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FINAL ENVIRONMENTAL ASSESSMENT

SURFACE TRANSPORTATION BOARD
FINANCE DOCKET NO. 34936

Northern Columbia Basin Railroad Project

Grant County, Washington

Co-Lead Agencies

Surface Transportation Board – Section of Environmental Analysis
and Washington State Department of Transportation

Northern Columbia Basin Railroad Project

Final Environmental Assessment

Prepared by the

Surface Transportation Board
Section of Environmental Analysis

and the

Washington State Department of Transportation

May 2009

Surface Transportation Board

Washington State Department of Transportation

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Northern Columbia Basin Railroad Project

City of Moses Lake, Grant County, Washington

Final Environmental Assessment

Submitted pursuant to Section 42 U.S.C. 4332(2)(c) and 23 C.F.R. Part 771

By the Surface Transportation Board and the Washington State Department of Transportation

4/27/09
Date of Approval

Megan White, P.E.
Director, Environmental Services
Washington State Dept of Transportation

In compliance with the National Environmental Policy Act, this Final Environmental Assessment together with the Preliminary Environmental Assessment (issued November 7, 2008) describes the environmental effects of constructing two segments of new rail line and refurbishing one segment of existing rail in the northern part of the City of Moses Lake in Grant County, Washington. The analysis concludes that the project will not have a significant adverse effect on the environment.

This Final Environmental Assessment is available for review at the City of Moses Lake Public Library, 418 E 5th Avenue, as well as at the Port of Moses Lake, 7810 Andrews Street NE. It is also available on the project website:
http://www.wsdot.wa.gov/projects/rail/northerncolumbiabasinrr/

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Acronyms and Abbreviations

AM	morning
CBRW	Columbia Basin Railroad Company
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
cfs	cubic feet per second
Corps	U.S. Army Corps of Engineers
EA	Environmental Assessment
Ecology	Washington State Department of Ecology
EO	Executive Order
FAA	Federal Aviation Administration
FRA	Federal Railroad Administration
GCIA	Grant County International Airport
GHG	greenhouse gas
HPA	Hydraulic Project Approval
NCBR	Northern Columbia Basin Railroad (Project)
NEPA	National Environmental Policy Act
NP	Northern Pacific Railway
PA	Programmatic Agreement
PHS	Priority Habitat and Species
PM	evening
Port	Port of Moses Lake
RCW	Revised Code of Washington
Reclamation	U.S. Bureau of Reclamation
RP	Reference Point
SEA	Section of Environmental Analysis
SEPA	State Environmental Policy Act
SHPO	State Historic Preservation Office
SMP	Shoreline Master Program
SPCC	Spill Prevention Control and Countermeasures (Plan)

SR	State Route
STB	Surface Transportation Board
TESC	Temporary Erosion and Sediment Control (Plan)
U.S.C.	U.S. Code
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
WAC	Washington Administrative Code
WDFW	Washington Department of Fish and Wildlife
WSDOT	Washington State Department of Transportation

Executive Summary

Background

On August 28, 2008, the Port of Moses Lake (Port) filed a petition with the Surface Transportation Board (STB) seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 for the construction and acquisition of approximately 11.5 miles of rail line in Grant County, Washington.[1] The proposed rail line includes the acquisition and rehabilitation of approximately three miles of existing track (also known as Segment 3) that is currently owned by the Columbia Basin Railroad Company (CBRW). CBRW intends to file a verified notice of exemption to operate over the rail lines that are the subject of the Port's Petition for Exemption.

The STB, pursuant to 49 U.S.C. 10901 and 10502,[2] is the federal agency responsible for granting authority for the construction and operation of new rail line facilities, and WSDOT is responsible for operating and improving the state's transportation systems. Accordingly, as co-lead agencies,[3] the STB's Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT) prepared a Preliminary Environmental Assessment (EA), dated November 7, 2008, to ensure that any final STB decision approving the proposed rail line construction and operation complies with the statutory requirements of the National Environmental Policy Act of 1969,[4] the Council on Environmental Quality guidelines,[5] the STB's environmental regulations,[6] Executive Orders,[7] and other applicable rules and regulations.

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[1] The proposed rail line includes the acquisition of approximately 0.5 miles of existing track, for which no construction or rehabilitation is planned. Accordingly, the 0.5-mile rail segment was not evaluated in this environmental review.

[2] Under 49 U.S.C. 10901, the STB has exclusive licensing authority for the construction and operation of new rail lines. Under 49 U.S.C. 10502, the STB can issue an exemption from the prior approval requirements of 49 U.S.C. 10901 if the statutory standards of Section 10502 are met.

[3] The STB and WSDOT are co-lead agencies pursuant to 40 CFR 1501.5(b).

[4] 40 CFR 1500 et seq.

[5] 43 CFR § 1508.9(b).

[6] 49 CFR Part 1105.

[7] Executive Order (EO) 12898 (Federal Register 1994), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.*

Because WSDOT is a state agency, this EA was also prepared to comply with the statutory requirements of the Washington State Environmental Policy Act,[8] WSDOT requirements,[9] and other applicable state rules and regulations.

The EA was made available to agencies, Tribes, the public, and other interested parties for a 30-day public comment period. SEA and WSDOT received 29 comments on the EA, which were carefully reviewed in preparing the recommendations contained in this Final EA. If the mitigation measures contained in this Final EA are imposed by the STB, SEA and WSDOT believe that any potential environmental impacts resulting from the proposed rail project would not be significant; therefore, preparation of an Environmental Impact Statement is not necessary.

This Final EA is designed to be read in conjunction with the EA, which provides more detailed information on the proposed action and alternatives to agency decision-makers and the public. The EA, issued on November 7, 2008, describes the proposed project's purpose and need, the proposed action and alternatives, the existing environment, and the potential environmental impacts associated with the proposed action and alternatives. This Final EA responds to public and agency comments; develops and analyzes new alternatives and modified routes; clarifies, corrects, or adds to information that was in the EA, primarily regarding wetland impacts, impacts to irrigated farmland, and cumulative impacts; modifies ten mitigation measures that were in the EA; and includes one additional mitigation measure.

What is the Northern Columbia Basin Railroad Project?

The proposed project, known as the Northern Columbia Basin Railroad (NCBR) Project, includes the construction of two new rail line segments and the acquisition and refurbishment of an existing rail segment to provide rail access to land designated and zoned for industrial use along Wheeler Road (Road 3 NE) and at the Grant County International Airport (GCIA).[10] Although CBRW operates rail lines in the City of Moses Lake and Grant County, the industrial areas along Wheeler Road (Road 3 NE) and the eastern side of the GCIA are not currently served by rail.

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[8] Revised Code of Washington (RCW) 43.21C.

[9] WSDOT's *Environmental Procedures Manual* outlines the department's legal requirements related to natural and man-made environmental resources. The *Environmental Procedures Manual* provides guidance on environmental procedures for WSDOT and its environmental consultants. The *Environmental Procedures Manual* may be viewed online at *http://www.wsdot.wa.gov/Publications/Manuals/M31-11.htm*.

[10] Two airports are located in the project vicinity. The larger airport, Grant County International Airport (GCIA), is located north and west of Randolph Road. Moses Lake Municipal Airport is located north of Wheeler Road (Road 3 NE) and east of Crab Creek / Parker Horn. GCIA is the airport that would be accessed by the proposed project.

The proposed project is shown on **Exhibit ES.1** and includes the following:

- Segment 1 – Building a new rail line between the community of Wheeler and Parker Horn (a water body and an arm of Moses Lake) or Crab Creek to join the existing line (Segment 3);
- Segment 2 – Extending the existing track, which currently terminates just south of the GCIA, to the industrial lands located east of the GCIA; and
- Segment 3 – Refurbishing the existing track between Parker Horn and the GCIA.

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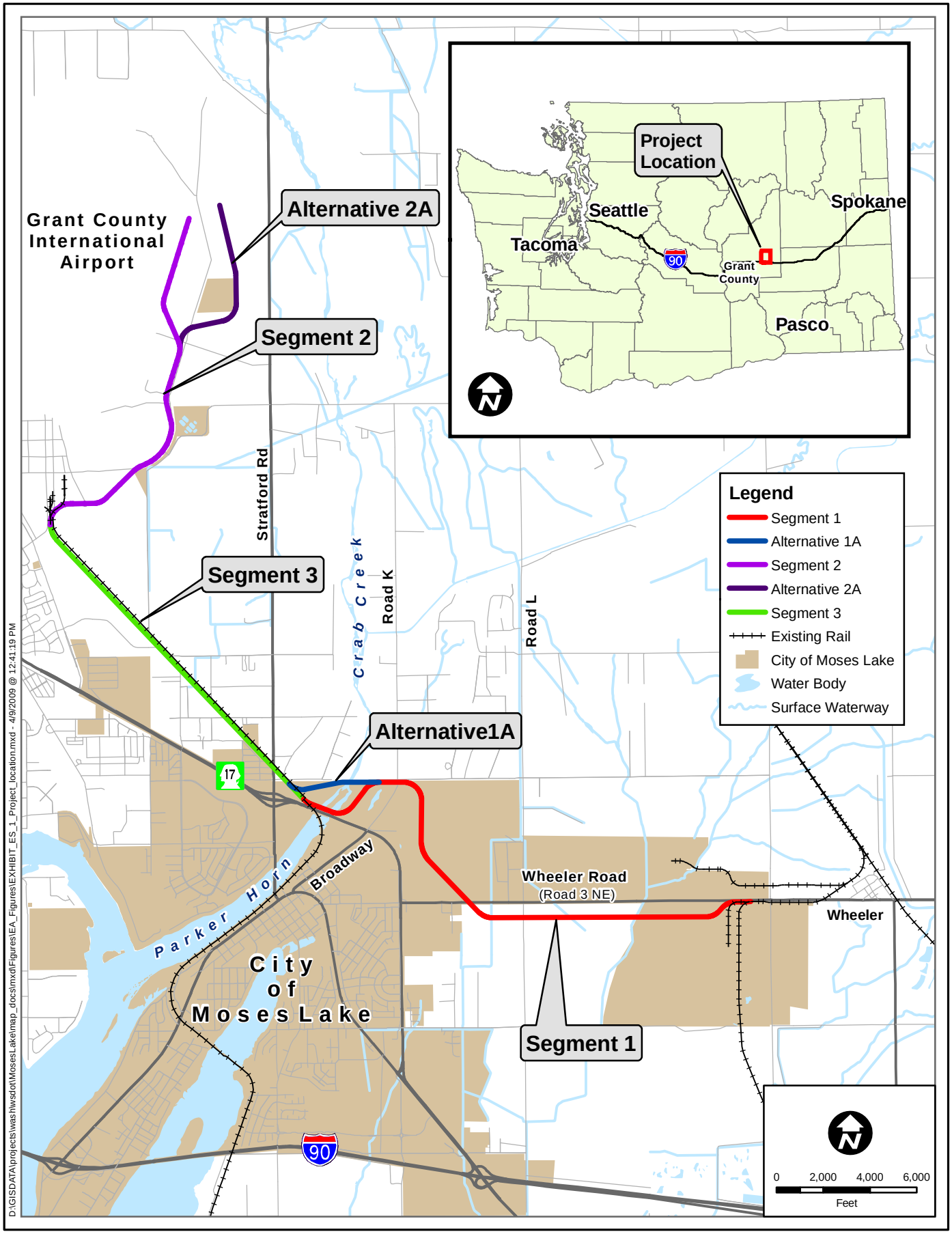

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Project Location
Exhibit ES.1

Northern Columbia Basin Railroad Project

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The entire proposed route would be between 11.1 miles and 11.7 miles long, depending on the route selected.[11] The new rail line segments would be owned and constructed by the Port. Segment 3 (the existing track) would be acquired by the Port from CBRW and would be refurbished by the Port. As stated above, the entire route would be operated by CBRW.

Although the proposed project would allow trains to bypass downtown Moses Lake, the project does not include abandonment of the existing rail line that runs through downtown Moses Lake. If that line were proposed for abandonment in the future, that would be a separate action before the STB and would be subject to a separate environmental review by SEA.

What is the purpose and need of the proposed action?

The purpose of the proposed project is to provide rail service to lands designated for industrial development in the northern part of the City of Moses Lake as well as to the south and east of the GCIA, to enhance opportunities for economic development, and to attract new rail-dependent businesses to those areas. Depending on the demand for rail service, rail traffic would increase as needed from the current estimated one train per month (or less) up to a reasonably foreseeable future maximum of two trains per day (one round trip), 365 days per year. Each train would consist of up to ten cars.

What alternatives were considered?

Two alternatives were analyzed in depth in the EA: 1) the Build Alternative, which includes the construction of Segments 1 and 2, as well as the acquisition and rehabilitation of Segment 3, and 2) the No Build Alternative. Within Segment 1 of the Build Alternative, two different water crossings (one at Parker Horn and one at Crab Creek) were evaluated. Within Segment 2 of the Build Alternative, two alternative routes on the eastern side of the GCIA were evaluated. The EA also included a discussion of two alternatives, the July Alternative and the October Alternative, which were initially considered but rejected primarily because they did not meet the purpose and need of the proposed project.

Based on public and agency comments on the EA, SEA and WSDOT developed and evaluated five additional alternatives, including an alignment modification, which are all discussed in more detail in Chapter Three of this Final EA. Each alternative was assessed to determine: 1) its potential to meet

[11] The EA stated that the entire proposed route would be between 11.1 miles and 11.5 miles long, depending on the alternative selected at the western end of the project corridor. However, as explained in more detail in Chapters Two and Three of this Final EA, a modified route was considered for a portion of Segment 1 that would avoid or minimize impacts to wetlands. This modification would make this portion of the rail line slightly longer than the originally proposed Segment 1. Accordingly, the entire route would now be between 11.1 miles and 11.7 miles long, depending on the alternatives selected.

the purpose and need for the proposed project, 2) the engineering and constructability of the line, and 3) potential environmental impacts. A summary of all alternatives considered for the proposed rail project is provided below. The location of alternatives is shown in **Exhibit ES.2. Exhibit ES.3** provides, in table format, a comparison among the alternatives.

Build Alternative

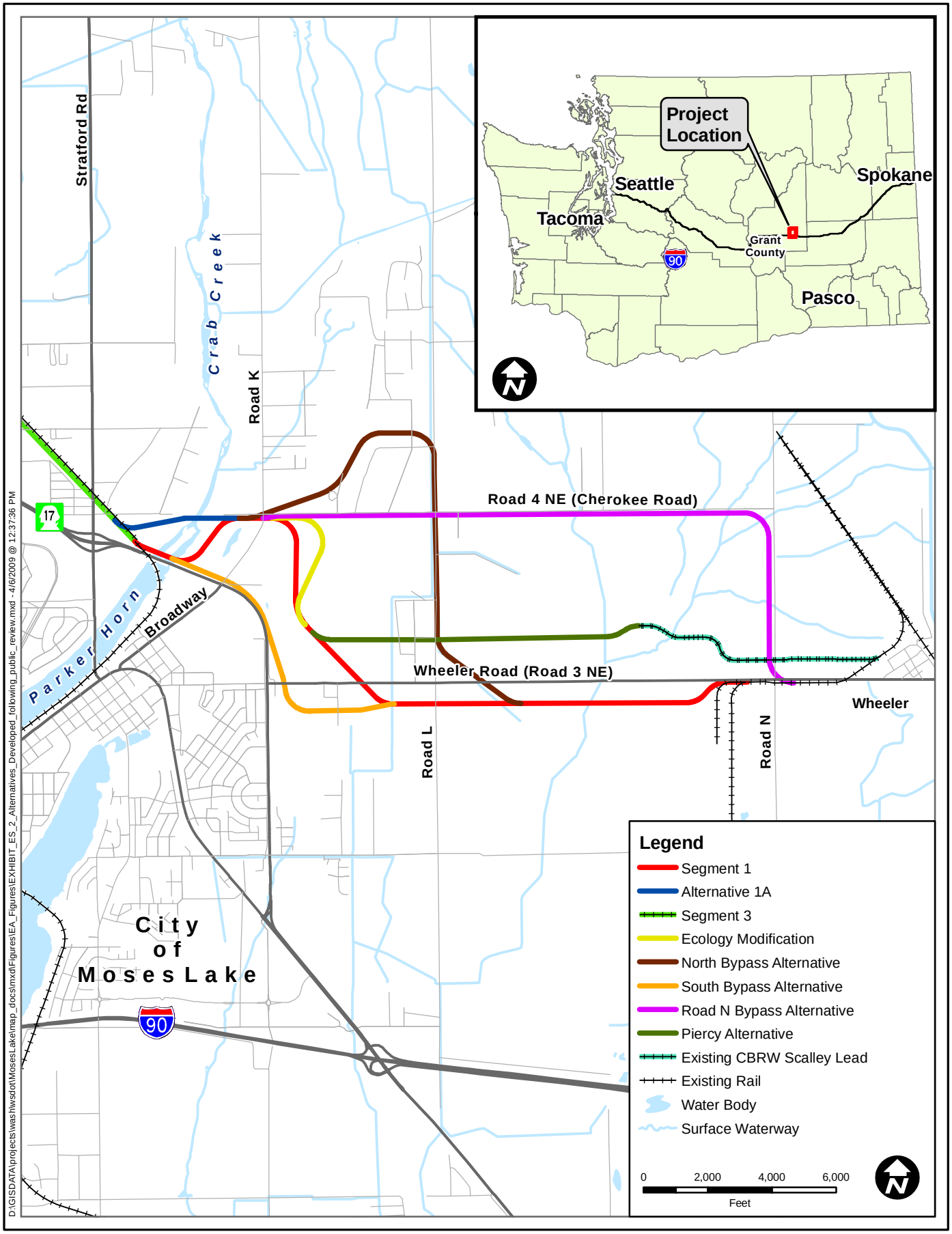
The Build Alternative includes the proposed action and other alternatives that would require new rail line construction. The proposed acquisition and rehabilitation of the existing line (Segment 3) is also part of the proposed action and is described below.

Segment 1 and Alternatives

Segment 1 – Segment 1 would consist of approximately 4.5 miles of new track between the community of Wheeler and Parker Horn (a water body and an arm of Moses Lake) in order to join the existing line (Segment 3). Maximum grade for Segment 1 would be 1.7 percent. The bridge crossing at Parker Horn would be located close to the State Route (SR) 17 bridge and would primarily have an impact on fish, wildlife and vegetation; visual quality; water quality; and wetlands. SEA and WSDOT developed mitigation measures, which are provided in Chapter 5 of this Final EA, in order to avoid or mitigate impacts of Segment 1.

Segment 1 with the Alternative 1A water crossing – Because of the sensitive wetland habitat in and around Parker Horn, SEA and WSDOT developed an alternate water crossing. The alternate crossing, known as Alternative 1A, would diverge from Segment 1 at Reference Point (RP) 3.8, then would continue west, south of Road 4 NE (Cherokee Road), crossing at the mouth of Crab Creek, which is approximately 1,000 feet farther to the north than the Segment 1 water crossing at Parker Horn. The maximum grade for Alternative 1A would be 1.7 percent. In general, when comparing the Segment 1 water crossing at Parker Horn and the Alternative 1A water crossing at Crab Creek, commenters stated a preference for Alternative 1A because of its minimized impacts to wetlands, water resources, potential habitat for the northern leopard frog, and land use.[12]

[12] The Port, the Washington Department of Fish and Wildlife, and a number of public citizens expressed a preference for Alternative 1A.



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Alternatives Developed Following Public Review
Exhibit ES.2

Northern Columbia Basin Railroad Project

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Exhibit ES.3
Comparison of Segment 1 Alternatives and Alignment Modification

	Segment 1	Segment 1 with Alternative 1A	July	October	Ecology Modification	North Bypass	South Bypass	Road N Bypass	Piercy	Recommended Alternative: Segment 1 with Ecology Modification and Alternative 1A
Distance of line in miles	4.5	4.5	9.7	7.0	4.7	5.26	4.2	4.9	5.17	4.7
Right of way acquisitions/ relocations	Affected parcels: 21 Relocations: 3 business / 0 residences Acres of right of way required: 55	Affected parcels: 19 Relocations: 3 business / 0 residences Acres of right of way required: 55	Affected parcels: 24 Relocations: unknown Acres of right of way required: 58	Affected parcels: 24 Relocations: unknown Acres of right of way required: 58	Affected parcels: 17 Relocations: 3 business / 0 residences Acres of right of way required: 58	Affected parcels: 39 Relocations: 2 businesses / 5 residences Acres of right of way required: 63.5	Affected parcels: 23 Relocations: 6 businesses / 2 residences Acres of right of way required: 51	Affected parcels: 26 Relocations: 2 businesses / 4 residences Acres of right of way required: 59	Affected parcels: 26 Relocations: 6 businesses / 0 residences Acres of right of way required: 62	Affected parcels: 26 Relocations: 3 businesses / 0 residences Acres of right of way required: 57
Compatibility with existing and planned land uses	Generally yes (land is intended mostly for industrial uses)	Generally yes (land is intended mostly for industrial uses)	Generally no (land is zoned mostly for agriculture and rural residential)	Generally no (land is zoned mostly for agriculture and rural residential)	Generally yes (land is intended mostly for industrial uses)	Generally no (land is zoned mostly for agriculture and rural residential)	Generally yes (land is intended mostly for industrial uses.)	Generally no (land is zoned mostly for agriculture and rural residential)	Generally yes (land is intended mostly for industrial uses)	Generally yes (land is intended mostly for industrial uses)
Acres of wetlands within the 100-foot right of way	6.27 acres	4.65 acres	0.9 acres	4.8 acres	4.4 acres	6.6 acres	4.2 acres	4.4 acres	6.3 acres	2.8 acres
Acres of encroachment into the Gloyd Seeps Wildlife Area	None	None	7.2 acres	10.5 acres	None	None	None	None	None	None
Number of water crossings	7 (1 drain, 5 irrigation canals, and Parker Horn)	7 (1 drain, 5 irrigation canals, and Crab Creek)	6 (5 irrigation canals and Crab Creek)	5 (4 irrigation canals and Crab Creek)	7 (1 drain, 5 irrigation canals, and Parker Horn)	5 (1 drain, 3 irrigation canals, and Parker Horn)	7 (1 drain, 5 irrigation canals, and Parker Horn)	4 (1 drain, 2 irrigation canals, and Parker Horn)	4 (1 drain, 2 irrigation canals, and Parker Horn)	7 (1 drain, 5 irrigation canals, and Crab Creek)
Number of public at-grade road crossings	4	4	12	10	4	5	4	4	5	4
Meets the Purpose and Need	Yes	Yes	No	No	Yes	No	Yes	No	Yes	Yes

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July Alternative and October Alternative – The July and October Alternatives were developed based on public comments received during the scoping process and were discussed in the EA as alternative locations considered for the proposed action. Both of these alternatives are northern routes that would entirely bypass the existing developed area of Moses Lake, and portions of each of these alternatives would be located within the former Northern Pacific Railway Wheeler-Adrian rail line right of way. However, the July Alternative and October Alternative were both eliminated from further analysis in the EA because they did not meet the purpose and need for the proposed rail project, which is to provide rail service to industrial areas in the City of Moses Lake and to enhance opportunities for economic development. Moreover, in comparison with Segment 1, the July Alternative and the October Alternative are both longer in length and would impact a larger area, including the Gloyd Seeps Wildlife Area.

Ecology Modification – The Ecology Modification was developed in response to a comment received from the Washington State Department of Ecology. This modification of an approximately one-mile portion of Segment 1 (between RP 2.7 and RP 3.6) would shift the rail line to the east in order to minimize impacts to wetlands and would have a corresponding decrease in impacts to wildlife habitat. If Segment 1 was constructed with the Ecology Modification, it would still meet the purpose and need of the proposed project.

North Bypass Alternative – The North Bypass Alternative was developed as a result of public comments received on the EA, and it would consist of approximately 5.26 miles of new track. This alternative would start approximately 0.5 miles east of Road L, pass along the east side of the Moses Lake Municipal Airport, and then head north and west past Road 4 NE (Cherokee Road) through land zoned for Rural Residential use. It would then descend into the Parker Horn basin, crossing Road 4 NE (Cherokee Road) near Road K. South of Road 4 NE (Cherokee Road), this alternative would curve to the west to rejoin the alignment of Segment 1. SEA and WSDOT determined that the North Bypass Alternative would not meet the project's purpose and need for providing rail access to lands designated for industrial development in the northern part of the City of Moses Lake.

South Bypass Alternative – This alternative was developed as a result of public comments received on the EA, and it would consist of approximately 4.2 miles of new track. The South Bypass Alternative would modify the alignment of Segment 1 in the area between the irrigation canal crossing and the proposed bridge over Parker Horn. This alternative would continue west keeping to the south of Wheeler Road, and then would head north/northwest to parallel the east side of SR 17, finally curving to the northwest to the Segment 1 bridge over Parker Horn.

The South Bypass would meet the purpose and need of the proposed project but would present greater engineering challenges from a constructability standpoint. For example, approximately 0.4 miles of this route would need to be constructed at a 3 percent grade, which is steeper than the 2 percent grade that is generally acceptable for railroad track. This gradient would likely negatively affect rail operations and limit the size and type of freight that could be shipped. It would not be possible to reduce the gradient along this alignment without substantial grading, which, in that portion of the bypass close to SR 17, would require constructing the rail line at the bottom of a graded trench beside the highway. The trench would eliminate the Stream C mitigation site,[13] and any impacts to the Stream C mitigation site would likely be considered significant by permitting agencies. Accordingly, SEA and WSDOT eliminated the South Bypass from further review because the construction of this alternative is not considered reasonable or feasible from a constructability standpoint.

Road N Bypass Alternative – The Road N Bypass was developed as a result of public comments received on the EA, and it would consist of approximately 4.9 miles of new track. Beginning approximately 0.2 miles east of Road N near the community of Wheeler, this alternative would cross Wheeler Road, curve to the north to follow the west side of Road N, then turn to the west to parallel Road 4 NE (Cherokee Road). Near Road L, this alternative would descend into a cut needed to keep the grade west of the Moses Lake Municipal Airport at 2 percent. The cut would require a highway bridge over the rail line at Road L, as well as a "cut and cover tunnel" at the north end of the airport's runway and taxiway facilities to prevent the rail line from becoming an obstruction to the air space for the airport approach. From this point, the Road N Bypass Alternative would continue to parallel Road 4 NE (Cherokee Road) and descend toward Road K to join Segment 1. This alternative was eliminated from further review because it would not meet the purpose and need of the proposed rail project.

Piercy Alternative – The Piercy Alternative would consist of approximately 5.17 miles of track, and it was developed as a result of a public comment received on the EA. The beginning portion of this alternative would utilize the existing CBRW Scalley Lead, which is an existing track that is approximately 1.5 miles long, and it would travel westward along parcel lines through the Moses Lake Industrial Park to connect to the western portion of the proposed Segment 1, near RP 3.

[13] Stream C was realigned and improved in 2006 to mitigate impacts to aquatic resources resulting from the SR 17 Pioneer Road to Stratford Road Project Improvements. WSDOT, 2008. *Northern Columbia Basin Railroad Project: Wetlands Discipline Report.* Prepared by HDR Engineering, Inc. and Jones & Stokes. The *Wetlands Discipline Report* may be obtained from the WSDOT Rail & Marine Office.

The Scalley Lead includes segments of 3 percent grade, which is steeper than the 2 percent grade that is generally acceptable for railroad through track, and two 12 degree curves, which is greater than the 8 to 10 degree curves acceptable for track, which together would limit the size and type of freight that could potentially use the track. In addition, the Scalley Lead passes through an area where industrial buildings and facilities are located closer than 50 feet from the track. These buildings would require extensive modification or demolition to accommodate a through track. Furthermore, the industries actively use the track area to transport goods and materials across the tracks between the buildings; therefore the use of the Scalley Lead as a through track would present a safety hazard to workers and disrupt existing industrial operations. The Piercy Alternative would require renovation and substantial improvements to the Scalley Lead, as well as to an existing railroad spur, and would result in extensive modifications or demolition of up to three industrial buildings/facilities next to the Scalley Lead and the demolition of at least three existing industrial buildings in the Industrial Park.

This alternative would meet the purpose and need for the proposed project. It was also determined to be feasible, but it is not considered reasonable because it is not practical based on technical and economic factors. Therefore, the Piercy Alternative was not carried forward for further review.

Segment 2 and Alternative

Segment 2 – The construction of Segment 2 would consist of approximately 3.1 miles of new track that would extend the existing track (Segment 3), which currently terminates just south of the GCIA, to the industrial lands located east of the GCIA. It would begin at a turnout installed at the north end of Segment 3, and then it would cross Forbes Road and proceed east before curving to the northeast to cross Randolph Road. The line would generally follow Randolph Road around the east side of the GCIA. South of Tyndall Road, Segment 2 would head northwest, away from Randolph Road to the west of Moses Lake Industries, then it would run north and east, parallel to Randolph Road, before ending approximately 6,000 feet from the Tyndall Road crossing. Maximum grade for Segment 2 would be 1.7 percent.

Segment 2 is approximately 0.4 miles shorter than Alternative 2A, which is described below. Additionally, Segment 2 would require the acquisition of less property than Alternative 2A (approximately 38 acres compared to 45 acres for Alternative 2A), and Segment 2 would have the potential to disturb fewer hazardous materials sites (one site compared to two sites for Alternative 2A).

Alternative 2A – This alternate alignment for the north end of Segment 2 would consist of approximately 3.6 miles of new track. Alternative 2A would re-cross Randolph Road approximately 700 feet north of the intersection of Randolph Road and Tyndall Road, and then it would curve to the north and

extend approximately 7,000 feet before ending. Maximum grade for Alternative 2A would be 1.7 percent. Because Alternative 2A is longer than Segment 2 and it would also have the potential to disturb more hazardous material waste sites, SEA and WSDOT determined that Segment 2 would have fewer environmental impacts.

Segment 3

Segment 3 – For Segment 3, approximately 3.0 miles of the existing CBRW rail line between Parker Horn and the GCIA would be rehabilitated.

No Build Alternative

Under the No Build Alternative, the proposed project would not be constructed and environmental impacts associated with the construction and operation of the proposed rail line would not occur. Under this alternative, rail service would continue on the existing CBRW system, but there would be no potential for rail service to lands designated for industrial development in the northern part of the City of Moses Lake or to the lands to the south and east of the GCIA. Rehabilitation of the existing line would not be precluded under this alternative and could take place in the future.

What potential environmental impacts could result from the Build Alternative?

SEA and WSDOT identified and evaluated potential environmental impacts associated with the proposed action and alternatives. Chapter Five of the EA provided a detailed discussion of potential impacts, and Chapter Four in this Final EA provides additional information regarding potential impacts to wetlands and irrigated farmland, as well as supplementary information about cumulative impacts. Chapter Three in this Final EA contains a more detailed discussion about the new alternatives and their potential environmental impacts.

The following is an overview of potential environmental impacts that could result from the proposed rail project.

Air Quality, Energy, Noise, and Visual Quality

Grant County is in attainment for all criteria air pollutants. Because the proposed project is expected to result in a maximum of two trains per day (one round trip) for the foreseeable future, impacts to air quality and from energy use and noise are not expected to be significant. This Final EA includes measures to minimize dust and noise during construction and to revegetate disturbed areas following construction.

Cultural, Historic, and Archaeological Resources

A cultural resources survey of the project area was prepared and sent for review to the Washington Department of Archaeology and Historic Preservation (State Historic Preservation Office or SHPO), the Colville Confederated Tribes, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Wanapum Tribe. Based on the results of the survey and initial consultations with the SHPO, the project team determined that there are no prehistoric archaeological sites, historic period archaeological sites, or traditional cultural properties located within the project area.

However, the project team identified 20 potential historic resources (sites that are 50 years old or older) within the study area. One of those resources, the Columbia Basin East Low Canal Feeder Canals system, has been determined to be eligible for listing on the National Register of Historic Places (NRHP), under Criterion A, for its association with events that have made a significant contribution to the broad patterns of our history. Following consultations with the SHPO pursuant to 36 CFR Part 800, the SEA determined that the proposed rail line construction and operation would not have an adverse effect on the Columbia Basin East Low Canal Feeder Canals system, and in a letter dated April 7, 2009, the SHPO concurred that the current project as proposed would have no adverse effect on the Columbia Basin East Low Canal. This letter is included in **Appendix A**.

Because there are certain land parcels that the project team was unable to evaluate, the SHPO recommended that SEA and WSDOT develop a programmatic agreement (PA) to ensure that cultural resources are assessed on these parcels prior to initiation of construction. See 36 CFR 800.4(b)(2) and 800.14. Moreover, SEA and WSDOT developed an alternative alignment for Segment 1, which modifies approximately 0.94 miles of Segment 1 (also known as the Ecology Modification). In the event that Segment 1 is constructed with the Ecology Modification, the line would cross land parcels that are not currently accessible, that cannot be adequately investigated prior to the completion of the planning process, and that may contain NRHP-eligible historic properties. Accordingly, SEA and WSDOT have prepared a PA pursuant to the requirements of Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f. SEA and WSDOT are continuing to work with the SHPO to finalize the PA, and the STB will not make any final decision until the PA is executed. However, SEA and WSDOT are including a copy of the Draft PA's Stipulations in **Appendix C**.

In addition, in the event that any unanticipated historic or cultural properties, archaeological sites, human remains, funerary items, or assorted artifacts are discovered during the proposed construction activities, the Port would be required to cease work and notify the SHPO, SEA, WSDOT, interested

federally-recognized Tribes, and consulting parties, if any, in order to coordinate as appropriate to protect those resources.

Fish, Wildlife, and Vegetation

The proposed project is not expected to result in any adverse impacts to federally-listed threatened or endangered species or critical habitats. The U.S. Fish and Wildlife Service (USFWS) indicated that it had no official comment regarding the proposed rail project but stated that there is no requirement for Section 7 consultation pursuant to the Endangered Species Act where a federal agency concludes that the proposed project would have "no effect" on federally-listed species.

The proposed project does have the potential to adversely affect the following state priority species: bald eagles, burrowing owls, Yuma myotis, Townsend's big-eared bat, and the northern leopard frog.[14] However, through design measures and the implementation of mitigation measures recommended by SEA and WSDOT, these impacts would be minimized or avoided.

Construction of the proposed crossing at Crab Creek for Alternative 1A would affect a substantially smaller area than construction of the proposed crossing at Parker Horn for Segment 1 because Crab Creek is less than half as wide as Parker Horn. Alternative 1A would, therefore, have fewer impacts on biological resources and wetland habitat. In addition, construction of Segment 1 using the Ecology Modification would impact fewer wetlands and further minimize impacts to northern leopard frog habitat.

Hazardous Materials

As stated in the EA, 19 hazardous materials sites were found within the study area. Of these 19 sites, 13 were determined to be at low risk, four were determined to be at moderate risk, and two were determined to be at high risk of being disturbed by the proposed construction activities. To mitigate or avoid such risks, SEA and WSDOT have incorporated measures into the mitigation, including consultation and coordination with the U.S. Environmental Protection Agency's Region 10 Office and the Washington State Department of Ecology (Ecology), to ensure that appropriate investigation and mitigation are conducted prior to finalizing design plans and construction specifications. In addition, to minimize any impacts associated with accidental spills of hazardous materials, preparation of a Spill Prevention Control and Countermeasures Plan and an emergency response plan would be required.

