WASHINGTON—A federal appeals court today rejected the U.S. Surface Transportation Board’s permit for the proposed Uinta Basin Railway, designed to quadruple oil production in Utah’s Uinta Basin and move crude through the Colorado Rockies to Gulf Coast refineries.

Today’s ruling by the U.S. Court of Appeals for the D.C. Circuit said the board violated the National Environmental Policy Act by failing to fully analyze the railway’s potential harm to the climate, wildlife, the Colorado River and people, including environmental justice communities along the Gulf Coast. The decision strips the railway of the permitting required for its construction.

“This is an enormous victory for our shared climate, the Colorado River and the communities that rely on it for clean water, abundant fish and recreation,” said Deeda Seed, a senior campaigner at the Center for Biological Diversity. “The Uinta Basin Railway is a dangerous, polluting boondoggle that threatens people, wildlife and our hope for a livable planet. The Biden administration needs to dismantle this climate bomb and throw it in the trashcan where it belongs.”

The proposed 88-mile-long railway would spur increased oil production — estimated at an additional 350,000 barrels a day — by linking Uinta Basin oil fields to national rail networks. Most of the crude would travel through the Colorado Rockies for more than 100 miles and then on to Gulf Coast refineries, increasing the risk of fires and oil spills along the vulnerable Colorado River corridor.

“This ruling is a win for communities across the West and is critical for ensuring a sustainable climate future,” said Carly Ferro, executive director of the Utah Sierra Club. “From its onset, this project’s process has been reckless and egregious. But today, the people and the planet prevailed. We will continue to advocate for accountable processes to ensure a healthy environment where communities can live safely, and this win will help make that possible.”

The appeals court found that the Surface Transportation Board failed to consider harm to the environment and downstream communities, the risk of wildfires and derailments along the drought-stricken route, and the project’s “uncertain financial viability.”

“The deficiencies here are significant,” the ruling said, including failure to “quantify reasonably foreseeable upstream and downstream impacts on vegetation and special-status species of increased drilling in the Uinta Basin and increased oil-train traffic along the Union Pacific Line, as well as the effects of oil refining on environmental justice communities the Gulf Coast.” The court also said that the agency failed to “take a hard look at wildfire risk as well as impacts on water resources downstream; and explain the lack of available information on local accident risk.”

“The court's rejection of this oil railway and its ensuing environmental damage is a victory for the climate, public health and wild landscapes,” said Samantha Ruscavage-Barz, legal director for WildEarth Guardians. “The public shouldn't have to shoulder the costs of the railway's environmental degradation while the fossil fuel industry reaps unprecedented profits from dirty energy.”

In addition to climate damage, the railway would harm public lands, rare plants and wildlife habitat. According to a now vacated federal environmental analysis, the railway would dig up more than 400 Utah streams and strip bare 10,000 acres of wildlife habitat, including crucial areas that pronghorn and mule deer need to survive. In Emma Park, a remote sagebrush valley known to birdwatchers, bulldozers and train traffic could drive imperiled greater sage grouse out of their mating and nesting grounds.

“When Congress approved the Energy Policy Act of 2005, which became the incentive to exploit the unconventional fuels of the Colorado River Basin, our hope was that this very bad energy policy might incite a popular movement to address and counter the impacts of global warming,” said John Weisheit, conservation director for Living Rivers in Moab, Utah. “Yes, we need to thank the judges for making the right decision today, but this brighter day belongs to the climate justice movement.”

“This decision is a win for public health and the environment,” said Jonny Vasic, executive director for Utah Physicians for a Healthy Environment. “The court ruled the Surface Transportation Board conducted an environmental review that failed to meet the requirements of the law. The people of Utah can breathe a sigh of relief. Hopefully this is the beginning of the end for the Uinta Basin Railway.”

The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.7 million members and online activists dedicated to the protection of endangered species and wild places.

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