Appendix M:
Land Use and Shorelines Discipline Report

M1: Original Discipline Report dated August 2009
M2: Addendum to Discipline Report dated March 14, 2011

LAND USE AND SHORELINES DISCIPLINE REPORT

West Vancouver Freight Access Project, Schedules 2 through 4 Port of Vancouver

JDW Project #VAJDW-07-101

August 2009

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Port of Vancouver

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Acronyms and Abbreviations

BNSF	BNSF Railway Company
CCP	Comprehensive Conservation Plan
CE	Categorical Exclusion
CFR	Code of Federal Regulations
City	City of Vancouver
County	Clark County
CPU	Clark Public Utilities
CX	City Center
DAHP	Washington Department of Archaeology and Historic Preservation
Ecology	Washington Department of Ecology
FHWA	Federal Highway Administration
GIS	geographic information system
IH	Heavy Industrial (City of Vancouver)
LAG	Local Agency Guidelines
MBI	Mitigation Bank Instrument
MDNS	Mitigated Determination of Non-Significance
MH	Heavy Industrial (Clark County)
MTP	Metropolitan Transportation Plan
NEPA	National Environmental Policy Act
NGVD	National Geodetic Vertical Datum 29
NHPA	National Historic Preservation Act
NP	Northern Pacific
NRHP	National Register of Historic Places
OHWM	ordinary high water mark
Port	Port of Vancouver
Proposed Project	West Vancouver Freight Access Project, Schedules 2 through 4
RCW	Revised Code of Washington
SEPA	State Environmental Policy Act
SCUP	Shoreline Conditional Use Permit
SMA	Shoreline Management Act
SMMP	Shoreline Management Master Program
SR	State Route
SSDP	Shoreline Substantial Development Permit
UPRR	Union Pacific Railroad
USFWS	United States Fish and Wildlife Service
VCCV	Vancouver City Center Vision Plan
VMC	Vancouver Municipal Code
WDFW	Washington State Department of Fish and Wildlife
WDNR	Washington State Department of Natural Resources
WSDOT	Washington State Department of Transportation
WTP	Washington Transportation Plan
WVFA	West Vancouver Freight Access

1 SUMMARY

1.1 INTRODUCTION

This discipline report describes the potential impacts of the Port of Vancouver's (Port) 3.2-mile long rail expansion project, the West Vancouver Freight Access (WVFA) Project, Schedules 2 through 4 (Proposed Project) on land uses in the Study Area, described in this report as the areas that would either be directly impacted by the construction of the Proposed Project or areas adjacent to the Proposed Project that could experience indirect impacts from the project or acceleration of growth due to the economic benefits of the Proposed Project. The Study Area includes the project area where direct effects would occur and a buffer area surrounding the proposed rail modifications, including adjacent areas where indirect land use impacts could occur (Figure 1).

This report has been prepared in accordance with the Washington State Department of Transportation (WSDOT) Environmental Procedures Manual (EPM) and Local Agency Guidelines (LAG) Manual to augment an Environmental Classification Summary (ECS) to support a whether the Proposed Project would classify for a Categorical Exclusion (CE). Design and construction of the Proposed Project will occur, in part, with Federal Highway Administration (FHWA) funding, thereby necessitating National Environmental Policy Act (NEPA) review. WSDOT is the designated local agency responsible for review and administration of NEPA compliance for the Proposed Project.

The Port is proposing to construct the Proposed Project to expand rail capacity and operations within existing Port properties in the City of Vancouver (City) while minimizing disruptions to existing Port tenants and businesses and to relieve rail congestion in the project vicinity. The Proposed Project is part of the Port's WVFA Master Plan, which represents the design plan for overall improvements to the Port's rail system that would be implemented over the course of many years. Segments of the rail alignment within the WVFA Master Plan are referred to as schedules by the Port. The WVFA Master Plan consists of Schedules 1, 2, 3, and 4. Although the end goal is to design a cohesive rail system, there are discrete projects within the WVFA Master Plan that can be built and function separately from each other. For example, Schedule 1 (Figure 4) is considered to have independent utility from Schedules 2 through 4, and is therefore considered to be a separate and independent project and is not the subject of this analysis.

The Proposed Project would entail construction of an expanded rail facility, some roadway modifications, building removal and relocation, stormwater modification, and the implementation of various mitigation measures. The rail modifications would involve expansion of the facilities within the Port's existing right-of-way and adjoining properties where right-ofway will be obtained. The Proposed Project would include expanding the existing connection to the Burlington Northern Santa Fe Railroad (BNSF) main line, expansion of the existing Port rail yard, construction of a loop track at the western end of the Port property; and construction of a new south lead track providing a second connection to the BNSF main line. In order to accommodate the expanded rail facilities, several internal Port roadways would be slightly modified in addition to the relocation of one public roadway, NW

Gateway Avenue. NW Gateway Avenue would be shifted to provide an overpass crossing towards the western end of the Study Area. In addition, the removal and relocation of several buildings would be required. Capacity associated with these buildings would be replaced on Port property in locations to minimize impacts to business operations. Two existing stormwater ponds would also be impacted. Capacity would be replaced on site. Mitigation is also being proposed to address impacts on wetlands and other waters of the United States as well as the loss of riparian habitat. The components of the Proposed Project are discussed in greater detail in Section 4.

This report references the geographic limits of direct and indirect impacts of the Proposed Project as the "Study Area." Properties within the Study Area are predominantly owned by the Port. However, other non-Port property owners exist at the eastern end of the Study Area that are affected by the Proposed Project, either directly through right-of-way acquisition and construction or indirectly through ambient impacts or potential accelerated growth due to added freight capacity. The Study Area includes the Port's Parcel 6, an approximate 157-acre site located north of Lower River Road because it is an optional site for the wetland mitigation being proposed as part of the Proposed Project. The Port has been in preliminary negotiations with Clark County Mitigation Partners, LLC (Mitigation Partners) to obtain wetland mitigation credits within the wetland bank. If wetland mitigation credits are available prior to the wetland impacts of the project, the Port may elect to mitigate their impacts at this site. In the event that the credits are not available, the Port has an alternative site identified for wetland mitigation on the Terminal 5 (T5) west site, located just west of the loop track and the Tidewater Barge property. The T5 west site is also included in the Study Area. Nearly all of the Study Area is located in the City. However, an approximately 29.3-acre portion of Parcel 6 is within Clark County.

1.2 EXISTING CONDITIONS

The Proposed Project traverses approximately 3.2 miles of industrially zoned properties that are primarily within the Port but include some adjacent properties. The Proposed Project site is generally characterized by intensive industrial uses including manufacturing, storage and warehousing, distribution, paved driving paths, freight rail lines, and other industrial facilities. Many of the private "roads" identified on development plans and in figures included with this report are actually striped pavement areas. As such, these areas can be and frequently are shifted to accommodate various uses and distribution patterns within the Port.

1.3 LAND USE IMPACTS

The Proposed Project alignment would require removal and/or relocation of the following buildings and right-of-way acquisitions in the following locations:

- A portion of the Great Western Malting Plant grain storage silos and drum house (Figure 4) would be demolished to make way for the rail alignment. In addition, the lost capacity would be replaced on site.
- The United Grain Corporation maintenance and operations (Figure 4) building would be removed. This facility is vacant and no longer in use.

- Kinder Morgan bulk handling facility buildings 2755, 2765, 2775, 2785, and 2795 would be relocated as indicated in Figure 5.
- There would be a slight reduction in storage space at the Subaru of America auto storage area to make way for the expanded rail yard (Figures 5 and 6).
- A portion of the southeastern corner of the Clark Public Utilities (CPU) River Road Generation Plant (Figure 7) would be acquired to make way for the rail alignment.
- The rail alignment would result in impacts at the Terminal 4 stormwater pond (Figures 5 and 6). Lost capacity would be replaced on site.
- There would also be impacts at the Tristar Transload facility (Figures 6 and 7). Lost capacity would also be replaced on site.

As noted above, the Proposed Project would require rightof-way acquisition in some areas and would change the nature of industrial use in some of those areas from active business operations to rail facilities. However, it should be noted that "rail lines" and "railroad yards" are permitted uses in the heavy industrial zoning provisions of Vancouver Municipal Code (VMC) Section 20.440.030. Therefore, the proposed rail facilities are consistent with the industrial zoning designation of the property. Facilities at Great Western Malting and Kinder Morgan would be relocated as part of the Proposed Project. These facilities would be located on site within each company's existing operations and would be done in a manner to minimize disturbance to on-going business operations.

In addition to the conversion of lands to freight rail use, impacts would occur to the drum house and storage silos at the Great Western Malting complex. These buildings are eligible for listing on the National Register of Historic Places and are included as part of the evaluation required under Section 4(f) (ICF Jones & Stokes 2009f) (presented in Appendix G) and in the cultural resources survey prepared for the Proposed Project (ICF Jones & Stokes 2009c). Although the Proposed Project would result in taking this Section 4(f) resource, as documented in the Section 4(f) evaluation, no "feasible and prudent avoidance alternative" exists to avoid impacts on the resource, as defined in 23 CFR 774. As indicated in the evaluation, implementation of the measures described in the memorandum of agreement (MOA) among the Port, WSDOT, Washington State Department of Archaeology and Historic Preservation (DAHP), and FHWA would minimize the effects on the Section 4(f) resource.

It is also anticipated that construction of the proposed rail project may encourage the development of industrial lands that immediately surround the future rail line(s). As such , indirect impacts to land use are anticipated to occur from the development of these adjoining lands.

1.3.1 Project Benefits

The Proposed Project will permit more efficient transportation of goods into and out of the Port, thereby enhancing the competitiveness of the Port and business operations within it. The Proposed Project represents a substantial benefit to the businesses within the Port, and Vancouver regional economy.

1.4 CONSISTENCY WITH LAND USE PLANS AND LOCAL IMPLEMENTING REGULATIONS

The Proposed Project has been reviewed by the City for consistency with the local land use ordinances through multiple permit applications. An original permit approval for the Proposed Project was issued by the City on April 17, 2008 that included the following permit approvals:

- Shoreline Substantial Development Permit (SSDP) (2008 Permit #PRJ2007-00322 / SHL2007-00004)
- Shoreline Conditional Use Permit (SCUP) (2008 Permit #PRJ2007-00322 / SHL2007-00004)
- Critical Areas Permit (Frequently Flooded Areas, Geologic Hazard Areas, Wetlands, and Fish and Wildlife Conservation, Areas) (2008 Permit #CAP2007-00033)
- Tree Removal Permit (2008 Permit #TRE2007-00143)
- Essential Public Facilities Conditional Use Permit (CUP2007-00004)
- Archaeological Predetermination Review (ARC2007-00047)

Subsequent rail alignment changes were proposed early in 2009 that required a post-decision review of the City's approval of PRJ2007-00322. These project changes affected the Shoreline Substantial Development Permit, Critical Areas Permit, Tree Removal Permit, and Archaeological Predetermination Review conducted with the 2008 permit approval. Due to the fact that these project changes were determined by the City to result in diminished land use impacts, the review process was conducted as a Type 1 administrative review. Specifically, the following project changes were found to result in reduced impacts:

- An alignment revision at the Columbia River rail trench removed a portion of the rail alignment from shorelines jurisdiction. In total, grading and development impacts within shorelines jurisdiction at the Columbia River rail trench were reduced by approximately 5,256 square feet (SF).
- The proposed project revisions reduced wetland impacts of the Rail Access Project by approximately 1.02 acres by reducing grading impacts in an area on the north side of the rail alignment opposite the Terminal 4 stormwater pond (Figure 6).
- In-water impacts at the Columbia River rail trench were reduced from 0.49 acre to 0.42 acre.