[14] State priority species include those species that are state endangered, threatened, sensitive, or candidate species.

Land Use

Construction of the proposed project would not have significant land use impacts. Although the route would cross existing farmland, the farmland is not prime or unique and the land is zoned primarily for industrial use. The proposed project would require between 93 and 103 acres of right of way, depending on which alternative is selected. One business along Wheeler Road and two businesses in the newly developing Major Plat would need to be relocated and an operating gravel quarry would be crossed by the Ecology Modification, if that modification is selected; however, no residences would be acquired and no residents would be displaced.[15] To mitigate or avoid land use impacts, the Port would be required to negotiate with any landowners whose property would be affected or whose land access or irrigation systems would be severed. In addition, the Port would be required to abide by all requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Social Elements and Environmental Justice

Along Segments 1 and 2, the proposed project would not divide or separate any community or population groups. Along Segment 3, the existing rail line serves as a physical barrier between the Longview neighborhood and Longview Elementary School. Impacts along Segment 3 would be limited because the rail line already exists in this location, and because the rail traffic is expected to be low (two trains per day or one round trip) for the foreseeable future. SEA and WSDOT have included mitigation measures in this Final EA to address safety concerns, including the following measures: coordination with Longview Elementary School, the City of Moses Lake, and community organizations to ensure that railroad safety programs and other measures are implemented.

Grant County and the City of Moses Lake have greater minority and low-income populations than Washington State as a whole. Some of these populations are located within the study area for Segment 3. Because the rail line in Segment 3 already exists, and because the rail traffic is expected to be low (two trains per day or one round trip) for the foreseeable future, the proposed project would not have an adverse impact on these populations.

[15] The EA stated that one business would be affected by the proposed project. Ongoing construction in the Crittenden Major Plat has resulted in the construction of two industrial buildings in Segment 1 that would be affected, for a total of three. If Segment 1 is constructed using the Ecology Modification, a gravel quarry would also be affected.

Traffic

The Build Alternative would require eight new at-grade crossings of public roads and would include the upgrade of two existing crossings.[16] Accordingly, the Port would be required to install the necessary signs, lighting, and safety warnings for all at-grade crossings. SEA and WSDOT have also incorporated mitigation measures for the proposed construction period to ensure minimal disruption to traffic along public roadways. The proposed rail operations of two trains per day (one round trip) of up to ten cars would not be expected to cause significant traffic delays or accident impacts due to the low traffic levels expected on the route.

Water Resources

Segment 1 would cross six irrigation canals and two drainage ditches. The Port would be required to install culverts or bridges or otherwise ensure that irrigation and drainage water would not be affected.

The proposed project would build a bridge across Parker Horn for Segment 1 or across Crab Creek for Alternative 1A. The bridge would be designed to ensure that stormwater did not enter the water body. Specific design and construction measures would prevent impacts to the water during bridge construction.

Construction could result in the washing of sediments into waterways. To avoid or minimize impacts to water resources, best management practices and other mitigation measures would be implemented to control erosion and sedimentation, as well as to prevent the release of any contaminants, during construction and operation of the proposed project.

The Port would be required to coordinate with federal, state, and local agencies to obtain all necessary permits for work in and around water resources, including submittal of Clean Water Act permit applications to the U.S. Army Corps of Engineers and Ecology, and the Hydraulic Project Approval from the Washington Department of Fish and Wildlife. The Port would also be required to comply with local agency requirements mandated by the State of Washington's Growth Management Act and the Shoreline Management Act.

Wetlands

Wetlands are found along Segment 1 and Alternative 1A on either side of Parker Horn and Crab Creek, as well as on the northern part of the Ecology Modification. Construction of Segment 1 across Parker Horn would have a direct adverse impact on 3.02 acres of Category 3 wetlands and would have indirect adverse impacts, such as fragmentation or shading, on an additional

[16] The EA stated that seven new at-grade road/rail crossings would be constructed. Ongoing construction within the Crittenden Major Plat has resulted in the recent completion of a new public road (Hamilton Road) that would also be crossed by Segment 1 of the proposed project.

3.25 acres of wetlands within 50 feet of the proposed track, for a total impact area of 6.27 acres. Construction of Alternative 1A across Crab Creek would have direct adverse impacts on approximately 2.14 acres of Category 3 wetlands and would have indirect adverse impacts on approximately 2.514 acres of wetlands within 50 feet of the proposed track, for a total impact area of 4.654. However, in response to public and agency comments on the EA, SEA and WSDOT developed a modification of an approximately one-mile portion of Segment 1 (between RP 2.7 and RP 3.6) that would shift the rail line to the east in order to minimize impacts to wetlands. As stated above, this is known as the Ecology Modification, and it is described in detail in Chapter Three of this Final EA. Accordingly, if Segment 1 was constructed using the Alternative 1A crossing at Crab Creek and combined with the Ecology Modification, it would affect a total of 2.8 acres of wetlands.

Wetlands that would be affected by the project function at low to moderate levels of hydrology, habitat, and water quality. Although these functions would be degraded by the proposed project, the magnitude of those impacts would be limited because these wetlands have already been exposed to impacts from human disturbance, such as agricultural use and road construction.

To mitigate impacts to wetlands, SEA and WSDOT have included mitigation measures in this Final EA, such as the preparation of a Wetland Mitigation Plan that would describe measures to compensate for wetlands affected directly or indirectly by the proposed project.

Permit Conditions

One new mitigation measure was added to ensure that the conditions of all permits required by state, local, or federal agencies are included in any construction documents that the Port provides to contractors.

Environmentally Preferred Alternative

For Segment 1, WSDOT and SEA identified the Alternative 1A water crossing, combined with the Ecology Modification, as the environmentally preferred alignment. The Alternative 1A crossing of Crab Creek was identified as the preferred water crossing because this alternative would result in fewer environmental impacts than the Segment 1 crossing of Parker Horn.

- Construction of Alternative 1A would impact a substantially smaller area than construction of the proposed crossing of Parker Horn for Segment 1 because Crab Creek is less than half as wide as Parker Horn. The bridge over Parker Horn for Segment 1 would be 865 feet long with 21 spans, with 19 of those located over the floodplain. The bridge for Alternative 1A would be 475 feet long, which is considerably shorter than the bridge for Segment 1, and would have 11 spans with ten piers in the floodplain.

Alternative 1A would therefore have fewer impacts on biological and water resources.

- The construction of Alternative 1A would have fewer impacts related to sedimentation and turbidity because the water channel is narrower than Segment 1 (170 feet for Alternative 1A compared to 500 feet for Segment 1).

- Alternative 1A would also have fewer impacts on wetlands and potential habitat for the northern leopard frog than Segment 1: a total of 0.5 acres for the bridge across Crab Creek compared to a total of 2.1 acres for the Segment 1 bridge across Parker Horn.

- Alternative 1A would have fewer visual impacts on the Coulee Corridor National Scenic Byway because it is located further away (2,000 feet rather than 150 feet for Segment 1).

- The Washington Department of Fish and Wildlife indicated a preference for Alternative 1A because it would have fewer impacts to designated critical areas (wetlands) and waters of the state (Crab Creek).

- In general, when comparing the Segment 1 water crossing at Parker Horn and the Alternative 1A water crossing at Crab Creek, public comments stated a preference for Alternative 1A because of its minimized impacts to wetlands, water resources, and land use.

The Ecology Modification would impact approximately 2.3 acres of Wetland A, and the corresponding 0.94-mile segment of Segment 1 would impact approximately 4.2 acres of Wetland A. Accordingly, the Ecology Modification was also identified as part of the environmentally preferred alignment for Segment 1 because it would reduce wetland impacts and would have a corresponding decrease in impacts to wildlife habitat.

For Segment 2, SEA and WSDOT identified Segment 2 as the environmentally preferred alternative when compared with Alternative 2A. Segment 2 is approximately 0.4 miles shorter than Alternative 2A, and would require the acquisition of less property than Alternative 2A (approximately 38 acres compared to 45 acres for Alternative 2A). In addition, Segment 2 would have the potential to disturb fewer hazardous materials sites (one site compared to two sites for Alternative 2A).

Conclusion

Based on an independent analysis of all information available at this time, including comments received on the EA, SEA and WSDOT conclude that the proposed construction, acquisition, and operation of approximately 11.5 miles of rail line in Grant County, Washington, would not result in any significant

environmental impacts if the mitigation measures recommended in this Final EA are implemented.

For the Build Alternative, the environmentally preferred route would include Segment 1 (utilizing the Alternative 1A water crossing at Crab Creek and the Ecology Modification), Segment 3, and Segment 2 (rather than Alternative 2A). Given the similarity of most of the environmental impacts associated with the Ecology Modification and the impacts associated with the corresponding 0.94 mile portion of, Segment 1, and given the moderate to negligible nature of potential impacts, neither alternative has emerged as markedly preferable.

Accordingly, if the STB decides to grant final approval for this project, SEA and WSDOT recommend that the STB grant permission for the Port to construct and CBRW to operate over the Build Alternative, including Segment 1 (utilizing the Alternative 1A water crossing) or Segment 1 (utilizing both the Alternative 1A water crossing and the Ecology Modification), Segment 3, and Segment 2. SEA and WSDOT also recommend that, in any final decision approving the proposed rail project, the STB impose conditions requiring the Port to implement the mitigation measures contained in this document.

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Chapter One Introduction

On August 28, 2008, the Port of Moses Lake (Port) filed a petition with the Surface Transportation Board (STB) seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 for the construction and acquisition of approximately 11.5 miles of rail line in Grant County, Washington.[17] Columbia Basin Railroad Company, Inc. (CBRW) intends to file a verified notice of exemption to operate over the rail lines that are the subject of the Port's Petition for Exemption.

Description of the Project

The proposed Northern Columbia Basin Railroad (NCBR) Project is shown on **Exhibit 1.1** and includes the following:

- Segment 1 - Building a new rail line between the community of Wheeler and Parker Horn (a water body and an arm of Moses Lake) or Crab Creek to join the existing line (Segment 3);
- Segment 2 - Extending the existing track, which currently terminates just south of the Grant County International Airport (GCIA), to the industrial lands located east of the GCIA; and
- Segment 3 - Refurbishing the existing track between Parker Horn and the GCIA.

The entire proposed route would be between 11.1 miles and 11.7 miles long, depending on the route selected.[18] The new rail line segments would be owned and constructed by the Port. Segment 3 (existing track) would be acquired by the Port from CBRW and would be refurbished by the Port. As stated above, the entire route would be operated by CBRW.

The purpose of the proposed project is to provide rail service to lands designated for industrial development in northern Moses Lake, as well as to the eastern side of the GCIA, to enhance opportunities for economic development,

[17] The proposed rail line includes the acquisition and rehabilitation of approximately three miles of existing track that is currently owned by Columbia Basin Railroad Company (CBRW). In addition, the proposed rail line includes the acquisition of approximately 0.5 miles of existing track, for which no construction or rehabilitation is planned. Accordingly, the 0.5-mile rail segment was not evaluated in this environmental review.

[18] The EA stated that the entire proposed route would be between 11.1 miles and 11.5 miles long, depending on the alternative selected at the western end of the project corridor. However, as explained in more detail in Chapters Two and Three of this Final EA, a modified route was considered for a portion of Segment 1 that would avoid or minimize impacts to wetlands. This modification would make the route slightly longer than the originally proposed Segment 1. Accordingly, the entire route would now be between 11.1 miles and 11.7 miles long, depending on the alternatives selected.

and to attract new rail-dependent businesses to those areas. The Port anticipates that additional rail-dependent businesses would locate along the rail line in the future, providing employment opportunities for nearby residents. Depending on the demand for rail service, rail traffic would increase as needed from the current one train or less per month up to a reasonably foreseeable future maximum of two trains per day (one round trip). The commodities expected to be shipped via the rail line would vary depending on the specific industries along the route but would likely include steel, manufactured parts, and specialty chemicals.

As stated above, the proposed rail project is located in Grant County, Washington, primarily within the greater City of Moses Lake area. Grant County is located in central Washington and has an estimated population of 83,047. Moses Lake is the largest city in Grant County, with an estimated population of 17,932.[19] Major industries in the project vicinity include commercial agriculture and associated processing, as well as manufacturing associated with the aerospace industry.

Environmental Review Process

The STB's Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT) conducted an environmental review to ensure that any final STB decision approving the proposed rail line construction and operation complies with the statutory requirements of the National Environmental Policy Act of 1969,[20] the Council on Environmental Quality guidelines,[21] the STB's environmental regulations,[22] Executive Orders,[23] and other applicable rules and regulations.

As co-lead agencies pursuant to 40 CFR 1501.5(b), the STB and WSDOT prepared a Preliminary Environmental Assessment (EA) to provide an independent analysis of the potential environmental effects of the proposed rail project (also known as the Build Alternative), as well as the No Build Alternative. In addition, the project team visited the area of the proposed rail line to document existing conditions and to further assess the potential effects of the proposed action and all reasonable and feasible alternatives on the environment.

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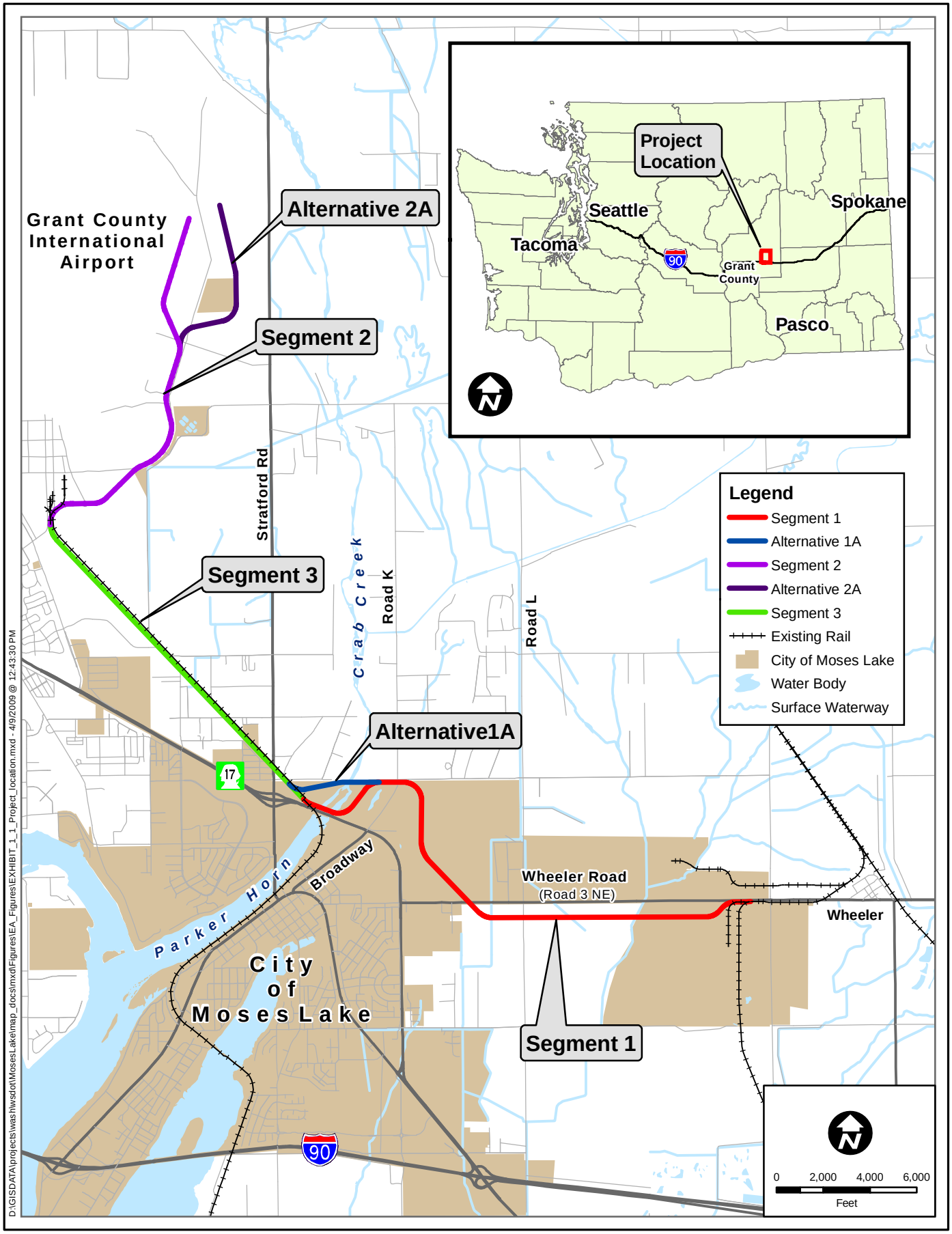
[19] City-Data.com. 2007. *Detailed Profile for Moses Lake, Washington, Population, July 2007*. Accessed at: http://www.city-data.com/county/Grant_County-WA.html.
[20] 40 CFR 1500 et seq.
[21] 43 CFR § 1508.9(b).
[22] 49 CFR Part 1105.
[23] Executive Order (EO) 12898 (Federal Register 1994), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.



Washington State Department of Transportation

Surface Transportation Board

Project Location Exhibit 1.1

Northern Columbia Basin Railroad Project

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Because WSDOT is a state agency, this EA was also prepared to comply with the statutory requirements of the Washington State Environmental Policy Act,[24] WSDOT requirements,[25] and other applicable state rules and regulations.

The EA was made available to the public on November 7, 2008. In the EA, SEA and WSDOT preliminarily concluded that the proposed action would have no significant environmental impacts if certain mitigation measures were implemented. The EA was served on all parties to the proceeding; appropriate federal, state, and local agencies; Tribes; and any party requesting copies of the document. SEA and WSDOT requested comments on all aspects of the EA, including suggestions for additional mitigation measures. The 30-day comment period closed on December 8, 2008. A total of 29 comments were filed by agencies and other interested parties in response to the request, and all comments are included in **Appendix A**. In addition, the Washington Utilities and Transportation Commission and the City of Moses Lake submitted related correspondence that did not address the EA or the NCBR Project directly; these letters are included in **Appendix B**.

SEA and WSDOT carefully reviewed the comments submitted in preparing the recommendations contained in this Final EA. If the mitigation measures contained in this Final EA are imposed by the STB, SEA and WSDOT believe that any potential environmental impacts resulting from the proposed rail project would not be significant; therefore, preparation of an Environmental Impact Statement is not necessary.

[24] Revised Code of Washington (RCW) 43.21C.

[25] WSDOT's *Environmental Procedures Manual* outlines the department's legal requirements related to natural and man-made environmental resources. The *Environmental Procedures Manual* provides guidance on environmental procedures for WSDOT and its environmental consultants. *The Environmental Procedures Manual* may be viewed online at http://www.wsdot.wa.gov/Publications/Manuals/M31-11.htm.

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Chapter Two Comment Summaries and Responses

This chapter summarizes the comments received on the Preliminary Environmental Assessment (EA) and presents responses from the Surface Transportation Board's (STB's) Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT).

On November 7, 2008, copies of the EA were provided to appropriate federal, state, and local agencies and groups; Native American Tribes that may have ancestral connections to the project area; and interested parties for review and comment. There was a 30-day comment period, during which SEA and WSDOT held a Public Open House in Moses Lake, Washington, on November 20, 2008. The purpose of the Public Open House was to present the EA, provide additional information about the proposed project, facilitate public involvement in the environmental review process, and receive comments on the EA. SEA and WSDOT estimate that 38 people attended the Public Open House.

The 30-day public comment period ended on December 8, 2008, and SEA and WSDOT have received 28 written comments from elected officials, organizations, agencies, companies, and private citizens. (Copies of the comments are presented in **Appendix A**).

Summaries of the comments received and responses to the comments are provided below. Many comments addressed similar or identical topics;[26] accordingly, such comments are grouped together and followed by a response from SEA and WSDOT. The responses clarify or correct information presented in the EA, explain and communicate government policies or regulations, direct commenters to information in the EA, or answer technical questions. If the comment resulted in a change to the EA, that is indicated in the response.

Alternatives

Comment

The Washington Department of Fish and Wildlife submitted comments stating that it would advocate Alternative 1A over Segment 1, because "Alternative 1A appears to have the fewer impacts to designated critical areas (wetlands) and waters of the state (Crab Creek)."

Response

Comment noted.

[26] No substantive comments were submitted addressing the sections of the EA on air quality; cultural, historic, and archaeological resources; energy; hazardous materials; soils and geology; or visual quality.

Comment

In general, when comparing the Segment 1 water crossing at Parker Horn and the Alternative 1A water crossing at Crab Creek, commenters stated a preference for Alternative 1A because of its minimized impacts to wetlands, water resources, and land use.

Response

Comments noted.

Comment

Some landowners expressed opposition to Segment 1, because it would run through or divide their property. Commenters indicated that this would result in negative impacts to agricultural fields and irrigation systems, which could result in adverse impacts on some farming businesses. One commenter stated that "[e]ach farm unit is developed to irrigate as a unit with the water delivered to the high point of that unit by a canal system. Rill irrigated farm land is developed in a certain way so that gravity is used to cause water to flow through the ditches to the furrows and down the furrows to irrigate the crops. You can't just cut a 50 foot swath across a developed irrigated farm unit without causing major problems with the way these fields have been leveled and graded so that they can be irrigated."

Response

In Chapter Five of the EA, SEA and WSDOT evaluated potential impacts on land use, including impacts on lands zoned for future industrial uses but currently used for agricultural purposes. (See EA at 5-21 to 5-24). However, the EA did not consider potential impacts on irrigation systems. Accordingly, in response to the concerns regarding irrigation systems, SEA and WSDOT identified the types of irrigation systems in the project area and conducted an analysis of the proposed project's potential impacts on those irrigation systems in Chapter Four of this Final EA.

With the exception of a proposed alternative route that would follow property boundaries and avoid crossing irrigated farmland (explained in more detail below), there were no specific suggestions for how to mitigate potential impacts on irrigation systems, SEA and WSDOT note that Mitigation Measure No. 25 in the EA would require that the Port of Moses Lake (Port) negotiate with affected property owners in order to minimize any project-related severance impacts. For this Final EA, this mitigation measure has been revised to specify that impacts to irrigation systems are included in "project-related severance impacts."

Comment

Some property owners expressed opposition to Segment 1 because that portion of the proposed rail line would run through their land and have adverse impacts on future development. One property owner stated that the proposed Northern Columbia Basin Railroad (NCBR) Project would impact land where he intends to create a "light industrial park."

Response

SEA and WSDOT evaluated potential impacts to land use in the EA. (See EA at 5-20 to 5-24). As indicated in the EA, land would need to be acquired for the portions of the rail line where new track construction is proposed, and there would be permanent physical impacts on existing land uses along any of those segments. As mentioned above, the owner of the Crittenden Major Plat (a parcel subdivision that is adjacent to Segment 1 near Reference Point (RP) 2) has begun the process of developing the land for light industrial use. Accordingly, that planned project is discussed in more detail in the cumulative impacts analysis provided in Chapter Four of this Final EA.

With regard to the proposed project's impact on land use and future development in general, SEA and WSDOT note that land in the project area is primarily zoned for industrial use and the NCBR Project would be consistent with existing land use plans and policies. The proposed rail line would be near the Grant County International Airport, existing rail lines, and industrial areas, and the Build Alternative was selected because of its proximity to transportation facilities and lands zoned for industrial use. In addition, the proposed rail line would not be a significant disincentive to the development of land in the project area because train traffic is expected to increase by a maximum of only two trains per day, which would not constitute a barrier to land access.

Comment

Some comments expressed continued support for locating the proposed rail line north of Moses Lake or "out of town," where the former Northern Pacific Railway Wheeler-Adrian rail line was previously located.

Response

As stated in Chapter Three of the EA, SEA and WSDOT considered four alternatives. Two of those alternatives, the July Alternative and the October Alternative, are northern routes that would entirely bypass the existing developed area of Moses Lake. The July Alternative and the October Alternative were discussed in the EA as alternative locations considered for the proposed action, and portions of each of those alignments would be located within the former Northern Pacific Railway Wheeler-Adrian rail line right of way. However, those two alternatives were eliminated from further analysis in

the EA because they did not meet the purpose and need for the proposed rail project, which is to provide rail service to industrial areas in the City of Moses Lake and to enhance opportunities for economic development. Moreover, in comparison with the Build Alternative, the July Alternative and the October Alternative are longer in length and would impact a larger area, including the Gloyd Seeps Wildlife Area.

Comment

The Washington State Department of Ecology (Ecology) expressed concerns regarding the extent of potential impacts to wetlands in the area between Road 4 NE and RP 3, and it suggested that the rail line be modified by shifting it less than 0.5 mile to the east of the proposed Segment 1 alignment, to an area where there are no wetlands or where wetlands are minimal. Ecology suggested locating the rail line along the edge of agricultural fields between Road K.5 and RP 3. According to Ecology, this proposed modification of Segment 1 would reduce the area of impact to Wetland A by limiting those impacts to a perpendicular crossing of the wetland along Road 4 NE and would only increase wetland fragmentation incrementally since this area is already disturbed by the road itself.

Response

In response to Ecology's comment, SEA and WSDOT developed and evaluated the proposed modification to Segment 1 (known as the Ecology Modification) that is discussed in more detail in Chapter Three of this Final EA.

Comment

One commenter suggested an alternative route located approximately ¼ mile north of Wheeler Road that would follow property lines. The commenter indicated that building the line north of Wheeler Road would make it more accessible to potential industrial users, as there is an industrial area north of Wheeler Road and west of Road L. According to the commenter, this proposed alternative is shorter than the Build Alternative and it would avoid a crossing at Wheeler Road. In addition, it would follow established land boundaries and avoid cutting across irrigated farmland.

Response

In response to the comment above, SEA and WSDOT developed and evaluated a new alternative route (known as the Piercy Alternative) that is discussed in more detail in Chapter Three of this Final EA.

Comment

Some commenters indicated opposition to Segment 1 and requested that this Final EA consider an alternative route that would be less disruptive for property owners and that would have less of an impact on the downtown area. Several commenters expressed concern about the proposed crossing at Wheeler Road, and one commenter suggested an alternative route further to the east at Road N, because the alternative route would avoid certain properties. One commenter expressed a concern about "sensitive wetlands" located on the bottom portion of the property.

Response

In response to comments from agencies and the public, SEA and WSDOT examined five new alternatives, including an alignment modification, in Chapter Three of this Final EA. As explained in more detail in Chapter Three, three of those alternative routes would relocate the proposed crossing of Wheeler Road, and one would avoid any crossing of Wheeler Road. The commenter that recommended an alternative further to the east at Road N did not specify the exact location of the route that they were proposing. However, the commenter provided SEA and WSDOT with sufficient information to consider that alternative in Chapter Three of this Final EA. With the additional analysis of these new alternatives, SEA and WSDOT believe a reasonable range of alternatives have been considered, given the size of the proposed project and the potential environmental impacts.

According to the National Wetland Inventory, wetlands exist on the western portion of the commenter's property. This was verified during field visits conducted in 2007, and is discussed in more detail in the EA. (See EA at 4-43 to 4-47 and 5-52 to 5-56). Because of the existence of wetlands throughout the vicinity of Parker Horn and Crab Creek, impacts to wetlands would occur under all of the alternatives. This is discussed further in Chapters Three and Four of this Final EA.

Comment

Several commenters, who are not in favor of the current option for Segment 1 that would route the line along Wheeler Road and across Parker Horn because they believe that it would cause interruptions for life and property owners, stated that the area does need improved rail lines but existing rail lines can be upgraded to carry freight out of Moses Lake.

Response

As discussed throughout the EA and as required by the National Environmental Policy Act,[27] the No Build Alternative was considered. Under the No Build Alternative, the proposed rail line would not be constructed and rail service would continue on the existing Columbia Basin Railroad Company system. Rehabilitation of the existing line (Segment 3) would still be possible under this alternative. However, there would be no potential for rail service to lands designated for industrial development in the northern part of the City of Moses Lake or to the lands to the south and east of the Grant County International Airport.

Comment

One commenter asked "Why are we moving the track from one part of the city to another?"

Response

As explained in Chapter Two of the EA, the purpose of the proposed Northern Columbia Basin Railroad Project is to provide rail service to lands designated for industrial development in the northern part of the City of Moses Lake, as well as to the south and east of Grant County International Airport, in order to enhance opportunities for economic development and to attract new rail-dependent businesses to those areas. Although the proposed project would allow trains to bypass downtown Moses Lake, the project does not include abandonment of the existing rail line that runs through downtown Moses Lake.

Comment

One commenter stated that Moses Lake and the surrounding area have experienced steady growth and can expect to for the life expectancy of the project. That commenter asked a number of questions including: "What will be the impact on safety and quality of life? Does the potential economic growth justify it? Is there not enough industrial land served by rail? Who/Whom is really benefiting from this expansion?"

Response

In Chapter Five of the EA, SEA and WSDOT thoroughly analyzed the potential impacts that the proposed rail project could have on the surrounding community, including potential impacts on safety. SEA and WSDOT determined that, with the implementation of suggested mitigation measures, there would be no significant impacts. The consideration of potential environmental impacts is based on utilizing a timeframe in which it is reasonably foreseeable to predict impacts. While the population and land development is likely to grow over time, it is difficult to predict the exact

[27] See 40 CFR 1502.14(d).

location where that growth might occur. However, the location of the Build Alternative was selected based on the purpose and need of the proposed rail project, as well as the fact that most of that land is zoned for industrial use. In addition, the proposed project would be consistent with existing land use plans and policies.[28] (See EA at 4-20 to 4-22 and 5-20 to 5-24).

As stated in Chapter Two of the EA, the purpose of the proposed project is to provide rail service to industrial areas in the City of Moses Lake, as well as to the eastern side of the Grant County International Airport, and to enhance opportunities for economic development. By adding to the local transportation network, the project proponents anticipate that the new rail line would favorably influence the community's ability to attract new businesses, improve the local economy, and preserve existing freight rail service. The Port of Moses Lake had to determine whether the projected volume of rail traffic justified the investment in a new rail line and concluded that it did.

Comment

A few commenters indicated concern that taxpayer money will be spent to fund the rail line construction proposed by the Port of Moses Lake. One commenter stated that "[a]ccording to the Northern Columbia Basin Railroad Feasibility Study to just break even economically will require 30 cars per day with a $50 per car added fee or 10 cars per day with a $150 added fee. Either the taxpayer will be subsidizing this project to the benefit of a few or there will be a great deal of freight traffic through Moses Lake."

Response

The commenters are correct that the construction costs for the proposed rail project would need to be funded with tax revenues. At this time it is not known how the project will be funded. Options exist for the Port to fund this through their tax base, or to seek state or federal funds. They could also entertain a public/private partnership.[29] The Port of Moses Lake had to determine whether the projected volume of rail traffic justified the investment in a new rail line and concluded that it did. Regarding the comments about taxpayer money spent on rail facilities, the proposed rail line is intended to bring in new businesses that would be expected to bring employment opportunities, as well as benefit the tax base in the Moses Lake area.

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[28] City of Moses Lake. 2002. *Comprehensive Plan 2002 Amendment*; City of Moses Lake. 2005. *City of Moses Lake Municipal Code*; Grant County. 2006. Grant County Municipal Code Title 23 Zoning (current ordinance December 2006). 2006; Grant County. 2007. Grant County Web Maps. Accessed September 21, 2007. http://gismapserver.co.grant.wa.us/default.asp.

[29] Public/private partnerships allow government agencies to contract with private entities to finance, design, build, and sometimes maintain and/or operate public facilities. Two elements must exist: 1) the private entity must provide at least some of the public infrastructure or facilities, and 2) risk must be shared between partners, rather than lie solely with the government agency as in a traditional approach.

Cultural, Historic, and Archaeological Resources

Comment

The Washington Department of Archaeology and Historic Preservation (State Historic Preservation Office or SHPO) indicated that they concur that the current project as proposed would have no adverse effect on the Columbia Basin East Low Canal.

Response

Comment noted.

Fish, Wildlife, and Vegetation

Comment

The U.S. Fish and Wildlife Service's Upper Columbia Fish and Wildlife Office (USFWS) indicated that they had no official comment regarding the proposed rail project but stated that there is no requirement for Section 7 consultation pursuant to the Endangered Species Act where a federal agency concludes that the proposed project would have "no effect" on federally-listed species.

Response

Comment noted.

Comment

The Washington Department of Fish and Wildlife (WDFW) submitted comments recommending that additional mitigation be included to avoid impacts to developing walleye eggs and fry in the vicinity of the proposed water crossing. WDFW further stated that the "Hydraulic Project Approval allowable in-water work window will likely not begin until early July to provide protection for these life history stages."

Response

Mitigation Measure No. 13 in the EA recommended that the Port of Moses Lake avoid work within the waters of Crab Creek/Parker Horn between April 1 and May 30, in order to minimize or avoid impacts to walleye spawning. Upon further review, SEA and WSDOT have modified the condition recommended in the EA to ensure that any potential impacts to developing walleye eggs and fry in the vicinity of the proposed water crossing are minimized or avoided. (See Mitigation Measure No. 13 in this Final EA). WDFW may include additional conditions to protect walleye eggs and fry in the Hydraulic Project Approval (HPA) that may further define windows for in-water work. Mitigation Measure No. 9 in the EA noted that if there are differences between the measures in the EA and the conditions of the HPA, the

HPA criteria shall apply. Moreover, SEA and WSDOT note that a new mitigation measure has been added to Chapter Five of this Final EA, and this mitigation measure recommends that the conditions of all permits be included in any construction documents that the Port provides to contractors. (See Mitigation Measure No. 58 in this Final EA).

Comment

The Washington Department of Fish and Wildlife (WDFW) submitted comments stating that its priority habitat and species (PHS) maps do not identify all possible burrowing owl activity in the area of potential impact and requested that detailed habitat and presence/absence surveys be conducted along the proposed rail route. WDFW further stated that additional mitigation, such as artificial burrow installations, may be necessary if active burrows or burrows that could be occupied in the future occur along the route.

Response

As stated in Chapter Four of the EA, members of the project team not only utilized PHS data provided by WDFW but also conducted field visits to the project area, where biologists made direct observations to determine whether there are burrowing owl nest sites in the project area. The EA includes analysis of the potential for the project to impact burrowing owls. (See EA at 4-13 and 5-12 to 5-13).

Mitigation Measure No. 14 in the EA provides mitigation for potential impacts to burrowing owls by requiring that new construction work within 0.5 miles of identified nests shall not occur between February 15 and September 25. Additional language has been added to this mitigation measure to require that the Port conduct a directed survey for burrowing owl nests within 0.5 miles of the areas to be disturbed by construction. (See Mitigation Measure No. 14(a) in this Final EA). This survey should be accomplished during the breeding season (April to June) and should abide by WDFW protocol. Survey results should be submitted to WDFW prior to the start of construction. If active nests or nests that could become active are located along the route, WDFW may require additional mitigation such as artificial burrow installations.

