

# Chapter 1: Description of the Proposed Action and Purpose and Need

## 1.1 Introduction

On July 30, 2001, the Six County Association of Governments (SCAOG), a regional association representing Juab, Millard, Sevier, Sanpete, Piute, and Wayne Counties in central Utah (referred to as “the Applicant”), filed a Petition for Exemption with the Surface Transportation Board (Board) pursuant to 49 United States Code (U.S.C.) 10502 for authority to construct and operate a new rail line between Juab<sup>1</sup> and Salina, Utah. The Proposed Action, also referred to as the Central Utah Rail project (CURP), would involve about 43 miles of new rail line and related facilities to serve shippers in central Utah. The rail line would primarily serve Southern Utah Fuels Company (SUFCO) coal operations and its parent company, Canyon Fuels.

The Board, pursuant to 49 U.S.C. 10901, is the agency responsible for granting authority for the construction and operation of new rail line facilities. Accordingly, the Board, through its Section of Environmental Analysis (SEA), is the lead agency responsible under the National Environmental Policy Act (NEPA) for preparing this Draft Environmental Impact Statement (Draft EIS). The Draft EIS identifies and evaluates the expected environmental impacts associated with the Proposed Action and Alternatives.

A portion of the rail line is proposed to cross segments of public land. Therefore, the U.S. Department of the Interior, Bureau of Land Management (BLM), is a cooperating agency pursuant to 40 Code of Federal Regulations (CFR) 1501.6.<sup>2</sup> Accordingly, on February 14, 2005, the Applicant filed right-of-way application UTU-80737 with the BLM pursuant to Section 501(a)(6) of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1761).

SEA and BLM prepared this Draft EIS in accordance with the National Environmental Policy Act of 1969, as amended; the Council on Environmental Quality (CEQ) regulations (40 CFR 1500); the Board’s environmental regulations (49 CFR 1105); and Section 501(a)(6) of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1761). This Draft

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<sup>1</sup> The geographic location known as Juab, Utah, was established in 1860 near Chicken Creek Reservoir. In 1879, when the railroad extended its line to Milford, Juab gradually declined in population. Today it is farmland. The word “Juab” comes from the name given to the valley by the Paiute Indian Tribe, meaning “flat or level plain.” Juab is identified on state road maps and by the U.S. Geological Survey. It is located about 16 miles south of Nephi, just off of I-15, near the UPRR line and Chicken Creek Reservoir at 39.51792 N 111.94216 W.

<sup>2</sup> Although much of the Draft EIS for convenience generally refers only to SEA, the document reflects the input of the cooperating agency, BLM.

EIS was also prepared in accordance with Bureau of Land Management H-1790-1 – NEPA Handbook. The Draft EIS provides clear and concise information on the expected environmental impacts of the Proposed Action and the reasonable and feasible alternatives, including the No-Action Alternative.

## 1.2 Description of Proposed Action

The Proposed Action involves constructing and operating about 43 miles of new rail line and related rail facilities to connect shippers within a portion of central Utah to mainline rail service. The proposed rail line would begin at the connection with UPRR's rail line near Juab, about 16 miles south of Nephi, and would terminate at a point to the south near the intersection of U.S. Highway 89 (US 89) and U.S. Highway 50 (US 50) (parallel to the former Marysvale line; see Figure 1-1, Project Location) in the industrial park located about 0.5 mile southwest of Salina. Sidings would be located within the right-of-way parallel to a main track to allow trains to be stored and to pass each other. Implementing the Proposed Action would provide rail operations from the existing UPRR rail line for shippers throughout portions of Juab, Sanpete, and Sevier Counties.

The primary shipper that would use the new rail line would be SUFCO, which would shift the transportation of its coal from trucks to rail. This shift in transportation mode would not alter SUFCO's client base or the production or distribution of coal. Coal from the SUFCO mine would still need to be trucked to the rail head, but the distance over which the coal would be transported by truck would be greatly reduced. Further, trucks would no longer pass through the local communities. The volume of coal produced by the mine and subsequently shipped by train or truck is expected to remain stable for at least 25 years (the life of the mine reserves). Therefore, available information does not suggest that any appreciable increased production at the SUFCO mine is likely if the proposed new rail line is completed (*Federal Register* 2004). Detailed descriptions of the Proposed Action and Alternatives are provided in Chapter 2, Proposed Action and Alternatives.

