Appendix S:
Agency Correspondence

Technical Advisory Group – Operating Plan

Technical Advisory Group Mission:

The Technical Advisory Group provides an effective and efficient interagency advisory role to the Washington State Department of Transportation (WSDOT) Project Team during the design phase of the Point Defiance Bypass Project. The Technical Advisory Group is composed of representatives from the cities of DuPont, Lakewood, and Tacoma; Pierce County; the Clover Park School District; Joint Base Lewis-McChord (JBLM); Camp Murray; and Sound Transit; as well as WSDOT's ARRA Cascades Rail Program. Other stakeholder agencies and additional WSDOT personnel may assist this team on an as-needed basis.

The Technical Advisory Group has been charged with the following:

- Assist WSDOT with the identification of design options that are consistent with the project's purpose and need;
- Help review those design options in order to determine which options are locally preferred, for inclusion in the Environmental Assessment;
- Assist WSDOT with the identification of mitigation measures to reduce adverse project effects, and to identify those mitigation measures which are locally preferred;
- Assist WSDOT with the review of relevant project discipline reports and to provide timely feedback on those reports;
- Provide WSDOT with a timely review of the Environmental Assessment during the formal review period;
- Identify opportunities for partnerships between WSDOT and local, state, tribal, and federal jurisdictions that result in an improved project.

Technical Advisory Group Goal:

The Technical Advisory Group's goal is to foster excellent project design by proactively involving affected stakeholders and jurisdictions. By bringing together individuals from different agencies early in the project, WSDOT expects to work collaboratively to address member organizations' concerns, and move quickly through the NEPA/SEPA documentation process.

Technical Advisory Group Roles and Responsibilities:

- The member organizations may require multiple participants on the Technical Advisory Group. Agency and jurisdiction members will provide one primary, and one or more alternate representative(s) to participate in Technical Advisory Group meetings. If a primary member is unable to attend, a fully briefed alternate will take his/her place.
- Technical Advisory Group members will work proactively to identify project risks, and assist in developing management strategies for risks associated with engineering design and environmental impact(s).
- Technical Advisory Group members are encouraged to identify strategic partnership opportunities at the earliest opportunity.
- Members agree to conduct concurrent or group reviews of the project designs and documentation when required. Project reviews will focus on identifying issues and concerns early

in the process with an emphasis on finding fatal flaws. Members agree to resolve any issue(s) quickly and cost effectively.

- Technical Advisory Group members will keep their executive management informed on project issues; clearly identify their organization's area of responsibility to the Technical Advisory Group; and provide input for early resolution of issues, concerns, and conflicts within their jurisdiction.

Primary Technical Advisory Group Member / Alternate	**Affiliation**
Larry Mattson *(Chairperson)*/Dave Smelser	WSDOT
Dean Moberg	FHWA
Peter Zahn	City of DuPont
Dan Penrose/Jeff Gonzalez	City of Lakewood
Chris Larson	City of Tacoma
Mike Galizio/Jesse Hamashima	Pierce County
Delphie Nielsen/Michael Forsythe	Clover Park School District
Larry Mickel/Steven Perrenot	JBLM
Minh Vo	Camp Murray
Jodi Mitchell/Jason Suzaka	Sound Transit
Steve Kim	WSDOT

Technical Advisory Group Operating Guidelines:

The Technical Advisory Group will follow these guidelines to promote effective meeting/task management:

- Team members or their alternates will participate fully, will have the authority to represent their organization, and will keep their respective organization executives informed of project progress.
- Meeting notes will be kept and reviewed for each meeting.
- Team members will acknowledge problems, and deal with them in an open and timely fashion.
- Team members will strive to complete homework assignments on time and come to meetings prepared to address items on the agenda. Assignments and due dates will be made at the end of each meeting. Team members will set reasonable due dates for assignments.
- Team members will keep their roles and agency mission in perspective when discussing project issues.
- Technical sub-committees may be formed to work on specialty issues (for example, issues involving local business/socioeconomics).
- Team members will resolve issues within their power to solve and re-direct those issues that cannot be solved in a timely manner. If issue resolution is necessary, team members will strive to follow the "Conflict Identification and Resolution" process identified in this operating plan.
- Departing members will recommend an appropriate team member to replace them. The departing member or a designated team mentor will allocate the time necessary to bring a new member up to speed.

WSDOT Project Team Role:

The WSDOT Project Team will:

- Deliver the project in accordance with the endorsed Technical Advisory Group Operating Plan.
- Actively communicate progress on the project to the Technical Advisory Group and other agencies to inform them of any changes.
- Work to understand the agencies' and jurisdictions' needs and expectations.
- E-mail meeting agendas and handouts in advance of the meeting date.
- Send meeting notes out within two weeks of the meeting. Notes will consist of the highlights of the meeting, recap of discussions, action items, and commitments made.
- Provide decision-makers and other stakeholders with information and documentation developed by the project team and/or Technical Advisory Group that is needed to support a timely decision.

Conflict Identification and Resolution:

The Technical Advisory Group will work to resolve any conflicts with integrity and respect, and will strive for consensus during the decision-making process. If consensus cannot be achieved and conflict results, the involved parties will meet with each other and apart from the group to try to resolve the conflict on their own. If consensus still cannot be achieved, the involved parties shall elevate the issue to their next higher authority for resolution.

Executive Team

The Executive Team provides a direct communication forum between WSDOT executives and the responsible executives for jurisdictions through which the project travels. The Executive Team meets monthly or as-needed in order to receive project updates. While most conflicts will be resolved at the Technical Advisory Group meetings, the Executive Team may be involved in limited conflict resolution as well. The four primary purposes of the Executive Team are to:

- Review & comment on technical advisory group mitigation recommendations
- Provide feedback to the technical advisory group
- Collaborate to finalize recommendations
- Provide recommendations for the EA document

Members of the Executive Team	Affiliation
Dawn Masko, Assistant City Manager	City of DuPont
Andrew Neiditz, City Manager	City of Lakewood
Dave Bugher, Director of Community Development	City of Lakewood
Brian Zeigler, Director of Public Works	Pierce County
Eric Beckman, Rail Program Manager	Sound Transit
Ray Miller, Administrator for Business & Operations	Clover Park School District
Thomas Knight, Garrison Command	Joint Base Lewis-McChord
Dean Moberg	Federal Highway Administration
Jerry Lenzi, Chief Engineer, Engineering & Regional Operations	WSDOT

Dave Dye, Chief Operating Officer/Deputy Secretary	WSDOT
Ron Pate, Cascades High-Speed Rail Program Manager	WSDOT
Kevin Dayton, Olympic Region Administrator	WSDOT

Technical Sub-Committees

If needed, the Technical Advisory Group will identify any necessary technical sub-committees and potential sub-committee members.

Technical Sub-Committee Expectations:

Technical sub-committees will meet as needed. The primary purpose of each technical sub-committee will be to review project alternatives, and provide feedback on risks and opportunities related to their discipline to the Technical Advisory Group. WSDOT decision makers will use information provided by the technical sub-committees to make informed project decisions.

For further information or questions on the Point Defiance Bypass Project Technical Advisory Group, please contact:

David Smelser	ARRA Cascades Rail Project Coordination Manager	360-705-6916 *(work)*	360-515-6688 *(cell)*	smelsed@wsdot.wa.gov
Larry Mattson	Point Defiance Bypass Environmental Manager	509-577-1922 *(work)*	509-930-4464 *(cell)*	mattsol@wsdot.wa.gov

Signatures

WSDOT

WSDOT

WSDOT

Sound Transit

FHWA

City of DuPont

City of Lakewood

City of Tacoma

Pierce County

Clover Park School District

Camp Murray

Joint Base Lewis-McChord

AUG 2 2011

U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

Dr. Allyson Brooks, Ph.D.
State Historic Preservation Officer
Department of Archaeology and Historic Preservation
P.O. Box 48343
Olympia, WA 98504-8343

Dear Dr. Brooks:

The Washington State Department of Transportation (WSDOT) has applied to the Federal Railroad Administration (FRA) for federal assistance in completing numerous railroad improvement projects. To facilitate timely completion of environmental reviews, the FRA has authorized WSDOT to initiate consultations with your office regarding the consistency of their projects with the National Historic Preservation Act. This authorization is in accordance with National Historic Preservation Act regulations for the protection of historic properties, 36 CFR § 800.2 (a), August 5, 2004. This authorization expires on December 31, 2012.

Should you or your staff have concerns about these projects supported by FRA and submitted to your office by WSDOT, please contact FRA's environmental program manager Mr. David Valenstein, at (202) 493-6368 or at the above address. We appreciate your cooperation in satisfying the requirements of the National Historic Preservation Act.