Comment

The Washington Department of Fish and Wildlife (WDFW) submitted comments expressing concern regarding the northern leopard frog and habitat loss for this species. WDFW requested that the Port of Moses Lake commit to mitigation which would replace habitat that will be impacted during the proposed project, and this mitigation could include contributing funds and/or equipment and man-hours dedicated to WDFW's efforts to create and enhance habitat on the designated northern leopard frog recovery area of the Potholes Reservoir Unit located south of Interstate 90.

Response

The EA includes mitigation measures to avoid and minimize impacts to the northern leopard frog. Mitigation Measure No. 16 requires that, to preserve northern leopard frog habitat, clearing activities shall be minimized and that equipment staging areas shall be located adjacent to previously disturbed areas. Because northern leopard frogs utilize wetland habitats, Mitigation Measure No. 55 is also applicable. This measure requires that compensation occur for unavoidable impacts by creating, restoring or enhancing wetlands and will ensure that mitigation for northern leopard frog habitat is accomplished. Mitigation Measure No. 9 requires that if there are differences between the EA and the HPA, which could include contribution to the northern leopard frog recovery area, the conditions of the HPA will apply. WDFW may require the contribution of funds and/or equipment and man-hours dedicated to WDFW's efforts to create and enhance habitat on the designated northern leopard frog recovery area of the Potholes Reservoir Unit located south of I-90.

Social Elements and Environmental Justice

Comment

Several comments expressed concern regarding the proximity of the existing rail line (Segment 3) to Longview Elementary School and the safety of students crossing the tracks. On October 21, 2008, the Washington Utilities and Transportation Commission, Representative Judy Warnick, Columbia Basin Railroad, and school officials met to discuss options for a designated pedestrian crossing or other safety device. (See **Appendix B**, correspondence from Washington Utilities and Transportation Commission). The options included:

- Repairing fences and finding other means to keep students off the tracks;
- Redirecting students to existing crossings located at Maple Drive NE or Stratford Road NE;
- Installing fencing or other means to channel students into one single crossing site; constructing a pedestrian crossing that would allow students to cross the tracks, but that would bring a gate-arm down to block access to the tracks when a train is approaching; and
- Constructing an under-crossing that allows students to avoid the tracks completely.

Response

The EA addressed railroad safety and the proximity of the existing rail line (Segment 3) to the Longview Elementary School. (See EA at 5-23; 5-27; and 5-29 to 5-32). As noted in the EA, Segment 3 already exists and handles rail

traffic; however, SEA and WSDOT evaluated the potential impacts of an increase in rail traffic and developed recommended mitigation for potential safety risks.

In Chapter Six of the EA, Mitigation Measure No. 30 recommends that the Port or the operator of the rail line work with the City of Moses Lake, community organizations, and Longview Elementary School to arrange for a rail safety program, such as Operation Lifesaver, to be offered at least once per year. In addition, Mitigation Measure No. 31 recommends that the Port or the operator of the rail line coordinate with the Moses Lake School District to help identify and implement practicable and safe crossings. The October 21, 2008, meeting between the Washington Utilities and Transportation Commission, Representative Judy Warnick, Columbia Basin Railroad, and school officials indicates that efforts are already underway to identify and implement a practicable and safe crossing of the rail line near Longview Elementary School. SEA and WSDOT note that, in general, the increase in safety risks due to the proposed increase in rail operations of two trains per day (one round trip) over the existing track is low for the affected community and school, and constructing a tunnel under the existing line would not appear to be a practicable option. However, the use of fencing or other means to channel students to a single crossing site are reasonable suggestions that follow the spirit of the mitigation already recommended by SEA and WSDOT.

Traffic and Transportation

Comment

Comments indicated concerns regarding the proposed project's impacts to area roads, such as four-lane roads (Wheeler Road and Stratford Road) and two-lane roads (Road L and Broadway). In particular, comments stated that traffic on those roads is a "major issue" and requested that SEA and WSDOT consider the safety issues related to the "heavy traffic" and the rail crossing at Wheeler Road. Wheeler Road was described as a "major arterial into the downtown area."

Response

Rail traffic resulting from the proposed project would not be expected to exceed two trains per day (one round trip) for the foreseeable future, and SEA and WSDOT thoroughly analyzed potential traffic-related impacts in Chapter Five of the EA. As part of the traffic analysis, SEA and WSDOT examined the effect on the existing local vehicular traffic movements under the worst case scenario – a 1,000 foot long train traveling 15 miles per hour during evening peak hours – to determine the effect of future rail traffic on road conditions. (See EA at 5-39). SEA and WSDOT determined that the addition of two trains per day (one round trip), with a maximum of ten cars in length crossing

Wheeler Road (Road 3 NE) and Stratford Road, would result in some, but not significant, adverse impacts to traffic on the local road network.

Comment

One commenter expressed concern regarding the line's proximity to the Samaritan Hospital. Another commenter stated that the proposed crossing at Wheeler Road would have an impact on emergency service vehicles serving the industrial area to the east and suggested that a crossing further to the east at Road N would be safer and have less of an impact on traffic, including emergency service vehicles.

Response

As discussed in the EA, SEA and WSDOT analyzed the potential for rail operations to impact emergency response vehicles and emergency medical services near or in the project area, including the Samaritan Hospital. (See EA at 4-31; 5-40; and 5-41). The proposed train operations would result in a corresponding negligible increase in traffic impacts during the time the trains move over the line, and SEA and WSDOT determined that the proposed rail line would not greatly increase travel time for emergency vehicles because: 1) no more than two trains per day (one round trip) would be expected for the foreseeable future; 2) traffic delays would increase to a maximum of 70 seconds at certain at-grade road crossings; and 3) trains would not likely block more than one intersection at a time. For all of the above reasons, SEA and WSDOT concluded that the impacts associated with rail movements, when added to current local road conditions, would not result in any significant impacts for emergency vehicles. Moreover, SEA and WSDOT note that none of the local emergency response organizations provided information or comments on the EA that would support a different conclusion.

Comment

One commenter stated that "the preferred route [has] been touted as safer due to its fewer grade level crossings" but noted that the proposed line would add more at-grade road crossings.

Response

The commenter is correct. SEA and WSDOT want to clarify that the proposed rail project does not include the abandonment of the existing rail line that runs through downtown Moses Lake. Although some commenters believe that a number of at-grade road crossings would be eliminated as a result of the proposed project, the Build Alternative would require eight new at-grade rail crossings of public roads.

The EA stated that the Build Alternative would require seven new at-grade crossings of public roads. (See EA at 5-38). However, since the EA was published, SEA and WSDOT have determined that one newly constructed

public road, known as Hamilton Road, would also be crossed. Hamilton Road is located near RP 2.0, and impacts to Hamilton Road are described in Chapter Four of this Final EA. The proposed rail line would cross Hamilton Road and appropriate warning devices would be installed at the crossing. In addition, in the event that authority to construct and operate the line is granted, the existing crossing gate structures on Segment 3 will be updated to help provide better advance warnings of approaching trains for pedestrians and drivers. (See EA at 6-6).

Water Resources

Comment

The Washington State Department of Ecology recommended coordination with the U.S. Department of the Interior's Bureau of Reclamation (Reclamation) when evaluating flows in Crab Creek because Reclamation is undertaking a supplemental feed route project for which up to 500 cubic feet per second of water is to be released from Lake Billy Clapp into Crab Creek between April and July 2009.

Response

Cumulative impacts were considered in Chapter Five of the EA, and the analysis reviewed a variety of other projects that are proposed for the area. However, in response to this comment, the cumulative impacts analysis was updated for this Final EA (See Chapter Four). SEA and WSDOT identified additional projects in the vicinity of the proposed rail project, such as the above-mentioned Reclamation project, and included an analysis of whether any cumulative impacts could affect environmental resources.

Comment

One commenter pointed out that the City of Moses Lake is in the process of updating the Shorelines Management Master Plan.

Response

In Chapter Four of the EA, we noted that the City of Moses Lake is in the process of updating the 1988 Shorelines Management Master Plan, which would likely apply if the proposed project is approved. (See EA at 4-21, Footnote 37). SEA and WSDOT have included additional information regarding the Shorelines Management Master Plan in the updated cumulative effects analysis, which can be found in Chapter Four of this Final EA.

Wetlands

Comment

The U.S. Army Corps of Engineers (Corps) indicated that it did not want to participate in the environmental review process as a cooperating agency, but in phone consultations with WSDOT, the Corps indicated that they planned to submit comments on the EA. However, as of the date of this Final EA, no comments have been filed.

Response

No response is required.

Comment

The Washington State Department of Ecology (Ecology) commended the STB and the WSDOT for a thorough examination of the proposed project's potential effects on wetlands and concurred with the wetlands determinations presented in the EA.

Response

Comment noted.

Comment

The Washington State Department of Ecology (Ecology) suggested that impacts to wetlands on the project site should be minimized to the fullest extent possible by using mitigation sequencing: first, avoiding impacts; then, minimizing impacts or rectifying short-term impacts; and finally, compensating for unavoidable losses.

Response

WSDOT and SEA examined a number of different alternatives for Segment 1, including Alternative 1A, which was developed in part to avoid or reduce wetland impacts. (See EA at 3-12; 5-52 to 5-56). As noted above, Ecology suggested an additional modification that would further avoid wetland impacts; this is evaluated in Chapter Five of this Final EA. In addition, Mitigation Measure Nos. 52 to 57 in the EA address minimization and mitigation for short-term impacts as well as compensatory mitigation for unavoidable wetland losses.

Comment

In addition to Mitigation Measure Nos. 52 to 57 in the EA, which address compensatory mitigation for unavoidable impacts to wetlands, the Washington State Department of Ecology (Ecology) proposed off-site mitigation.

Response

Direct and indirect effects on wetlands in the area of the proposed project would be minimized and mitigated to the extent practicable. Mitigation Measure No. 55 requires that a suitable off-site mitigation site be identified, and Mitigation Measure No. 56 requires off-site mitigation for unavoidable impacts to wetlands affected by the project.

Comment

The Washington State Department of Ecology (Ecology) submitted comments suggesting that, in addition to considering the area of impact, SEA and WSDOT also consider the relative functional value of the wetlands and riparian areas at the crossings for Crab Creek (Alternative 1A) and Parker Horn (Segment 1) before selecting a preferred alternative.

Response

In response to Ecology's comment, SEA and WSDOT examined the wetland functions and values at each proposed water crossing, where access was permitted, using methodology found in *Washington State Wetland Rating System for Eastern Washington – Revised*.[30] Where access was not permitted, the project team estimated wetland functions and values from off-site view points. Wetlands in the study area of both Segment 1 and Alternative 1A are considered to be Category III wetlands, which provide low to moderate levels of water quality, hydrology and habitat functions. Both the Segment 1 and Alternative 1A water crossings would degrade wetland functions through loss of habitat and fragmentation. Details of this analysis are included in Chapter Four of this Final EA.

Support for the Proposed Rail Project

Comment

Approximately half of the comments received expressed support for the proposed project. Commenters who support the project as proposed believe that the rail line will: extend and enhance railroad access to industries and industrial properties in the greater Moses Lake area; improve freight mobility and economic development opportunities in the greater Moses Lake area for existing and new businesses; reduce truck traffic and related carbon emissions because freight trains are more fuel efficient than trucks; reduce future traffic congestion and associated road damage, since a railcar can haul more cargo than a truck; help current industrial customers in Moses Lake to be more competitive and retain jobs; bring new jobs to Moses Lake; and open up hundreds of acres of prime industrial property to rail access, which supporters

[30] Hruby, T. 2004. *Washington State Wetland Rating System for Eastern Washington – Revised.* Washington State Department of Ecology Publication #04-06-15.

believe would benefit the economy and tax base in the Moses Lake area. Project supporters include the City of Moses Lake, the Big Bend Economic Development Council, the Washington Public Ports Association, the Grant County Economic Development Council, the Moses Lake Chamber of Commerce, Mayor Ron Covey, State Senator Janea Holmquist, several local businesses, and members of the public.

Response

Comments noted.

Comment

Some commenters expressed the need for improved rail service and identified the proposed project as important to the continued viability of rail-dependent industries, preservation of jobs and revenue, regional economic growth, and a way to attract new businesses to the Moses Lake area and Grant County.

Response

Comment noted.

Comment

Some commenters believe that the proposed rail line will eliminate a significant number of at-grade rail crossings and enhance safety in and around Moses Lake. In addition, some commenters stated that the proposed project will open up waterfront property for a trail or biking path or other tourism developments.

Response

SEA and WSDOT want to clarify that the proposed rail project does not include the abandonment of the existing rail line that runs through downtown Moses Lake. Although some commenters believe that a number of at-grade road crossings would be eliminated as a result of the proposed project, the Build Alternative would require eight new at-grade crossings of public roads. (See EA at 5-38 and response to Traffic and Transportation comments, above).

In addition, the proposed project does not involve the creation of a recreational trail. As stated in the EA, if the existing downtown rail line were proposed for abandonment in the future, that would be a separate action before the STB and would be subject to a separate environmental review. (See EA at 2-1). If the existing rail line that runs through downtown Moses Lake is proposed for abandonment, those who favor converting the line to a trail will have the opportunity to request a trail. (See 49 CFR 1152.29). Under the National Trails System Act (Trails Act),[31] interested parties have the opportunity to

[31] 16 U.S.C. 1247(d)

negotiate voluntary agreements to use, for recreational trails, railroad right-of-way that otherwise would be abandoned.

Comment

One comment expressed support for the proposed project and suggested that the Port of Moses Lake first move forward with plans for Segments 2 and 3, and then construct Segment 1 "as the results of Segments 2 and 3 prove themselves."

Response

In general, the Council on Environmental Quality regulations prohibit project segmentation during the environmental review process. Accordingly, SEA and WSDOT conducted an environmental review for the entire proposed project. If the STB grants final approval for the proposed rail project, the Port would be able to implement and construct the project in accordance with the required mitigation measures. The Port may carry out the proposed project in stages if it determines that is how it wants to proceed. However, in practical terms, if the project is constructed in phases, the capacity of the rail line, in terms of the size and weight of the railcars that the line could accommodate, would be limited until the entire project is completed. For example, if Segment 2 is constructed first, the weight of rail cars on Segment 2 would be limited to the existing maximum allowable weight of 268,000 pounds and, as a result, heavier cars would be excluded until Segments 1 and 3 were both completed.

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Chapter Three Alternatives Analysis

Alternatives Considered in the Environmental Review

Two alternatives were analyzed in depth in the Preliminary Environmental Assessment (EA): 1) the Build Alternative, which includes the construction of Segments 1 and 2 and the acquisition and rehabilitation of existing Segment 3, and 2) the No Build Alternative. Within Segment 1, two alternative water crossings (at Parker Horn and Crab Creek) were evaluated, and within Segment 2, two alternative routes on the eastern side of the Grant County International Airport (GCIA) were evaluated. The EA also included a discussion of two alternatives, the July Alternative and the October Alternative, which were initially considered but rejected because they did not meet the purpose and need of the proposed project.[32]

Following public and agency comments on the EA, SEA and WSDOT developed and evaluated five additional alternatives, including an alignment modification, for Segment 1. For all of these routes, the rail line would start at the community of Wheeler and end at the eastern terminus of Segment 3. The alternatives differ in the track location and length, number of at-grade road crossings, impacts to wetlands, zoning of land within the right of way, number of structures affected, and engineering challenges (such as gradient, height of cut slopes, and radius of curves). SEA and WSDOT assessed each of these alternatives to determine: 1) its potential to meet the purpose and need for the proposed project, 2) the engineering and constructability of the line, and 3) potential environmental impacts. These alternatives, including the alignment modification, are all described and evaluated below.

A summary comparison of all project alternatives, including the alignment modification, is provided in **Exhibit 3.1**.

New Alternatives Considered

As stated above, in response to comments received during the public review period, SEA and WSDOT developed and evaluated five new alternatives, including an alignment modification, for Segment 1. These new alternatives are all described and evaluated below.

[32] All of these alternatives were described in detail in Chapter Three of the EA. A summary of all alternatives considered for the proposed Northern Columbia Basin Railroad project is provided in the Executive Summary of this Final Environmental Assessment (Final EA).

Ecology Modification

Following a suggestion from the Washington State Department of Ecology (Ecology), a portion of Segment 1 (between Reference Point (RP) 2.7 and RP 3.6) was shifted to the east to be located outside Wetland A to the degree possible. This alteration of Segment 1 is known as the "Ecology Modification."

Exhibit 3.2 shows the location of the Ecology Modification with respect to the originally proposed Segment 1 alignment. In general, this alternative would shift approximately 0.94 miles of Segment 1 up to 825 feet to the east in order to minimize impacts to Wetland A. The remainder of Segment 1, both east and west of the Ecology Modification, would follow the alignment described in the EA. Accordingly, if Segment 1 was constructed with the Ecology Modification, it could end with either the Segment 1 crossing of Parker Horn or the Alternative 1A crossing of Crab Creek.

The Ecology Modification would be constructed with a grade of 1.5 percent and the two curves would be 7.5 percent, which is considered acceptable for railroad track.[33] The grade is less steep than the same portion of Segment 1, and from an engineering perspective, this modification is preferable to Segment 1. If Segment 1 was constructed with the Ecology Modification, it would be approximately 0.2 miles longer (See **Exhibit 3.2**), which would involve increased earthwork. Accordingly, more land would be required for the rail right of way but no new property owners would be affected.

SEA and WSDOT note that, because the Ecology Modification is approximately 0.2 miles longer than the originally proposed Segment 1, the maximum overall length of the Northern Columbia Basin Railroad (NCBR) Project would be increased from 11.5 miles to 11.7 miles if the Ecology Modification is selected.

[33] Additional detail about the design standards for through track may be found in the *Northern Columbia Basin Railroad Project Preliminary Engineering – Draft Design Report*, prepared by HDR Engineering, Inc., April 2008. General information about railroad design may be found in "*Basic Railroad Characteristics*" on file with the WSDOT State Rail & Marine Office.

Exhibit 3.1
Comparison of Segment 1 Alternatives and Alignment Modification

	Segment 1	Segment 1 with Alternative 1A	July	October	Ecology Modification	North Bypass	South Bypass	Road N Bypass	Piercy	Recommended Alternative: Segment 1 with Ecology Modification and Alternative 1A
Distance of line in miles	4.5	4.5	9.7	7.0	4.7	5.26	4.2	4.9	5.17	4.7
Right of way acquisitions/ relocations	Affected parcels: 21 Relocations: 3 business / 0 residences Acres of right of way required: 55	Affected parcels: 19 Relocations: 3 business / 0 residences Acres of right of way required: 55	Affected parcels: 24 Relocations: unknown Acres of right of way required: 58	Affected parcels: 24 Relocations: unknown Acres of right of way required: 58	Affected parcels: 17 Relocations: 3 business / 0 residences Acres of right of way required: 58	Affected parcels: 39 Relocations: 2 businesses / 5 residences Acres of right of way required: 63.5	Affected parcels: 23 Relocations: 6 businesses / 2 residences Acres of right of way required: 51	Affected parcels: 26 Relocations: 2 businesses / 4 residences Acres of right of way required: 59	Affected parcels: 26 Relocations: 6 businesses / 0 residences Acres of right of way required: 62	Affected parcels: 26 Relocations: 3 businesses / 0 residences Acres of right of way required: 57
Compatibility with existing and planned land uses	Generally yes (land is intended mostly for industrial uses)	Generally yes (land is intended mostly for industrial uses)	Generally no (land is zoned mostly for agriculture and rural residential)	Generally no (land is zoned mostly for agriculture and rural residential)	Generally yes (land is intended mostly for industrial uses)	Generally no (land is zoned mostly for agriculture and rural residential)	Generally yes (land is intended mostly for industrial uses.)	Generally no (land is zoned mostly for agriculture and rural residential)	Generally yes (land is intended mostly for industrial uses)	Generally yes (land is intended mostly for industrial uses)
Acres of wetlands within the 100-foot right of way	6.27 acres	4.65 acres	0.9 acres	4.8 acres	4.4 acres	6.6 acres	4.2 acres	4.4 acres	6.3 acres	2.8 acres
Acres of encroachment into the Gloyd Seeps Wildlife Area	None	None	7.2 acres	10.5 acres	None	None	None	None	None	None
Number of water crossings	7 (1 drain, 5 irrigation canals, and Parker Horn)	7 (1 drain, 5 irrigation canals, and Crab Creek)	6 (5 irrigation canals and Crab Creek)	5 (4 irrigation canals and Crab Creek)	7 (1 drain, 5 irrigation canals, and Parker Horn)	5 (1 drain, 3 irrigation canals, and Parker Horn)	7 (1 drain, 5 irrigation canals, and Parker Horn)	4 (1 drain, 2 irrigation canals, and Parker Horn)	4 (1 drain, 2 irrigation canals, and Parker Horn)	7 (1 drain, 5 irrigation canals, and Crab Creek)
Number of public at-grade road crossings	4	4	12	10	4	5	4	4	5	4
Meets the Purpose and Need	Yes	Yes	No	No	Yes	No	Yes	No	Yes	Yes

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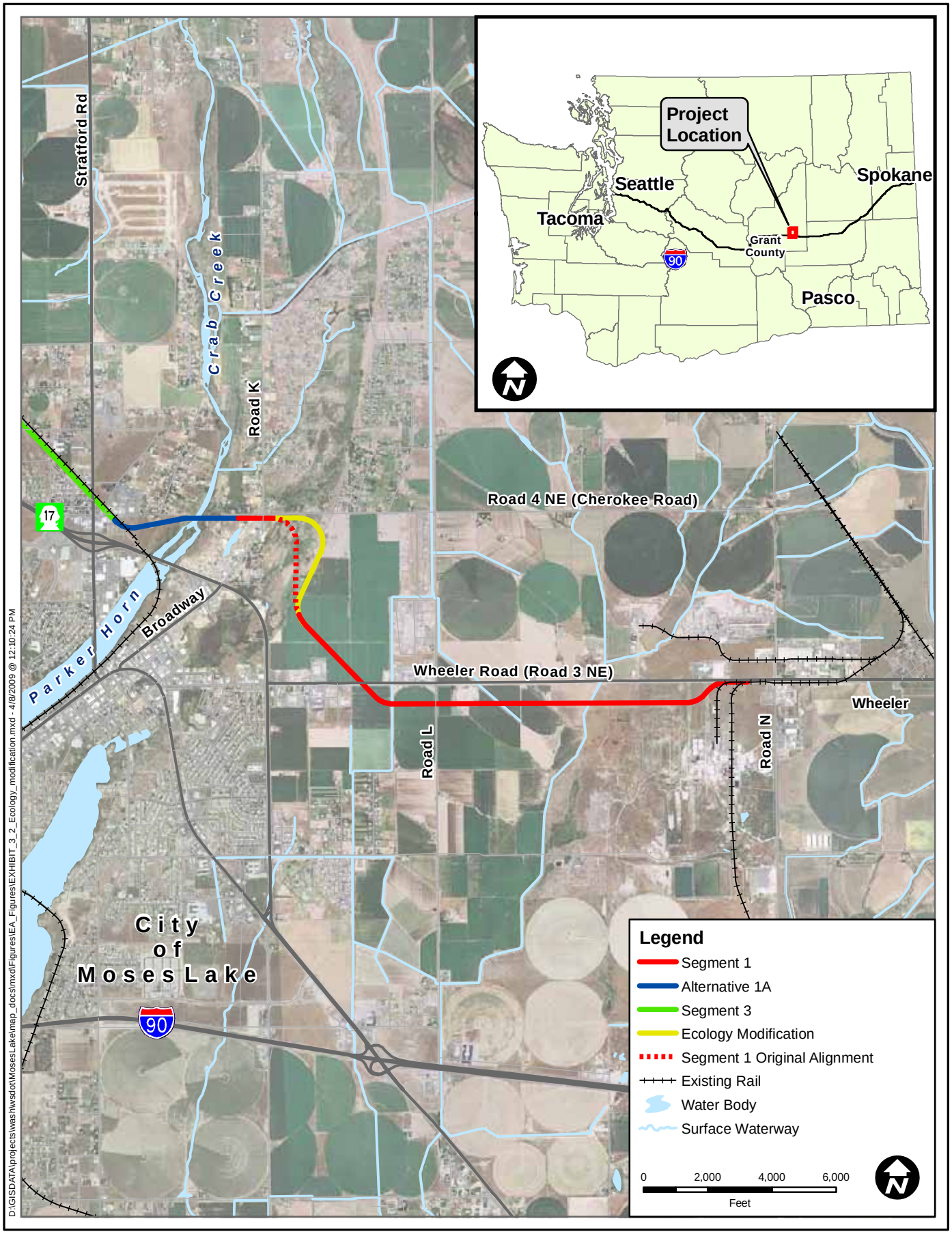

Washington State Department of Transportation

Surface Transportation Board

Ecology Modification

Exhibit 3.2

Northern Columbia Basin Railroad Project

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Potential Environmental Impacts

Wetlands

The Ecology Modification would impact approximately 2.3 acres of Wetland A, and the corresponding 0.94-mile segment of Segment 1 would impact approximately 4.2 acres of Wetland A. Although impacts to Wetland A would be reduced under the Ecology Modification, there would still be some impacts because the rail line would curve to the west and cross Wetland A to reach Parker Horn or Crab Creek. However, the Ecology Modification would be located on the outside edge of Wetland A, rather than through the center of Wetland A, which would minimize fragmentation of wetlands and reduce overall degradation of wetland functions.

Total wetland impacts from Segment 1, which includes the Parker Horn water crossing, would be approximately 6.3 acres. However, total wetland impacts from Segment 1 with the Ecology Modification would be approximately 4.4 acres. Furthermore, as shown on **Exhibit 3.1**, if the Alternative 1A crossing at Crab Creek was selected, wetland impacts would be approximately 2.8 acres with the Ecology Modification, compared with approximately 4.7 acres for Segment 1 using the Alternative 1A crossing without the Ecology Modification. Measures to mitigate wetland impacts are included in Chapter Five of this Final EA. (See Mitigation Measure Nos. 52 to 57).

Land Use

The zoning designation would be the same for the Ecology Modification as for the corresponding portion of Segment 1 (Light Industrial). As with Segment 1, this land, although zoned for industrial development, is currently used primarily for agriculture.

The Ecology Modification would also cross an active gravel quarry or borrow pit located near RP 3.5. The borrow pit would be adversely affected by any land acquisition, as well as the construction of track through the operation. Possible impacts could include restriction of land access and effects to quarry operations such as the removal and processing of material and the loading of haul trucks. To avoid or minimize potential land use impacts, mitigation would be provided by the recommended Mitigation Measure Nos. 23 to 25 in Chapter Five of this Final EA, and would include relocation assistance and negotiation with any affected property owner, according to the provisions of the Uniform Relocation Act.

Visual Resources

By shifting the alignment up to 825 feet farther to the east in order to reduce impacts to Wetland A, the Ecology Modification would cross land with greater topographic variation, requiring deeper cuts and slightly less fill material. In this area, cut slopes would be up to approximately 30 feet high, compared to

15.5 feet with the originally proposed Segment 1, and fill slopes would be up to six feet high, compared to seven feet for the originally proposed Segment 1. These slopes would be visible from the west side of Parker Horn and possibly from the State Route (SR) 17 highway bridge, which would be approximately one mile away. Because any viewers would be at such a distance, the 30-foot-high cut slopes of the Ecology Modification would have a minimal adverse effect to visual resources, and could be mitigated by revegetation of the cut slopes. (See Mitigation Measure No. 41).

Soils and Geology

As stated above, the Ecology Modification would cross an active borrow pit at the point where it curves westward to join Segment 1. This pit was examined by the project team during field visits (August 15 and September 4, 2007), and found to contain glaciofluvial gravels deposited during Pleistocene flooding.[34] The flood gravel is comprised of clean to slightly silty, sandy gravel with 3 to 12-inch-diameter cobbles. A minor amount of calcium carbonate (caliche) was observed in the flood gravel. These gravels would provide suitable support for the rail line.

Wildlife and Vegetation

The entire right of way for the Ecology Modification has been disturbed by past agricultural use and there is no natural or undisturbed biological habitat within the right of way. Because impacts to wetlands are less than those that would be incurred by Segment 1, impacts to wildlife and vegetation, particularly impacts to the northern leopard frog, would also be reduced. Impacts to wildlife and vegetation would be mitigated by measures included in Chapter Five of this Final EA. (See Mitigation Measure Nos. 9 to 17).

Other Impacts

If the proposed rail line is constructed using the Ecology Modification, impacts to air quality, energy, noise, cultural resources, fish, hazardous materials, social elements and environmental justice, traffic, and water resources would be virtually identical to those for the originally proposed Segment 1 (See EA, Chapters Four and Five), and would be mitigated by measures contained in Chapter Five of this Final EA.

Conclusion

The Ecology Modification would meet the purpose and need for the project by providing rail service to lands designated for industrial development in the northern part of the City of Moses Lake as well as to the south and east of the

[34] Washington State Department of Transportation, 2008. *Northern Columbia Basin Project Final Soils and Geology Technical Report.* Prepared by HDR Engineering Inc., and Shannon & Wilson, Inc. November 2007, Revised April 2008.

GCIA, enhancing opportunities for economic development, and attracting new rail-dependent businesses to those areas.

SEA and WSDOT also found that the Ecology Modification would be a feasible and reasonable option for incorporation into the design of Segment 1. The Ecology Modification would add some length to the proposed rail line and would impact the current land use of one additional business (a gravel quarry or borrow pit), but it would also minimize wetland impacts and impacts to the northern leopard frog.

North Bypass Alternative

The North Bypass, along with the South Bypass and the Road N Bypass, was developed in response to concerns from several citizens that the proposed rail project would cross an industrial project currently under development. Accordingly, the following three alternatives would avoid that development.

The North Bypass would modify the alignment of Segment 1 between the area that is 0.5 miles east of the Road L crossing at Road K and through the descent to Parker Horn or Crab Creek. (See **Exhibit 3.3**). The North Bypass would pass along the east side of the Moses Lake Municipal Airport, then north past Road 4 NE (Cherokee Road) for approximately 2,500 feet before curving to the west through Rural Residential-zoned parcels to a point at which it would curve to the southwest and descend into the Parker Horn basin, crossing Road 4 NE (Cherokee Road) near Road K. South of Road 4 NE (Cherokee Road), the North Bypass would curve to the west to rejoin the alignment of Segment 1. From this point, the Segment 1 crossing at Parker Horn or the Alternative 1A crossing at Crab Creek could be utilized to reach Segment 3.

Because the Road N Bypass would not provide rail service to lands designated for industrial development in the northern part of the City of Moses Lake, SEA and WSDOT determined that it would not meet the purpose and need for the proposed project. Moreover, while much of this alternative could be constructed with a gradient of 1 percent or less and with curves of 8 to 10 degrees, the grade for approximately 0.7 miles in the area descending toward Road K would be greater than 2 percent, which is steeper than is typically considered acceptable for railroad track. Therefore, this alternative would limit the size and type of freight that could be shipped.

This alternative would have greater impacts to the area north of Road 4 NE (Cherokee Road), where five residences would need to be acquired for the right of way. Two businesses would be affected, and coordination with the Moses Lake Municipal Airport would be required. In addition, the North Bypass would affect a greater quantity of wetlands than the originally proposed Segment 1. Impacts to Wetland A would be avoided, but to the north of Road 4 NE (Cherokee Road) and west of Road L, the track would cross a large area of wetlands. These wetlands have not been delineated, but are expected to be

of higher quality with a higher functional rating than Wetland A due to their larger size, and impacts from this alternative to wetlands, fish, wildlife, and vegetation are estimated to be of greater magnitude than impacts from the proposed Segment 1.

The North Bypass Alternative was not carried forward for additional review primarily because it would not meet the purpose and need of the proposed project.

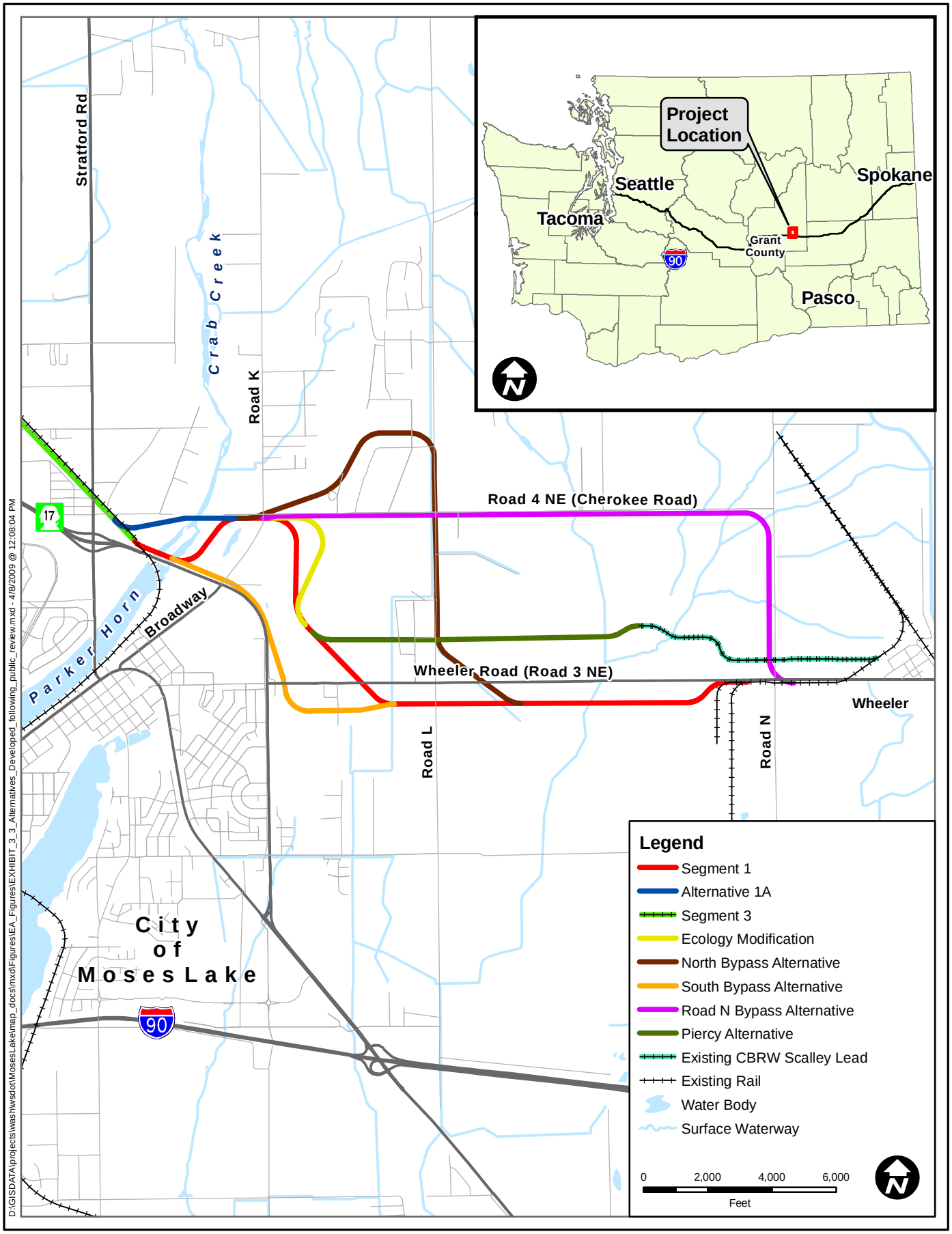
South Bypass Alternative

The South Bypass, along with the North Bypass and the Road N Bypass, was developed in response to concerns from several citizens that the project would cross an industrial project currently under development. Accordingly, the South Bypass would avoid that development.

