

HEI-26348

Wood, Diana

From: Tarek Ravenel <TRavenel@palmettorail.com>
Sent: Wednesday, August 01, 2018 1:57 PM
To: Wood, Diana
Cc: Williams, Elizabeth G CIV USARMY CESAC (US); Tate, William G CIV; Winkle, John (FRA); Bauer, David; Rogers, Debra
Subject: RE: Palmetto Railways - Voluntary Mitigation Measures
Attachments: Voluntary_Mitigation_for PR verification TWR 8-1-18.docx



Diana

Please see the voluntary mitigation list that was provided with some minor edits by PR. Please let me know if you have any questions.

Thanks

T Ravenel

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From: Wood, Diana <Diana.Wood@stb.gov>
Sent: Thursday, July 26, 2018 1:25 PM
To: Tarek Ravenel <TRavenel@palmettorail.com>
Cc: Williams, Elizabeth G CIV USARMY CESAC (US) <Elizabeth.G.Williams@usace.army.mil>; Tate, William G CIV <William.G.Tate@uscg.mil>; Winkle, John (FRA) <john.winkle@dot.gov>; Bauer, David <David.Bauer@icf.com>; Rogers, Debra <Debra.Rogers@icf.com>
Subject: Palmetto Railways - Voluntary Mitigation Measures

T,

As discussed earlier today, the attached voluntary mitigation measures are from the mitigation measures proffered in your Environmental Report as well as those from your recent letter to the Board. Please review and verify, and amend, if needed.

Thanks
Diana

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Transportation

VM-01. Prior to initiating operations, the Applicant shall introduce and provide instructional programs from Operation Lifesaver to the communities impacted by the proposed rail line. These will include in person, written, and online materials.

VM-02. Prior to initiating operations, the Applicant shall provide rail safety training for all emergency response personnel in the impacted project area.

VM-03 Prior to initiating operations, the Applicant shall provide a 24-hour emergency contact to first responders in the service project area for use in the event of an emergency involving the proposed rail line.

VM-04 The Applicant shall provide active warning systems with lights and gates at crossings of public roads by the proposed rail line. The Applicant shall provide appropriate passive warnings, such as crossbucks, yield or stop signs and pavement markings, at crossings of private roads by the proposed rail line.

VM-05 The Applicant shall provide early warning systems at Shortcut Road, Old Highway 6 and Ranger Road.

VM-06 Prior to initiating operations, the Applicant shall conduct community workshops within the Cross community to educate residents about rail and rail crossing safety and to answer questions about the project.

VM-07 The Applicant shall coordinate with emergency services to address concerns with delays and train local first responders on rail safety. PR shall partner with the Berkeley County Emergency Services Division and the Cross Rural Fire District to upgrade equipment and/or facilities to improve emergency services for the Cross Community.

VM-08 If a shipper requests that the Applicant transport hazardous materials on the proposed rail line, the Applicant shall conduct any such shipments in compliance the requirements established by the U.S. Department of Transportation, the U.S. Department of Homeland Security, the U.S. Transportation Security Administration, and the Federal Railroad Administration.

Water Resources

VM-09 To mitigate potential water quality impacts from the proposed rail line, the Applicant shall use a variety of post-construction stormwater BMPs to convey, filter, and dissipate runoff from the new rail line, including but not limited to: vegetated swales, vegetated filter strips, stream bank stabilization, and channelized flow dissipation.

VM-10 The Applicant shall implement a Storm Water Pollution and Prevention Plan (SWPPP) as required by the National Pollutant Discharge Elimination System (NPDES) permit, including management of sediment and erosion control.

VM-11 Erosion prevention BMPs that may be implemented by the Applicant shall include dust control, mulching, blown straw, hydro-mulching/seeding, erosion control blankets, turf reinforcement mats, and outlet protection (i.e. rip-rap), temporary seeding, sediment tubes, sediment tube slope breaks (slopes greater than 50 feet in length), flexible growth medium (FGM) or engineered fiber medium (EGM) (i.e. Flexterra), and/or other devices as prescribed by the design engineer.