The Applicant expects the proposed line to carry, on average, one to two loaded trains per day. Each train would consist of about 100 to 110 cars. This would be an approximate annual total of 38,000 carloads (loaded rail cars) of SUFCO coal per year operating on the proposed line and an equal number of empty rail cars if the proposed project is constructed. Most of the shipments would consist of coal transported in coal cars. Depending on the success of marketing the new rail service, other miscellaneous commodities could be transported. None of these commodities are proposed to be hazardous. This miscellaneous traffic, which is included in the estimate above, is not expected to exceed one loaded train per week or about 5,500 carloads per year.

## 1.3 Background

For many years and until 1983, the former Denver & Rio Grande Western (D&RGW) Railroad and its predecessor companies (now part of the UPRR) provided rail service to the central Utah counties of Sanpete, Sevier, and Piute. Rail service was provided to these counties over the Marysvale line of the D&RGW, which ran from the railroad's east-west mainline at Thistle southward for 132 miles to Marysvale (see Figure 1-1, Project Location).

In April 1983, a major landslide buried the D&RGW's mainline just west of Thistle, blocking the railroad as well as the parallel Spanish Fork Creek, U.S. Highway 6 (US 6), and US 89. The D&RGW constructed a new line that included a 3,100-foot tunnel to bypass the landslide and the temporary lake that had formed behind the landslide on Spanish Fork Creek. During that same year, high spring runoff along the Marysvale line caused washout damage at many other locations along the rail line. Due to the high costs of reconstruction, the D&RGW filed for abandonment, which was approved in 1984. Much of the right-of-way was sold to adjoining landowners. Many of the new owners converted the land to farming. Most bridges and drainage structures have been removed.

As a result of the 1983 landslide and subsequent abandonment of the D&RGW rail line, shippers including SUFCO had to begin trucking their goods to markets or to rail/truck transfer points at Juab, Sharp, or Nephi. These transfer points are located on a UPRR rail line that lies on the western edge of Juab County. SUFCO operates a large coal mine in Sevier County and is the county's largest commercial employer. SUFCO's coal production currently exceeds 7 million tons per year. About 750 truckloads per day (1,500 per day through Salina) from SUFCO's coal production facility are trucked east then north through Sevier, Sanpete, and Juab Counties to the UPRR rail transfer station at Sharp west of Levan (Washington Infrastructure Services Inc. and others 2001).

This truck traffic primarily uses Interstate 70 (I-70), Interstate 15 (I-15), US 50, US 89, State Route (SR) 28, and SR 10, passing through the towns of Salina, Scipio, Centerfield, Gunnison, Axtel, and Fayette. Trucking the coal from the mine has affected SUFCO's competitiveness with other regional coal producers. Canyon Fuels, SUFCO's parent company, has stated that the long truck haul currently needed to transport its coal from the mine at the Sharp load-out facility to the load-out facility located about 0.5 mile southwest of Salina is more expensive than a more direct shipment by rail.

The Applicant conducted a study (Washington Infrastructure Services Inc. and others 2001) of potential rail line routes that would eliminate the coal truck traffic from local roads and highways. Based on the results of the study, which concluded that rail would be a far more cost-effective option than trucking coal, the Applicant filed a petition with the Board for authority to construct and operate a new rail line between the UPRR rail line near Juab and Salina through Juab, Sanpete, and Sevier Counties.

## **1.4 Purpose of Proposed Action**

The purpose of the proposed construction and operation of a new rail line between the UPRR rail line near Juab and Salina is to provide a more direct connection to rail service for shippers, primarily SUFCO, within the described portions of central Utah. The Applicant also states that the Proposed Action would reduce the number of coal trucks traveling on highways and through communities in Sevier and Sanpete Counties.

## **1.5 Need for Proposed Action**

The proposed project area currently has no rail service, so shippers transport commodities and products by truck. SUFCO owns a coal mine 30 miles east of Salina. The Applicant has stated that restoring and extending rail service within the described area, specifically in Juab, Sanpete, and Sevier Counties, would allow SUFCO and other businesses to reduce their operating costs and maintain their competitiveness by using the rail line to transport goods.

