



**U.S. Department of Transportation
Federal Railroad Administration
Kelso-Martin's Bluff Rail Improvement Projects
Task 5 and Task 6
FINDING OF NO SIGNIFICANT IMPACT (FONSI) ADDENDUM**

The Federal Railroad Administration (FRA) issued a Finding of No Significant Impact (FONSI) on April 10, 2015, for the Kelso-Martin's Bluff Rail Improvement Projects Task 5 and 6. Since then, the Washington State Department of Transportation (WSDOT) (the project sponsor and recipient of a grant awarded under FRA's High Speed Intercity Passenger Rail Program) has proposed the following project changes:

Task 5:

- Addition of rock blasting as a construction method;
- Design changes for the culvert improvements on Unnamed Tributary 3 (UT3) at milepost (MP) 108.19; and
- Addition of the Otter Creek Island Restoration Project as a new project element, which is necessary as an environmental offset to improve fish passage.

Task 6:

- Change in the location of the preservation property necessary to replace the habitat functions lost through the placement of fill in Owl Creek.

FRA completed a NEPA re-examination to determine whether the project changes would change the impacts disclosed in the Environmental Assessment (EA) and FONSI. Specifically, the re-examination analyzed the potential impacts to: transportation; land use and economics; acquisitions/displacements/relocations; socioeconomics and communities; environmental justice; visual resources and aesthetics; air quality; noise and vibration; ecosystems (including protected species); water resources; energy and natural resources; geology and soils; hazardous materials and waste; public services; utilities; historic properties and cultural resources; tribal lands or interests; and parklands and recreation. The detailed resource-by-resource analysis is documented in the two attached NEPA re-examination worksheets. FRA has evaluated these changes and determined that the April 2015 FONSI is still valid and the proposed changes will not result in any significant environmental impacts.

This FONSI Addendum describes relevant elements of the Project as approved in the EA/FONSI, the proposed Project change as analyzed in the NEPA re-examination, and a summary of the findings of the NEPA re-examination. This FONSI Addendum, with relevant attachments, will be available on the FRA and WSDOT project websites¹, along with the EA and original FONSI.

Task 5: Proposed Project Changes

Unnamed Tributary 3 (UT3)

The Task 5 Project evaluated in the EA/FONSI and in the Biological Opinion (BiOp) issued by the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act (Section 7) (December 18, 2014) included a new third track at MP 108.19. The addition of this track required the extension of the existing 36-inch culvert at UT3. In the EA, WSDOT proposed to replace the culvert at UT3 to improve fish passage.

Specifically, WSDOT proposed to replace the UT3 culvert with up to two, 60-inch culverts that would pass beneath the track bed within the railroad right-of-way. West of the railroad right-of-way, WSDOT proposed a three-sided approximately 5-foot-high by 15-foot-wide bottomless box culvert beneath Hendrickson Drive and the parking lot within Louis Rasmussen Day Use Park (Park). There would be an outfall at the beach, where the box culvert would transition to a 70-foot long by 20-foot wide open, natural stream channel flowing across the beach use area of the Park. At the culvert outfall, a gate would be installed to prevent pedestrian access into the culvert.

Since FRA's issuance of the FONSI in April 2015, WSDOT, Washington Department of Fish and Wildlife (WDFW), and the Cowlitz Indian Tribe recommended that the same improvements to fish passage proposed at UT3 could be achieved at another location, at a lower overall project cost.² The work now proposed at the UT3 culvert is limited to extending the existing culvert an additional 8 feet on the east end to accommodate the additional third mainline track construction. The Otter Creek Island Restoration Project (Restoration Project), described below, will fulfill the necessary fish enhancement offsets in place of the improvements at UT3.

The change to the UT3 culvert extension will result in impacts similar to those already described in the EA/FONSI including impacts to: transportation, land use and economics, visual resources and aesthetics, ecosystems, water resources, geology and soils, historic/cultural/archeological

¹ <http://www.wsdot.wa.gov/projects/rail/kelsolongviewjct/>
<https://www.fra.dot.gov/Page/P0791>

² The Cowlitz Indian Tribe's role in the providing input on the proposed environmental offset is derived from the U.S. Army Corps of Engineers' (USACE) fulfilling its Federal tribal trust obligations. USACE provides the Cowlitz with more involvement in projects that may affect the Tribe's usual and accustomed fishing grounds, such as along the Columbia River where the Task 5 Project is located.

resources, and construction. These impacts are summarized below and will not result in significant impacts consistent with the EA/FONSI:

- Transportation - Closing of the parking lot and re-routing of traffic at Rasmussen Park for work at UT3 would no longer occur. Therefore this project modification would result in a reduction in impacts to transportation.
- Land use and economics - A temporary construction easement at Louis Rasmussen Park is no longer required and there would be no short term impacts to recreational land uses at Louis Rasmussen Park.
- Visual resources and aesthetics - The proposed design would not result in the minor visual impact as described in the EA/FONSI. The eight (8)-foot culvert extension would occur in areas already evaluated in the EA/FONSI and would be consistent with anticipated construction activities and visual impacts already assessed in the EA/FONSI.
- Noise and vibration - Short term noise impacts to park users at Louis Rasmussen Park would be reduced because work would no longer occur within the park. This minor reduction in construction noise would not change the project's overall noise impact described in the EA/FONSI.
- Ecosystems - Because a new fish passable culvert would not be constructed, the overall beneficial effect (increased fish passage, reduced flow, reduced water velocity, and reduced potential for flooding) associated with the culvert replacement would not occur at the UT3 location. (Note, however, that improvements benefiting protected fish species and habitat would occur as part of the Otter Creek Island Restoration Project, described below.)
- Water resources - Because a new fish passable culvert would not be constructed, the overall beneficial effect (reduced flow, reduced water velocity, and reduced potential for flooding) associated with the culvert replacement would not occur. Short term impacts to hydrology and water quality (i.e. increased turbidity and potential spills and releases of pollutants) would be reduced for UT3 as only an extension of the existing culvert would occur. During construction, best management practices (BMPs) would minimize or avoid erosion, sedimentation, and pollutant spills to wetlands and water resources as committed to in the EA/FONSI.
- Geology and soils - Design modifications would alter the amount of soils disturbed but the change in quantities would not result in additional short or long terms impacts to geology and soils than already described in the EA/FONSI.
- Historic, cultural, and archeological resources - Excavation for culvert replacement at UT3 would no longer occur. Therefore, there is a reduced chance of encountering archaeological resources in undisturbed soils and an inadvertent discovery plan (IDP) would no longer be required for the UT3 site. This reduction in potential impacts to archaeological resources would not change the project's overall impact to historic and archaeological resources described in the EA/FONSI.

- Parklands and recreation - Because construction of the UT3 culvert replacement will no longer occur, a temporary construction easement at Louis Rasmussen Park is no longer required and there will be no short term park or beach closures, noise impacts, or vehicular traffic impacts. The project will no longer result in a “de minimis” use of Louis Rasmussen Park, a Section 4(f)-projected resource.
- Construction - The design modification at UT3 would eliminate impacts to the park and users of the park.

Otter Creek Island Restoration Project

Since FRA issued the FONSI in April 2015, WSDOT, WDFW, and the Cowlitz Indian Tribe recommended the Restoration Project as a new Task 5 Project element to provide the same improvements to fish habitat and fish passage proposed as the proposed culvert replacement at UT3 but at a lower overall cost. The Restoration Project is located along the Cowlitz River near the City of Toledo between river mile (RM) 43.3 and 43.

The Restoration Project will include the construction of a primary perennial side channel through Otter Creek Island, construction of a secondary perennial side channel to connect to the existing Otter Creek side channel, excavation of a backwater area within the existing Otter Creek side channel, construction of three different types of engineered log jams, placement of additional habitat complexity logs, construction of a gravel augmentation/nourishment bar in the main stem of the Cowlitz River, and planting of native riparian vegetation. Work will be required below the ordinary high water mark of the Cowlitz River, Otter Creek, and the Otter Creek side channel. This work will include excavation and placement of native alluvium, impact driving of wooden piles, placement of large woody debris, and installation/removal of cofferdams, silt booms, and dewatering pumps.

The proposed Restoration Project will improve salmonid habitat throughout the Project area, adding much needed morphological complexity and restoring habitat-forming processes in a simplified reach of the Cowlitz River. The primary goal of the Restoration Project is to create perennial side channel habitat through Otter Creek Island and enhance fish habitat within the existing Otter Creek side channel. Secondary goals include the creation of off-channel and main stem complex wood cover and increasing sediment supply within the river to enhance spawning habitat.

FRA prepared a Biological Assessment for the Restoration Project in accordance with Section 7, and NMFS issued a BiOp on June 20, 2016. WSDOT will ensure that the following reasonable and prudent measures in the BiOp, as well as the corresponding terms and conditions, are implemented:

1. Monitor underwater noise while driving piles within the wetted channel.³
2. Minimize incidental take from elevated levels of turbidity resulting from construction activities.
3. Minimize take while installing in-water isolation BMPs and streambed gravels.