Sincerely,

Mark E. Yachmetz
Associate Administrator
for Railroad Policy & Development

cc: Chris Regan, WSDOT
Cheryl McNamara, WSDOT

AUG - 2 2011

CONCURRENCES
RTG SYMBOL RPD-13
INITIAL/SIG CW
DATE 7/28/11
RTG SYMBOL RPD-13
INITIAL/SIG DV
DATE 7/28/11
RTG SYMBOL XC-20
INITIAL/SIG CS
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State Historic Preservation Officer
Department of Archaeology and Historic Preservation
PO Box 48343
Olympia, WA 98504-8343

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Sincerely,

Mark E. Yachmetz
Associate Administrator for
Railroad Development

CC: Chris Regan, WSDOT
Cheryl McNamara, WSDOT
Ron Pate, WSDOT

Cleveland, Leandra L.

From: Mattson, Larry
Sent: Tuesday, November 29, 2011 12:34 PM
To: Littauer, Erin; Williams, Scott
Cc: Foisy, Myria
Subject: FW: Point Defiance Bypass Project, Pierce County

Fyi, Scott and Erin.

Larry Mattson, PMP
Environmental Manager - Large Projects,
***Cascades* High-Speed Passenger Rail Program**
mattsol@wsdot.wa.gov

(509) 577-1922 (direct)
(509) 930-4464 (mobile)

From: Margaret Henry [mailto:mhenry@squaxin.us]
Sent: Tuesday, November 29, 2011 9:05 AM
To: Mattson, Larry
Cc: Rhonda Foster; Margaret Henry
Subject: Re: Point Defiance Bypass Project, Pierce County

Dear Mr. Mattson,

We wanted to inform you that there is a significant Cultural Site within 3 miles of your project area.
After looking at the map, we can see that our site will not be jeopardized for now.
Please notify us in the future if DOT plans to do more projects in this area.
Thank you,

Traditionally,
Margaret Henry for
Rhonda Foster, Director &
Tribal Historic Preservation Officer
Cultural Resources Dept.
Squaxin Island Tribe

On Mon, Nov 28, 2011 at 10:45 AM, Mattson, Larry <MattsoL@wsdot.wa.gov> wrote:

Ms. Henry-

A project map is attached, per your request. The orange line is the route of the proposed Point Defiance Bypass.

We appreciate your comments on the aboriginal use and inhabitants of this territory, and we will continue consulting with the Puyallup Tribe.

Larry Mattson, PMP

Environmental Manager - Large Projects,

***Cascades* High-Speed Passenger Rail Program**

mattsol@wsdot.wa.gov

(509) 577-1922 (direct)

(509) 930-4464 (mobile)

From: Margaret Henry [mailto:mhenry@squaxin.us]
Sent: Monday, November 28, 2011 10:11 AM
To: Mattson, Larry
Cc: Rhonda Foster; Margaret Henry
Subject: Re: Point Defiance Bypass Project, Pierce County

Dear Mr. Mattson,

Could you please send us a map of the project area? Thank you in advance!

Traditionally,

Margaret Henry

Cultural Resources Dept.

Squaxin Island Tribe

On Tue, Nov 22, 2011 at 4:12 PM, Margaret Henry <mhenry@squaxin.us> wrote:

Dear Mr. Mattson,

We would like to take the opportunity to respond to your request for our comments and concerns about the proposed project. While the project is located within the Squaxin Island Tribe's aboriginal territory, and the Squaxin people may have traveled to the area for social and/or resource gathering purposes, the area was permanently inhabited by the Puyallup Tribe. Therefore, we recommend that further consultation be conducted with the Puyallup Tribe to acquire their concerns on places of cultural importance to their people. The Squaxin Island Tribe requires no further consultation on the proposed project.

Traditionally,

Margaret Henry for

Rhonda Foster, Director &

Tribal Historic Preservation Officer

Cultural Resources Dept.

Squaxin Island Tribe

DEC 15 2011

U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Cynthia Iyall
Nisqually Tribe
4820 She-Nah-Num Dr SE
Olympia, WA 98513

Re: Initiation of Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Point Defiance Bypass Project, Pierce County, Washington

Dear Chairwoman Iyall:

The Washington State Department of Transportation (WSDOT) with funding from the Federal Railroad Administration (FRA) is proposing a program of infrastructure improvements along the existing 297-mile Burlington Northern Santa Fe Railway (BNSF) north-south main line between the Columbia River and the Canadian border that will initially allow the operation of four additional passenger daily round trips between Seattle and Portland (for a total of eight round trips), will help achieve greater schedule reliability, and will reduce the travel time between Seattle and Portland by up to 10 minutes. WSDOT and FRA prepared a Tier-1 Environmental Assessment (EA) in September 2009 to analyze the potential environmental effects of the Pacific Northwest Rail Corridor (PNWRC) Program. On November 19, 2010, FRA issued a Finding of No Significant Impact (FONSI) for the PNWRC Washington State Segment-Columbia River to the Canadian Border.

The Pt. Defiance Project (Project) is part of the PNWRC Program. An Environmental Assessment is currently being prepared by WSDOT and FRA to assess the environmental impacts of the proposed project. The Project is designed to alleviate freight traffic interference with Amtrak passenger trains between TR Junction and Nisqually, WA by creating a bypass route through the improvement of an existing rail corridor via Lakewood, WA. The current route along Puget Sound is a mostly double-track route with a 1.4 mile segment of single track through the Nelson Bennett Tunnel and Ruston Tunnel under Point Defiance. This route currently hosts approximately 40 freight trains per day operated by both BNSF and Union Pacific Railroad. The 26.5 miles long route has 35 curves sharper than 2 degrees per 100 foot. These curves and the moveable bridge at Chamber Creek limits passenger train speeds to under 60 mph. The single track segments and the severe curvature adversely impact Amtrak Cascades passenger train operations and limit main track capacity. The overall objective of the Point Defiance Bypass Project is to create capacity for additional intercity passenger trains, improve reliability of the existing and expanded intercity passenger service, and reduction of intercity passenger service travel times between Seattle, WA and Portland, OR. Once constructed, passenger trains that now travel the 26.5 mile segment of BNSF main line along the coast of Puget Sound will travel on a shorter 21.0 mile overland route with less curvature and less rail congestion interference with freight rail traffic. Construction activities will include upgrading traffic signals and safety components at existing crossings; and relocating the existing

Tacoma Amtrak Station to or near Freighthouse Square, which is located at 430 E. 25th Street in Tacoma, Washington. Upon completion of the rail rehabilitation, the project will support up to six daily round trips between Portland and Seattle.

As the lead Federal agency, FRA is contacting you to begin Government to Government consultation on this project. FRA is available for formal government-to-government consultation at your request. We also invite you to meet with either FRA or WSDOT representatives for the purpose of sharing information and establishing protocols for ongoing communication as the project is advanced. WSDOT and FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the project progresses and new information becomes available.

Through consultation, we hope to incorporate into the cultural resource survey process your concerns for locations of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the project on significant resources, and resolution of any adverse effects which may result from the proposed action.

Colleen Vaughn of my staff is the FRA contact for this project. She may be reached at (202) 493-6096 or by email at colleen.vaughn@dot.gov. Larry Mattson, WSDOT Environmental Manager-Cascades High-Speed Passenger Rail Program, will be contacting you in the near future to discuss this project. He can also be contacted at (509) 577-1922 or by email at mattsol@wsdot.wa.gov.

In addition, you may contact me at (202) 493-6368 directly should you have any concerns or questions regarding the overall environmental process.

Sincerely,

David Valenstein,
Chief, Environment & Systems Planning Division

cc: Larry Mattson, WSDOT
David Smelser, WSDOT

Encl: Project area map

DEC 15 2011

U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Shelley Burch
Snoqualmie Nation
PO Box 969
Snoqualmie, WA 98065

Re: Initiation of Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Point Defiance Bypass Project, Pierce County, Washington

Dear Chairwoman Burch:

The Washington State Department of Transportation (WSDOT) with funding from the Federal Railroad Administration (FRA) is proposing a program of infrastructure improvements along the existing 297-mile Burlington Northern Santa Fe Railway (BNSF) north-south main line between the Columbia River and the Canadian border that will initially allow the operation of four additional passenger daily round trips between Seattle and Portland (for a total of eight round trips), will help achieve greater schedule reliability, and will reduce the travel time between Seattle and Portland by up to 10 minutes. WSDOT and FRA prepared a Tier-1 Environmental Assessment (EA) in September 2009 to analyze the potential environmental effects of the Pacific Northwest Rail Corridor (PNWRC) Program. On November 19, 2010, FRA issued a Finding of No Significant Impact (FONSI) for the PNWRC Washington State Segment-Columbia River to the Canadian Border.

