

SERVICE DATE – JULY 2, 2020

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

FINAL ENVIRONMENTAL ASSESSMENT

Docket No. AB 1295 (Sub-No. 0X)

**City of Yelm–Abandonment Exemption–
in Thurston and Pierce Counties, Wash.**

ABANDONMENT TYPE

The time for comments on the Draft Environmental Assessment (Draft EA) has expired in this:
(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

(X) NO NEW COMMENTS WERE RECEIVED

() NEW COMMENTS WERE RECEIVED

In this proceeding, the City of Yelm (Yelm) filed a verified notice with the Surface Transportation Board (Board) under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Thurston and Pierce Counties, Washington. The rail line proposed for abandonment extends approximately 4.57 miles from milepost 20.99 near Roy to milepost 25.56 at the southern terminus in the City of Yelm (the Line). OEA served a Draft EA on June 15, 2020 for public review and comment. In the Draft EA, OEA recommended three environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Modifications to the Draft EA

Upon further independent review, OEA believes that the Draft EA contains two citation errors that should be corrected in this Final EA. First, OEA recommends that the citation in the first full sentence on page 4 of the Draft EA be revised from 33 U.S.C. § 1344 to 33 U.S.C. § 1342. Second, OEA recommends that the citation in condition 2 on page 6 of the Draft EA be revised from 16 U.S.C. § 1535 to 16 U.S.C. § 1536. This modification is reflected in condition 2 listed below.

Conclusions

The Draft EA comment period has ended. Accordingly, OEA recommends that the conditions recommended in the Draft EA, as modified by the recommendations in this document,

should be imposed upon any decision granting abandonment authority.¹ The conditions are:

1. To ensure appropriate consideration of the National Pollution Discharge Elimination System (NPDES) requirements, the City of Yelm shall consult with the U.S. Environmental Protection Agency's Region 10 Office or the Washington State Department of Ecology prior to commencement of any salvage activities and shall comply with the applicable agency's reasonable NPDES requirements.
2. Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. § 1536), the City of Yelm shall consult with the U.S. Fish and Wildlife Service and the Board's Office of Environmental Analysis to address concerns about potential impacts to the following species: Fisher; Gray Wolf; North American Wolverine; Olympia Pocket Gopher; Roy Prairie Pocket Gopher; Tenino Pocket Gopher; and Yelm Pocket Gopher, Marbled Murrelet; Northern Spotted Owl; Lark; and Yellow-billed Cuckoo, Oregon Spotted Frog, Bull Trout, Golden Paintbrush; Marsh Sandwort; and (endangered) Water Howellia, and to develop appropriate mitigation measures, if necessary. The City of Yelm may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 7 consultation process is complete and the Board has removed this condition.
3. Pursuant to the Coastal Zone Management Act (16 U.S.C. § 1451 et seq.) and the Board's environmental regulations at 49 C.F.R. § 1105.9, the City of Yelm shall consult with the Washington State Department of Ecology's Coastal Zone Management Program and obtain state coastal management consistency certification, if necessary. The City of Yelm may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until it reports the results of these consultations in writing to the Board's Office of Environmental Analysis and the Board has removed this condition.

If the above conditions are imposed, OEA believes that the proposed action will not significantly affect the quality of the human environment.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

¹ If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 were to be reached for the Line (or a portion thereof), compliance with these conditions would not be required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.