The Restoration Project will result in impacts similar to those already described in the EA/FONSI including impacts to: transportation, visual resources and aesthetics, noise and vibration, ecosystems, historic/cultural/archeological resources, and tribal lands or interests. These impacts are summarized below and will not result in significant impacts consistent with the EA/FONSI:

- Transportation - Delivery of construction materials would occur on rural roads with low average daily traffic counts. Less than 10 truck trips a day would occur during construction and are not anticipated to cause noticeable traffic delays. The transportation effects of constructing the Restoration Project would be less than that evaluated in the EA/FONSI.
- Visual resources and aesthetics - Construction of the Restoration Project would require the temporary installation of erosion and water control structures, grading, excavation to install the permanent log jams, and vegetative alterations required to provide long term habitat enhancements. The affected property is a natural, undeveloped setting. Fish enhancement activities are intended to create typical, mature riverine features (e.g. gravel bar, log jams, etc.) within the existing natural setting. As such, construction would result in a beneficial long term improvement to the overall aesthetics of the site.
- Noise and vibration - The minor, short-term noise and vibration impacts during construction of Restoration Project would be equal to or less than the intensity of noise and vibration analyzed in the EA/FONSI. Following construction, the affected property will remain in a natural, undeveloped state with no sources of man-made noise or vibration. The project location is further removed from recreational users and residential and commercial areas and therefore has less opportunity to impact people and structures.
- Ecosystems - Juvenile Lower Columbia River (LCR) coho salmon, LCR Chinook salmon, and LCR steelhead may be present during work activities at the site. Noise from pile driving activities, increased turbidity, and physical displacement during in-water

³ In response to the June 30, 2016 BiOp, FRA explained in a letter to NMFS dated July 7, 2016, that the combination of pile driving in de-watered conditions and shallow water depth would make underwater sound transmission and monitoring of any transmission difficult and that the placement of monitoring hydrophones will be problematic in shallow water conditions. FRA also explained that it will not be possible to provide a noise monitoring plan to NMFS 30 days prior to the commencement of pile driving, due to the need to begin in-water work during the upcoming in-water work window that runs from July 15-September 15. In an email response dated July 11, 2016, NMFS indicated that they understand these limitations and, therefore, the 30-day notification before pile driving is not applicable and underwater noise must be monitored to the extent practicable where the water is deeper than three feet.

work would affect these species during construction. The activities are likely to adversely affect these species but would not destroy or adversely modify their designated critical habitats. Consultation with NMFS also included an assessment of Essential Fish Habitat (EFH). NMFS determined that construction activities would have an adverse effect on EFH designated for coho and Chinook salmon. Despite the construction period impacts, the Restoration Project will result in overall long-term beneficial effects to vegetation and wildlife, specifically ESA-listed fish species through enhancements to the habitat that supporting those species.

- Historic/cultural/archeological resources – WSDOT conducted a cultural resources survey in the spring of 2016. No architectural resources are present within the area of potential affect (APE) for the Restoration Project, and no archaeological resources were encountered during the survey. WSDOT, on behalf of FRA, conducted the necessary Section 106 consultation with DAHP; in a letter dated May 25, 2016 DAHP concurred that the Restoration Project would have no effect on historic properties. WSDOT will develop an IDP to be overseen by either a WSDOT or Cowlitz Indian Tribe archaeologist to establish procedures for addressing the unanticipated discovery of archaeological resources during construction activities. In addition, WSDOT sent copies of the cultural resources survey report to the Cowlitz Indian Tribe, the Yakama Nation, and the Nisqually Tribe for review and comment. Of these tribes, only the Nisqually Tribe replied, stating that it had no concerns.
- Tribal lands or interests - Changes made to the location of enhancement activities would not result in changes to tribal lands or interests. Through consultation among WSDOT, WDFW and the Cowlitz Indian Tribe, it has been determined that the Restoration Project would have an equal or greater beneficial impact to migratory fish of tribal interest than the original proposed improvements at UT3.

Rock Blasting

Controlled rock blast fracturing was not previously included as a construction method necessary to complete Task 5 and therefore was not evaluated in the EA/FONSI. Since FRA issued the FONSI in April 2015, BNSF Railway (BNSF), the infrastructure owner and contractor to WSDOT, conducted additional geotechnical investigations. These geotechnical investigations identified three locations of high density rock within the zone of excavation that may require rock drilling and/or controlled blast fracturing to facilitate removal for construction of the third mainline track and maintain safe train clearances for the new tracks. Controlled blasting at the three locations would occur during daylight hours and would generally entail the following sequence of activities and BMPs:

- Hydraulic drills would drill out the blast pattern designed by the blaster-in-charge. Drill depths and spacing would be based on the intended rock fracture and bench height.