In addition to the project changes noted above, the Proposed Project had also been modified to include the construction of a "loop track" at the western end of the Proposed Project. This loop track would occur on the site of the former Evergreen and Alcoa Aluminum processing facilities, which have been recently demolished. The City issued approval of the post-decision review application on July 31, 2009 and that approval is included as Appendix A. As such, the Proposed Project has been found to be consistent with the local land use implementing regulations by the City.

The original land use approval and post-decision review land use approval demonstrate that the WVFA Project Schedules 2-4 is consistent with the local City regulations that govern the site development. The City is required to adopt and implement local regulations in a manner that is consistent with the City's Comprehensive Plan, which is also required to be consistent with any

applicable federal, state and regional land use plans. As such and as detailed further in subsequent sections of this report, the rail project and associated impacts can be found consistent with the applicable land use plans that direct land use decisions and implementation in the Study Area.

1.5 SUMMARY CONCLUSION

The Proposed Project will result in the conversion of a small amount of land that is either in industrial use or zoned for industrial use into freight rail right-of-way. This conversion is consistent with existing land use zoning and the industrial use of immediately adjacent parcels. Appendix B includes a summary of the anticipated amount of land conversion for the tax lot parcels affected by the Proposed Project. Although this conversion would take some land out of its current use, the Proposed Project would make the remaining industrial operations more efficient. Compliance with local permits has already been determined for most of the Proposed Project by the City through local permit reviews, and by the Port as the State Environmental Policy Act (SEPA) lead agency. With the implementation of conditions of approval that have been issued by the City and the mitigation measures assigned in the SEPA threshold determination, no inconsistencies between the Proposed Project and existing land use plans or land use regulations are anticipated. The applicable conditions of approval and mitigation measures are described in the subsequent paragraphs of this report.

In addition, implementation of the Proposed Project would further facilitate additional industrial growth within the Port's existing industrial area. This would occur within the Terminal 5 area, with the expansion of the loop rail track.

2 INTRODUCTION

2.1 PURPOSE OF REPORT

This discipline report is provided in compliance with 40 CFR 1500-1508, 23 CFR 771 and 23 CFR 774. The report evaluates the potential effects of the Proposed Project on nearby land uses and shoreline areas. The evaluation includes a review of land use patterns, comprehensive plan policies, zoning regulations, development permits, shoreline permits and procedures, and a projection of potential direct and indirect land use impacts associated with the Proposed Project. This discipline report was prepared in accordance with WSDOT's EPM and the LAG Manual, NEPA guidance to support a potential Documented Categorical Exclusion determination for the Proposed Project.

This report describes the following:

- the Proposed Project;
- existing conditions of the project Study Area;
- relevant federal, state, regional, and local plans, zoning, and development regulations affecting the Proposed Project and its environs;
- state and local legislative initiatives, planning activities, and regulations that may affect the Proposed Project and its environs in the future;

- potential direct and indirect land use and shoreline impacts resulting from the Proposed Project; and,
- mitigation necessary to ensure consistency with applicable regulations.

2.2 METHODS AND DATA

The Study Area for the Proposed Project includes the area that would be directly affected by the proposed modifications plus a buffer to include additional areas that might be indirectly affected by the Proposed Project (Figure 1). The buffer was extended approximately 75 feet around the proposed modifications. The Study Area includes all Port-owned properties that would be bisected by the proposed rail alignment and any property that would be acquired to accommodate the proposed rail alignment. The Study Area also includes property to the west of the rail lines that falls within the Port's Gateway parcel. The Port's Gateway parcel is planned for long-term industrial use. This area has been included in the Study Area due to its enhanced potential for development after the construction of the proposed project. In contrast, properties to the east of the proposed project, on the former Boise-Cascade paper manufacturing facility have not been included in the Study Area because the property is zoned City Center (CX) and it is not anticipated that development of the parcel will be affected by the Proposed Project. For additional reference, Appendix B includes a table and map of properties traversed by the Proposed Project.

This discipline report and associated NEPA documentation have been prepared to address the project-related impacts associated with the Proposed Project. The sections of this report were prepared using the sources noted below:

Existing Land Use and Shoreline Conditions

- Clark County Geographic Information Systems (GIS) mapping
- Published Port marketing materials
- Drive-by reconnaissance
- Other environmental reports prepared for NEPA review of the Proposed Project

Impacts on Land Use and Shorelines

- Review of City permits that have been submitted and approved for the Proposed Project
- Review of SEPA checklist and MDNS issued for the Proposed Project
- Other environmental reports prepared for NEPA review of this Proposed Project
- Preliminary engineering plans
- Phone conversations and interviews with Port staff

Consistency with Land Use Plans and Implementing Regulations

- Published plans and regulations available from federal, state, and local agencies
- Review of City permits that have been submitted and approved for the Proposed Project
- Review of SEPA checklist and MDNS completed for the Proposed Project

- Preliminary engineering plans
- Other environmental reports prepared for NEPA review of the Proposed Project

Mitigation for Land Use and Shorelines

- Review of City permits that have been submitted and approved for the Proposed Project
- Review of SEPA checklist and MDNS for the Proposed Project
- Other environmental reports prepared for NEPA review of this Proposed Project

For its analysis of land use and shoreline impacts, BergerABAM implemented the following review process:

1. Determined the relevant land use plans and land use regulations for discussion using the Land Use Discipline Report Checklist, Exhibit 450-1, of the WSDOT Environmental Procedures Manual as a template.

2. Reviewed maps illustrating the proposed rail alignment, adjacent land uses, planned land uses, critical areas, and shorelines jurisdiction and from these maps determined project proximity to relevant land use features.

3. Conducted a visual survey of the project environs by driving the public roads nearest the proposed rail alignment.

4. Reviewed local permit applications and government approvals that have already been submitted for the Proposed Project to determine if any potential impacts and/or regulatory inconsistencies may already have been highlighted or addressed with previous permit applications.

5. Reviewed additional discipline reports prepared for the Proposed Project to appropriately characterize the nature of impact on other resource areas (such as noise and vibration, air quality, hazardous materials, etc.) that may result in indirect land use impacts for the purposes of completing this analysis.

3 PURPOSE AND NEED

The Washington State legislature created the Port of Vancouver to be an economic engine for Vancouver and Southwest Washington. The Port is one of the oldest ports in the State of Washington, established in 1912. Ports exercise local governmental authority. The Port's authority includes the ability to construct, operate, and expand terminals and industrial facilities. The Port can use its tax and eminent domain authority to attract, encourage, and develop industry, and to promote trade (Revised Code of Washington [RCW] 53.04.010).

In 2004, the Port adopted its South Lead Access Plan, later renamed the West Vancouver Freight Access Master Plan (Port of Vancouver 2006). The WVFA Master Plan identifies potential projects designed to improve access and capacity between the Port's properties and clients and the BNSF Railway Company's main lines (north-south and west-east). The WVFA Master Plan represents the design plan for overall improvements to the Port's rail system that would be

implemented over the course of many years. Although the end goal is to design a cohesive rail system, the plan consists of discrete projects that can be built and function separately from each other. These projects are grouped into four phases (schedules). Environmental documentation and construction of Schedule 1, a new rail connection to the BNSF main line, was completed in 2008.

As part of the WVFA Master Plan, the Port proposes to construct the WVFA Project, Schedules 2 through 4 (Proposed Project), from 2009 through 2017. The Proposed Project would expand Port rail capacity and operations, relieve congestion, ensure safe operations within the Port and on the BNSF main line, and minimize disruption to existing Port tenants. The Proposed Project is the subject of this environmental document. Figure 1 illustrates the Proposed Project's vicinity and the location of Schedule 1 improvements.

NEPA analysis requires that a proposed project's alternatives be developed based on the project's purpose and need. The purpose and need statement should clearly and succinctly explain why the project is needed and the project's intended purpose. The purpose and need is considered the cornerstone of NEPA environmental documentation. The following purpose and need statement was prepared in accordance with FHWA Technical Advisory T 6640.8.

3.1 PURPOSE OF THE WEST VANCOUVER FREIGHT ACCESS PROJECT, SCHEDULES 2 THROUGH 4

The purpose of the Proposed Project is to:

- expand Port rail capacity and operations within the existing Port facility, specifically unit train capacity;

- relieve congestion, improve operational efficiencies, and ensure continued safe operations as rail traffic grows in and around the Port and along the existing BNSF north-south and west-east main lines; and

The Proposed Project would decrease rail congestion in the Vancouver area by providing rail access to the Port via a grade-separated main line crossing. This would vastly reduce the delays (congestion) in the Port as well as on the main lines for both the BNSF and the Union Pacific Railroad (UPRR). In addition, the Proposed Project would increase rail capacity and access within the Port's existing facilities and improve overall rail operational efficiencies.

Once completed, the Proposed Project would allow unit trains—trains that are 60 to 174 cars long, and that carry a single commodity—to be received, stored, utilized, and departed as full trains from inside the Port's facility without requiring that the trains be broken into smaller segments of cars. Unit trains could be received directly from the BNSF and UPRR main lines into the Port tenants' storage tracks with a similar accommodation for departure. This would free the lead tracks within the Port to allow for switching movements from the various storage tracks to the tenants and back, eliminating large delays and congestion that occur when unit trains occupying the leads are broken into smaller segments and dispatched to shorter tenant storage tracks. Businesses within the Port would be able to operate at maximum capacity, thus increasing regional employment.

The Proposed Project would help ensure the future success and economic growth of current Port tenants, allowing them to grow and expand their businesses. The Proposed Project would also facilitate development of new properties, bringing more jobs and revenue to the local community.

3.2 NEED FOR THE WEST VANCOUVER FREIGHT ACCESS PROJECT, SCHEDULES 2 THROUGH 4

The Washington State Transportation Commission completed the Statewide Rail Capacity and System Needs Study in 2006 (Cambridge Systematics et al. 2006). The conclusion of the study was that the state should continue to participate in the freight and passenger rail systems. The report explained that the state rail system was nearing capacity, and rail improvements, including service to ports, were needed in order to accommodate future growth and to provide a number of business and societal benefits. The Port's rail project was mentioned in the report as a potential solution to resolving a critical bottleneck to Port access. A more recent study confirms the 2006 findings, indicating that West Coast ports will experience substantial growth over the next 20 years (Cambridge Systematics and HDR Engineering 2008).

The Port's existing rail infrastructure has a limited capacity to provide adequate service to the current and future industrial needs in Vancouver and southwestern Washington. Three elements contribute to this problem of inadequate service and are likely to cause the situation to worsen in the future: 1) the Port's existing rail infrastructure is inadequate and does not allow for efficient construction of unit trains; 2) projected economic growth will increase demands on existing and future tenants for more efficient rail operations; and 3) projected increases in traffic along the BNSF main line corridors will increase rail congestion within the general vicinity, further reducing service.