VM-12 The Applicant shall implement runoff control and conveyance BMPs that may include diversion ditches/dikes, pipe slope drains, drainage swales, and level spreader and/or other devices as prescribed by the design engineer.

VM-13 The Applicant shall implement sediment control BMPs that may include sediment basins, sediment traps, silt fences, ditch checks, stabilized construction entrances, storm drain inlet protection, and sediment tubes and/or other devices as prescribed by the design engineer.

VM-14 All construction BMPs shall be designed, implemented, and maintained per the guidance in the SCDHEC Storm Water Management BMP Handbook (August 2005).

VM-15 The Applicant shall obtain a NPDES Phase II Construction General Permit (CGP) to address water quality and quantity.

VM-16 The Applicant shall implement appropriate rail design measures to ensure minimal impact to floodplains and compliance with all FEMA or FEMA-approved local floodplain construction requirements.

VM-17 The Applicant shall design culverts and/or bridges to maintain existing surface water drainage patterns and not cause or exacerbate flooding on adjacent properties.

VM-18 The Applicant shall adhere to Berkeley County's stormwater regulations associated with the specific implementation of various stormwater management facilities where applicable and under Berkeley Counties jurisdiction (i.e. ditches, culverts, secondary collection systems, etc.).

VM-19 The Applicant shall design culverts and bridges to maintain existing flow and hydrology for wetland areas and to prevent flooding upstream.

VM-20 The Applicant shall design drainages located within FEMA regulated floodplains (Zone A Special Flood Hazard Area) in accordance with all FEMA or FEMA-approved local floodplain construction requirements.

VM-21 The Applicant shall design culverts and bridges to maintain existing flow/exchange and hydrology for wetland areas

VM-22 The Applicant shall obtain a Department of the Army permit authorization to discharge fill material into waters of the U.S..

Vegetation

There are no Applicant voluntarily proposed measures for mitigating potential project-related impacts to vegetation.

Wildlife

There are no Applicant voluntarily proposed measures for mitigating potential project-related impacts to wildlife.

Fish and Other Aquatic Species

VM-23 The Applicant shall design culverts and/or bridges to allow aquatic organisms to pass relatively unhindered.

Special-Status Species

VM-24 The Applicant shall implement a Spill Prevention, Control, and Countermeasures Plan (SPCC) during construction and operations to minimize the impact of a potential spill on protected species.

VM-25 The Applicant shall align structures over water and/or other benthic resources so as to minimize the over-water footprint as much as possible.

VM-26 The Applicant shall protect bald eagles by adhering to the Bald and Golden Eagle Protection Act (BGEPA) even though eagles have been delisted under the Endangered Species Act.

VM-27 The Applicant shall comply with the Migratory Bird Treaty Act (MBTA) of 1918 by following all laws and regulations pertaining to the removal/take of nests in the project ~~area~~limits.

VM-28 The Applicant shall implement the following BMPs during construction by the contractor responsible for the execution of the work. These are required in addition to conditions set forth in regulatory permit(s).

- a. Prior to construction, the Contractor shall prepare a Work Plan describing their proposed construction approach, methodology, and equipment to be used. The Applicant shall review this plan) to ensure compliance with applicable regulatory conditions and BMPs. The contractor shall also be required to attend and document his/her attendance at the Pre-Construction Conference meeting.
- b. Once construction is initiated, the Contractor shall complete the project in an expeditious manner in order to minimize the period of disturbance to environmental resources.
- c. Land disturbing activities shall not encroach into any wetland areas outside of the permitted impact area.
- d. The Contractor shall implement BMPs to minimize erosion and migration of sediments on and off the upland project site, including reclaimed lands, during and after construction. The contractor shall conduct inspections at a minimum of at least once every calendar week or within 24 hours of the end of a storm event of 0.5 inches or greater, until final stabilization is reached on all areas of the construction site.

e. The contractor shall ensure that oil, tar, trash, debris, and other pollutants do not enter the adjacent waters or wetlands during construction.

f. The contractor shall instruct all construction personnel on the potential presence of protected species in the construction area as described in the Protected Species Assessment and the need to prevent entrapment, harm, or other impacts to these animals.

g. The contractor shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing protected species.

h. All in-water construction activities shall be completed during daylight hours.