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Washington. Upon completion of the rail rehabilitation, the project will support up to six daily round trips between Portland and Seattle.

As the lead Federal agency, FRA is contacting you to begin Government to Government consultation on this project. FRA is available for formal government-to-government consultation at your request. We also invite you to meet with either FRA or WSDOT representatives for the purpose of sharing information and establishing protocols for ongoing communication as the project is advanced. WSDOT and FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the project progresses and new information becomes available.

Through consultation, we hope to incorporate into the cultural resource survey process your concerns for locations of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the project on significant resources, and resolution of any adverse effects which may result from the proposed action.

Colleen Vaughn of my staff is the FRA contact for this project. She may be reached at (202) 493-6096 or by email at colleen.vaughn@dot.gov. Larry Mattson, WSDOT Environmental Manager-Cascades High-Speed Passenger Rail Program, will be contacting you in the near future to discuss this project. He can also be contacted at (509) 577-1922 or by email at mattsol@wsdot.wa.gov.

In addition, you may contact me at (202) 493-6368 directly should you have any concerns or questions regarding the overall environmental process.

Sincerely,

David Valenstein,
Chief, Environment & Systems Planning Division

cc: Larry Mattson, WSDOT
David Smelser, WSDOT

Encl: Project area map

U.S. Department
of Transportation

**Federal Railroad
Administration**

DEC 15 2011

1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Herman Dillon, Sr.
Puyallup Tribe
3009 Portland Ave
Tacoma, WA 98404

Re: Initiation of Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Point Defiance Bypass Project, Pierce County, Washington

Dear Chairman Dillon:

The Washington State Department of Transportation (WSDOT) with funding from the Federal Railroad Administration (FRA) is proposing a program of infrastructure improvements along the existing 297-mile Burlington Northern Santa Fe Railway (BNSF) north-south main line between the Columbia River and the Canadian border that will initially allow the operation of four additional passenger daily round trips between Seattle and Portland (for a total of eight round trips), will help achieve greater schedule reliability, and will reduce the travel time between Seattle and Portland by up to 10 minutes. WSDOT and FRA prepared a Tier-1 Environmental Assessment (EA) in September 2009 to analyze the potential environmental effects of the Pacific Northwest Rail Corridor (PNWRC) Program. On November 19, 2010, FRA issued a Finding of No Significant Impact (FONSI) for the PNWRC Washington State Segment-Columbia River to the Canadian Border.

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Washington. Upon completion of the rail rehabilitation, the project will support up to six daily round trips between Portland and Seattle.

As the lead Federal agency, FRA is contacting you to begin Government to Government consultation on this project. FRA is available for formal government-to-government consultation at your request. We also invite you to meet with either FRA or WSDOT representatives for the purpose of sharing information and establishing protocols for ongoing communication as the project is advanced. WSDOT and FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the project progresses and new information becomes available.

Through consultation, we hope to incorporate into the cultural resource survey process your concerns for locations of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the project on significant resources, and resolution of any adverse effects which may result from the proposed action.

Colleen Vaughn of my staff is the FRA contact for this project. She may be reached at (202) 493-6096 or by email at colleen.vaughn@dot.gov. Larry Mattson, WSDOT Environmental Manager-Cascades High-Speed Passenger Rail Program, will be contacting you in the near future to discuss this project. He can also be contacted at (509) 577-1922 or by email at mattsol@wsdot.wa.gov.

In addition, you may contact me at (202) 493-6368 directly should you have any concerns or questions regarding the overall environmental process.

Sincerely,

David Valenstein,
Chief, Environment & Systems Planning Division

cc: Larry Mattson, WSDOT
David Smelser, WSDOT

Encl: Project area map

U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

DEC 15 2011

The Honorable David Lopeman
Squaxin Island Tribe
SE 10 Squaxin Ln
Shelton, WA 98584

Re: Initiation of Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Point Defiance Bypass Project, Pierce County, Washington

Dear Chairman Lopeman:

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David Valenstein,
Chief, Environment & Systems Planning Division

cc: Larry Mattson, WSDOT
David Smelser, WSDOT

Encl: Project area map

U.S. Department
of Transportation

**Federal Railroad
Administration**

DEC 15 2011

1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Harry Smiskin, Chair
Yakama Nation
PO Box 151
Toppenish, WA 98948

Re: Initiation of Government-to-Government Consultation with Native American Tribal Governments pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800.2(c)(2)(ii)) for the Point Defiance Bypass Project, Pierce County, Washington

Dear Chairman Smiskin:

The Washington State Department of Transportation (WSDOT) with funding from the Federal Railroad Administration (FRA) is proposing a program of infrastructure improvements along the existing 297-mile Burlington Northern Santa Fe Railway (BNSF) north-south main line between the Columbia River and the Canadian border that will initially allow the operation of four additional passenger daily round trips between Seattle and Portland (for a total of eight round trips), will help achieve greater schedule reliability, and will reduce the travel time between Seattle and Portland by up to 10 minutes. WSDOT and FRA prepared a Tier-1 Environmental Assessment (EA) in September 2009 to analyze the potential environmental effects of the Pacific Northwest Rail Corridor (PNWRC) Program. On November 19, 2010, FRA issued a Finding of No Significant Impact (FONSI) for the PNWRC Washington State Segment-Columbia River to the Canadian Border.

The Pt. Defiance Project (Project) is part of the PNWRC Program. An Environmental Assessment is currently being prepared by WSDOT and FRA to assess the environmental impacts of the proposed project. The Project is designed to alleviate freight traffic interference with Amtrak passenger trains between TR Junction and Nisqually, WA by creating a bypass route through the improvement of an existing rail corridor via Lakewood, WA. The current route along Puget Sound is a mostly double-track route with a 1.4 mile segment of single track through the Nelson Bennett Tunnel and Ruston Tunnel under Point Defiance. This route currently hosts approximately 40 freight trains per day operated by both BNSF and Union Pacific Railroad. The 26.5 miles long route has 35 curves sharper than 2 degrees per 100 foot. These curves and the moveable bridge at Chamber Creek limits passenger train speeds to under 60 mph. The single track segments and the severe curvature adversely impact Amtrak Cascades passenger train operations and limit main track capacity. The overall objective of the Point Defiance Bypass Project is to create capacity for additional intercity passenger trains, improve reliability of the existing and expanded intercity passenger service, and reduction of intercity passenger service travel times between Seattle, WA and Portland, OR. Once constructed, passenger trains that now travel the 26.5 mile segment of BNSF main line along the coast of Puget Sound will travel on a shorter 21.0 mile overland route with less curvature and less rail congestion interference with freight rail traffic. Construction activities will include upgrading traffic signals and safety components at existing crossings; and relocating the existing Tacoma Amtrak Station to or near Freighthouse Square, which is located at 430 E. 25th Street in Tacoma.

Washington. Upon completion of the rail rehabilitation, the project will support up to six daily round trips between Portland and Seattle.

As the lead Federal agency, FRA is contacting you to begin Government to Government consultation on this project. FRA is available for formal government-to-government consultation at your request. We also invite you to meet with either FRA or WSDOT representatives for the purpose of sharing information and establishing protocols for ongoing communication as the project is advanced. WSDOT and FRA will continue to be available for consultation with your Tribe and will ensure you are kept informed as the project progresses and new information becomes available.

Through consultation, we hope to incorporate into the cultural resource survey process your concerns for locations of traditional or cultural significance, and provide an opportunity for participation in the continuing process to identify cultural resources, effects of the project on significant resources, and resolution of any adverse effects which may result from the proposed action.

Colleen Vaughn of my staff is the FRA contact for this project. She may be reached at (202) 493-6096 or by email at colleen.vaughn@dot.gov. Larry Mattson, WSDOT Environmental Manager-Cascades High-Speed Passenger Rail Program, will be contacting you in the near future to discuss this project. He can also be contacted at (509) 577-1922 or by email at mattsol@wsdot.wa.gov.

In addition, you may contact me at (202) 493-6368 directly should you have any concerns or questions regarding the overall environmental process.

Sincerely,

David Valenstein,
Chief, Environment & Systems Planning Division

cc: Larry Mattson, WSDOT
David Smelser, WSDOT

Encl: Project area map

Railroad Easement

Figure 1. Project Vicinity Map

Point Defiance Rail Bypass Project
Pierce and Thurston Counties, Washington

Jones & Stokes

Cleveland, Leandra L.