3.3 PORT OF VANCOUVER EXISTING RAIL INFRASTRUCTURE

The Port's rail infrastructure was originally built in the early 1900s after an agreement was signed in 1918 with the Oregon-Washington Railroad & Navigation Company, the Great Northern Railway Company, the Northern Pacific (NP) Railway Company, and the Spokane, Portland and Seattle Railway Company (BNSF and UPRR predecessors). These railroads agreed to construct 2,500 feet of spur track extending westward from the BNSF north-south main line to serve various industrial plants, docks, piers, and terminals.

Significant improvements to the Port's rail facilities have been made over the years to keep up with the changing needs of its customers. But the Port is still served by a single track connection along the west side of the BNSF north-south main line. This track currently allows the railroad to move cars across the BNSF main line from the Vancouver Rail Yard into the NP Siding, and then down into the Port via the Port's north lead track, also called the Hill track or Alcoa lead. The cars make an at-grade crossing of the BNSF main line through a series of crossovers. In the 1990s, an at-grade diamond crossing was added to allow the west-east trains traversing the Columbia Gorge to cross the two north-south main lines and enter the Port directly. Figure 2 illustrates these locations.

The at-grade crossings that provide access to the Port cause significant delays and safety and reliability issues on the main lines in the region, since all crossings into the Port block rail movement in any other direction. To alleviate the blocked main line movements, the BNSF assigns various priorities to all train traffic on the BNSF main lines. The highest priority is given to Amtrak trains, then to unit train main line movements, Vancouver Rail Yard switching moves, and finally to trains seeking access to the Port. The BNSF's priority system gives lowest priority to Port access, thus constraining the rail service to Port tenants.

In the past decade, the rail industry has shifted from shipping a few cars at a time to a customer, to focusing on unit trains operating from origin to destination. Unit train operation, with an entire train dedicated to a single customer, reduces the transport costs and time associated with the delivery of goods. This focus on unit train operations has been the primary area of expansion in the rail industry; however, the existing Port rail infrastructure still reflects the operational perspective of 20 to 50 years ago and does not have the capacity or tracks to handle unit trains efficiently. The Port's rail infrastructure was expanded in the 1990s to allow United Grain Corporation to receive unit trains, but all trains must be broken into two units to be received, effectively stopping all train traffic in the Port during this operation. In addition, this system blocks the main lines for up to 2 hours as the empty cars are prepared to be returned to their origin. Because the Port's internal rail system is at its capacity, trains travelling within the Port are experiencing maximum delay times as a result of current rail congestion.

Port operations have been steadily increasing since 2000. Between 2006 and 2007, the number of rail cars entering the Port increased nearly 25% annually, from 44,000 to 57,520 (Port of Vancouver 2009). Future projections indicate that the number of rail cars entering the Port annually may increase to around 350,000 by 2025 (Wiser pers. comm.). With this projected increase, the already strained rail infrastructure will be overwhelmed. Also, the dynamics of train movements are changing. Where freight was once moved by rail in trains made up of many different car types and carrying different commodities, modern train movements favor the unit train. Unit trains are single-commodity trains with a single origin and a single destination, using the same car types. Significant pricing incentives are given to unit train shippers. This economic benefit is driving the market and need for modern Port facilities to be compatible with unit trains. Increases in train traffic of this magnitude and changes in modern train movements will require adequate rail infrastructure to and from the Port, additional handling capacity in the Port, and more rail car storage in the Port.

3.4 PROJECTED ECONOMIC GROWTH

The Port and its tenants create about 2,300 direct jobs, providing nearly $99 million in annual payroll (John Martin Associates 2006). The Port plans to add between 3,000 and 4,000 jobs within the next 15 years (Port of Vancouver 2007). In addition to providing jobs, the Port generates tax revenue that helps fund essential public services. This revenue comes from taxes, payroll, and disposable income generated by Port tenants, customers, and their employees. The Port currently provides about $82 million in tax revenue each year, and expects to double this revenue in the next 15 years (Port of Vancouver 2007).

To meet these goals of increased jobs and revenue, the Port must remain competitive in the global marketplace. Marine trade forecasts and business projections by Port tenants estimate significant growth in rail freight needs over the next decade. New rail infrastructure will be required to support Port businesses preparing for economic growth.

3.5 PROJECTED INCREASES IN TRAFFIC ALONG THE BNSF MAIN LINES

As previously discussed, when traffic on the BNSF north-south and west-east main lines increases, the time available to deliver cars to the Port will decrease. The current level of service already severely affects a number of Port tenants. Increased freight traffic, as projected by the BNSF and WSDOT, will further contribute to congestion and delays along the BNSF main line corridors, thus negatively affecting an already insufficient movement of goods to and from the Port. Continued growth in rail traffic will result in increased delays in freight movement, which will negatively affect Port tenants and their customers.

In rail operational modeling, the term "delay" is the amount of time that a train has to stop and wait (for another train to move or for a sufficient window of time to allow the train to cross another track) before it can complete its movement. As part of its operational modeling for the Proposed Project, the Port reviewed any delays of 30 minutes or more for the following scenarios:

- total number of delays over 30 minutes for all trains within the Vancouver Rail Yard and the Port;
- total number of delays over 30 minutes for all Port-bound trains; and
- total minutes of delay over 30 minutes for trains within the Port.

Table 1 compares train delays of 30 minutes or more within the Vancouver Rail Yard for three future rail infrastructure scenarios. This table shows a 3-day average delay using typical Vancouver Rail Yard operations.

Table 1. Current and Projected Delays Greater than 30 Minutes within Port and for Port Trains

	Case 1	Case 2	% Change	Case 3	% Change*	Case 6	% Change*
3-day average delays (total number)	27	32	+19%	60	+220%	23	-15%
Port trains (total number)	16	22	+22%	33	+206	11	-39%
Total delay for Port trains (minutes)	1,478	1,838	+24%	3,384	+229%	684	-54%

Key:
Case 1: Existing Port and Vancouver Rail Yard infrastructure and existing operations
Case 2: Existing Port rail infrastructure, BNSF Vancouver Yard with bypass tracks, 20 year growth
Case 3: Existing Port rail infrastructure, BNSF Vancouver Yard with bypass tracks, 20 year growth, and projected Port growth
Case 6: Existing Port rail infrastructure, BNSF Vancouver Yard with bypass tracks, 20-year growth, projected Port growth, and new improvements from the BNSF main line into Port facilities
* % change compared to base case (Case 1)

Source: MainLine Management 2005

Table 1 shows the base case (Case 1) depicting the existing Port and Vancouver Rail Yard infrastructure and operations. Case 2 leaves the Port infrastructure the same as Case 1 but includes improvements by the BNSF to its yard system and adds 20 years of projected growth. Case 3 is similar to Case 2, but adds the expansion of the Port to the west (the basic rail infrastructure remains the same). Case 6 includes the same assumptions as Case 3, but also includes new rail access track from the BNSF into the Port to accommodate future Port growth.

As Table 1 shows, the projected growth of rail traffic will affect the already strained Port rail system significantly. Even with the Vancouver Rail Yard improvements, the number of delays increases (Case 2) by 20 to 24%. As discussed previously, to maintain current schedules and operations, the BNSF's priority system would result in Port rail traffic being severely delayed, thus decreasing the ability of the Port to continue current operations, and effectively threatening the viability of Port expansion and growth. Case 3 confirms this conclusion, showing that it would not be viable for the Port and its tenants to expand operations. Case 6 illustrates how a new southern alignment could lessen delays in and around the Port and the BNSF main line.

The table also demonstrates an important secondary effect. Since there are no dedicated parking tracks, each delayed train occupies capacity needed for other trains while it is being delayed. In simple terms, trains delayed for such a long time are extending the delay to themselves and other trains by causing congestion while waiting.

Passenger rail service, operated by WSDOT and Amtrak, is also projected to increase over the next 20 years. WSDOT's Amtrak Cascades Long Range Plan (2006) calls for 13 daily round trip trains between Portland and Seattle. Amtrak also provides daily north-south round trip service via the Coast Starlight train, and west-east service via the Empire Builder train. These additional passenger trains will compound the congestion along the main line tracks. Table 2 shows projected freight and passenger rail growth in the Port and Vancouver Rail Yard area.

Table 2. Projected Daily Train Movements along the BNSF Main Lines

	Year	
Type of Train	2000	2020
Freight	100	330
WSDOT/Amtrak Cascades	6	26
Amtrak Coast Starlight	2	2
Amtrak Empire Builder	2	2
Total	**110**	**360**

Source:

[1] Washington State Department of Transportation 2003.

[2] Passenger rail numbers based on Long Range Plan for Amtrak Cascades 2006. Freight rail numbers developed using WSDOT 2003 base number (100) and applying the BNSF standard growth rate of 5% per year (Jeffers pers. comm.)

4 PROJECT DESCRIPTION

The project area for the Proposed Project is defined by the horizontal and vertical extent of the proposed rail alignment, plus a 75-foot buffer around the horizontal extent. The vertical extent includes the depths needed to excavate and grade in preparation for rail construction. For the most part, this is anticipated to be minor (a few feet) with the exception of the locations described in greater detail below. Generally speaking, the project area includes all Port-owned properties that would be bisected by the proposed rail alignment and any property that would be acquired to accommodate the proposed rail alignment.

The Proposed Project would extend from the BNSF main lines to Terminal 5 (the former Alcoa/Evergreen property) in order to accommodate existing and future Port tenants (Figures 3, 4, 5, 6, and 7). The BNSF main lines are the main east-west and north-south rail lines located to the east of the Port (Figure 4). The Proposed Project would include an expanded rail facility, roadway modifications, stormwater facilities, building removal and relocation, and wetland and riparian mitigation. The Proposed Project would include both aboveground and below-grade construction, including the following major elements.

- A 1,300 foot-long, below-grade, pile-supported trench (roughly 30 feet wide and as much as 15 feet deep) would be constructed under the Columbia River Rail Bridge.

- A 600 foot-long trench, using retaining walls, would be constructed through the former Fort Vancouver Plywood site and a portion of the existing Lafarge Cement Company site. This trench would be immediately adjacent and connected to the 1,300-foot-long section constructed in the Columbia River and would be up to 8 feet below the top of the slope. Because of adverse soil conditions, much of this trench section would be supported using gravel-filled, compacted stone columns.

- With the exception of the below-grade trenches described above, most of the proposed rail alignment would be constructed either at grade or on elevated berms.

The expanded rail facility and its implications for roadway modifications, stormwater facilities, building removal and relocation, and wetland and riparian mitigation are discussed in greater detail below.

