



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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SEP 20 2011

Ref: 8EPR-EP

Kathleen Anderson
U.S. Army Corps of Engineers
Sacramento District
533 West 2600 South, Suite 150
Bountiful, Utah 84010-7717

RE: Pre-Construction Notification, Union
Pacific Railroad Bridge Construction and
Culvert Removal

Dear Ms. Anderson:

U.S. Environmental Protection Agency, Region 8 has reviewed the above referenced Pre-Construction Notification for the removal of two converted crossings and the placement of a bridge along the east west rail crossing located in the northern portion of Great Salt Lake, Utah.

The EPA has participated in two conference call meetings discussing the project construction activities and potential impacts associated with the placement of this proposed bridge. In each of these meetings a number of issues were raised that required in-depth discussion. Areas of concern that were raised included:

- Will this action increase circulation between the north and south portions of the Great Salt Lake;
- Impacts to migratory water fowl;
- Impacts to the Great Salt Lake Mineral Corporation operations;
- Effects on recent water modeling work that is underway for the development of GSLM NEPA EIS on future expansion; and
- Effects on the brine shrimp operations in the Lake.

In EPA's review of the comments submitted by the State of Utah and U.S. Fish and Wildlife Service, it is EPA position that the use of a Nationwide permit may not be the appropriate permitting option for the proposal by Union Pacific. The processing of a Corps Individual Permit, or the use of Letter of Permission would be EPA's recommendation in permitting Union Pacific's Section 404 application. Each of these Section 404 permitting processes would provide for additional evaluation of the impacts and allow the resources agency, and if the Corps elects to process and IP the public, the opportunity to further understand the effects of Union Pacific's proposal.

Several additional areas of concern or the need for additional information include:

- Union Pacific has been performing maintenance work on the existing culvert for a number of years. It is not unlikely that this would also be needed in maintaining the opening and channel under the proposed bridge. Additional understanding and conditioning of this maintenance work is needed to address potential impacts. Examples of information needed would include sediment disposal options, approximate amount of sediment that would be removed in a normal maintenance situation, sediment contamination studies and the timing of dredging operations to avoid bird impacts.
- Water circulation monitoring is critical to understand the impacts and dynamics of the placement of the bridge. This would be a long term commitment by Union Pacific with information on flow circulation being made available to all state and federal regulatory agencies.
- A long term water quality monitoring plan will need to be developed and implemented to evaluate the effects of existing contamination in the Great Salt Lake (e.g. mercury, selenium).

One additional concern that EPA has on the use of the Nationwide permit to authorize this work, is the elimination of the need for Union Pacific to obtain an individual 401 water quality certification issued by the State of Utah. The State of Utah has been actively working to improve the water quality conditions of the Great Salt Lake and its tributaries and has expressed concerns on not understanding impacts that this proposal may have on water quality in Great Salt Lake. The processing of a 401 water quality certification would allow the State the opportunity to condition this work to assure water quality concerns are addressed properly.

Thank you for this opportunity to comment. If you have questions or would like to discuss EPA concerns further contact me at 303-312-6748 or clark.richard@epa.gov.

Sincerely,



Dick Clark
Wetland Coordinator
Wetlands and Tribal Unit