The South Bypass would modify the alignment of Segment 1 in the area between the irrigation canal crossing and the proposed bridge over Parker Horn. As shown on **Exhibit 3.3**, the South Bypass would continue west from Segment 1 south of Wheeler Road, and then would travel north/northwest to parallel the east side of SR 17, curving to the northwest to the Segment 1 bridge over Parker Horn.

The South Bypass would require the acquisition and demolition of six existing businesses and two existing residences. In addition, although the alternative would not cross SR 17, the location of two of the public at-grade road crossings associated with this alignment could cause traffic stopped at a crossing to back up and affect signalized intersections on SR 17, which would be expected to result in substantial traffic impacts. The South Bypass would also affect a channelized stream, known as Stream C, which runs on the north side of SR 17. Stream C was realigned and improved in 2006 to mitigate impacts to aquatic resources resulting from the SR 17 Pioneer Road to Stratford Road Project Improvements.[35] Any impacts to the Stream C mitigation site would likely be considered significant by permitting agencies.

[35] WSDOT, 2008. *Northern Columbia Basin Railroad Project: Wetlands Discipline Report.* Prepared by HDR Engineering, Inc. and Jones & Stokes. The Wetlands Discipline Report may be obtained from the WSDOT State Rail & Marine Office.



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Alternatives Developed Following Public Review Exhibit 3.3

Northern Columbia Basin Railroad Project

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SEA and WSDOT determined that the South Bypass would meet the purpose and need of the project by providing rail service to lands designated for industrial development in the northern part of the City of Moses Lake. However, the grade required for approximately 0.4 miles of this alternative from the Wheeler Road crossing near SR 17 to Broadway at SR 17 would be approximately 3 percent, which is steeper than is generally acceptable for railroad track. In addition, it would not be possible to reduce the gradient along this alignment without substantial grading, which, in that portion of the bypass close to SR 17, would require constructing the rail line at the bottom of a graded trench beside the highway. The trench would eliminate the SR 17 Stream C mitigation site, and would likely extend through Wheeler Road, requiring a separated grade crossing for the track and reconstruction of a substantial portion of Wheeler Road. Because of the greater adverse impacts to Wheeler Road, the need for a graded trench and the removal of the Stream C mitigation site, this alternative would be more difficult to construct than other alternatives. Accordingly, this alternative does not appear to be reasonable or feasible for constructability issues, and the South Bypass was not carried forward for further study.

Road N Bypass Alternative

The Road N Bypass, along with the South Bypass and the North Bypass, was developed in response to concerns from several citizens that the project would cross an industrial project currently under development. Accordingly, the Road N Bypass would avoid that development.

As shown on **Exhibit 3.3**, the Road N Bypass would begin approximately 0.2 miles east of Road N near the community of Wheeler. From this point, the alternative would swing to the north and cross Road N. The alternative would follow the west side of Road N, crossing the existing CBRW track, which would require alterations to the existing track. The alternative would then curve to the west and continue parallel to Road 4 NE (Cherokee Road).

The topography along Road 4 NE (Cherokee Road) would present engineering challenges to ensure the appropriate track gradient. Near Road L, the alternative would exceed 3 percent west of the Moses Lake Municipal Airport. In order to keep the grade at 2 percent or lower, a trench would be needed. The trench would affect a large irrigation facility, and would require a highway bridge over the rail line at Road L. In addition, a tunnel would be needed at the north end of the airport's runway and taxiway facilities to prevent the rail line from becoming an obstruction to the air space for the airport approach. From this point, the Road N Bypass would continue to parallel Road 4 NE (Cherokee Road) and descend toward Road K to join Segment 1. This alternative would also require the acquisition and demolition of two businesses and four residences.

The Road N Bypass could be constructed with grades not exceeding 2 percent and curves less than 8 degrees, which is acceptable for railroad track; however, the bypass would require accommodation of a large-scale irrigation facility, a grade-separated road crossing at Road L, a cut-and-cover tunnel, and substantial cuts and fills between Road L and Road K south of Road 4 NE (Cherokee Road). This alternative is feasible, but is not considered reasonable based on technical and economic factors.

From a land use perspective, the Road N Bypass would cross land zoned for agricultural use; the use of this land for rail would conflict with the intended agricultural uses. Because the Road N Bypass would not provide rail service to lands designated for industrial development in the northern part of the City of Moses Lake, SEA and WSDOT determined that it would not meet the purpose and need for the proposed project. Accordingly, the Road N Bypass alternative was not carried forward for additional evaluation.

Piercy Alternative

The Piercy Alternative was developed following a suggestion by a commenter. As shown on **Exhibit 3.3**, this alternative would utilize the existing CBRW Scalley Lead in its entirety and connect to the western portion of Segment 1 near RP 3. The Scalley Lead is an existing track that is approximately 1.5 miles long. It was originally designed to allow access to customers rather than as a through track and is considered substandard for a through track, with tighter curves, steeper gradients, and very limited clearance from the existing buildings, particularly two existing light industrial facilities (Simplot and Americold). The Scalley Lead is connected to the CBRW's main line in Wheeler.

At the west end of the existing Scalley Lead, the Piercy Alternative would immediately curve to the southwest and then back to the west to reach an alignment that approximates the boundary lines of adjacent properties before crossing Road L and entering the Moses Lake Industrial Park. Here, the alternative would parallel the south side of Bonanza Street through three parcels, cross Bell Road, bisect one parcel, cross Citation Road, and cross one additional parcel before crossing an irrigation canal (the Rocky Coulee Wasteway). The alignment would then enter another parcel before curving to the northwest to join Segment 1. From this point, the Piercy Alternative would follow the Segment 1 alignment for 1.72 miles before connecting to Segment 3 on the west side of Parker Horn. This alternative could utilize the Ecology Modification and either the Segment 1 bridge over Parker Horn or the Alternative 1A bridge over Crab Creek to connect the Piercy Alternative to Segment 3.

The Piercy Alternative would meet the project's purpose and need by providing rail access to lands in the northern part of the City of Moses Lake designated for industrial development. It would have the same wetland impacts as the originally proposed Segment 1, and would have reduced wetland impacts if the Ecology Modification and Alternative 1A water crossing are utilized. The Piercy Alternative would require coordination with the Federal Aviation Administration (FAA) because of the alignment's proximity to the south side of the Moses Lake Municipal Airport, and would pass through land zoned for industrial development. West of the Scalley Lead, the Piercy Alternative would require the acquisition and demolition of three buildings within the Industrial Park.

The use of the existing Scalley Lead as part of the Piercy Alternative presents some disadvantages. The Scalley Lead has two approximately 12 degree (about 477-foot radius) back-to-back curves, and includes gradients that are 3 percent or greater for short distances. The relatively tight 12 degree curves (curves on most railroad tracks are often limited to 8 degrees, sometimes up to 10 degrees), steep gradients (through track is generally designed with 2 percent gradient or less), and limited clearance from the existing buildings associated with the Scalley Lead are all considered substandard for railroad track.

The Scalley Lead also passes through a congested area between two light industrial facilities located east of Road N. This area is actively utilized by the industries located adjacent to the tracks, which regularly transport goods and materials across the tracks between the buildings; therefore, the use of the Scalley Lead as a through route could present a safety hazard to workers and disrupt existing industrial operations.

Because the Scalley Lead is constructed within easements and not within right of way owned by CBRW, right of way would need to be acquired for the Scalley Lead as well as for the track farther to the west. Acquisition of the 100-foot-wide right of way for the Scalley track would require the acquisition and demolition of at least three industrial buildings close to the existing track. Renovation of the Scalley Lead would also involve improvements to an existing railroad spur requiring approximately 1/3 mile of additional right of way. The Piercy Alternative would require substantial upgrades to the Scalley Lead to allow for through rail traffic and certain types of freight, such as airplane parts or other very large items.

This alternative is feasible, but is not considered reasonable because it is not practical based on technical and economic factors. The 3 percent grade, 12 degree curves, and limited clearances of the Scalley Lead are greater than what is generally acceptable for railroad track and could not accommodate the size and type of freight that could potentially use the rail line. Accordingly, this alternative would require renovation and substantial improvements to the Scalley Lead, as well as an existing railroad spur, and would result in extensive modifications or demolition of up to three industrial buildings/facilities next to

the Scalley Lead and the demolition of at least three existing industrial buildings in the Industrial Park. In addition, use of the Scalley Lead as a through route could create a safety hazard and disrupt operations in an active work area. Therefore, the Piercy Alternative was not carried forward for further assessment.

Selection of the Environmentally Preferred Alternative

The Build Alternative would include the construction of two new rail line segments (Segment 1 and Segment 2), as well as the acquisition and refurbishment of an existing rail segment (Segment 3). Overall, SEA and WSDOT determined that the proposed rail project would have some adverse impacts to air quality; cultural, historic and archaeological resources; fish, wildlife and vegetation; hazardous materials; land use; noise and vibration; social elements and environmental justice; soils and geology; traffic and transportation; visual quality; water resources; and wetlands. However, these impacts would be minimized or avoided with the implementation of the recommended mitigation measures in Chapter Five of this Final EA. There would also be positive impacts that would be expected as a result of the proposed NCBR Project, including: a temporary economic benefit from construction employment and spending; increased economic development along Segments 1 and 2, as well as growth in the region from new rail-dependent businesses; an option for rail shippers to bypass downtown Moses Lake with a shorter route that moves rail traffic away from the more developed areas of the city; the existing at-grade road crossings on Segment 3 would be improved at Stratford Road and Loring Drive; and the railroad and the Port would work with Longview Elementary School to improve public rail safety programs.

As discussed in Chapter Three of the EA and this chapter of this Final EA, SEA and WSDOT considered a number of alternatives for the proposed NCBR Project, including alternatives that were suggested in public and agency comments. A total of eight alternatives, including a modification, were considered for Segment 1, and one alternative was considered for Segment 2. All of these alternatives and the modification were evaluated to determine their potential to meet the purpose and need for the proposed project; whether they would be reasonable and feasible, considering factors such as engineering challenges and constructability of the alignment; and potential environmental impacts.

Alternatives that Were Eliminated from Further Consideration

The July Alternative, October Alternative, North Bypass Alternative, and Road N Bypass Alternative were eliminated from detailed consideration because they would not meet the purpose and need of the proposed rail project, which is to provide rail service to lands designated for industrial development in the northern part of the City of Moses Lake as well as to the south and east of the

GCIA, enhancing opportunities for economic development, and attracting new rail-dependent businesses to those areas. In addition, while the No Build Alternative would not involve the environmental impacts associated with the construction, acquisition, and operation of the proposed rail line, it would not meet the purpose and need for the project. (See Chapter Two of the EA).

The South Bypass Alternative, the Road N Bypass Alternative,[36] and the Piercy Alternative were deemed unreasonable or infeasible based on technical and/or economic factors.

Accordingly, as a result of this evaluation, six alternatives were not carried forward for further consideration and review. The following is a summary of those alternatives and the reasons why they were not considered in detail:

July Alternative and October Alternatives - The July and October Alternatives were developed based on public comments received during the scoping process and were discussed in the EA as alternative locations considered for the proposed action. Both of these alternatives are northern routes that would entirely bypass the existing developed area of Moses Lake, and portions of each of these alternatives would be located within the former Northern Pacific Railway Wheeler-Adrian rail line right of way. However, the July Alternative and October Alternative were eliminated from further analysis in the EA because they did not meet the purpose and need for the proposed rail project, which is to provide rail service to industrial areas in the City of Moses Lake and to enhance opportunities for economic development. Moreover, in comparison with Segment 1, the July Alternative and the October Alternative are longer in length; would impact a larger area, including the Gloyd Seeps Wildlife Area; and would have greater impacts to land use, biological resources and wetlands.

North Bypass Alternative – The North Bypass was developed as a result of public comments received on the EA, and it would consist of approximately 5.26 miles of new track. SEA and WSDOT determined that this alternative would not meet the project's purpose and need for providing rail access to lands designated for industrial development in the northern part of the City of Moses Lake. In addition, it would have greater impacts to existing structures, wetlands and wildlife habitat than some of the other alternatives.

South Bypass Alternative – This alternative was developed as a result of public comments received on the EA, and it would consist of approximately 4.2 miles of new track. The South Bypass would present greater engineering challenges from a constructability standpoint. For example, it would require 3 percent grades, which is steeper than the 2 percent grade considered generally acceptable for railroad track, and that would negatively affect rail

[36] The Road N Bypass Alternative would not meet the purpose and need of the proposed project and it was also determined not to be a reasonable alternative.

operations and limit the size and type of freight that could be shipped over the proposed line. It would require substantial cutting in the area adjacent to State Route 17, and would require the acquisition and demolition of six existing business and two existing residences. In addition, the South Bypass would remove an existing aquatic mitigation site at Stream C, and impacts would likely be considered significant by permitting agencies. Accordingly, SEA and WSDOT eliminated the South Bypass from detailed study because the construction of this alternative is not considered reasonable or feasible from a constructability standpoint.

Road N Bypass Alternative – The Road N Bypass was developed as a result of public comments received on the EA, and it would consist of approximately 4.9 miles of new track. This alternative was eliminated from detailed study because it would not meet the purpose and need. In addition, it would present engineering challenges that could negatively affect the proposed rail operations, and it would have greater impacts on existing structures, wetlands and wildlife habitat than some of the other alternatives.

Piercy Alternative – The Piercy Alternative would consist of approximately 5.17 miles of track, and it was developed as a result of a public comment received on the EA. The beginning portion of this alternative would utilize the existing CBRW Scalley Lead, which is an existing track that is approximately 1.5 miles long, and it would connect to the western portion of the proposed Segment 1, near RP 3. The 3 percent grade, 12 degree curves, and limited clearances of the Scalley Lead are greater than acceptable for through railroad track and would not accommodate the size and type of freight that could potentially be shipped over the rail line. In addition, the Scalley Lead passes through an area where industrial buildings and facilities are located closer than 50 feet from the track. These buildings would require extensive modification or demolition to accommodate a through track. Furthermore, the industries actively use the track area to transport goods and materials across the tracks between the buildings; therefore the use of the Scalley Lead as a through track would present a safety hazard to workers and disrupt existing industrial operations. Therefore, this alternative would require renovation and substantial improvement to the Scalley Lead, as well as an existing railroad spur, and would result in extensive modifications or demolition of up to three industrial buildings/facilities next to the Scalley Lead and the demolition of at least three existing industrial buildings in the Industrial Park. Accordingly, although this alternative could be constructed, it is not considered reasonable because it is not practical based on technical and economic factors.

Alternatives That Were Carried Forward for Further Study

The remaining alternatives, Alternative 1A, Alternative 2A, and the Ecology Modification, were evaluated to determine their potential impacts and which would have the fewest environmental impacts. A full range of environmental impacts associated with the proposed construction and operation of the line, as well as engineering and constructability, were considered. The following is a summary of Alternative 1A, Alternative 2A, and the Ecology Modification:

Alternative 1A – Because of the sensitive wetland habitat in and around Parker Horn, SEA and WSDOT developed an alternate crossing of this water body. The alternate crossing, known as Alternative 1A, would diverge from Segment 1 at Reference Point (RP) 3.8, then continue west, south of Road 4 NE (Cherokee Road), crossing at the mouth of Crab Creek, which is approximately 1,000 feet farther to the north than the Segment 1 water crossing at Parker Horn. In general, when comparing the Segment 1 water crossing at Parker Horn and the Alternative 1A water crossing at Crab Creek, commenters stated a preference for Alternative 1A because of its minimized impacts to wetlands, water resources, potential habitat for the northern leopard frog, and land use.

Alternative 2A – This alternate alignment for the north end of Segment 2 would consist of approximately 3.6 miles of new track. Alternative 2A would re-cross Randolph Road approximately 700 feet north of the intersection of Randolph and Tyndall Roads, then would curve to the north and extend about 7,000 feet before ending. Maximum grade for Alternative 2A would be 1.7 percent.

Ecology Modification – The Ecology Modification was developed in response to a comment received from the Washington State Department of Ecology. This modification of an approximately one-mile portion of Segment 1 (between RP 2.7 and RP 3.6) would shift the rail line to the east in order to minimize impacts to wetlands and would have a corresponding decrease in impacts to wildlife habitat.

Environmentally Preferred Alternative

For Segment 1, WSDOT and SEA identified the Alternative 1A water crossing, combined with the Ecology Modification, as the environmentally preferred alignment. The Alternative 1A crossing of Crab Creek was identified as the preferred water crossing because this alternative would result in fewer environmental impacts than the Segment 1 crossing of Parker Horn.

- Construction of Alternative 1A would impact a substantially smaller area than construction of the proposed crossing of Parker Horn for Segment 1 because Crab Creek is less than half as wide as Parker Horn. The bridge over Parker Horn for Segment 1 would be 865 feet long with 21 spans, with 19 of those located over the floodplain. The bridge for Alternative 1A

would be 475 feet long, which is considerably shorter than the bridge for Segment 1, and would have 11 spans with ten piers in the floodplain. Alternative 1A would therefore have fewer impacts on biological and water resources.

- The construction of Alternative 1A would have fewer impacts related to sedimentation and turbidity because the water channel is narrower than Segment 1 (170 feet for Alternative 1A compared to 500 feet for Segment 1).

- Alternative 1A would also have fewer impacts on wetlands and potential habitat for the northern leopard frog than Segment 1: a total of 0.5 acres for the bridge across Crab Creek compared to a total of 2.1 acres for the Segment 1 bridge across Parker Horn.

- Alternative 1A would have fewer visual impacts on the Coulee Corridor National Scenic Byway because it is located further away (2,000 feet rather than 150 feet for Segment 1).

- The Washington Department of Fish and Wildlife indicated a preference for Alternative 1A because it would have fewer impacts to designated critical areas (wetlands) and waters of the state (Crab Creek).

- In general, when comparing the Segment 1 water crossing at Parker Horn and the Alternative 1A water crossing at Crab Creek, public comments stated a preference for Alternative 1A because of its minimized impacts to wetlands, water resources, and land use.

The Ecology Modification was identified as the environmentally preferred alignment for an approximately one-mile portion of Segment 1 because it would reduce wetland impacts for that portion of the alignment from a total of 4.13 acres to approximately 2.3 acres, and would have a corresponding decrease in impacts to wildlife habitat.

For Segment 2, SEA and WSDOT identified Segment 2 as the environmentally preferred alternative when compared with Alternative 2A. Segment 2 is approximately 0.4 miles shorter than Alternative 2A, and would require the acquisition of less property than Alternative 2A (approximately 38 acres compared to 45 acres for Alternative 2A). In addition, Segment 2 would have the potential to disturb fewer hazardous materials sites (one site compared to two sites for Alternative 2A).

Chapter Four Additional Revisions

This section includes discussion of additional topics and information identified since release of the Preliminary Environmental Assessment (EA), including topics raised by public and agency comments relating to irrigation systems in the project area, wetlands, and cumulative effects.

Irrigation

The information and analysis below is provided in response to comments received during the public review period that expressed concerns regarding the negative impacts that the proposed project could have on irrigation systems and irrigated agricultural fields. In response to those comments and concerns, potential impacts to irrigation systems in the vicinity of the project were analyzed. The purpose of this analysis was: to describe the types of irrigation systems used by property owners along Segment 1 and Alternative 1A of the proposed Northern Columbia Basin Railroad (NCBR) Project; to evaluate the potential impacts of the project on these irrigation systems; and to identify possible mitigation measures to address potential impacts. Segments 2 and 3 of the proposed NCBR Project were not considered in this evaluation because no agricultural land uses occur along these segments.

What types of irrigation systems are used in the vicinity of the project?

Segment 1 and Alternative 1A of the proposed NCBR Project are located within the boundaries of the East Columbia Basin Irrigation District. As shown on **Exhibit 4.1**, irrigation systems are used on parcels located between (Reference Point) RP 1 and RP 3 along Segment 1. These parcels include approximately 500 acres of land that are currently irrigated or have been irrigated at some point since the aerial photo shown in **Exhibit 4.1** was taken in 2006. Development has increased in this area in recent years, and it is possible that parcels shown in agricultural use in the 2006 aerial photo are now being used for commercial or industrial purposes. For example, one parcel located near RP 2 that is shown to be irrigated in the aerial photo has recently been platted for light industrial use.[37]

No irrigation is conducted near Crab Creek or Alternative 1A (west of RP 3.0).

[37] Personal communication with Ian Eccles, District Engineer for the East Columbia Basin Irrigation District, telephone conversation January 20, 2009.

Typical irrigation systems used in the vicinity of Segment 1 include the following:

- **"Rill" or gravity systems**: these systems, which are often referred to as furrow irrigation systems, consist of a concrete head ditch with siphon tubes that allow water to flow downhill through the field. The fields have been graded to allow for gravity flow to reach the entire field. These systems are used primarily on fields located between RP 1 and RP 2.[38]

- **Center pivot systems**: these systems consist of a sprinkler system, supported by a series of mechanically driven tires and attached at one end to a center pivot. The sprinkler turns around the pivot and creates a characteristic circle shape in the irrigated field. One parcel located at RP 2 appears to use a center pivot system.[39]

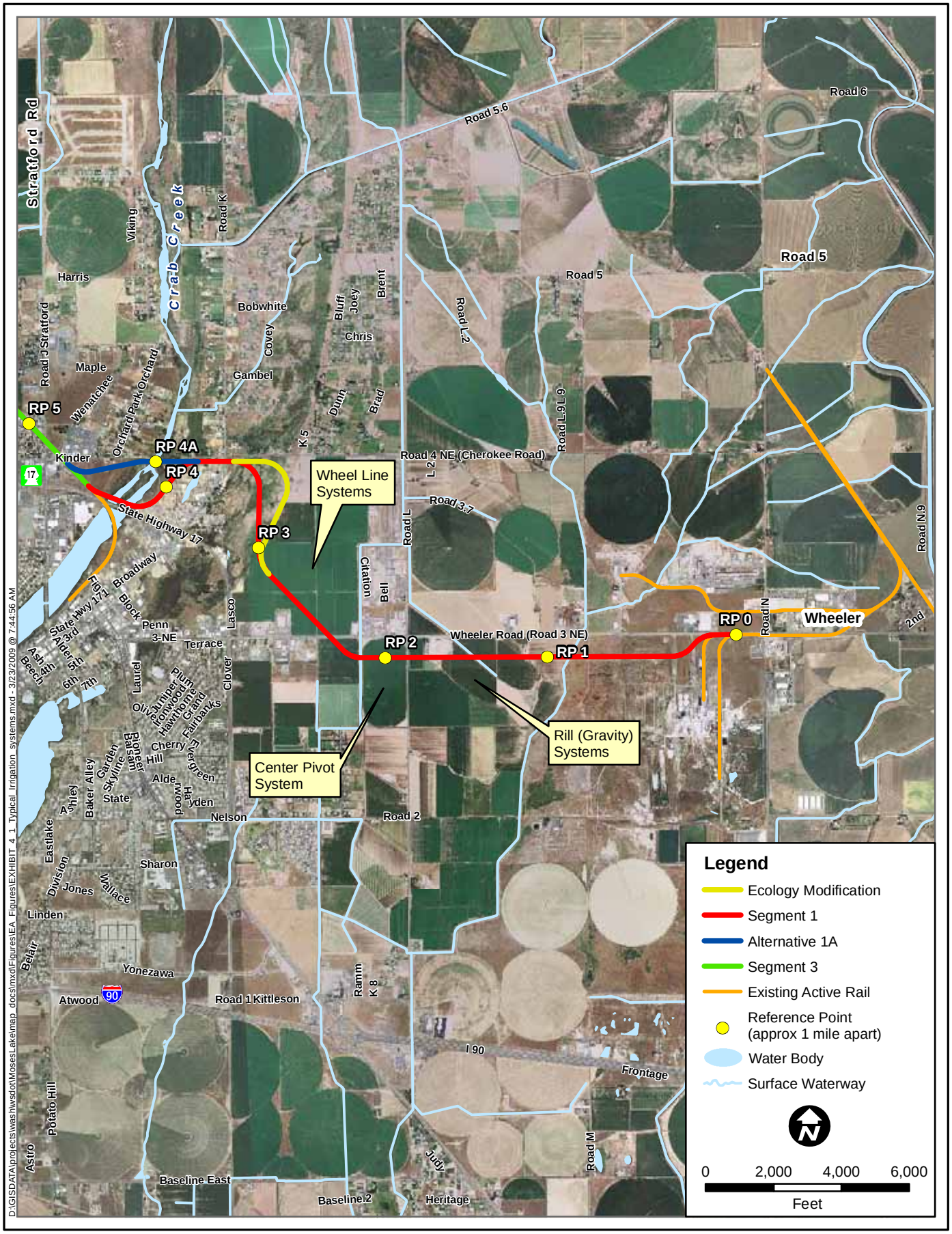
- **Wheel lines**: these systems, which are often referred to as "side roll sprinklers," consist of a sprinkler system supported on a series of wheels. The sprinkler runs the length of a rectangular field. These systems are used on parcels located between RP 2 and RP 3, particularly those north of Wheeler Road.[40]

What are the potential impacts of the project on irrigation systems and possible mitigation measures?

The impacts of the proposed NCBR Project on irrigation systems vary depending on the type of system used. After contacting the East Columbia Basin Irrigation District,[41] the Surface Transportation Board's Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT) determined that potential impacts on irrigation systems and possible mitigation measures that could be used to address such impacts include the following:

- **"Rill" or gravity systems**: the proposed rail line would cross existing siphon tubes, preventing water from moving via gravity to a portion of a parcel bisected by the rail line. The rail line could also intersect graded irrigation runs. Culverts could be installed beneath the rail line to allow water to flow to the entire parcel, and new concrete head ditches could be required downstream of the rail line.

[38] Personal communication with Ian Eccles, District Engineer for the East Columbia Basin Irrigation District, telephone conversation January 20, 2009.
[39] Eccles, 2009.
[40] Eccles, 2009.
[41] Eccles, 2009.



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Surface Transportation Board

Typical Irrigation Systems Exhibit 4.1

Northern Columbia Basin Railroad Project

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- **Center pivot systems**: the location of the proposed rail line would disrupt the use of center pivot irrigation on the parcel located at RP 2. If the portion of the parcel located downstream of the rail line was to be irrigated in the future, new semi-circle pivot equipment and a new water source pump or diversion could be required.

- **Wheel line systems**: the location of the proposed rail line would disrupt the use of wheel lines on the parcels that are crossed by the rail line at an angle. Wheel lines are long and straight, and are designed for use on a rectangular field. Another type of irrigation system, such as a gravity system or portable sprinkler system, could be used to irrigate areas where a wheel line would no longer be effective due to the angular shape of that portion of the parcel. However, these two system options are less efficient than wheel lines.

According to the East Columbia Basin Irrigation District, it may not be practical or economically feasible for landowners to continue irrigating or harvesting small portions of parcels that are not easily accessed due to the location of the rail line. The proposed NCBR Project could therefore change the current land use on the parcels or portions of parcels located adjacent to Segment 1. As described in Chapter Five of the EA, agriculture is considered a temporary use of these parcels, and conversion of land currently used for agricultural purposes to other uses is anticipated by the City of Moses Lake and Grant County regardless of whether the proposed NCBR Project is approved and implemented. The East Columbia Basin Irrigation District also expects that many of the parcels currently irrigated in the vicinity of Segment 1 would likely be converted to commercial and industrial uses in the future. As described in Mitigation Measure No. 24 of this Final EA, SEA and WSDOT are recommending that the Port abide by all requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and negotiate with affected property owners to minimize any project-related severance impacts. In response to comments received during the public review period, Mitigation Measure No. 25 has been revised to specify that impacts to irrigation systems are considered "related severance impacts."

Wetlands

The information and analysis provided below is in response to a comment letter received from the Washington State Department of Ecology, which requested additional information regarding the relative functional value of the wetlands and riparian areas at the Crab Creek and Parker Horn bridge crossings.[42] Wetland locations are shown on **Exhibit 4.2**.

[42] Most of the information below is taken from the Wetlands Report that was completed for the proposed NCBR Project. The Wetlands Report may be obtained from the WSDOT State Rail & Marine Office. Contact information is provided on the back of the title page.

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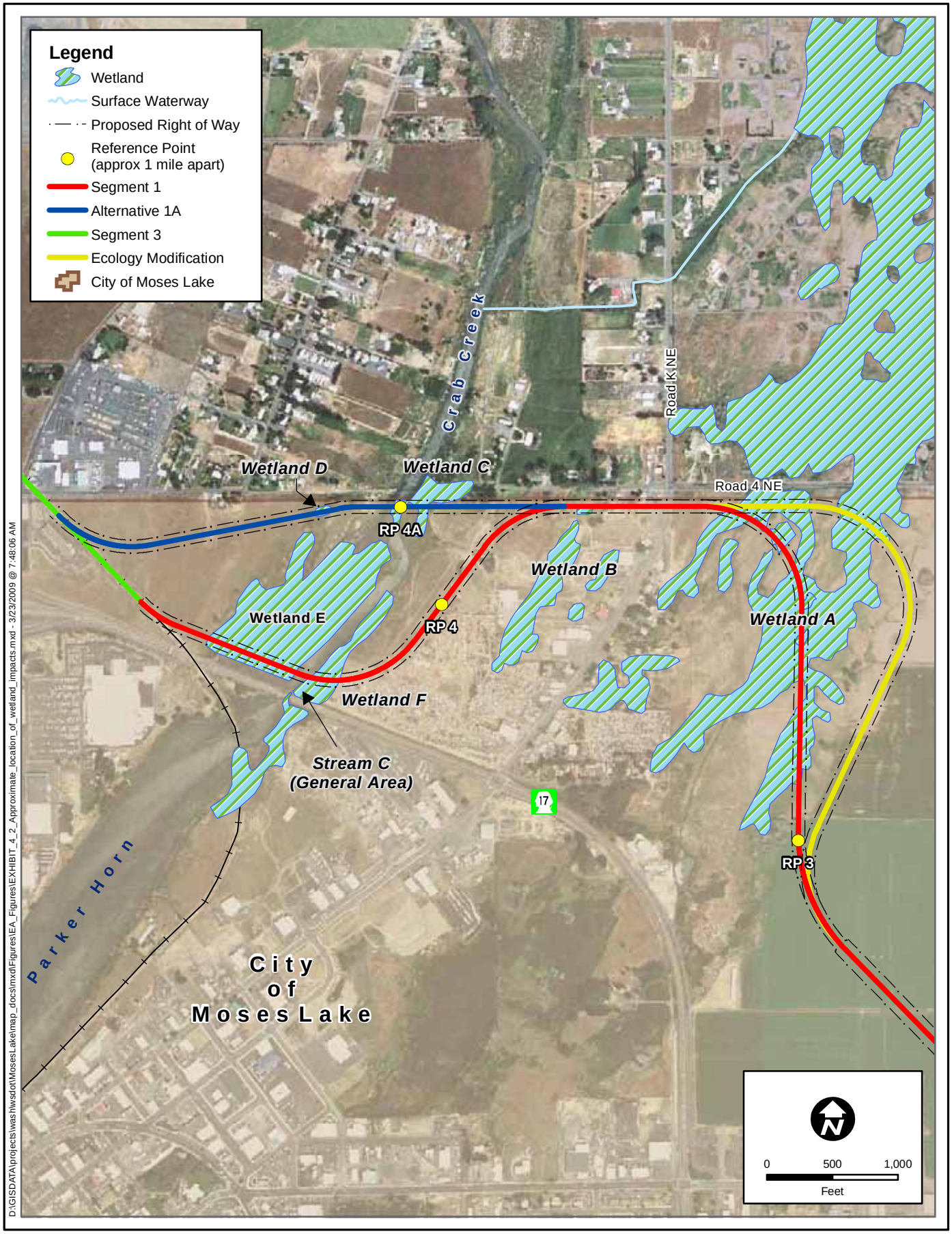

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Approximate Location of Wetland Impacts Exhibit 4.2

Northern Columbia Basin Railroad Project

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Wetland Functions, Classifications, and Ratings

Wetland functions include maintenance or improvement of hydrology, water quality and habitat values, resulting from landscape position and other physical and/or chemical characteristics. For this analysis, wetland functions were assessed using the system described in *Washington State Wetland Rating System for Eastern Washington – Revised*.[43] **Exhibit 4.3** summarizes the functional ratings provided for the wetlands in the study area. Wetland habitats were also characterized using *The Classification of Wetlands and Deepwater Habitats of the United States*.[44] Wetland rating sheets are contained in the Appendix of the Wetlands Report, and these materials may be obtained from the WSDOT State Rail & Marine Office.

Based on the type and size of vegetation, presence (or lack) of visible water, habitat disturbance and current land use, wetlands along the project corridor where access was not available were assessed or estimated as Category III wetlands, which provide low to moderate hydrologic and other functions.

Exhibit 4.3
Wetland Functions and Ratings in the Study Area

Wetland Name and Reference Point	HGM Classification	Function Scores	Wetland Rating and Buffer Width
Wetland A (RP 3.1 – 3.5)	Depressional	Water Quality – 8 Hydrologic – 8 Habitat – 14 Total – 30	Category III – 25-foot buffer (outside shoreline)
Wetland B (RP 3.8)	Depressional	No Access- Not Rated	Estimated as Category III – 25-foot buffer (outside shoreline)
Wetland C (RP 4.0)	Riverine	No Access- Not Rated	Estimated as Category III – 80-foot buffer (within shoreline) and 25-foot buffer (outside shoreline)
Wetland D (RP 4.1)	Depressional	Water Quality – 10 Hydrologic – 8 Habitat – 16 Total – 34	Category III – 25-foot buffer (outside shoreline)
Wetland E (RP 4.3 –4.4)	Riverine	Water Quality – 6 Hydrologic – 12 Habitat – 16 Total – 34	Category III – 80-foot buffer (within shoreline)
Wetland F (RP 4.2)	Riverine	No Access - Not Rated	Estimated as Category III – 80-foot buffer (within shoreline)

[43] Hruby, T. 2004. *Washington State Wetland Rating System for Eastern Washington – Revised.* Washington State Department of Ecology Publication #04-06-15.
[44] Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of Wetlands and Deepwater Habitats of the United States.* Fish and Wildlife Service PUBL. FWS/OBS-79/31.