Regional roadways currently carry high levels of truck traffic. Coal trucks currently use I-70, I-15, US 89, US 50, and SR 28 with about 1,500 trucks passing through downtown Salina each day at a rate of about one truck per minute. Currently, I-70 carries 750 trucks per day in each direction. Truck traffic runs in one direction on US 89, SR 28, I-15, and US 50 carrying 750 trucks per day.

The Applicant states that high levels of truck traffic affect transportation safety in the area. SEA reviewed the Utah Department of Transportation's (UDOT) vehicle safety report (Utah Department of Public Safety 2006) and specific safety data from 2004 to 2005 for incidents on the highways where coal is being moved in trucks. Statewide, large trucks were involved in 3.5% of the "property damage only" crashes and 2.4% of the "vehicles involved in injury" crashes. On US 89 in Sevier County, large trucks were involved in 35% of the total accidents.

In addition, high levels of truck traffic cause roadway congestion and accelerate wear and tear on state roads and interstate highways within the towns of Salina, Centerfield, Gunnison, and Fayette.

## **1.6 Project Context**

The context for this project is Juab, Sevier, and Sanpete Counties, which run south to north and are generally broad flat or rolling areas divided by the Sevier River. There are several small towns located within these counties and along the proposed project route; these towns include Fayette, Gunnison, Centerfield, Axtel, Redmond, Scipio, and Salina. Most of the valley floor supports farms that rely on irrigation. The valley is bounded on either side by a mountain range. The area includes primarily agricultural land uses. Other industries in the area include rock salt mining, gypsum production, and bentonite production.

There is no rail service in this portion of central Utah. A connection from the proposed rail head/load-out facility located at the southern terminus near Salina to the UPRR rail line at the northern terminus of the Proposed Action would be required for the project.

## **1.7 Agency Responsibilities**

The Federal agency action considered in this Draft EIS will include decisions by the Board and BLM regarding the Applicant's petition and right-of-way grant application. The Board and BLM will be issuing decisions concerning the Proposed Action and Alternatives using this EIS for the disclosure and analysis of expected environmental impacts as required by NEPA. Other Federal agencies have review responsibilities related to the Draft EIS and other components of the environmental review process. Agencies and their responsibilities are discussed below.

### **1.7.1 Lead Agency**

In accordance with 49 U.S.C. 10901 of the ICC Termination Act of 1995, Public Law 104-88, 109 Statute 803, 49 U.S.C. 10101 et seq., the Surface Transportation Board is the Federal agency responsible for granting authority for the construction and operation of new rail line facilities. Accordingly, the Board, through SEA, is the lead agency responsible for supervising the preparation of this EIS.

SEA published a Notice of Intent to Prepare an EIS in the *Federal Register* on September 30, 2003. SEA published the Notice of Scoping Meetings and Request for Comments in the *Federal Register* on October 20, 2003, and the Notice of Availability of Draft Scope of Analysis for the EIS on December 24, 2003. The public scoping period concluded on January 26, 2004. The Final Scope of Analysis was published in the *Federal Register* on May 14, 2004, and an additional comment period was extended until June 14, 2004.

### **1.7.2 Cooperating Agency**

During the scoping period, SEA invited BLM to participate as a cooperating agency in the preparation of the EIS because the Proposed Action could affect public lands administered by the BLM Richfield and Fillmore Field Offices. In a letter dated January 21, 2004, BLM accepted SEA's invitation to participate as a cooperating agency on this Proposed Action. The Richfield Field Office is the lead BLM contact for the project.

As a cooperating agency pursuant to 40 CFR 1501.6, BLM will participate during all phases of the Draft EIS and Final EIS development and intends to adopt the EIS for BLM's decision-making purposes as the EIS pertains to the described public lands. On February 14, 2005, the Applicant filed an official right-of-way application with BLM regarding the affected public lands. BLM will process the application according to its policies, procedures, and guidelines, which include having the EIS reviewed by an internal interdisciplinary team. BLM's

participation as a cooperating agency is expected to streamline the environmental review process associated with issuance of the right-of-way within BLM-administered public lands.

