidance/ceq_guidance_nepa-ghg.html)

<sup>10</sup> [https://www.whitehouse.gov/wp-content/uploads/2021/02/TechnicalSupportDocument\\_SocialCostofCarbonMethaneNitrousOxide.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/02/TechnicalSupportDocument_SocialCostofCarbonMethaneNitrousOxide.pdf)

<sup>11</sup> <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 NEPA<sup>12</sup>, 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](mailto:lozano.velrey@epa.gov), or Melissa McCoy, NEPA Branch Manager, at (303) 312-6155 or [mccoy.melissa@epa.gov](mailto: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](mailto:razzazian.christopher@epa.gov) for support.

Sincerely,

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

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<sup>12</sup> 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) <sup>1</sup> |                     |                     |
|--------------------------|--|---------------------|---------------------|
|                          | Utah   | Uintah              | Duchesne            |
| Area Name                | Utah County                                    | Uinta Basin, UT     | Uinta Basin, UT     |
| NAAQS Criteria Pollutant | PM10 1987 NAAQS                                | Ozone<br>2015 NAAQS | Ozone<br>2015 NAAQS |
| NAAQS NAA/MA             | PM10 MA  | Marginal NAA        | Marginal NAA        |



|   |   |                         |                         |
|---|---|-------------------------|-------------------------|
| <b>Date of Re-Designation and Maintenance Plan (end date of plan)</b> | PM10 3/27/2020<br>(3/27/2030)             |                         |                         |
| <b>Whole or Partial County</b>  | PM10 Whole                                | Partial                 | Partial                 |
| <b>Relevant pollutants</b>  | PM10, NO <sub>x</sub> and SO <sub>2</sub> | NO <sub>x</sub> and VOC | NO <sub>x</sub> and VOC |

<sup>1</sup>The 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<sub>x</sub> and VOC

Utah County PM<sub>10</sub> MA: PM<sub>10</sub>, SO<sub>2</sub>, and NO<sub>x</sub>.

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 PM<sub>10</sub>; 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 PM<sub>10</sub>. 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](mailto: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 written in a cursive style with a large initial "D".

Danielle Gosselin

Director

Office of Environmental Analysis

Enclosure:

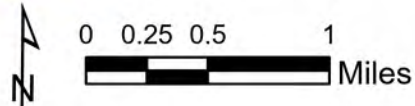
Attachment 1: Proposed Rail Line Location Map

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
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- 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
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- 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
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- 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](mailto: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:

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](mailto: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

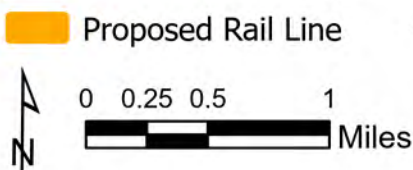
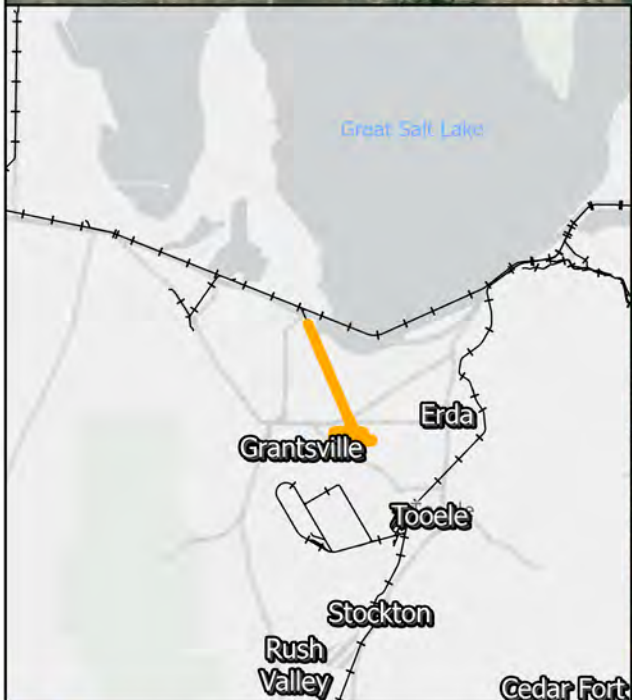
HWY 138

ERDA WAY

Site of Lakeview  
Business Park  
(Under Construction)

HIGHWAY  
112

HWY 112



**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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- Emily Fife, State Conservationist, USDA - NRCS Utah Office
- Juliana Blackwell, Director, NOAA - National Geodetic Survey
- Eric Dennis, Colonel, US Army - Tooele Army Depot
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- 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
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- 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 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](mailto: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:

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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Andrea Poole  
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395 E Street SW  
Washington, DC 20423

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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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Grantsville

Erda

Tooele

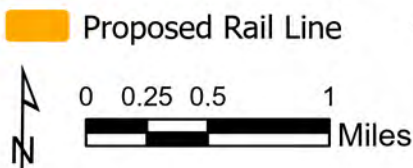
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

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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 33<sup>rd</sup> 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.

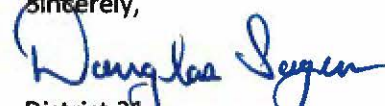
Utah State University – Tooele and the Tooele Technical College. provide educational opportunities for workers to gain new knowledge and skills to enhance their earning potential in the community and to provide a steady stream of employees for the LBP.

### **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](mailto:jlove@utah.gov)

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Jill Remington Love:

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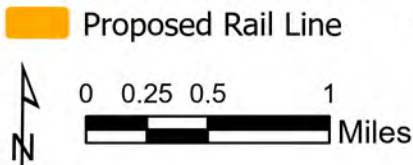
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*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](mailto:djansen@utah.gov)

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Dustin Jansen:

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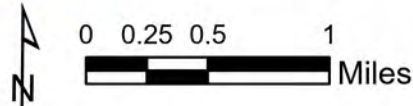
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Proposed Rail Line      Existing Railroad



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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](mailto:kshelley@utah.gov)

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Kimberly D. Shelley:

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**Project Background**

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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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Sincerely,

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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

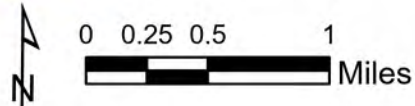
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Proposed Rail Line    
  Existing Railroad



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Docket No. FD 36616  
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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

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](mailto: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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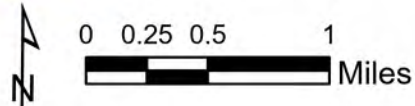
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October 4, 2022

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

By email at [jimgolden@utah.gov](mailto:jimgolden@utah.gov)

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Enclosures:

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Union Pacific  
Ownership Retained

Union Pacific

I-80 EB FWY I-80 WB FWY

BURMESTER RD

Erda

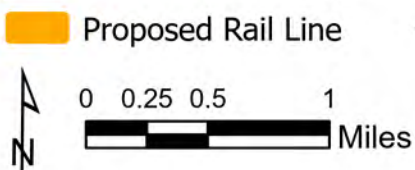
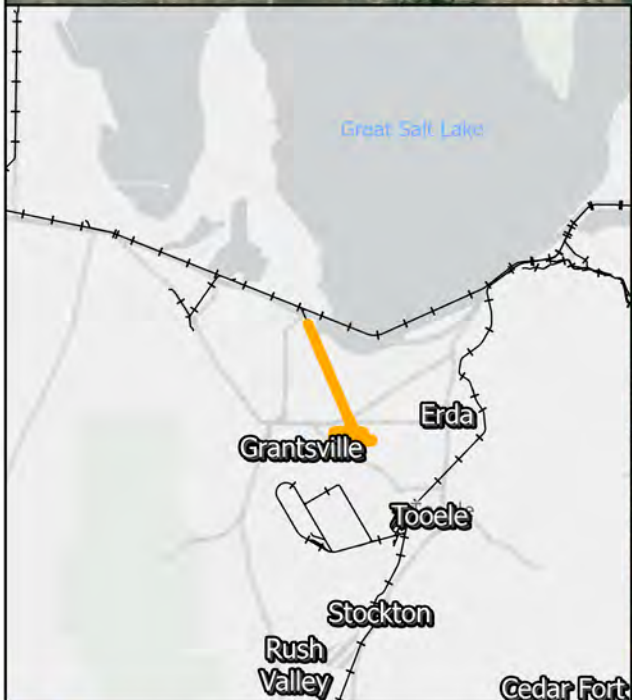
HWY 138

ERDA WAY

Site of Lakeview  
Business Park  
(Under Construction)

HIGHWAY  
112

HWY 112



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Rail Line Location Map**

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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](mailto: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**

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

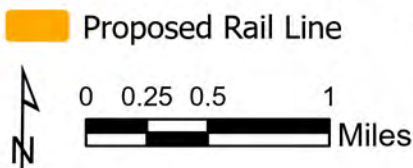
Stockton

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*

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](mailto: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](mailto: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

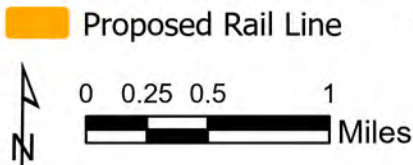
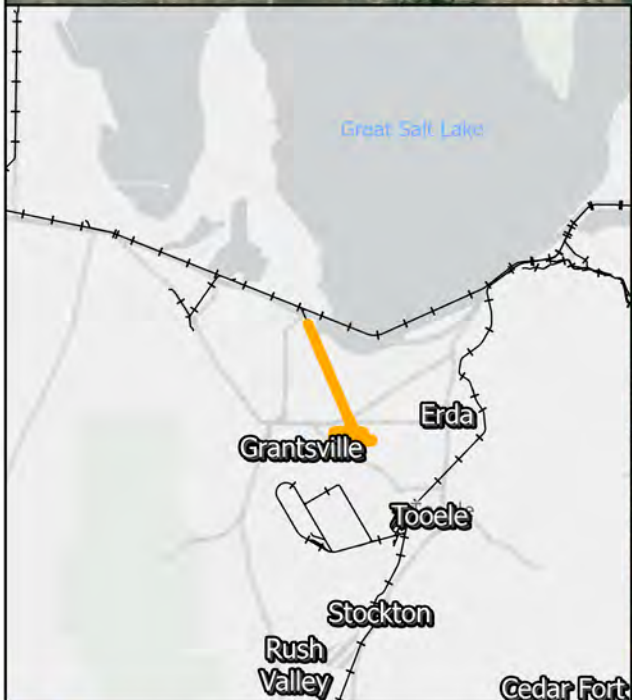
HWY 138

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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- 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
- Rachele 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



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](mailto: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](mailto: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.

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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





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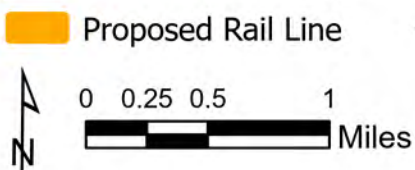
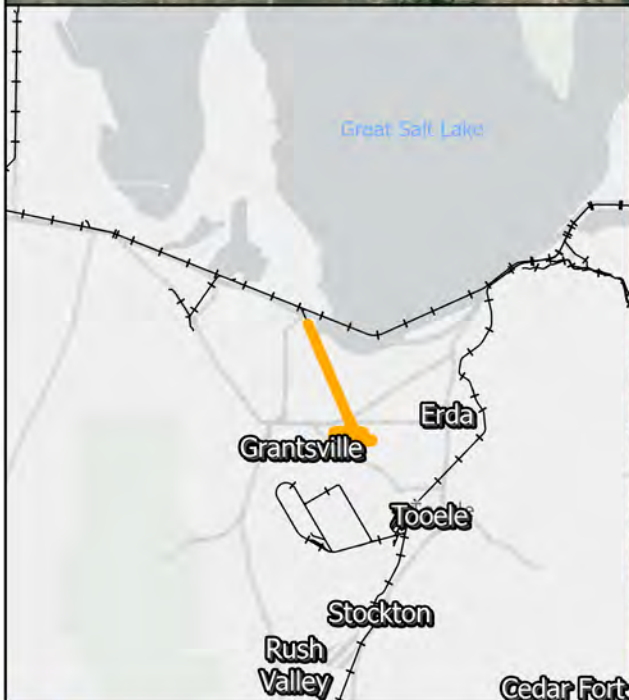
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Docket No. FD 36616  
Savage Tooele Railroad Company – Construction  
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

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**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](mailto: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:

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Enclosures:

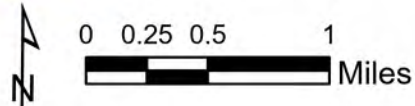
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Proposed Rail Line
  Existing Railroad



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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

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

By email at [jeffrey.miller@tooeleco.org](mailto:jeffrey.miller@tooeleco.org)

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Jeffrey Miller:

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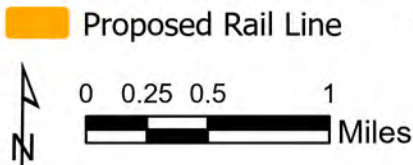
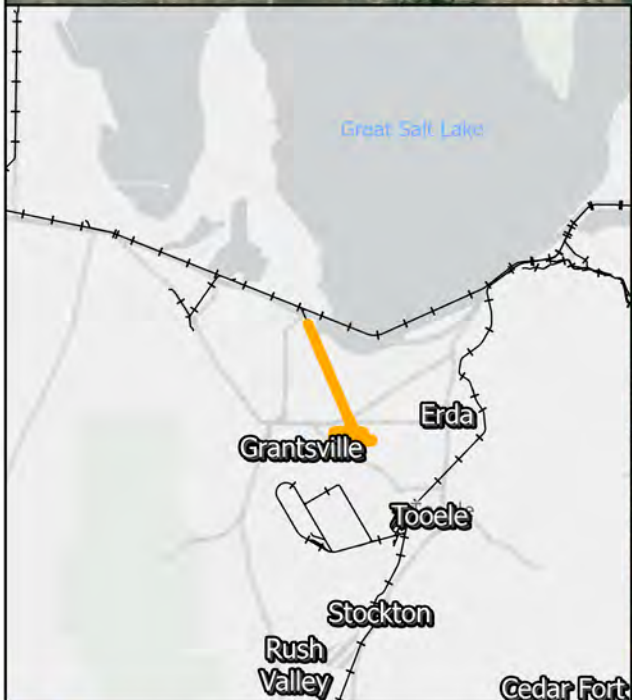
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October 4, 2022

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

By email at [neiljoh1@msn.com](mailto:neiljoh1@msn.com)

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Neil Johnson:

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Danielle Gosselin

Director

Office of Environmental Analysis

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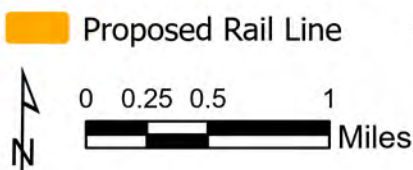
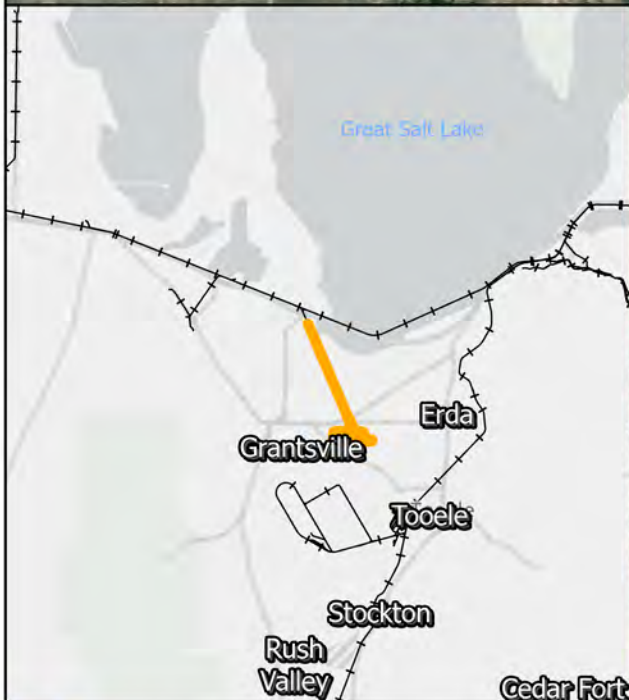
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

October 4, 2022

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

By email at [jbird@erda.gov](mailto: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:

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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Surface Transportation Board, OEA  
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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](mailto: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

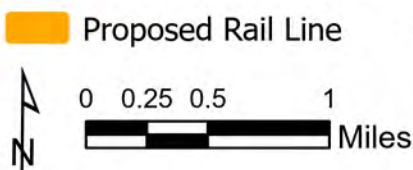
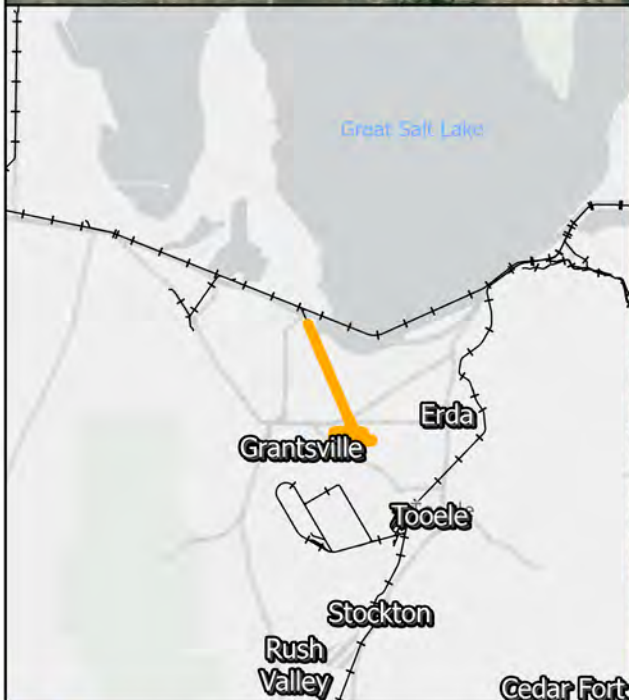
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Savage Tooele Railroad Company – Construction  
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

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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 30<sup>1</sup> years and would pass through a subdivision<sup>2</sup>, 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.**

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<sup>1</sup> 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

<sup>2</sup> 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](mailto: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:

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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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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Attachment 2: Agency and Tribal Distribution List





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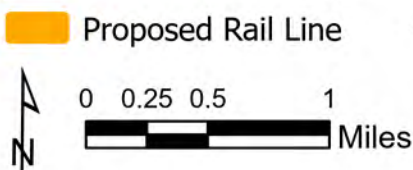
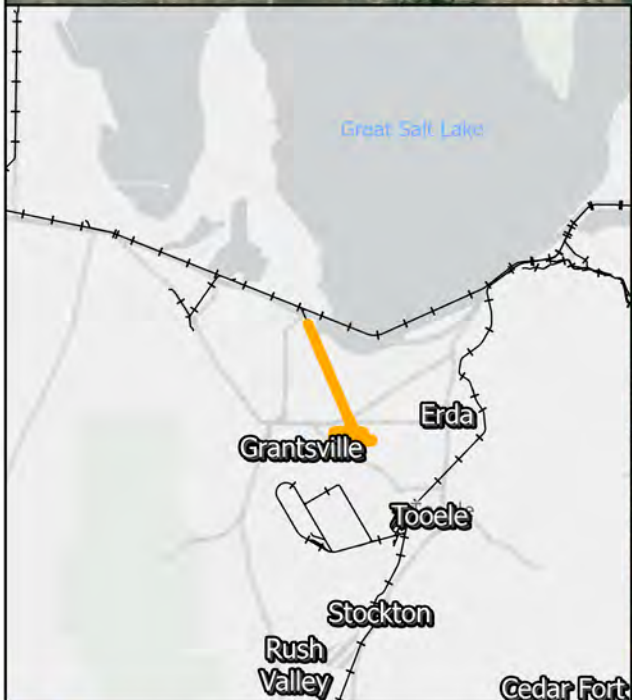
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

October 24, 2022

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

By email at [jjenkins@grantsvilleut.gov](mailto: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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Danielle Gosselin

Director

Office of Environmental Analysis

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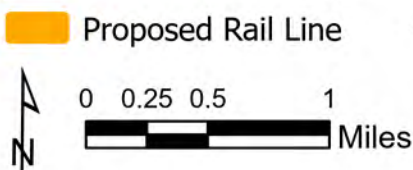
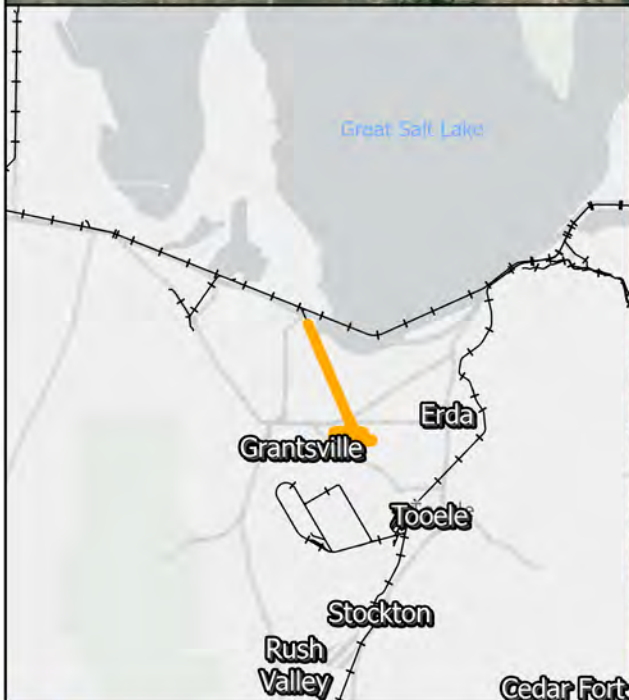
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

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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](mailto: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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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

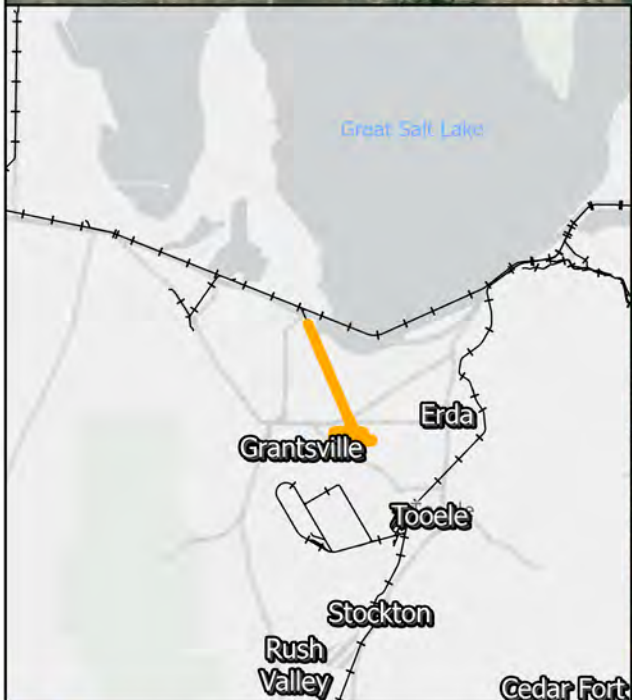
HWY 138

ERDA WAY

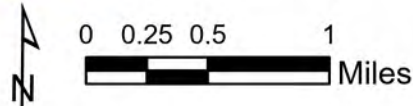
Site of Lakeview  
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HIGHWAY 112

HWY 112



Proposed Rail Line      Existing Railroad



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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

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

By email at [paulh@tooelecity.org](mailto: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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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





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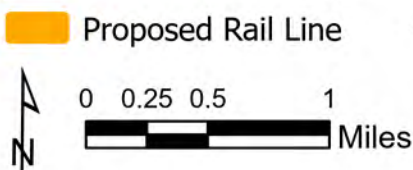
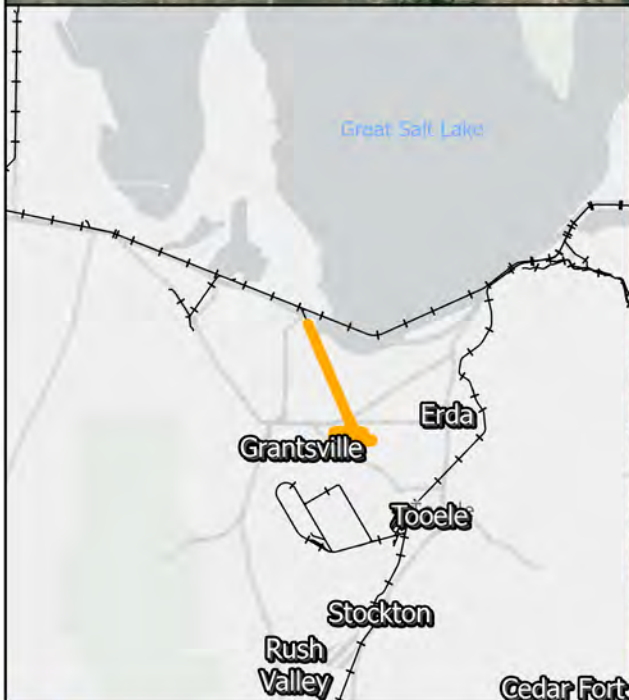
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Savage Tooele Railroad Company – Construction  
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

October 4, 2022

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

By email at [dwinn@tooelecity.org](mailto: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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Danielle Gosselin

Director

Office of Environmental Analysis

Enclosures:

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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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(Under Construction)

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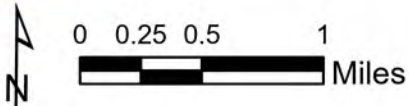
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Docket No. FD 36616  
Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation





**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*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](mailto: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:

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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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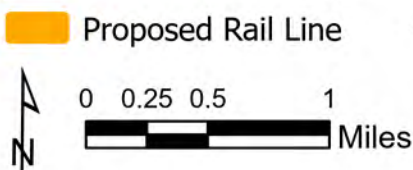
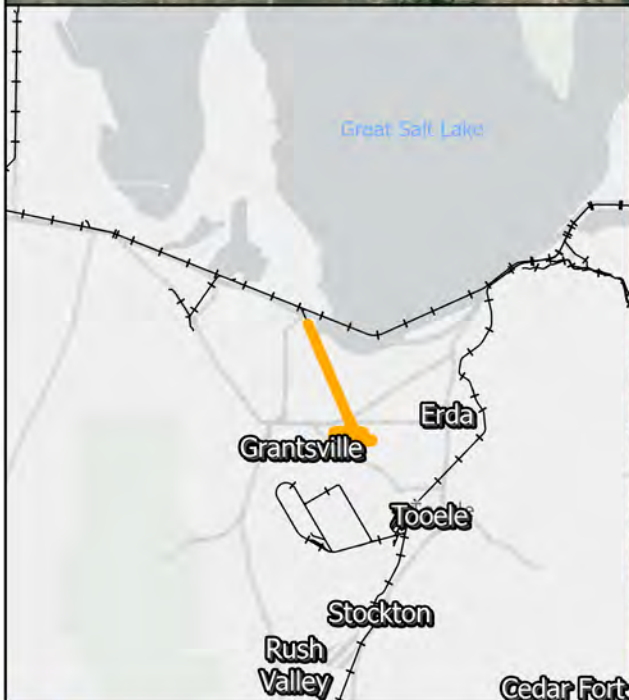
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**Attachment 1: Proposed  
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Docket No. FD 36616  
Savage Tooele Railroad Company – Construction  
and Operation Exemption – Line of Railroad in  
Tooele County, Utah; Preliminary Consultation





**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](mailto: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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### **Project Background**

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Danielle Gosselin

Director

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Enclosures:

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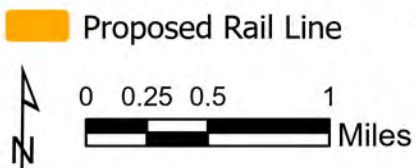
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**SURFACE TRANSPORTATION BOARD**  
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*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](mailto: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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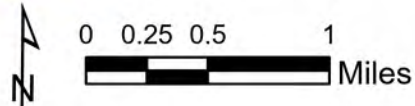
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Proposed Rail Line    
  Existing Railroad



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Docket No. FD 36616  
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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](mailto: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

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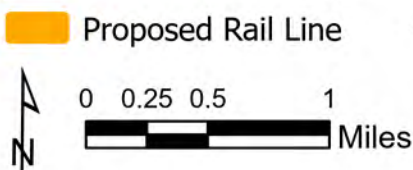
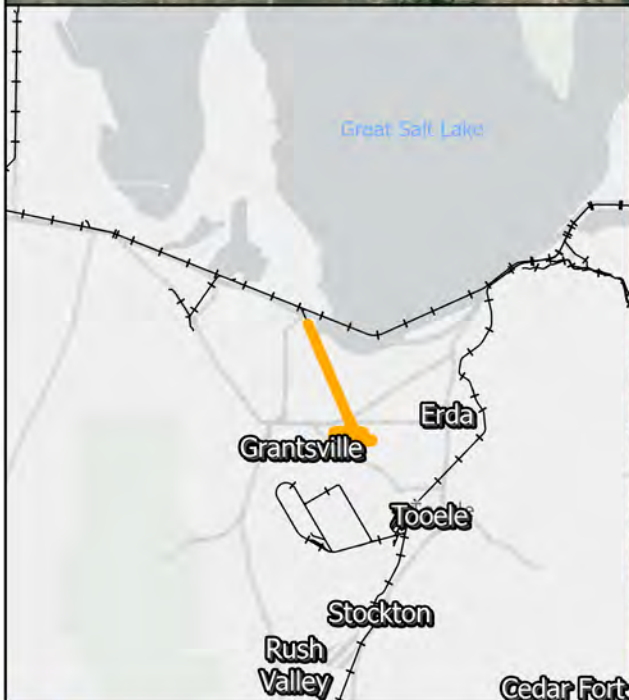
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*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](mailto: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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### **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