4.1 PROPOSED RAIL ALIGNMENT

Under the Proposed Project, the Port would expand its existing rail facilities to serve existing and future Port tenants. The eastern end of the proposed rail alignment would tie into the BNSF main lines in two locations (Figure 4). The existing Hill track (the north lead track) would continue to provide Port access for BNSF switch engines and for the UPRR, and the at-grade crossing at Thompson Avenue/16th Street would continue to be used. The new south lead track would begin at the end of the Port's completed Schedule 1 alignment, and would connect near where Schedule 1 ties into the BNSF north-south main line just south of the wye (triangular) intersection to the east of the Columbia River Rail Bridge. The Schedule 1 lead track would descend at a grade of 1.26% from the BNSF main line to where it would split to provide access to the Lafarge and Albina facilities. Access to the Lafarge facility would be provided via the

pile-supported trench. A Lafarge offloading pipe-bridge (underpass) would be demolished and rebuilt at this location. The proposed rail alignment would continue on as the south lead track, descending at a of 1.26% (a curve-adjusted percentage as required by the BNSF for safety reasons) until crossing under the Columbia River Rail Bridge at Port Way, encroaching into the northern edge of the Columbia River (Figure 4).

In order for the proposed rail alignment to pass beneath the Columbia River Rail Bridge, the pile-supported trench would be constructed along the Columbia River shoreline, lowering the rail alignment and protecting it from the Columbia River (Figure 4). A portion of the trench would extend about 30 feet beyond the ordinary high water mark (OHWM) and would be approximately 30 feet wide. The structure would be built on pilings and the elevation of the top of the wall would be 27.5 feet National Geodetic Vertical Datum 29 (NGVD), which is less than 1 foot above the 100-year flood elevation height of 26.8 feet. This intrusion into the high flow channel area would affect approximately 450 linear feet of the riprap-armored riverbank west of the Columbia River Rail Bridge and approximately 475 linear feet of unarmored riverbank under and east of the bridge.

After crossing under the Columbia River Rail Bridge, the proposed rail alignment would rise at about the same grade (1.26%) and continue through the Great Western Malting facility (Area D in Figure 4), reaching its maximum elevation near where it would meet up with the existing United Harvest Grain staging tracks. Just beyond Great Western Malting, the existing Port unit grain yard would be rebuilt to provide five unit train tracks for United Harvest Grain and two arrival and departure tracks (Figure 4). Further west, two unit train tracks would be provided for Kinder Morgan, for a total of ten unit train tracks (including the proposed rail alignment) (Figure 5). The two Kinder Morgan tracks would provide for two 60 car train units, serving a relocated unloading facility. Access to Terminal 3 from these two tail tracks would be constructed from the west. The United Harvest Grain arrival and departure tracks would run west to NW Gateway Avenue, where they would connect back into the proposed rail alignment as it leads into the loop track on Terminal 5 (Figure 6). At this same point, an interconnection with the Hill track would allow an interchange between the various lead tracks, the three Port staging tracks, and their various rail-served tenants.

At the western end of the proposed rail alignment, the existing Subaru tracks would be relocated south and extended to the east to provide improved load tracks. The Jimmy yard, located north of Subaru and used to store rail cars for various tenants, would be reconfigured on the west end in line with a new crossing of NW Gateway Avenue (Figure 6). The crossing would either occur over NW Gateway Avenue or to the west. The proposed rail alignment would require modifications to an existing stormwater pond and the construction of a retaining wall to avoid impacts on wetlands at Parcel 1A (Figure 1). West of NW Gateway Avenue, a loop track would be constructed and would include staging tracks, a car preparation track, and a loop lead track at Terminal 5 (the former Alcoa/Evergreen site; areas J and L in Figure 7).

At Terminal 5, the proposed rail alignment would form a loop track. The northern side of the loop would consist of staging tracks and car loading and unloading facilities. The loop track would be constructed over several areas that have soil caps covering contaminated soils. Most

of the proposed rail alignment would be constructed at grade. In a few cases, the soil caps would be partially excavated to install tracks; however, these installations would be completed in accordance with Washington Department of Ecology (Ecology) regulations to ensure that cap integrity would be maintained. The loop track would be constructed in close proximity to the CPU River Road Generation Facility and within approximately 80 feet of the Tidewater Barge office building (Figure 7).

The loop track (Schedule 4) is proposed to be completed first, within 2 years of beginning project construction (2009 to 2011). This would be followed by construction of the main staging yard (Schedule 3) and construction of the grade separation at NW Gateway Avenue (2010 to 2012). Construction of the south lead track (Schedule 2) would be completed by 2017.

4.2 EXISTING AND FUTURE TRAIN TRAFFIC

Currently, the Port handles an average of three train trips per day at the east end of the facility (1.5 inbound trains per day, plus 1.5 outbound trains per day. Under full buildout, it is anticipated that there could be up to an annual average of ten unit train trips traveling to and from the Port per day (five inbound trains and five outbound trains). Thus, the Proposed Project is expected to cause an increase of seven additional train trips per day after full buildout (3.5 inbound trains and 3.5 outbound trains). These additional trains would include an average of 96 freight cars pulled by an average of up to four engines.

There would be slightly fewer trains traveling west of the Kinder Morgan facility because a large percentage of the Port's tenants relying on rail service are located at the eastern end. For purposes of evaluating train noise near the proposed Terminal 5 facility, it was assumed there would be six additional train trips per day (three inbound plus three outbound) with an average of 96 rail cars, with each train pulled by an average of up to four engines (Wiser pers. comm.).

The Port and its tenants would continue to use switch engines to maneuver short strings of freight cars to assemble unit trains. Switch engines used at the Port are generally 1,200 to 1,500 horsepower in size, and each switch engine typically pulls from eight to twenty freight cars. Although the daily traffic volume for unit trains is expected to increase as a result of the Proposed Project, it is uncertain whether any corresponding increase in switch engine traffic would be required to support the new unit trains. The Proposed Project would substantially improve the efficiency of the Port's rail yards, so the increase in unit train traffic might be more than offset by the improved efficiency (Wiser pers. comm.). Train traffic also consists of switch engine trips that pull the local delivery trains into the Port and separate and connect cars into the larger units. Currently, there are an average of 37 movements per day into the Port from the BNSF main line as measured across the Thompson Avenue crossing (MainLine pers. comm.). Initially (after construction of the loop track and rail yard expansion), train traffic on the Hill track is expected to increase only slightly, by approximately two movements per day, but could increase by as many as 18 additional movements per day for a total of 57 movements per day. This increase would only occur once a new tenant was identified for Terminal 5, the facilities were developed and built, and if existing Port tenants expanded their operations to full capacity based on rail constraints. It is more likely that, during this phase, train traffic would increase by

some smaller number between 2 and 18 additional movements per day. However, for the purposes of this analysis, it is assumed that train traffic would increase by the full amount during this interim phase.

Once the proposed rail alignment is constructed, the volume of traffic using the Hill track would decrease to 28 movements per day. This would represent a decrease below existing conditions (37 train movements) at this location. This is because the majority of the Port's existing rail traffic is from the BNSF and comes from or is headed to destinations to the east, up the Columbia River Gorge. UPRR trains come from and depart toward the south, using the Hill track, but not significantly affecting the north-south BNSF main line. The total number of switch moves is not anticipated to increase significantly under full buildout. This is because construction of the proposed loop track and expanded Jimmy yard would enable greater efficiencies in transporting and building unit trains and would allow the BNSF to operate 50-car local delivery trains compared to the existing 30-car trains (Wiser pers. comm.).

These trains would travel on Port property at 5 to 10 miles per hour and would carry varied cargo. The cars would include covered hoppers, tank cars, container cars, box cars, flats, gondolas, center beam, or other types. No loading activities are proposed near the existing Parcel 1A wetland mitigation site.

4.3 BUILDING REMOVALS OR REMODELS

The Proposed Project would require removing or remodeling several existing buildings. The Port is working with the tenants to identify the best sites for relocation. The existing locations of these buildings are shown in Figures 4 and 5 and include the following.

- Port Building 1895—The Great Western Malting Company Drum House and a portion of the adjacent grain storage silos would be removed (Figure 4). Some functions contained in the Great Western Malting facility's affected portions would be relocated into a new facility on the site.
- Port Building 1955—A United Harvest Grain maintenance and operations building would be relocated (Figure 4).
- Port Building 2045—The front portion of a Port warehouse would be removed, but the remaining portion of the warehouse would remain (Figure 4).
- Port Buildings 2755, 2765, 2775, 2785, and 2975—These facilities would be demolished or relocated to the south side of the proposed rail alignment as part of the Kinder Morgan relocation (Figure 5). Relocation would also include construction of a new dry bulk material handling facility building and the excavation of a 31-foot-deep pit. This pit would be designed to allow dry bulk materials to be conveyed below grade to existing storage facilities located south of the proposed handling facility.

4.4 ROADWAYS

The Proposed Project would restructure several internal Port roadways, including relocating access to Great Western Malting, relocating NW Harborside Drive, and modifying one roadway that is accessible to the public, NW Gateway Avenue (Figure 6). No new at-grade crossings are

proposed on public roadways. Trains would continue to use the existing at-grade crossing at Thompson Avenue/16th Street. The Port is continuing to work with the City to address operational considerations at this location.

As the proposed rail alignment moves west, access to the Great Western Malting facility would be shifted to the southeast to accommodate the new rail lines. NW Harborside Drive would be relocated slightly to the south across the northern edge of Terminal 2. Access from Port Way would be relocated parallel to and east of the existing access. West of the Kinder Morgan facility, NW Harborside Drive would be relocated slightly south of a Port building across Terminal 3.

Aside from the Thompson Avenue/16th Street at-grade crossing, the only other existing at-grade crossing with public access occurs at NW Gateway Avenue (Figure 6). As part of the Proposed Project, a roadway overpass would eventually be constructed to replace the current NW Gateway Avenue at-grade crossing and would likely be located to the west of the current at-grade crossing (Figure 6). The structure would provide unencumbered access to the Port's western property, which includes the Subaru facility. The current road access to Terminal 5 (the former Alcoa/Evergreen property), and to the Clark County Corrections Facility from Lower River Road would be closed at the proposed rail alignment crossing. New access would be provided from NW Gateway Avenue along the south side of the project area.

4.5 STORMWATER MANAGEMENT

Under the Proposed Project, there would be a net reduction in impervious surface area. This is because the proposed rail improvements associated with the majority of the railway facilities are not considered impervious surfaces. Railways are built on a permeable rail bed and ballast prism. Therefore, construction of these facilities does not require additional drainage. New drainage facilities would be constructed where required, such as at new and resurfaced paved areas. For example, at Terminal 5, drainage would be constructed to avoid stormwater interaction with the aforementioned soil cap areas. A stormwater collection, pumping, and treatment system would be provided for the pile-supported trench under the Columbia River Rail Bridge.

Infiltration would be the key stormwater management strategy for most areas where new impervious surfaces are planned. For some parts of the Proposed Project, existing stormwater systems and outfalls to the Columbia River would be used. Stormwater from all portions of the Proposed Project would either infiltrate into groundwater as allowed, or drain to existing stormwater outfalls to the Columbia River as required. The stormwater treatment approach for portions of the Proposed Project served by existing stormwater systems is to provide basic water quality treatment, meeting the requirement for discharge to the Columbia River.