From: Mattson, Larry
Sent: Tuesday, September 04, 2012 12:51 PM
To: Foisy, Myria
Subject: Nisqually Tribe Response: Pt. Defiance Bypass Project

---

From: colleen.vaughn@dot.gov [mailto:colleen.vaughn@dot.gov]
Sent: Thursday, March 29, 2012 7:24 AM
To: Longley, Jim; Mattson, Larry
Subject: RE: Nisqually Tribe Response: Pt. Defiance Bypass Project

Good morning,

Thank you for your response regarding the proposed project. Please do not hesitate to contact either Larry Mattson or myself if you have any questions or comments in the future.

Thanks again,

Colleen

Colleen Vaughn
Environmental Protection Specialist
Office of Passenger and Freight Programs
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
(202) 493-6096-office
(202) 570-2964-cell

colleen.vaughn@dot.gov

From: Jim Longley [mailto:longley.jim@nisqually-nsn.gov]
Sent: Wednesday, March 28, 2012 7:03 PM
To: Vaughn, Colleen (FRA); mattsol@wsdot.wa.gov
Subject: Nisqually Tribe Response: Pt. Defiance Bypass Project

Ms. Vaughn and Mr. Mattson,

I am responding tardily to a letter sent to the Nisqually Tribe on December 11, 2011 regarding the Point Defiance Bypass project.

We have considered the many aspects of the project and have determined it will not impact the Nisqually Tribe adversely. In fact, we strongly support this project to shorten the Amtrak passenger train route between Portland

and Seattle, straighten it, and reduce travel time. We will have no further comment on this beneficial project, at this time.

Thank you for asking for our input.

--
Jim Longley
Nisqually Transportation Planner
Olympia, WA
(360) 456-5221

Cleveland, Leandra L.

From: Mattson, Larry
Sent: Tuesday, January 10, 2012 2:54 PM
To: 'Adam Osbekoff'
Subject: RE: Point Defiance Bypass Project

Hello Mr. Osbekoff-

Sorry it took me until today to reply to your e-mail. Thanks for getting in touch with me.

This project hasn't generated much tribal interest, so we don't have an inter-tribal group formally set up. Instead, my office and the Federal Railroad Administration are reaching out via letters and phone calls to potentially affected tribes, and meeting with them if they wish, either on the project site or at their offices.

I'd like to extend that same offer to you. Our office has enjoyed a good working relationship with the Snoqualmie Nation. A few years ago, I worked with Andrea Rodgers to coordinate with the Snoqualmie Nation on the I-90 Snoqualmie Pass East project.

I am based at the WSDOT office in Yakima, so when I travel to Olympia, I pass near the Snoqualmie Nation tribal offices as I drive I-90. I don't have any driving trips planned for January or February, but I'd be happy to meet with you at your office in March or April when things warm up a bit.

If a spring meeting works for you, let me know and I'll put a tickler in my schedule to call you in March and set up a time and place to meet.

Larry Mattson, PMP
Environmental Manager - Large Projects,
***Cascades* High-Speed Passenger Rail Program**
mattsol@wsdot.wa.gov

(509) 577-1922 (direct)
(509) 930-4464 (mobile)

From: Adam Osbekoff [mailto:adam@snoqualmienation.com]
Sent: Friday, January 06, 2012 12:34 PM
To: Mattson, Larry
Subject: Point Defiance Bypass Project

Hello Mr. Mattson
My name is Adam Osbekoff, I work in the Snoqualmie Indian Tribes Cultural Department. I am responding to the letter initiating government to government consultation written in Sept. of last year.
I am in the process of doing some initial outreach to connect with people I may be working with at some point in the future. If you are setting up any inter tribal discussions I would love to be included.
Thank you for your time.

Adam Osbekoff
Snoqualmie Tribe
Cultural Dept.
Assistant Director of Archeaological and Historic Preservation
Office: 425-292-0249 x5

U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

JUL 26 2012

Lance Wollwage, Ph.D., Transportation Archaeologist
Department of Archaeology & Historic Preservation
PO Box 48343
Olympia, WA 98504-8343

Subject: Review of the Amtrak *Cascades* Pt. Defiance Rail Bypass Project pursuant to Section 106 of the National Historic Preservation Act

Dear Dr. Wollwage;

As you are aware, the Pt. Defiance project is part of a larger endeavor identified by the Federal Railroad Administration (FRA) in its long range plan for Amtrak *Cascades* intercity passenger rail service along the Pacific Northwest Rail Corridor in western Washington. Currently, Amtrak *Cascades* service operates over the BNSF north-south main line from Nisqually to Tacoma along the eastern shore of Puget Sound. The project has been developed in response to deficiencies in the existing BNSF rail alignment around Point Defiance.

The new bypass route will provide more frequent high-speed intercity passenger rail service between Tacoma and Nisqually with enhanced rail service frequency, reliability and efficiency, and improved safety. The project will increase rail capacity and safety, which will support additional Amtrak service from four to six trips between Portland and Seattle. Train schedule reliability will be improved by avoiding service interruptions such as those caused by natural factors (for example, landslides) or operational limitations (for example, drawbridge closures or freight service schedules). Travel times for the passenger trains will be reduced, the reliability of the train schedules will be improved, and congestion on the existing main line will be reduced, which would free capacity for freight trains.

The Washington State Department of Transportation (WSDOT) contracted Statistical Research, Inc. (SRI), to conduct a Section 106 survey for the Point Defiance Rail Bypass Project (PDB). The scope of work outlined eight proposed physical improvements to the existing railway and associated facilities:

- Construct approximately 3.5 miles of new track adjacent to existing track between South 66th Street in Tacoma and Bridgeport Way and Clover Creek Drive in Lakewood;
- Install a railroad control point and crossover from the new main track to the existing main track between 100th Street Southwest and 108th Street Southwest;
- Reconstruct the existing rail line between Bridgeport Way and Clover Creek Drive in Lakewood to Nisqually Junction, southeast of the I-5/Mounts Road interchange;
- Reconfigure the existing control point and replace and reconfigure the crossovers at the junction of the reconstructed rail line and the existing main tracks at Nisqually Junction, southeast of the I-5/Mounts Road interchange;

- Reconfigure the existing control point and replace and reconfigure the crossovers at the junction of the reconstructed rail line and the existing main tracks at Nisqually Junction, southeast of the I-5/Mounts Road interchange;
- Rehabilitate the existing line from the I-5/Mounts Road interchange to Nisqually Junction, southeast of the I-5/Mounts Road interchange;
- Upgrade traffic signals and safety components throughout the bypass, including five at-grade crossings;
- Potential upgrade of 16 additional existing crossings, specifically signals and safety components; and
- Relocation of the Tacoma Amtrak station to the Tacoma Dome Station at Freighthouse Square.

The report completed by SRI summarizes previous work completed within the project area and details the results of the new, supplemental investigations conducted by SRI, including records and archival research, shovel-test probes, and additional survey and evaluation of buildings and structures. The area of potential effects (APE) extends 75 feet on either side of the rail centerline between Rail MP 0.6 and Rail MP 21.1and includes areas in which project-related ground-disturbing activities may occur outside the 150-foot-wide APE. The APE includes a 150-foot buffer around Freighthouse Square.

SRI staff conducted a survey of architectural resources for the entirety of the PDB in Pierce County, to locate, document, and evaluate the eligibility of buildings and structures that have become 50 years or older since the previous studies were finished and to update records for those structures already documented. Six historic inventory report forms were updated, and one new historic inventory report form was created for one potentially eligible property, the F. S. Harmon Manufacturing Company building. Proposed physical improvements and operational changes of the project would not result in direct or indirect adverse changes in the significance of this property. Additionally, SRI staff identified and updated documentation for four buildings within 150 feet of Freighthouse Square; two buildings within the southern 14.2 miles south of 66th Avenue, within 75 feet of the railway centerline; and one building north of 66th Avenue. SRI staff also summarized the impacts and effects of relocating the Tacoma Amtrak station to the Tacoma Dome Station at Freighthouse Square.

SRI staff synthesized information on archaeological resources in the project area and conducted a shovel-test-probe survey of the APE. Cultural materials were identified in the fill deposits of three shovel-test probes. STP 2 contained two nails, a number of U-clamps, and one or more spike plates of unknown but likely recent age. IO 45-PI-1263 was identified while excavating STP 4 and STP 5. This location consisted of disturbed mixed deposits, as shown by the presence of two prehistoric flakes comprising IO 45-PI-1263 and historical-period materials within the same deposit and the presence of a clean, light-colored sand deposit related to a fiber-optic-utility trench. The flakes were found both above and below the sediments with historical-period materials. Although flakes were recovered, the context from which they were derived appeared to have been heavily disturbed. As a result, they should be considered an isolate in a disturbed deposit and, as such, lacking integrity.