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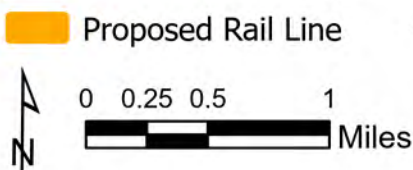
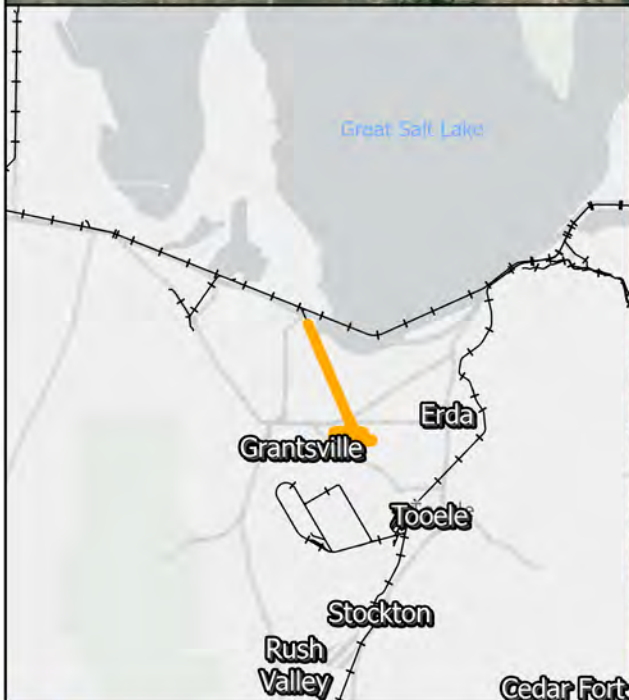
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October 4, 2022

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

By email at [Tom.Tripp@tooeleco.org](mailto: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:

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Danielle Gosselin

Director

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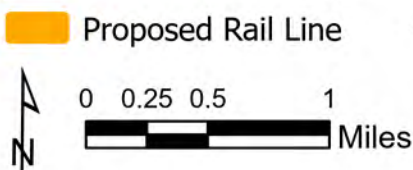
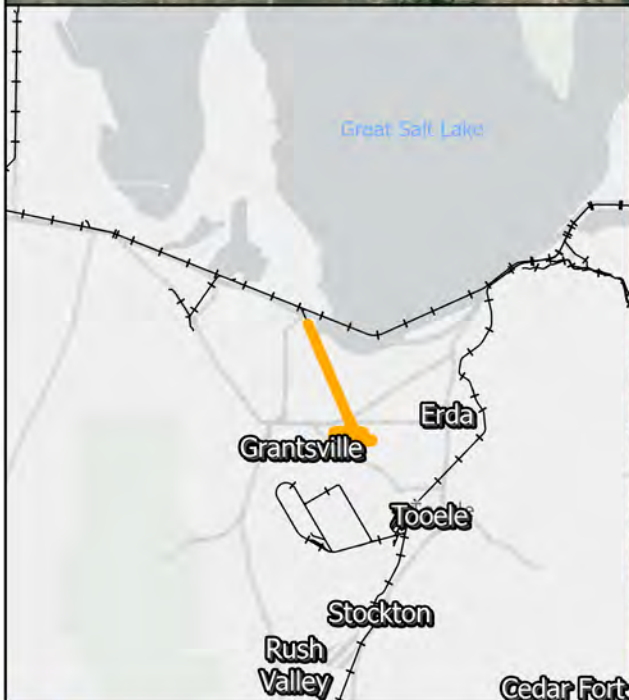
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Rachelle Custer  
Director  
Tooele County Department of Economic Development  
47 S. Main Street  
Tooele, UT 84074

By email at [rachelle.custer@tooeleco.org](mailto:rachelle.custer@tooeleco.org)

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Rachelle Custer:

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Danielle Gosselin

Director

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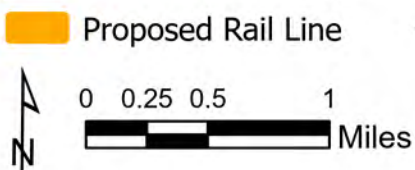
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October 4, 2022

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

By email at [jeff.coombs@tooelehealth.org](mailto:jeff.coombs@tooelehealth.org)

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Jeff Coombs:

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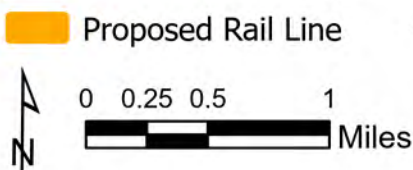
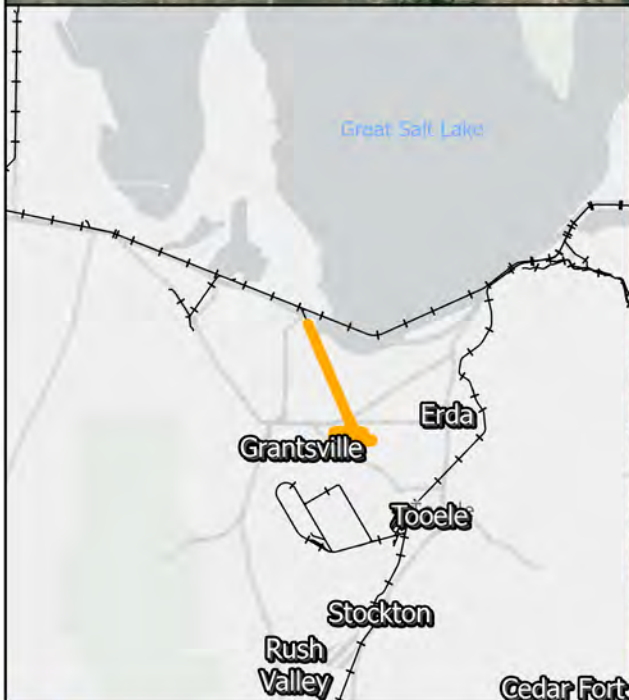
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**RE: Docket No. FD 36616, Savage Tooele Railroad Company – Construction and Operation Exemption – Line of Railroad in Tooele County, Utah; Preliminary Consultation**

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|           |          |          |  |                                    |   |            |
|-----------|----------|----------|--|------------------------------------|---|------------|
| 11/7/2022 | EI-32684 | FD_36616 | Bryan Slade -<br>Environmental<br>Health<br>Director | Tooele County Health<br>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 |
|-----------|----------|----------|--|------------------------------------|---|------------|



**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](mailto:regina.nelson@tooeleco.org)

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Regina Nelson:

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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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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

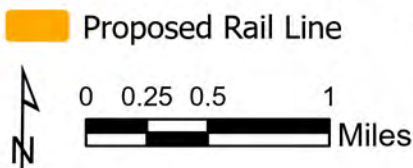
Stockton

Rush  
Valley

Cedar Fort

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HWY 112



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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

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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](mailto: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

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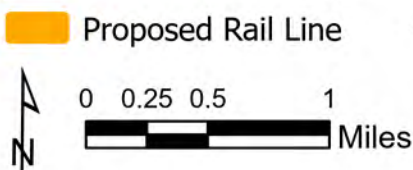
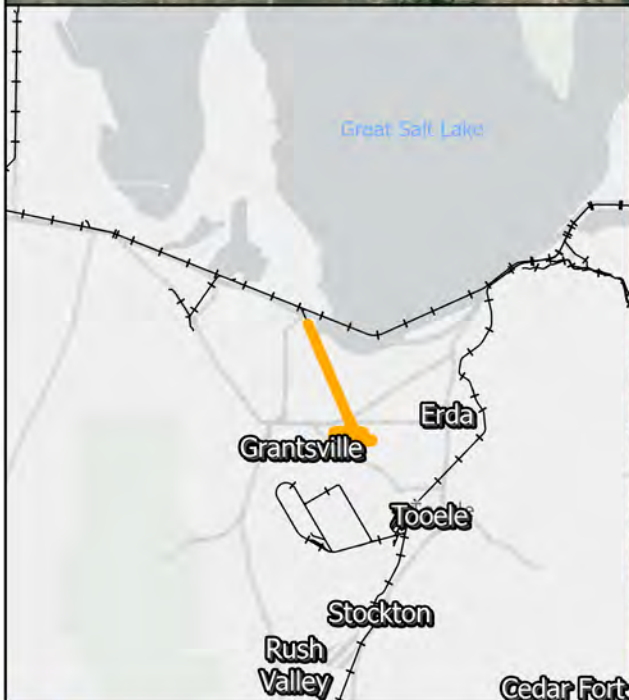
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Site of Lakeview  
Business Park  
(Under Construction)

HIGHWAY  
112

HWY 112



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**SURFACE TRANSPORTATION BOARD**  
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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 |
|------------|----------|----------|-------------|---------------|--|------------|



**SURFACE TRANSPORTATION BOARD**  
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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](mailto:corey.bullock@tooeleco.org)

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Corey Bullock:

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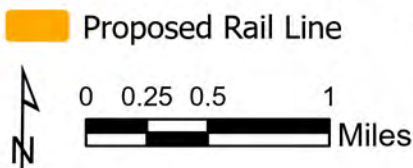
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*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](mailto: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.

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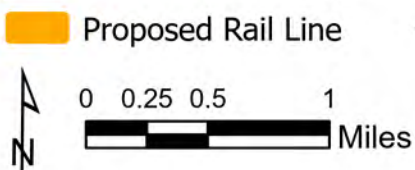
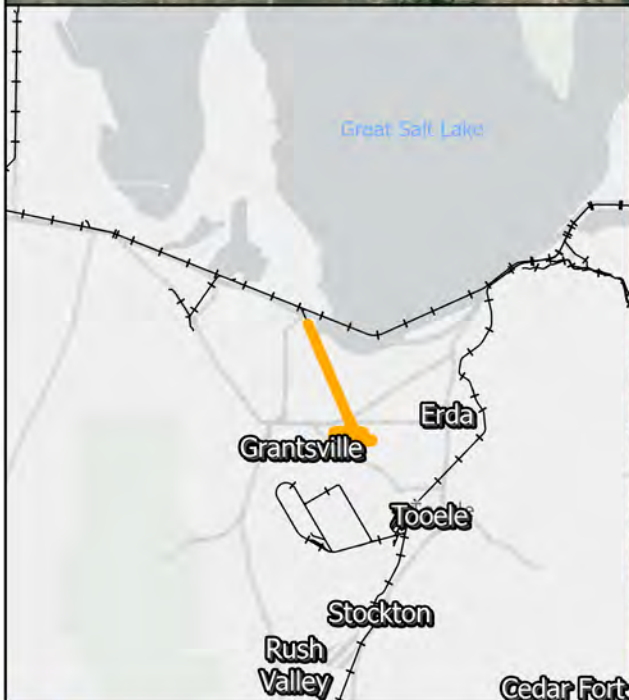
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Docket No. FD 36616  
Savage Tooele Railroad Company – Construction  
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**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Office of Environmental Analysis*

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# 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](mailto: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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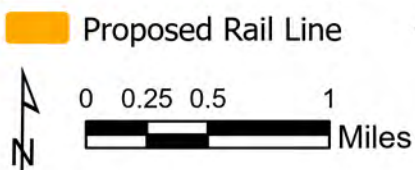
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Attachment 2: Agency and Tribal Distribution List



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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**

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**SURFACE TRANSPORTATION BOARD**  
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*Office of Environmental Analysis*

October 27, 2022

Shoshone-Bannock Tribes of the Fort Hall Reservation

By email at [lredmo@sbtribes.com](mailto: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

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Ownership Retained

Union Pacific

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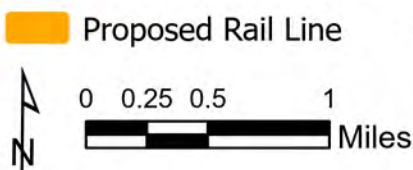
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**SURFACE TRANSPORTATION BOARD**  
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*Office of Environmental Analysis*

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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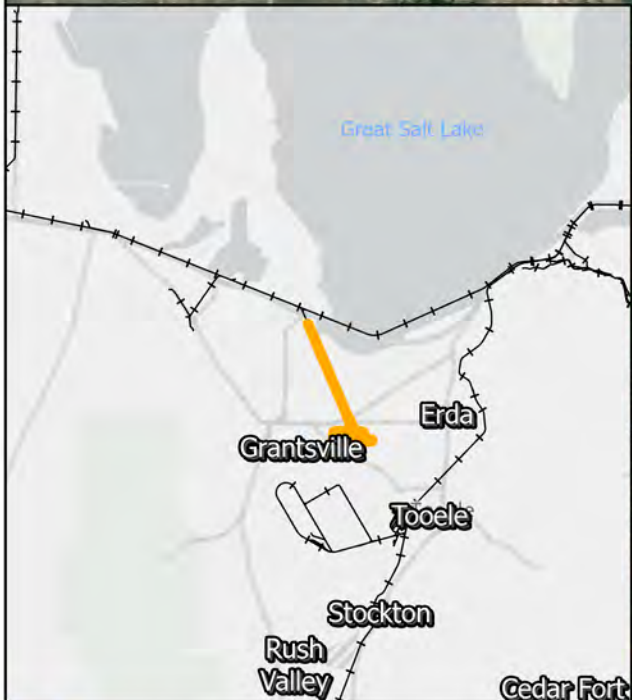
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
ERDA WAY

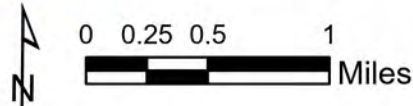
Site of Lakeview  
Business Park  
(Under Construction)

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
- 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
- Rachele 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@utetribe.com](mailto:betsyc@utetribe.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](mailto: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

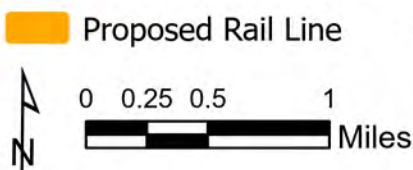
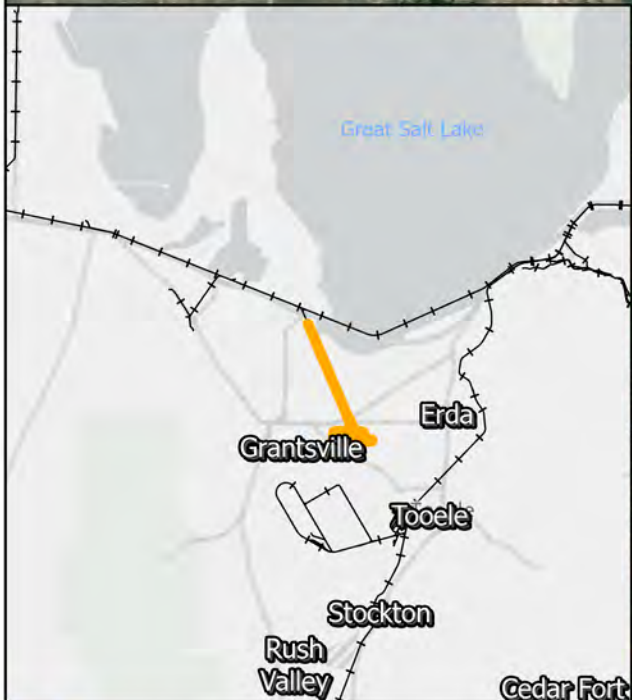
HWY 138

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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- 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
- Rachele 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
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- Paul Hansen, Contract Engineer, Tooele City Engineering
- Jamie Grandpre, Director, Tooele City Public Works
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- 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

# 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](mailto: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](mailto:alan.tabachnick@stb.gov).

Sincerely,



Danielle Gosselin

Director

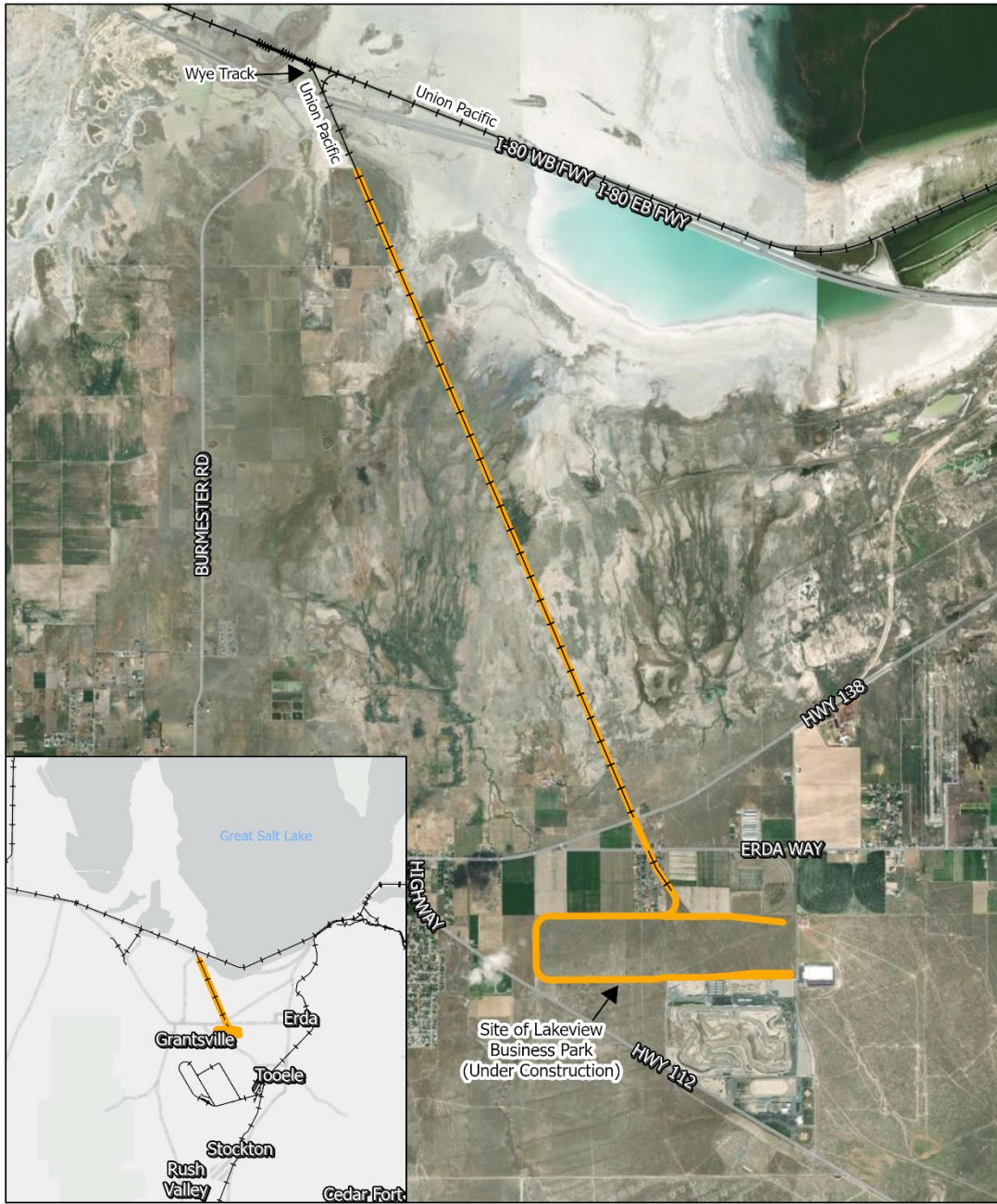
Office of Environmental Analysis

Enclosures:

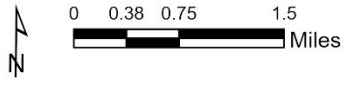
Attachment A: Map

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](mailto: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](mailto: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:

- 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](mailto:alan.tabachnick@stb.gov).

Sincerely,



Danielle Gosselin

Director

Office of Environmental Analysis

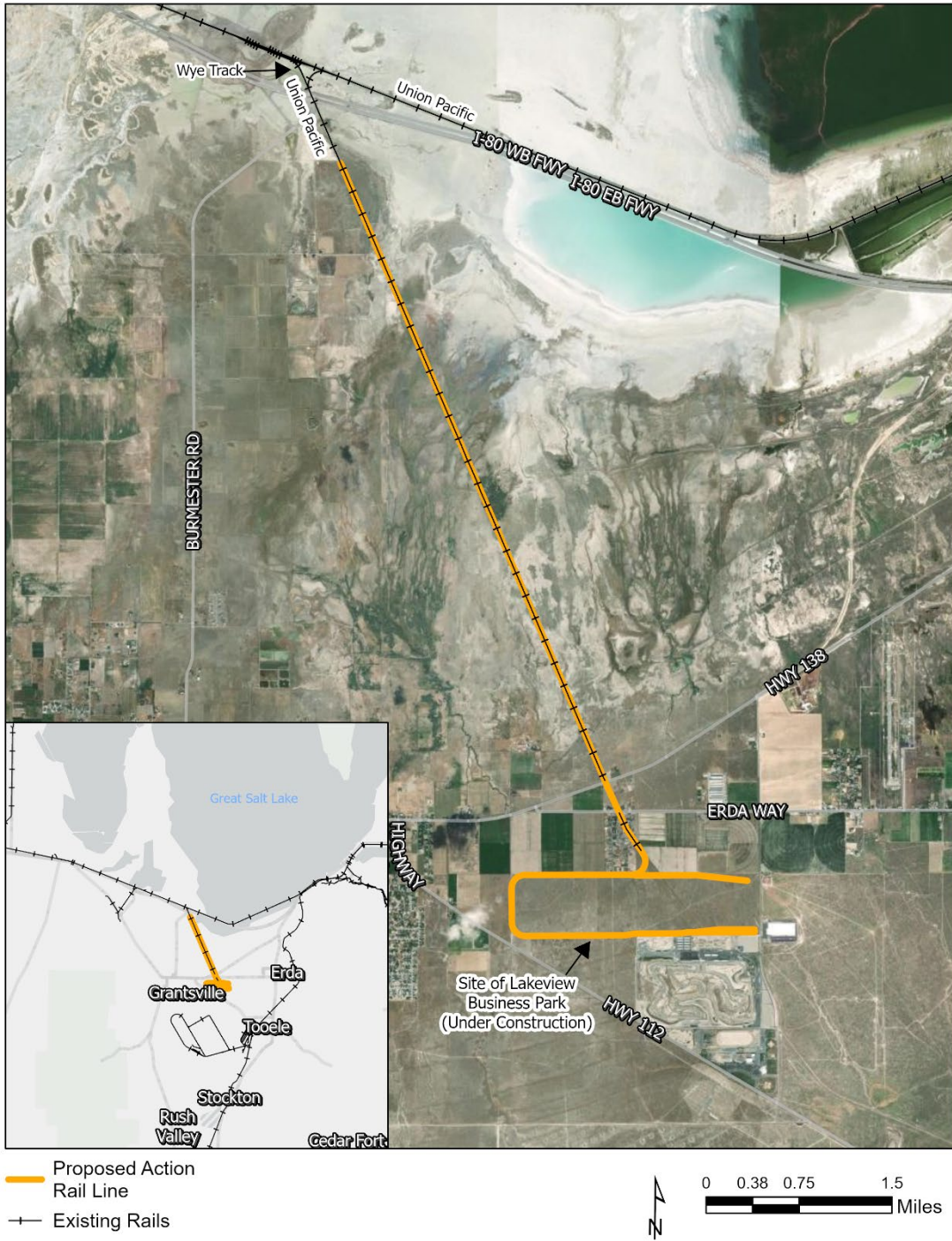
Enclosures:

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](mailto: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.
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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](mailto:alan.tabachnick@stb.gov).

Sincerely,



Danielle Gosselin

Director

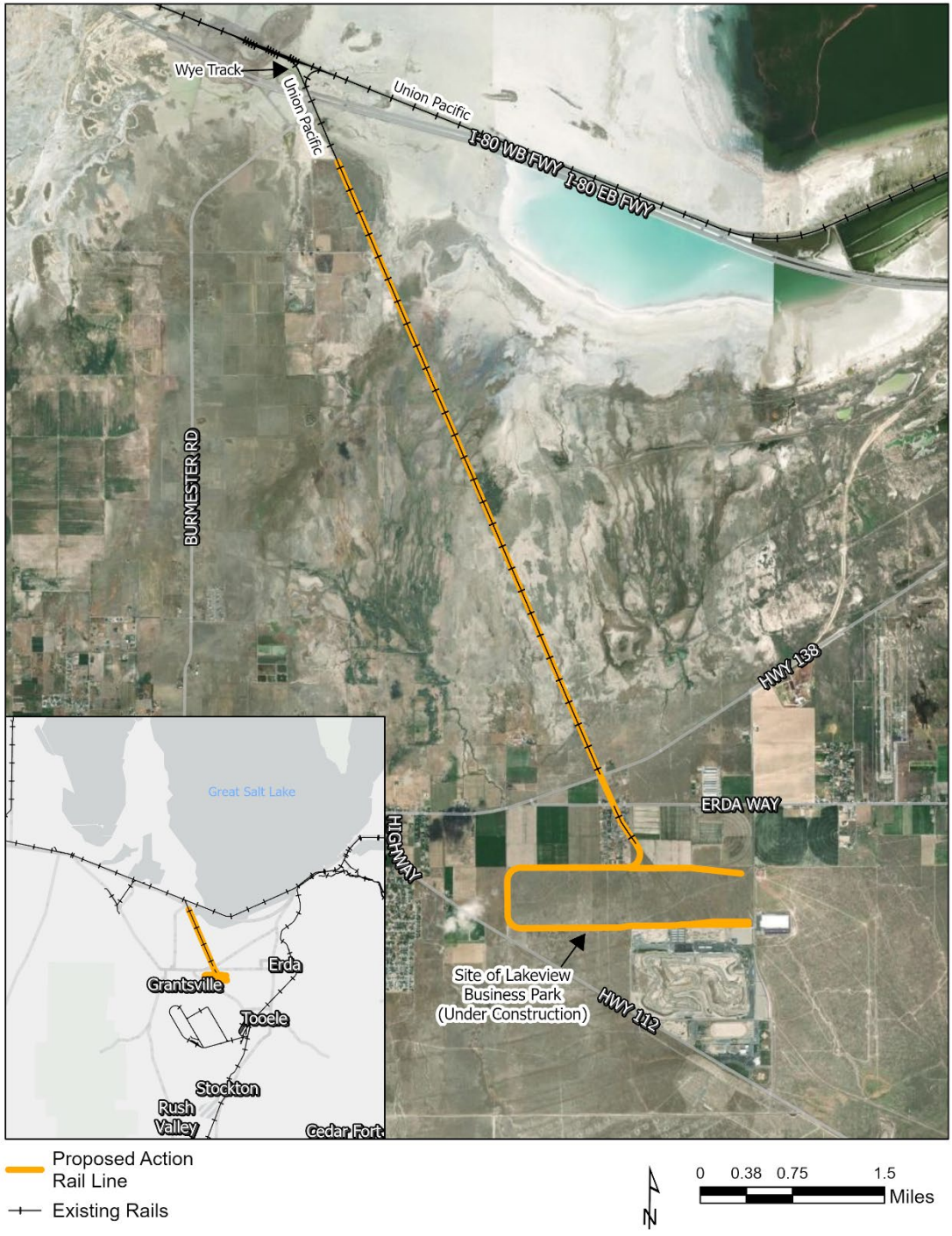
Office of Environmental Analysis

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:**

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- 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:*

**Confederated Tribes of the Goshute Reservation, Nevada and Utah**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please email to: Alan Tabachnick  
[Alan.Tabachnick@stb.gov](mailto: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](mailto: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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- 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](mailto:alan.tabachnick@stb.gov).

Sincerely,



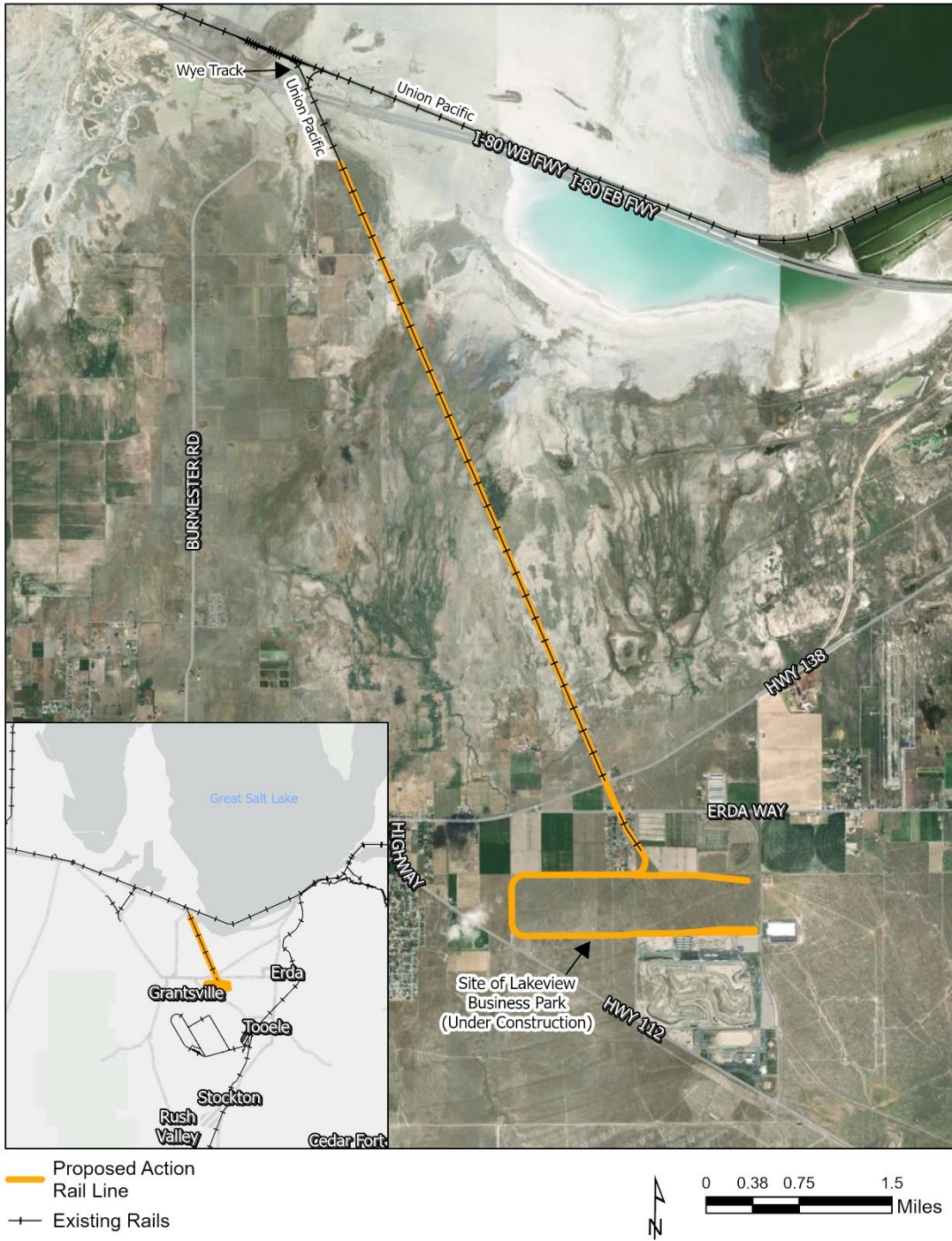
Danielle Gosselin  
Director  
Office of Environmental Analysis

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:*

**Grantsville Historic Preservation Commission**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please email to: Alan Tabachnick  
[Alan.Tabachnick@stb.gov](mailto: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](mailto: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.

