

SEVEN COUNTY INFRASTRUCTURE COALITION
March 19, 2021

Resolution No. 2021-03C

RESOLUTION APPROVING A SECTION 106 PROGRAMMATIC AGREEMENT BETWEEN THE COALITION AND THE U.S. SURFACE TRANSPORTATION BOARD AND RELATED FEDERAL AGENCIES FOR THE UINTA BASIN RAILWAY PROJECT, AND RELATED MATTERS.

WHEREAS, the Seven County Infrastructure Coalition (Coalition), filed a petition for exemption with the U.S. Surface Transportation Board (STB) on May 29, 2020, pursuant to 49 United States Code (U.S.C.) § 10502, in Docket No. FD 36284, and

WHEREAS, as set forth in the attached programmatic agreement, the STB, as the lead federal agency, pursuant to 36 Code of Federal Regulations (C.F.R.) § 800.2(a), determined that a decision by the Board granting authority for the Project triggers the requirements of the NHPA (54 U.S.C. § 300301 *et seq.*), specifically Section 106 of the NHPA (Section 106) (54 U.S.C. § 306108) and its implementing regulations (36 C.F.R. Part 800) and other applicable laws involving other state, federal and Native American agencies or concerns; and

WHEREAS, the Coalition desires to approve the proposed programmatic agreement:

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County Infrastructure Coalition, Utah as follows:

1. The Governing Board, approves and authorizes in substantially final form a Section 106 Programmatic Agreement, as attached, with the STB and other state, federal and Native American agencies, and further authorizes the Executive Director to execute said agreement and take all other steps necessary or desirable related to it.
2. All parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.
3. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this March 19, 2021.

Motion by Commissioner Lytle and

Seconded by Commissioner Ogden.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon County	Yea	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Daggett County	Yea	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Duchesne County	Yea	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Emery County	Yea	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
San Juan County	Yea	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Sevier County	Yea	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Uintah County	Yea	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Absent
Co-Chair, Greg Miles

[Signature]
Co-Chair, Casey Hopes

ATTEST:

[Signature]
Heather B. Hoyt