Enclosed are a cd and two print copies of the Section 106 Survey report completed by SRI for your review.

In accordance with 36 CFR Part 800 Protection of Historic Properties; the FRA has determined that this project would have No Adverse Effect on historic resources and respectfully request

concurrence from your office on this finding. In accordance with 36 CFR 800.4(d)(1)(i), if a response is not received within 30 days, the FRA will consider our responsibilities under Section 106 fulfilled.

If you have any questions regarding this matter, please contact Colleen Vaughn, the FRA Federal Preservation Officer, at 202-493-6096 or Colleen.Vaughn@dot.gov.

Sincerely,

for David Valenstein
Chief, Environment & Systems Planning Division

CC: Colleen Vaughn, FRA, w/o encl.
Larry Mattson, WSDOT, w/o encl.

Enclosure: Section 106 Documentation for the Pt. Defiance Bypass Project

STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

September 26, 2012

Mr. David Valenstein
Chief, Environment and Systems Planning
U.S. Dept. of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

In future correspondence please refer to:
Log: 011907-09-WSDOT
Property: Point Defiance Bypass Rail Project
Re: Determined Eligible, No Adverse Effect

Dear Mr. Valenstein:

Thank you for contacting the Washington State Department of Archaeology and Historic Preservation (DAHP) and addressing our concerns with the previous report submittal. The project has been reviewed on behalf of the State Historic Preservation Officer (SHPO) under provisions of Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR Part 800. My review is based upon documentation contained in your communication.

First, DAHP concurs with all of the historic structure eligibility determinations as proposed in the consultant's report with one exception. We do not concur with your determination that the S-Turn Bridge on 26th Street is not eligible for listing in the National Register of Historic Places (NRHP). While elements of the structure have been periodically replaced for maintenance and safety reasons, the replacements have, in essence, represented in-kind replacements and the structure remains the only structure of its kind in the State of Washington. We feel that the structure is eligible for listing in the NRHP.

However, regardless of this eligibility determination, since there are no planned construction activities in the vicinity of this structure or other NRHP eligible resopurces, DAHP concurs with your determination that the current project, as proposed, will have **no adverse effect** on NRHP resources. If additional information on the project becomes available, or if any archaeological resources are uncovered during construction, please halt work in the area of discovery and contact the appropriate Native American Tribes and DAHP for further consultation.

Thank you for the opportunity to review and comment. If you have any questions, please contact me.

Sincerely,

Matthew Sterner, M.A.
Transportation Archaeologist
(360) 586-3082
matthew.sterner@dahp.wa.gov

U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

JUL 17 2012

Steve Landino, Washington State Habitat Director
National Marine Fisheries Service
510 Desmond Drive, Suite 103
Lacey, WA 98503-1263

ATTN: Mike Grady, Transportation Branch Chief

Re: Pt. Defiance Bypass Project Pierce County, Washington; Request for Concurrence No-Effect Determination

Dear Mr. Landino:

Enclosed please find the results of an assessment completed by the Washington Department of Transportation to address the potential effects of the proposed Pt. Defiance Bypass Project (Project) on Endangered Species Act (ESA) listed species and /or critical designated critical habitat's, and determine the need for consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS).

The Project is part of the Pacific Northwest Rail Corridor (PNWRC) Program. An Environmental Assessment is currently being prepared by WSDOT and FRA to assess the environmental impacts of the Project. The Project is designed to alleviate freight traffic interference with Amtrak passenger trains between TR Junction and Nisqually, WA by creating a bypass route through the improvement of an existing rail corridor via Lakewood, WA. The current route along Puget Sound is a mostly double-track route containing a 1.4 mile segment of single track through the Nelson Bennett Tunnel and Ruston Tunnel under Point Defiance. This route currently hosts approximately 40 freight trains per day operated by both BNSF and Union Pacific Railroad. The 26.5 miles long route has 35 curves sharper than 2 degrees per 100 foot. These curves and the moveable bridge at Chamber Creek limits passenger train speeds to under 60 mph. The single track segments and the severe curvature adversely impact Amtrak Cascades passenger train operations and limit main track capacity. The overall objective of the Point Defiance Bypass Project is to create capacity for additional intercity passenger trains, improve reliability of the existing and expanded intercity passenger service, and reduction of intercity passenger service travel times between Seattle, WA and Portland, OR. Once constructed, passenger trains that now travel the 26.5 mile segment of BNSF main line along the coast of Puget Sound will travel on a shorter 21.0 mile overland route with less curvature and less rail congestion interference with freight rail traffic. Construction activities will include upgrading traffic signals and safety components at existing crossings; and relocating the existing Tacoma Amtrak Station to or near Freighthouse Square, which is located at 430 E. 25th Street in Tacoma, Washington. Upon completion of the rail rehabilitation, the project will support up to six daily round trips between Portland and Seattle.

Components of the project include:

- Constructing a new second track adjacent to Sound Transit's existing main line between South Tacoma and Lakewood,
- Installing new rails, ties, and ballast on Sound Transit's existing track between Lakewood and Nisqually,
- Improving the connection to BNSF's main line near Nisqually,
- improving safety at some existing at-grade crossings within the proposed project corridor, and
- Relocating the existing Tacoma Amtrak Station to the Tacoma Dome Station at Freighthouse Square in Tacoma

As designed, there is no in-water work required for the improvements; therefore there will be no impact to aquatic species. No designated critical habitat exists within the project action area for any listed species, and no project related impacts are anticipated to any listed species or their habitat. We respectively request concurrence with these findings.

If you have any questions regarding this letter or enclosed determination, please contact Colleen Vaughn of my staff at 202-493-6096 or Colleen.Vaughn@dot.gov.

Sincerely,

David Valenstein
Chief, Environment & Systems Planning Division

Encl. WSDOT No-Effect Determination

cc: WSDOT- Carol Lee Roalkvam
WSDOT – Larry Mattson
USFWS: Ken Berg
USFWS: Emily Teachout

Washington State Department of Transportation
Paula J. Hammond
Secretary of Transportation

South Central Region
2809 Rudkin Road, Union Gap
P.O. Box 12560
Yakima, WA 98909-2560

(509) 577-1600
TTY: 1-800-833-6388
www.wsdot.wa.gov

June 27, 2012

Colleen Vaughn, Environmental Protection Specialist
Federal Railroad Administration - Office of Passenger & Freight Programs
1200 New Jersey Avenue SE
MS 20; W38-221
Washington, DC 20590

RE: Endangered Species Act "No Effect" Determination, Point Defiance Bypass Project

Colleen

Dear Ms. Vaughn:

The Federal Railroad Administration (FRA) and Washington State Department of Transportation (WSDOT) are planning to upgrade approximately 21 miles of rail corridor in Pierce County, Washington. Section 7(c) of the Endangered Species Act (ESA) requires action agencies to complete biological assessments to document potential project effects to ESA-listed species and designated critical habitats. To comply with ESA, WSDOT is completing this assessment for FRA.

The project corridor is located from TR Junction near the I-5 overcrossing of the Puyallup River and E. Bay Street in Tacoma, south to Nisqually, a junction on the BNSF Seattle Subdivision, approximately one-third mile due north of where Nisqually Road crosses the Nisqually River (see attached vicinity map). The project will consist of improvements to the railroad track and support facilities and relocation of the existing Tacoma Amtrak Station. Components of the project include:

- Constructing a new second track adjacent to Sound Transit's existing main line between South Tacoma and Lakewood,
- Installing new rails, ties, and ballast on Sound Transit's existing track between Lakewood and Nisqually,
- Improving the connection to BNSF's main line near Nisqually,
- Improving safety at some existing at-grade crossings within the proposed project corridor, and
- Relocating the existing Tacoma Amtrak Station to the Tacoma Dome Station at Freighthouse Square in Tacoma

The project area is described as the footprint of construction activities, while the project action area is the extent of all physical, chemical, and biological effects of the action. Due to high existing disturbance levels associated with urban development, and the disturbance associated with railroad operations, the project not is expected to increase noise levels or visual disturbance above

baseline conditions. In addition, there is no in-water work required for the improvements, so there will be no aquatic zone of impact within the project action area. Therefore, the project action area is defined as the same as the project footprint. The information contained in this assessment addresses project impacts within the project action area.