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Sincerely,



Danielle Gosselin  
Director  
Office of Environmental Analysis

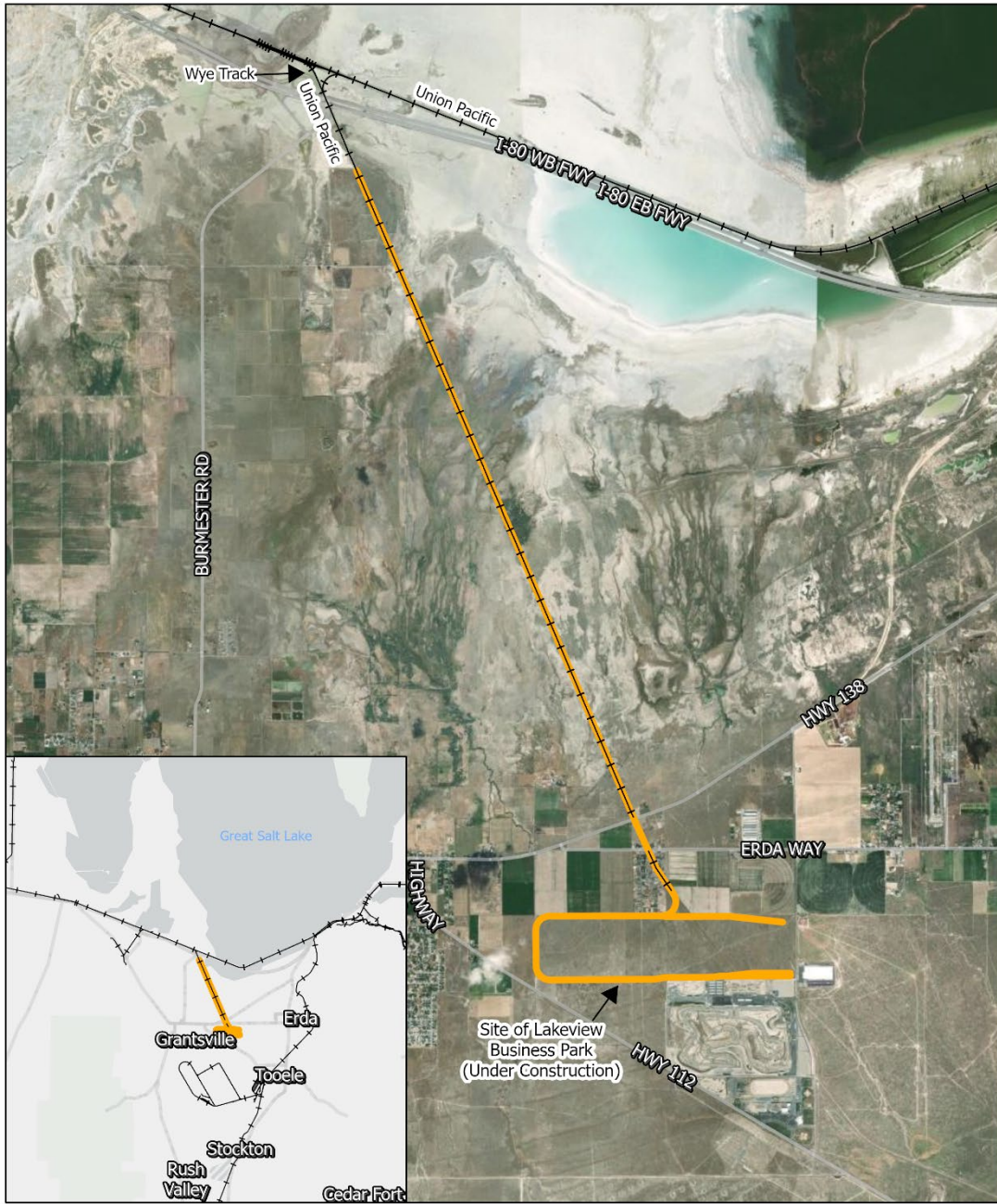
Enclosures:

Attachment A: Map

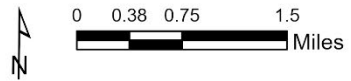
Attachment B: NHPA Section 106 Consultation Options Form



# 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.
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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](mailto: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.

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Sincerely,



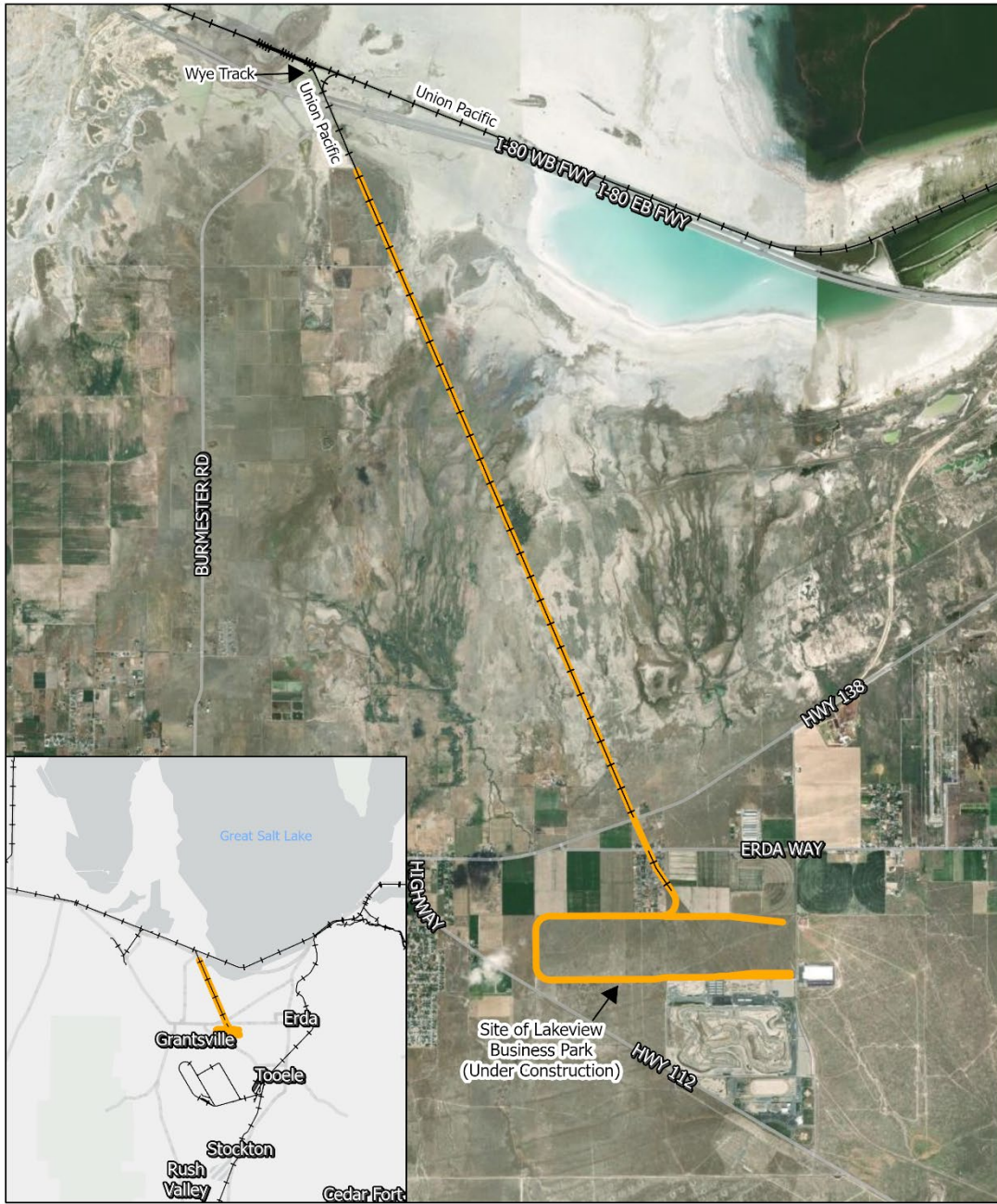
Danielle Gosselin  
Director  
Office of Environmental Analysis

Enclosures:

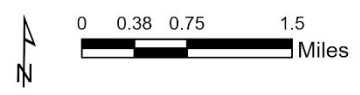
Attachment A: Map

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.
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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:*

**Skull Valley Band of Goshute**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please email to: Alan Tabachnick  
[Alan.Tabachnick@stb.gov](mailto: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](mailto: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.

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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](mailto:alan.tabachnick@stb.gov).

Sincerely,



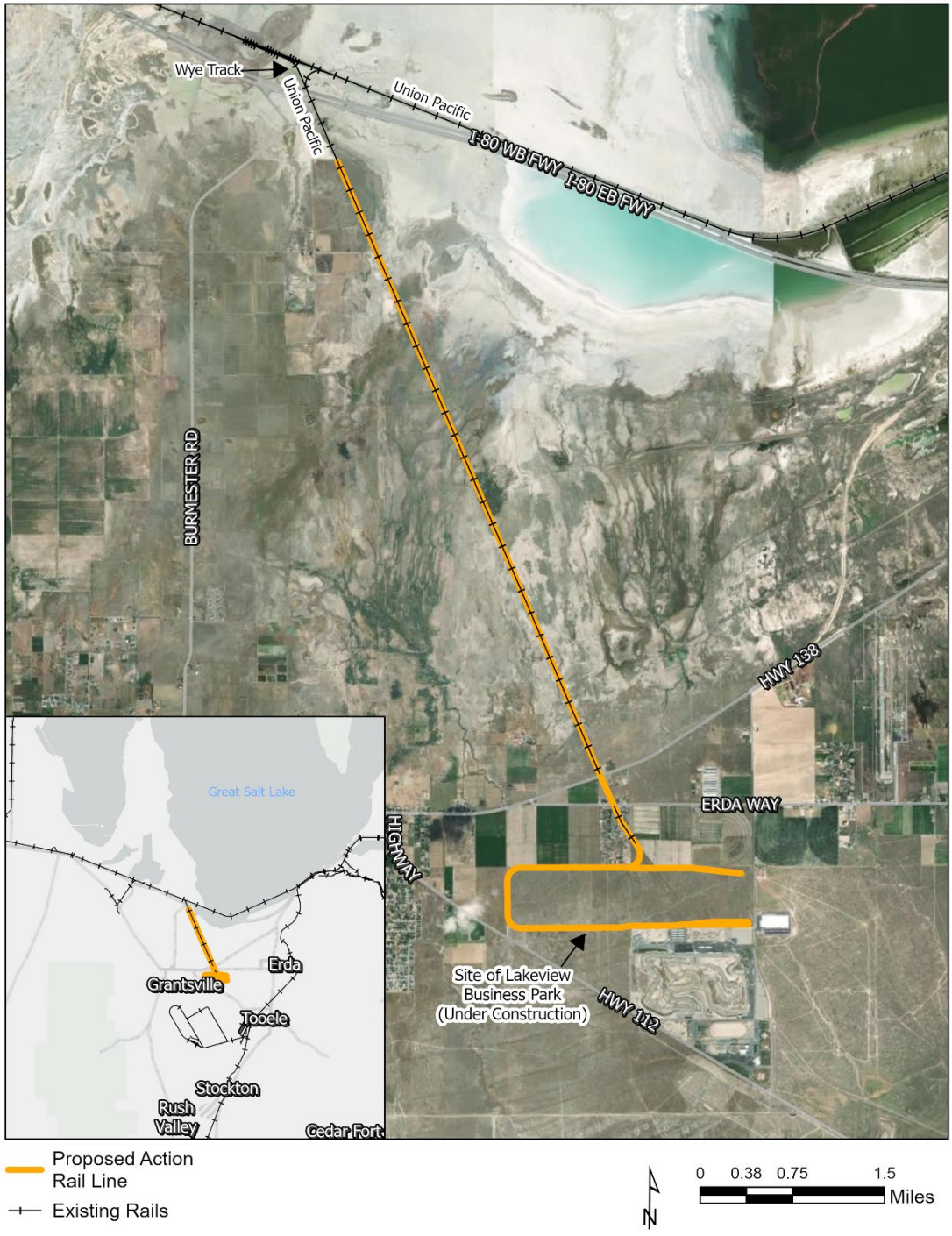
Danielle Gosselin  
Director  
Office of Environmental Analysis

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:**

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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:*

**Tooele County**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please email to: Alan Tabachnick  
[Alan.Tabachnick@stb.gov](mailto: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](mailto: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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Sincerely,



Danielle Gosselin  
Director  
Office of Environmental Analysis

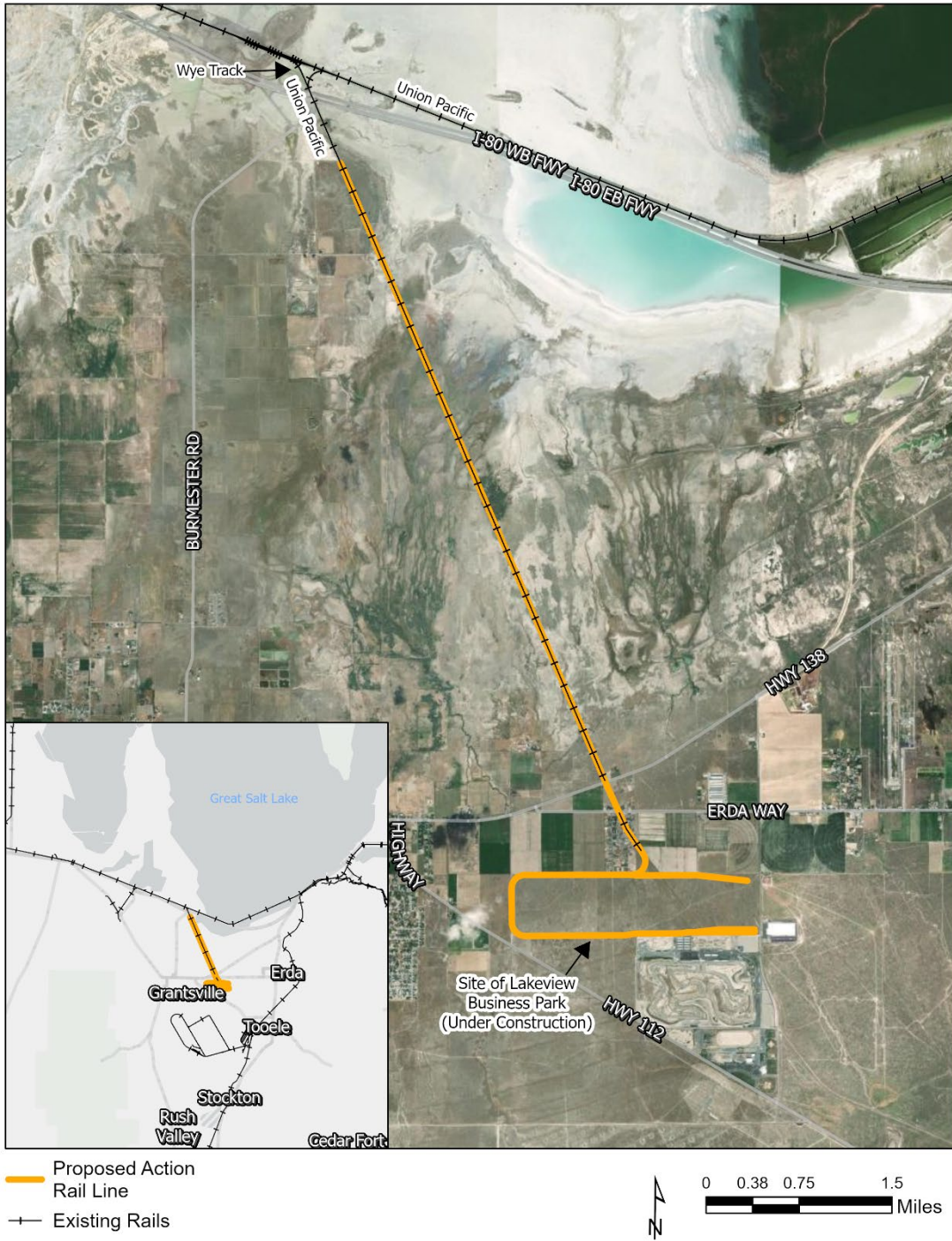
Enclosures:

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.
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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:*

**Tooele County Historic Preservation Commission**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please email to: Alan Tabachnick  
[Alan.Tabachnick@stb.gov](mailto: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](mailto: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.

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Sincerely,



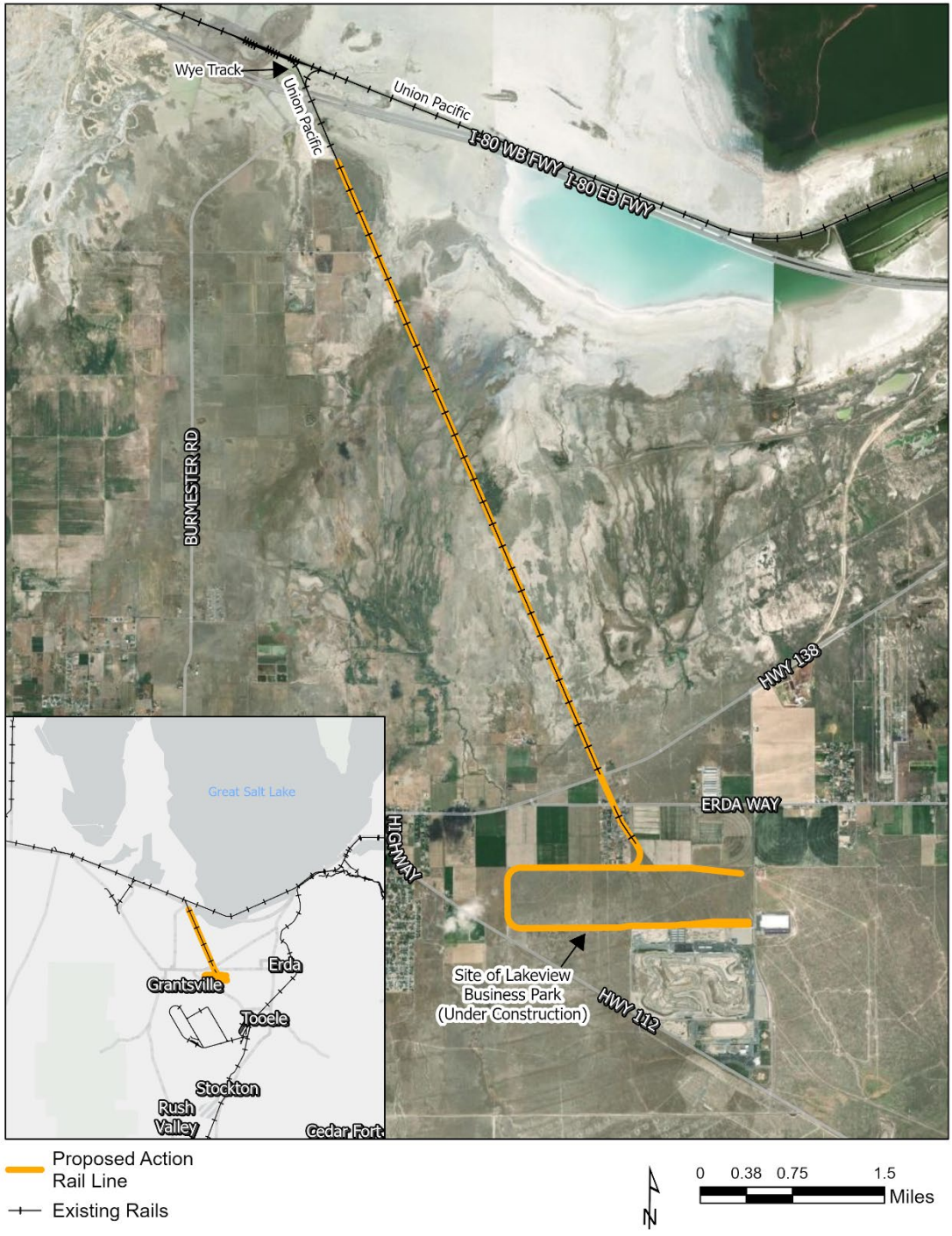
Danielle Gosselin  
Director  
Office of Environmental Analysis

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.
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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:*

**Tooele Pioneer Museum**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please email to: Alan Tabachnick  
[Alan.Tabachnick@stb.gov](mailto: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](mailto: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.

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Sincerely,



Danielle Gosselin

Director

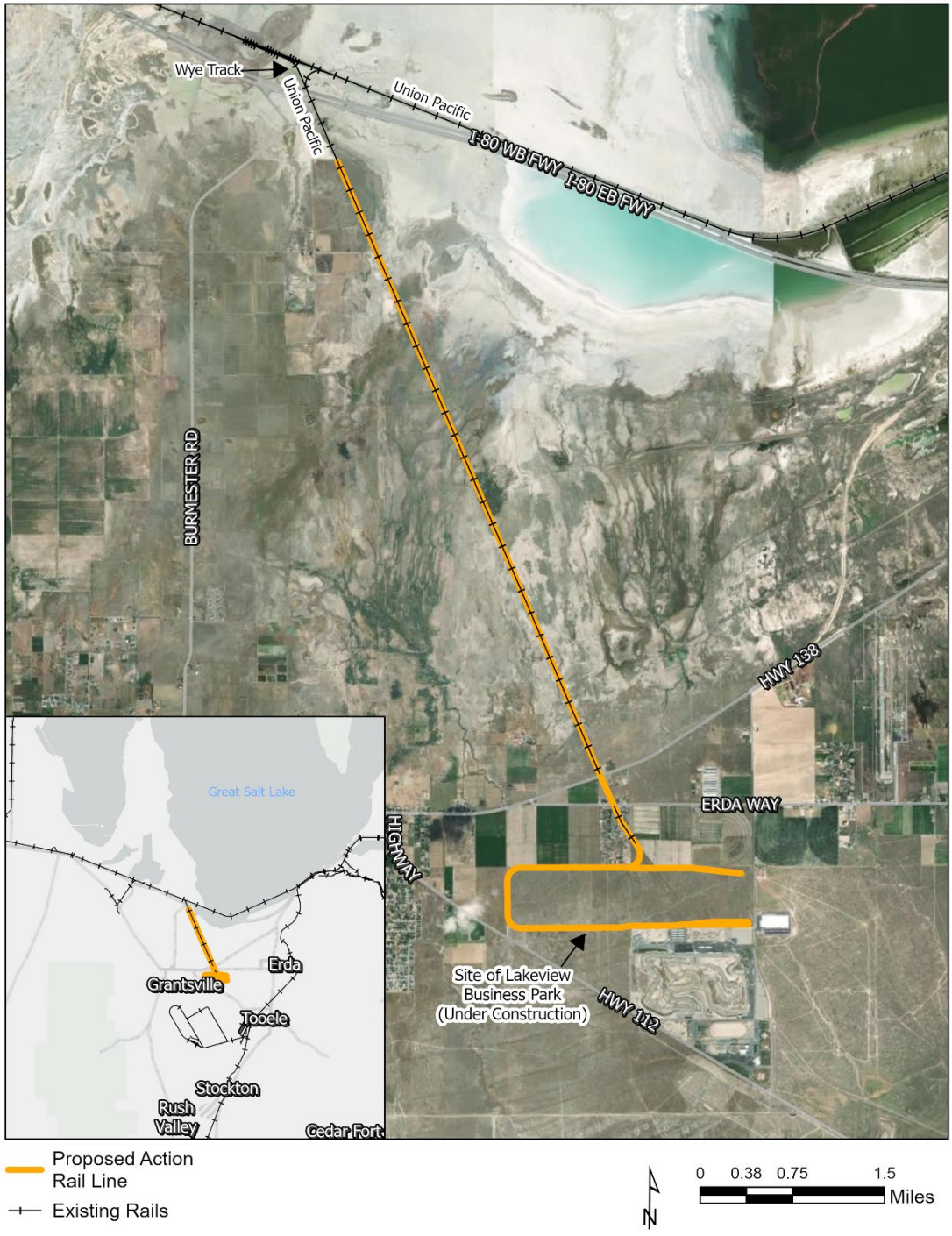
Office of Environmental Analysis

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 Valley Museum and Historical Park**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please email to: Alan Tabachnick  
[Alan.Tabachnick@stb.gov](mailto: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](mailto: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.

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](mailto:alan.tabachnick@stb.gov).

Sincerely,



Danielle Gosselin  
Director  
Office of Environmental Analysis

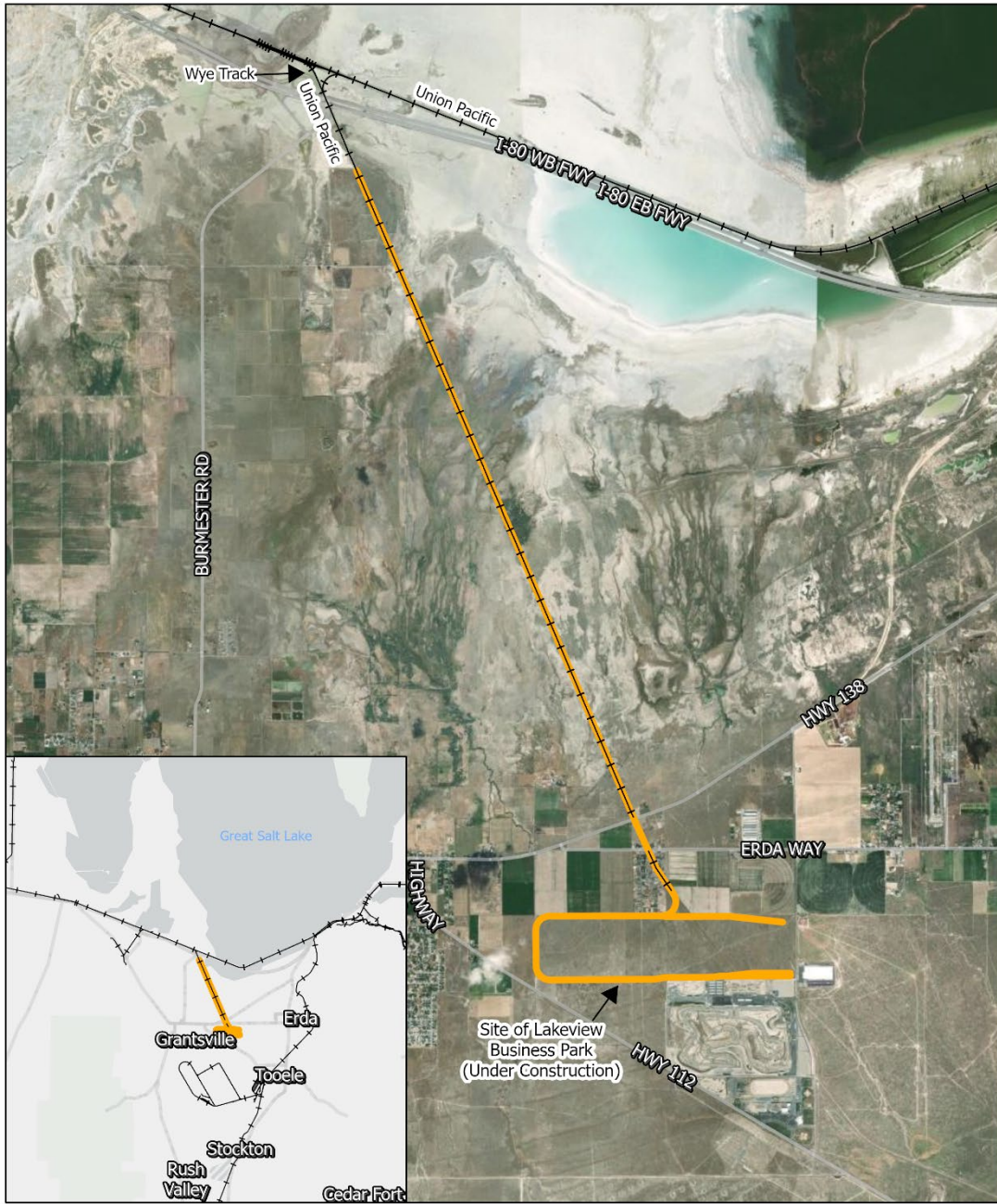
Enclosures:

Attachment A: Map

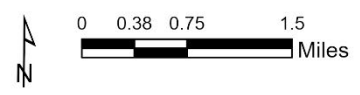
Attachment B: NHPA Section 106 Consultation Options Form



# 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:*

**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](mailto: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](mailto:TOM@TWILCOXLAW.COM)

[WWW.TWILCOXLAW.COM](http://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

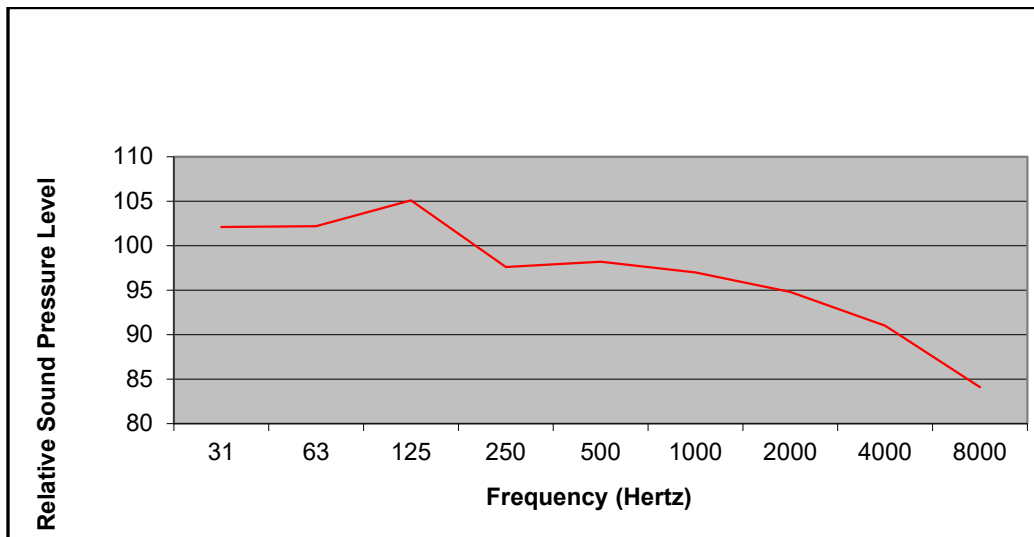
**Table B.2-1** shows the reference wayside noise levels used in this study and **Figure B.2-1** shows the wayside noise frequency spectrum used in the calculations.