What are the potential impacts of the Build Alternative to wetland functions?

Impacts of the proposed rail line project to identified wetlands were described in the EA. (See EA at 5-52 to 5-56). Mitigation is provided in Chapter Five of this Final EA. (See Mitigation Measure Nos. 52 to 56).

The following discussion provides further examination of the relative functional value of each of the wetlands affected by Segment 1 and Alternative 1A (see **Exhibit 4.4**). As discussed below, the Ecology Modification would reduce potential impacts to Wetland A and its functions, but would not change impacts to Wetlands B, C, D, E, or F.

Wetland A – Segment 1 and Alternative 1A

Segment 1 would roughly bisect Wetland A, impacting a linear portion of this wetland. This wetland provides functions at a low to moderate level and is determined to be a Category III wetland. All functions would be degraded by the proposed rail project, but habitat would be the most affected by habitat fragmentation and proximity to rail-related disturbances, such as train noise, maintenance activities, and potential hazardous spills.

The proposed rail line would generally run north-south as it crossed Wetland A, creating a barrier to wildlife movement from east to west and potentially altering the hydrologic connectivity to portions of the remaining wetland. The impacts to wetland functions, therefore, would extend beyond the project footprint. Nevertheless, the magnitude of these effects would be limited because Wetland A currently provides all functions at low to moderate levels, and wildlife using Wetland A are already exposed to heavy grazing and some disturbance from surrounding agricultural areas and roads.

As shown on **Exhibit 4.5**, if the Ecology Modification is selected, impacts to Wetland A would be reduced because the rail line would be located on the outside edge of Wetland A rather than through the center of the wetland. There would still be wetland impacts associated with the Ecology Modification because the line would curve to the west and cross Wetland A to reach Parker Horn or Crab Creek. However, impacts to wetland functions (fragmentation) would be reduced because the Ecology Modification would be located adjacent to an existing roadway (Cherokee Road) and would therefore not create an additional division within the wetland.

Exhibit 4.4
Wetland Impact Summary

Wetland/ Water Body	Direct Impacts (Fill)	Type of Indirect Impacts	Indirect Impacts and Area within 50 Feet of Track	Direct + Indirect Impacts	Impacts to Wetland Functions	Impacts to Functional Assessment
Segment 1						
Wetland A	1.67 acres	Fragmentation	2.46 acres	4.13 acres	Habitat fragmentation and loss of hydrologic connectivity	Low to moderate functions (no change)
Wetland B	0.01 acres	None	0.05 acres	0.06 acres	None	Low to moderate functions (no change)
Wetland E	1.07 acres	Fragmentation	0.42 acres	1.49 acres	Habitat fragmentation, reduction of water quality and hydrologic connectivity	Low to moderate functions (no change)
Wetland F	0.27 acres	Fragmentation	0.32 acres	0.59 acres	Habitat fragmentation	Low to moderate functions (no change)
Impact Total	3.02 acres		3.25 acres	6.27 acres		
Alternative 1A						
Wetland A	1.67 acres	Fragmentation	2.46 acres	4.13 acres	Habitat fragmentation and loss of hydrologic connectivity	Low to moderate functions (no change)
Wetland B	0.01 acres	None	0.05 acres	0.06 acres	None	Low to moderate functions (no change)
Wetland C	0.43 acres	Fragmentation	0.004 acres	0.434 acres	Habitat fragmentation	Low to moderate functions (no change)
Wetland D	0.03 acres	None	None	0.03 acres	None	Low to moderate functions (no change)
Impact Total	2.14 acres		2.514 acres	4.654 acres		

Exhibit 4.5
Wetland Impact Summary for the Ecology Modification

Wetland/ Water Body	Type of Impacts	Acreage of Impacts[45]	Impacts to Wetland Functions	Impacts to Functional Assessment
Segment 1 with Ecology Modification				
Wetland A	Fill and fragmentation	Approximately 2.3 acres	Slight contribution to habitat fragmentation, but less than Segment 1	Low to moderate functions (no change)
Wetland B	Fill	0.06 acres	None	Low to moderate functions (no change)
Wetland E	Fill and fragmentation	1.49 acres	Habitat fragmentation, reduction of water quality and hydrologic connectivity	Low to moderate functions (no change)
Wetland F	Fill and fragmentation	0.59 acres	Habitat fragmentation	Low to moderate functions (no change)
Impact Total		Approximately 4.4 acres		
Alternative 1 A with Ecology Modification				
Wetland A	Fill and fragmentation	Approximately 2.3 acres	Slight contribution to habitat fragmentation but less than Alternative 1A	Low to moderate functions (no change)
Wetland B	Fill	0.06 acres	None	Low to moderate functions (no change)
Wetland C	Fill and fragmentation	0.434 acres	Habitat fragmentation	Low to moderate functions (no change)
Wetland D	Fill	0.03 acres	None	Low to moderate functions (no change)
Impact Total		Approximately 2.8 acres		

[45] Acreages of impact to Wetland A as a result of the Ecology Modification were calculated using the National Wetland Inventory, and are therefore approximate.

Wetland B – Segment 1 and Alternative 1A

Wetland B is estimated to function at a low to moderate level (Category III). The proposed rail line would be constructed at the northern portion of Wetland B and would not fragment wetlands. Hydrologic connectivity would be maintained, and habitat in the area has already been disturbed. For these reasons, the magnitude of impacts to wetland functions would be low.

Wetland C – Alternative 1A

Wetland functions for Wetland C are estimated to be low to moderate and the wetland is rated as Category III. All functions are estimated to be reduced by the proposed rail project, but habitat function would likely be the most affected due to habitat fragmentation and lack of buffering from rail-related disturbances, such as train noise, maintenance activities, and potential hazardous spills. Wildlife habitat would be fragmented by the project, reducing the function of the remaining wetland habitat on either side of the new rail line.

Wetland D – Alternative 1A

Wetland D offers low to moderate wetland functions and is rated as a Category III wetland. This wetland would be removed by Alternative 1A; wetland functions and wetland buffer functions would be eliminated.

Wetland E – Segment 1

Wetland E is rated as a Category III wetland, with low to moderate functions. The impacts to this wetland from the project would reduce this wetland's ability to function by removing vegetation, reducing the area of long-duration seasonal inundation, and reducing the wetland area. Hydrologic, water quality, and habitat functions would all be reduced by constructing the proposed project, but all functions would continue to be provided.

Constructing the proposed rail project would fragment the existing wetland complex along the west shore of Parker Horn. The proposed project would leave a remnant wetland area between SR 17 and the constructed rail line. This remnant wetland habitat could be expected to function at a lower level as a result of this fragmentation, but the remainder of the wetland habitat, north of Segment 1, would remain largely intact and functions in this area would not be affected.

Wetland F – Segment 1

Wetland functions are estimated to be low to moderate, and the wetland was analyzed as a Category III wetland. All functions are estimated to be degraded by the proposed rail project, but the habitat function is expected to be most affected from fragmentation and lack of buffering from rail-related

disturbances, such as train noise, maintenance activities, and potential hazardous spills.

The proposed project would fragment the existing wetland complex along the east shore of Parker Horn, leaving a remnant wetland area between SR 17 and the constructed rail project. The remnant area would be connected to the main channel of Crab Creek but would no longer be connected to the larger wetland complex; therefore, habitat quality within this fragment would be diminished. The new rail line would be a barrier to wildlife movement and would reduce the amount of contiguous habitat available to wildlife species.

Cumulative Effects

The purpose of this section is to update the cumulative effects analysis that was included in Chapter Five of the EA. During the public review period, five additional projects were identified in the vicinity of the proposed rail line construction project. This section provides a description of these projects and evaluates: (1) whether these new projects could affect one or more of the environmental resources examined in the EA, and (2) whether the proposed NCBR Project might have adverse impacts on any of those new projects.

What projects are included in the cumulative effects analysis?

As discussed in the EA, the Council on Environmental Quality's (CEQ) regulations for implementing the National Environmental Policy Act (NEPA) require agencies to consider three types of impacts: direct, indirect, and cumulative. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.[46] While individual project effects may be minor when viewed in the individual context of direct and indirect effects, they can add to the effects of other actions and eventually lead to a measurable environmental change. Cumulative effects can have a positive or negative effect, depending on the environmental resource being evaluated.

The geographic boundaries for analyses of potential cumulative effects on environmental resources were set at 0.5 miles from the track. The greenhouse gas (GHG) analysis considers the entire central Washington area because of concern over cumulative increases in GHGs in the area, Washington State, and throughout the world. The time period was set from present through 2030 as a reasonable time frame for the cumulative effects analysis. These geographic boundaries and time period were used to analyze potential cumulative effects.

[46] See 40 CFR 1508.7, Protection of Environment, Council on Environmental Quality, Cumulative Impact.

Exhibit 4.6 identifies the location of the previously identified projects described in Chapter Five of the EA, as well as the five new projects.[47] All of the projects are described below, and cumulative environmental effects are discussed in the following section.

Previously Identified Projects

In Chapter Five of the EA, the project team identified three projects in the vicinity of the proposed NCBR Project that are reasonably foreseeable and that could affect one or more environmental resources:

- Lowe's Home Improvement Store
- Guardian Fiberglass Insulation Manufacturing Plant
- REC Silicon IV

Two of these projects (the Guardian Fiberglass Insulation Manufacturing Plant and REC Silicon IV) are within 0.5 miles of the proposed NCBR Project and were considered in the cumulative effects analysis of the EA. The Lowe's Home Improvement Store is beyond the 0.5-mile boundary and, therefore, was not considered in the cumulative effects analysis.

The Guardian Fiberglass Insulation Manufacturing Plant project includes the construction of 620,000 square feet of manufacturing space in multiple buildings. At present, this project is partially constructed; work began in spring 2008, but project completion is on hold due to economic conditions. The project is located north of Wheeler Road (Road 3 NE) and east of Road N. Approximately 100,000 cubic yards of material were graded on the site. Although there are several wetlands on the site, none of the buildings or parking lots is within 200 feet of a wetland or within 150 feet of a wetland buffer. The City of Moses Lake issued an environmental determination under the State Environmental Policy Act (SEPA) that concluded an in-depth study of potential environmental impacts was not required for the Guardian Fiberglass Insulation Manufacturing Plant project.[48] The City did require that the project include measures to address the type of fill material to be used on the project site, as well as replanting requirements where the soil was exposed.

The REC Silicon IV project is currently under construction. It was originally expected to be completed in 2008, and the new completion date is not known.

[47] Three of the new projects (the U.S. Bureau of Reclamation Potholes Reservoir Supplemental Feed Route Project, U.S. Bureau of Reclamation Odessa Subarea Special Study, and City of Moses Lake Shoreline Master Program Update) were not included in Exhibit 3.1 because no physical structures associated with these projects are planned within the vicinity of the NCBR Project, and therefore the projects could not be located on the map.

[48] For additional information, see the Mitigated Determination of Nonsignificance issued by the City of Moses Lake on August 29, 2007. This document is available from the City of Moses Lake Department of Planning and Community Development.

The REC Silicon IV project expands the existing REC Silicon plant located at 3322 Road N. The expansion includes grading earth; constructing new buildings, including a temporary lunchroom building; and relocating 12 office trailers. The City of Moses Lake concluded that an in-depth evaluation would not be required for the proposed REC Silicon IV project.[49] The City did require that water from the project not be permitted to flow into the U.S. Bureau of Reclamation treatment facilities, and that erosion be controlled.

New Projects

There are six new projects in the vicinity of the proposed NCBR Project that are reasonably foreseeable and that could affect one or more of the environmental resources examined in the EA. These projects are described below.

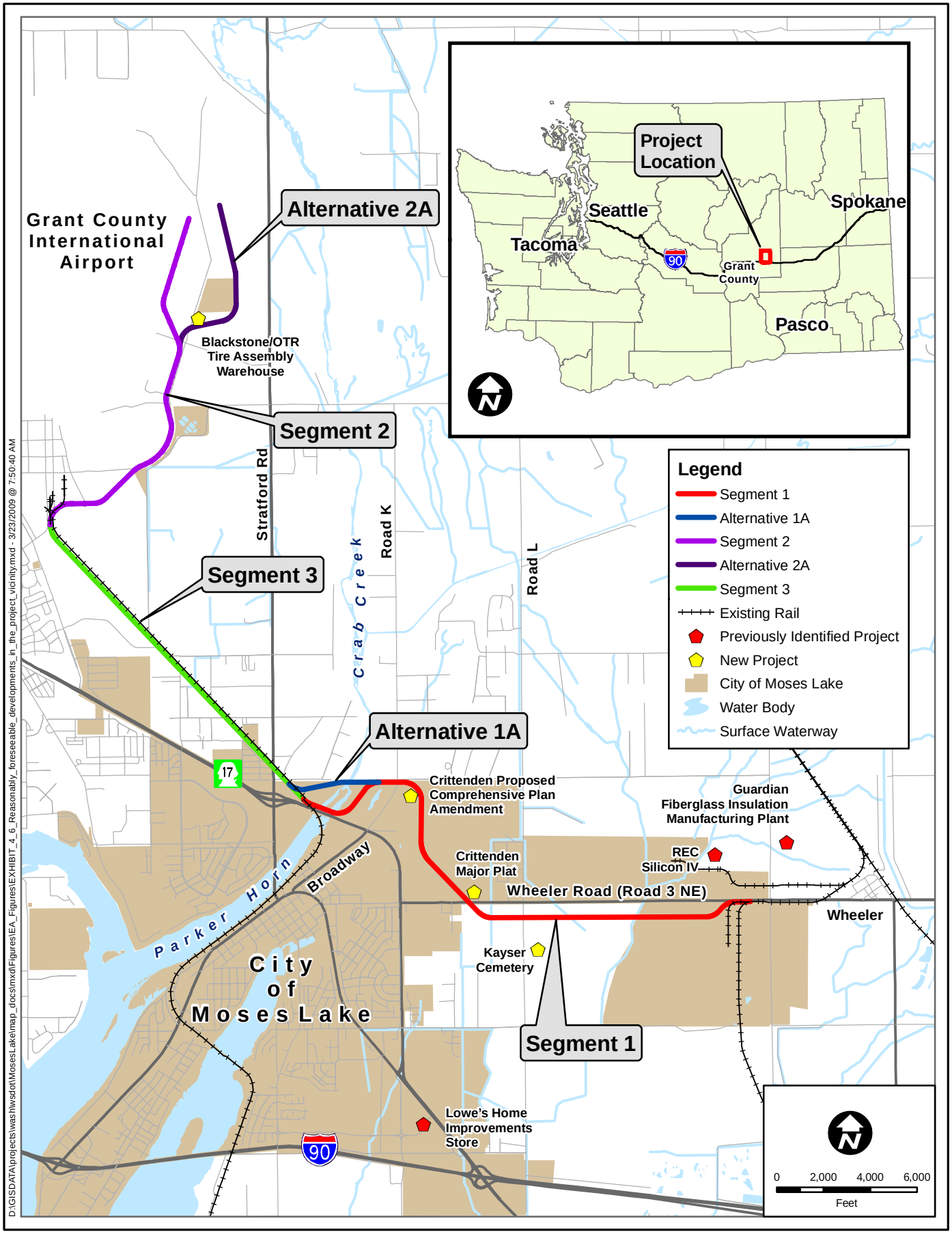
- U.S. Bureau of Reclamation Potholes Reservoir Supplemental Feed Route Project
- U.S. Bureau of Reclamation Odessa Subarea Special Study
- Kayser Cemetery
- Blackstone/OTR, LLC Tire Assembly Warehouse
- City of Moses Lake Shoreline Master Program (SMP) Update
- Crittenden Major Plat and Proposed Comprehensive Plan Amendment

U.S. Bureau of Reclamation Potholes Supplemental Feed Route Project

The U.S. Bureau of Reclamation (Reclamation) is undertaking a supplemental feed route project for Potholes Reservoir involving Crab Creek.[50] Although the project is located approximately two miles to the north of the proposed NCBR Project and outside of the study area for this cumulative effects analysis, it is included here because Crab Creek is associated with Moses Lake, a water resource that is located within the study area.

[49] For additional information, see the Mitigated Determination of Nonsignificance issued by the City of Moses Lake on March 24, 2008. This document is available from the City of Moses Lake Department of Planning and Community Development.

[50] Additional information about the Potholes Reservoir Supplemental Feed Route Project may be found on the U.S. Bureau of Reclamation website: http://www.usbr.gov/pn/programs/ucao_misc/potholes/index.html.



Washington State Department of Transportation

Surface Transportation Board

Reasonably Foreseeable Development in the Project Vicinity
Exhibit 4.6

Northern Columbia Basin Railroad Project

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This proposed Reclamation project, a phase of the Columbia Basin Project, would release approximately 100 cubic feet per second (cfs) of water from Billy Clapp Reservoir into Crab Creek year-round, with a larger release in the spring of up to 500 cfs between April 1 and June 30, depending on irrigation demand downstream.[51] This Reclamation project is intended to feed approximately 126,000 acre-feet[52] per year of additional water from Banks Lake to Potholes Reservoir. The project would result in increases in flow duration in Crab Creek but would not change the peak flows in Crab Creek below the Rocky Coulee Wasteway (north of the proposed NCBR Project).

An Environmental Assessment and Finding of No Significant Impact were completed for this project in August 2007 by Reclamation. Staff members from Reclamation expect that funding will be available in 2009 for design of some project elements, but have not yet identified phasing or specific elements.[53]

U.S. Bureau of Reclamation Odessa Subarea Special Study

Reclamation is also in the process of evaluating alternatives for the Odessa Subarea Special Study, a phase of the Columbia Basin Project. The project is intended to provide a replacement surface water supply for existing groundwater irrigation that is depleting the groundwater supply.[54] The project would replace current groundwater irrigation with surface water supply from the Columbia Basin Project. The Odessa Subarea Special Study will focus on lands in Grant County and Adams County, as well as a small portion of Franklin County. The area of interest is located approximately five miles to the northeast of Moses Lake, which is outside the study area for this cumulative effects analysis; however, the project could affect groundwater levels and associated water resources (Moses Lake) located within the study area.

Reclamation and the Washington State Department of Ecology (Ecology) completed a public scoping process for the project in November 2008, and an Environmental Impact Statement is planned to evaluate potential impacts of the project on environmental resources.

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[51] U.S. Bureau of Reclamation. *Potholes Reservoir Supplemental Feed Route Finding of No Significant Impact Environmental Assessment*. August 2007. http://www.usbr.gov/pn/programs/ea/wash/potholes/potholes-fonsi-ea.pdf.

[52] An acre-foot of water is the amount of water required to cover one acre of land to a depth of one foot, which is equivalent to approximately 43,560 cubic feet of water.

[53] Personal communication with James Blanchard, Special Projects Officer, U.S. Bureau of Reclamation Pacific Northwest Region on December 10, 2008.

[54] Additional information about the Odessa Subarea Special Study may be found on the U.S. Bureau of Reclamation website: http://www.usbr.gov/pn/programs/ucao_misc/odessa/index.html.

Kayser Cemetery

In July 2008, Grant County approved a proposal for a cemetery, including a mortuary, offices, maintenance building, garage, internal roads, and a parking lot.[55] No crematorium is included in the project proposal. The project is located southeast of the intersection of Road L NE and Wheeler Road, and it is 1,370 feet south of the proposed Segment 1 near RP 2. The site is approximately 48 acres and would be accessed from Road L NE. Grant County determined that no wetlands or other sensitive areas are located on the project site,[56] and no water resources are found on the site, with the exception of one irrigation canal. The proposal includes erosion control measures to minimize erosion during construction, and stormwater drainage would be addressed by installing dry wells, as required by Grant County regulations. Grant County issued a state environmental document that concluded that an in-depth evaluation would not be required for the new cemetery.

Blackstone/OTR, LLC Tire Assembly Warehouse

Grant County is in the process of reviewing an application from Blackstone/OTR, LLC for the construction of a tire mounting and assembly warehouse. This review is expected to be completed in Spring 2009. The project consists of a 49,500 square-foot light industrial warehouse and 1,800 square feet of office space, with truck decks and parking for approximately 15 employees. The project is located at 8165 Randolph Road NE, north of the intersection of Tyndall Road and Randolph Road, northwest of Alternative 2A near RP 10E. Alternative 2A would be located approximately 222 feet to the south of the perimeter drainage ditch that would be constructed as part of the Blackstone project; the proposed warehouse would be located approximately 367 feet from Alternative 2A. Approximately six acres of the 29.5-acre parcel would be developed. A total volume of 1,260 cubic yards of earth would be moved within the development; no imported fill would be used. The applicant has stated that no wetlands or other sensitive areas are found on the project site, and this information will be verified during Grant County's review. The proposal includes erosion control measures such as detention ponds[57] and sedimentation ditches.

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[55] For additional information, see Discretionary Use Review #07-4939 and the associated Mitigated Determination of Nonsignificance, issued by Grant County Planning and Development on July 21, 2008. This document is available from the Grant County Department of Planning and Development.

[56] Personal Communication with Dorothy Black, Planning Manager, Grant County, Washington on December 12, 2008.

[57] A detention pond is a low lying area that is designed to temporarily hold water, control runoff, and limit flooding during high water times and rainy periods. A detention pond will hold water for a short period of time and slowly releases it.

City of Moses Lake Shoreline Master Program (SMP) Update

The City of Moses Lake is in the process of updating its Shoreline Master Program (SMP) to meet current rules as administered by Ecology. The State's Shoreline Management Act[58] requires that local governments implement programs to ensure protection of state shorelines. This program places special restrictions on construction practices for development within 200 feet of the shoreline. The City's Shoreline Master Program was originally adopted in 1974, and minor updates have been completed, most recently in 1988. In 2003, Ecology adopted new, more comprehensive shoreline master program guidelines,[59] and the City is updating its SMP to reflect these changes.

The SMP emphasizes accommodation of reasonable and appropriate uses, protection of shoreline environmental resources, and protection of the public's right to access and use the shorelines. The City's original SMP used a classification system composed of four Shoreline Environment Designations ("Natural," "Conservancy," "Rural," and "Urban") intended to accommodate different levels and types of development. In the new SMP, the City uses nine Shoreline Environment Designations, which are intended to encourage uses and activities that would protect or enhance the present or desired character of the shoreline.

As discussed in the EA, the proposed NCBR Project would construct a bridge across Parker Horn for Segment 1 or across Crab Creek for Alternative 1A. The City's draft SMP assigns the shoreline areas crossed by the project the Environment Designation of "Natural." The SMP defines the "Natural" Environment Designation as lands "that have been found to be relatively intact as regards ecological function. They perform important, irreplaceable functions that would be damaged by human activity and could not support new development or uses without significant adverse impacts to ecological functions."[60]

The intent of the SMP is to ensure that any adverse impacts on ecological processes and functions that result from shoreline projects are mitigated, and that no net loss of ecological function would result from a project in the shoreline area.

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[58] Revised Code of Washington (RCW) Chapter 90.58.
[59] Washington Administrative Code (WAC) Chapter 173-26.
[60] City of Moses Lake. 2009. *Draft Shoreline Master Program Update*. Accessed on January 13, 2009. http://www.ci.moses-lake.wa.us/files/documents/Chapter_9--Environment_Designations--June_2007_redline_draft.pdf.

The Draft SMP is approximately 90 percent complete, and has yet to be adopted locally by the City Council and Ecology.[61] The updated SMP is expected to be adopted in 2009, and the proposed NCBR Project would be designed to comply with the updated SMP.

Crittenden Major Plat and Proposed Comprehensive Plan Amendment

The owner of the Crittenden Major Plat (a parcel subdivision) that is adjacent to Segment 1 near RP 2 has begun developing the land for light industrial use.

Exhibit 4.7 shows the location of the Crittenden Major Plat in relation to Segment 1. Segment 1 would cross the southwest corner of the Crittenden Major Plat, and approximately 2.6 acres of this land would need to be acquired for the proposed rail right of way. The major plat has been subdivided into three parcels to be developed with light industrial use, which is consistent with zoning and land use designations. A public access road, known as Hamilton Road, has been constructed and paved, fire protection facilities have been constructed, utilities such as water and sewer service are being extended to the Major Plat, and two industrial buildings are being constructed.[62]

The same landowner recently requested an amendment to the Moses Lake Comprehensive Plan so that the land use designation associated with another nearby parcel, located adjacent to Segment 1 near RP 3, could be changed to allow residential development. Specifically, the proposal was to re-designate a portion of Parcel 170542000 and a portion of Parcel 190681000 from Light Industrial to Medium Density Residential. The request was for approximately 160 acres located south of Road 4 NE and east of East Broadway Avenue.[63] Segment 1 would cross these parcels, and approximately 9.5 acres of Parcel 170542000 and approximately 1.5 acres of Parcel 190681000 would need to be acquired for the proposed rail right of way. The Moses Lake City Council denied the request to amend the Moses Lake Comprehensive Plan because the proposed residential use conflicted with zoning, land use designations, and the City's comprehensive plan and policies.[64]

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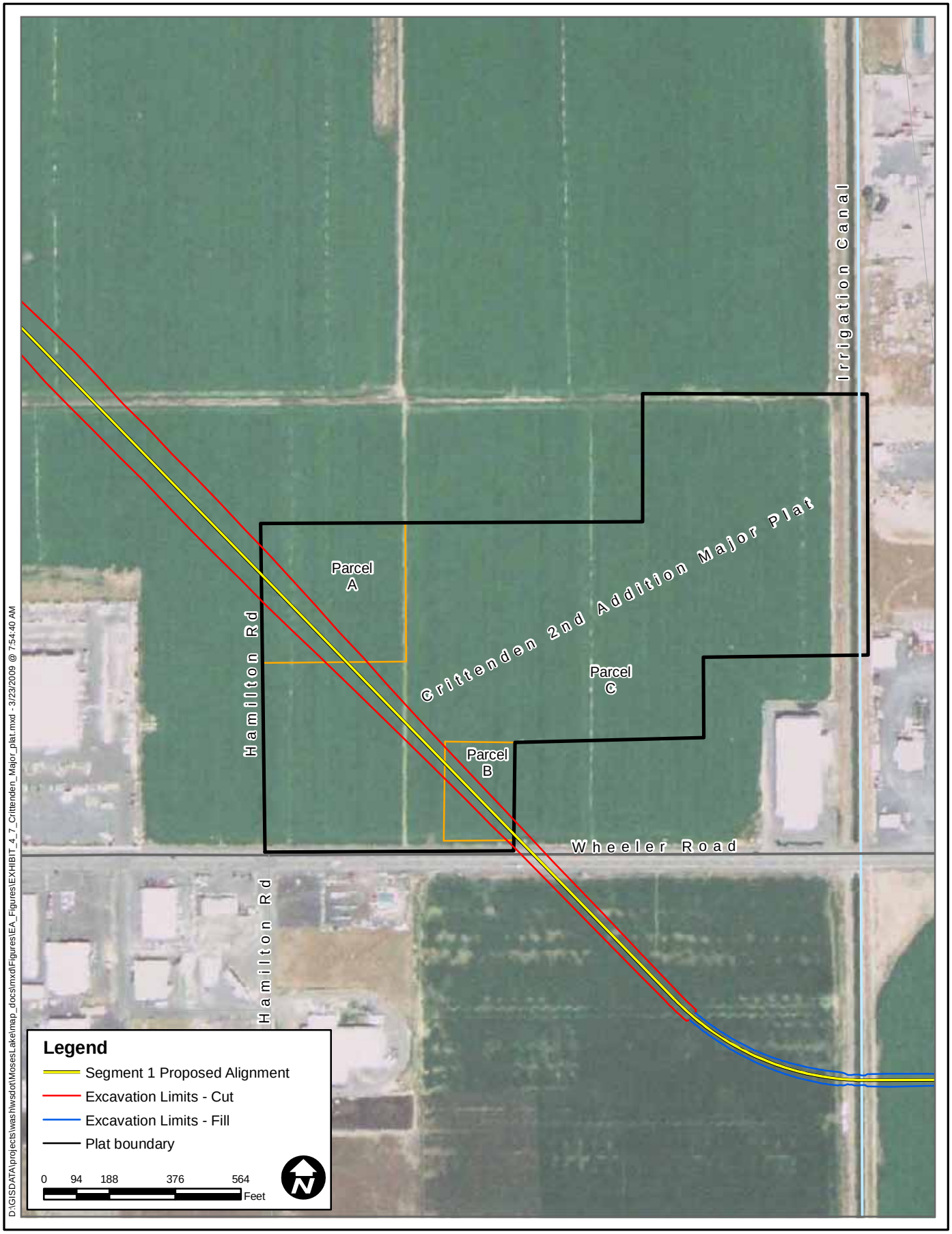
[61] Personal communication with Gilbert Alvarado, Planning Director, City of Moses Lake, Washington, on December 11, 2008. Additional information about the City of Moses Lake Shoreline Master Program update may be found on the City's website: http://www.ci.moses-lake.wa.us/254.html.
[62] HDR staff field visit, March 2, 2009.
[63] For additional information, see Moses Lake City Council Minutes, November 11, 2008. This document is available from the City of Moses Lake Department of Planning and Community Development.
[64] Personal communication with Gilbert Alvarado, Planning Director, City of Moses Lake, Washington on December 5, 2008.



Washington State Department of Transportation

Surface Transportation Board

Crittenden Major Plat
Exhibit 4.7

Northern Columbia Basin Railroad Project

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What impacts are associated with the projects in the cumulative effects analysis?

In conducting this cumulative effects analysis, SEA and WSDOT considered other projects in the vicinity of the proposed NCBR Project to determine whether there would be a cumulative or combined adverse effect on any environmental resources.

Previously Identified Projects

Stormwater control was a primary concern for the three projects (the NCBR Project, Guardian Fiberglass Insulation Manufacturing Plant project, and the REC Silicon IV project) that were addressed in the cumulative effects analysis in the EA.

The SEPA document for the Guardian Fiberglass Insulation Manufacturing Plant project identified wetlands on the site, but concluded that there would be no effect to wetlands or wetland buffers. Wetlands are not present at the REC Silicon IV site. The proposed NCBR Project, as well as the Guardian Fiberglass Insulation Manufacturing Plant and REC Silicon IV, would need to comply with current stormwater regulations to avoid or minimize potential adverse impacts related to water resources. REC Silicon IV and the Guardian Fiberglass Insulation Manufacturing Plant appear to be hydrologically connected to the proposed NCBR Project. However, stormwater runoff does not appear to be a significant cumulative effect.

The proposed NCBR Project would increase the amount of impervious surface, including the surface of a proposed bridge over Parker Horn. Stormwater would be managed through implementation of Best Management Practices and permit conditions.[65] At the bridge over Parker Horn for Segment 1 (or the bridge over Crab Creek for Alternative 1A), stormwater would be captured and prevented from running directly from the rails, ties, and bridge structure into the water below. In addition, a bridge maintenance plan would be developed in compliance with Federal Railroad Administration regulations.

A portion of the rail line would traverse wetlands, as detailed in Chapter Five of the EA. Accordingly, SEA and WSDOT developed mitigation measures to avoid or minimize impacts to wetlands and water resources, and these mitigation measures are described in Chapter Five of this Final EA.

New Projects

Similar to the projects previously identified in the EA, stormwater and impacts to water resources and wetlands were of primary concern with regard to the new projects identified in this Final EA. In addition, impacts to other

[65] Stormwater mitigation measures are detailed in Chapter Six of the Preliminary Environmental Assessment and in the *Water Resources Technical Memorandum.*

environmental resources described in the EA were considered, where necessary, in the analysis of new projects.

U.S. Bureau of Reclamation Potholes Supplemental Feed Route Project

The Potholes Reservoir Supplemental Feed Route Project would increase the volume of water typically conveyed in Crab Creek, but would not change the peak flows in Crab Creek below the Rocky Coulee Wasteway[66] (north of the NCBR Project). Studies completed for the Environmental Assessment for the Potholes project found that the higher water flow resulting from the Potholes Reservoir project would occur in an area of Crab Creek where the shoreline is stable; therefore, the additional water flow would have a minimal impact on shoreline erosion, and sediment transport to Moses Lake would be limited.[67] Reclamation found that the supplemental feed route would have no effect on the levels of Moses Lake at the time of year when the lake level is highest; there is a slight potential for increased lake level in mid-winter due to the proposed delivery of a small amount of water down Crab Creek, but at that time of year, the lake is at its lowest level.[68] Accordingly, the feed route would have no effect on potential flows during flood events in the Moses Lake area. These analyses indicate that the Potholes Reservoir project would have minor impacts, if any, on water resources in the study area. In addition, the project would not result in increased vehicle traffic or other sources of carbon emissions and, therefore, would not contribute to GHG emissions.

U.S. Bureau of Reclamation Odessa Subarea Special Study

At this time, Reclamation is preparing an Environmental Impact Statement to identify the potential environmental impacts of the Odessa Subarea Special Study. Reclamation has stated that this action, if taken, would provide significant economic benefits to the region's agricultural sector, improving the reliability of groundwater availability for irrigation in the Odessa Ground Water Management Subarea, and would benefit groundwater quality by reducing the impact of existing agricultural practices.[69] Because an alternative has not been selected and environmental analyses have not yet been conducted, it is not possible to determine the potential environmental impacts that this Reclamation project would have or the degree to which this project would contribute to cumulative effects with the NCBR Project; however, the analysis conducted to date by Reclamation indicates that a significant contribution to

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[66] The Rocky Coulee Wasteway is a canal that receives wastewater from the irrigation of nearby fields.

[67] U.S. Bureau of Reclamation. *Potholes Reservoir Supplemental Feed Route Finding of No Significant Impact Environmental Assessment*. August 2007. http://www.usbr.gov/pn/programs/ea/wash/potholes/potholes-fonsi-ea.pdf.

[68] Personal communication with Jim Blanchard, Special Projects Manager, U.S. Bureau of Reclamation Pacific Northwest Region on December 16, 2008.

[69] U.S. Bureau of Reclamation. *Odessa Subarea Special Study Environmental Impact Statement Scoping Summary Report*. November 2008. http://www.usbr.gov/pn/programs/ucao_misc/odessa/sept2008-scoping/report-scoping11-08.pdf.

cumulative effects is unlikely to result from the project. The Reclamation project is intended to preserve existing agricultural uses in the area. Moreover, the project would not result in increased vehicle traffic or other sources of carbon emissions and, therefore, it would not contribute to increases in GHG emissions.

Kayser Cemetery

The Grant County review of the Kayser Cemetery proposal concluded that the project would not impact any critical areas, including wetlands or wetland buffers. The County approved the project with conditions that it be designed to comply with all applicable environmental and public health regulations. The project would result in minor increases in vehicle traffic, and therefore would result in a minor increase in GHG emissions.

Blackstone/OTR, LLC Tire Assembly Warehouse

The information available indicates that the Blackstone project would not have an impact on any critical areas, including wetlands or wetland buffers. The project would need to comply with current stormwater regulations to avoid or minimize potential impacts to water resources. Project construction would likely result in temporary air and noise impacts.