The purpose of this assessment is to address the potential effects of the project on ESA listed species and/or designated critical habitats, and determine the need for consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS). Information regarding the potential occurrence of listed species and designated critical habitats in the project action area was obtained via species lists from USFWS and NMFS. Species and critical habitats identified as occurring in Pierce County are shown in Table 1 below. Washington Department of Fish and Wildlife (WDFW) databases for Priority Habitats and Species (PHS) and Wildlife Heritage were also reviewed. A field review of the project action area was also conducted by Geoff Gray, biologist for the WSDOT South Central Region. The purpose of the field review was to further identify suitable habitat and the potential presence of listed species and to assess project impacts.

Table 1. Species occurrence in Pierce County, and the potential for presence in the project action area.

Species	Jurisdiction	Status	Potential Occurrence in Project Action Area
Gray wolf (*Canis lupus*)	USFWS	Endangered	No
Bocaccio – Puget Sound DPS (*Sebastes paucispinis*)	NMFS	Endangered	No
Canary rockfish – Puget Sound DPS (*Sebastes pinniger*)	NMFS	Threatened	No
Yelloweye rockfish – Puget Sound DPS (*Sebastes ruberrimus*)	NMFS	Threatened	No
Chinook salmon (*Oncorhynchus tshawytscha*) – Puget Sound Evolutionarily Significant Unit (ESU)	NMFS	Threatened	No
Arenaria paludicola (Marsh sandwort)	USFWS	Endangered	No
Bull trout (*Salvelinus confluentus*) – Coastal-Puget Sounds Distinct Population Segment (DPS)	USFWS	Threatened	No
Canada lynx (*Lynx canadensis*)	USFWS	Threatened	No
Grizzly bear (*Ursus arctos horribilis*)	USFWS	Threatened	No
Northern spotted owl (*Strix occidentalis caurina*)	USFWS	Threatened	No
Marbled murrelet (*Brachyramphus marmoratus*)	USFWS	Threatened	No
Steelhead (*Oncorhynchus mykiss*) – Puget Sound DPS	NMFS	Threatened	No
Howellia aquatilis (Water howellia)	USFWS	Threatened	No
Castilleja levisecta (Golden paintbrush)	USFWS	Threatened	
Critical habitat for Chinook salmon	NMFS	Designated	No

Critical habitat for northern spotted owl	USFWS	Designated	No

The project will be constructed entirely within the existing right of way of an established rail corridor within a developed region with high ambient noise and human activity levels. No in water work will occur and Best Management Practices (BMPs) will be implemented during construction to ensure that all material is contained. Therefore, the project will have **no effect** on any aquatic listed species or designated critical habitat.

Gray wolf, grizzly bear, and Canada lynx are wide-ranging forest carnivores that are found in high elevation montane forests away from human development. Northern spotted owl require large forested areas with a high proportion of mature and old growth forest. The habitat adjacent to the project action area consists of highly developed areas with no mature forest. Marbled murrelet foraging does occur in marine waters, but at its closest point the project is more than 1.5 miles from suitable foraging habitat. No suitable habitat exists for gray wolf, grizzly bear, Canada lynx, marbled murrelet, and northern spotted owl within the project action area. No Designated Critical Habitat exists within the project action area for any species. Therefore, the project will have **no effect** on these species or any designated critical habitat.

Water howellia and marsh sandwort are strongly associated with wetlands. Golden paintbrush is associated with open grasslands and prairies. No impacts will occur off the developed rail corridor, and no suitable habitat for these species will be impacted. Therefore, the project will have **no effect** on these species.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires federal agencies to consult with NOAA Fisheries on activities that may adversely affect Essential Fish Habitat (EFH). The Pacific Fisheries Management Council has designated EFH for the Pacific Salmon Fishery, federally managed groundfish, and coastal pelagic fisheries. It is determined that the project will have **no adverse effect** on EFH because no aquatic resource or species will be affected by project activities. Consultation is not required.

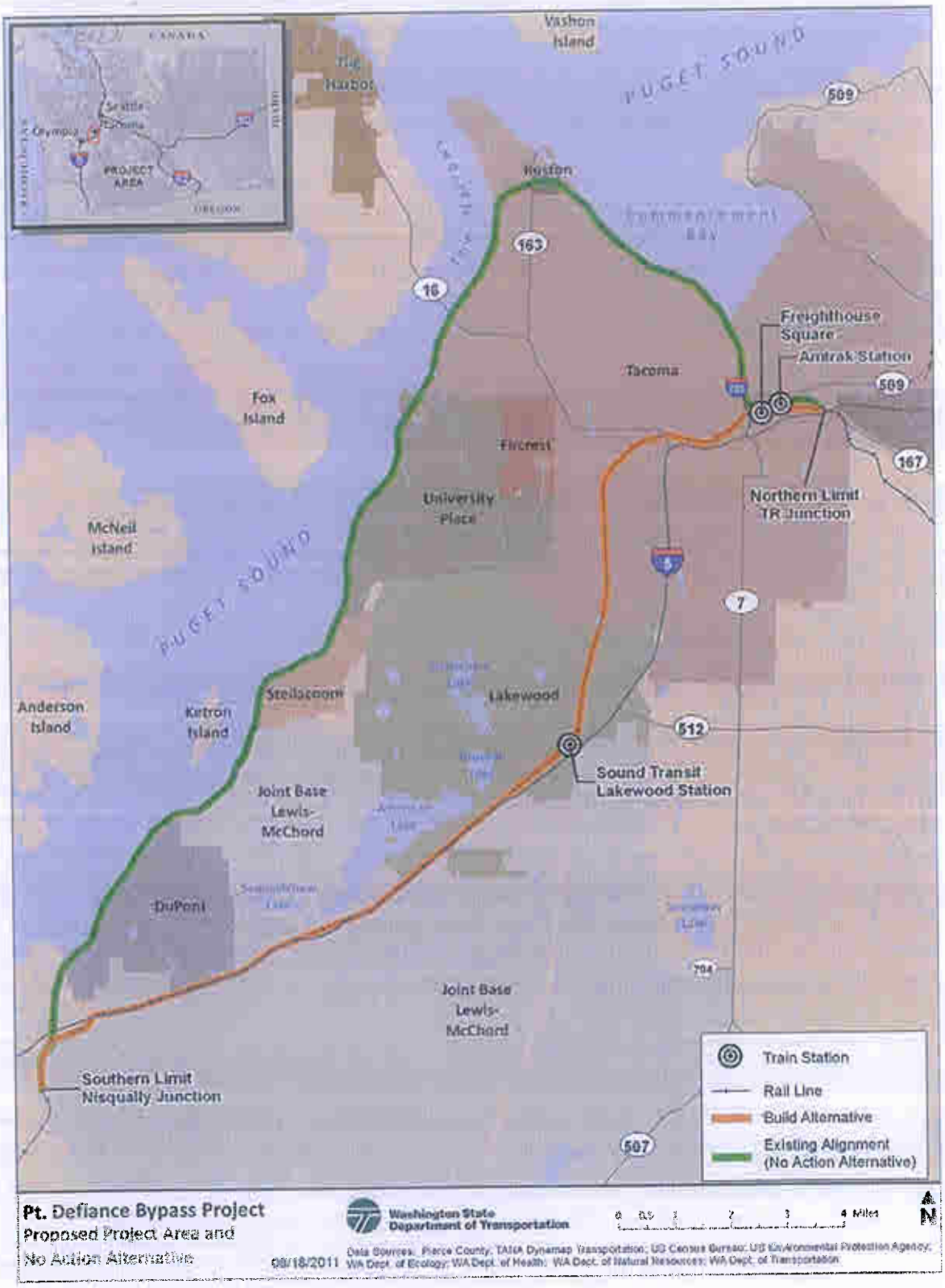
We will continue to remain aware of any change in the project or status of species and critical habitats and will be prepared to re-evaluate potential project impacts if necessary. Please contact biologist Craig Broadhead at 509-577-1751 or broadhc@wsdot.wa.gov if you require additional information or have any questions regarding this assessment.

Sincerely,

Lauris (Larry) C. Mattson, PMP
Environmental Manager – Large Projects
Cascades High-Speed Passenger Rail Program

Attachment: Vicinity Map

Point Defiance Bypass Project Vicinity Map



Cleveland, Leandra L.

From: colleen.vaughn@dot.gov
Sent: Thursday, August 23, 2012 8:34 AM
To: MattsoL@wsdot.wa.gov; Ostrem, Meagan K.; Cleveland, Leandra L.
Cc: MOLLY.MACQUEEN@stvinc.com; RoalkvC@wsdot.wa.gov
Subject: FW: Pt. Defiance Consultation

Morning,

Please include this email within the Agency Coordination Appendix.