Construction of the proposed rail alignment would result in filling approximately 25,000 to 35,000 cubic yards in the northeast corner of the existing Terminal 4 stormwater pond. In addition, a small amount of fill (20 to 30 cubic yards) would be placed in the southern corner of the stormwater pond at the Tristar Transload facility on Parcel 1c (Figure 6). The existing Tristar facility consists of a traditional catchbasin, manhole, and pipe conveyance system. This system

conveys flows to the bio-filtration swale before discharging to a stormwater retention facility. Once stormwater enters this retention facility, water is discharged to groundwater through infiltration. Impacts to the existing facility will include fill material that will impact approximately 1,200 SF of infiltration area and displace a pond volume of approximately 645 cubic feet (24 cubic yards).

As part of the Proposed Project, the Port would replace the lost capacity, as required by City regulations, by excavating other areas of both ponds. At the Terminal 4 stormwater pond, two of the existing discharges to the pond would also be retrofitted with hydrodynamic separators to pretreat and remove total suspended solids and pollutants bound to soil particles, including metals, before release to the pond.

4.6 WETLAND AND RIPARIAN HABITAT MITIGATION

Implementation of the Proposed Project would result in impacts on wetlands and other waters of the United States and the state within the Study Area, including impacts on riparian habitat. Therefore, wetland and riparian mitigation is proposed as indicated in Table 3 below:

Table 3. Summary of Project Wetland Impacts and Compensatory Mitigation

Location/ Local Jurisdiction	City of Vancouver	
Township/Range/Section (Impact)	Township 21N, Range 4E, section 20	
Permanent Wetland Impact	0.17acre	
Temporary Wetland Impact	0.02 acre	
Permanent Wetland Buffer Impacts	0.08 acre	
Temporary Wetland Buffer Impacts	0.06 acre	
Jurisdictional Wetland Impact Areas	0.00 acre	0.17 acre
	Regulated by Corps and Ecology	Regulated by Ecology (Isolated)
Mitigation Location	West of impact site, southwest of old Lower River Road. SW ¼ of Section 19, Township 2N, Range1E	
Area of Terminal 5 West (Parcel #153104-000)	17.31 acres	
Area & Type of Mitigation	0.38 acre of wetland creation	
Area & Type of Mitigation	2.2 acres of wetland buffer enhancement	
Area & Type of Mitigation (Parcel 1A)	Stormwater conveyance and treatment	
Total Area of Mitigation	2.58 acres	
Years of Monitoring	10 years	

The preferred site for wetland mitigation is the wetland mitigation bank proposed for Parcel 6 (Figure 6). However, in the event that the mitigation bank is not available within the necessary timeframe, mitigation would occur on a portion of the Terminal 5 West property.

Two sites are proposed for riparian habitat plantings. The first would be located along the Columbia River near Frenchman's Bar Park (Figure 3). Vancouver-Clark Parks and Recreation owns the site. Two separate areas within Frenchman's Bark Park, totaling 1.2 acres, would be planted with native trees and shrubs. The second riparian habitat mitigation site is located along Buckmire Slough, adjacent to Vancouver Lake (Figure 3). This site would be planted with native trees and shrubs on a 0.80-acre reach along the western bank of the slough.

Additional mitigation would include the placement of large woody material at sites along the Columbia River to enhance riparian habitat. Concrete would also be removed at various locations along the riverbank to improve existing riparian habitat.

4.7 RELATED PROJECTS

Within the vicinity of the Proposed Project, several additional rail improvement projects are being implemented or have been implemented recently (Figure 8). Although coordination between the various projects has optimized the overall functionality of the rail system, each project has independent utility and is being implemented by a different organization or agency. For these reasons, each project has undergone or is currently undergoing separate environmental review and is considered to be independent from the Proposed Project. These related projects are described below.

4.7.1 Port of Vancouver Schedule 1 and the West Vancouver Freight Access Master Plan

The WVFA Master Plan represents the design plan for overall improvements to the Port's rail system that would be implemented over the course of many years. Segments of the rail alignment within the WVFA Master Plan are referred to as schedules by the Port. The WVFA Master Plan consists of Schedules 1, 2, 3, and 4. Although the end goal is to design a cohesive rail system, there are discrete projects within the WVFA Master Plan that can be built and function separately from each other. For example, Schedule 1 (Figure 4) is considered to have independent utility from Schedules 2 through 4, and is therefore considered to be a separate and independent project. As such, the Schedule 1 project was addressed in a separate SEPA checklist that was reviewed by the Port as lead agency. This SEPA checklist addressed the anticipated land use impacts of Schedule 1 and received an MDNS threshold determination on July 5, 2007.

Congestion at the BNSF main line has resulted in delays and inefficiencies in the rail system. The primary impact on service occurs at the two diamond crossings located near Hill Street on the wye (triangle) track that serves two existing facilities at the Port. These two diamond crossings lower the speed at which the BNSF can operate its cars from the north-south main lines (crossing the Columbia River Rail Bridge) to the west-east main line to/from Pasco, Washington. Schedule 1 prepared the tracks to provide access to these two facilities from a turnout from the west-east main line, enabling the removal of these diamond crossings and improving the speed on the wye. As a result, trains from the north-south main line can make a more efficient passage to the west-east main line.

The previous configuration of the lead track in this area necessitated that the tail track cut through the former Boise Cascade site (Figure 4). In order to open this site for future redevelopment for mixed residential and commercial use as planned for by the City, the tail track needed to be removed. Implementation of Schedule 1 addressed these issues. The alignment designed under Schedule 1 leaves the BNSF west-east main line west of Esther Street and descends at a grade of 1.26% to Jefferson Street, where it connects with the existing industry spurs.

Because Schedule 1 has independent utility from the rest of the WVFA Master Plan, it is considered a separate project, and has undergone separate environmental review. No federal funds were used for this project. The project complies with SEPA and has gained appropriate state and local permits and approvals.

4.7.2 BNSF and City of Vancouver Waterfront Access Project

In this same area, the City and the BNSF have partnered to implement the City of Vancouver Waterfront Access Project to improve access to the Columbia River from west downtown Vancouver. Historically, this area has been in heavy industrial use but the City plans to convert the area to mixed commercial and residential uses that would link downtown Vancouver to the waterfront. Key to this revitalization effort is reconnecting the land currently split by the existing railroad tracks. As part of this project, Esther Street would be extended through the existing rail embankment and the 6th Street and Grant Street intersection would be expanded and realigned. This would require installing new bridges under the BNSF main lines to provide this new access and to open up visibility toward the waterfront.

This project is currently undergoing environmental review with the City acting as the lead agency under SEPA, and WSDOT as the lead agency under NEPA, as delegated by FHWA.

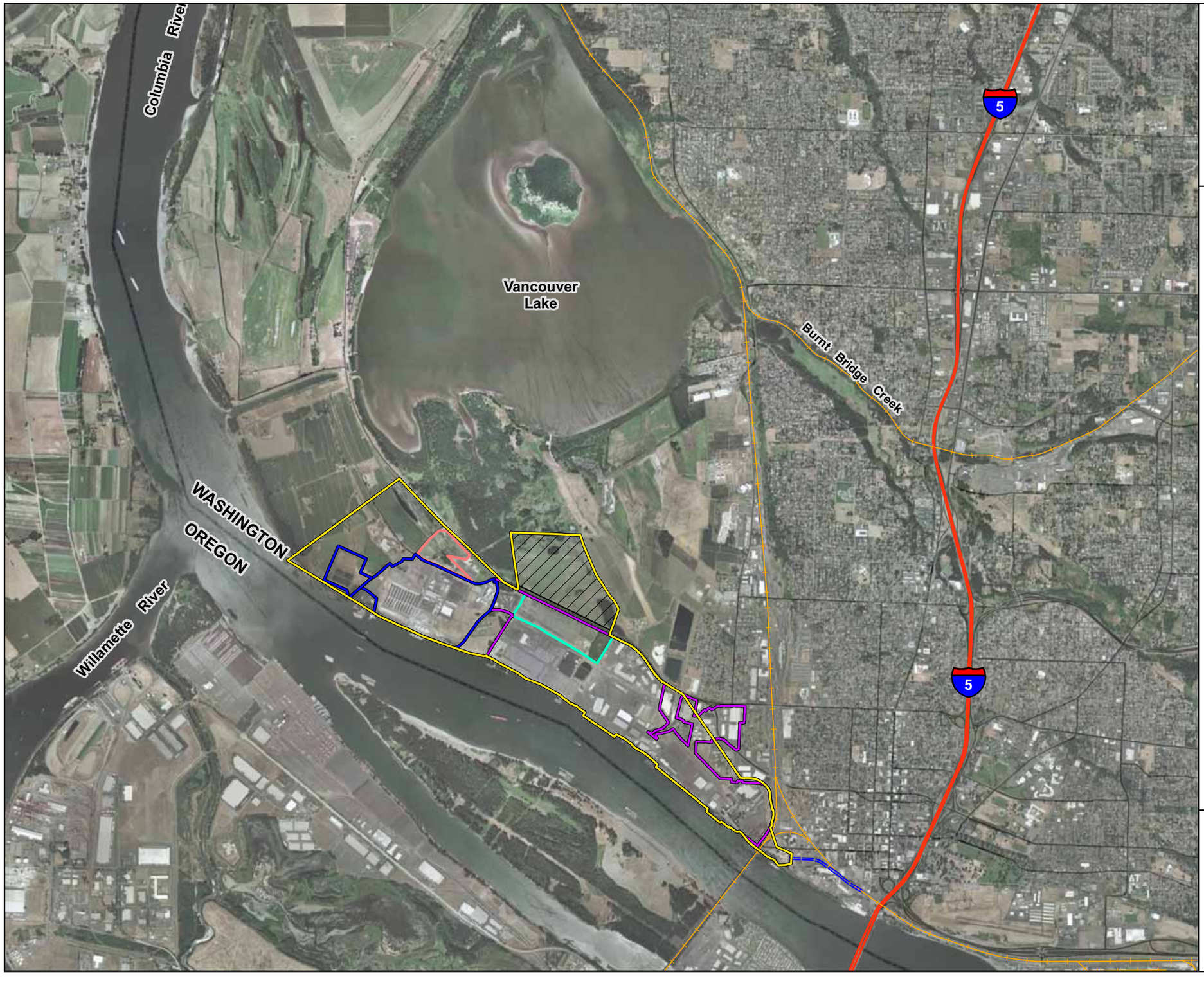
4.7.3 WSDOT Vancouver Rail Bypass Project

Amtrak provides intercity passenger rail service south to Oregon and north to Canada. The service is often delayed because of congestion through the Vancouver Rail Yard, which is located at the intersection of the Columbia River Rail Bridge with the north-south and west-east BNSF main lines. The Vancouver Rail Bypass Project, currently under construction, will construct a high-speed corridor for up to 28 Amtrak trains and allow them to bypass the congestion caused by freight trains.

A tremendous volume of train traffic transits through the Vancouver Rail Yard. In addition, regular yard operations cause significant delays to train traffic because the BNSF main lines traverse the yard. All train traffic from the east must transit through the southern part of the yard to access the northbound BNSF main line to Seattle, which in turn affects yard operations. The Vancouver Rail Bypass Project will provide a third north-south main line through the yard and a bypass to the yard to allow the trains that are coming from the east and going north to transit the area without affecting or being affected by the yard operations. This WSDOT project does rely on completion of the Proposed Project before its full benefit can be realized. As long as Port rail traffic continues to access the Port via the Hill track, the western bypass components and the southern wye intersection will not be fully efficient per the designs.

Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

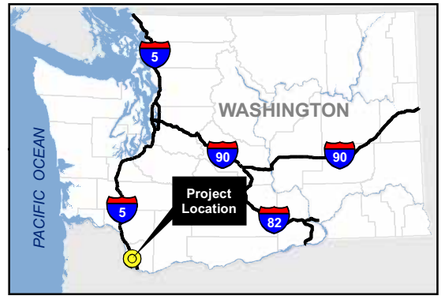
Figure 1.
Project Vicinity



Legend

- Study Area Boundary
- Current Port Operations
- Future Port Operations
- Potential Wetland Mitigation Bank Site (Parcel 6)
- Parcel 1A
- Parcel 2
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- BNSF Existing Railway
- Roadways

Location Map



Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: August 2009

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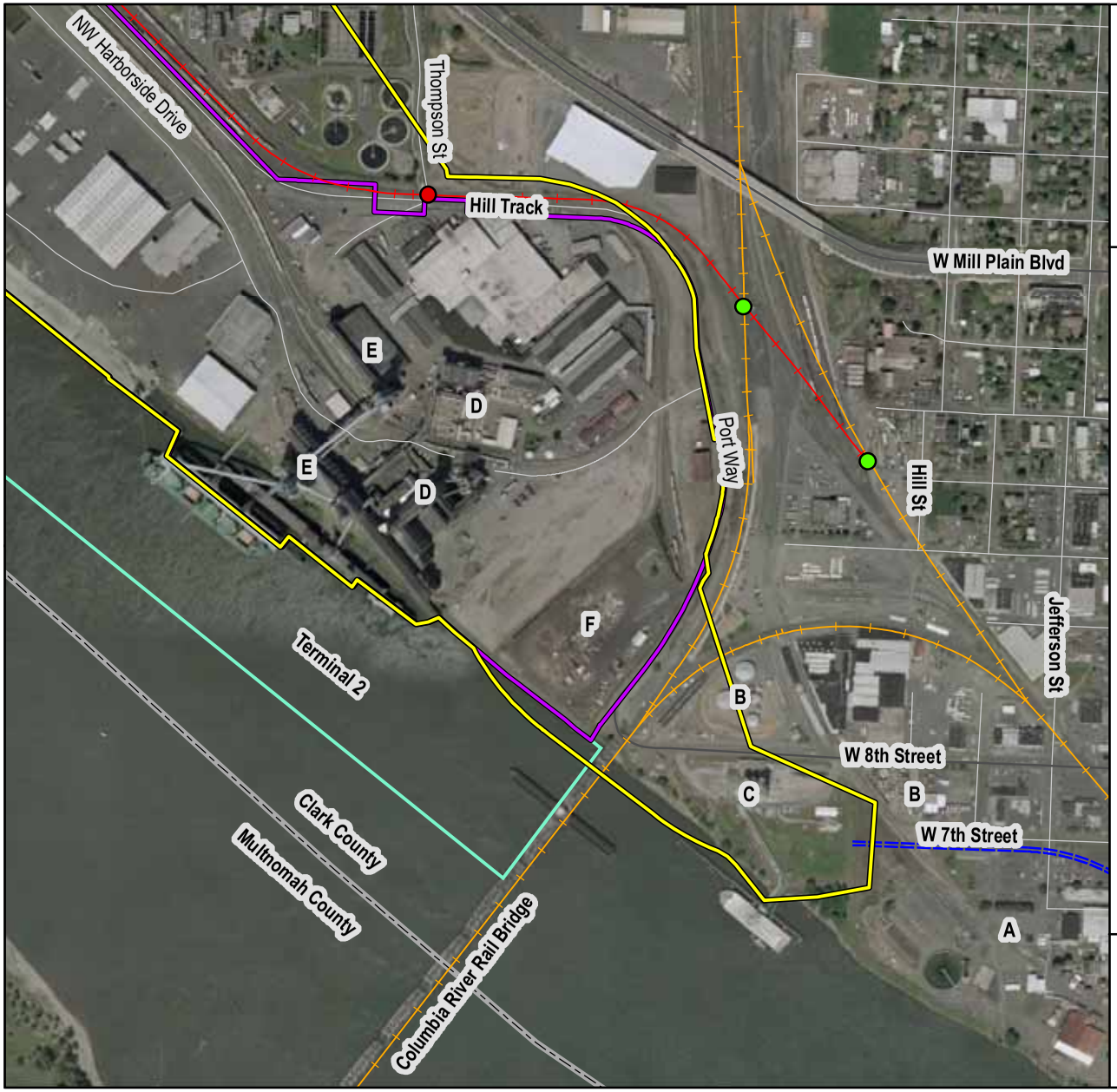

Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 2.
Existing Rail Operations

Legend

- Study Area Boundary
- Current Port Operations
- Existing Terminals
- Existing Port Rail Access
- BNSF Railway
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- Existing At-Grade Crossing
- Existing Intersection of Port Hill Track With BNSF Main Line
- Roadways

East Terminus Detail

- A = Former Boise Cascade Site
- B = Albina Fuels
- C = Lafarge Cement Company
- D = Great Western Malting
- E = United Grain Corporation
- F = Former Fort Vancouver Plywood

Source: Clark County (2005)

Map Prepared: June 2009

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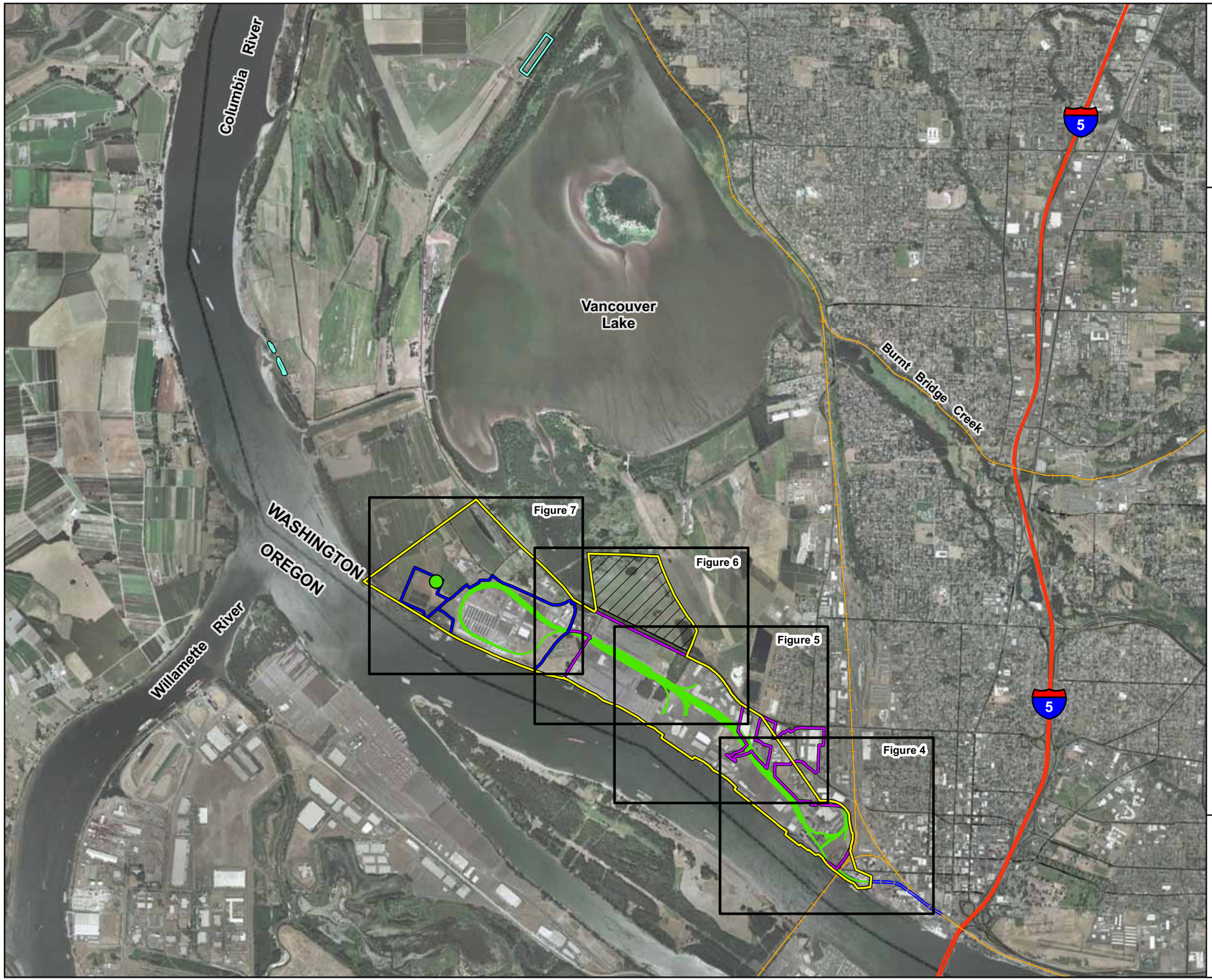
Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

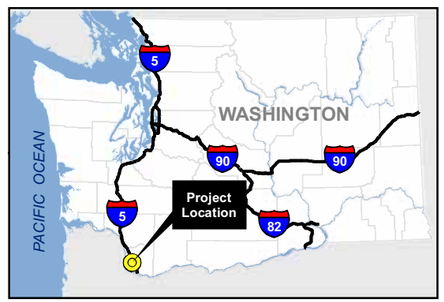
Figure 3.
Proposed Project Overview



Legend

- Study Area Boundary
- Current Port Operations
- Future Port Operations
- Riparian Mitigation Sites
- Potential Wetland Mitigation Bank Site
- Potential Wetland Mitigation Site
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- BNSF Existing Railway
- Roadways

