

AMENDMENT TO H.R. 4820, AS REPORTED
OFFERED BY MR. CURTIS OF UTAH

At the end of the bill (before the short title), insert the following:

1 SEC. _____. (a) In this section, the term “Uinta
2 Basin Railway” means the Uinta Basin Railway project,
3 as generally described and approved in the Surface Trans-
4 portation Board Decision Docket No. FD 36284.

5 (b) The Congress hereby finds and declares that the
6 timely completion of construction and operation of the
7 Uinta Basin Railway is required in the national interest.
8 The Uinta Basin Railway will serve as a common-carrier
9 railway infrastructure asset located within the borders of
10 the state of Utah. The Uinta Basin Railway will provide
11 needed infrastructure to solve the long-standing freight
12 transportation challenges of the region by connecting
13 Northeast Utah to the existing national railway network.
14 This common-carrier railway will move all goods in a safe
15 and cost-effective way to enable economic stability, sus-
16 tainable communities and enriched quality of life where
17 service is equally open to all freight shippers of all goods
18 and services, including oil & gas, mining, manufactured
19 goods and agriculture. This critical piece of infrastructure

1 is an important economic development and stabilization
2 project that will create jobs and provide a higher quality
3 of life to the local communities that rely on the resources
4 located on private, state, tribal, and federal parcels and
5 lands. As such all terms in this section expressly and spe-
6 cifically approve and mandate the construction and initial
7 operation at full capacity of the Uinta Basin Railway.

8 (c) Notwithstanding any other provision of law—

9 (1) Congress hereby ratifies and approves all
10 authorizations, permits, verifications, extensions, bio-
11 logical opinions, incidental take statements, and any
12 other approvals or orders issued pursuant to Federal
13 law necessary for the construction and initial oper-
14 ation at full capacity of the Uinta Basin Railway;
15 and

16 (2) Congress hereby directs the Board of Gov-
17 ernors of the Surface Transportation Board, the
18 Secretary of the Army, the Secretary of Agriculture,
19 the Secretary of Transportation, and the Secretary
20 of the Interior, and other agencies as applicable, as
21 the case may be, to continue to maintain such au-
22 thorizations, permits, verifications, extensions, bio-
23 logical opinions, incidental take statements, and any
24 other approvals or orders issued pursuant to Federal
25 law necessary for the construction and initial oper-

1 ation at full capacity of the Uinta Basin Railway.

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3 (d) Notwithstanding any other provision of law, not
4 later than 21 days after the date of enactment of this Act
5 and for the purpose of facilitating the completion of the
6 Uinta Basin Railway, the Surface Transportation Board
7 shall issue all permits or verifications necessary—

8 (1) to complete the construction of the Uinta
9 Basin Railway across the lands and waters of the
10 United States; and

11 (2) to allow for the operation and maintenance
12 of the Uinta Basin Railway.

13 (e) Notwithstanding any other provision of law, no
14 court shall have jurisdiction to review any action taken
15 by the Surface Transportation Board, the Secretary of the
16 Army, the Secretary of Agriculture, the Secretary of
17 Transportation, the Secretary of the Interior, or a State
18 administrative agency acting pursuant to Federal law that
19 grants an authorization, permit, verification, biological
20 opinion, incidental take statement, or any other approval
21 necessary for the construction and initial operation at full
22 capacity of the Uinta Basin Railway, including the
23 issuance of any authorization, permit, extension,
24 verification, biological opinion, incidental take statement,
25 or other approval described in subsection (c) or (d) of this

1 section for the Uinta Basin Railway whether issued prior
2 to, on, or subsequent to the date of enactment of this sec-
3 tion, and including any lawsuit pending in a court as of
4 the date of enactment of this section.

5 (f) The United States Supreme Court shall have ex-
6 clusive jurisdiction over any claim alleging the invalidity
7 of this section or that an action is beyond the scope of
8 authority conferred by this section.

9 (g) This section supersedes any other provision of law
10 (including any other section of this Act or other statute,
11 any regulation, any judicial decision, or any agency guid-
12 ance) that is inconsistent with the issuance of any author-
13 ization, permit, verification, biological opinion, incidental
14 take statement, or other approval for the Uinta Basin
15 Railway.