Thanks,

Colleen

Colleen Vaughn
Federal Preservation Officer
Environmental Protection Specialist
Office of Passenger and Freight Programs
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
(202) 493-6096-office
(202) 570-2964-cell

colleen.vaughn@dot.gov

From: Michael Grady [mailto:michael.grady@noaa.gov]
Sent: Thursday, August 23, 2012 11:19 AM
To: Vaughn, Colleen (FRA)
Subject: Re: Pt. Defiance Consultation

Thanks so much Colleen. The NMFS has analyzed the potential effects and concurs with your NO-effect determination. Please keep me updated on the project status and let me know if you need any help from the NMFS.

Thanks again!

mike grady
chief, transportation branch
noaa fisheries (nmfs)-nwr
206-526-4645

On Wed, Aug 22, 2012 at 8:38 AM, <colleen.vaughn@dot.gov> wrote:

Good Morning,

Per our conversation yesterday afternoon, I am sending this email to respectfully request concurrence with the No-Effect Determination made for work being proposed as part of the Point Defiance Bypass project. An email response concurring with the findings presented within the July 17, 2012 letter to your office will suffice for our files.

If you have any questions, please do not hesitate to contact me.

Thank you.

Colleen

Colleen Vaughn

Federal Preservation Officer

Environmental Protection Specialist

Office of Passenger and Freight Programs

Federal Railroad Administration

1200 New Jersey Avenue, SE

Washington, DC 20590

(202) 493-6096-office

(202) 570-2964-cell

colleen.vaughn@dot.gov

U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

JUL 17 2012

Ken Berg, Manager, Washington Fish & Wildlife Office
US Fish and Wildlife Service
510 Desmond Drive, Suite 102
Lacey, WA 98503-1263

ATTN: Emily Teachout, Statewide Transportation Team Lead

Re: Pt. Defiance Bypass Project Pierce County, Washington; Request for Concurrence – No-Effect Determination

Dear Mr. Berg:

Enclosed please find the results of an assessment completed by the Washington Department of Transportation to address the potential effects of the proposed Pt. Defiance Bypass Project (Project) on Endangered Species Act (ESA) listed species and /or critical designated critical habitat's, and determine the need for consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries (NMFS).

The Project is part of the Pacific Northwest Rail Corridor (PNWRC) Program. An Environmental Assessment is currently being prepared by WSDOT and FRA to assess the environmental impacts of the Project. The Project is designed to alleviate freight traffic interference with Amtrak passenger trains between TR Junction and Nisqually, WA by creating a bypass route through the improvement of an existing rail corridor via Lakewood, WA. The current route along Puget Sound is a mostly double-track route containing a 1.4 mile segment of single track through the Nelson Bennett Tunnel and Ruston Tunnel under Point Defiance. This route currently hosts approximately 40 freight trains per day operated by both BNSF and Union Pacific Railroad. The 26.5 miles long route has 35 curves sharper than 2 degrees per 100 foot. These curves and the moveable bridge at Chamber Creek limits passenger train speeds to under 60 mph. The single track segments and the severe curvature adversely impact Amtrak Cascades passenger train operations and limit main track capacity. The overall objective of the Point Defiance Bypass Project is to create capacity for additional intercity passenger trains, improve reliability of the existing and expanded intercity passenger service, and reduction of intercity passenger service travel times between Seattle, WA and Portland, OR. Once constructed, passenger trains that now travel the 26.5 mile segment of BNSF main line along the coast of Puget Sound will travel on a shorter 21.0 mile overland route with less curvature and less rail congestion interference with freight rail traffic. Construction activities will include upgrading traffic signals and safety components at existing crossings; and relocating the existing Tacoma Amtrak Station to or near Freighthouse Square, which is located at 430 E. 25th Street in Tacoma, Washington. Upon completion of the rail rehabilitation, the project will support up to six daily round trips between Portland and Seattle.

Components of the project include:

- Constructing a new second track adjacent to Sound Transit's existing main line between South Tacoma and Lakewood,
- Installing new rails, ties, and ballast on Sound Transit's existing track between Lakewood and Nisqually,
- Improving the connection to BNSF's main line near Nisqually,
- improving safety at some existing at-grade crossings within the proposed project corridor, and
- Relocating the existing Tacoma Amtrak Station to the Tacoma Dome Station at Freighthouse Square in Tacoma

As designed, there is no in-water work required for the improvements; therefore there will be no impact to aquatic species. No designated critical habitat exists within the project action area for any listed species, and no project related impacts are anticipated to any listed species or their habitat. We respectively request concurrence with these findings.

If you have any questions regarding this letter or enclosed determination, please contact Colleen Vaughn of my staff at 202-493-6096 or Colleen.Vaughn@dot.gov.

Sincerely,

David Valenstein
Chief, Environment & Systems Planning Division

Encl. WSDOT No-Effect Determination

cc: WSDOT- Carol Lee Roalkvam
WSDOT – Larry Mattson
NMHS: Steve Landino
NMHS: Mike Grady

Washington State
Department of Transportation
Paula J. Hammond
Secretary of Transportation

South Central Region
2809 Rudkin Road, Union Gap
P.O. Box 12560
Yakima, WA 98909-2560

(509) 577-1600
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June 27, 2012

Colleen Vaughn, Environmental Protection Specialist
Federal Railroad Administration - Office of Passenger & Freight Programs
1200 New Jersey Avenue SE
MS 20; W38-221
Washington, DC 20590

RE: Endangered Species Act "No Effect" Determination, Point Defiance Bypass Project

Colleen

Dear Ms. Vaughn:

The Federal Railroad Administration (FRA) and Washington State Department of Transportation (WSDOT) are planning to upgrade approximately 21 miles of rail corridor in Pierce County, Washington. Section 7(c) of the Endangered Species Act (ESA) requires action agencies to complete biological assessments to document potential project effects to ESA-listed species and designated critical habitats. To comply with ESA, WSDOT is completing this assessment for FRA.

The project corridor is located from TR Junction near the I-5 overcrossing of the Puyallup River and E. Bay Street in Tacoma, south to Nisqually, a junction on the BNSF Seattle Subdivision, approximately one-third mile due north of where Nisqually Road crosses the Nisqually River (see attached vicinity map). The project will consist of improvements to the railroad track and support facilities and relocation of the existing Tacoma Amtrak Station. Components of the project include:

- Constructing a new second track adjacent to Sound Transit's existing main line between South Tacoma and Lakewood,
- Installing new rails, ties, and ballast on Sound Transit's existing track between Lakewood and Nisqually,
- Improving the connection to BNSF's main line near Nisqually,
- Improving safety at some existing at-grade crossings within the proposed project corridor, and
- Relocating the existing Tacoma Amtrak Station to the Tacoma Dome Station at Freighthouse Square in Tacoma

The project area is described as the footprint of construction activities, while the project action area is the extent of all physical, chemical, and biological effects of the action. Due to high existing disturbance levels associated with urban development, and the disturbance associated with railroad operations, the project not is expected to increase noise levels or visual disturbance above

baseline conditions. In addition, there is no in-water work required for the improvements, so there will be no aquatic zone of impact within the project action area. Therefore, the project action area is defined as the same as the project footprint. The information contained in this assessment addresses project impacts within the project action area.

The purpose of this assessment is to address the potential effects of the project on ESA listed species and/or designated critical habitats, and determine the need for consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS). Information regarding the potential occurrence of listed species and designated critical habitats in the project action area was obtained via species lists from USFWS and NMFS. Species and critical habitats identified as occurring in Pierce County are shown in Table 1 below. Washington Department of Fish and Wildlife (WDFW) databases for Priority Habitats and Species (PHS) and Wildlife Heritage were also reviewed. A field review of the project action area was also conducted by Geoff Gray, biologist for the WSDOT South Central Region. The purpose of the field review was to further identify suitable habitat and the potential presence of listed species and to assess project impacts.

Table 1. Species occurrence in Pierce County, and the potential for presence in the project action area.