The warehouse operation would result in regular automobile emissions from truck transportation (5-10 trucks per day), employee automobile traffic (15 employees), and material handling equipment (3-4 forklifts). These effects are consistent with other similar proposals and are consistent with the zoning and land use plans and policies applicable to the site. The operational activities would result in a minor increase in GHG emissions. Insufficient information exists to determine the extent of this contribution; for example, the number of miles traveled and the destinations of vehicles traveling to and from the site are not known. In the event that the proposed NCBR Project was approved, it is possible that GHG emissions could be lessened if the company could take advantage of the rail service provided by the NCBR Project, which would reduce the need for truck transportation.

City of Moses Lake Shoreline Master Program (SMP) Update

The adoption and implementation of the City's SMP update would have positive cumulative effects on shoreline areas in the vicinity of the project. The updated SMP would promote protection and restoration of shoreline resources and prevent the net loss of ecological functions of the shoreline. The SMP would not result in increased vehicle traffic or other sources of carbon emissions, and therefore would not contribute to GHG emissions.

The proposed NCBR Project would be designed to comply with the updated SMP.

Crittenden Major Plat and Proposed Comprehensive Plan Amendment

The environmental impacts of the Crittenden Major Plat are not known at this time because there is no information available about the specific industrial enterprises to be located there. The property owner has not specified the industrial uses or future owners of the platted parcel, and the City did not require this information because the Major Plat was in compliance with zoning and land use regulations. The light industrial use proposed for the site is consistent with County zoning and comprehensive plans and policies. It is likely that future uses at the new industrial park would result in an increase in GHG emissions. Insufficient information exists at this time to determine the extent of this contribution. It is possible that any impacts from GHG emissions could be lessened if the companies that locate at the new industrial park could take advantage of the rail service provided by the proposed NCBR Project to reduce the need for truck transportation.

The City has not received any further proposals for the parcels associated with the rejected Comprehensive Plan Amendment, and future plans for the property are not known.[70] Therefore, there are no known impacts to environmental resources associated with the Comprehensive Plan Amendment.

Cumulative Effects

After reviewing the information described above, SEA and WSDOT identified the following potential cumulative impacts to environmental resources that could occur if these projects and the proposed NCBR Project were built:

- **GHG emissions**: The projects included in this cumulative effects analysis are being planned as a result of increased human activity in Grant County and Central Washington State, and operation of some of the above-described projects would contribute to GHG emissions. The exact cumulative GHG emissions cannot be calculated with the information available, but there would be an increase in emissions over time as properties developed, vehicle traffic increased, and electricity was used to operate new facilities. Although the proposed rail line construction and operation of the NCBR Project would produce GHG, the project would result in fewer emissions compared with shipping the same amount of freight by truck. As discussed in the EA, the purpose of the proposed NCBR Project is to enhance opportunities for economic development and to attract new rail-dependent businesses to lands designated for industrial development in the northern part of the City of Moses Lake and to the south and east of the Grant County International Airport (GCIA). Any future development of this area would be expected to contribute incrementally to the cumulative GHG emissions in the region.

[70] Personal communication with Gilbert Alvarado, Planning Director, City of Moses Lake, Washington on December 5, 2008.

- **Stormwater and Wetlands**: The projects included in this cumulative effects analysis that involve the construction of structures (the NCBR Project, Guardian Fiberglass Insulation Manufacturing Plant, REC Silicon IV, Keyser Cemetery, Blackstone/OTR Tire Assembly Warehouse, and the Crittenden Major Plat) would be required to comply with current stormwater regulations to avoid or minimize potential impacts to water resources. Stormwater would be managed through implementation of Best Management Practices and permit conditions. SEA and WSDOT developed mitigation measures in order to avoid or minimize effects to wetlands and water resources, and these mitigation measures are described in Chapter Five of this Final EA.

- **Fish, Wildlife, and Vegetation**: The projects described in this cumulative effects analysis were not found to have a cumulative effect on wildlife habitat or habitat fragmentation. Habitat would be lost incrementally in the region as development occurred according to City and County land use designations and zoning. Any adverse effects to wildlife habitat associated with the above-described projects would be mitigated as required by federal, state and local agencies.

- **Traffic**: The projects described in this cumulative effects analysis were not found to have a significant cumulative effect on traffic congestion. As development occurred in the region, additional vehicles would travel along area roadways, and traffic congestion would likely increase over time. Traffic congestion would be monitored by the City and County.

- **Visual Quality**: The projects described in this cumulative effects analysis were not found to have a significant cumulative effect on visual quality. As properties were developed in the study area, the visual character of the area would change from a primarily rural appearance to one of more light industrial and urban uses. Future development in the region is planned by the City and County, and visual quality of developments would continue to be evaluated during their review and permitting processes.

What are the potential impacts of the Build Alternative on new development projects?

Segment 1 would cross through the Crittenden Major Plat located at RP 2.45 (See **Exhibit 4.7**). The Crittenden Major Plat was submitted to the City for administrative review on September 19, 2007, and the City determined that the Major Plat was in accordance with the City's Zoning Ordinance on January 8, 2008. A building site plan was approved by the City on September 18, 2008.

As shown on **Exhibit 4.7**, the Crittenden Major Plat subdivides an existing land parcel into three parcels, known as Parcels A, B, and C. Segment 1 would cross all three parcels and would cross the newly constructed public road known as Hamilton Road on the west side of Parcel A. To provide the appropriate gradient for the track, Segment 1 would descend slightly from southeast to northwest, and would be located below the current surface of the Major Plat. At its lowest point on Hamilton Road, the track would be approximately 14 feet below the existing elevation. The final design of this road crossing would take the elevation difference into account; it is possible that a separated grade crossing (road bridge) may be considered. Because Hamilton Road is a public street, if an at-grade road crossing is required, it would include, at a minimum, a concrete panel and crossbuck similar to those at other public at-grade road crossings. The road crossing might also include active warning devices including flashing lights and possibly gates; this would be based on the traffic volume predicted for the road and would be determined during final design.

Segment 1 would adversely affect development in all three parcels on the Major Plat. Approximately 2.6 acres of right of way would be needed where the proposed rail line would cross the Major Plat. All three parcels would be subdivided by the track. Hamilton Road on the west side of Parcel A would be crossed by the new track, and it is possible that utilities recently or soon to be installed could be affected, depending on their location in relation to the rail line. Measures to mitigate these impacts are listed in Chapter Five of this Final EA. SEA and WSDOT are recommending that the Port abide by all requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 et seq.). In addition, to the extent practicable, SEA and WSDOT are recommending that the Port negotiate with affected property owners to minimize project-related severance impacts.

Chapter Five Final Recommendations for Mitigation

This chapter describes the final recommendations of the Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT) for environmental mitigation. SEA and WSDOT developed the mitigation measures identified below based on an independent analysis of the project and a review of all information available to date, including comments from various federal, state, and local agencies; the public; and other interested parties.

Revised Mitigation Measures

This section presents revisions to certain mitigation measures that were included in the Preliminary Environmental Assessment (EA). These changes were made in response to public and agency comments on the EA or in response to information identified after the release of the EA on November 7, 2008. The revisions are organized by sequence in which the relevant sections appeared in the EA.

Cultural, Historic, and Archaeological Resources

SEA and WSDOT are continuing to work with the Washington State Department of Archaeology and Historic Preservation in order to finalize the Programmatic Agreement (PA). For that reason and for the purpose of clarification, the following sentence was added to Mitigation Measure No. 7: "The STB will not make any final decision until the PA is executed." In addition, the phrase "(See **Appendix C** for a copy of the Draft PA's Stipulations)" was added. Accordingly, this mitigation measure will state:

7. A Programmatic Agreement (PA) shall be developed by the STB's Section of Environmental Analysis, WSDOT, and the Washington State Department of Archaeology and Historic Preservation (State Historic Preservation Office or SHPO), and the Port shall be a signatory to the PA. (See **Appendix C** for a copy of the Draft PA's Stipulations). The PA shall require that areas within the limits of the project disturbance that have not been surveyed be surveyed prior to construction and shall guide potential mitigation if it is determined that the proposed project would have any adverse effects on historic, cultural or archaeological resources. The STB will not make any final decision until the PA is executed.

Fish, Wildlife, and Vegetation

Under Mitigation Measure No. 13, the phrase "Washington State Department of Ecology" was changed to reflect the name of the correct agency, "Washington Department of Fish and Wildlife." In addition, in response to the Washington Department of Fish and Wildlife's (WDFW) comment that the

"allowable in-water work window will likely not begin until early July" to avoid impacts to developing walleye eggs and fry that may be located in the vicinity of the water crossing, the phrase "April 1 and May 30" has been changed to say "April 1 and early July." Accordingly, this mitigation measure will state:

13. The Port shall minimize the impacts that could result from over-water structures, such as the structure crossing Parker Horn or Crab Creek. To minimize or avoid impacts to walleye spawning, the Port shall comply with measures specified by the Washington Department of Fish and Wildlife. Such measures may include, but are not limited to, avoidance of work within the waters of Crab Creek/Parker Horn between April 1 and early July.

Under Mitigation Measure No. 14 addressing mitigation for impacts to burrowing owls, the phrase "Surveys will be accomplished during the breeding season (April to June) and will abide by Washington Department of Fish and Wildlife (WDFW) protocol. Survey results will be submitted to WDFW" was changed to say "Surveys should be done during the breeding season (April to June) and should abide by WDFW protocol. Survey results should be submitted to WDFW." Accordingly, this mitigation measure will state:

14. To minimize or avoid impacts to nesting burrowing owls, the Port shall:

    a. Conduct a directed survey for burrowing owl nests within 0.5 miles of the areas to be disturbed by construction. Surveys should be done during the breeding season (April to June) and should abide by Washington Department of Fish and Wildlife (WDFW) protocol. Survey results should be submitted to WDFW prior to the start of construction. If active nests or nests that could become active are located along the route, WDFW may require additional mitigation such as artificial burrow installations.

In response to a comment received from the Washington Department of Fish and Wildlife that expressed concern regarding the northern leopard frog, the following phrase was added to Mitigation Measure No. 16: "The Port shall mitigate impacts to northern leopard frog habitat that will be disturbed or removed as a result of this project. Acceptable mitigation will be determined by the Washington Department of Fish and Wildlife (WDFW) and may include funds and/or equipment and man-hours dedicated to efforts by the WDFW to create and enhance habitat on the designated northern leopard frog recovery area of the Potholes Reservoir Unit south of Interstate 90." Accordingly, this mitigation measure will state:

16. To preserve existing aquatic and moist site vegetation habitats for the northern leopard frog to the maximum extent possible, the Port shall minimize clearing activities and locate equipment staging areas in

previously disturbed areas, to the extent possible. The Port shall mitigate impacts to northern leopard frog habitat that will be disturbed or removed as a result of this project. Acceptable mitigation will be determined by the Washington Department of Fish and Wildlife (WDFW) and may include funds and/or equipment and man-hours dedicated to efforts by the WDFW to create and enhance habitat on the designated northern leopard frog recovery area of the Potholes Reservoir Unit south of Interstate 90.

Land Use

In response to public comments regarding potential impacts to irrigation systems, Mitigation Measure No. 25 was modified. Accordingly, this mitigation measure will state:

25. To the extent practicable, the Port shall negotiate with affected property owners to minimize any project-related severance impacts, including impacts to irrigation systems.

Social Elements and Environmental Justice

Under Mitigation Measure No. 31, the phrase "and other potential rail safety measures" was added in response to public comments regarding the proximity of Longview Elementary School to the existing rail line (Segment 3) and the safety of students crossing the tracks. Accordingly, this mitigation measure will state:

31. The Port or the operator of the rail line shall coordinate with the Moses Lake School District to help identify and implement practicable safe crossings and other potential rail safety measures.

Traffic and Transportation

Under Mitigation Measure No. 40, the phrase "The Port or the operator of the rail line" was changed to say "The Port and the operator of the rail line." Accordingly, this mitigation measure will state:

40. The Port and the operator of the rail line shall comply with applicable Federal Railroad Administration track maintenance and inspections.

Water Resources

For the purpose of clarification, Mitigation Measure No. 47 was modified. Accordingly, "TESC" was changed to say "erosion and sediment control." This mitigation measure will now state:

47. If the erosion and sediment control measures described above are not adequate to control erosion and sedimentation, all work shall cease and the Port shall consult with the Washington State Department of Ecology

regarding additional erosion control or restoration measures to protect adjacent properties.

Under Mitigation Measure No. 49(a), the word "wetlands" was added to ensure that this condition protects wetland resources as well. Accordingly, this mitigation measure will state:

49. To prevent non-sedimentation pollutants (such as hazardous materials) from entering water bodies, the Port shall implement the following measures:

    a. Handling and disposing of all pollutants used on-site during construction in a manner that does not contaminate stormwater, wetlands, irrigation canals, Parker Horn, or Crab Creek.

In Mitigation Measure No. 50(b), the word "State" was deleted from "Washington State Department of Fish and Wildlife." Accordingly, the mitigation measure will read:

50. The Port shall implement the following construction-related mitigation measures at the Parker Horn or Crab Creek crossing:

    a. Isolating concrete piers or abutments from water in Parker Horn or Crab Creek for seven days to allow the concrete to cure and to avoid toxicity to aquatic life. Uncured or wet concrete shall not be allowed to come into contact with flowing waters. Any isolated water that came into contact with wet concrete and that has a pH greater than nine shall be pumped out and disposed of appropriately.

    b. Consultation with the U.S. Army Corps of Engineers, the Washington State Department of Ecology and the Washington Department of Fish and Wildlife, and compliance with the requirements of the Clean Water Act Section 404 permit, the Section 401 water quality certification, and the Hydraulic Project Approval.

Additional Mitigation Measures

This Final Environmental Assessment (Final EA) includes one new mitigation measure. The additional mitigation measure is provided below.

Permit Conditions

An additional category of mitigation measures called "Permit Conditions" was added. One new mitigation measure is recommended under this category, and it states:

58. Conditions of all permits shall be included in any construction documents that the Port provides to contractors.

Final Recommended Mitigation

If construction and operation of the proposed project is authorized, SEA and WSDOT recommend that such authority be subject to the mitigation measures identified below. If there are conflicts between the measures in this Final EA and any federal, state or local requirement or permit issued for the proposed project, such federal, state or local requirement shall prevail and supersede the measures of this Final EA.

Air Quality

1. The Port of Moses Lake (Port)[71] shall implement best management practices and appropriate fugitive dust suppression controls, such as spraying water on haul roads adjacent to construction sites and exposed soils, street sweeping, covering loaded trucks, and washing haul trucks before they leave the construction site.

2. The Port shall comply with the requirements of all applicable federal, state, and local regulations regarding open burning and the control of fugitive dust related to rail line construction activities.

3. The Port shall revegetate areas disturbed during construction with native grasses or other appropriate native habitat as soon as possible after construction activities are completed to minimize windblown dust.

4. The Port shall shut off construction equipment when it is not in direct use to reduce idling emissions.

5. The Port shall verify that construction equipment is properly maintained and regularly inspected and that required pollution control devices are in good working condition.

Cultural, Historic, and Archaeological Resources

6. The Port shall ensure that any sites that are eligible for the National Register of Historic Places are not disturbed prior to completion of the Section 106 review process of the National Historic Preservation Act, 16 U.S.C. 470f.

7. A Programmatic Agreement (PA) shall be developed by the STB's Section of Environmental Analysis, WSDOT, and the Washington State Department of Archaeology and Historic Preservation (State Historic Preservation Office or SHPO), and the Port shall be a signatory to the PA. (See **Appendix C** for a copy of the Draft PA's Stipulations). The PA shall require that areas within the limits of the project disturbance that have not

[71] It is understood that the Port may utilize contractors, in which case the Port shall ensure that its contractors implement the mitigation measures in this chapter.

been surveyed be surveyed prior to construction and shall guide potential mitigation if it is determined that the proposed project would have any adverse effects on historic, cultural or archaeological resources. The STB will not make any final decision until the PA is executed.

8. In the event that any unanticipated historic or cultural properties, archaeological sites, human remains, funerary items, or assorted artifacts are discovered during the proposed construction, the Port shall immediately cease all work and notify the Washington State Department of Archaeology and Historic Preservation (State Historic Preservation Office or SHPO), the Surface Transportation Board's Section of Environmental Analysis, the Washington State Department of Transportation, interested federally-recognized Tribes, and consulting parties, if any, to determine if additional consultation and mitigation is necessary. In the event that human remains are discovered, the Port shall also notify appropriate law enforcement agencies.

Fish, Wildlife, and Vegetation

9. The Port shall abide by construction timing and guidelines stipulated by the Washington Department of Fish and Wildlife through the Hydraulic Project Approval (HPA). If there are differences between the measures in this Environmental Assessment and the conditions of the HPA, the HPA criteria shall apply.

10. The Port shall consult with the Washington Department of Fish and Wildlife and comply with its applicable laws and regulations so that project-related construction activities are conducted in a manner that avoids or minimizes impacts to birds and bats (roosting bald eagles, over-wintering waterfowl, migrating shorebirds, foraging bats, and nesting birds).

11. To minimize disturbance to wildlife and vegetation to the maximum extent possible, the Port shall limit construction activities, including staging areas, and vehicle turnaround areas, to the right of way or within previously disturbed areas. Existing vegetation shall be preserved to the maximum extent possible.

12. To preserve water quality in aquatic or wetland habitat, the Port shall implement measures to prevent uncured concrete from coming into contact with surface waters, and all refueling shall occur more than 200 feet from a water body or wetlands.

13. The Port shall minimize the impacts that could result from over-water structures, such as the structure crossing Parker Horn or Crab Creek. To minimize or avoid impacts to walleye spawning, the Port shall comply with measures specified by the Washington Department of Fish and Wildlife. Such measures may include, but are not limited to, avoidance of

work within the waters of Crab Creek/Parker Horn between April 1 and early July.

14. To minimize or avoid impacts to nesting burrowing owls, the Port shall:

    a. Conduct a directed survey for burrowing owl nests within 0.5 miles of the areas to be disturbed by construction. Surveys should be done during the breeding season (April to June) and should abide by Washington Department of Fish and Wildlife (WDFW) protocol. Survey results should be submitted to WDFW prior to the start of construction. If active nests or nests that could become active are located along the route, WDFW may require additional mitigation such as artificial burrow installations.

    b. Avoid new construction work in areas within 0.5 miles of identified nesting areas close to Segment 1, Alternative 1A, Segment 2, and Alternative 2A between February 15 and September 25. If construction activities take place during this period, then the Port shall consult with Washington Department of Fish and Wildlife to ensure that construction activities are conducted in a manner that avoids or minimizes impacts to burrowing owls.

15. To minimize or avoid impacts to bald eagle roost trees, the Port shall locate the project alignment and support areas, such as staging areas, away from roost trees. If clearing of any roost trees is required, the Port shall create artificial roosts in an appropriate site near the existing roost.

16. To preserve existing aquatic and moist site vegetation habitats for the northern leopard frog to the maximum extent possible, the Port shall minimize clearing activities and locate equipment staging areas in previously disturbed areas, to the extent possible. The Port shall mitigate impacts to northern leopard frog habitat that will be disturbed or removed as a result of this project. Acceptable mitigation will be determined by the Washington Department of Fish and Wildlife (WDFW) and may include funds and/or equipment and man-hours dedicated to efforts by the WDFW to create and enhance habitat on the designated northern leopard frog recovery area of the Potholes Reservoir Unit south of Interstate 90.

17. To minimize or avoid impacts to Yuma myotis and Townsend's big-eared bats, the Port shall install bat boxes (alternative bat roosting structures) to allow bat roosting near the Crab Creek/Parker Horn crossing.

Hazardous Materials

18. Prior to initiating any construction activities, the Port shall consult and coordinate with the U.S. Environmental Protection Agency's Region 10 Office and the Washington State Department of Ecology concerning appropriate investigation, if more is needed, and mitigation, as may be

required, for the sites listed below. If more investigation is needed, such investigation shall be conducted by a qualified environmental professional, as defined by ASTM International and the USEPA.

a. On Segment 1 and Alternative 1A, the Bernard Cattle Company site at the southwest corner of Broadway and Road 4 NE (Cherokee Road).

b. On Segment 1, the Grant County Road District No. 2 facility on the south side of Wheeler Road (Road 3 NE) between RP 1 and RP 2.

c. On Segments 2 and Alternative 2A, the Randolph Road Base Dump (14A – EPA Site No. 8), and the Paint Hangar Leach Pit (14B – EPA Site No. 22).

d. On Segment 2, the Boeing polychlorinated biphenyl cleanup area located on Tyndall Road.

e. On Alternative 2A, at the prior location of the Grant County Public Utility District Diesel Generating Facility located on Tyndall Road NE and the County shooting range located east of Randolph Road.

19. The Port shall coordinate with the operator of the rail line to develop a Spill Prevention Control and Countermeasures (SPCC) plan and an emergency response plan. In a manner consistent with applicable legal requirements, the SPCC plan and emergency response plan shall address the following:

    a. Definition of what constitutes a reportable spill.

    b. Requirements and procedures for reporting spills to appropriate government agencies.

    c. Equipment available to respond to spills and where the equipment will be located.

    d. Training of personnel and training records.

    e. List of government agencies and response personnel to be contacted in the event of a spill.

    f. Measures to address the transport of hazardous materials by rail.

20. The Port shall observe the requirements of the Federal Railroad Administration and other federal, state and local applicable requirements concerning the handling and disposal of any hazardous waste or hazardous materials and clean-up in the event of a spill during construction.

21. The operator of the rail line shall observe the requirements of the Federal Railroad Administration and other federal, state and local applicable requirements concerning the handling and disposal of any hazardous waste or hazardous materials and clean-up in the event of a spill during rail operation.

22. The operator of the rail line shall ensure that locomotives associated with project operations shall be checked regularly for leaks.

Land Use

23. To the maximum extent practicable, the Port shall advise businesses and the public of construction schedules in advance to minimize disruptions.

24. The Port shall abide by all requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 et seq.). Relocation assistance shall be provided for any commercial properties acquired for the project.

25. To the extent practicable, the Port shall negotiate with affected property owners to minimize any project-related severance impacts, including impacts to irrigation systems.

26. The Port shall submit form 7460 (Notice of Proposed Construction or Alteration) to the Federal Aviation Administration prior to construction.

Noise and Vibration

27. During construction, the Port shall ensure that manufacturer-recommended mufflers have been installed on all diesel-powered equipment used on the project and that all equipment is kept in good operating condition.

28. The Port shall ensure that construction within the boundaries of the City of Moses Lake will not occur between 10:00 PM and 7:00 AM without prior approval by the City Council.

Social Elements and Environmental Justice

29. During project construction, the Port shall comply with applicable state, county and city regulations or requirements regarding detour signs and the routing of construction truck traffic. The Port shall also provide proper notification of the construction schedule to the public and the nearest fire department and emergency response units.

30. The Port or the operator of the rail line shall work with the City of Moses Lake, community organizations, and Longview Elementary School to

arrange for a rail safety program, such as Operation Lifesaver,[72] to be offered at least once per year.

31. The Port or the operator of the rail line shall coordinate with the Moses Lake School District to help identify and implement practicable safe crossings and other potential rail safety measures.

32. On Segment 3, the Port shall upgrade the existing crossing gate structures and signs to help provide better advance warnings of approaching trains for pedestrians and drivers.

Soils and Geology

33. The Port shall construct the proposed project in accordance with the American Railway Engineering and Maintenance of Way Association guidelines.

34. The Port shall mitigate the potential liquefaction of loose or soft alluvium or other soils during an earthquake by designing foundation elements for reduced soil strength, accounting for potential ground displacements, and/or implementing ground improvements.

35. The Port shall minimize sedimentation and erosion in the project area by employing best management practices during construction.

36. The Port shall revegetate disturbed areas with native grasses as soon as practicable after project construction ends.

Traffic and Transportation

37. The Port shall ensure, to the extent possible, that all truck activity associated with the construction of the proposed project occurs during daytime hours.

38. The Port shall consider school bus schedules in planning and executing the necessary road work.

39. The Port shall consult with appropriate federal, state, and local transportation agencies to determine the final design of the grade-crossings and associated warning devices.

40. The Port and the operator of the rail line shall comply with applicable Federal Railroad Administration track maintenance and inspections.

[72] Operation Lifesaver seeks to educate drivers and pedestrians about making safer decisions at crossings and around railroad tracks.

Visual Quality

41. To the extent practicable, the Port shall be responsible for the following:

    a. Ensuring that only the vegetation that needs to be cleared for construction purposes is removed.

    b. Using native flora and vegetation when replanting disturbed areas.

    c. Adding compost to the soil before seeding or planting in order to increase plant establishment.

    d. Ensuring that cut-and-fill slopes are blended with the form and line of the existing landscape through grading practices to enhance visual quality.

    e. Ensuring that vegetative buffers, such as trees or bushy shrubs, are located near residential areas to help screen the railroad corridor from viewers. These buffers should be located where additional vegetation would not impair visibility at road crossings.

Water Resources

42. The Port shall ensure that any bridge constructed over Parker Horn or Crab Creek is designed such that stormwater runoff does not enter the water body.

43. For project-related construction, the Port shall comply with the stormwater management requirements of all federal, state and local regulations regarding stormwater management, including the *Stormwater Manual for Eastern Washington* and National Pollutant Discharge Elimination System requirements.

44. The Port shall prepare an approved Stormwater Site Plan and a Temporary Erosion and Sediment Control Plan prior to construction. The temporary erosion control measures shall be inspected regularly by the Port and maintained as necessary to ensure that these measures are functioning properly.

45. Consistent with applicable legal requirements, the Port shall coordinate with the operator of the rail line to prepare a Spill Prevention Control and Countermeasures Plan (SPCC) to minimize any impacts associated with accidental spills of hazardous materials. The SPCC will require the development of a spill contingency plan and will provide for the implementation of containment and other countermeasures that could prevent spills from reaching navigable waters or wetlands.

46. The Port shall implement the following erosion and sedimentation controls:

    a. Installing silt fencing with geotextile material along the proposed project area perimeter to filter sediment from unconcentrated surface water runoff.

    b. Placing catch basin inserts in all new and existing catch basins receiving runoff from the disturbed areas of the project.

    c. Placing straw bales in paths of concentrated runoff to filter sediment.

    d. Preserving existing vegetation to the maximum extent possible.

    e. Revegetating areas disturbed during construction with native grasses, where practicable. These areas shall be reseeded as soon as practicable to prevent erosion.

    f. Covering exposed soils with plastic or straw in the event of a major storm.

    g. Constructing temporary ditches, berms, and sedimentation ponds to collect runoff and prevent discharge of sediment into drainages, streams, or wetlands.

    h. Installing stabilized construction entrances and exits[73] for truck access to the construction site to protect existing roadways and railroad tracks.

    i. Cleaning any storm sewer facilities affected by project construction to prevent sediment from leaving the site after construction is completed and erosion control measures are removed.

47. If the erosion and sediment control measures described above are not adequate to control erosion and sedimentation, all work shall cease and the Port shall consult with the Washington State Department of Ecology regarding additional erosion control or restoration measures to protect adjacent properties.

48. To avoid or minimize impacts to water resources during construction, the Port shall implement the following measures:

    a. Consulting with the U.S. Army Corps of Engineers and complying with the requirements of the Section 404 permitting process (Segment 1/Alternative 1A only).

[73] A stabilized construction entrance involves placing blacktop or gravel along the edge of the roadway to avoid erosion or displacement of soil where trucks access and leave the roadway.

b. Consulting with the Washington State Department of Ecology and complying with the requirements of the Section 401 Water Quality Certification process (Segment 1/Alternative 1A only).

c. Locating equipment staging areas further than 200 feet from water bodies (Parker Horn, Crab Creek or wetlands).

d. Leaving in place erosion control measures at culvert construction sites until the permanent culvert construction process is completed.

e. Coordinating with farmers and/or agricultural businesses regarding drainage issues that might arise.

f. Applying noxious weed control measures by an appropriately-licensed contractor, using herbicides approved by the U.S. Environmental Protection Agency's Region 10 Office. Herbicides shall not be applied during periods of high wind.

49. To prevent non-sedimentation pollutants (such as hazardous materials) from entering water bodies, the Port shall implement the following measures:

    a. Handling and disposing of all pollutants used on-site during construction in a manner that does not contaminate stormwater, wetlands, irrigation canals, Parker Horn, or Crab Creek.

    b. Establishing staging areas for equipment repair and maintenance at least 200 feet from all wetlands or water bodies.

    c. Inspecting all construction equipment regularly for any fuel, lube oil, hydraulic fluids, or antifreeze leaks. If leaks are found, the Port shall immediately remove the equipment from service and repair or replace it and remediate the spill.

    d. Disposing any washout from concrete trucks in a manner that avoids dumping it into storm drains or onto soil or pavement.

    e. Ensuring that thinners and solvents are used at least 200 feet from wetlands or water bodies. Capturing, containing and properly disposing of thinners and solvents.

    f. Requiring that fuel trucks maintain a minimum distance of 200 feet from water bodies and fueling construction vehicles away from sensitive areas, such as areas of permeable soils where a spill could more easily migrate to surface water.

    g. Designing staging areas to capture all runoff and/or spills.

h. Testing all fill before it is placed into surface water to ensure it is free of polluting materials.

50. The Port shall implement the following construction-related mitigation measures at the Parker Horn or Crab Creek crossing:

    a. Isolating concrete piers or abutments from water in Parker Horn or Crab Creek for seven days to allow the concrete to cure and to avoid toxicity to aquatic life. Uncured or wet concrete shall not be allowed to come into contact with flowing waters. Any isolated water that came into contact with wet concrete and that has a pH greater than nine shall be pumped out and disposed of appropriately.

    b. Consultation with the U.S. Army Corps of Engineers, the Washington State Department of Ecology and the Washington Department of Fish and Wildlife, and compliance with the requirements of the Clean Water Act Section 404 permit, the Section 401 water quality certification, and the Hydraulic Project Approval.

51. To minimize the operational effects of the proposed project on water resources, the Port or the operator of the rail line shall implement the following railroad practices:

    a. Developing a bridge maintenance plan in compliance with Federal Railroad Administration regulations.

    b. Regularly checking locomotives associated with the proposed operations to identify and repair fluid leaks or discharges.

Wetlands

52. Prior to submittal of wetland permit applications to appropriate federal, state, and local agencies, the Port shall perform additional field work and conduct analysis for the properties that were previously unavailable for wetland assessment.

53. The Port shall avoid or minimize disturbance to wetland areas whenever possible during construction.

54. The Port shall not allow construction staging areas in wetlands, even within the project right of way.

55. The Port shall prepare a Wetland Mitigation Plan to describe measures to avoid and minimize impacts to wetlands. The following measures shall be included:

    a. Compensating for unavoidable impacts by creating, restoring or enhancing existing wetlands.

b. Adhering to current agency guidance on wetland mitigation, Wetland Mitigation in Washington State,[74] as well as guidance in the City of Moses Lake's Shoreline Management Master Plan and the Critical Areas Ordinance (for wetlands within the city), and complying with replacement ratios, buffer width, site selection criteria, and other criteria presented in this guidance.

c. Identifying a suitable off-site mitigation site.

d. Designing bridge span widths, fill slope angles, and the alignment to minimize impacts to wetlands and other aquatic resources.

e. Restoring disturbed areas in native plant communities near Wetland A and in the Crab Creek or Parker Horn areas to improve habitats and buffer wetlands.

f. Including habitat restoration to the extent practicable in the design of the proposed Crab Creek or Parker Horn bridge to offset loss of wildlife habitats.

56. The Port shall implement the following mitigation measures specific to each Wetland Resource. The Port shall comply with additional mitigation measures, if any, required by the U.S. Army Corps of Engineers and/or the Washington State Department of Ecology:

    a. Wetland A (Segment 1 and Alternative 1A): Enhancement[75] of remaining wetland, off-site mitigation.[76]

    b. Wetland B (Segment 1 and Alternative 1A): Off-site mitigation.

    c. Wetland C (Alternative 1A only): Wetland creation/enhancement of Crab Creek floodplain, off-site mitigation.

    d. Wetland D (Alternative 1A only): Wetland creation/enhancement of Crab Creek floodplain, off-site mitigation.

    e. Wetland E (Segment 1 only): Wetland creation/enhancement of Crab Creek floodplain, off-site mitigation.

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[74] Ecology (Washington State Department of Ecology), U.S. Army Corps of Engineers Seattle District, and U.S. Environmental Protection Agency Region 10. 2006. *Wetland Mitigation in Washington State*. Washington State Department of Ecology Publication #06-06-011b. Olympia, WA. March 2006.

[75] Enhancements usually involve habitat-related improvements, such as planting additional vegetation to increase plant density, or adding habitat structures like downed wood. It does not include increasing the wetland area.

[76] Off-site mitigation would allow the use of properties for wetland mitigation that are located outside the boundaries of the area disturbed by the project. Such properties are typically located within the same drainage basin or watershed as the impact area.

f. Wetland F (Segment 1 only): Wetland creation/habitat enhancement of Crab Creek / Parker Horn floodplain, off-site mitigation

g. Crab Creek (Alternative 1A only): Incorporate habitat structures.

h. Parker Horn (Segment 1 only): Incorporate habitat structures.

i. Ditches/Canals: Maintain or improve water quality.

57. The Port shall ensure that irrigation ditches and canals are either avoided by spanning both banks with the crossing structure, or that a culvert is installed to allow water to flow beneath the rail fill.

Permit Conditions

58. Conditions of all permits shall be included in any construction documents that the Port provides to contractors.

Chapter Six Conclusions

Based on an independent analysis of all information available to date, including comments received on the Preliminary Environmental Assessment (EA), the Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT) conclude that the proposed construction, acquisition, and operation of approximately 11.5 miles of rail line in Grant County, Washington, would not result in any significant environmental impacts if the mitigation measures recommended in this Final Environmental Assessment are implemented.

For the Build Alternative, the environmentally preferred route would include Segment 1 (utilizing the Alternative 1A water crossing at Crab Creek and the Ecology Modification), Segment 3, and Segment 2 (rather than Alternative 2A). Given the similarity of most of the environmental impacts associated with the Ecology Modification and the impacts associated with the corresponding 0.94 mile portion of Segment 1, as proposed, and given the moderate to negligible nature of potential impacts, neither alternative has emerged as markedly preferable.

Accordingly, if the STB decides to grant final approval for this project, SEA and WSDOT recommend that the STB grant permission for the Port of Moses Lake to construct and Columbia Basin Railroad Company, Inc. to operate over the Build Alternative, including:

- Segment 1 (utilizing the Alternative 1A water crossing or utilizing both the Alternative 1A water crossing and the Ecology Modification);
- Segment 3; and
- Segment 2. (See **Exhibit 6.1**).

SEA and WSDOT also recommend that, in any final decision approving the proposed rail project, the STB impose conditions requiring the Port of Moses Lake to implement the mitigation measures contained in this document.