**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).

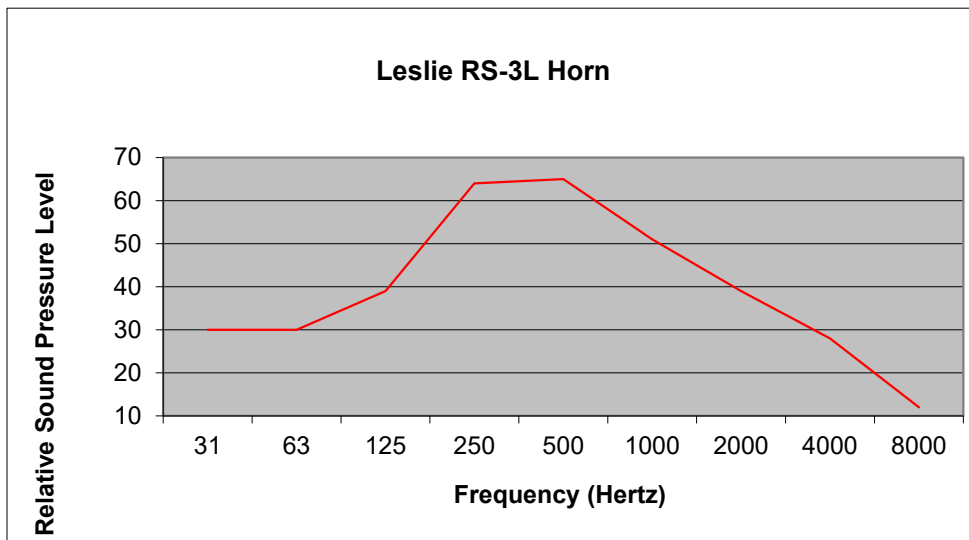
**Table B.3-1** lists the reference horn noise levels used in this study, and **Figure B.3-1** shows the horn noise spectrum used in the calculations.

**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:

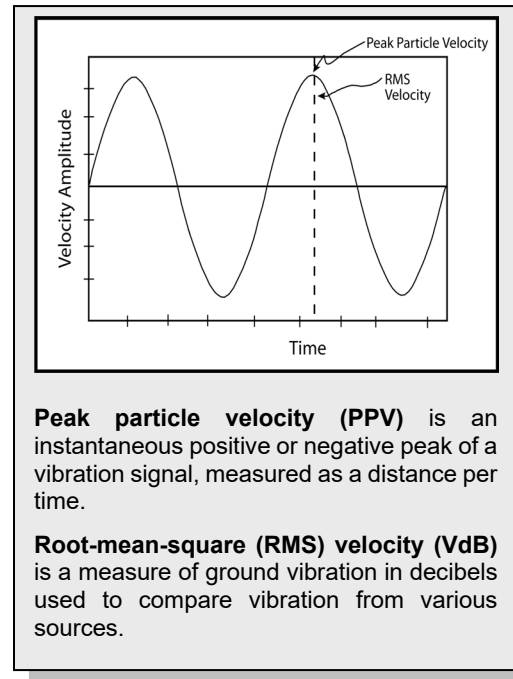
$V$  = The ground-borne vibration velocity

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  $0.000001 \times 10^{-6}$  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**

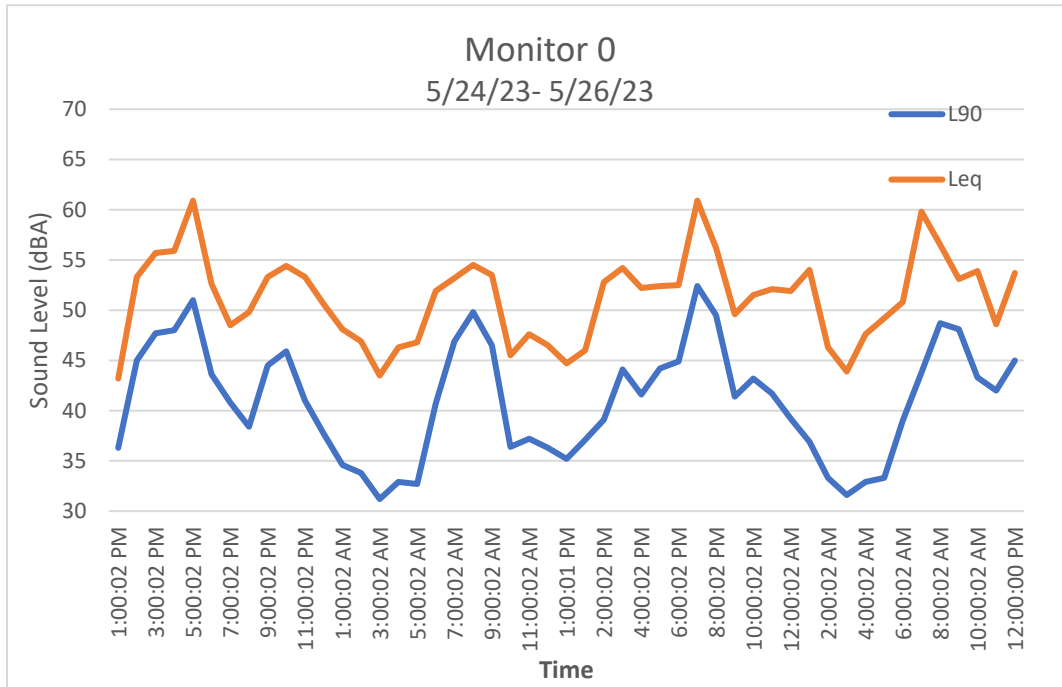


**Figure B.5-2 to Figure B.5-6** show measured hourly  $L_{eq}$  <sup>1</sup> and  $L_{90}$  <sup>2</sup> values at each monitoring location.

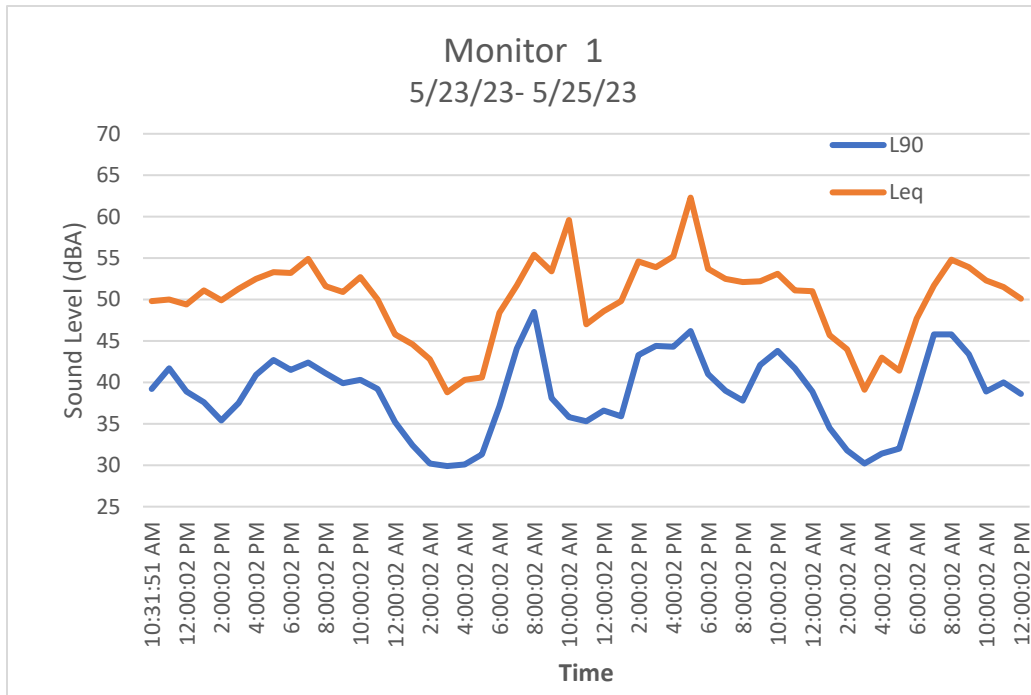
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1  $L_{eq}$  is Level Equivalent- the energy averaged noise level over a specified time interval.  
2 The  $L_{90}$  is the noise level exceeded 90% of the measurement time interval and represents the ‘residual’ background noise level.

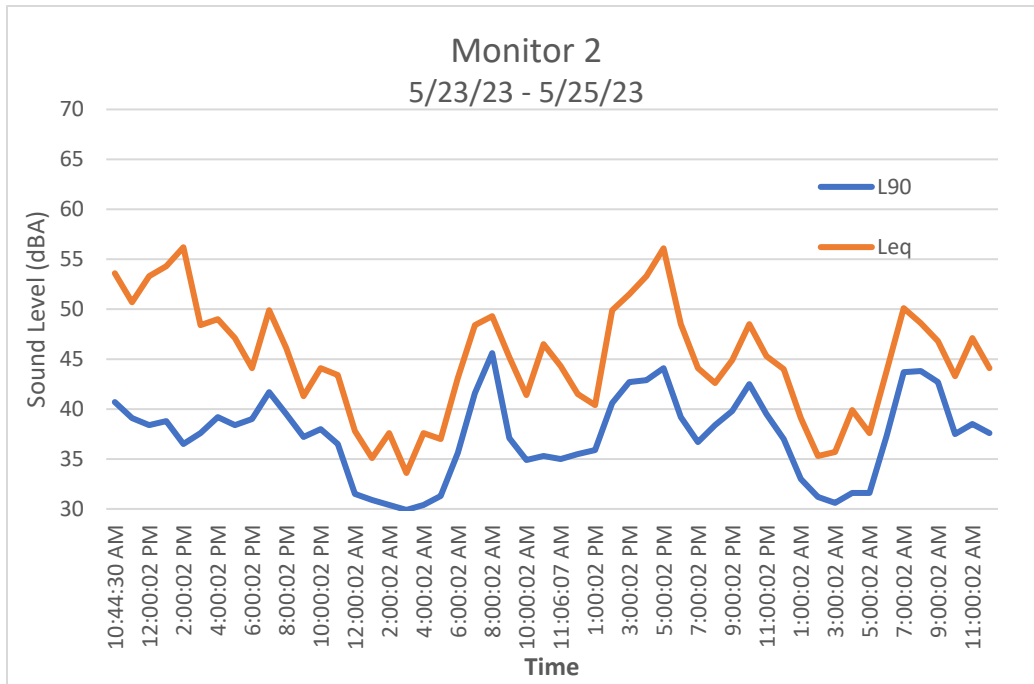
**Figure B.5-2. Noise Monitor 0 Time History**



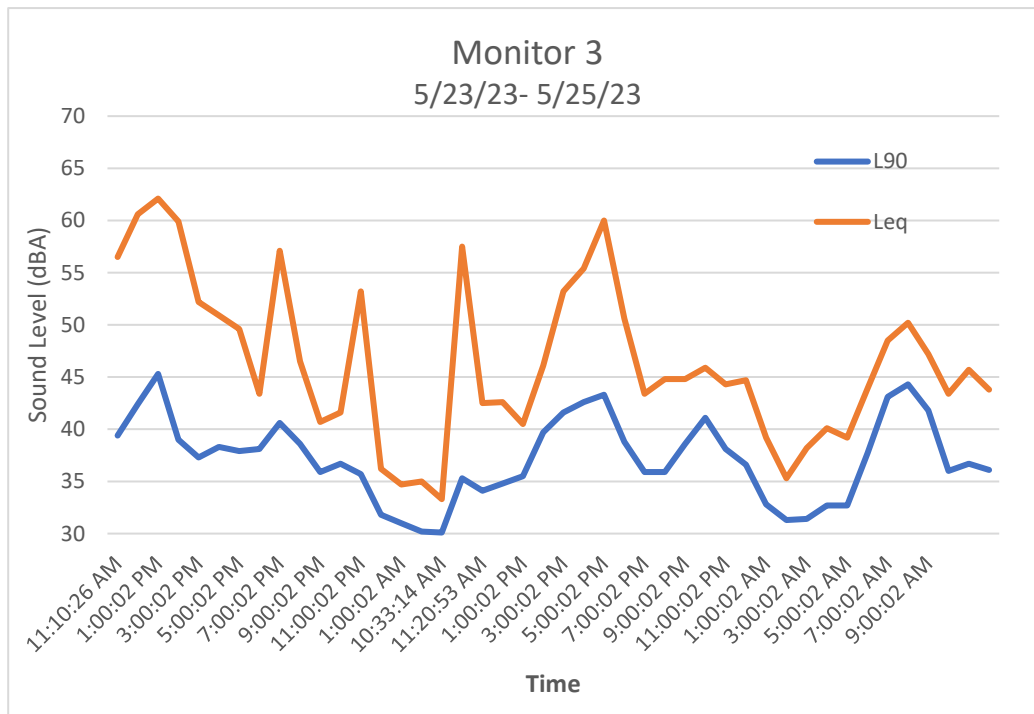
**Figure B.5-3. Noise Monitor 1 Time History**



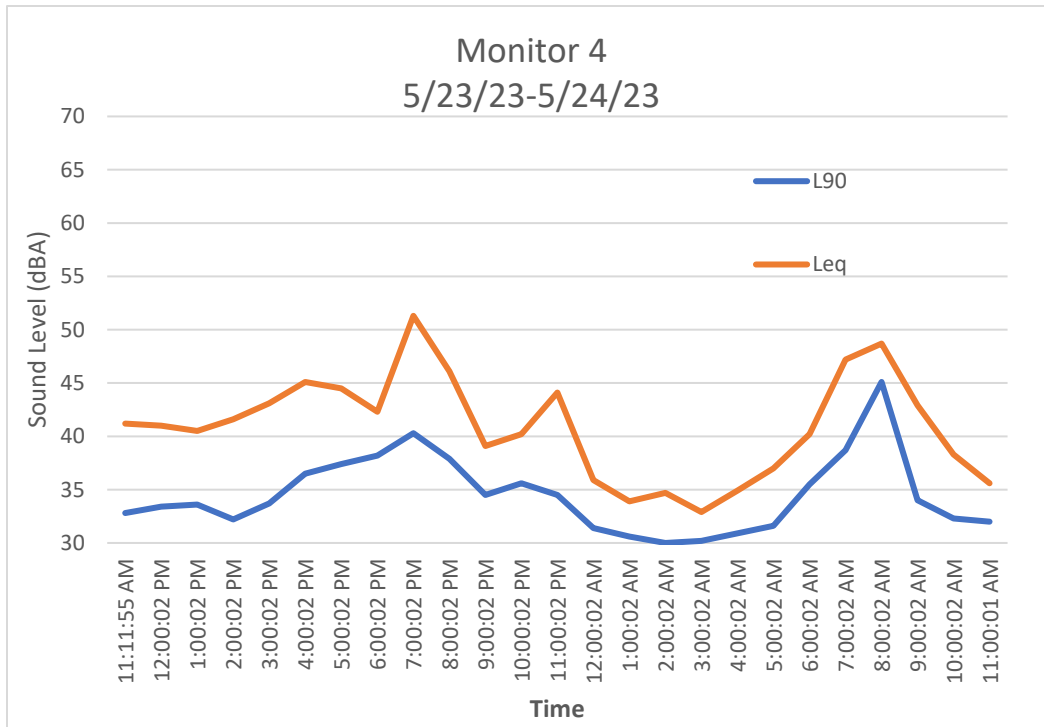
**Figure B.5-4. Noise Monitor 2 Time History**



**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**

|                           | <b>SR 138 Grade Crossing</b> | <b>W Erda Way Grade Crossing</b> |
|---------------------------|------------------------------|----------------------------------|
| 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 Agency<sup>3</sup> was used to estimate ambient noise levels.

$$DNL = 22 + 10\log(p)$$

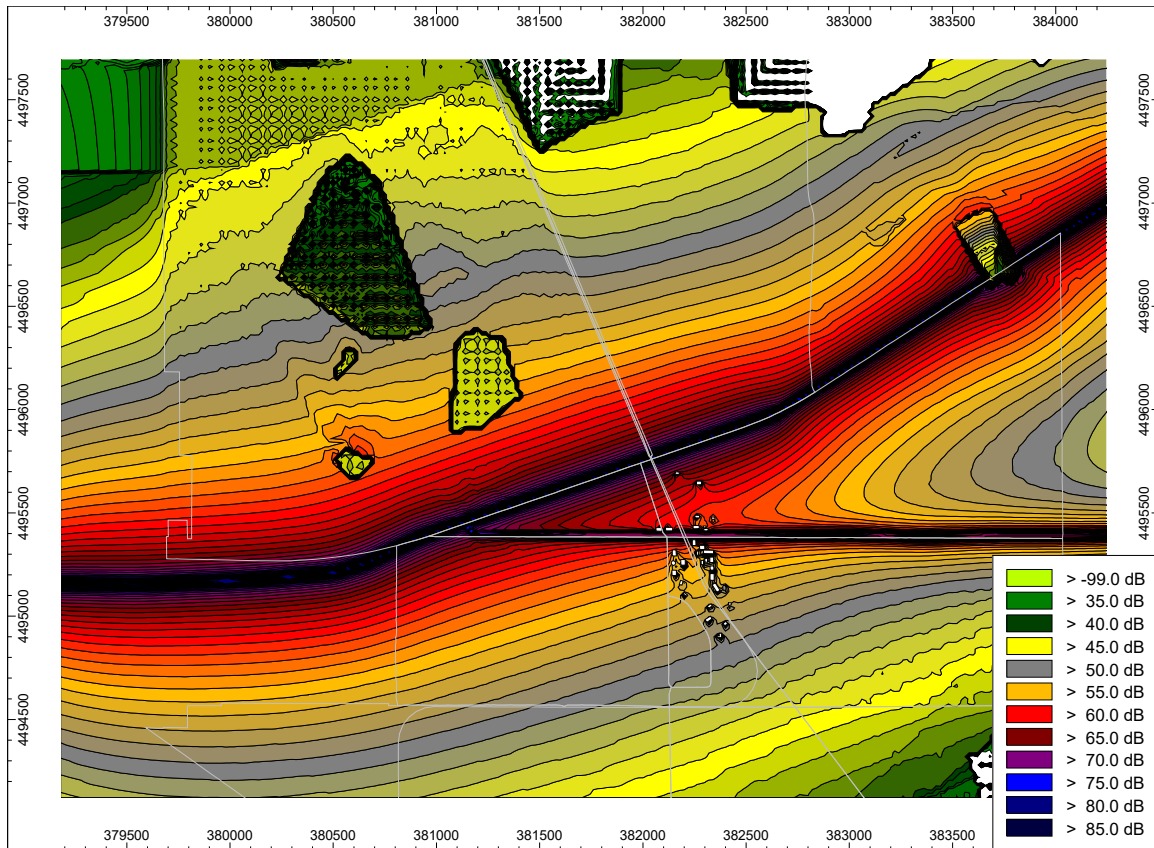
Where p = population density in people per square mile

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**.

---

<sup>3</sup> 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  |
| <b>6</b> | <b>66</b>   | <b>+5</b>   |
| 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.<sup>4</sup> 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.<sup>5</sup>

### 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.<sup>6</sup> 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

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<sup>4</sup> FAA, 2014

<sup>5</sup> Guidelines for Sound Insulation of Structures Exposed to Aircraft Noise, FAA, 2022

<sup>6</sup> 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.<sup>7</sup>

#### 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**

|   | <b>Horn Mitigation<br/>(Quiet Zone with<br/>improvements)</b> | <b>Building Sound<br/>Insulation</b> | <b>Total</b> |
|---|---|--------------------------------------|--------------|
| Proposed Action<br>(without quiet zone) | --  | \$65,000                             | \$65,000     |
| Proposed Action<br>(with quiet zone)    | \$1,000,000   | ---                                  | \$1,000,000  |

<sup>7</sup> QuietZoneBrochure.pdf (dot.gov)

## Glossary

|   |  |
|---|--|
| <b><i>Ambient noise</i></b>                             | The sum of all noise (from human and naturally occurring sources) at a specific location over a specific time is called ambient noise.   |
| <b><i>Day-night average sound level</i></b>             | 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. |
| <b><i>Decibel (dB)</i></b>                              | 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.  |
| <b><i>Decibel, A-weighted (dBA)</i></b>                 | A measure of noise level used to compare noise from various sources. A-weighting approximates the frequency response of the human ear.   |
| <b><i>Hertz (Hz)</i></b>                                | A unit of frequency equal to one cycle per second.   |
| <b><i>Peak particle velocity (PPV)</i></b>              | 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.   |
| <b><i>Root-mean-square vibration velocity (VdB)</i></b> | 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**

| <b>Street Crossing</b> | <b>2023 AADT</b> | <b>2026 Projected AADT</b> | <b>Trains Per Day with No-Action</b> | <b>Trains Per Day with Proposed Action</b> | <b>Minimum Train Length with Proposed Action (feet)</b> | <b>Maximum Train Length with Proposed Action (feet)</b> | <b>Train Speed with Proposed Action (mph)</b> | <b>Gate Down Time with No-Action (minutes)</b> | <b>Minimum Gate Down Time with Proposed Action with At-Grade Crossings (minutes)</b> | <b>Maximum Gate Down Time with Proposed Action with At-Grade Crossings (minutes)</b> | <b>Average Gate Down Time with Proposed Action with At-Grade Crossings (minutes)</b> | <b>Gate Down Time with Proposed Action with Grade-Separated Crossings (minutes)</b> |
|------------------------|------------------|----------------------------|--------------------------------------|--|---|---|---|--|--|--|--|---|
| 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.

$$NC = \frac{(a \times T_0) + N}{T_0 + 5} \times adj \quad (1)$$

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));

T<sub>0</sub> = 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.

$$a = K \times EI \times DT \times MS \times MT \times HP \times HL \quad (2)$$

Where:

K = Basic crash prediction formula constant;

EI = Exposure index factor (Exposure = 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**

| <b>Conditions to Establish a Quiet Zone<br/>(1 or more must be met)</b>   | <b>Conditions to Disqualify a Quiet Zone</b>  |
|---|---|
| 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 | 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<sub>w</sub> = 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<sub>v</sub>) 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<sub>v</sub> = 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;<sup>1</sup>

$R_A$  = 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;<sup>2</sup>

$R_A$  = 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.

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<sup>1</sup> 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.

<sup>2</sup> 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<sub>v</sub>) and the AADT as shown in Equation (13).

$$D = D_v * AADT \quad (13)$$

Where:

D = Total vehicle delay (minutes);

D<sub>v</sub> = 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);

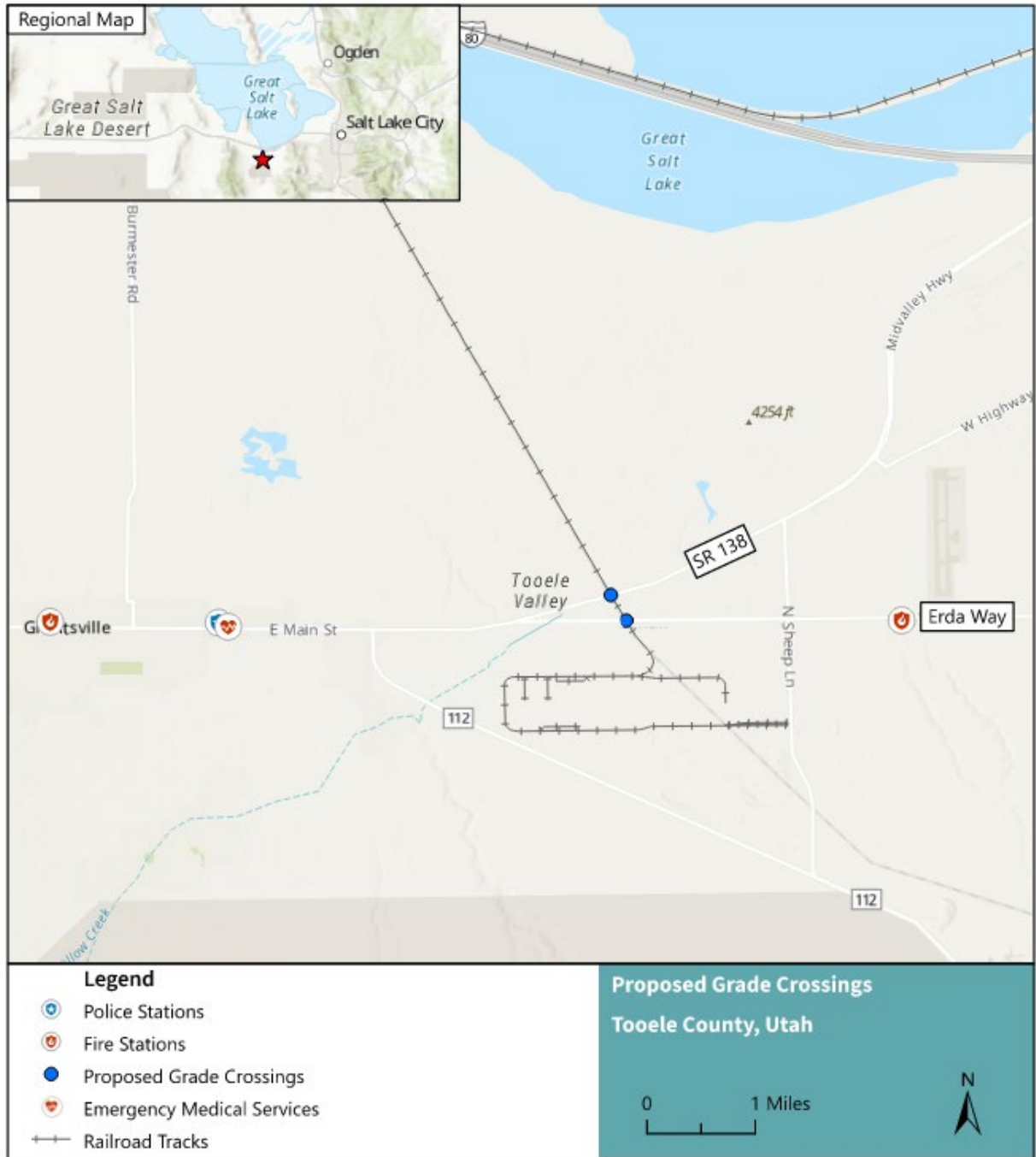
NL = Number of highway lanes at the grade crossing, which was obtained from the FRA database; and

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, 3<sup>rd</sup> 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.
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- 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>
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- 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

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## 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 Fisheries<sup>1</sup>, 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><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a> | 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

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# Utah Natural Heritage Program Online Species Search Report

## Project Information

### Project Name

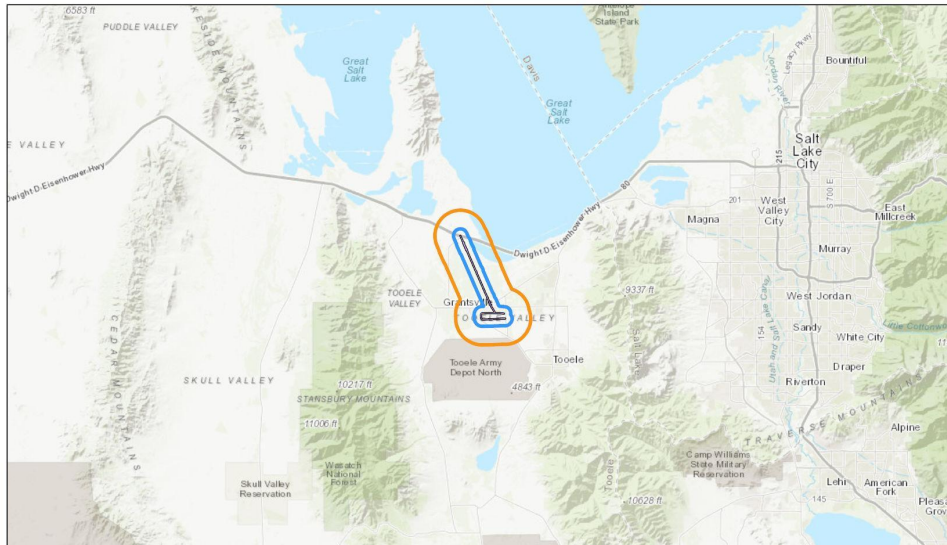
Savage Tooele Railroad

### 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 <a href="#">Utah Wildlife Action Plan</a> |
|------|---|

### 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](mailto:utahfieldoffice_esa@fws.gov).

Please contact our office at (801) 538-4759 or [habitat@utah.gov](mailto: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  
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(404) 417-4083  
[sfeldt@vhb.com](mailto:sfeldt@vhb.com)