### **1.7.3 Other Federal Agencies**

#### **1.7.3.1 U.S. Environmental Protection Agency (USEPA)**

USEPA has broad oversight and implementing responsibilities for Federal environmental laws including the Clean Air Act; Clean Water Act; Comprehensive Environmental Response, Compensation, and Liability Act; Superfund Amendment and Reauthorization Act; Toxic Substances Control Act; and Resource Conservation and Recovery Act. USEPA also provides guidance on compliance with certain Executive Orders that involve environmental considerations, including Executive Order 11990 on the Protection of Wetlands, Executive Order 11988 on Floodplain Management, and Executive Order 12898 on Environmental Justice.

Under Section 309 of the Clean Air Act (42 U.S.C. 7609), USEPA reviews and comments on the environmental impacts of major Federal actions for which an EIS is prepared under NEPA. USEPA's Office of Federal Activities, which is responsible for reviewing EISs, evaluates the quality of analysis in the EIS and the extent of the proposal's impact on the environment. USEPA is also the Federal agency responsible for announcing the availability of Draft EISs in the *Federal Register*.

SEA has provided this Draft EIS to USEPA for review.

#### **1.7.3.2 Advisory Council on Historic Preservation (ACHP)**

ACHP is an independent Federal agency established in 1966 by the National Historic Preservation Act (NHPA), 16 U.S.C. 470. The ACHP is responsible for encouraging Federal agencies to fully consider historic resources in Federal project planning. The ACHP issues the regulations to implement Section 106 of the NHPA and, as needed, reviews Federal programs and policies to support historic preservation.

Section 106 of NHPA requires Federal agencies, such as the Board, to consider the effects of Federal actions or undertakings on historic properties (any district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places [National Register]).

Pursuant to the Section 106 regulations (36 CFR 800), the Board is required to consult with the appropriate State Historic Preservation Office or SHPO (here, the Utah SHPO), the Applicant, Federally recognized tribes, and other involved parties (Section 106 consulting parties) to resolve any adverse effects to historic properties that may result from the proposed project. ACHP may participate as a consulting party in controversial or precedent-setting projects as stipulated in Appendix A of the Section 106 regulations. If ACHP chooses not to

participate as a consulting party, the Board must still give ACHP a reasonable opportunity to comment with regard to the proposed project.

SEA has provided this Draft EIS to ACHP and the Utah SHPO for their review and comment.

### **1.7.3.3 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 and, through its regional offices, for consulting with other Federal agencies on the expected impacts of proposed actions on threatened and endangered species.

Under Section 7 of the Endangered Species Act, USFWS is responsible for reviewing Federal agency actions and expected impacts to threatened and endangered species. USFWS can issue a determination, in the form of a biological opinion, that details expected impacts to threatened and endangered species. The Board is responsible for initiating Section 7 consultation with USFWS.

The Board initiated contact to all applicable agencies, including USFWS, in early April 2003, with follow-up phone calls in late April through early May. Comments collected from the agencies were used to help identify issues that needed further assessment and review in the EIS process, specifically in the Draft EIS. Surveys for Federally listed and other State of Utah and BLM-sensitive species and their habitats were initiated by qualified biologists along the project study area in December 2003, then more intensely during the fall of 2004 through summer of 2005. On review of the biological assessment, USFWS determined that the project would have “no effect” on Federally listed threatened or endangered species (see Appendix B, U.S. Fish and Wildlife Coordination).

### **1.7.3.4 U.S. Army Corps of Engineers (USACE)**

USACE, under Section 404 of the Clean Water Act of 1977, has jurisdiction over activities that result in the discharge of dredge or fill material into waters of the United States, including lakes, rivers, streams, oxbows, ponds, and wetlands. Activities that affect these systems require a permit from USACE. Construction of the Proposed Action and Alternatives would likely impact waters of the United States and, therefore, the Applicant would be required to obtain a Section 404 permit before beginning project construction.

SEA has provided this Draft EIS to USACE for review and comment.