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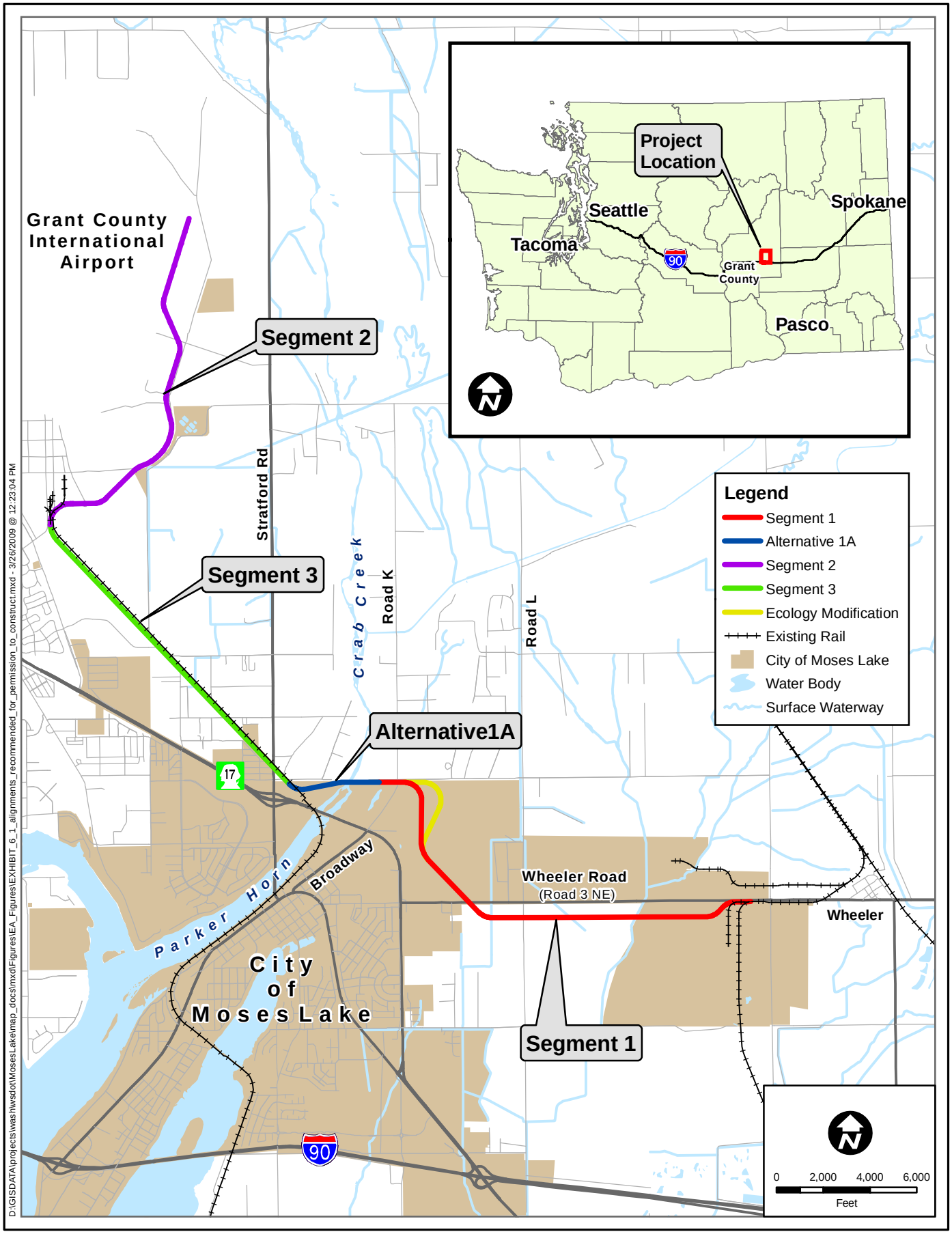

Washington State Department of Transportation

Surface Transportation Board

Alignments Recommended for Permission to Construct Exhibit 6.1

Northern Columbia Basin Railroad Project

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Appendix A

Comments Received on the Preliminary Environmental Assessment

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From: Suzanne_Audet@fws.gov [mailto:Suzanne_Audet@fws.gov]
Sent: Thursday, December 11, 2008 8:34 PM
To: Christa.Dean@stb.dot.gov
Cc: Wiley, Martha; PhinneE@WSDOT.WA.GOV; WOODA@WSDOT.WA.GOV; Bob_Newman@fws.gov
Subject: Re: Follow Up on August 28, 2008 Request for Information and Concurrence STB Finance Docket No. 34936, Rail Line Construction and Operation in Grant County, WA

Christa,

If your agency concluded that the subject project would have "No effect" on listed species, there is no requirement for consultation with the U.S. Fish and Wildlife Service, nor do the sec. 7 consultation regs. specifically provide for Service concurrence for such agency determinations.

Also, due to workload and staffing shortages, we will not be commenting on the Preliminary EA. If you have additional questions, please let me know.

Suzanne

_____

Suzanne Audet
U.S. Fish and Wildlife Service
Section 7 and Recovery Programs Branch Chief Upper Columbia Fish and Wildlife Office
11103 E. Montgomery Drive
Spokane, WA 99206
Email: suzanne_audet@fws.gov
Phone: (509) 893-8002; FAX (509) 891-6748

Christa.Dean@stb.dot.gov
To
12/11/2008 09:54
Suzanne_Audet@fws.gov
Cc: PhinneE@WSDOT.WA.GOV, WOODA@WSDOT.WA.GOV, Martha.Wiley@hdrinc.com
Subject: Follow Up on August 28, 2008 Request for Information and Concurrence STB Finance Docket No. 34936, Rail Line Construction and Operation in Grant County, WA

Dear Ms. Audet:
I am writing to follow up on an August 28, 2008 letter that was sent to your agency from the Surface Transportation Board. In that letter, we sent additional information regarding a proposed rail line construction and operation project in Grant County, Washington. We also stated that, based on our own indepedent review, we have determined that the proposed project would have no effect on Federally-listed threatened or endangered species or designated critical habitat.

The Surface Transportation Board and the Washington Department of Transportation mailed copies of the Preliminary Environmental Assessment for this project on November 8, 2008, and the comment period ended on December 8, 2008. Would you let me know if the USFWS is planning to submit comments on this proposed rail project? We are also awaiting word from the USFWS on whether it concurs with our determination that the proposed construction and operation of rail line segments, as well as the alternatives, are not likely to adversely affect Federally-listed threatened or endangered species or designated critical habitat.

Thank you,
Christa Dean
Christa L. Dean, Attorney
Surface Transportation Board
Section of Environmental Analysis
202.245.0299

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

December 8, 2008

Ms. Christa Dean
Section of Environmental Analysis
Surface Transportation Board
395 E Street, SW, Rm. 1108
Washington, DC 20423

Dear Ms. Dean:

Thank you for the opportunity to provide comments regarding the Preliminary Environmental Assessment for the Northern Columbia Basin Railroad Project in Grant County, Washington, STB Finance Docket No.34936 (Sub-No.1) (Proponent- Joyce Thompson). The Department of Ecology has reviewed the documents and has the following comments:

Shorelands and Environmental Assistance Program-Wetlands

We would like to commend the Surface Transportation Board and the Department of Transportation for a thorough examination of potential effects on wetlands from the Northern Columbia Basin Railroad Project. Ecology concurs with the wetlands determinations presented in the EA, understanding that the information presented is preliminary in nature and adequate for planning purposes.

Regarding the two option routes for crossing Crab Creek and Parker horn; we request that you consider the relative functional value of the wetlands and riparian areas at each crossing, and not simply the comparative area of impact. For example; the Crab Creek (Alternative 1a) crossing option may result in a far smaller area of wetland disturbance, but the crossing site may be less disturbed than the Parker Horn crossing. We suggest further examination of the functions and values at each site before choosing your preferred alternative.

We recommend close coordination with the US Bureau of Reclamation when evaluating flows in Crab Creek. The Bureau is undertaking a supplemental feed route project whereby up to 500 cubic feet per second of water is to be released from Lake Billy Clapp into Crab Creek between April and July. This increased flow may affect engineering designs for either crossing alternative.

Impacts to wetlands on the site should be minimized to the fullest extent possible. This is best done by avoiding any work in the wetland. “Mitigation sequencing” should be applied so as to first avoid impacts, then minimize as much as possible, rectify short term impacts, and finally compensate unavoidable losses after all other attempts have been made. Due to the poor record of

success in replacing wetlands, we recommend avoiding and minimizing wetland impacts to the fullest extent possible.

Ecology is concerned about the extent of wetland impact proposed in the segment of rail between Road 4 NE and RP3. The proposed route turns south from Road 4 NE within a large wetland complex. Permanent loss of wetland area and interactivity and temporal loss of wetland function will require significant and costly mitigation. A review of aerial photos of the area indicates that less than a half-mile to the east is a zone with no (or minimal) wetlands. The rail-line could be routed along the edge of the agricultural fields between Road K.5, and RP3. This would greatly reduce the area of impact to Wetland A by limiting those impacts to a perpendicular crossing along Road 4 NE. Wetland fragmentation would only increase incrementally since this area is already disturbed by the road crossing itself.
.
Mitigation measures 52 through 57 in Chapter 6 Mitigation Measures conceptually describe compensatory mitigation for unavoidable impacts. These measures seem appropriate at this stage in the project. Off-site mitigation is proposed. We encourage you to work with both the Corps and Ecology in developing any off-site mitigation strategy. Off site mitigation should only be considered in a watershed context with careful consideration of landscape position and functional equivalency.

State Environmental Policy Act (SEPA)

Ecology's comments are based upon the information provided with the SEPA checklist. As such, they do not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

Sincerely,

Terri Costello
SEPA Coordinator
Department of Ecology
Eastern Regional Office
4601 N. Monroe Street
Spokane, WA 99205-1295
Phone: (509)329-3550
Email: temi461@ecy.wa.gov

E08-662

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WSDOT RAIL OFFICE

State of Washington
Department of Fish and Wildlife
Mailing Address: 1550 Alder St. NW, Ephrata, WA 98926

November 19, 2008

Washington State Department of Transportation, Rail Office
Attention: Elizabeth Phinney
P.O. Box 47407
Olympia, WA 98504-7407

SUBJECT: Northern Columbia Basin Railroad Project – Public Comment and Review of the Preliminary Environmental Assessment; Grant County

Dear Ms. Phinney:

The Washington Department of Fish and Wildlife (WDFW) Region 2 office received a copy of the Northern Columbia Basin Railroad Project Preliminary Environmental Assessment (EA) on November 10, 2008. WDFW offers the following comments at this time. Additional comments may be provided as this project progresses.

From Exhibit 4.15 and Exhibit 5.10, alternative 1A appears to have the fewer impacts to designated critical areas (wetlands) and waters of the state (Crab Creek). Therefore, WDFW would advocate for the building of alternative 1A over Segment 1.

Page 6-3 #13: This section commits to avoiding impacts to spawning walleye in Crab Creek/Parker Horn between April 1 and May 30. However, there is no mention of avoiding impacts to developing eggs and fry that may be located in the vicinity of the crossing. The Hydraulic Project Approval's (HPA) allowable in-water work window will likely not begin until early July to provide protection for these life history stages.

Page 6-3 #14: The draft EA states, '...the Port shall avoid new construction work in areas within 0.5 miles of identified nesting areas close to Segment 1, Alternative 1A, Segment 2, and Alternative 2A between February 15 and September 25.'

Heritage points located on WDFW's priority habitat and species (PHS) maps denote known nest/activity locations, but do not identify all possible burrowing owl activity in the area of potential impact. WDFW requests detailed habitat and presence/absence surveys be conducted along the proposed rail route. If burrows showing signs of past occupancy, active burrows, or burrows that may potentially be occupied in the future occur along the route, then additional mitigation in the form of artificial burrow installations may be necessary.

Page 6-3 #16: To protect northern leopard frog, the draft EA only commits 'To preserve existing aquatic and moist site vegetation habitats for the northern leopard frog to the maximum extent possible, the Port shall minimize clearing activities and locate equipment staging areas in previously disturbed areas, to the extent possible.'

Northern leopard frogs (NLF) are listed as Washington State Endangered and federally as a species of concern. A definitive cause for the population decline is not known, but habitat loss has been identified as contributing to the problem. The port should commit to mitigation that replaces NLF habitat that will be impacted during this project. Acceptable mitigation may include funds and/or equipment and man-hours dedicated to WDFW's efforts to create and enhance habitat on the designated NLF recovery area of the Potholes Reservoir Unit south of Interstate 90.

If you have any questions, please contact me at (509) 754-4624.

Sincerely,

Eric D. Pentico

Eric D. Pentico
Habitat Program

STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

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

April 7, 2009

Ms. Christa Dean
Section of Environmental Analysis, Surface Transportation Board
1925 K Street NW
Washington, DC 20423-0001

In future correspondence please refer to:
Log: 041007-02-STB
Property: STB Docket No. 34936, Northern Columbia Basin Railway Project
Re: NO Adverse Effect

Dear Ms. Dean:

Thank you for contacting the Washington State Department of Archaeology and Historic Preservation (DAHP). The above referenced project has been reviewed on behalf of the State Historic Preservation Officer 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.

I concur that the current project as proposed will have "NO ADVERSE EFFECT" on the Columbia Basin East Low Canal. However, if the STB determines that additional resources are found to be eligible for listing to the National Register of Historic Places, then a supplemental determination of effects will need to be made. Likewise, 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,

Russell Holter
Project Compliance Reviewer
(360) 586-3533
russell.holter@dahp.wa.gov

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LABOR, COMMERCE, RESEARCH & DEVELOPMENT
RANKING REPUBLICAN
WATER, ENERGY & TELECOMMUNICATION

Washington State Senate

SENATOR JANÉA HOLMQUIST
13TH LEGISLATIVE DISTRICT

EARLY LEARNING & K-12 EDUCATION
ASSISTANT RANKING REPUBLICAN
TRANSPORTATION

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December 2, 2008

Christa Dean
ATTN: 34936
Section of Environmental Analysis Surface Transportation Board
395 E Street, SW, Room 1108
Washington, DC 20423-0001

Elizabeth Phinney
ATTN: 34936
Washington State Department of Transportation, Rail Office
P.O. Box 47407
Olympia, WA 98504-7407

RE: Comments on Northern Columbia Basin Railroad Project – Moses Lake, WA

To whom it may concern:

I am writing in support of a critical economic development and freight mobility project, the Northern Columbia Basin Railroad Project located in the Moses Lake, Washington area.

I support the project because it will:

- Retain critical family wage jobs of current industrial customers in the Moses Lake area that need rail access in order to be more competitive.
- Extend and enhance railroad access to vital industries in the Northern Columbia Basin area (around Moses Lake).
- Improve freight mobility and economic development opportunities.
- Enhance safety by eliminating a significant number of at-grade rail crossings.
- Reduce road damage and congestion, because a railcar can haul three times as much cargo as a truck.
- Open up hundreds of additional acres of prime industrial property to rail access. Businesses locating to the property will bring with them hundreds of new family wage jobs.

LEGISLATIVE OFFICE: 106 IRV NEWHOUSE BUILDING, PO BOX 40413, OLYMPIA, WA 98504-0413 • PHONE (360) 786-7624
E-MAIL holmquist.janea@leg.wa.gov • FAX: (360) 786-7819 • LEGISLATIVE HOTLINE: 1-800-562-6000 • TDD: 1-800-635-9993

Thank you for your due consideration of the Northern Columbia Basin Railroad Project. If you have any questions about my recommendation of this project, please feel free to contact me at my legislative office at 360-786-7624.

Sincerely,

Janéa Holmquist

Senator Janéa Holmquist
13th Legislative District

CITY OF
MOSES LAKE

321 S. Balsam St.
P.O. Box 1579
Moses Lake, WA 98837-0244

Phone: (509) 766-9214

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WSDOT RAIL OFFICE

December 3, 2008

Andrew Wood PMP
Deputy Rail and Marine Director
State Rail and Marine Office
P. O. Box 47407
Suite SA-17
Olympia, WA 98504-7407

RE: Northern Columbia Basin Railroad Project/Port of Moses Lake/Moses Lake, Washington - Preliminary Environmental Assessment/Comments

Dear Mr. Wood

Subsequent to the preparation of the Preliminary Environmental Assessment regarding the Northern Columbia Basin Railroad Project in and near the City of Moses Lake, the city wishes to continue to go on record as supporting the project. This is a critical economic development and freight mobility project for the City of Moses Lake, the Port of Moses Lake, and Grant County. The city finds nothing in the Preliminary Environmental Assessment which changes its mind with regard to the project.

The city supports the project for the following reasons:

1. It will extend and enhance railroad access to industries and industrial properties in the Northern Columbia Basin Area in and around the City of Moses Lake and the Port of Moses Lake.

2. It will greatly improve freight mobility and economic development opportunities in the greater Moses Lake area.

3. It will eliminate a significant number of at-grade rail crossings, which will enhance safety in and around Moses Lake.

4. It will reduce truck traffic and related carbon emissions as freight trains are more fuel efficient than trucks and produce less greenhouse gas emissions than trucks.

5. It will reduce road damage and congestion on the city's streets and highways as a railcar can haul much more cargo than truck.

6. It will help to retain jobs of current industrial customers in the Moses Lake area that need rail access in order to continue to be competitive. The jobs created by the industrial companies are family wage jobs that are critical to the economic livelihood of Moses Lake and the surrounding area.

7. It will open up hundreds of additional acres of prime industrial property to rail access. Many industrial companies are looking for rail served sites which will allow them to be competitive from a transportation standpoint. By having new rail access to several hundred acres of industrial property in the Moses Lake area, many new family wage jobs could be created which would greatly benefit the economy and the tax base in and around the City of Moses Lake.

8. It will eventually open up water front property for a trail activity or walking/biking path and other potential tourism developments.

For the reasons mentioned, the City of Moses Lake, as stated previously, continues to support the Northern Columbia Basin Railroad Project.

Very truly yours

Joseph K. Gavinski
City Manager

JKG:jt

P.J. De Benedetti, Special Assistant to the Superintendent
pjdeben@mlsd.wednet.edu

920 West Ivy Ave.
Moses Lake, WA 98837

(509) 766-2650
Fax (509) 766-2678

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December 8, 2008

Christa Dean
ATTN: 34936
Section of Environmental Analysis Surface Transportation Board
395 E Street, SW, Room 1108
Washington, DC 20423-0001

Elizabeth Phinney
ATTN: 34936
Washington State Department of Transportation, Rail Office
P.O. Box 47407
Olympia, WA 98504-7407

To whom it may concern,

I am writing to you in support of the Northern Columbia Basin Railroad Project, which is a critical economic development and freight mobility project for the Moses Lake, Washington area.

The reason I support the project is because:

- It will greatly improve freight mobility and economic development opportunities in the greater Moses Lake area.
- It will reduce truck traffic and related carbon emissions as freight trains are more than three times as fuel efficient as trucks and only produce 1/3 of the greenhouse gas emissions as trucks.
- It will help to retain jobs of current industrial customers in the Moses Lake area that need rail access in order to be more competitive. The jobs created by the industrial companies that need rail are family wage jobs that are critical to the economic livelihood of Moses Lake and the northern Columbia Basin.
- It will open up hundreds of additional acres of prime industrial property to rail access. As a result of the relatively high price of fuel, many companies are looking for rail-served sites that will allow them to be competitive from a transportation standpoint. By having new rail access to over 1,500 acres of industrial property in the Moses Lake area, hundreds of new family wage jobs would be created which would greatly benefit the economy and the tax base in Central Washington.
- It will eventually open up water front property for a trail or walking/biking path and other tourism developments.

In conclusion, for the above mentioned reasons, I strongly support the Northern Columbia Basin Railroad Project.

Thank you for consideration of our comments.

Sincerely,

P. J. De Benedetti
Special Assistant to the Superintendent

COLUMBIA BASIN RAILROAD

December 8, 2008

Christa Dean
ATTN: 34936
Section of Environmental Analysis Surface Transportation Board
395 E Street, SW, Room 1108
Washington, DC 20423-0001

Elizabeth Phinney
ATTN: 34936
Washington State Department of Transportation, Rail Office
P.O. Box 47407
Olympia, WA 98504-7407

RE: **CBRR Comments in Support of Northern Columbia Basin Railroad Project – Moses Lake, Washington**

To whom it may concern,

I am writing on behalf of Columbia Basin Railroad in support of the Northern Columbia Basin Railroad Project, which is a critical economic development and freight mobility project for the Moses Lake, Washington area. Columbia Basin Railroad (CBRR) is a locally owned and operated short-line railroad headquartered in Yakima, Washington and has a long and successful history of operating rail lines in the Pacific Northwest, including the rail line from Moses Lake to Connell. CBRR has an excellent track record of promoting economic and business development in Washington State.

The reason Columbia Basin Railroad supports the Northern Columbia Basin Railroad Project is because:

- It will extend and enhance railroad access to vital industries in the Northern Columbia Basin area (around Moses Lake).
- It will greatly improve freight mobility and economic development opportunities in the greater Moses Lake area.
- It will eliminate a significant number of at-grade rail crossings, which will enhance safety in and around Moses Lake.
- It will reduce truck traffic and related carbon emissions as freight trains are more than three times as fuel efficient as trucks and only produce 1/3 of the greenhouse gas emissions as trucks.

111 University Parkway - Suite 200 • YAKIMA, WA 98901 • (509) 453-9166 • (800) 333-8582 • FAX (509) 453-9349
Persistent Commitment to Superior Customer Service

- It will reduce road damage and congestion on our streets and highways as a railcar can haul three times as much cargo as a truck.
- It will help to retain jobs of current industrial customers in the Moses Lake area that need rail access in order to be more competitive. The jobs created by the industrial companies that need rail are family wage jobs that are critical to the economic livelihood of Moses Lake and the northern Columbia Basin.
- It will open up hundreds of additional acres of prime industrial property to rail access. As a result of the relatively high price of fuel, many companies are looking for rail-served sites that will allow them to be competitive from a transportation standpoint. By having new rail access to over 1,500 acres of industrial property in the Moses Lake area, hundreds of new family wage jobs would be created which would greatly benefit the economy and the tax base in Central Washington.
- It will eventually open up water front property for a trail or walking/biking path and other tourism developments.

In conclusion, for the above mentioned reasons, Columbia Basin Railroad strongly supports the Northern Columbia Basin Railroad Project.

Thank you for consideration of our comments.

Sincerely,

Brig Temple
President
Columbia Basin Railroad
111 University Parkway, Suite 200
Yakima, WA 98901

Grant County Economic Development Council
6594 Patton Boulevard NE Moses Lake, WA 98837
Ph: 509.764.6579 Fax: 509.762.5161
www.grantedc.com

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NOV 24 2008
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November 21, 2008

Ms. Elizabeth Phinney
ATTN: 34936
Washington State Dept. of Transportation, Rail Office
P.O. Box 47407
Olympia, WA 98504-7407

RE: **Comments Regarding Northern Columbia Basin Railroad Project – Moses Lake, Washington**

Dear Ms. Phinney:

The Grant County Economic Development Council Board of Directors is fully supportive of the Northern Columbia Basin Railroad Project. The project is a very important economic development and freight mobility project that will enhance and improve rail access to vital industries in the northern Columbia Basin area near Moses Lake, Washington.

We support the project because:

- It will extend and enhance railroad access to vital industries in the Northern Columbia Basin area (around Moses Lake).
- It will greatly improve freight mobility and economic development opportunities in the greater Moses Lake area.
- It will eliminate a significant number of at-grade rail crossings, which will enhance safety in and around Moses Lake.
- It will reduce truck traffic and related carbon emissions as freight trains are more than three times as fuel efficient as trucks and only produce 1/3 of the greenhouse gas emissions as trucks.
- It will reduce road damage and congestion on our streets and highways as a railcar can haul three times as much cargo as a truck.
- It will help to retain jobs of current industrial customers in the Moses Lake area that need rail access in order to be more competitive. The jobs created by the industrial companies that need rail are family wage jobs that are critical to the economic livelihood of Moses Lake and the northern Columbia Basin.
- It will open up hundreds of additional acres of prime industrial property to rail access. As a result of the relatively high price of fuel, many companies are looking for rail-served sites that will allow them to be competitive from a transportation standpoint. By having new rail access to over 1,500 acres of industrial property in the Moses Lake area, hundreds of new family wage jobs would be created which would greatly benefit the economy and the tax base in Central Washington.

- It will eventually open up water front property for a trail or walking/biking path and other tourism developments.

In conclusion, for the above mentioned reasons, The Board of Directors of the Grant County Economic Development Council strongly supports the Northern Columbia Basin Railroad Project.

Thank you for consideration of our comments.

Sincerely,

Terry L. Brewer
Executive Director

WASHINGTON PORTS

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WSDOT RAIL OFFICE

November 26, 2008

Elizabeth Phinney
Attn: 34936
WSDOT Rail Office
PO Box 47407
Olympia, WA 98504-7407

Dear Ms. Phinney:

The Washington Public Ports Association (WPPA) is pleased to submit this letter in support of the Northern Columbia Basin Railroad Project. The WPPA represents Washington State's 75 public port districts, which are charged in state statute with promoting economic development in their communities, in a large part through the enhancement of infrastructure necessary to local and regional commerce.

The Port of Moses Lake has adeptly identified the Northern Columbia Basin Railroad Project as essential to the continued viability of rail-dependent industries in the Moses Lake area, as well as a way to attract new businesses to Grant County. This project exemplifies the critical link between infrastructure investments and regional economic growth and vitality; its successful completion will result in the preservation of jobs and revenue in Moses Lake, and enhance the prospect of future growth in the region.

With the environmental assessment currently under review, the WPPA would like to express ongoing support for the project. Thank you for the opportunity to provide input, and for your continued leadership in promoting critical freight rail infrastructure.

Sincerely,

Eric D. Johnson

Eric D. Johnson
Deputy Director
Washington Public Ports Association

Washington Public Ports Association

A Trade Association Representing the 76 Public Port Districts of Washington State

1501 Capitol Way, Suite 304 • P.O. Box 1518 • Olympia, WA 98507-1518 • 360.943.0760 • 360.753.6176 FAX • www.washingtonports.org

MOSES LAKE
CHAMBER OF COMMERCE

December 5, 2008

Elizabeth Phinney
ATTN: 34936
Washington State Department of Transportation, Rail Office
P.O. Box 47407
Olympia, WA 98504-7407

RE: **Comments Regarding Northern Columbia Basin Railroad Project – Moses Lake, Washington**

To whom it may concern,

I am writing to you in support of the Northern Columbia Basin Railroad Project, which is a critical economic development and freight mobility project for the Moses Lake, Washington area.

The reason we support the entire project with the preferred route of alt. 1A

- It will extend and enhance railroad access to vital industries in the Northern Columbia Basin area (around Moses Lake).
- It will greatly improve freight mobility and economic development opportunities in the greater Moses Lake area.
- It will eliminate a significant number of at-grade rail crossings, which will enhance safety in and around Moses Lake.
- It will reduce truck traffic and related carbon emissions as freight trains are more than three times as fuel efficient as trucks and only produce 1/3 of the greenhouse gas emissions as trucks.
- It will reduce road damage and congestion on our streets and highways as a railcar can haul three times as much cargo as a truck.
- It will help to retain jobs of current industrial customers in the Moses Lake area that need rail access in order to be more competitive. The jobs created by the industrial companies that need rail are family wage jobs that are critical to the economic livelihood of Moses Lake and the northern Columbia Basin.
- It will open up hundreds of additional acres of prime industrial property to rail access. As a result of the relatively high price of fuel, many companies are looking for rail-served sites that will allow them to be competitive from a transportation standpoint. By having new rail access to over 1,500 acres of industrial property in the Moses Lake area, hundreds of new family wage jobs would be created which would greatly benefit the economy and the tax base in Central Washington.
- It will eventually open up water front property for a trail or walking/biking path and other tourism developments.

In conclusion, for the above mentioned reasons, we strongly support the Northern Columbia Basin Railroad Project.

Thank you for consideration of our comments.

Sincerely,

Debbie Doran-Martinez

Debbie Doran-Martinez
Executive Director

324 South Pioneer Way · Moses Lake, WA 98837 · Phone: (509) 765-7888 · Toll Free: (800) 992-6234 www.moseslake.com

D & L FOUNDRY AND SUPPLY, INC.

GRAY AND DUCTILE IRON CASTINGS
P.O. BOX 1319 12970 RD 3 NE
MOSES LAKE, WA 98837
(509) 765-7952 FAX (509) 765-8124

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DEC 02 2008
WSDOT RAIL OFFICE

November 25, 2008

Rail Environmental Manager
Elizabeth Phinney
Washington State Department of Transportation, Freight Systems Division
P.O. Box 47407
Olympia, WA 98504-7407

RE: **Comments Regarding Northern Columbia Basin Railroad Project – Moses Lake, Washington**

Elizabeth Phinney,

First of all I want to thank you for your time November 20, 2008 in Moses Lake to discuss this very important project in our community.

Secondly, I am writing to you in support of the Northern Columbia Basin Railroad Project, which is a critical economic development and freight mobility project for the Moses Lake, Washington area.

Some of the reasons we support the project are because:

- It will extend and enhance railroad access to vital industries in the Northern Columbia Basin area (around Moses Lake).

- It will greatly improve freight mobility and economic development opportunities in the greater Moses Lake area.

- It will reduce truck traffic and related carbon emissions as freight trains are more than three times as fuel efficient as trucks and only produce 1/3 of the greenhouse gas emissions as trucks.

- It will help to retain jobs of current industrial customers in the Moses Lake area that need rail access in order to be more competitive. The jobs created by the industrial companies that need rail are family wage jobs that are critical to the economic livelihood of Moses Lake and the northern Columbia Basin.

- It will open up hundreds of additional acres of prime industrial property to rail access. As a result of the relatively high price of fuel, many companies are looking for rail-served sites that will allow them to be competitive from a transportation standpoint. By having new rail access to over 1,500 acres of industrial property in the Moses Lake area, hundreds of new family wage jobs would be created which would greatly benefit the economy and the tax base in Central Washington.

As a current rail user we can attest to importance of adequate rail support for healthy industry and economic growth. In conclusion, for the above mentioned reasons, we strongly support the Northern Columbia Basin Railroad Project.

Thank you for consideration of our comments and we look forward to seeing this project come to fruition.

Sincerely,

Jason McGowan
D & L Foundry Inc.

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DEC 04 2008
WSDOT RAIL OFFICE

DANO & HARPER, PLLC
Attorneys at law

BRIAN J. DANO
JULIE HARPER

P.O. Box 1159
100 E Broadway Ave
Moses Lake, WA 98837
Phone 509.765.9285
Fax 509.766.0087
www.danoharper.com

December 1, 2008

Christa Dean
ATTN: 34936
Section of Environmental Analysis Surface Transportation Board
395 E Street SW, Room 1108
Washington, DC 20423-0001

Elizabeth Phinney
ATTN: 34936
Washington State Department of Transportation, Rail Office
P.O. Box 47407
Olympia, WA 98504-7407

RE: **Northern Columbia Basin Railroad Project – Moses Lake, Washington**

To Whom It May Concern:

I support the Northern Columbia Basin Railroad Project - Moses Lake, Washington.

There are many reasons to support this project, because it is critical for freight mobility and within Grant County, Washington and for the economic development of that area.

There are many reasons to support the project, but among them are: a) it will extend and enhance railroad access to vital industries in the Northern Columbia Basin area (around Moses Lake); b) it will greatly improve freight mobility and economic development opportunities in the greater Moses Lake area; c) it will eliminate a significant number of at-grade rail crossings, which will enhance safety in and around Moses Lake; d) it will reduce truck traffic and related carbon emissions as freight trains are more than three times as fuel efficient as trucks and only produce 1/3 of the greenhouse gas emissions as trucks; e) it will reduce road damage and congestion on our streets and highways as a railcar can haul three times as much cargo as a truck; f) it will help to retain jobs of current industrial customers in the Moses Lake area that need rail access in order to be more competitive, as the jobs created by the industrial companies that need rail are family wage jobs that are critical to the economic livelihood of Moses Lake and the northern Columbia Basin; g) it will open up hundreds of additional acres of prime industrial property to rail access, as a result of the relatively high price of fuel, many companies are looking for rail-served sites that will allow them to be competitive from a transportation standpoint and by having new rail access to over 1,500 acres of industrial property in the Moses Lake area, hundreds of new family wage jobs would be created which would greatly benefit the economy and the tax base in Central

Washington; and, h) it will eventually open up water front property for a trail or walking/biking path and other tourism developments.

This is a critical project for Grant County in the Moses Lake area and future economic development depends upon it becoming a reality.

Sincerely,

Brian J. Dano

Windermere
COMMERCIAL

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DEC 1 0 2008
WSDOT RAIL OFFICE

December 8, 2008

Christa Dean
ATTN: 34936
Section of Environmental Analysis Surface Transportation Board
395 E Street, SW, Room 1108
Washington, DC 20423-0001

Elizabeth Phinney
ATTN: 34936
Washington State Department of Transportation, Rail Office
P.O. Box 47407
Olympia, WA 98504-7407

RE: **Comments Regarding Northern Columbia Basin Railroad Project – Moses Lake, Washington**

Dear Ms. Dean & Ms. Phinney

I am writing to you in support of the Northern Columbia Basin Railroad Project. This project is a critical to the future economic development of the Moses Lake area.

My reasons for supporting this project are:

- It will extend viable railroad service to the large industrial area surrounding the Port of Moses Lake and better serve the other large industrial area in the Wheeler corridor.
- It will improve safety on Moses Lake streets by eliminating many at-grade rail crossings.
- It will help to retain jobs of current industrial customers in the Moses Lake area that need rail access in order to be more competitive.
- It will open up hundreds of additional acres of prime industrial property to rail access. As a result of the relatively high price of fuel, many companies are looking for rail-served sites that will allow them to be competitive from a transportation standpoint. By having new rail access to over 1,500 acres of industrial property in the Moses Lake area, hundreds of new family wage jobs would be created which would greatly benefit the economy and the tax base in Central Washington.

Windermere Real Estate/K-2 Realty LLC
420 West Broadway • Moses Lake, WA 98837 • 509/765 3337 • Fax 509/765 0435

- It will provide the opportunity to abandon the current rail route through the residential and downtown commercial areas of Moses Lake. The current route is not compatible with heavy rail traffic. Any significant rail traffic would create traffic problems and raise more safety issues. Abandoning the current route which occupies significant lakefront property would create opportunities for walking/biking paths and allow for quality residential, commercial and tourism developments.

Thank you for consideration of my comments.

Sincerely,

Ralph Kincaid

Ralph Kincaid
President/Owner

From: Gaylin Davies [mailto:gdavies@nctv.com]
Sent: Monday, November 24, 2008 10:22 PM
To: Phinney, Elizabeth
Subject: Expansion of the Columbia Basin Railroad through the port and City of Moses Lake WA

November 24, 2008

Ms. Elizabeth Phinney
Rail Office
WSDOT
PO Box 47407
Olympia, WA 98504-7407

Re: Rail expansion in and around Moses Lake WA

Ms Phinney:

After attending the Rail Expansion meeting on the 19th, I would like to present some of my personal views on the subject.

