

**File Code:** 5460 (8766513)  
**Date:** November 10, 2021

Ms. Deeda Seed  
Center for Biological Diversity  
Post Office Box 710  
Tucson, Arizona 85702

Dear Ms. Seed:

Thank you for your letter of September 2, 2021, cosigned by your colleagues, regarding the proposed permitting and potential resource impact from the construction and operation of the Uinta Basin Railway right-of-way through the Ashley National Forest Roadless Area. I apologize for the delayed response.

The Seven County Infrastructure Coalition is the proponent of the Uinta Basin Railway project. The Coalition is comprised of seven counties in Utah: Carbon, Daggett, Duchesne, Emery, San Juan, Sevier, and Uintah. The action proposes construction and operation of the Uinta Basin Railway linking to a connection with the Union Pacific Provo Subdivision near Kyune, Utah. The proposed portion of the Uinta Basin Railway will consist of an 85-mile common-carrier rail line connecting two terminus points in the Uinta Basin near Myton and Leland Bench, Utah.

U.S. Department of Agriculture's Forest Service is a cooperating federal agency for the portion of the railway that is proposed to cross National Forest System lands (NFS). The Surface Transportation Board is the lead federal agency for the project and is responsible for preparing the environmental impact statement and the supporting analysis.

Through the Federal Code of Regulations, Title 36 Part 251.53 Land Uses / Authorities, the Forest Supervisor has authority to permit transportation systems on NFS lands. The Forest Supervisor determined the proposed use of the project is in the public interest and supports President Joseph R. Biden's policies outlined in Executive Order 14008 to rebuild our infrastructure for a sustainable economy. The railway will bring economic growth to Utah's rural, urban, and Tribal communities, as products move quicker and safer by railway than by tractor-trailers on a highway.

The 2001 Roadless Rule establishes prohibitions on road construction, road re-construction, and timber harvesting on inventoried roadless areas on NFS lands. By definition, a railway does not constitute a road under the Roadless Rule. Additionally, the proposal does not include the creation of any roads in the inventoried roadless area.

The Forest Service prepared a draft Record of Decision (ROD), issued on November 3, 2021. We encourage you to provide comments on the draft ROD during the pre-decisional, objection review process. This process began with a legal notice and provides a 45-day comment period. The Record of Decision can be found here: <https://www.fs.usda.gov/project/?project=56603>



The Surface Transportation Board does not have a specific objection process but will consider the entire environmental record in making their decision on the proposed rail line. For more information on the Surface Transportation Board's decision process, we encourage you to contact Dr. Josh Wayland, Project Manager for the environmental impact statement, at [joshua.wayland@stb.gov](mailto:joshua.wayland@stb.gov).

Again, thank you for writing and your interest in the management of NFS lands. If you have additional questions, please contact Susan Eickhoff, Forest Supervisor, at (435) 781-5200 or [susan.eickhoff@usda.gov](mailto:susan.eickhoff@usda.gov). I encourage you to share this response with your colleagues.

Sincerely,

X 

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Signed by: RANDY MOORE  
RANDY MOORE  
Chief

cc: Joshua Wayland, Susan Eickhoff, Mary Farnsworth