#### **1.7.3.5 Other**

In addition to the above agencies, SEA contacted the following Federal agencies during scoping and will provide them with a copy of the Draft EIS:

- Bureau of Indian Affairs
- U.S. Department of Energy
- Federal Emergency Management Agency
- Natural Resources Conservation Service
- U.S. Forest Service
- U.S. Geological Survey
- Bureau of Reclamation

#### **1.7.4 State and Local Agencies**

SEA has contacted the following state, local, and regional agencies and will provide them with a copy of the Draft EIS:

- Utah Department of Transportation
- Utah Division of Air Quality
- Utah Division of Emergency Services
- Utah Division of Parks and Recreation
- Utah Division of Wildlife Resources
- Utah State Historic Preservation Office
- School and Institutional Trust Lands Administration
- Sevier River Water Users Association
- Lower Sevier Water Users
- Six County Association of Governments
- City of Gunnison
- City of Salina
- Town of Sigurd
- Town of Fayette
- Town of Centerfield
- Town of Levan
- Town of Redmond
- Sanpete County
- Juab County
- Sevier County

## 1.8 Scoping and Public Involvement

### 1.8.1 Public Participation

**Public Notices.** The Board published a Notice of Intent in the *Federal Register* on September 30, 2003, announcing the start of the scoping process and the dates and times of public meetings. The following additional methods were used to notify the citizens; elected officials; Federal, state, and local agencies; and interested organizations of the project scoping activities.

SEA placed paid legal advertisements in the following newspapers:

- October 15, 2003 – *Salina Sun* and *Gunnison Valley News* (Gunnison)
- October 15, 2003 – *The Times-News* (Nephi)
- October 16, 2003 – *The Salt Lake Tribune* and *Deseret Morning News* (statewide circulation)
- October 16, 2003 – *Sanpete Messenger* (Manti)
- October 16, 2003 – *The Pyramid* (Mt. Pleasant)
- October 16, 2003 – *The Richfield Reaper* (Richfield)

**Media Outreach.** SEA prepared a media release and sent it to the media on October 20, 2003. Several media outlets ran stories about the Proposed Action before and after the public meetings. The dates and publications of those articles are listed below.

- October 8, 2003 – *The Richfield Reaper* (Richfield)
- October 8, 2003 – *Gunnison Valley News* and *Salina Sun* (Gunnison)
- October 8, 2003 – *The Times-News* (Nephi)
- October 29, 2003 – *Gunnison Valley News* and *Salina Sun* (Gunnison)
- October 29, 2003 – *The Richfield Reaper* (Richfield)
- November 5, 2003 – *The Richfield Reaper* (Richfield)

**Newsletters.** SEA sent about 70 newsletters to individuals on the project mailing list on October 14, 2003. The project mailing list is continuously updated as people ask to be added to the list.

**Public Scoping Meetings.** In October 2003, SEA held two public scoping meetings in an open-house format. Below are the dates and locations of the public scoping meetings.

- October 22, 2003 – North Sevier High School, Salina
- October 23, 2003 – Gunnison City Hall, Gunnison

Thirty-six individual comments were received at the two meetings, and 107 attendees signed the attendance sheets. Following the meetings, an additional 34 written comments were received. Copies of these comments are included in the scoping summary report along with copies of the public outreach materials in Appendix A, Agency and Public Scoping Summary Report.

**Project Hotline.** SEA also set up a toll-free project hotline for public comments. No comments were received on the project hotline; the hotline was discontinued during the summer of 2005.

**Scope of Analysis.** SEA published the Draft Scope of Analysis (Draft Scope) for the environmental review process in the *Federal Register* on December 24, 2003. Copies of the Draft Scope were mailed to the 259 individuals on the project mailing list at the time. Comments on the Draft Scope were accepted until January 26, 2004. The comments received were included in the Final Scope of Analysis (Final Scope).

During the public comment period for the Draft Scope, several members of the public requested that SEA review a new alternative referred to as Alternative C. SEA reviewed and considered about 113 comments to prepare the Final Scope.

The Final Scope was published in the *Federal Register* on May 14, 2004, and included a description of Alternative C and an overview of other issues raised during the scoping period. Copies of the Final Scope were sent to the 270 individuals who were on the project mailing list at the time. Copies were also made available for public review along with large-scale maps of the project area at the following locations:

Gunnison Civic Library  
38 W. Center Street  
Gunnison, Utah

Salina Public Library  
90 W. Main Street  
Salina, Utah

Comments on the Final Scope were accepted until June 14, 2004. Four comments were received concerning Alternative C. These comments are addressed in Chapter 2 of this Draft EIS. Copies of the Draft and Final Scope of Analysis are included in Appendix A, Agency and Public Scoping Summary Report.