Species	Jurisdiction	Status	Potential Occurrence in Project Action Area
Gray wolf (*Canis lupus*)	USFWS	Endangered	No
Bocaccio – Puget Sound DPS (*Sebastes paucispinis*)	NMFS	Endangered	No
Canary rockfish – Puget Sound DPS (*Sebastes pinniger*)	NMFS	Threatened	No
Yelloweye rockfish – Puget Sound DPS (*Sebastes ruberrimus*)	NMFS	Threatened	No
Chinook salmon (*Oncorhynchus tshawytscha*) – Puget Sound Evolutionarily Significant Unit (ESU)	NMFS	Threatened	No
Arenaria paludicola (Marsh sandwort)	USFWS	Endangered	No
Bull trout (*Salvelinus confluentus*) – Coastal-Puget Sounds Distinct Population Segment (DPS)	USFWS	Threatened	No
Canada lynx (*Lynx canadensis*)	USFWS	Threatened	No
Grizzly bear (*Ursus arctos horribilis*)	USFWS	Threatened	No
Northern spotted owl (*Strix occidentalis caurina*)	USFWS	Threatened	No
Marbled murrelet (*Brachyramphus marmoratus*)	USFWS	Threatened	No
Steelhead (*Oncorhynchus mykiss*) – Puget Sound DPS	NMFS	Threatened	No
Howellia aquatilis (Water howellia)	USFWS	Threatened	No
Castilleja levisecta (Golden paintbrush)	USFWS	Threatened	
Critical habitat for Chinook salmon	NMFS	Designated	No

Critical habitat for northern spotted owl	USFWS	Designated	No

The project will be constructed entirely within the existing right of way of an established rail corridor within a developed region with high ambient noise and human activity levels. No in water work will occur and Best Management Practices (BMPs) will be implemented during construction to ensure that all material is contained. Therefore, the project will have **no effect** on any aquatic listed species or designated critical habitat.

Gray wolf, grizzly bear, and Canada lynx are wide-ranging forest carnivores that are found in high elevation montane forests away from human development. Northern spotted owl require large forested areas with a high proportion of mature and old growth forest. The habitat adjacent to the project action area consists of highly developed areas with no mature forest. Marbled murrelet foraging does occur in marine waters, but at its closest point the project is more than 1.5 miles from suitable foraging habitat. No suitable habitat exists for gray wolf, grizzly bear, Canada lynx, marbled murrelet, and northern spotted owl within the project action area. No Designated Critical Habitat exists within the project action area for any species. Therefore, the project will have **no effect** on these species or any designated critical habitat.

Water howellia and marsh sandwort are strongly associated with wetlands. Golden paintbrush is associated with open grasslands and prairies. No impacts will occur off the developed rail corridor, and no suitable habitat for these species will be impacted. Therefore, the project will have **no effect** on these species.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires federal agencies to consult with NOAA Fisheries on activities that may adversely affect Essential Fish Habitat (EFH). The Pacific Fisheries Management Council has designated EFH for the Pacific Salmon Fishery, federally managed groundfish, and coastal pelagic fisheries. It is determined that the project will have **no adverse effect** on EFH because no aquatic resource or species will be affected by project activities. Consultation is not required.

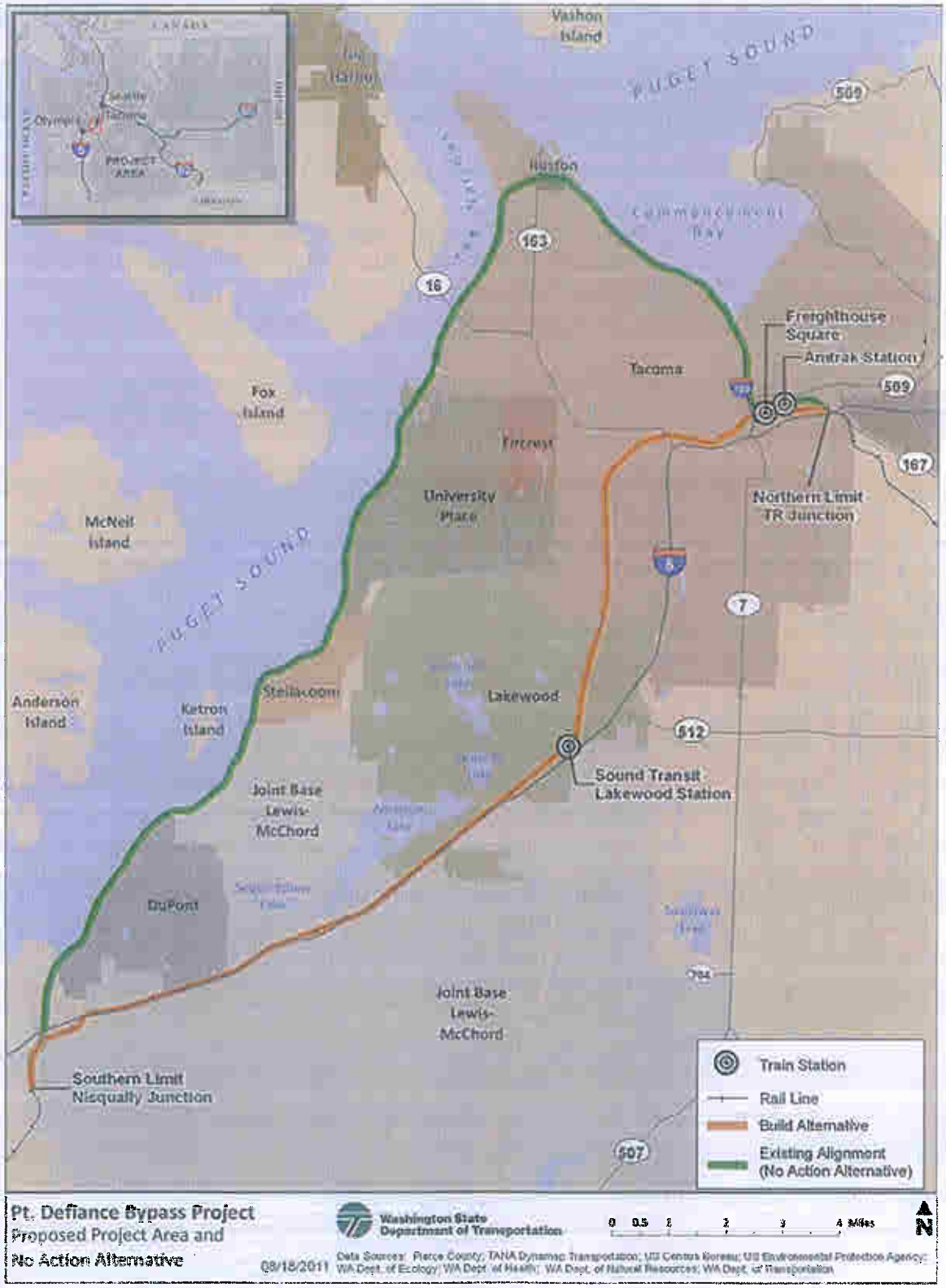
We will continue to remain aware of any change in the project or status of species and critical habitats and will be prepared to re-evaluate potential project impacts if necessary. Please contact biologist Craig Broadhead at 509-577-1751 or broadhc@wsdot.wa.gov if you require additional information or have any questions regarding this assessment.

Sincerely,

Lauris (Larry) C. Mattson, PMP
Environmental Manager – Large Projects
Cascades High-Speed Passenger Rail Program

Attachment: Vicinity Map

Point Defiance Bypass Project Vicinity Map



From: colleen.vaughn@dot.gov
To: MattsoL@wsdot.wa.gov; Ostrem, Meagan K.; Cleveland, Leandra L.
Cc: MOLLY.MACQUEEN@stvinc.com; RoalkvC@wsdot.wa.gov
Subject: FW: Pt. Defiance Consultation
Date: Thursday, August 23, 2012 8:33:47 AM

Morning,

Please include this email within the Agency Coordination Appendix.

Thanks,

Colleen

Colleen Vaughn
Federal Preservation Officer
Environmental Protection Specialist
Office of Passenger and Freight Programs
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
(202) 493-6096-office
(202) 570-2964-cell

colleen.vaughn@dot.gov

From: Michael Grady [mailto:michael.grady@noaa.gov]
Sent: Thursday, August 23, 2012 11:19 AM
To: Vaughn, Colleen (FRA)
Subject: Re: Pt. Defiance Consultation

Thanks so much Colleen. The NMFS has analyzed the potential effects and concurs with your NO-effect determination. Please keep me updated on the project status and let me know if you need any help from the NMFS.

Thanks again!

mike grady
chief, transportation branch
noaa fisheries (nmfs)-nwr
206-526-4645

On Wed, Aug 22, 2012 at 8:38 AM, <colleen.vaughn@dot.gov> wrote:
Good Morning,

Per our conversation yesterday afternoon, I am sending this email to respectfully request concurrence with the No-Effect Determination made for work being proposed as part of the Point Defiance Bypass project. An email response concurring with the findings presented

within the July 17, 2012 letter to your office will suffice for our files.

If you have any questions, please do not hesitate to contact me.

Thank you.

Colleen

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Environmental Protection Specialist
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