# Attachment 2 Figures

Figure D-1: Project Vicinity | Proposed Savage Tooele Railroad



Legend

 Survey Area

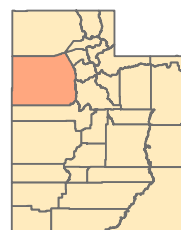
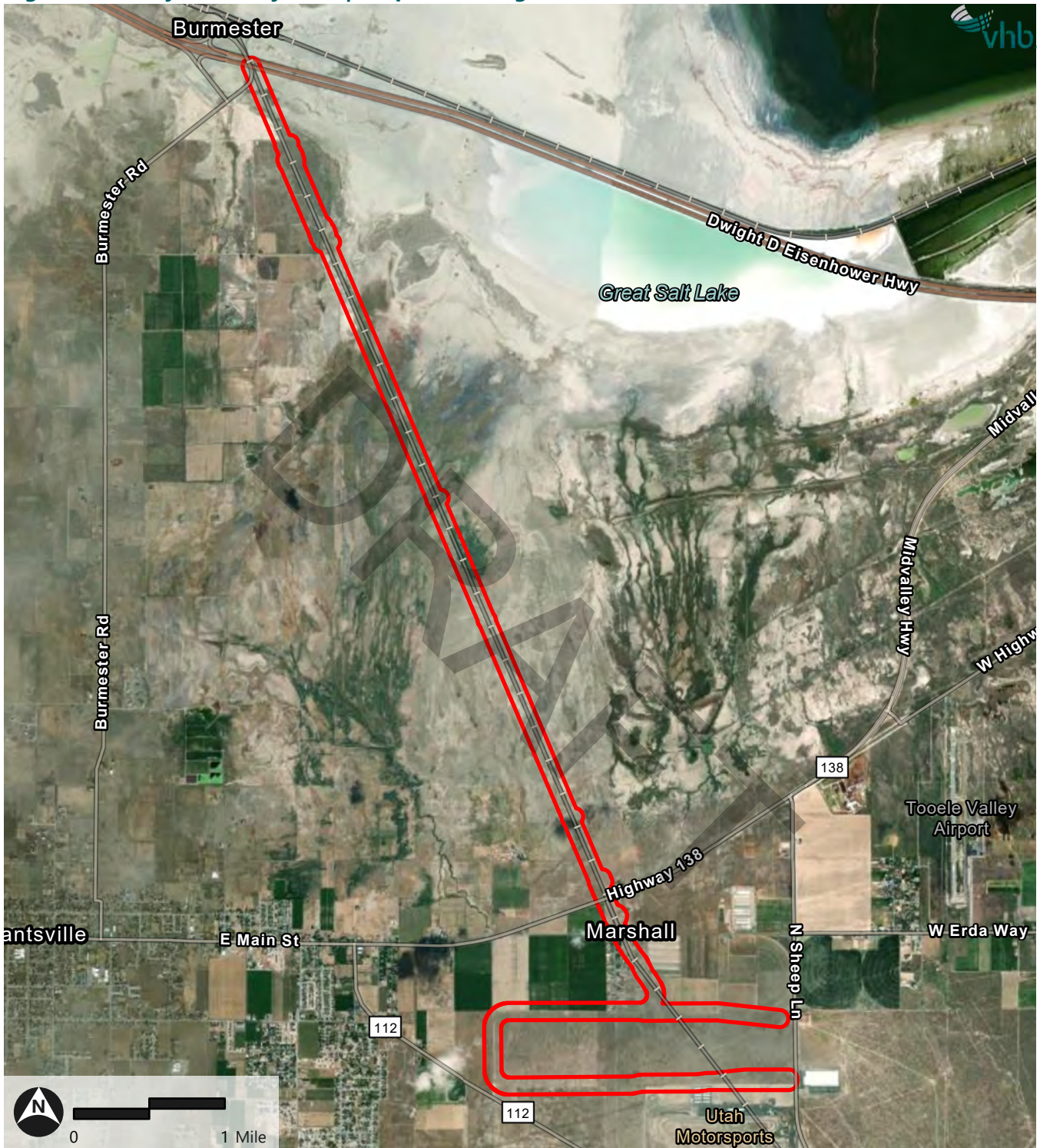



Figure D-2: Project Survey Area | Proposed Savage Tooele Railroad



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

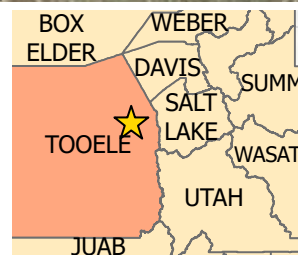




Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 1 of 8)



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

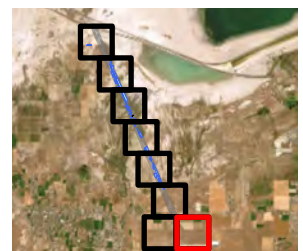
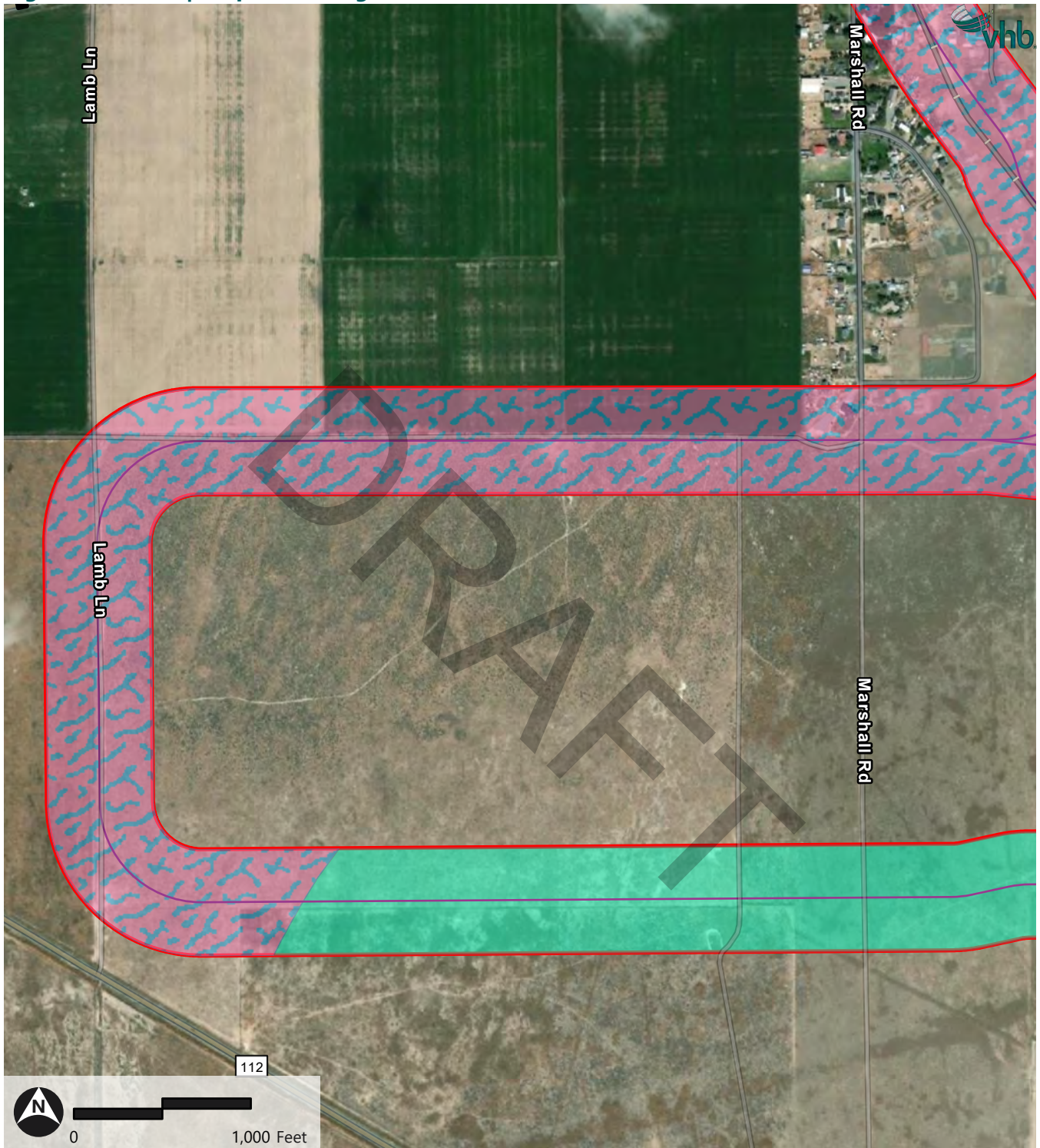




Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 2 of 8)



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

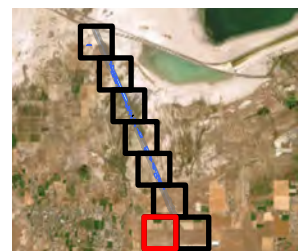
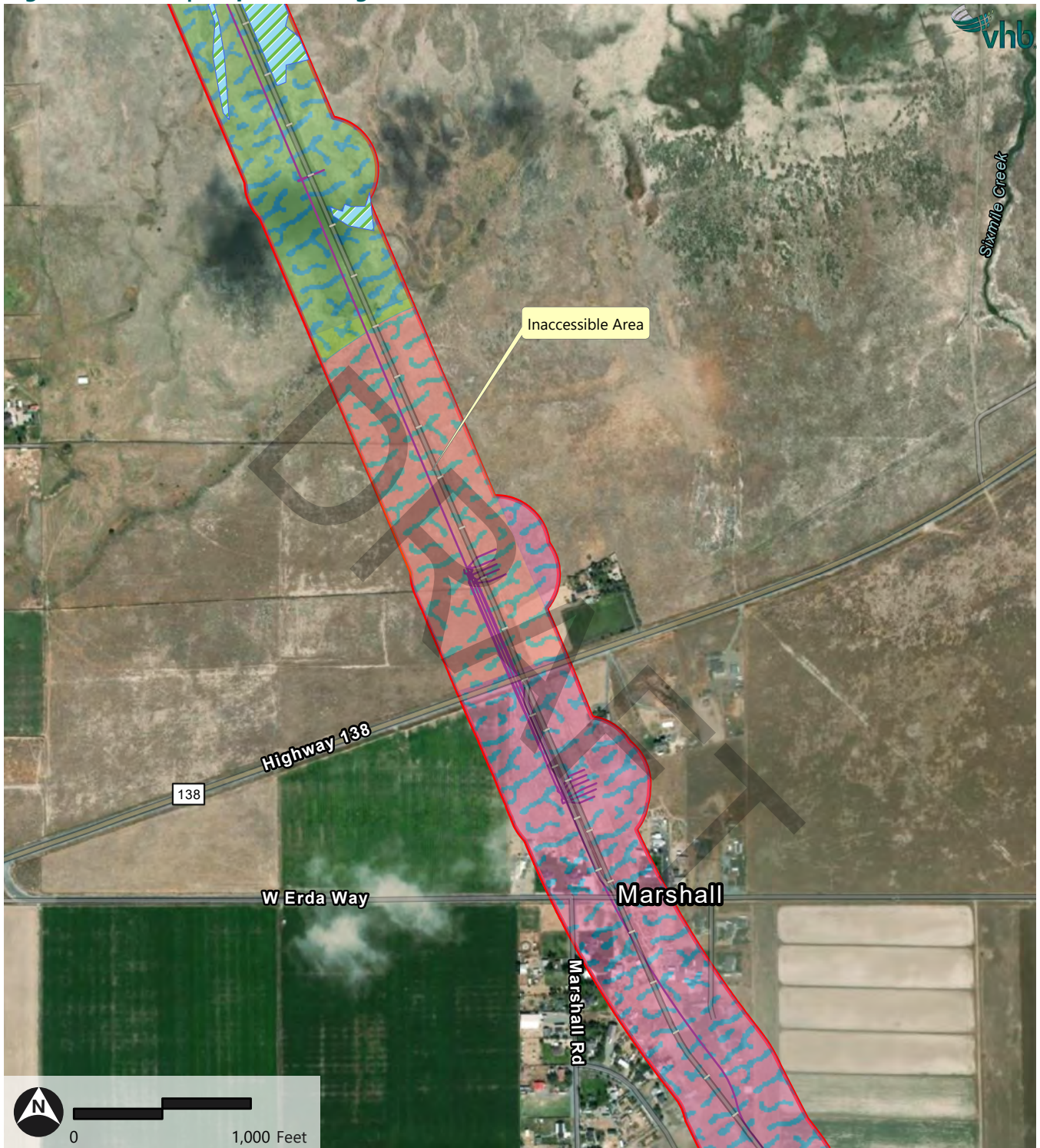









Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 3 of 8)



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
-  Manassa silt loam, 0 to 3 percent slopes

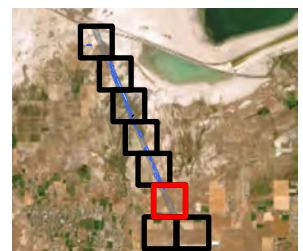
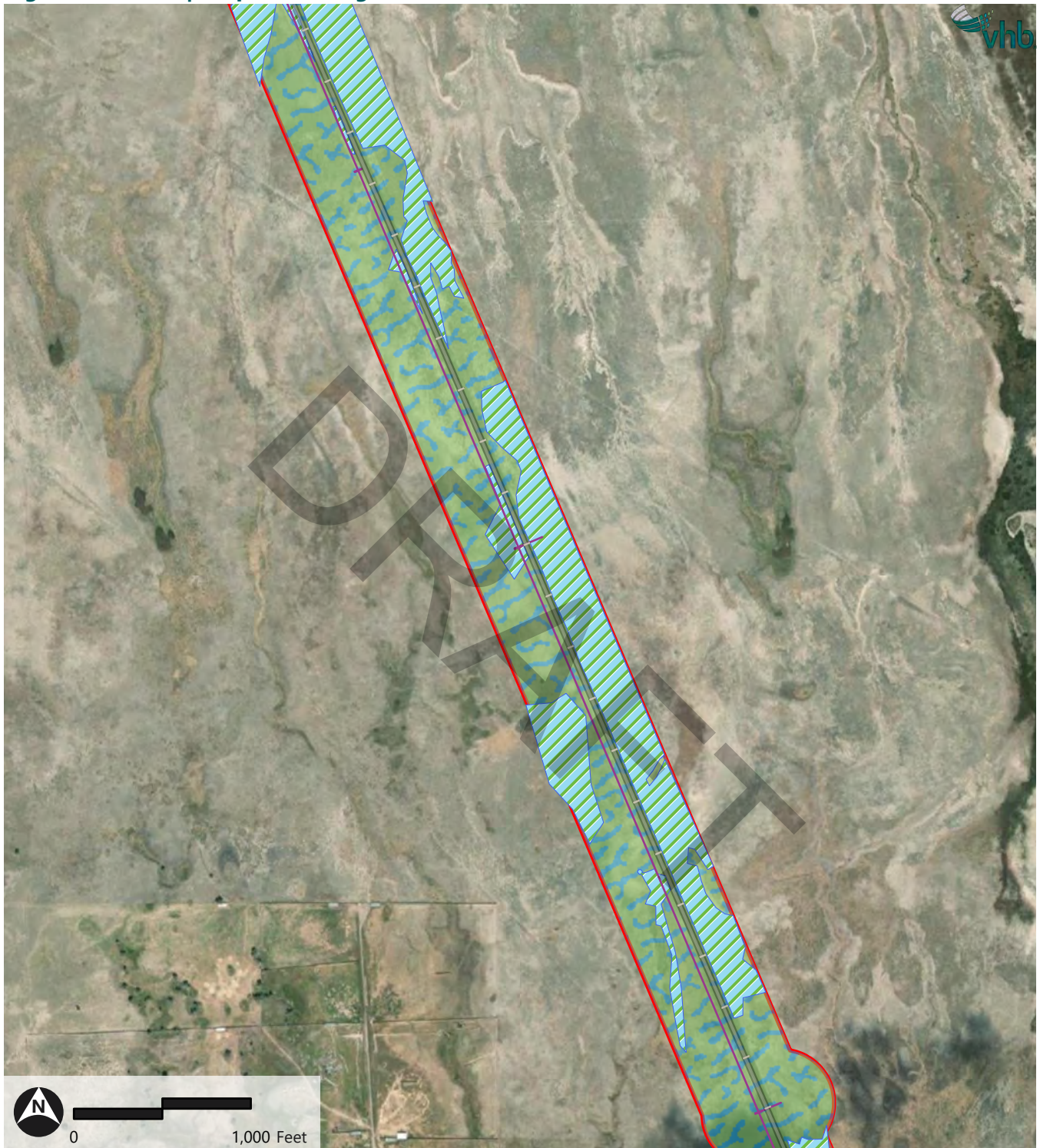








Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 4 of 8)



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

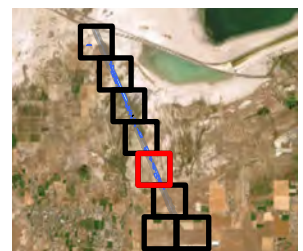
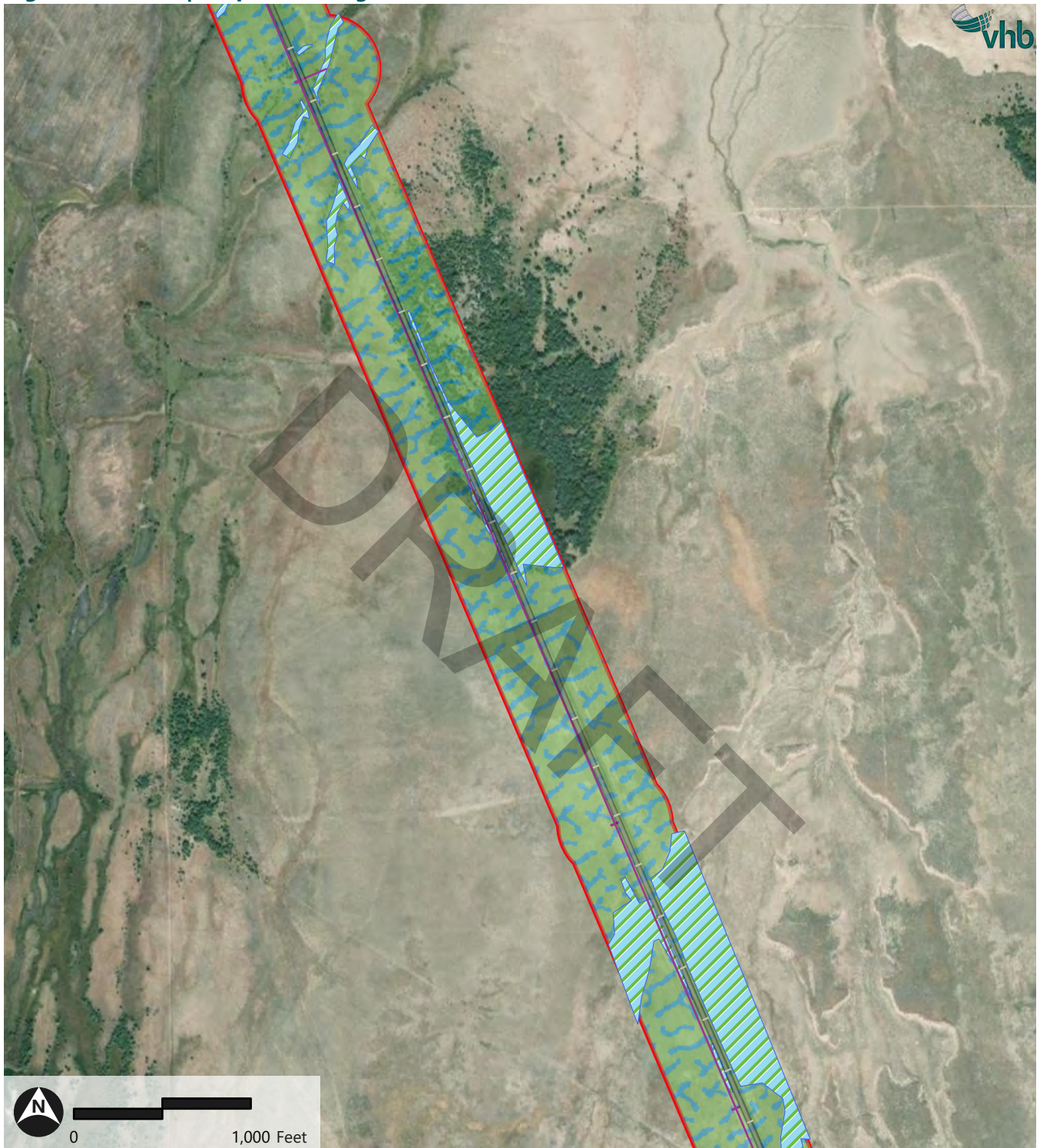








Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 5 of 8)



Legend

-  Survey Area
-  Rail Alignments
-  Wetland
-  Kanosh-Saltair-Logan complex, 0 to 2 percent slopes

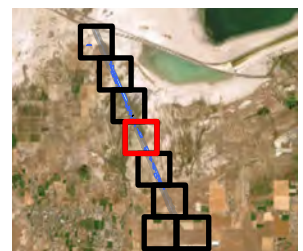
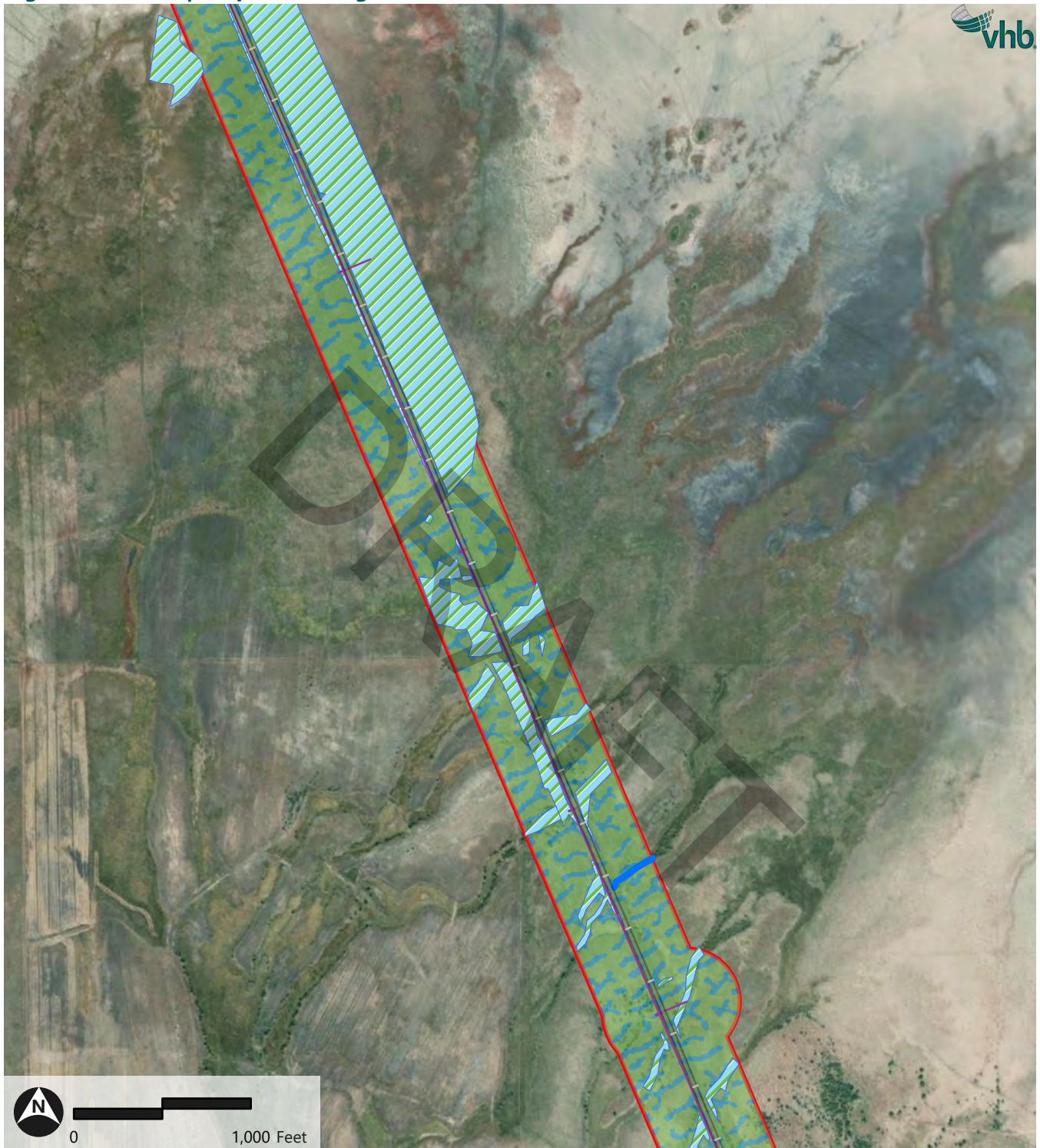








Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 6 of 8)



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

### Legend

-  Survey Area
-  Rail Alignments
-  Wetland
-  Stream
-  Kanosh-Saltair-Logan complex, 0 to 2 percent slopes

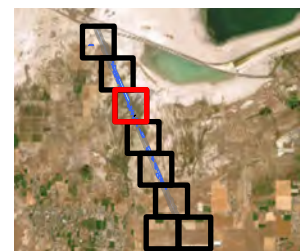
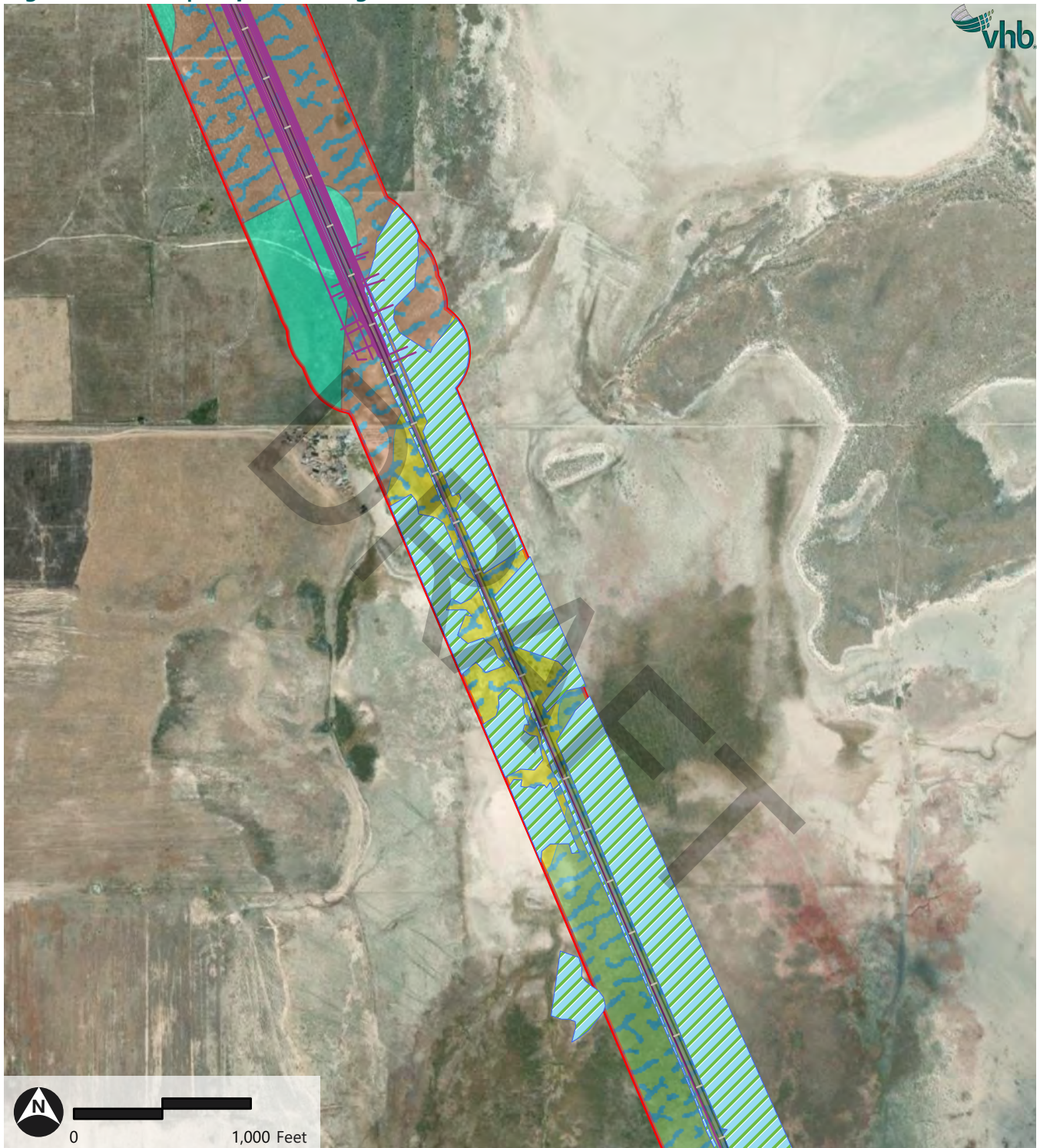




Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 7 of 8)



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
-  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