## **1.8.2 Agency Participation**

Before the beginning of the public scoping period, SEA invited appropriate agencies with interests in the proposed rail line to participate in the environmental review process. Their comments helped SEA determine what level of environmental analysis was warranted for the proposed rail line. The agencies were asked to help identify potential environmental issues and concerns within the right-of-way. SEA held an agency scoping meeting on May 21, 2003, to solicit additional agency comments regarding the Proposed Action.

Letters of notification for the meeting were mailed on April 1, 2003, to about 44 agencies and agency representatives. These letters invited the agencies to attend the agency scoping meeting and provide comments on the Proposed Action. SEA made follow-up phone calls to the invitees on April 24 and April 25, 2003, and again on May 15, 2003, to ensure that the agencies received notice of the meeting. There were 29 attendees at this meeting representing 19 agencies.

These agencies were also invited to submit comments during SEA's public scoping period. SEA mailed letters with project information, a request for their comments, and an invitation to the public scoping meetings to the resource agencies on October 14, 2003.

The comments collected from the agencies both before and during the public scoping period were used to help identify issues that needed further review in the EIS process. A total of 37 agency comments were received before and during the public scoping period. Copies of these comments are included in the CURP Draft EIS Agency and Public Scoping Summary Report which is included in Appendix A.

## **1.8.3 Native American Consultation**

In November 2003, SEA created a Tribal Consultation Plan to provide an outline for involving Federally recognized tribes in the project (see Appendix B, Tribal Consultation Plan). In general, the Plan provided that SEA notify tribes early in the process, create opportunities to meet and exchange information, and allow for timely feedback regarding any tribal concerns about the proposed project.

Federally recognized tribes identified in the 2003 Plan as having an interest in the project area include the Ute Indian Tribe, the Paiute Indian Tribe of Utah, the Goshute Indian Tribe, the Skull Valley Band of Goshute Indians and the Hopi Tribe (see Appendix C, Tribal Consultation Plan). The Navajo Nation was also identified as having an interest in the project area in 2003 during scoping meetings held in May of that year.

In 2006, SEA identified additional Federally recognized tribes that may have an interest in the project area. Below is a summary of SEA's coordination efforts to involve Federally recognized tribes in the EIS process to date.

- On May 7, 2003, SEA sent letters of invitation to tribal contacts identified in Tribal Coordination Plan to attend the agency scoping meeting on May 21.
- During the week of May 12, 2003, SEA called the tribal points-of-contact to remind them about the agency scoping meeting on May 21 and to invite them to attend a drive-through tour of potential rail right-of-way alignments on May 20.
- On May 14, 2003, SEA sent the tribes follow-up reminders about the tour and a tour itinerary.
- On various dates, SEA sent the tribes individual letters as well as project newsletters inviting them to the public scoping meetings and requesting their input on identifying sensitive environmental and cultural sites in the project area.
- On October 8, 2003, SEA sent letters inviting the tribes to the public scoping meetings and requesting their input on identifying sensitive environmental and cultural areas.
- On October 14, 2003, SEA sent newsletters to the tribes.
- On October 14, 2003, SEA made follow-up phone calls to the tribes to make sure the tribes were aware of the public scoping meetings and to again request their comments regarding the project.
- On January 7, 2004, SEA sent a letter and maps to the Skull Valley Band of Goshute Indians at their request.
- Between January 8, 2004, and January 14, 2004, SEA made follow-up calls to the Skull Valley Band of Goshute Indians.
- On March 7, 2006, BLM provided SEA with an expanded list of tribal contacts. SEA sent letters providing updated project information and seeking input from tribal leaders.
- The Hopi Tribe sent written correspondence in response to the March 7, 2006, letter indicating their continued interest in being included as a Section 106 consulting party.
- On October 16, 2006, SEA called tribal contacts identified in 2003 and newly identified tribal contacts to discuss the proposed project and gather input on their desired level of tribal consultation. During follow-up calls, the Skull Valley Band of Goshute Indians stated that they were not interested in participating as a Section 106 consulting party.

- On November 20, 2006, SEA sent letters to additional tribes based on input from BLM; Goshute Indian Tribe, Utah Navajo Commission, Southern Ute Tribe of Colorado, Ute Mountain Ute, White Mesa Ute, San Juan Southern Paiute, Kaibab Paiute Tribe, and Moapa Band of Paiute Indians of Nevada with updated project information and a request for tribal input.
- On December 8, 2006, SEA received a response from the Kaibab Paiute Tribe expressing their desire to be a consulting party.