VM-29 The Applicant shall implement the following BMPs related to vessel operations during construction by the contractor responsible for the execution of the work:

a. The Applicant shall use shallow draft vessels that maximize the navigational clearance between the vessel and the river bottom (e.g. "jon boats", flat-bottomed barges, etc.) where possible.

b. All vessels associated with the construction project shall operate at "no wake/idle" speeds whenever possible while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom.

c. If a protected species is seen within 300 feet of the active daily construction/dredging operation or vessel movement, the Applicant shall implement all appropriate precautions to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a protected species. Operation of any mechanical construction equipment shall cease immediately if a Protected Species is seen within a 50-ft. radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition. The Applicant shall immediately contact the U.S. Fish and Wildlife Service at (843) 727-4707 upon sighting of a protected species.

d. The Applicant shall immediately report any collision with and/or injury to a West Indian manatee to the USFWS, Charleston Field Office, (843) 727-4707.

Noise and Vibration

VM-30 The Applicant shall use continuously welded rail and steel ties to minimize noise associated with operation of the rail line.

VM-31 The Applicant shall explore the feasibility of establishing Quiet Zones in the future at the crossings of Ranger Road, Mudville Road, Shortcut Road, SC 311 and Old Highway

Visual Resources

There are no Applicant voluntarily proposed measures for mitigating potential project-related impacts to visual resources.

Cultural and Historical Resources

VM-32. The Applicant shall maintain at least a 50-foot buffer between the right-of-way for the proposed rail line and the Garrett Cemetery.

Land Resources

There are no Applicant voluntarily proposed measures for mitigating potential project-related impacts to land resources.

Hazardous Waste Sites

There are no Applicant voluntarily proposed measures for mitigating potential project-related impacts from hazardous waste sites.

Air Quality and Climate Change

VM-33 To reduce the emission of pollutants, the Applicant and its contractors shall observe appropriate construction best management practices (BMPs).

VM-34 The Applicant shall implement a dust mitigation program during the construction of the proposed rail line to ensure emissions and fugitive dust are kept at a minimum, such as spraying water or other established measures. The Applicant shall also operate water trucks on haul roads as necessary to reduce dust.

VM-35 To limit project-related construction emissions, the Applicant shall work with its contractor(s) to ensure that construction equipment is properly maintained and that required pollution-control devices are in working condition.

VM-36 The Applicant shall comply with Air Quality State Construction and Operating permit requirements, conditions, and reporting.

VM-37 The applicant shall operate and maintain air pollution control equipment in accordance with permit requirements.

Energy

There are no Applicant voluntarily proposed measures for mitigating potential project-related impacts to energy resources.

Geology and Soils

VM-38 Following construction, the Applicant shall implement soil stabilization and vegetation management measures.

Socioeconomics

VM-39 Prior to initiating construction, the Applicant shall develop a Public, Agency, and Stakeholder Coordination Plan to ensure that outreach to diverse groups takes place throughout the Project to improve project awareness and education, ~~on the NEPA process.~~

VM-40 The Applicant shall team with a local telecommunications company to provide financial assistance for a broadband infrastructure improvement program for the communities surrounding the project area. The extent and mechanism for implementing this assistance will be finally determined after input with local community leaders to ensure that the assistance meets the greatest need.

VM-41 The Applicant shall provide financial assistance for renovations and improvements to the existing Community Center and Spiers Landing recreational facility that are utilized by the Cross Community. Again, the extent and mechanism for implementing this assistance will be finally determined after input with local community leaders to ensure that the assistance meets the greatest need.

Environmental Justice

There are no Applicant voluntarily proposed measures for mitigating potential project-related impacts to environmental justice communities.