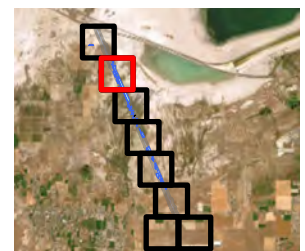
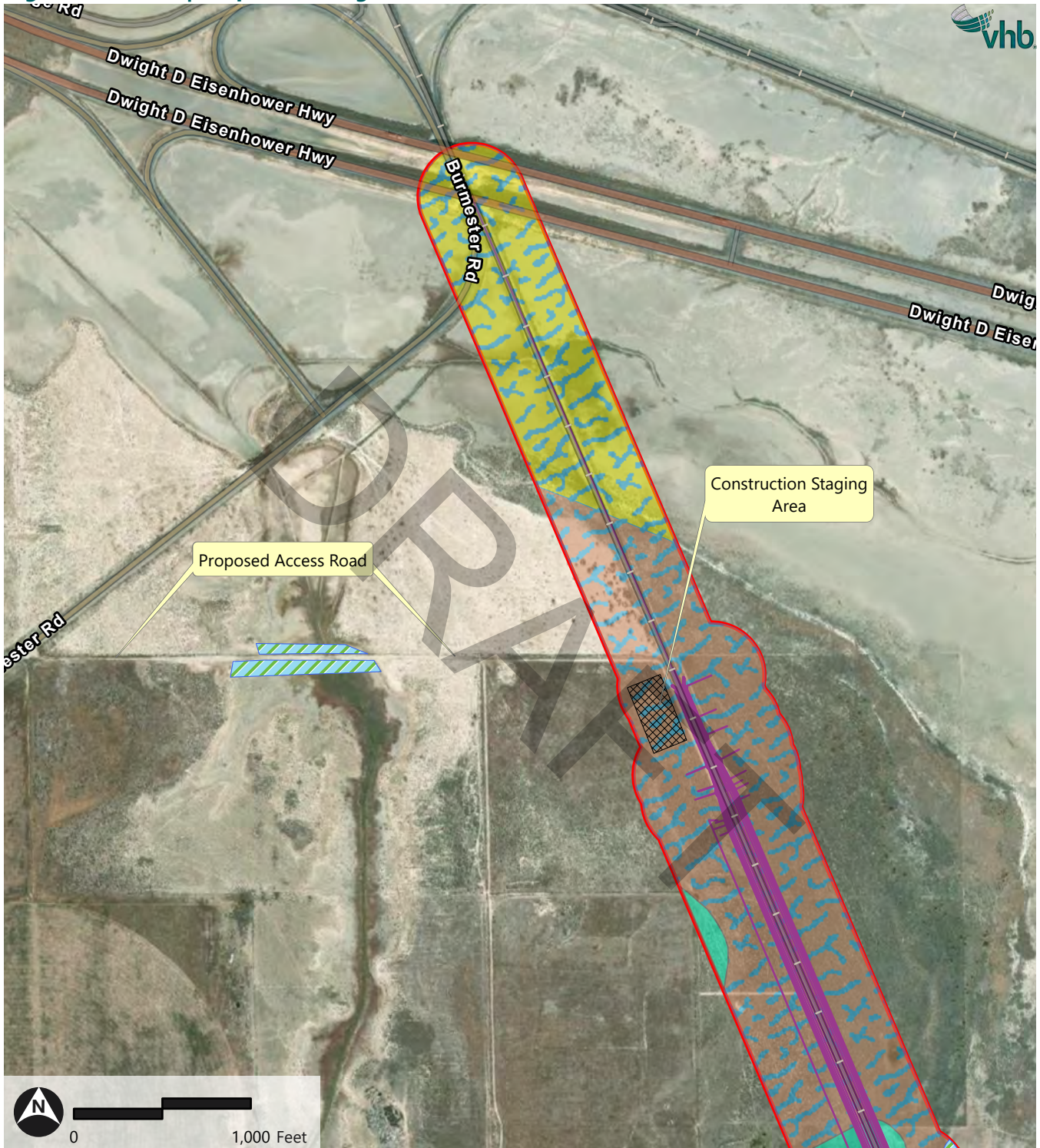




Figure D-3: Soils | Proposed Savage Tooele Railroad (Sheet 8 of 8)



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     |  | Saltair-Playas complex, 0 to 1 percent slopes    |
|  | Rail Alignments |  | Skumpah silt loam, saline, 0 to 2 percent slopes |
|  | Wetland         |  | Taylorsflat loam, saline, 0 to 3 percent slopes  |

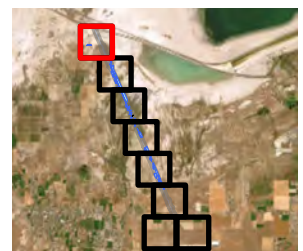
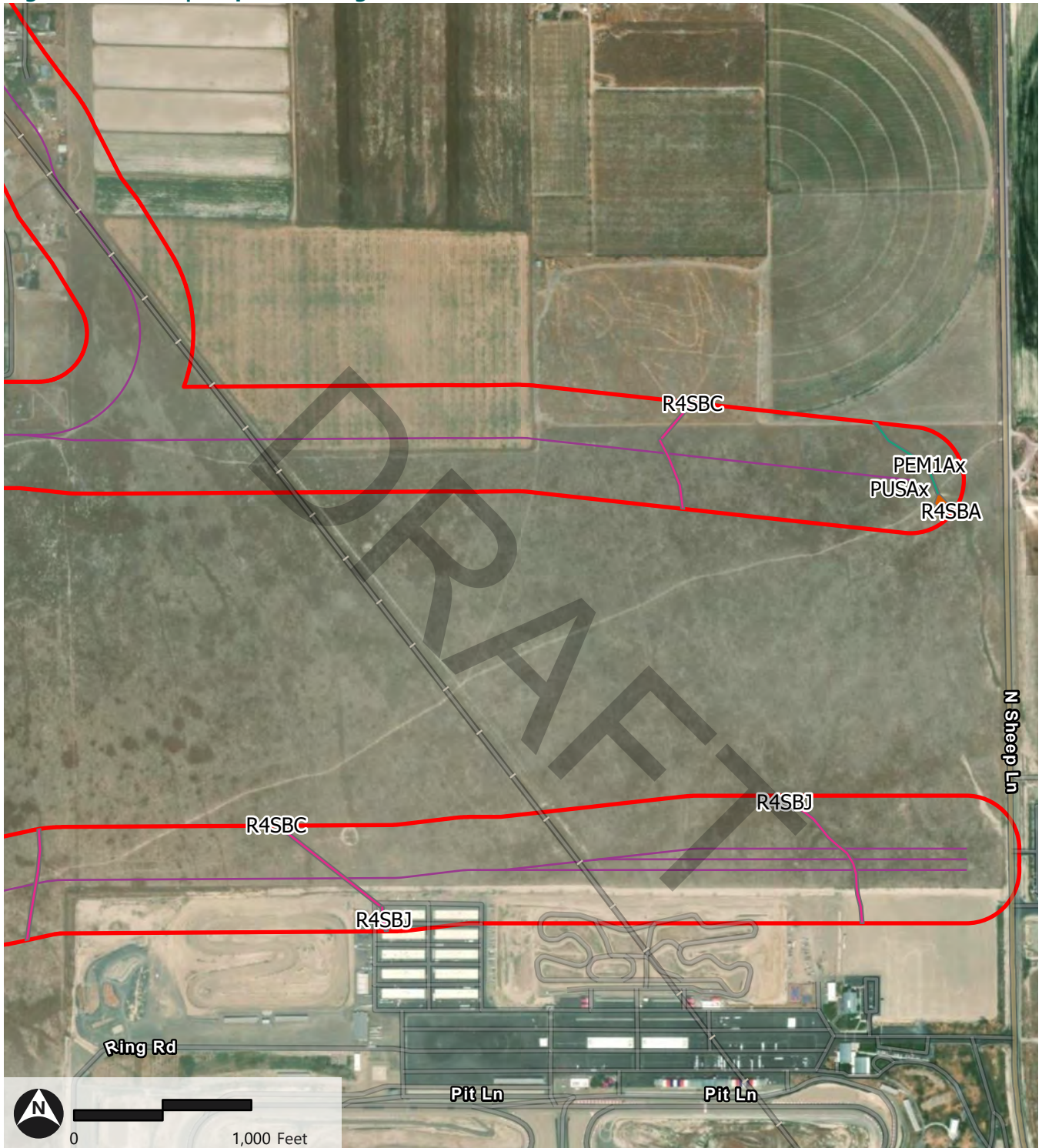




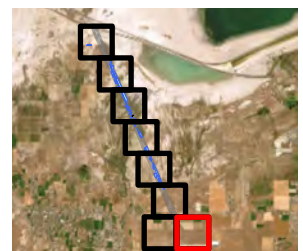
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 1 of 8)



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
- 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)



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)

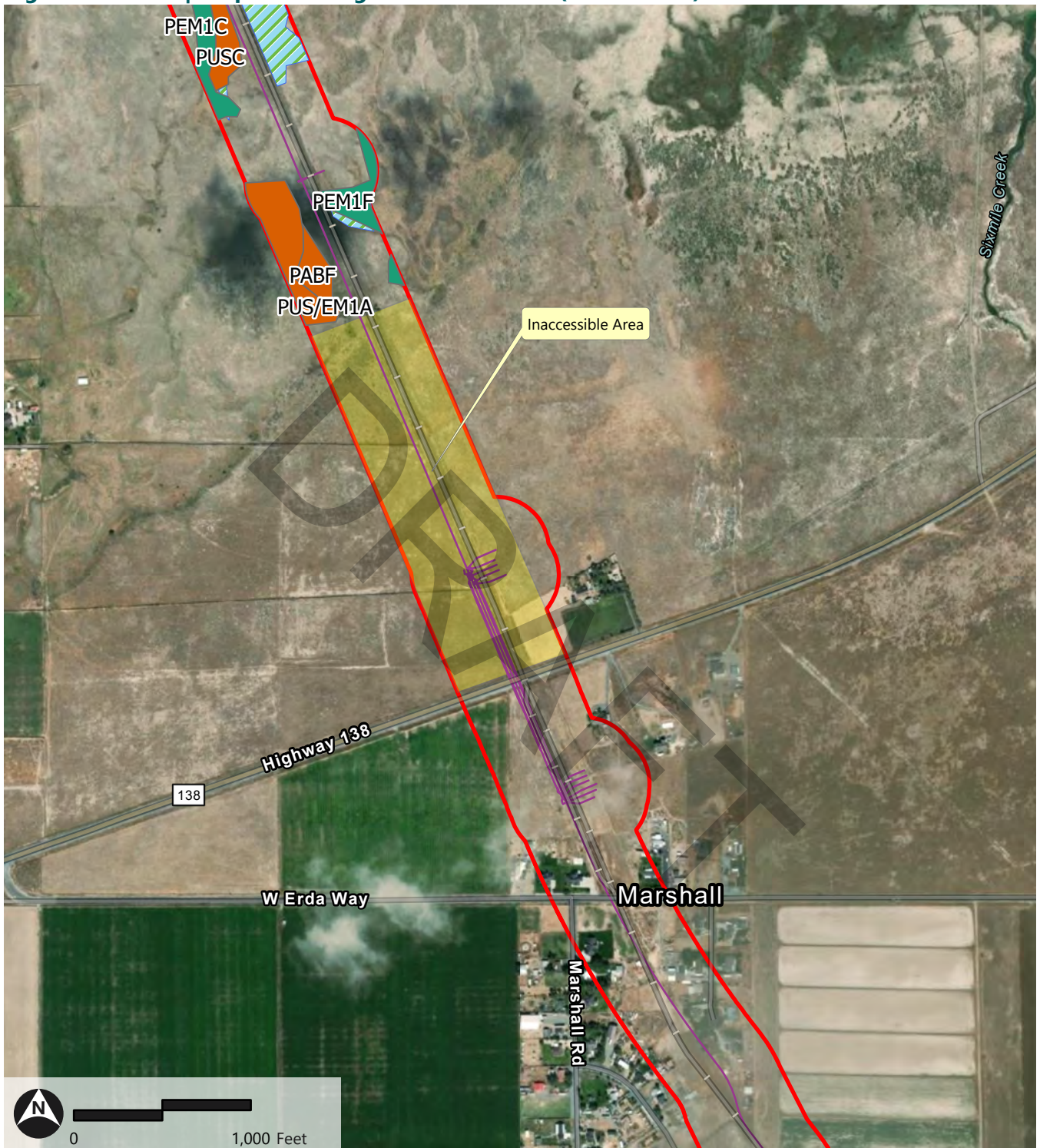
Legend

-  Survey Area
-  Rail Alignments
-  Riverine

\* Aquatic Resource Classifications located on last page



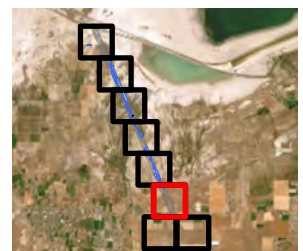
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 3 of 8)



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Legend

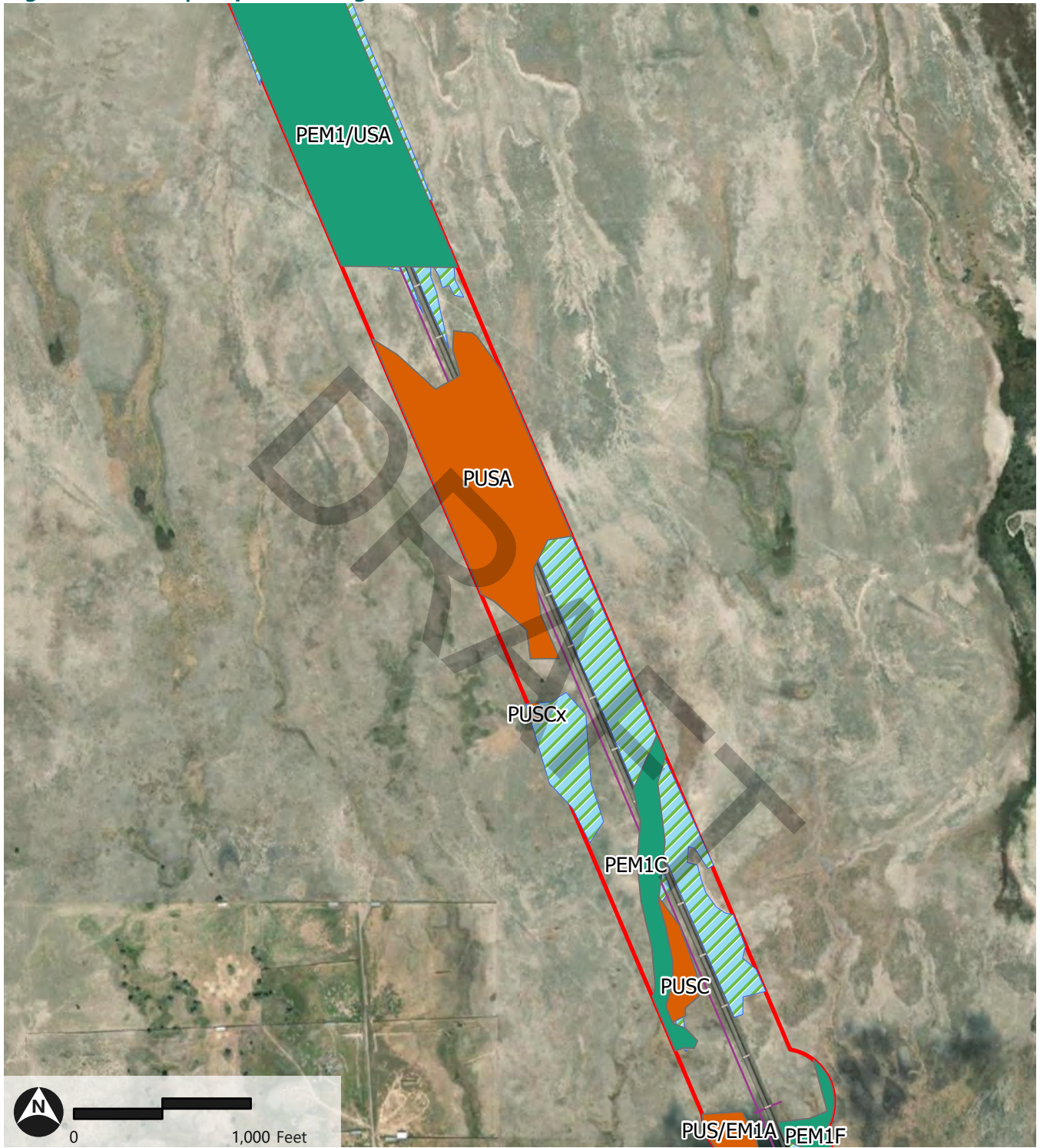
- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland
- Freshwater Pond



\* Aquatic Resource Classifications located on last page



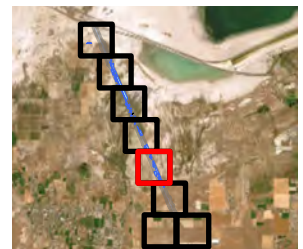
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Path: \\whb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

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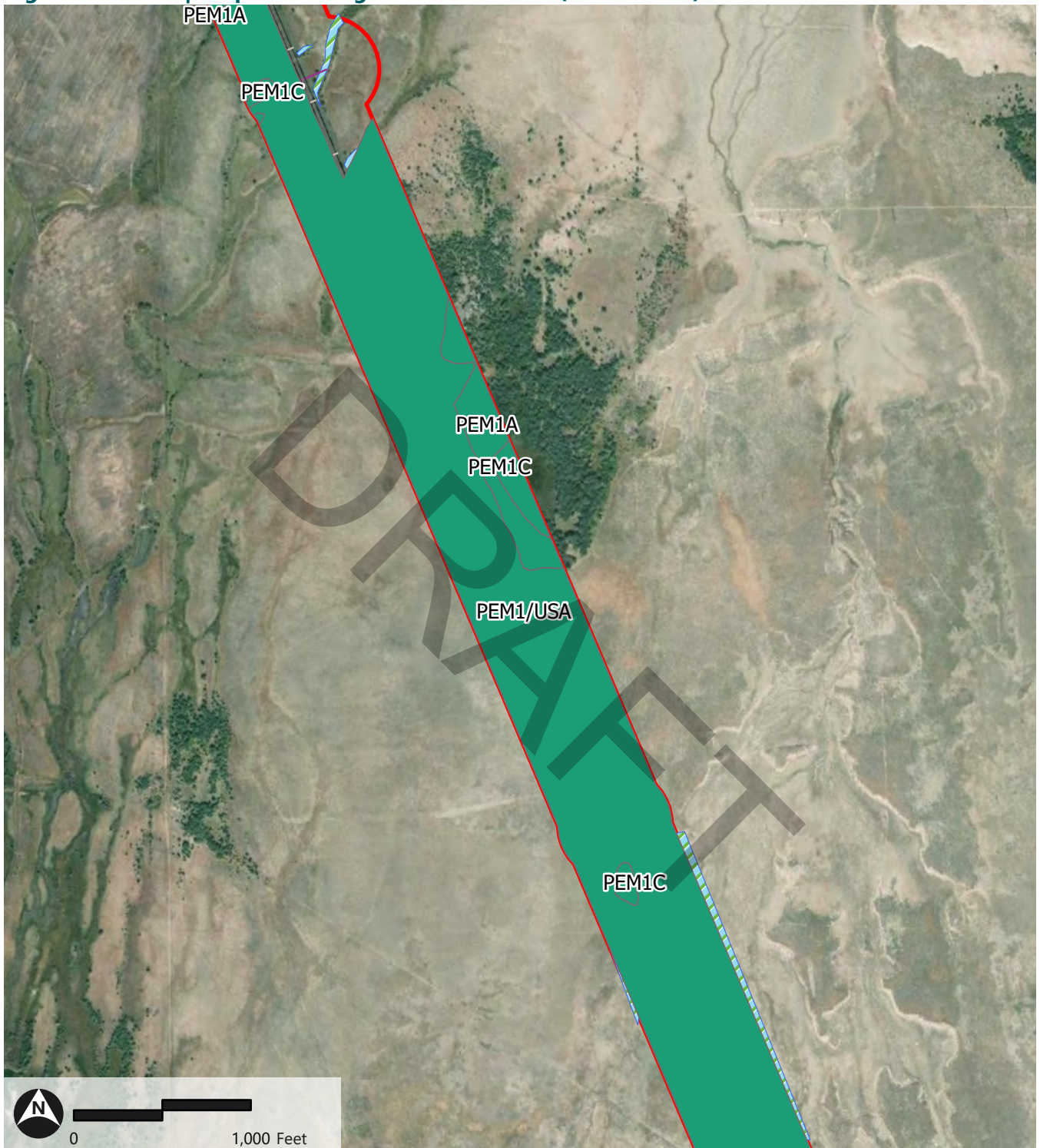
- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland
- Freshwater Pond



\* Aquatic Resource Classifications located on last page



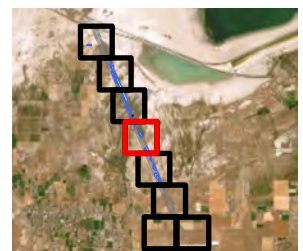
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 5 of 8)



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)

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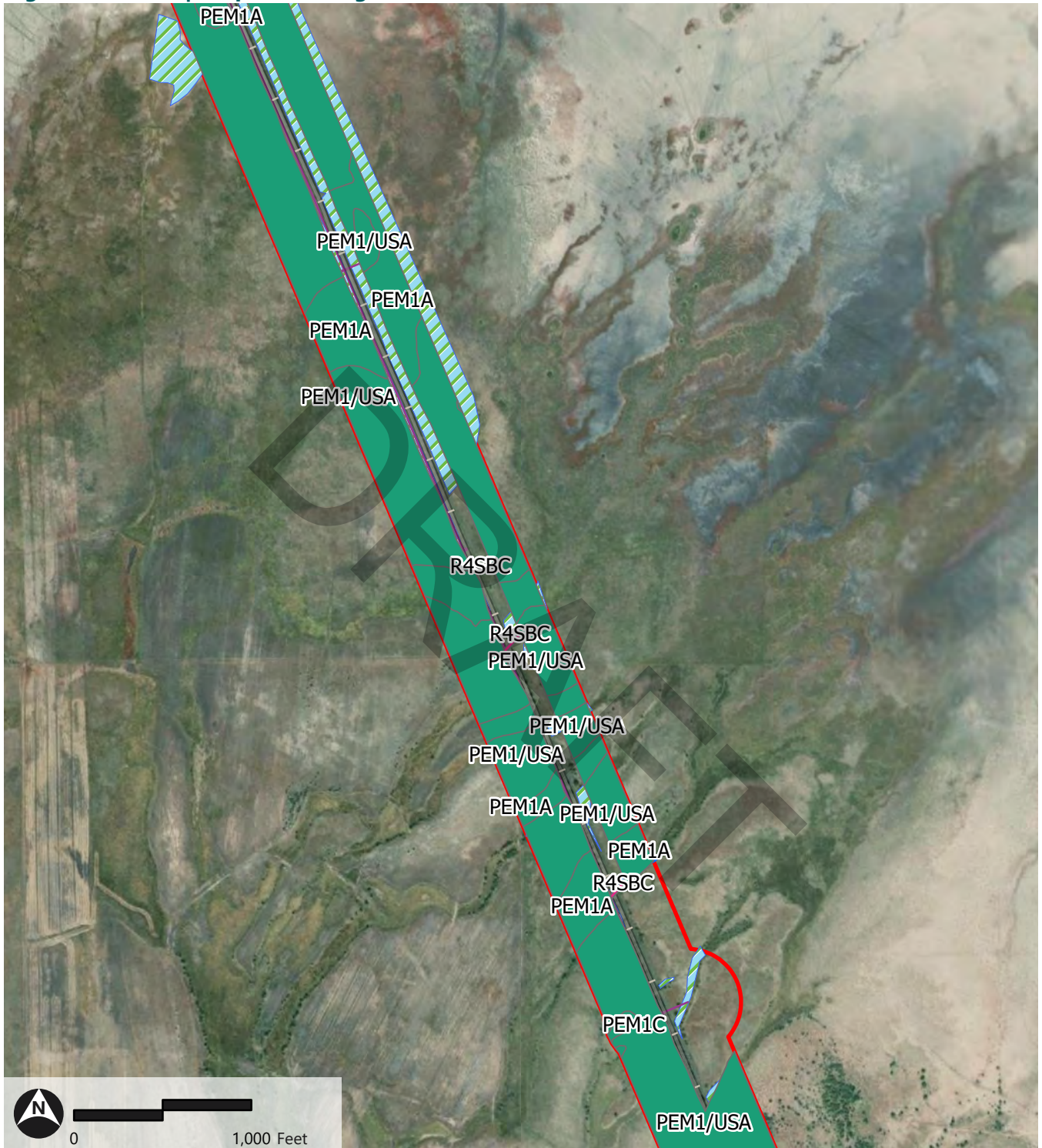
- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland



\* Aquatic Resource Classifications located on last page



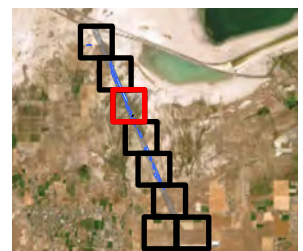
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 6 of 8)



Path: \\whb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map.aprx (jlopez, 12/21/2022)

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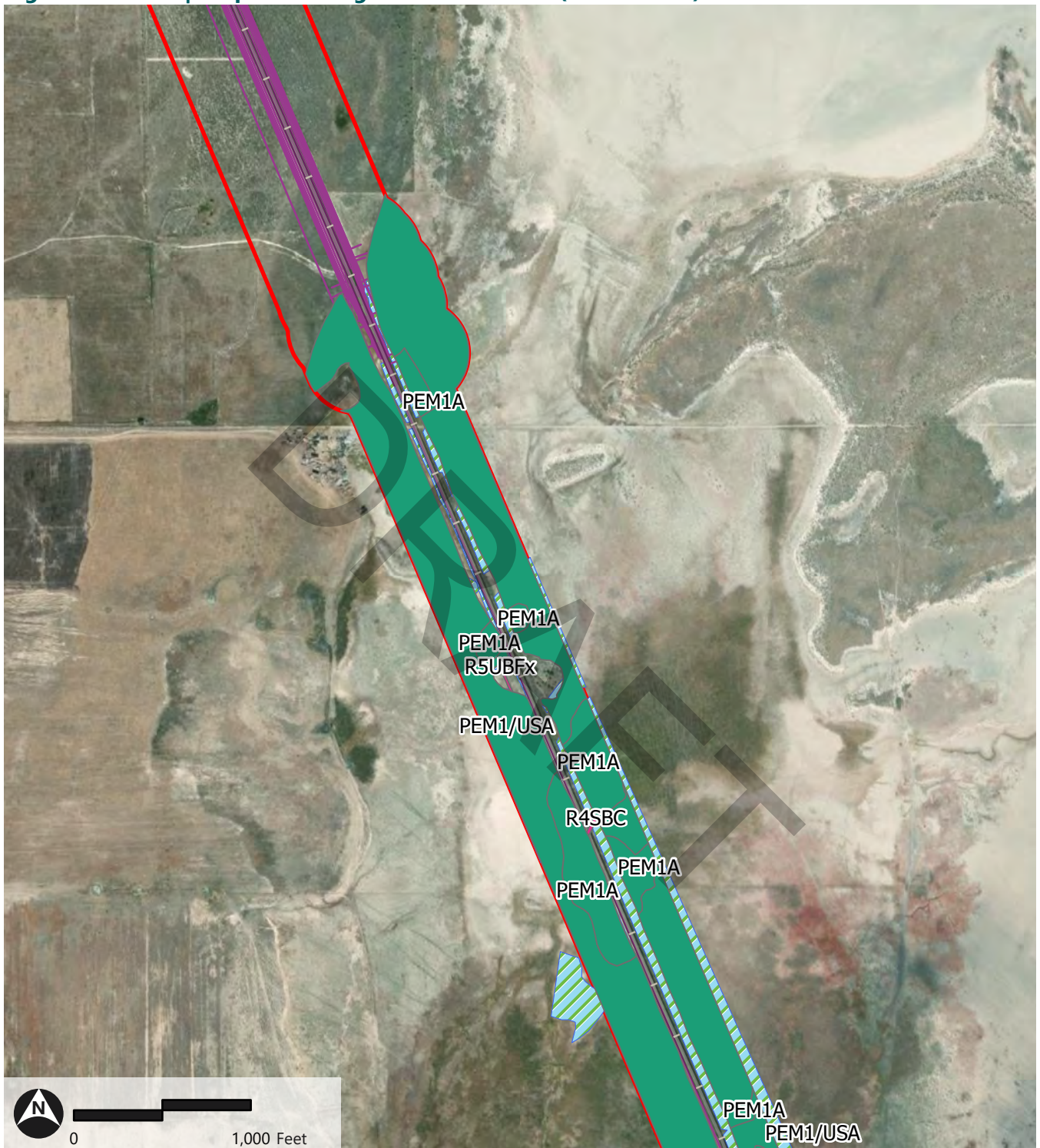
- Survey Area
- Rail Alignments
- Wetland
- Stream
- Freshwater Emergent Wetland
- Riverine



\* Aquatic Resource Classifications located on last page



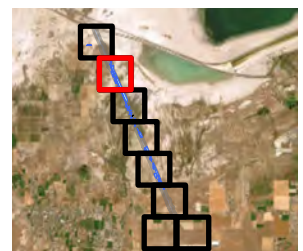
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 7 of 8)



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)