In summary, as part of the environmental review process, SEA has conducted broad public outreach activities to inform agencies, and Federally recognized tribes, and the public about the Proposed Action and Alternatives and to facilitate public participation.

## **1.9 Organization of the EIS**

This EIS is consistent with NEPA, CEQ regulations in 40 CFR 1502.10, and the Board's environmental roles in 49 CFR 1105. It is intended to provide clear and concise information on the Proposed Action and Alternatives to the agency decision-makers and the public. The EIS describes the proposed project, the alternatives, the existing environment in the project area, and the expected environmental impacts associated with the Proposed Action and Alternatives.

The following sections describe the components of this EIS.

### **Executive Summary**

The Executive Summary provides a brief description of the purpose and need for the project, the alternatives developed and evaluated in the EIS, and the potential environmental impacts associated with each alternative. The Executive Summary also contains the conclusion and recommendations concerning preferred alternatives and mitigation measures that were developed to reduce the expected environmental impacts.

### **List of Acronyms and Abbreviations**

This list defines the acronyms and abbreviations used in this EIS.

### **Glossary**

The glossary provides definitions of technical, NEPA, or agency-related terms that might be unfamiliar to the reader.

## **Chapter 1, Description of the Proposed Action and Purpose and Need**

This chapter describes the purpose of and need for the Proposed Action and provides a brief description of the Proposed Action. It also presents the agencies involved in preparing and reviewing the EIS, the process of developing the scope of the EIS analysis and issues, and the overall organization of the EIS document.

## **Chapter 2, Proposed Action and Alternatives**

This chapter describes the alternatives that are studied in detail in the EIS—the Proposed Action, one alternative to the Proposed Action, and the No-Action Alternative—and any other alternatives that were considered but were eliminated from detailed analysis. It also provides a summary comparison table of the environmental impacts of the Proposed Action and Alternatives based on the information and analysis presented in Chapter 3, Affected Environment, and Chapter 4, Environmental Consequences.

## **Chapter 3, Affected Environment**

This chapter describes the existing natural and human resources in the proposed project area. It is divided into environmental resource categories and outlines regulatory requirements, analysis methods, assumptions, and data sources for each environmental resource category.

## **Chapter 4, Environmental Consequences**

This chapter provides the methodology and results of the analysis of expected environmental impacts associated with the Proposed Action, the alternative to the Proposed Action, and the No-Action Alternative. The results address direct and indirect impacts and their magnitude.

## **Chapter 5, Cumulative Impacts**

This chapter briefly describes other past, present, and reasonably foreseeable future actions in the proposed project area that are considered to contribute to overall environmental impacts. It analyzes the impacts of these projects when considered cumulatively with the Proposed Action and Alternatives.

## **Chapter 6, Mitigation**

This chapter describes, by environmental resource category, the recommended mitigation measures to minimize the expected environmental impacts of the Proposed Action and Alternatives.

### **Chapter 7, Short-Term Use versus Long-Term Productivity of the Environment**

This chapter discusses the relationship between the short-term uses of the environment for the Proposed Action and Alternatives versus impacts from the Proposed Action and Alternatives on the long-term productivity of the environment.

### **Chapter 8, Irreversible and Irretrievable Commitment of Resources**

This chapter describes irreversible and irretrievable resource commitments related to the use of nonrenewable resources and the effects that this use could have on future generations.

### **Chapter 9, Coordination**

This chapter describes the agency, tribal, and public coordination efforts for the Draft EIS.

### **Appendices**

The Appendices consist of material prepared in connection with the EIS that supports the analyses and conclusions presented in the EIS.

## **1.10 Request for Comments on the Draft EIS**

All interested parties are encouraged to submit written comments on any aspect of this Draft EIS. SEA will consider all comments in preparing the Final EIS, which will include responses to all substantive comments, SEA's final conclusions on potential impacts, and SEA's final recommendations. All comments must be submitted with the comment period, which will close August 22, 2007. When submitting comments on the Draft EIS, please be as specific as possible and substantiate your concerns and recommendations. Please mail written comments to:

Surface Transportation Board  
Case Control Unit  
395 E Street SW  
Washington, DC 20423-0001

To ensure proper handing of your comments, please mark your submission:

Attention: Phillis Johnson-Ball  
Section of Environmental Analysis  
Environmental Filing FD No. 34075

Environmental comments can also be filed electronically on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. FD 34075 in all correspondence.**

This Draft EIS is also available at the Board's website at [www.stb.dot.gov](http://www.stb.dot.gov).

