



Board of County Commissioners

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eagleadmin@eaglecounty.us

www.eaglecounty.us

April 20, 2023

John Putnam, General Counsel
United States Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590
Via email: john.putnam@dot.gov

Re: Meeting Request Concerning Bonding Authority for Uinta Basin Railway

Dear Mr. Putnam,

Eagle County respectfully requests a meeting with you and anyone you deem advisable from the U.S. Department of Transportation to express our strong opposition and to discuss concerns relating to the Utah's Seven County Infrastructure Coalition and Uinta Basin Railway's request for up to \$2 billion in Private Activity Bonds through DOT's Build America Program to finance the Uinta Basin Railway Project.

As you may know, Eagle County is currently in litigation challenging the Surface Transportation Board's approval of the proposed 88-mile railway connecting the Uinta Basin in northeast Utah with the Union Pacific line in central Utah. At the crux of this litigation is STB's complete failure to consider the downline impacts to the sensitive Colorado River corridor. The Union Pacific Line in Colorado runs directly adjacent to the Colorado River, oftentimes within feet of the river, for over 100 miles. As recent and highly publicized derailments such as East Palestine have made abundantly clear, the risk associated with sending as many as ten, two-mile-long heated oil tankers per day along a river that serves over 40 million people warrants more thorough analysis and mitigation than has been shown to date. Every Colorado community along the rail corridor will be forced to face these very real risks of derailment, spills, water contamination and fires.

Couple these risks with the enormous increase in the volume of fossil fuels extracted from the Uinta Basin and you can see why Eagle County shares the concerns expressed by so many Colorado local governments and key stakeholders, including Senator Bennet and Congressman Neguse. Accordingly, Eagle County has expended significant time and resources in challenging this project to date. Federally subsidizing a project with so many outstanding issues, and one that clearly undermines this administration's climate goals, is nearly impossible to fathom.



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The DOT has the authority to allocate funding for private activity bonds “in such manner as the Secretary determines appropriate,” 26 U.S.C. § 142(m)(2)(C). We would encourage the DOT to exercise its broad discretion to reject this application. Approving the use of private activity bonds for such a single-purpose oil railway would be unprecedented and take away funding from other, more worthy projects. This project is not for the public good. It does not help the traveling public at all. It merely benefits one industry at the expense of Coloradans.

We look forward to your response and would appreciate the opportunity to discuss our concerns with you.

Sincerely,

Kathy Chandler-Henry

Chair

Matt Scherr

Commissioner

Jeanne McQueeney

Commissioner



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