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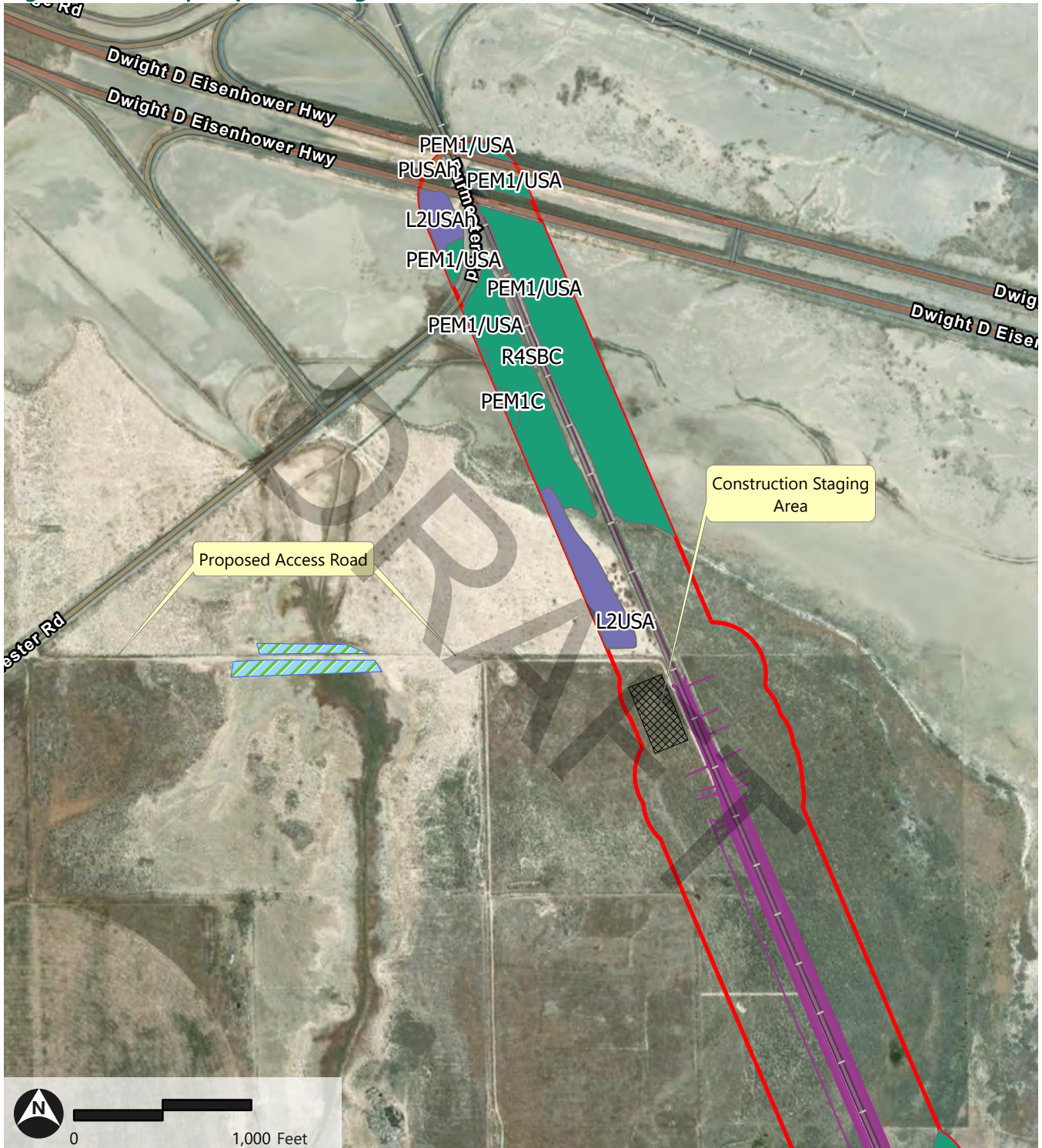
- Survey Area
- Rail Alignments
- Wetland
- Freshwater Emergent Wetland
- Riverine



\* Aquatic Resource Classifications located on last page



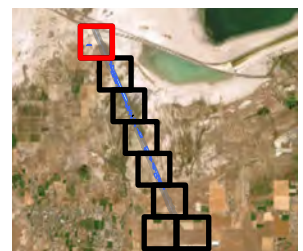
Figure D-4: NWI | Proposed Savage Tooele Railroad (Sheet 8 of 8)



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                 |  Freshwater Pond |
|  Rail Alignments             |  Lake            |
|  Wetland                     |  Riverine        |
|  Freshwater Emergent Wetland |   |



\* 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
-  Wetland
-  Rail Alignments
-  Stream

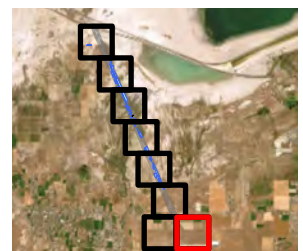








Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 2 of 8)



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

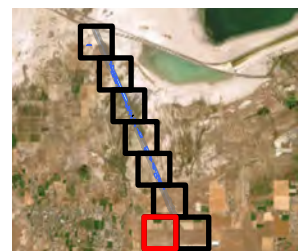
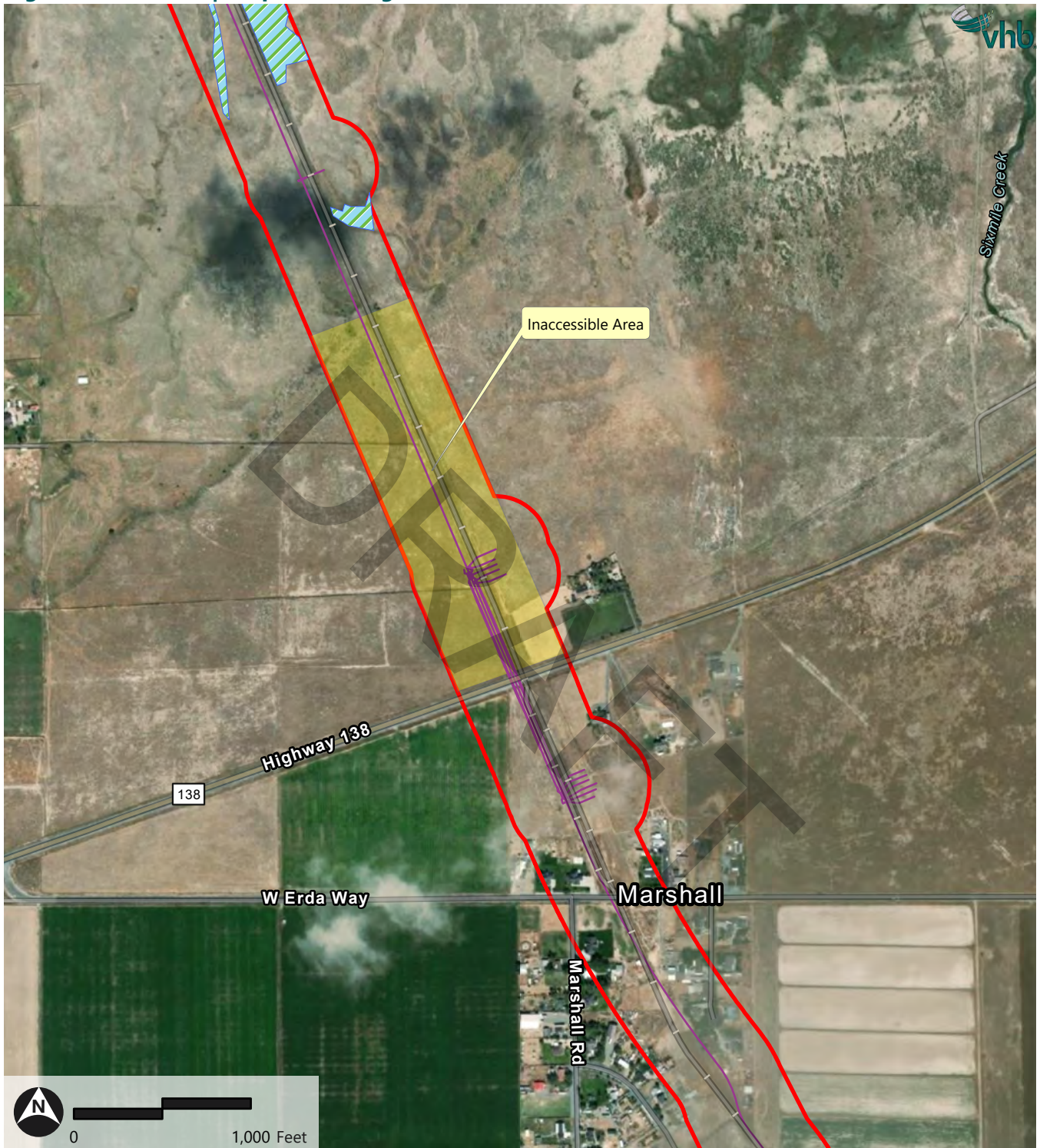








Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 3 of 8)



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

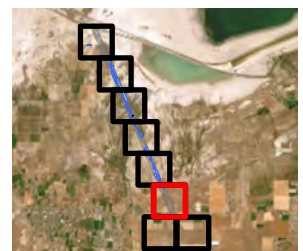
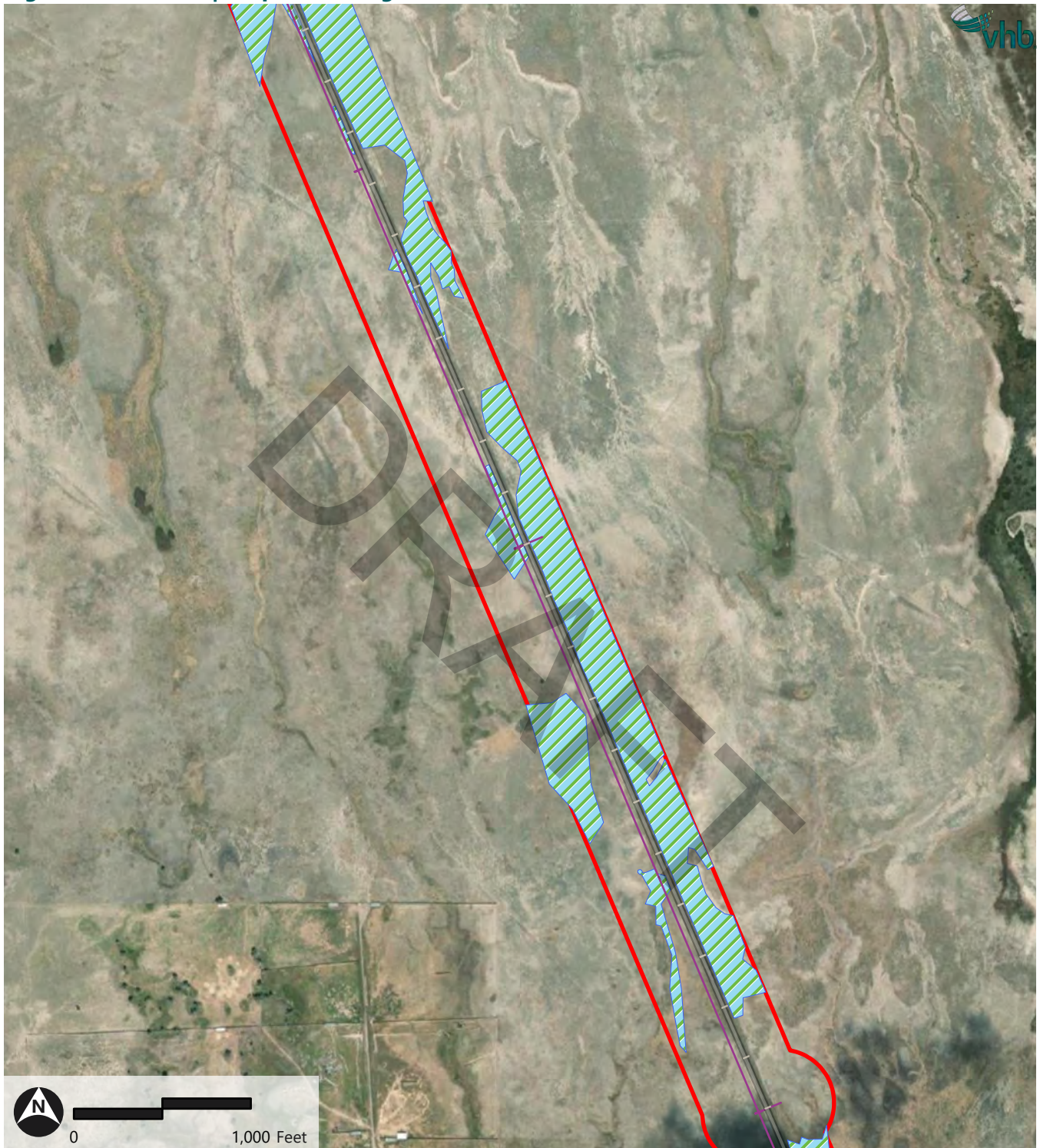








Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 4 of 8)



Legend

-  Survey Area
-  Wetland
-  Rail Alignments
-  Stream

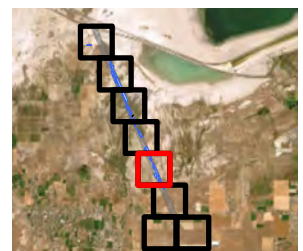
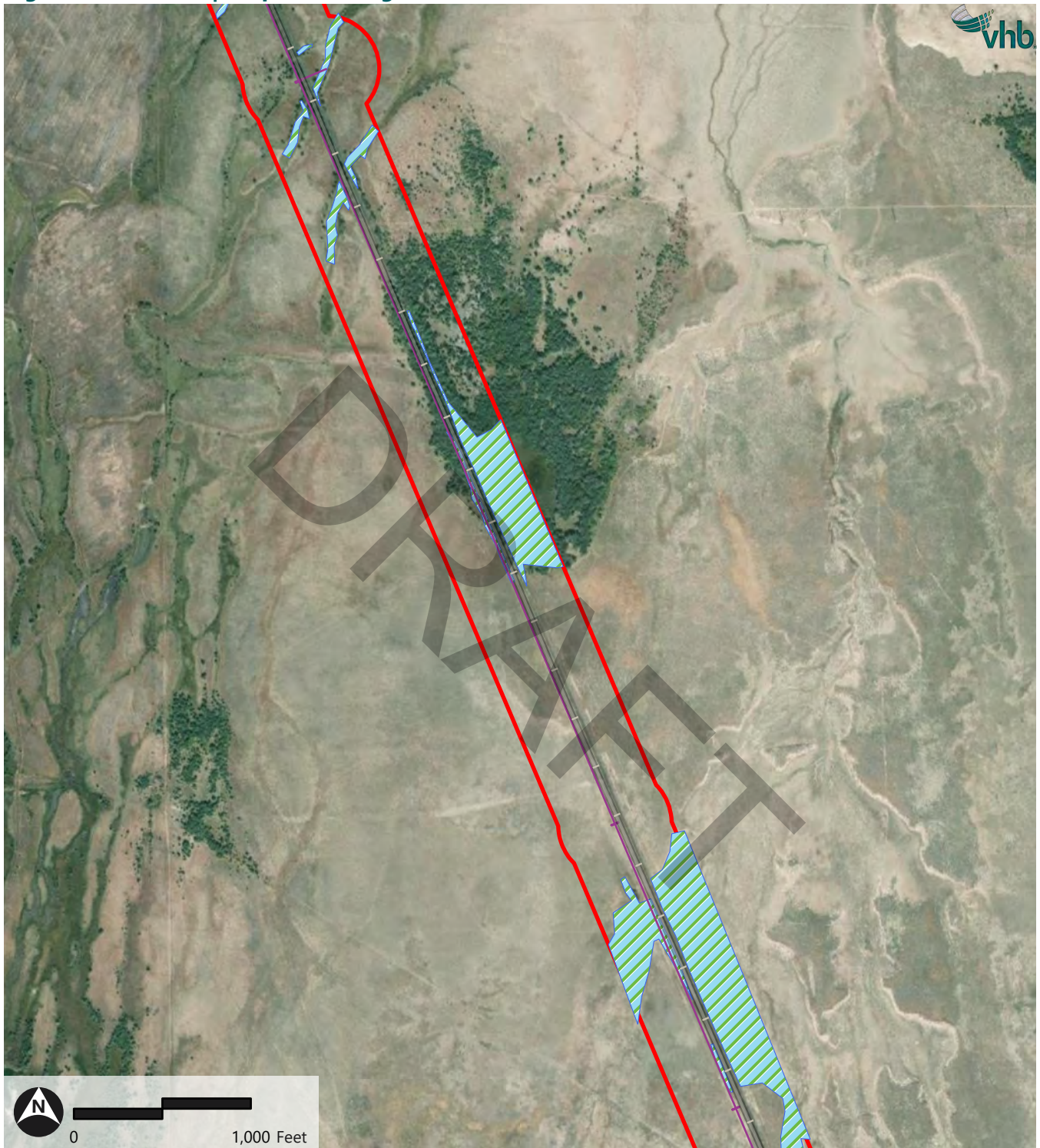








Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 5 of 8)



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

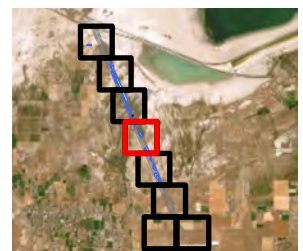
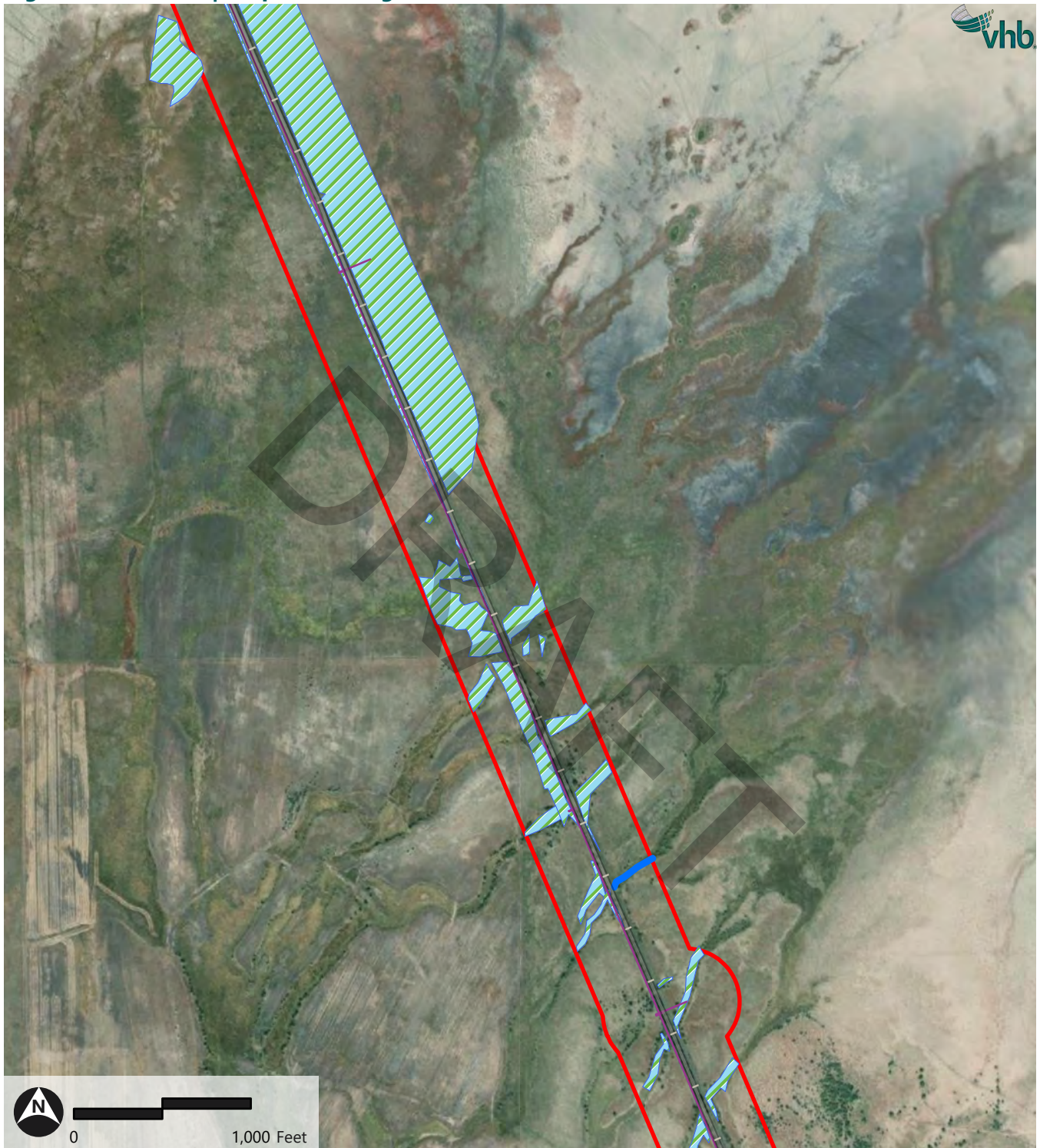








Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 6 of 8)



Path: \\vhb.com\gis\proj\MetroDC\39313.02 Savage-STB Rail Line EA\Project\Savage Web Map\Savage Web Map.aprx (jlopez, 12/21/2022)

Legend

-  Survey Area
-  Wetland
-  Rail Alignments
-  Stream

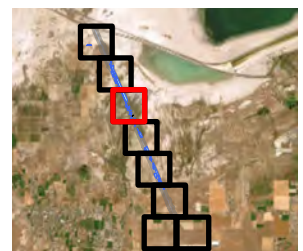
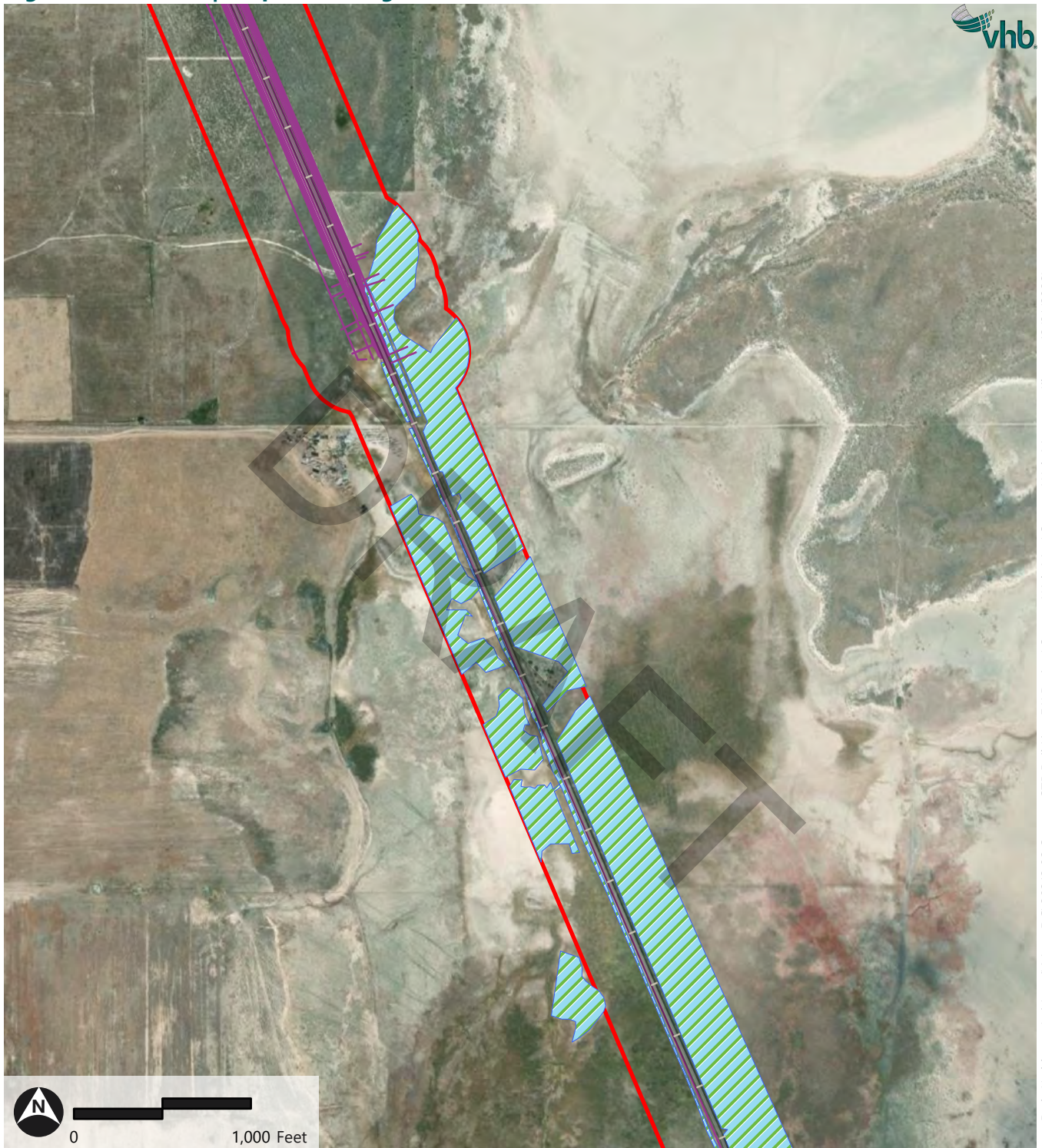








Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 7 of 8)



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

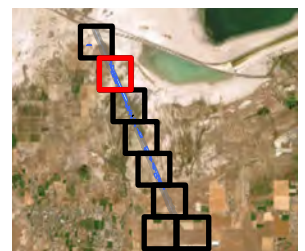
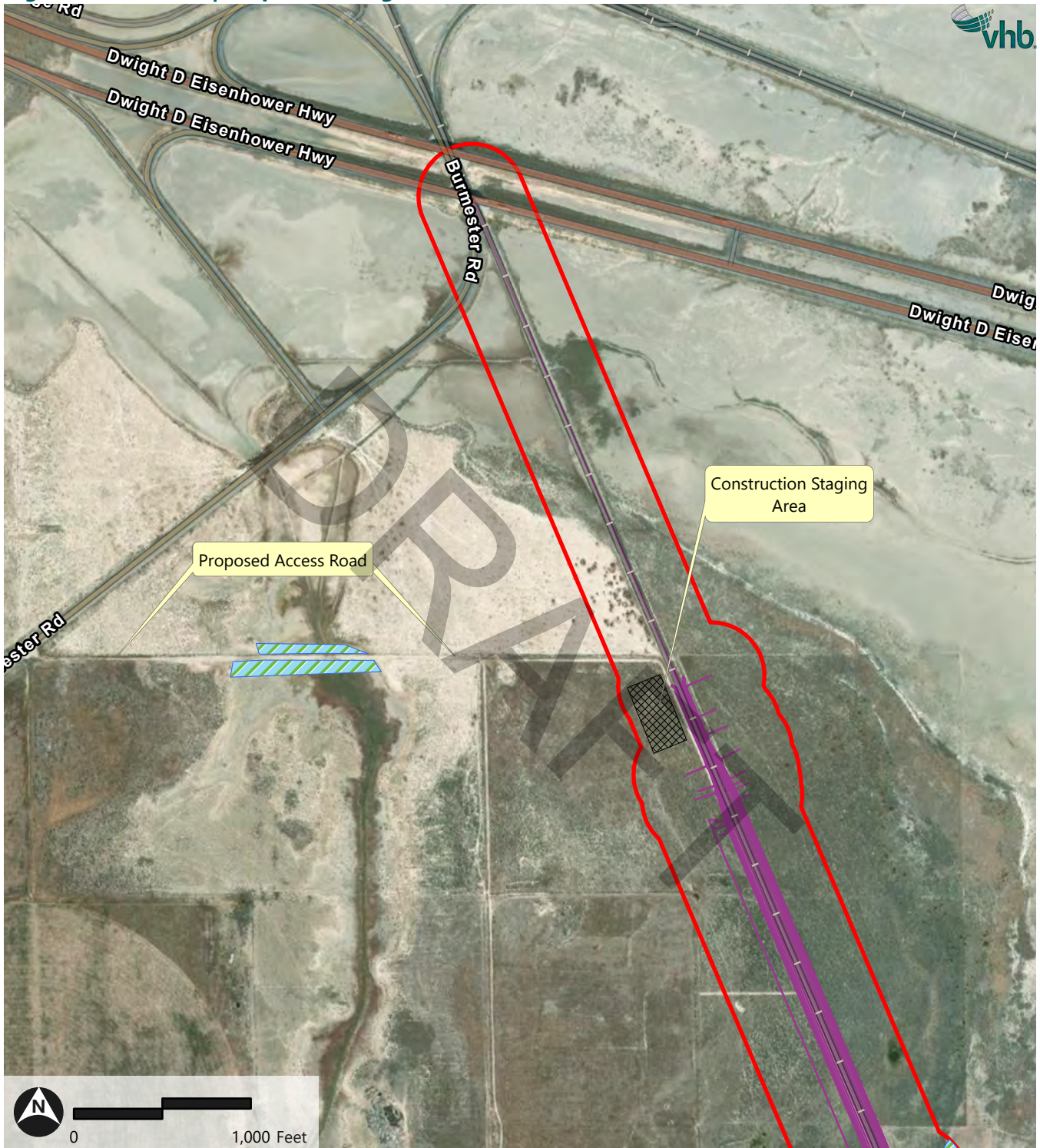




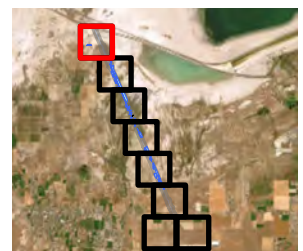
Figure D-5: Waters | Proposed Savage Tooele Railroad (Sheet 8 of 8)



