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March 17, 2023

The Honorable Michael Bennet
Cesar E. Chavez Memorial Building
1244 Speer Boulevard
Denver, CO 80204

The Honorable John Hickenlooper
Byron Rogers Federal Building
1961 Stout Street, Suite 12-300
Denver, CO 80294

The Honorable Joe Neguse
620 E Main Street
Frisco, CO 80443

Re: Request for Continued Opposition to Uinta Basin Railway

Dear Senator Bennet, Senator Hickenlooper, and Representative Neguse,

The Northwest Colorado Council of Governments Water Quality/Quantity Committee (“QQ”), which comprises [40 local governments](#) in the headwaters of the Colorado, Yampa, and Gunnison River Basins. We shared our opposition for the Uinta Basin Railway with Senator Bennet in January of 2022. We appreciate your efforts to address and mitigate impacts to Colorado communities from the Railway and to stop the project if possible.

We recently learned that the project proponents are seeking to fund the railway through a tax-exempt [Private Activity Bond](#) (PAB) issued by the US Department of Transportation (DOT). This will effectively amount to tens of millions of dollars in public subsidies every year for a project that has significant [environmental and health risks for Coloradans](#).

We respectfully request coordination of all your offices to oppose any use of PABs from the federal government for the Uinta Basin Railway, and that you continue to communicate your opposition both publicly and directly to the DOT and relevant agencies.

Heavy crude oils are highly toxic and very difficult to remove from a water source; contamination is severe and long-term. In addition, oil train derailments could cause devastating forest fires in Colorado’s mountains. A federal agency review concluded the proposed new Railway would add up to 87 million gallons of waxy crude per week to the interstate rail system. Oil would be transported via as many as 180,000 loaded rail cars per year from the Uinta Basin to the mainline of the Union Pacific where it would travel east adjacent to the Colorado and Fraser Rivers. The Colorado River is the source of water for 40 million people and a river you’re aware is in crisis. The Fraser River is an important and threatened tributary to the Colorado River which has already experienced degradation from decades of low flows due to diversions to cities on

the other side of the Continental Divide. The significant increase in railroad traffic raises concerns about both long-term and catastrophic water quality degradation in the Headwaters Region.

Long-term impacts from the increase in rail traffic may include, to name a few:

- Worsening of existing water quality challenges in the region, such as sedimentation and deposition of pollutants from the railcars into waterways.
- Further aquatic life impairment. Many waterways in the Headwaters struggle to sustain aquatic life and are fragile and sensitive to long-term increases in pollutants from increased rail car traffic.
- Union Pacific already has a [history of releasing damaging sludge](#) from the Moffat Tunnel into the Fraser River; the potential for additional releases would increase.
- The region's ability to meet water quality standards established by the EPA is unclear given these long-term impacts.

The increase in rail car traffic also increases the catastrophic potential for a train derailment and spill. As the recent, disastrous train derailment and chemical spill in East Palestine, Ohio shows, rail transportation of hazardous materials threatens communities, air, and water along the way. A catastrophic spill could have the following far-reaching impacts:

- Communities along the Colorado and Fraser Rivers could lose access to safe, clean drinking water and irrigation water supply.
- Environmental impacts would be widespread.
- The State's recreation and tourism economy would be adversely impacted because of the loss of fishing, rafting, and other water-based recreation income.
- Impacts in Glenwood Canyon could be particularly acute because the Canyon is already struggling to recover from damaging 2020 wildfires.
- Local investment in watershed restoration could be lost. Local governments and state and federal agencies are spending millions of dollars already to restore these watersheds. See, for example, Grand County [Learning By Doing Cooperative Effort](#).

QQ asks that you object to PABs for a project that will cause harm to Coloradans. We request that you all communicate this both publicly and directly to Secretary Buttigieg and the Department of Transportation. For questions or concerns, please contact QQ Co-Director Claire Carroll at 719.740.0785 or ccarroll@nwccog.org.

Sincerely,



Kathy Chandler-Henry
QQ Chair and Eagle County Commissioner
Kathy.chandlerhenry@eaglecounty.us

CC:

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