- Insertion of the expansive grout or the minimum charge required to provide the most efficient rock fracture while minimizing blasting product used (determined by the field evaluation of rock density during drilling).
- Placement of blasting mats to avoid flying rock and minimize explosion acoustics.
- Clearing the area and issuing air horn warnings.
- Setting the controlled blast. The blaster-in-charge would then walk the area to ensure there are no undetonated explosives then call the “all clear” and open the area for rock removal.
- The rock produced from blasting would be used as clean, structural fill within the overall Task 5 Project.

Rock blasting will result in impacts similar to those already described in the EA/FONSI including impacts to: transportation, visual resources and aesthetics, noise and vibration, ecosystems, water resources, and construction. These impacts are summarized below and will not result in significant impacts consistent with the EA/FONSI:

- Transportation - Rock blasting would not result in new short-term or long-term impacts to vehicular or rail traffic as no temporary or long term detours or closures would occur. Construction materials for blasting would be delivered via rail and truck along existing routes as described in the EA/FONSI.
- Visual resources and aesthetics - The rock blasting activities would produce a finished slope visually equivalent to the original condition of the site and would result in a minor change in the visual impact. Rock blasting activities would not alter the overall visual impact of the project that is described in the EA/FONSI.
- Noise and vibration - Rock blasting would result in short-term, minor noise impacts during the construction period.
- Ecosystems - Rock blasting would not result in the removal of additional herbaceous vegetation. During construction, BMP's would minimize or avoid erosion, sedimentation, and pollutant spills to wetlands and water resources as committed to in the EA/FONSI. WSDOT notified USFWS and NMFS about the rock blasting, and USFWS and NMFS concurred that rock blasting would not result in any new impacts compared to those described in the BiOp for the project.
- Water resources - Rock blasting could result in short-term impacts to hydrology and water quality (i.e. increased turbidity and potential spills and releases of pollutants).
- Construction - Rock blasting is an additional construction method and would result in additional short-term impacts such as noise disturbance, and erosion and sedimentation. During construction, BMP's would minimize or avoid erosion, sedimentation, and pollutant spills to wetlands and water resources. Additional BMP's would be utilized to eliminate potential safety hazards to workers and the public.

Preservation Property

During the identification of mitigation measures to support the EA, the US Army Corps of Engineers (USACE), Cowlitz Indian Tribe, and WDFW identified a preservation property that would replace the habitat functions lost through the placement of fill in Owl Creek. Following the EA/FONSI, BNSF entered into negotiations to acquire that preservation property. In May 2015, the property owner informed all parties that the property was no longer available for acquisition.

Consistent with the EA/FONSI, WSDOT and BNSF will acquire a new property roughly 50 acres of high-value wetlands in the vicinity of Owl Creek and the confluence of the Cowlitz River and Columbia River. The size and specific location of replacement properties may change, and WSDOT will rely on the following parameters agreed to by USACE, the Cowlitz Indian Tribe, and WDFW:

- Target those functions lost with the fill of Owl Creek channel habitat, and specifically target rearing habitat for coho and steelhead runs within the Columbia River basin.
- Occur within Water Resource Inventory Areas 24 (Columbia River Basin only), 25, 26, or 27.
- Provide:
 - Priority, high value aquatic habitats identified by WDFW and the Cowlitz Indian Tribe within the Columbia River Estuary (i.e., from the Bonneville Dam to the mouth of the Columbia River);
 - Maximized opportunities for wetland or off-channel restoration and floodplain connectivity by local, state, tribal, or federal agencies; and/or
 - Suitable habitat for multiple threatened or endangered species.

The change in location of the Preservation Property will not result in a change or new impacts that differ from those described in the EA/FONSI and would not result in significant impacts.

PROJECT COMMITMENTS

As the project sponsor, WSDOT is responsible for ensuring all environmental commitments identified in Appendix B of the April 2015 FONSI, the reasonable and prudent measures in the BiOp for the Otter Creek Island Restoration Project, and the BMPs described in this FONSI are fully implemented.

FINDING

FRA finds that the proposed Project changes described above for the Kelso-Martin's Bluff Task 5 and Task 6 Improvement Projects will not result in any foreseeable significant impacts on the quality of the human or natural environment after implementation of the mitigation described in the EA/FONSI and above. FRA also finds that the EA/FONSI, prepared pursuant to FRA's NEPA "Procedures for Considering Environmental Impacts" (64 FR 28545, May 26, 1999) and

NEPA (42 USC §4321) remains valid. The EA, FONSI, re-examination worksheets, and this FONSI addendum provide sufficient evidence and analysis for FRA to determine that an environmental impact statement is not required.



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Date