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

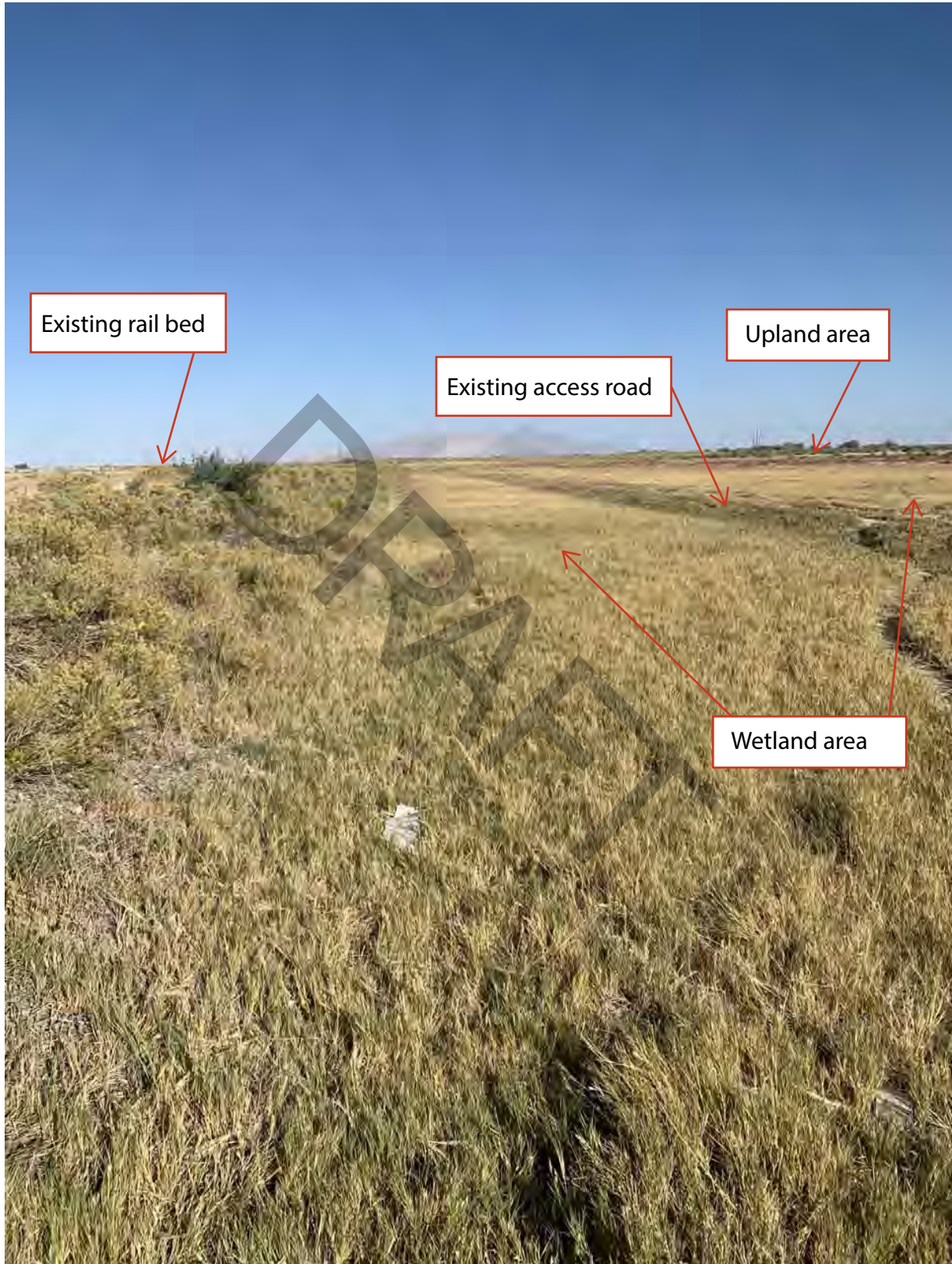


Existing gravel access road

Wetland area

Existing access road off Burmester





Typical emergent wetland area





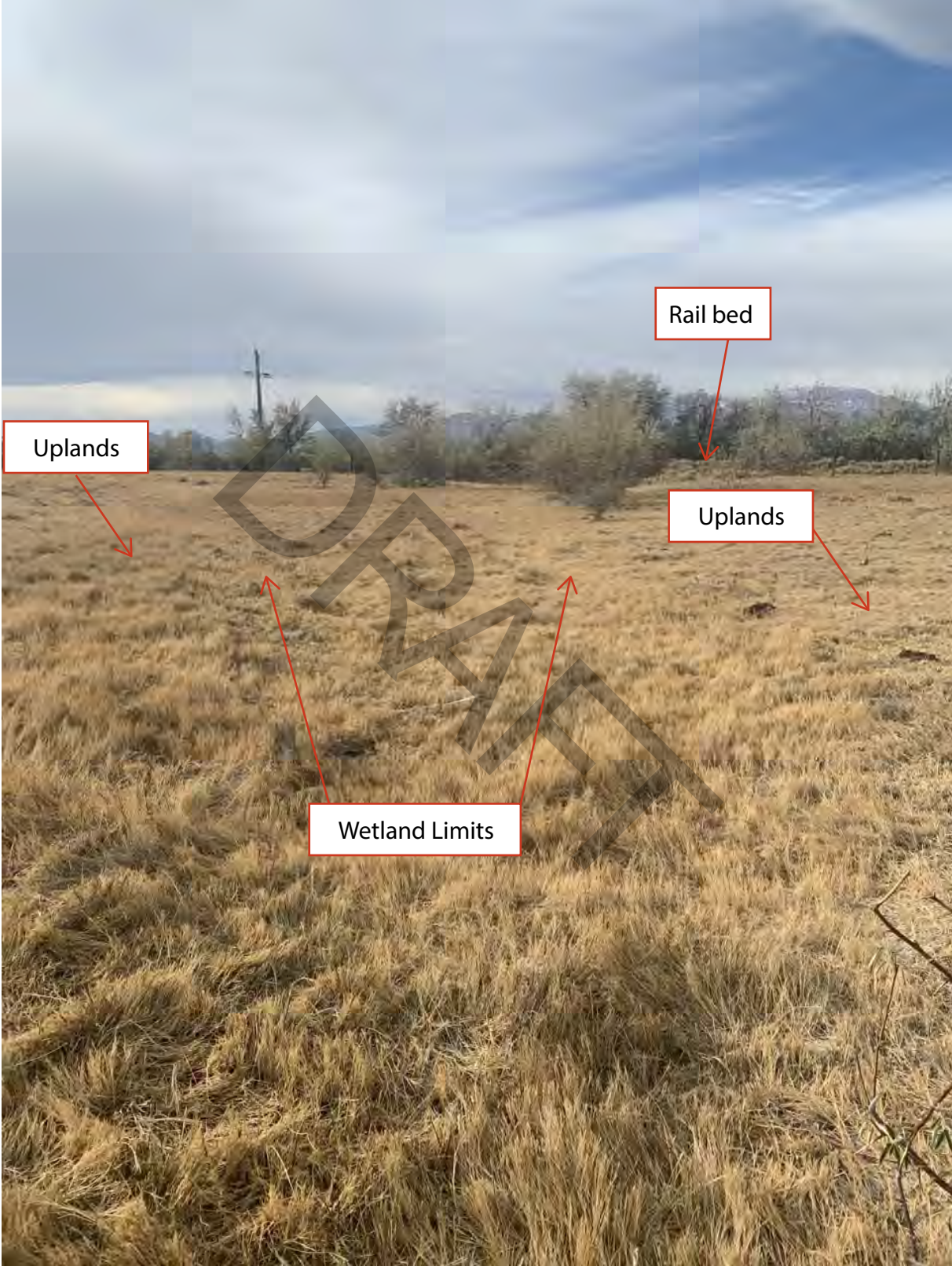
Proposed construction staging area





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.<sup>1,2</sup> 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, NO<sub>2</sub>, O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and SO<sub>2</sub>. 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.

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<sup>1</sup> EPA 2021 Air Quality Design Value Reports. Air Quality Design Values | US EPA. Accessed January 19, 2023.

<sup>2</sup> 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 <sup>1</sup> | 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 <sup>3</sup> | 12.0 µg/m <sup>3</sup> |
|                        | 24 hours       |                                  | 27 µg/m <sup>3</sup>  | 35 µg/m <sup>3</sup>   |
| Particulate Matter 10  | 24 hours       | Mirabella Drive, Herriman        | 91 µg/m <sup>3</sup>  | 150 µg/m <sup>3</sup>  |
| 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 <sub>3</sub> )           | O <sub>3</sub> is a highly reactive compound of oxygen. At very high concentrations O <sub>3</sub> appears blue in color, is a highly unstable gas and is pungent in odor. At ambient concentrations, O <sub>3</sub> is colorless and odorless. O <sub>3</sub> is not emitted directly into the atmosphere by pollutant sources, but instead is produced by an atmospheric reaction of NO <sub>x</sub> and VOCs. Generally, this reaction is most favorable during the warmer summer months when sunlight is stronger. Exposure to O <sub>3</sub> 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 <sub>2</sub> ) | SO <sub>2</sub> 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 <sub>2</sub> will lead to formation of other sulfur oxides. By reducing the SO <sub>2</sub> 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 (PM10 and PM2.5) | Particulate matter is comprised of small solid particles and liquid droplets. PM <sub>10</sub> refers to particulate matter with a nominal aerodynamic diameter of 10 micrometers or less, and PM <sub>2.5</sub> 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 <sub>2</sub> ) | 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 <sub>2</sub> are the most significant air pollutants. This group of pollutants is generally referred to as NO <sub>x</sub> . Nitric oxide is relatively harmless to humans but quickly converts to NO <sub>2</sub> . NO <sub>2</sub> 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 (CO<sub>2</sub>) 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 CO<sub>2</sub> and emit it to the atmosphere annually through natural and man-made processes (i.e., sources). CO<sub>2</sub>, however, constitutes less than 1/10<sup>th</sup> of a percent of the total atmosphere gases. Similar to the glass in a greenhouse, certain gases, primarily CO<sub>2</sub>, nitrous oxide (N<sub>2</sub>O), and methane (CH<sub>4</sub>) 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.<sup>3</sup> 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

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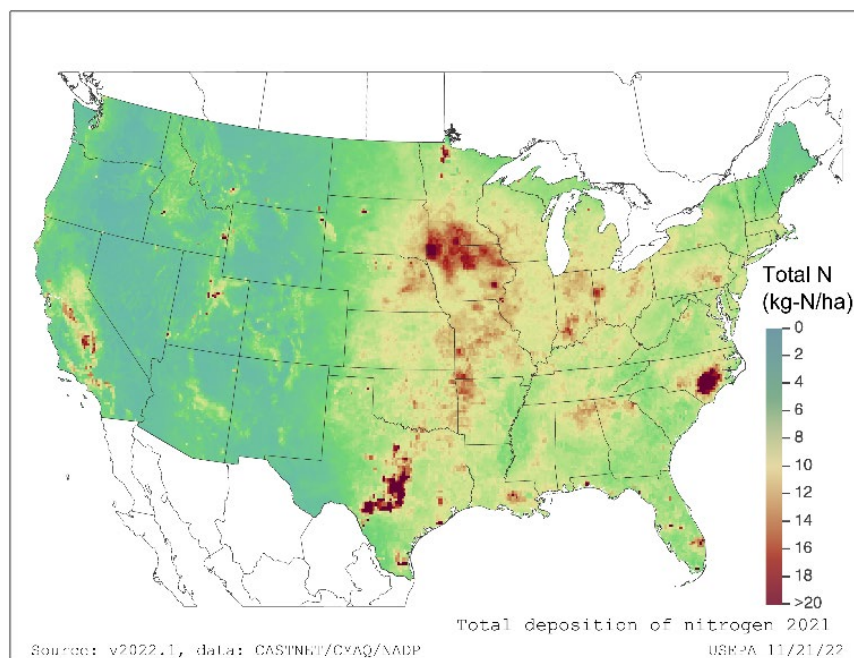
<sup>3</sup> Center for Climate and Energy Solutions, 2022. U.S. State Greenhouse Gas Emissions Targets - Center for Climate and Energy Solutions Center for Climate and Energy Solutions (c2es.org). Accessed January 19, 2023.

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<sub>x</sub>) and nitrogen oxides (NO<sub>x</sub>) 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**).<sup>4</sup>

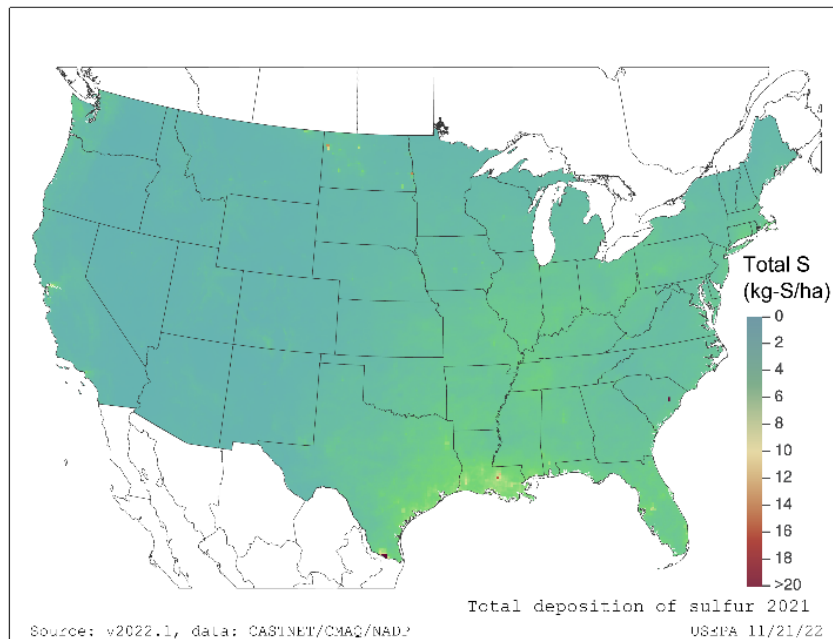
***Figure E.2-1. Total Nitrogen Deposition, 2021***



<sup>4</sup> 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.<sup>5</sup> 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.

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<sup>5</sup> 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.<sup>6</sup> Average January through December emission factors for diesel construction equipment specific to Tooele County were used in the analysis. CO<sub>2</sub>e 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 CO<sub>2</sub> 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.

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.<sup>7</sup> 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<sub>2.5</sub> emissions to be 10 percent of the PM<sub>10</sub> 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

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<sup>6</sup> 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>

<sup>7</sup> 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<sub>x</sub>), volatile organic compounds (VOC), PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, CO, Carbon Dioxide Equivalent (CO<sub>2e</sub>), Methane (CH<sub>4</sub>), Nitrogen Dioxide (N<sub>2</sub>O), and HAPs. OEA calculated CO<sub>2e</sub> by deriving CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O 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.<sup>8</sup>

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.

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<sup>8</sup> 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.

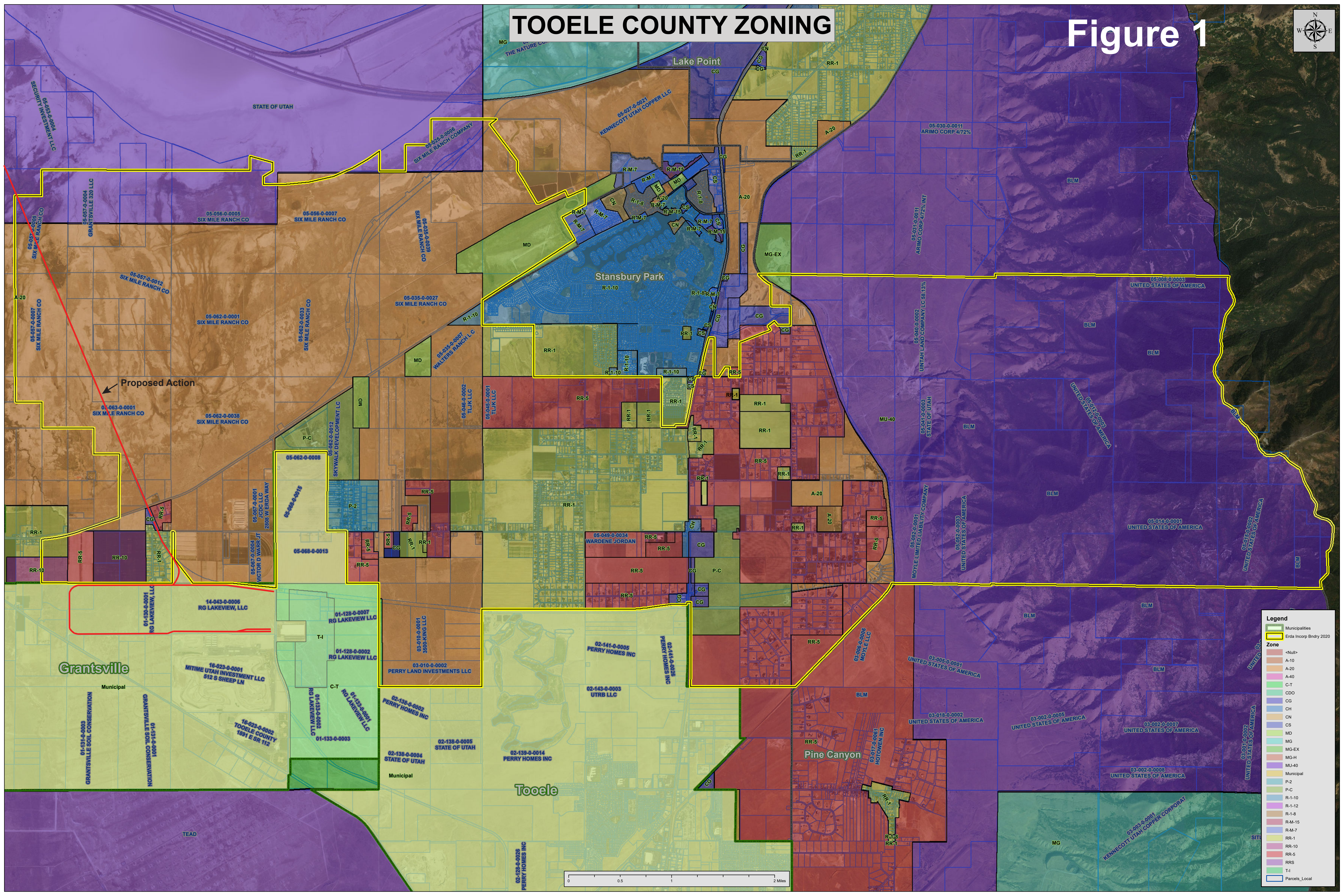
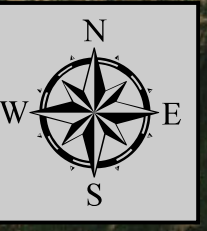
# Appendix F

## Land Use, Zoning, and Local Plans



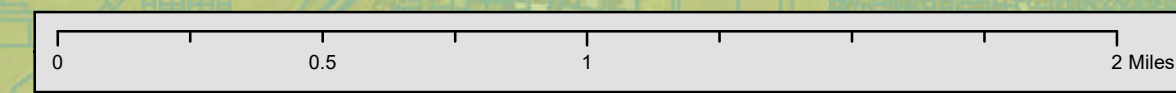
# TOOELE COUNTY ZONING

## 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           |





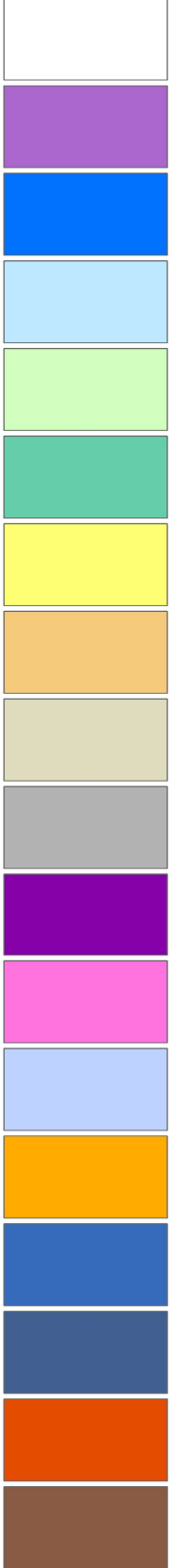
**Figure 2**

**LEGEND**

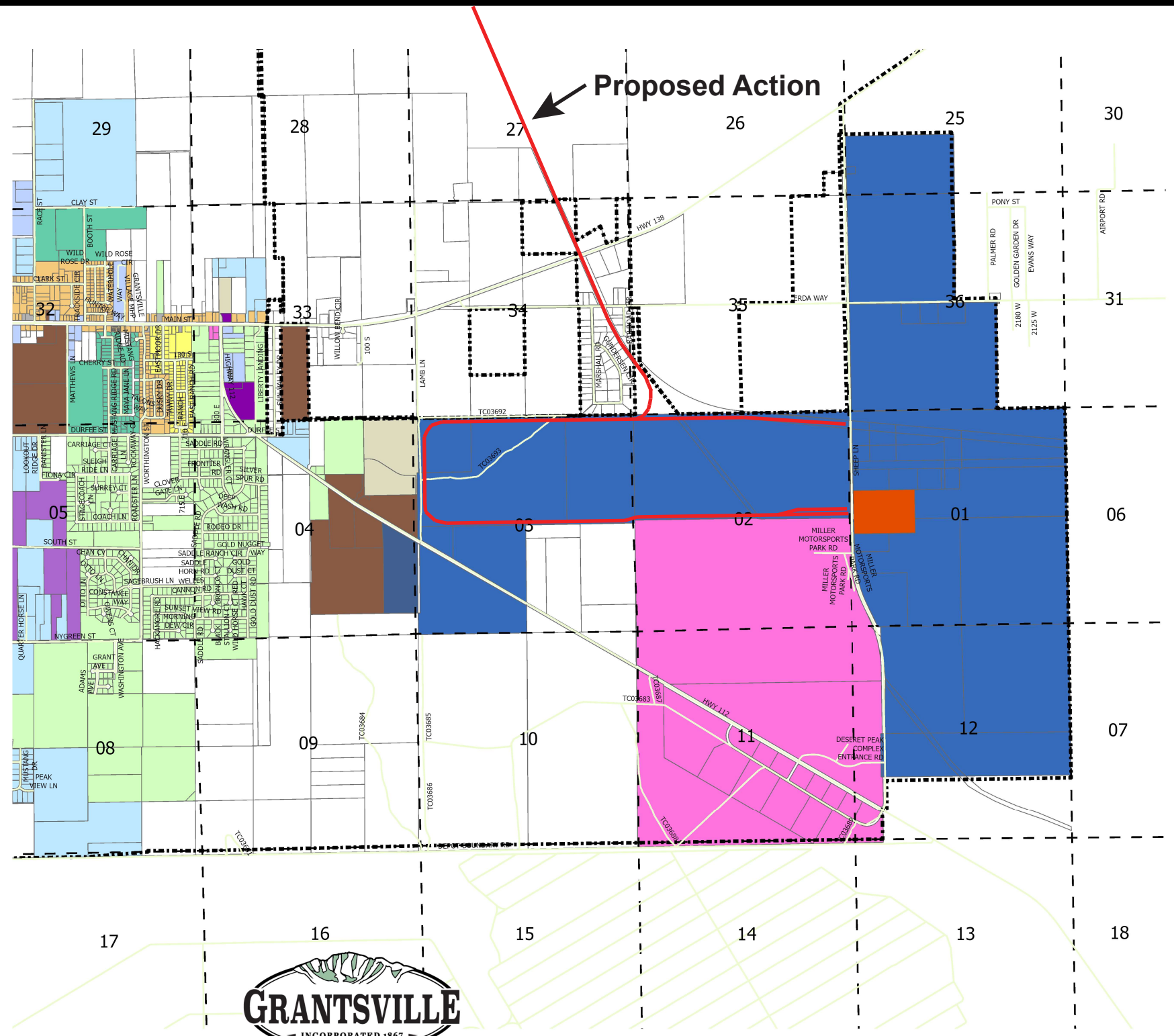


Grantsville City Boundary

**Zoning**

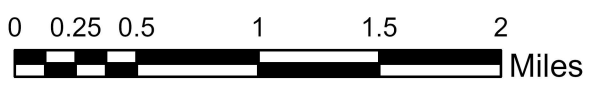


- A-10** 10 Acre minimum. The purpose is to promote and preserve conditions favorable to agriculture and to maintain green belt spaces.
- RR-5** 5 Acre lot minimum. The purpose is to provide a rural residential district.
- RR-2.5** 2.5 Acre lot minimum.
- RR-1** 1 Acre lot minimum.
- R-1-21** 21,780 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.

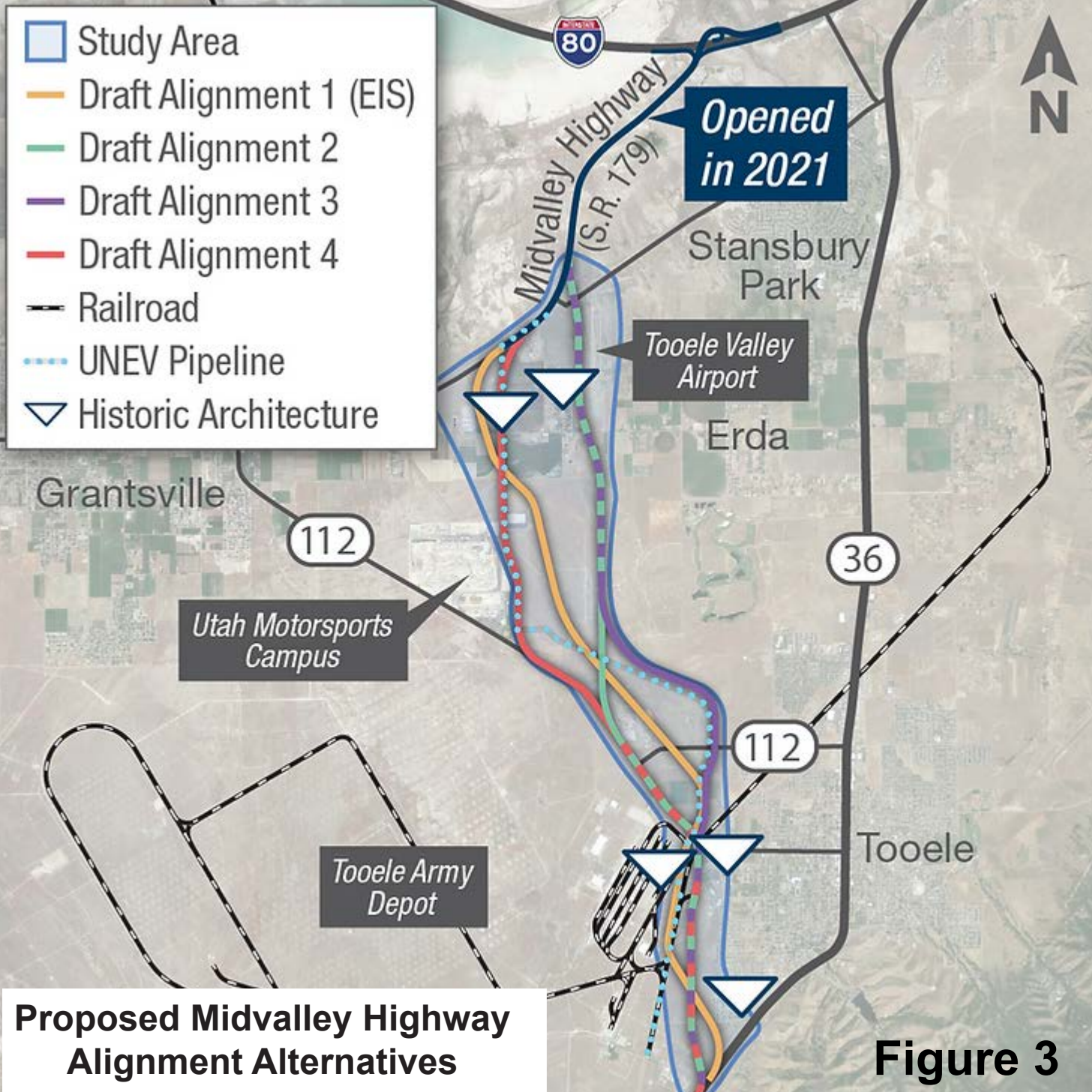


**ZONING MAP  
DESERET PEAK AREA**

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

*Opened  
in 2021*

*Tooele Valley  
Airport*

*Utah Motorsports  
Campus*

*Tooele Army  
Depot*

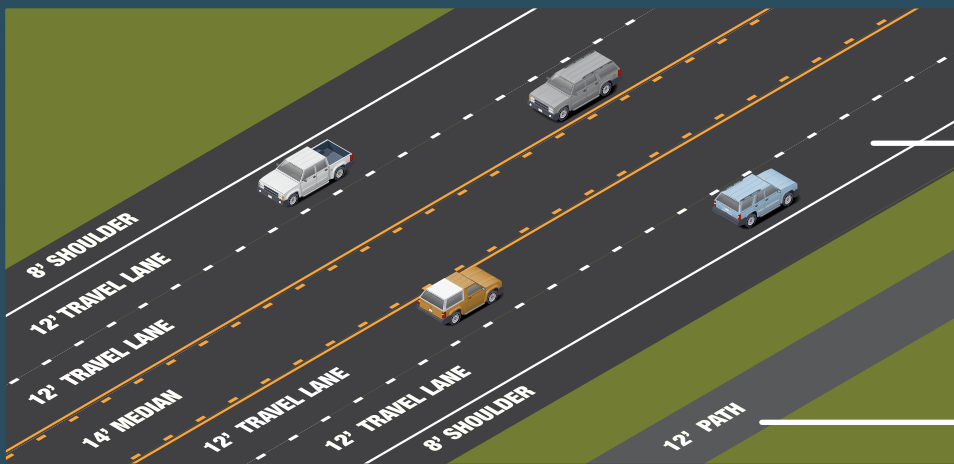
**Proposed Midvalley Highway  
Alignment Alternatives**

**Figure 3**



Figure ES.2 Preferred Alternative

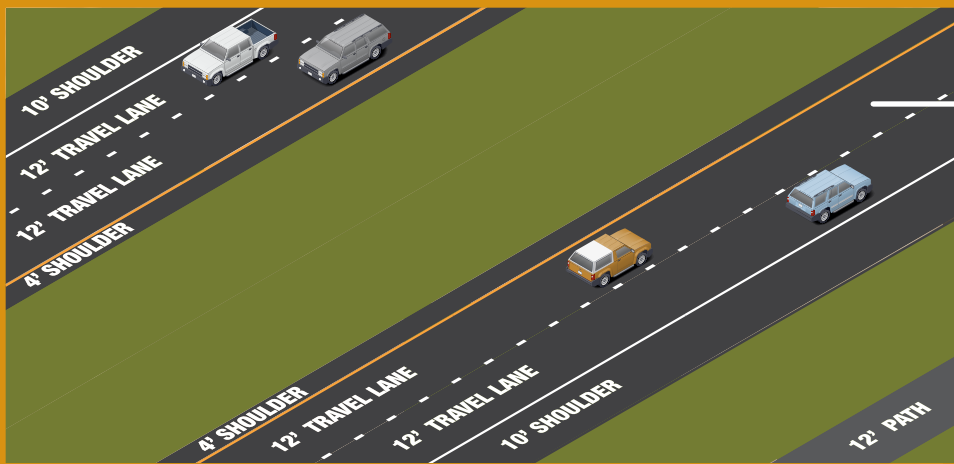
FOUR-LANE, ARTERIAL



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***

| <b>Organization/Name</b>             | <b>Dates of Written Correspondence</b>              |
|--------------------------------------|---|
| 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](http://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 |
|------------|----------|----------|----------------|---------------------------|---|--------------------|

# 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.