1. I am not opposed to the prudent expansion and development of a larger commercial development land base severed by the short line rail road.
2. I think the current option routing the rail line along Wheeler Road and across Parker Horn is ridiculous, unjustified and pure blatant illegal use of the supposed power the GMA gives to cities who want to expand their taxable mortgage base.
3. The Port District does need improved rail lines. Current rail lines do exist that do carry and can be upgraded to carry future freight out of Moses Lake. There would be fewer interruptions to life and property in upgrading existing lines over building the proposed new lines. Even the first proposal of using the old spur line which went north out of Wheeler to Gloyd makes more sense than routing along Wheeler Road.
4. Rail service is important to Moses Lake and it continued growth but not at the expense of property owners and residence who would lose and be penalized by this plan.

Thank you,

Respectfully yours,

Gaylin Davies
2476 Admiral Rd NE
Moses Lake, WA 98837

RECEIVED

DEC 08 200?

WSDOT RAIL OFFICE

Ltr to railroad

Elizabeth Phinney
Rail Office
SWDOT
PO Box 47407
Olympia WA 98504-7407

I question building the rail line south of Wheeler Rd. This would mean crossing wheeler road to get to the northern portion of the route. Wheeler Road is a busy road. I can see an east west route 1/4 of a mile north of Wheeler Road to connect to existing tracks in Wheeler.

The proposed route south of Wheeler cuts across developed farm land. This is also irrigated farm land. If it was not irrigated farm land it wouldn't be so much of a problem. Each farm unit is developed to irrigate as a unit with the water delivered to the high point of that unit by a canal system. Rill irrigated farm land is developed in a certain way so that gravity is used to cause the water to flow through the ditches to the furrows and down the furrows to irrigate the crops. You can't just cut a 50 foot swath across a developed irrigated farm unit without causing major problems with the way these fields have been leveled and graded so that they can be irrigated.

The proposed rail line south of Wheeler Road does not follow established land boundaries.

By building the rail line 1/4 mile north of Wheeler road the railroad would follow estalished property lines between farm units. There is presently an industrial area north of wheeler roand and west of L road. There is also another industrial development taking place west of this established area. This new industrial development extends from Wheeler Road north 1/4 mile. There are also industrial developments north of Wheeler Road and west of Wheeler. Building the railroad North of Wheeler Road would make it more accessable to potential industrial users.

Beginning at "L" Road 1/4 mile north of Wheeler Road and going west is a gravel road that could be vacated for a railroad. To extend this line west would require going through this developed industrial area. This area is a new industrial area under development now. Now would be a good time to obtain a right of way acrosss the north edge of this property before buildings are built and other infrastructure is developed.

Begining at L road 1/4 mile north of Wheeler road and going east is an established property line of 1/2 mile. This means seperately developed farms on the North and south of this line. From here it is only 1 more mile to connect to an exhisting rail line.

My proposed route avoids a crossing of busy Wheeler Road. It is not disruptive to agriculture. It serves an industrial area and it is shorter. Whole parcels of farm ground would become impossible to irrigate and here no irrigation means no crops.

Best Regards,

Ron Piercy, Owner
Rainbow Flying Service
Moses Lake Municipal Airport

"Robert Russell"<bob@lakebowl.com>
To <christa.dean@stb.dot.gov> 12/08/2008 02:54
cc PM
Subject Columbia Basin Railroad Project

Dear Christa Dean:

My name is Robert Russell. My family has owned a business in Moses Lake for over 50 years. I am not opposed to rail service to the Port of Moses Lake, but for safety and economic reasons I am very concerned about the proposed route through Moses Lake. Since the beginning, the preferred route has been touted as safer due to its fewer grade level crossings. This is simply not true. Yes, the new section has fewer crossings, but when combined with the existing track, the total route does not. In addition, the total preferred route crosses many busy arterials and goes past an elementary school. How can you compare an alternative route with only the new section of the preferred route? Yet this has been done since the inception of the project. Wheeler Rd. and Stratford Rd. are both busy four lane arterials. Road L and Broadway Extended are busy two lane arterials, not to mention the other four crossings on the preferred route. Why are we moving the track from one part of the city to another? If it so valuable, why not do it right and move it out of town? Moses Lake and the surrounding area have experienced steady growth and can expect to for the next 90 years, the life expectancy of the rail line as proposed. What will be the impact on safety and quality of life? Does the potential economic growth justify it? Is there not enough industrial land served by rail? Who/whom is really benefiting by this expansion? According to the Northern Columbia Basin Railroad Feasibility Study to just break even economically will require 30 cars per day with a $50 per car added fee, or 10 cars per day with a $150 added fee. Either the taxpayer will be subsidizing this project to the benefit of a few, or there will be a great deal of freight traffic through Moses Lake with the accompanying train whistle at every crossing and the annoying wait in the car.

Again, if there is such a need for this project, I submit we look to the long term and do it right. Move it out of town!

Respectfully submitted,

Robert L. Russell

December 8, 2008

RE: Northern Columbia Basin Rail Project

Dear Ms. Phinney,

I am writing in regards to the Rail Project Proposal (Segment 1) in the Moses Lake area along Wheeler Road. I own property in Block 41, Unit 91, also in farm Unit 235. My family came here in 1952, when the Columbia Basin project began and we have been farming here since. Farming has always been my life long commitment. I have a profound love for the land and don't expect someone else to change that.

Agriculture is the main industry in the Columbia Basin. It has always been here and will continue as long as there is a need for food. I have watched the changes and development of this area for over fifty years.

The rail project (Segment 1) that is on the board will run through the middle of my property. That area is over 1200 feet long. In the other unit it will run for one mile in the middle of that property. This, of course, will change the status and future development of that property. Not to mention the change in the irrigation system and how it will perform. The system plays a major role in agriculture.

This rail project will affect me and all the surrounding area greatly. Especially the two major roads that border my property. Wheeler Road and Road L will be affected because of the heavy traffic. The project will create two crossings; one on a four- lane road and the other two- lane. The current traffic on these two roads is a major issue and I would strongly urge you to consider the impact in that area. I have seen several accidents at this intersection and have had a family member involved in one. We need to consider the safety and look beyond the economics of the project. To continue this course (Segment 1) will have a negative impact on my business and property and also the community.

I, for one, cannot accept the project going through the middle of my property. I hope that this issue can be resolved in the best interest of all concerned.

Sincerely,

Don Turner;

(509-765-3187)

-----Original Message-----
From: Samantha Hara [mailto:SHara22@bigbend.edu]
Sent: Monday, December 08, 2008 2:39 PM
To: Phinney, Elizabeth
Subject: comments on Northern Columbia Basin Railroad Project

I am Douglas Hara, my family owns farm unit 88 and 92 of block 41 in Moses Lake, Washington. The proposed rail project will dissect both of the before mentioned units. We feel this proposal will be of no benefit to us, and only a huge inconvenience to our farming operation.
I believe the rail should run north of Moses Lake, where it used to run.

There is a hand written copy of this tittled "rail road," that is attached to this email.
-Douglas Hara

*** eSafe2 scanned this email for malicious content ***
*** IMPORTANT: Do not open attachments from unrecognized senders ***

Surface Transportation Board

Washington State Department of Transportation

Northern Columbia Basin Railroad Project

Grant County International Airport
Thursday, November 20, 2008, 4 – 7 P.M.

The Surface Transportation Board's Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT) are jointly conducting the required environmental review of a proposed rail project in the Moses Lake area, called the Northern Columbia Basin Railroad Project. The Port of Moses Lake has proposed this project to encourage economic development and the continued use and preservation of rail in the region.

SEA and WSDOT welcome your comments on the Preliminary Environmental Assessment, including suggestions for additional mitigation measures. Please leave your comments with us tonight or send them **by December 8, 2008** to Rail Environmental Manager Elizabeth Phinney, by email (phinnee@wsdot.wa.gov), by fax (360.705.6821), or by mail, WA St. Dept. of Transportation, Freight Systems Division, P.O. Box 47407, Olympia, WA 98504-7407.

Please tell us what you think

I am Douglas Hama, my family owns farm unit 88 and 92 of block 41 in Moses Lake, Washington. The proposed rail project will dissect both of the before mentioned units. We feel this proposal will be of no benefit to us, and only a huge inconvenience to our farming operation.
I believe the rail should run north of Moses Lake, where it used to run.

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: Douglas Hama Telephone: 509-787-5124

Email address tamarcanian@msn.com

Thank you!

Surface Transportation Board

Washington State Department of Transportation

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Please tell us what you think

This project is a priority in the Big Bend Economic Development District. Rail service is a regional asset that improves the use and potential use of the industrial lands in Moses Lake and at the Port of Moses Lake. A number of companies that are currently located at the port indicated that their future decisions will be based on the availability of Rail. The Board of BBEDC voted to support the Ports efforts to improve rail service to the area.

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: Michael Buchanan Telephone: 509 765-8591

Email address big-bend-edc@moseslake-wa.com

Thank you!

Surface Transportation Board

Washington State Department of Transportation

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Please tell us what you think

I have been involved with this rail project since its inception and realize that certain issues have been mitigated for various reasons. I'm in support of the proposed project with the Alternative 1A. There is a desperate need for improved rail service in Moses Lake and it can't happen any too soon.

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: Ron Covey Mayor Telephone: 509-765-5514

Email address rcpc@gosi.net + rcovey@ci.moses-lake.wa.us

Thank you!

Surface Transportation Board

Washington State Department of Transportation

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Please tell us what you think

I RECOMMEND MOVING FORWARD ON SEGMENTS 2 AND 3 INITIALLY DUE TO THE POSITIVE IMPACT TO THE INDUSTRIAL PROPERTY EAST OF GCIA AND THE RELATIVELY LOW COST TO IMPLEMENT. THE REMAINING SEGMENTS CAN BE ADDED AS THE RESULTS OF ~~THE INITIAL SE~~ SEGMENTS 2 AND 3 PROVE THEMSELVES. LONGER TERM, COMPLETING SEGMENT 1 AND REROUTING RAIL TRAFFIC OUT OF THE DOWNTOWN AREA WOULD BE A POSITIVE IMPROVEMENT TO THE AREA. PLEASE MOVE FORWARD ON SEGMENTS 2 AND 3 ASAP.

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: MARK ALBRIGHT Telephone: 509 760 7941

Email address MARK@STSMFGINC.COM

Thank you!

Surface Transportation Board

Washington State Department of Transportation

Northern Columbia Basin Railroad Project

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Please tell us what you think

THE ROUTE PRESENTED IS EXCELLENT! I'm IN FAVOR OF REMOVING THE TRACK FROM THE CITY OF MOSES LAKE & ELIMINATING THE CROSSINGS. THE NEW ROUTE WOULD OPEN UP MORE POSSIBILITIES FOR INDUSTRIAL BUSINESS & BUSINESSES OVER TOLD. THE POSSIBILITY OF ADDING THROUGH THE CITY & MORE PARK LAND IS VERY APPEALING.

(If you need more space, please turn the page over.)

If we ~~have~~ a question about your comment, please tell us how to contact you.

Name: Hilbert Buget Telephone: 509-989-1982

Email address ECRET@HOMENET.QWEST.NET

Thank you!

Surface Transportation Board

Washington State Department of Transportation

Northern Columbia Basin Railroad Project

Grant County International Airport
Thursday, November 20, 2008, 4 – 7 P.M.

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Please tell us what you think

As an owner of property that will be directly affected by the proposed project I am concerned about many issues including the negative impact on the bottom portion of my property. Another is the crossing of Wheeler Rd. where it crosses my property. Wheeler Rd. is a major thoroughfare serving the industrial development underway and increasing at a rapid rate. A crossing further to the east would be much safer and necessary for the downtown traffic. Can a personal land claim directly impact the property I am currently developing. I have owned this property for over eighteen years with the full intent of creating a light industrial park

(Continued)

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: Odell Crittenden Telephone: 509-765-3544

Email address DELCRITTENDEN@HOTMAIL.COM

Thank you!

(Pg. 2 Continued)

I fully intend to contest this leg of your plan that affects this issue with every means available to me

Surface Transportation Board

Washington State Department of Transportation

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Please tell us what you think

AS A LONGTIME RESIDENT OF MOSES LAKE, AND A FREQUENT TRAVELER OF WHEELER ROAD, I AM DEEPLY CONCERNED ABOUT THE SAFETY ISSUES REGARDING THE CROSSING OF THE RAILROAD AT THIS PARTICULAR POINT. WHEELER ROAD IS A MAJOR ARTERIAL INTO THE DOWNTOWN AREA, CLOSE TO WHERE SAMARITAN HOSPITAL IS LOCATED, ON THE OPPOSITE SIDE OF THE TRACK. THIS WOULD HAVE AN IMPACT ON EMERGENCY VEHICLES SERVING THE INDUSTRIAL ZONE TO THE EAST.

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: RICK CRITTENDEN Telephone: 509 760 2397

Email address RICK@SUNCREST RESORT.COM

Thank you!

I FEEL THAT A CROSSING FARTHER TO THE EAST AT ROAD N WOULD BE SAFER AND HAVE LESS IMPACT ON THE DOWNTOWN AREA, AS WELL AS EMERGENCY SERVICES TO THE AFOREMENTIONED INDUSTRIAL AREA.

Surface Transportation Board

Washington State Department of Transportation

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Please tell us what you think

Good Project to Bring Economic Development and Jobs to Moses Lake

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: Tim Kelly Telephone: 509-834-2842

Email address t.kelly@CBRR.com

Thank you!

Surface Transportation Board

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Please tell us what you think

I'm against the route – the part that is south of Wheeler Road. It ruins the fields for farming and cuts off the irrigation.

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: [illegible] Telephone:

Email address

Thank you!

Surface Transportation Board

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SEA and WSDOT welcome your comments on the Preliminary Environmental Assessment, including suggestions for additional mitigation measures. Please leave your comments with us tonight or send them **by December 8, 2008** to Rail Environmental Manager Elizabeth Phinney, by email (phinnee@wsdot.wa.gov), by fax (360.705.6821), or by mail, WA St. Dept. of Transportation, Freight Systems Division, P.O. Box 47407, Olympia, WA 98504-7407.

Please tell us what you think

I am excited about the prospect of this new rail line. I think it will be good for the economic future of our area.
I am most interested in the potential of a walking-biking trail running through the city of Moses Lake on the old rail line that would be ~~[illegible]~~ abandoned.

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: Joe Rogers Telephone: 765-5770

Email address jrogers4@nwi.net

Thank you!

Surface Transportation Board

Washington State Department of Transportation

Northern Columbia Basin Railroad Project

Grant County International Airport
Thursday, November 20, 2008, 4 – 7 P.M.

The Surface Transportation Board's Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT) are jointly conducting the required environmental review of a proposed rail project in the Moses Lake area, called the Northern Columbia Basin Railroad Project. The Port of Moses Lake has proposed this project to encourage economic development and the continued use and preservation of rail in the region.

SEA and WSDOT welcome your comments on the Preliminary Environmental Assessment, including suggestions for additional mitigation measures. Please leave your comments with us tonight or send them **by December 8, 2008** to Rail Environmental Manager Elizabeth Phinney, by email (phinnee@wsdot.wa.gov), by fax (360.705.6821), or by mail, WA St. Dept. of Transportation, Freight Systems Division, P.O. Box 47407, Olympia, WA 98504-7407.

Please tell us what you think

Alt route 1A over Crab Creek looked like a good change.
It is really important that the track through ML be converted into a bike-activity trail from Hillway 17 to Crab Creek & 17. ASAP!!!
Bike trails are very important
Concerns about Longview School safety

(If you need more space, please turn the page over.)

If we have a question about your comment, please tell us how to contact you.

Name: Richard Teals Telephone: (509) 765 9505

Email address

Thank you!

Appendix B

Miscellaneous Correspondence

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CITY OF
MOSES LAKE

321 S. Balsam St.
P.O. Box 1579
Moses Lake, WA 98837-0244
Phone: (509) 766-9214

October 20, 2008

RECEIVED
OCT 22 2008
WSDOT RAIL OFFICE

Andrew M. Wood, Deputy Director
Rail and Marine
State Rail and Marine Office
Wash. State Dept. of Transportation
310 Maple Park Avenue SE
P. O. Box 47407
Olympia, WA 98504-7407

RE: Northern Columbia Basin Rail Project

Dear Mr. Wood

On October 23, 2007 you made a presentation to the Moses Lake City Council with regard to the Northern Columbia Basin Rail Project. At that time you discussed the different routes that were proposed for the project and indicated that the northen citizen option did not meet the goals of the proposed project and would not be carried forward in the environmental assessment. If you will recall, the City of Moses Lake preferred the northern route, which would have followed the old Northen Pacific Railroad route.

There was discussion by the City Council following your presentation and because you indicated that the citizen option or northern route would not meet the goals of the proposed project and would not be carried forward in the environmental assessment, the City Council agreed that the alignment proposed by the Washington State Department of Transportation, which followed a route south of Wheeler Road was a reasonable option under the circumstances. With that in mind, the City Council endorsed that proposed alignment.

If there are further questions with regard to the City Council's position on the proposed alignment of the Northen Columbia Basin Rail Project, please do not hesitate to contact me.

Very truly yours

Joseph K. Gavinski
City Manager

JKG:jt

FAXED 12/2/08

CITY OF MOSES LAKE
321 S. Balsam St.
P.O. Box 1579
Moses Lake, WA 98837-0244
Phone: (509) 766-9214

A. Wood
360 705-6835
6821

November 13, 2008

Ed Greer
Ed Greer Land Use Planning
8002 NE Highway 99, #546
Vancouver, WA 98665

RE: Comprehensive Plan Amendment

Dear Mr. Greer:

The City Council, at its November 11 meeting, denied the request for an amendment to the Comprehensive Plan to change the land use designation of property located south of Road 4 from industrial to medium residential.

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

Very truly yours,

Gilbert Alvarado
Community Development Director

GA:jt

cc: Odell Crittenden, 1461 Fairway Drive, Moses Lake, WA 98837

STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

January 9, 2009

The Hon. Judy Warnick
House of Representatives
JLOB 403
Olympia WA 98504

RE: Rail Safety Issues at Longview Elementary School

Dear Representative Warnick:

Thank you for meeting with me on December 3, 2008, to discuss the rail safety issues at Longview Elementary School in Moses Lake. I write now to summarize where we are at this point.

On October 21, 2008, staff from the Washington Utilities and Transportation Commission (commission) met with you, school officials, and Columbia Basin Railroad representatives to discuss the issue of railroad safety near the school. We are aware that students are crossing the railroad tracks to reach school and then crossing them again when they return home. There is no designated pedestrian crossing or any other safety device at this location, making it particularly hazardous for the students. Columbia Basin Railroad owns and operates trains on the tracks.

During the meeting, we inspected the site and discussed options for improving safety for the students. These included:

- Continuing to repair fences and find other means to keep students off the tracks.
- Redirecting students to existing crossings located at Maple Drive Northeast or Stratford Road Northeast.
- Installing fencing or other means to channel students into one single crossing site.
- Constructing a pedestrian crossing that allows students to cross the tracks, but that would bring a gate-arm down when a train is approaching, blocking access to the tracks.
- Constructing an under-crossing that allows students to avoid the tracks completely.

Those attending the meeting agreed that this last option is best in terms of rail safety, although it raises issues related to personal safety for children in a tunnel setting. We also agreed that installing fencing is critical to directing students toward the crossing and away from unprotected tracks.

Unfortunately, construction of an under-crossing is also the most expensive option. Last year, the railroad unsuccessfully sought public funding for an under-crossing, and has made clear that without public funding, it will not be able to construct such a crossing.

While we recognize the challenge in obtaining funding, we also strongly believe that the parties must take immediate action to improve safety for students and other pedestrians crossing the tracks at this location. For this reason, we recommend that the railroad consider a pedestrian-only, at-grade crossing as an intermediate solution. We also recommend the school district and the railroad install fencing which will channel students to the crossing. An at-grade crossing is not the optimal solution, but we believe it will do much to reduce the current safety risks near the school.

As I mentioned in our meeting, the commission has a grant program, the Grade Crossing Protection Fund, which could help fund some of the improvements at this location. Please know that we are willing to work with stakeholders to assist them in applying for funding.

Commission staff and other Operation Lifesaver volunteers are scheduled to provide educational presentations on rail safety to students at Longview Elementary School on January 13, 2009. An evening session will also be offered to community members who live near the tracks at this location. Annual Operation Lifesaver presentations are planned for the students and citizens that live near the tracks.

Thank you for your attention to this matter. If you have any questions, you may contact me at (360) 664-1208 or ddanner@utc.wa.gov.

Sincerely,

David W. Danner
Executive Director and Secretary

cc: Senator Janea Holmquist
Columbia Basin Railroad
Moses Lake School District
Dave Pratt, Assistant Director Safety & Consumer Protection

Appendix C

Draft Programmatic Agreement Stipulations

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The Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) and the Washington State Department of Transportation (WSDOT) have prepared a Programmatic Agreement (PA) pursuant to the requirements of Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f. Signatory Parties to this PA are expected to include the STB, the Washington State Department of Archaeology and Historic Preservation (State Historic Preservation Office or SHPO), and the Port of Moses Lake. SEA and WSDOT are continuing to work with the SHPO to finalize the PA, and the STB will not make any final decision until the PA is executed. SEA and WSDOT are including a copy of the Draft PA's Stipulations below.

STIPULATIONS

In coordination with the other signatory parties, the STB shall ensure that the following measures are carried out:

I. GENERAL REQUIREMENTS AND STANDARDS

A. The Port of Moses Lake (Port) shall ensure that all work carried out under this Agreement is conducted by or under the direct supervision of a person or persons meeting, at a minimum, the *Secretary of the Interior's Professional Qualification Standards* (36 CFR 61).

B. Activities carried out pursuant to this Agreement shall meet the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 CFR 44716, as revised) as well as standards and guidelines for historic preservation activities as established by the SHPO.

C. This Agreement shall apply to any land located within the Area of Potential Effect (APE) that has not been investigated for archaeological, cultural, or historic resources.

II. NHPA EVALUATION

A. Once access to a previously inaccessible area within the APE has been secured, or in the event that the Project's APE is expanded, the Port shall:

1. Contact the SHPO, interested and affected Indian Tribes, and other consulting parties with the project schedule at least fourteen (14) calendar days prior to initiating the cultural resources survey.

2. Conduct a professional cultural resources survey to identify archaeological resources and/or historic structures that are 45 years old or older. Any identified resources will be inventoried and evaluated for their eligibility for inclusion in the National Register of Historic Places (NRHP). The inventory and evaluation will be documented in a Draft Survey Report that addresses such properties' potential eligibility for listing on the NRHP, potential adverse

affects to the resource as a result of the project, and recommended actions for further investigation of identified resources.

B. The Port shall provide the Draft Survey Report and any applicable Historic Property Inventory (HPI) forms to the STB. The STB shall review and comment on the Draft Survey Report and HPI forms within fourteen (14) calendar days. The Port shall revise the Draft Survey Report consistent with the STB's comments and submit three (3) copies of the revised Draft Survey Report within fourteen (14) calendar days of the receipt of comments.

C. The STB shall provide the revised Draft Survey Report to the SHPO, any interested or affected Native American Tribes, and other consulting parties for review and comment. The SHPO, any interested and affected Native American Tribes, and other consulting parties shall review the documentation and respond with any comments within thirty (30) calendar days.

D. The STB, in consultation with the SHPO, any interested or affected Native American Tribes, and other consulting parties, may determine that further study is necessary. The STB may require the Port to conduct additional fieldwork, including a pedestrian survey and/or subsurface testing, as necessary.

III. TREATMENT OF HISTORIC PROPERTIES

A. For archaeological or cultural resources or historic properties deemed eligible for inclusion on the NRHP, the STB will follow the procedures to assess the Undertaking's effects on them and consult with the SHPO, any interested or affected Native American Tribes, and other consulting parties.

B. The STB shall develop a treatment plan to avoid, minimize, or mitigate effects to the historic properties identified during the Survey, and this treatment plan will include a curation plan for any artifacts that are recovered. The treatment plan will be developed by cultural resource professionals that meet the Secretary of the Interior's Standards and must be concurred upon by the SHPO prior to implementation.

C. The STB will ensure that the treatment plan is implemented.

IV. APPROVAL TO PROCEED

A The Port may not proceed with construction of Segment 1, Alternative 1A, and/or the Ecology Modification until notified in writing by the STB that there are no unresolved concerns pertaining to the STB's assessment of effects on any identified historic properties or measures required to avoid, reduce, or mitigate adverse effects on those properties. The STB may require the Port to conduct additional evaluation or assessment of effects to resolve any concerns as necessary.

B. If the SHPO, interested and affected Indian Tribes, or other consulting parties fail to provide comments within the designated review period, the STB and WSDOT will assume their concurrence and proceed with the proposed action or activity.

V. DISPUTE RESOLUTION

A. If any party to this agreement or any tribe or other interested party objects to plans, documents, reports, activities, or determinations proposed pursuant to the terms of this Agreement, the STB shall notify SHPO of the objection, then consult with the objecting party and the SHPO to resolve the issue. If, after initiating consultation, the STB determines that the objection cannot be resolved through consultation, the STB shall forward all documentation relevant to the dispute to the Advisory Council for a review of the findings. Such documentation shall include the STB's proposed response to the objection.

1. Any comment provided by the Advisory Council on Historic Preservation (Advisory Council) will be taken into account by the STB in accordance with 36 CFR Part 800.6.

2. Any recommendation or comment provided by the Advisory Council will be understood to pertain only to the subject of the dispute, and the STB's responsibility regarding actions outside the dispute will remain unchanged.

3. The parties may continue all actions under this Agreement that are not the subject of the dispute.

4. Each party reserves any and all rights it may otherwise have to enforce its rights or seek resolution of the dispute under applicable law.

VI. FAILURE TO COMPLY

A. Should the STB find that the terms of this Agreement have not been carried out:

1. The STB will request the Advisory Council to comment in accordance with 36 CFR Part 800;

2. The Port will not take any action to make an irreversible commitment that would result in an adverse effect with respect to an inadvertently discovered property or other properties covered by this Agreement; and

3. The STB will not foreclose the Advisory Council's opportunity to suggest modifications or alternatives to the proposed APE that could avoid or mitigate any adverse effect on historic, cultural or archaeological resources until the commenting process has been completed.

VII. MODIFICATIONS AND AMENDMENTS

Any signatory to this Agreement may propose that it be amended or modified, whereupon the parties will confer and consider the amendment. Any resulting amendment requires the agreement of all signatory parties and shall be executed in writing.

VIII. UNANTICIPATED DISCOVERIES

In the event that any unanticipated historic or cultural properties, archaeological sites, human remains, funerary items, or assorted artifacts are discovered during the proposed construction, the Port shall immediately cease all work and notify the SHPO, STB, WSDOT, interested federally-recognized tribes, and consulting parties, if any, to determine if additional consultation and mitigation is necessary. In the event that human remains are discovered, the Port shall also notify appropriate law enforcement agencies. (See the attached Plan and Procedures for the Unanticipated Discovery of Cultural Resources and Human Skeletal Remains).

IX. TERMINATION

A. This Agreement shall remain in effect until terminated by mutual agreement of the signatory parties or replaced with a revised Agreement.

B. Any signatory party may withdraw from this Agreement upon thirty (30) days written notice to the other parties.

C. Any discovery of historic or cultural properties, archaeological sites, human remains, funerary items, or assorted artifacts in process under the terms of this Agreement at the time of the termination shall be processed to its completion.

D. In the event of termination or a signatory party withdraws from the Agreement, the STB will comply with 36 CFR Part 800, Protection of Historic Properties.

X. SUNSET CLAUSE

This Agreement shall terminate if the Project is cancelled; if the terms of this Agreement have been met; or ten (10) years after the date of any STB decision approving the construction and operation of the proposed new rail line in Grant County, Washington.

PLAN AND PROCEDURES FOR THE UNANTICIPATED DISCOVERY OF CULTURAL RESOURCES AND HUMAN SKELETAL REMAINS

NORTHERN COLUMBIA BASIN RAILROAD PROJECT, IN GRANT COUNTY, WASHINGTON

1. INTRODUCTION

The following Unanticipated Discovery Plan (UDP) outlines procedures for the Port of Moses Lake (Port) to follow, in accordance with state and federal laws, if archaeological materials or human remains are discovered.

2. RECOGNIZING CULTURAL RESOURCES

A cultural resource discovery could be prehistoric or historic. Examples include:

- An accumulation of shell, burned rocks, or other food related materials
- Bones or small pieces of bone,
- An area of charcoal or very dark stained soil with artifacts,
- Stone tools or waste flakes (i.e. an arrowhead, or stone chips),
- Clusters of tin cans or bottles, logging or agricultural equipment that appears to be older than 50 years,
- Buried railroad tracks, decking, or other industrial materials.

When in doubt, assume the material is a cultural resource.

3. ON-SITE RESPONSIBILITIES

STEP 1: STOP WORK. If any Port employee, contractor or subcontractor believes that he or she has uncovered a cultural resource at any point in the project, all work adjacent to the discovery must stop. The discovery location should be secured at all times.

STEP 2: NOTIFY THE FEDERAL AGENCY. Contact the Surface Transportation Board's Section of Environmental Analysis (SEA).

Contact Information for SEA:
Christa Dean
Attorney and Project Manager
202-245-0299
christa.dean@stb.dot.gov

If human remains are encountered, treat them with dignity and respect at all times. Cover the remains with a tarp or other materials (not soil or rocks) for temporary protection in place and to shield them from being photographed. Do not call 911 or speak with the media.

4. FURTHER CONTACTS AND CONSULTATION

A. Stop Work In the Area of the Discovery

- Protect Find: The Port is responsible for taking appropriate steps to protect the discovery site. All work will stop in an area adequate to provide for the total security, protection, and integrity of the resource. Vehicles, equipment, and unauthorized personnel will not be permitted to traverse the discovery site. Work in the immediate area will not resume until treatment of the discovery has been completed following provisions for treating archaeological/cultural material as set forth in this document.

- Direct Construction Elsewhere On-site: The Port may direct construction away from cultural resources to work in other areas prior to contacting the concerned parties.

B. Identification and Consultation

- Identify Find: The Port will hire a qualified professional archaeologist to examine the find to determine if it is archaeological and will provide findings to SEA.

    - If it is determined not to be archaeological, work may proceed with no further delay.

    - If it is determined to be archaeological, the Port and SEA will continue with notification.

    - If the find may be human remains or funerary objects, the Port will ensure that a qualified physical anthropologist examines the find. If it is determined to be human remains, the procedure described in Section 5 will be followed.

- Notify the DAHP: SEA will contact the Department of Archaeology and Historic Preservation (DAHP).

- Notify Any Tribes: If the discovery may relate to Native American interests, SEA will also contact any federally-recognized tribes with ancestral connection to the area.

Contact Information for DAHP:

Dr. Allyson Brooks
State Historic Preservation Officer
360-586-3066 or

Matthew Sterner
Transportation Archaeologist
360-586-3082
Matthew.Sterner@DAHP.WA.GOV

C. Further Activities

- Archaeological discoveries will be documented as described in Section 6.
- Construction in the discovery area may resume as described in Section 7.

5. SPECIAL PROCEDURES FOR THE DISCOVERY OF HUMAN SKELETAL MATERIAL

Any human skeletal remains, regardless of antiquity or ethnic origin, will at all times be treated with dignity and respect.

The Port will comply with applicable state and federal laws, and the following procedure:

A. Notify Law Enforcement Agency or Coroner's Office:

In addition to the actions described in Sections 3 and 4, the Port will immediately notify the local law enforcement agency or coroner's office.

The coroner (with assistance of law enforcement personnel) will determine if the remains are human, whether the discovery site constitutes a crime scene, and will notify DAHP of its determination.

B. Participate in Consultation:

Per RCW 27.53.030, RCW 68.50, and RCW 68.60, DAHP will have jurisdiction over non-forensic human remains. Port personnel, as well as SEA and the Washington Department of Transportation (WSDOT), will participate in consultation.

C. Further Activities:

- Documentation of human skeletal remains and funerary objects will be agreed upon through the consultation process described in RCW 27.53.030, RCW 68.50, and RCW 68.60.
- When consultation and documentation activities are complete, construction in the discovery area may resume as described in Section 7.

6. DOCUMENTATION OF ARCHAEOLOGICAL MATERIALS

Archaeological deposits discovered during construction will be assumed eligible for inclusion in the National Register of Historic Places under Criterion D.

The Port will ensure the proper documentation and assessment of any discovered cultural resources in cooperation with SEA, DAHP, affected tribes, and a contracted consultant (if any).

All prehistoric and historic cultural material discovered during project construction will be recorded by a professional archaeologist using standard techniques. Site overviews, features, and artifacts will be photographed; stratigraphic profiles and soil/sediment descriptions will be prepared for subsurface exposures. Discovery locations will be documented on scaled site plans and site location maps.

Cultural features, horizons and artifacts detected in buried sediments may require further evaluation using hand-dug test units. Units may be dug in controlled fashion to expose features, collect samples from undisturbed contexts, or interpret complex stratigraphy. A test excavation unit or small trench might also be used to determine if an intact occupation surface is present. Test units will be used only when necessary to gather information on the nature, extent, and integrity of subsurface cultural deposits to evaluate the site's significance. Excavations will be conducted using state-of-the-art techniques for controlling provenience.

Spatial information, depth of excavation levels, natural and cultural stratigraphy, presence or absence of cultural material, and depth to sterile soil, regolith, or bedrock will be recorded for each probe on a standard form. Test excavation units will be recorded on unit-level forms, which include plan maps for each excavated level, and material type, number, and vertical provenience (depth below surface and stratum association where applicable) for all artifacts recovered from the level. A stratigraphic profile will be drawn for at least one wall of each test excavation unit.

Sediments excavated for purposes of cultural resources investigation will be screened through 1/8-inch mesh, unless soil conditions warrant ¼-inch mesh.

All prehistoric and historic artifacts collected from the surface and from probes and excavation units will be analyzed, catalogued, and temporarily curated. Ultimate disposition of cultural materials will be determined in consultation with SEA, DAHP, and any affected tribes.

Within 90 days of concluding fieldwork, a technical report describing any and all resultant archaeological excavations will be provided to SEA, DAHP, and any affected tribes.

If assessment activity exposes human remains (burials, isolated teeth, or bones), the process described in Section 5 above will be followed.

7. PROCEEDING WITH CONSTRUCTION

Project construction outside the discovery location may continue while documentation and assessment of the cultural resources proceed. A qualified professional, or a person who meets, at a minimum, the *Secretary of the Interior's Professional Qualification Standards* (36 CFR 61), must determine the boundaries of the discovery location. In consultation with DAHP, WSDOT, and any affected tribes, SEA will determine the appropriate level of documentation and treatment of the resource. SEA will make the final determinations about treatment and documentation. Construction may continue at the discovery location only after the process outlined in this plan is followed and SEA and WSDOT determine that compliance with state and federal laws is complete.