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February 7, 2023

The Honorable Jared Polis
Governor of Colorado
State Capitol Building
200 E. Colfax Ave., Rm. 136
Denver, CO 80203

Delivered via electronic mail:
governorpolis@state.co.us

RE: Uinta Basin Railway Mitigation Request

Dear Governor Polis,

In a letter sent on [March 8, 2022](#) to our U.S. Senators and Representative, the Grand County Board of County Commissioners did not take a formal position on the Uinta Basin Railway. However, we had considerable concerns regarding potential environmental impacts, and requested comprehensive mitigation response plans be developed and staged in Grand County should the project move forward as planned.

Following a recent presentation from Trout Unlimited Headwaters Chapter, as well as further discussion with county staff and other stakeholders on the potential environmental impacts to the Fraser River and Colorado River, we are now formally opposing this project until the following conditions are met:

1. A comprehensive mitigation response plan specific to Grand County is developed and approved by the Colorado Department of Public Health and Environment, Colorado Parks and Wildlife, and Grand County Government.
2. Containment and recovery will be extremely important and potentially very complicated, particularly if a derailment occurred in one of our steeply sloping and rugged canyons which are immediately adjacent to our rivers and streams. Therefore, prior to project commencement, the Seven County Infrastructure Coalition will incur the costs of placing an experienced

contractor on retainer in the event of a waxy crude oil spill to promptly enact response plans. Response time will be critical to protect municipal water supply systems, our Gold Medal Trout fishery, and the livelihoods of our agricultural community and outdoor recreation economy. A derailment of this type of shipment is catastrophic.

3. Establish an escrow account for immediate mobilization and clean up costs, as well as issue a bond for long-term remediation. In 2010, the "Marshall" spill¹ on a tributary to the Kalamazoo River took 10 years to clean up and restore 35 miles of the river which were polluted by 843,000 gallons of crude oil. According to the Securities and Exchange Commission filing in 2014, the cleanup costs were well over \$1.2 billion.

Grand County recognizes that oil needs to be transported before it is processed and distributed, however, we need assurances that all proper plans are in place to protect the headwaters of the Colorado River and not merely the state of Utah. In the last 50 years, there have been three derailments in our county, one of which resulted in a spill in Byers Canyon. This equates to an average of one derailment every 16 years. This project would bring an additional 3,650 two-mile long trains through Grand County each year, greatly increasing the odds of a catastrophic spill.

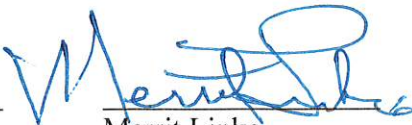
To summarize, Grand County is very concerned with the capacity and response times of the specialized emergency services capable of containing a crude oil spill (or any of the additional chemicals that this project may bring through our communities). Our watershed not only serves the citizens and visitors of Grand County, but the millions of people downstream and on the Front Range through transbasin diversions. In essence, should a spill occur in Grand County, it will have reverberating impacts across the entire state of Colorado.

Grand County respectfully requests you assist with ensuring these additional conditions are met to safeguard against potential environmental impacts to the Fraser and Colorado Rivers, and all of the interests that are dependent on that clean and safe source of water. Thank you for your continued support on matters within Grand County.

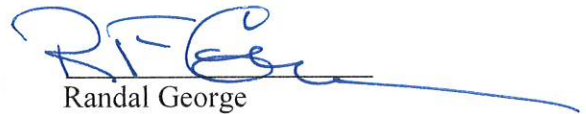
Sincerely,



Richard Cimino
Commissioner Chair



Merrit Linke
Commissioner



Randal George
Commissioner

¹ Garret Ellison, "New price tag for Kalamazoo River oil spill cleanup: Enbridge says \$1.21 billion", *M Live*, November 5, 2014, https://www.mlive.com/news/grand-rapids/2014/11/2010_oil_spill_cost_enbridge_1.html.

Cc:

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