Figure 1-1. Project Location

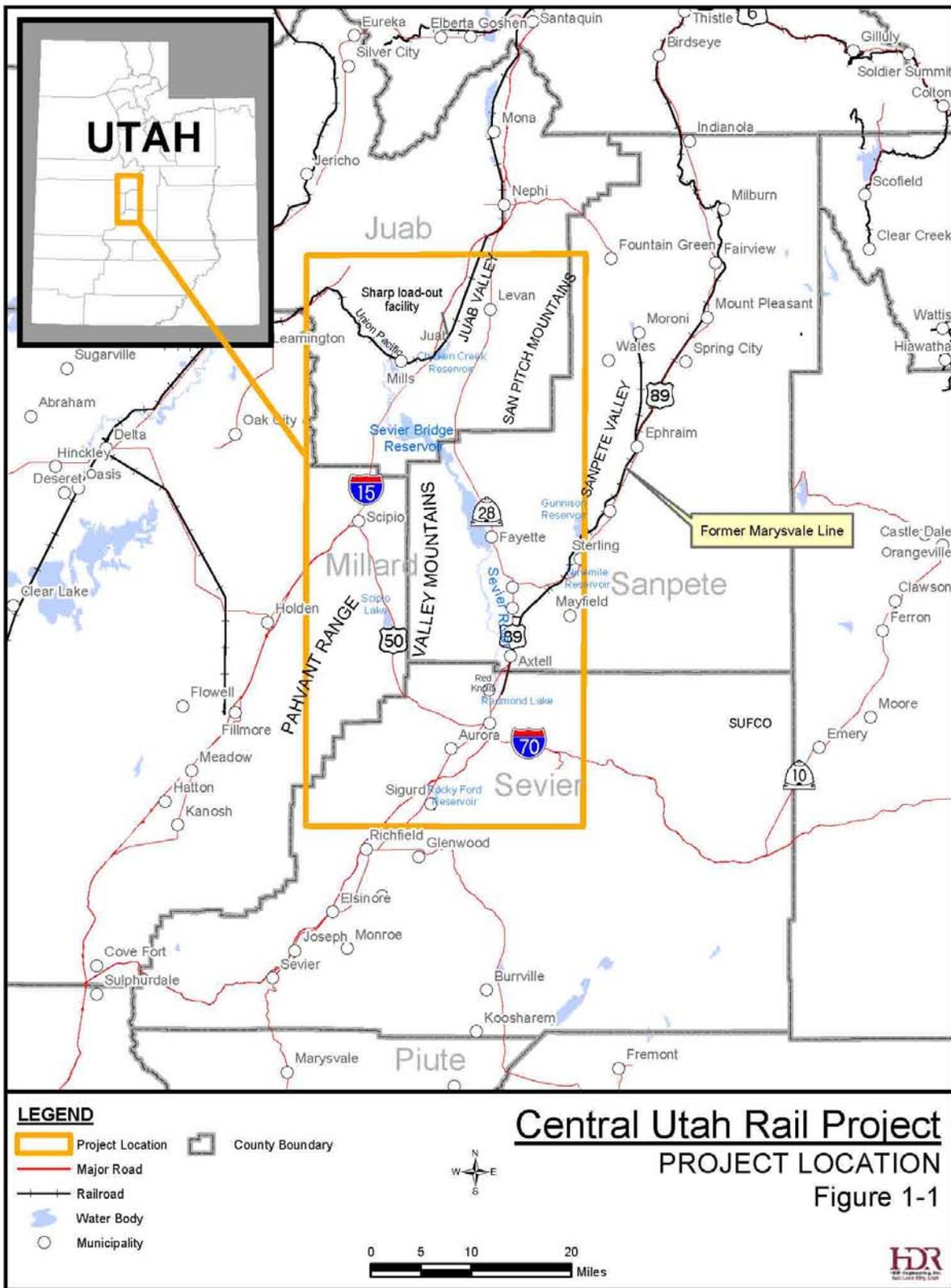


Figure 1-1. Project Location

