

September 11, 2017

To: Greg Griffith

From: Fred Wert

Re: STB **Docket No. AB 1244X and AB 1243X**

Re: Environmental Assessment Comments

I writing to provide information to you regarding the proposed exempt abandonment filed by Cowlitz Railroad Company (CLC) before the Surface Transportation Board (STB).

On September 5, 2017 STB through its Office of Environmental Assessment (OEA), released its Environmental Assessment (EA). I sent a copy of this document to your office on September 8, 2017 for your review.

I note that in your comments to the draft Combined Environmental and Historic Report filed by CLC before the STB on June 1, 2016 that you rejected CLC determination that there were no historic structures on the line. This document refers to your letter of July 15, 2016:

CLC contacted the Washington Department of Archeology and Historic Preservation ("DAHP") by letters dated June 1, 2016 (including a draft CEHR) and February 17, 2017 (including a revised copy of the CEHR). *See Exhibit 2.* DAHP replied by letter dated July 5, 2016, asking that CLC hire a cultural resources firm and conduct an inventory of the integrity and eligibility of the railroad and its appurtenances. *See Exhibit 2.*

I urge you to once again request STB make this a requirement before any abandonment or Railbanking is allowed.

CLC admits removing rail beyond milepost 17.98 in is filings. What they have not disclosed is the removal of structures or roadbed. The following photographs are taken at Studebaker Creek before and after they removed this wood box culvert.



This photograph was taken before removal of this culvert. The railroad grade is the flat line through the trees at the top of the photograph.



A close-up of the culvert after much of the grade has been removed.



A photograph on September 9, 2017 showing the culvert almost totally removed. It may be one section is still standing on the left of the creek.

This is but one example. It is not clear if any inventory has been made of the structures or examination of the condition of the railroad grade beyond milepost 17.98. It could very well be that other structures or roadbed have been removed.

The extent of this one project is extensive. A rough guess using Google Earth is that the work is at least 300 feet in length.



Given that CLC's ROW is only 20' in width it is not clear how this was accomplished without the consent of Weyerhaeuser whom owns the adjacent lands.

STB seems to have accepted the information provided by CLC at face value. In STB's EA on page 10 they state:

"The conversion of a rail line into a trail allows for historic sites and structures to be preserved and for the rail right-of-way to remain intact."

This statement presumes that before the abandonment takes place that all of the right-of-way and structures are intact. That is not the case in this situation. The applicant has removed historic structures and a significant amount of the rail bed prior to filing for abandonment. This does not appear to have been revealed by the applicant to STB.

In addition, on page 11:

"OEA is recommending that the Board impose a condition stating that CLC shall retain its interest in and make no changes to any historic properties located within the APE until the Section 106 process is complete."

I have been told that STB will not institute a Section 106 review as long as CLC is negotiating Railbanking with Cowlitz County. It is not clear that if Railbanking fails if STB will then initiate a Section 106 proceeding.

Given the lack of information in this situation and the possibility of additional loss of historic resources I urge you to:

- Request from CLC a physical tour by SHPO of the line from MP 8.5
- Request that STB require CLC to hire a accredited culture analyst
- Request that a Section 106 Process be initiated
- Request that STB place an environmental stay on the abandonment subject to further investigation

I am available to discuss this project with you and assist you in your analysis.