Location Map



Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: June 2009

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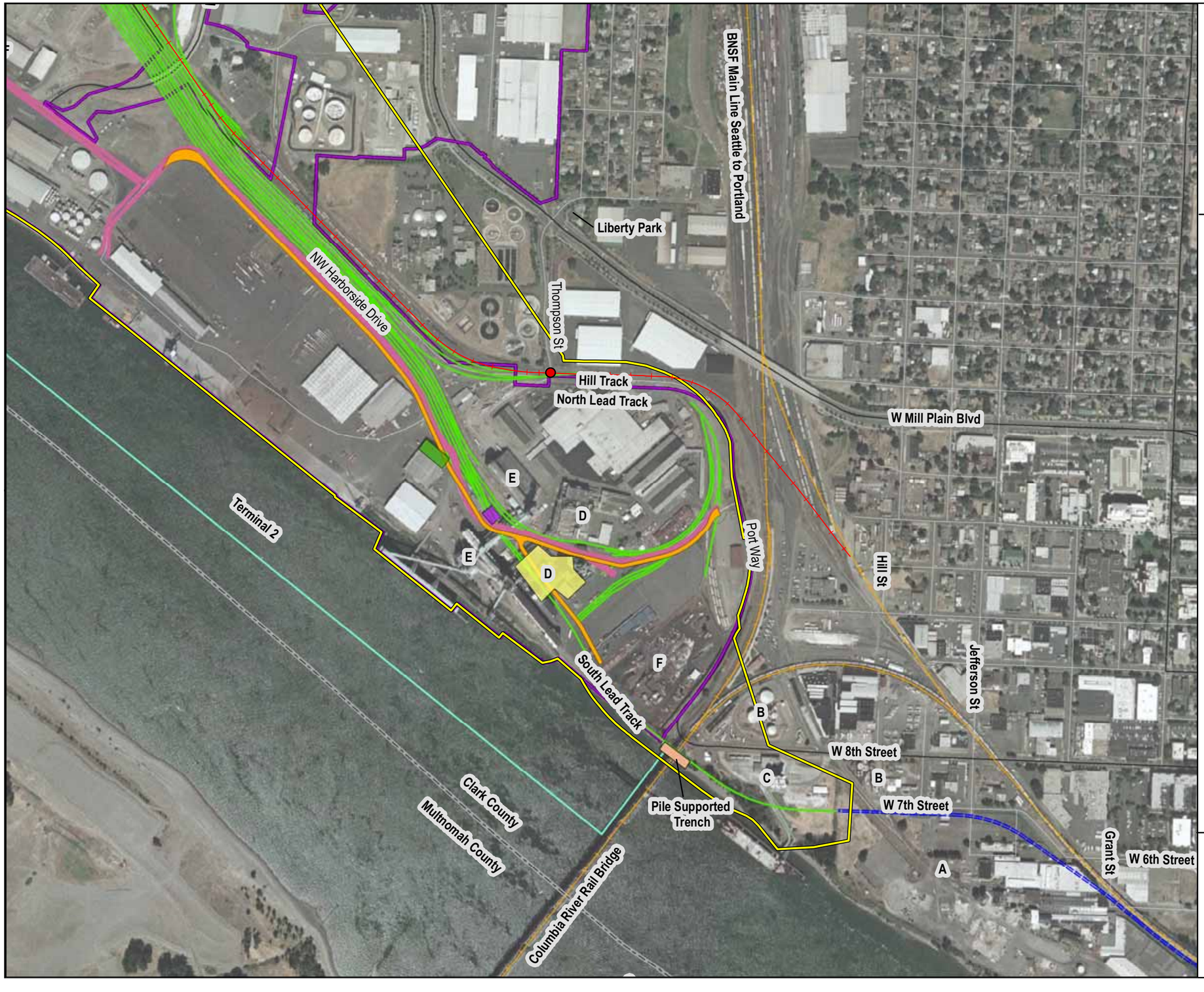

Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 4.
Project Detail:
East Terminus

Legend

- Study Area Boundary
- Current Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- Existing Port Rail Access
- BNSF Existing Railway
- Roadways
- Existing Roads
- Proposed Roadway Relocation
- GWM Drum House and Storage Silos Relocation (Building #1895)
- United Grain Corporation Maintenance and Operations Relocation (Building #1955)
- Port Warehouse Partial Removal (Building #2045)
- Existing At-Grade Crossing

East Terminus Detail

- A = Former Boise Cascade Site
- B = Albina Fuels
- C = Lafarge Cement Company
- D = Great Western Malting
- E = United Grain Corporation
- F = Former Fort Vancouver Plywood

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: June 2009

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Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 5.
Project Detail:
Rail Yard East

Legend

- Study Area Boundary
- Current Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Existing Port Rail Access
- Proposed Wetland Mitigation Bank (Parcel 6)
- Proposed Kinder Morgan Buildings
- Existing Kinder Morgan Buildings to be Relocated (2755, 2765, 2775, 2785 and 2795)
- Terminal 4 Stormwater Pond
- Proposed Roadway Relocation
- Existing Port Roads
- Roadways

Rail Yard Detail

F = Kinder Morgan

G = POV Administrative Office

H = Subaru

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: July 2009

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Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 6.
Project Detail:
Parcel 6 and Rail Yard West

Legend

- Study Area Boundary
- Current Port Operations
- Future Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Existing Port Rail Access
- Proposed Wetland Mitigation Bank (Parcel 6)
- Existing At-grade Crossing
- Proposed Overpass
- Proposed Kinder Morgan Buildings
- Existing Kinder Morgan Buildings to be Relocated (2755, 2765, 2775, 2785 and 2795)
- Terminal 4 Stormwater Pond
- Tristar Transload Facility Stormwater Pond
- Proposed Roadway Relocation
- Existing Port Roads
- Roadways

Rail Yard Detail

G = POV Administrative Office
H = Subaru
I = Clark County Corrections
N = Clark Public Utilities Power Plant

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: July 2009

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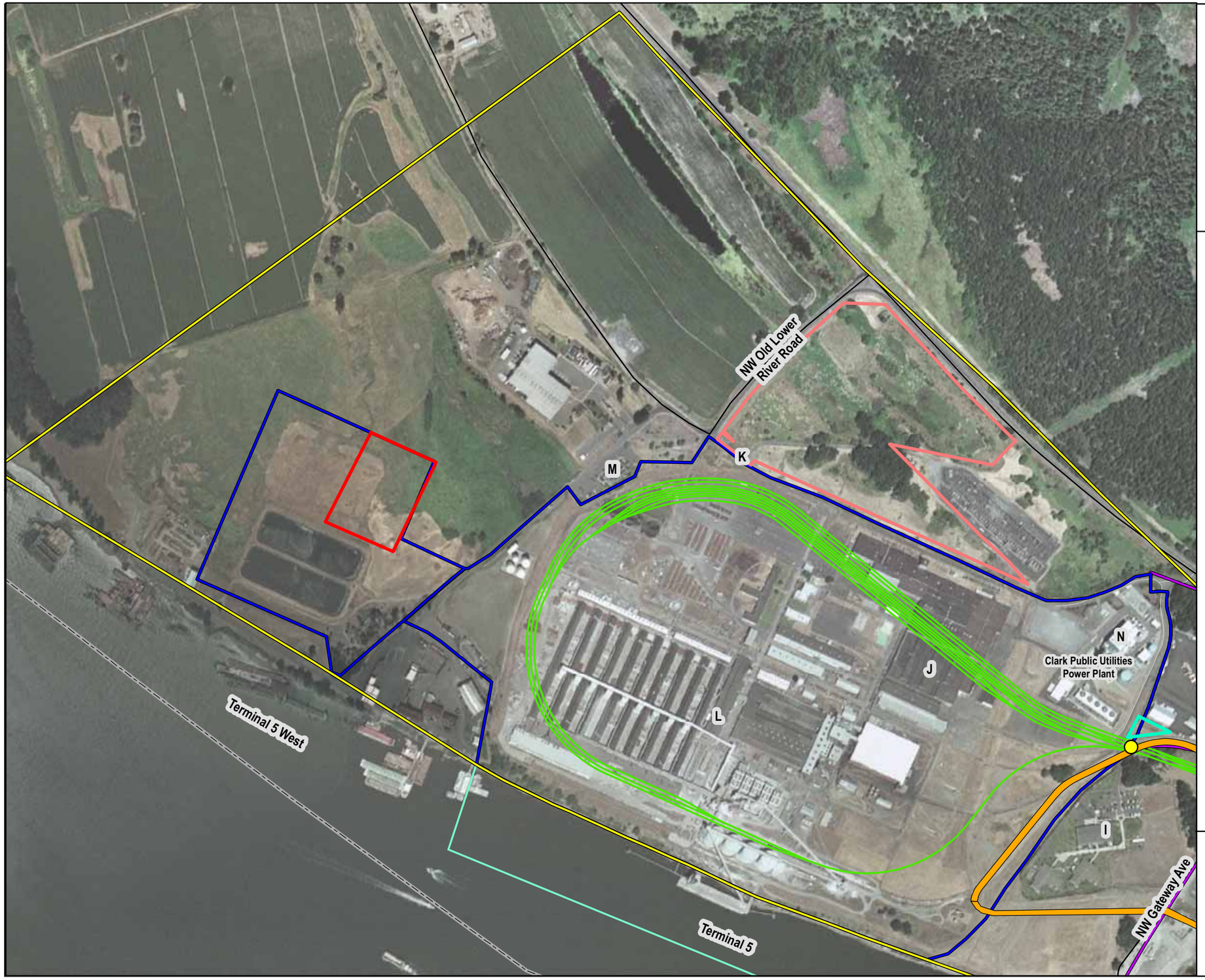
Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 7.
Project Detail:
West Terminus



Legend

- Study Area Boundary
- Current Port Operations
- Future Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Parcel 2
- Tristar Transload Facility
- Stormwater Pond
- Proposed Wetland Mitigation Site
- Proposed Overpass
- Proposed Roadway Relocaton
- Roadways

Rail Yard Detail

I = Clark County Corrections
J = Alcoa
K = BPA Access
L = Evergreen Aluminum
M = Tidewater Barge Offices
N = Clark Public Utilities Power Plant

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: July 2009

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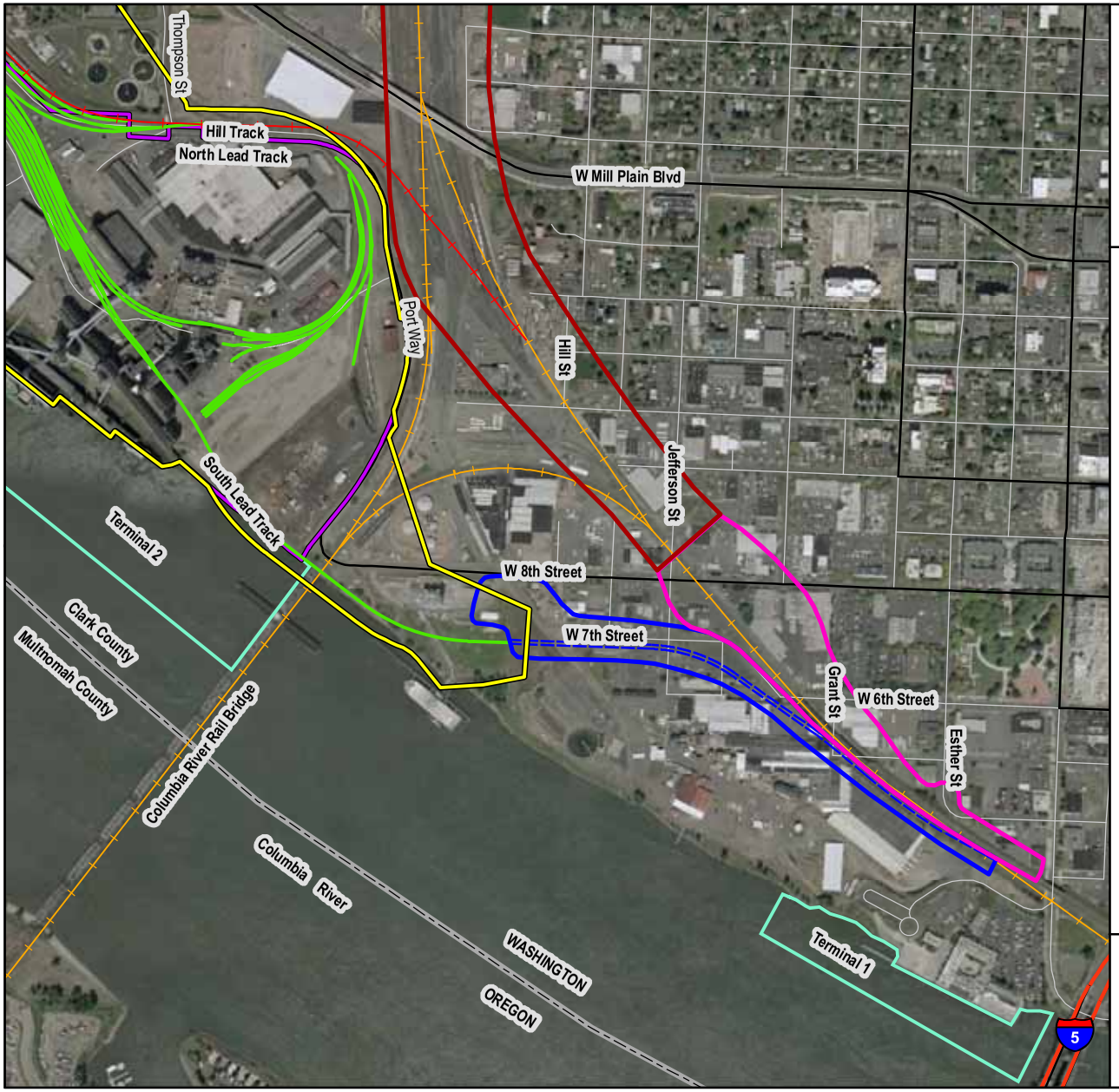

Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 8.
Related Projects

Legend

- Study Area Boundary
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- Washington Department of Transportation Vancouver Bypass Project
- BNSF Railway and City of Vancouver Waterfront Access Project
- Current Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Existing Port Rail Access
- BNSF Railway

Source: Clark County (2005)

Map Prepared: June 2009

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5 EXISTING CONDITIONS

5.1 EXISTING LAND USE

The Proposed Project traverses lands currently used for various industrial purposes at the Port (Figure 9). As identified in Figure 9, the categories of land use found in the Study Area include service, utilities, manufacturing, education/corrections facilities, waterfront terminals/piers, vacant land, and warehouse/storage. The predominant land uses within the Study Area are industrial manufacturing and warehouse/storage. However, exceptions to this rule include the Clark County Corrections Facility (Figures 6 and 7), the CPU River Road Generating Facility (Figure 7), the Port's administrative offices (Figure 5), and the Tidewater Barge office (Figure 7). The Study Area includes a small portion of the Port's Gateway property that is located northwest of the loop track and is currently in agricultural use (Figure 9). It should be noted that this property is in the City and is zoned Heavy Industrial (IH), consistent with the zoning of the remainder of the Study Area that is south of Lower River Road. Land uses surrounding the Study Area include residential areas towards the eastern end of the Proposed Project and open space and park areas towards the north and west (Figure 9).

Figure 10 illustrates the City's heavy industrial zoning for the Study Area. Figure 11 illustrates the site's industrial comprehensive plan designation, a designation that permits both light and heavy industrial uses. Figures 4 through 7 identify tenants within the Port that are located adjacent to and within the Study Area. Beginning at the eastern end of the alignment and heading west, businesses that occur within the proposed rail alignment include: Lafarge North America, Great Western Malting Company, Kinder Morgan bulk terminals, Subaru of North America, Clark County Corrections Facility, and CPU River Road Generating Facility. Appendix B identifies all of the properties transected by the Proposed Project.

In addition to the industrial development within the Study Area, the City has proposed to extend the Columbia River Renaissance Trail from its current terminus along the Columbia River waterfront near Interstate 5 (I-5) westward to allow bikes and pedestrians to connect with the multi-use trail that links Vancouver Lake Regional Park and Frenchman's Bar Regional Park. The completed portions of the Columbia River Renaissance Trail extension include a section along West Mill Plain Boulevard between the BNSF overpass and W 26th Avenue (completed in 2005) and a section that passes in front of the Port's administrative offices (completed in 2007).

5.2 COMPREHENSIVE PLAN DESIGNATIONS

As noted on Figure 11, the entirety of the Study Area located south of Lower River Road has a comprehensive plan designation of Industrial and is within the City. The Port's Parcel 6, which is located north of Lower River Road is primarily within the City, but approximately 29 acres of the western portion of the 157-acre parcel are currently in the County. Both the City and County portions of this parcel have a comprehensive plan designation of Parks and Open Space.

5.3 ZONING DESIGNATIONS

As noted on Figure 10, the entirety of the Study Area located south of Lower River Road is within the City and is zoned IH. Most of the Port's Parcel 6, located north of Lower River Road, is within the City and has a zoning designation of Greenway/Open Space. The purpose of the Greenway District is identified in VMC 20.450.020.B as follows:

> *The Greenway District is intended to preserve, conserve, and enhance natural features to support water quality, habitat, public access, and education, contributing to Vancouver' s quality of life. Passive and low impact, low-intensity uses and activities are appropriate for these areas. The Greenway District consists of a set of greenways. Some are regulated individually to achieve their special purposes.*

As noted above, an approximately 29-acre area of Parcel 6 is currently within the County and is currently zoned "Agriculture / Wildlife."

5.4 SHORELINE ENVIRONMENT AND CRITICAL AREAS

The Study Area is located immediately adjacent to the Columbia River, which is designated as a Shoreline of Statewide Significance and is consequently regulated by the City's Shoreline Management Master Program (SMMP), which applies to all areas of the site that fall within 200 feet of the OHWM of the Columbia River, associated wetlands, and 100-year floodplain areas adjoining the river (Figure 16). Two portions of the Proposed Project fall within the City's shoreline jurisdiction: the wetlands mitigation area located on Terminal 5 West (Figure 7) and the pile-supported trench (Figure 4). The City's SMMP designates these areas as Urban: High Intensity and Aquatic in areas below the OHWM of the Columbia River (Figure 16).

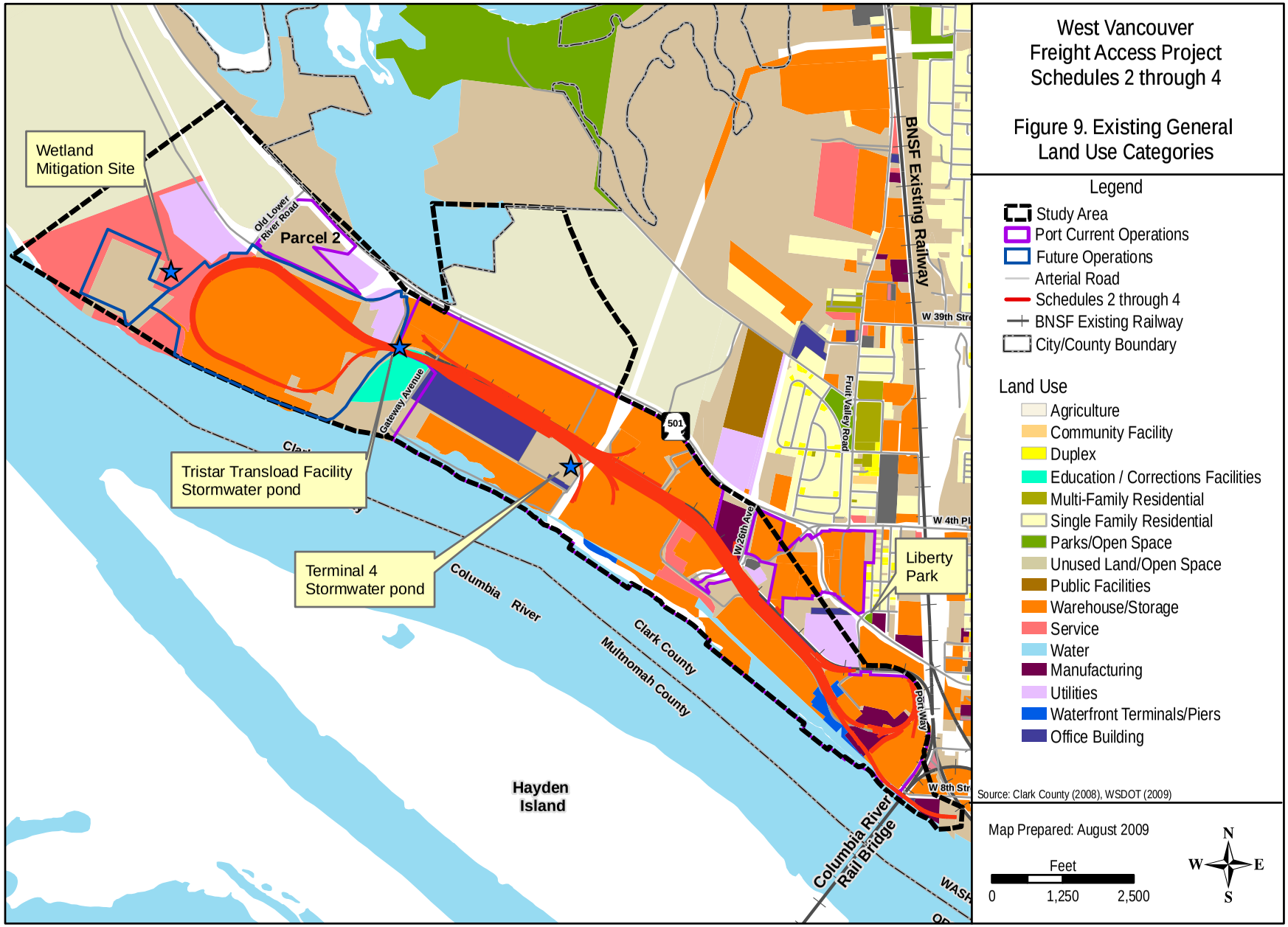
5.5 DEVELOPMENT TRENDS

The western portion of the Study Area includes the sites of the former Evergreen and Alcoa plants, a combined area of approximately 190 acres at the western limits of the Study Area. These former aluminum processing facilities were recently demolished prior to their purchase by the Port.

Within the Study Area, there are few uses that vary in character from the predominant use of the site for manufacturing, storage/warehouse, and distribution. Most of the properties that are adjacent to the Study Area are either in current industrial production or were formerly used as industrial sites. It is anticipated that the industrial properties within and adjacent to the Study Area that are zoned for industrial use will continue to be used for industrial purposes, particularly given the significant proposed investments in rail infrastructure proposed by the Port.

An exception to the predominance of industrially planned uses surrounding the site is the Boise Cascade property, which is located immediately east of the Study Area. With the adoption of the Vancouver City Center Vision Plan (VCCV) on June 18, 2007, the City changed the zoning of this property from IH to City Center (CX) (Figure 10). The VCCV subarea plan anticipated the integration of a mixed-use development immediately adjacent to surrounding industrial

properties and therefore included provisions that address land use compatibility issues. For instance, the planned action ordinance for the VCCV included mitigation measures that require any future residential uses within the district to incorporate sound attenuation methods into residential construction design to ensure that future development would comply with the provisions of the City's Noise Impact Overlay District found in VMC Chapter 20.520. In addition to on-going development surrounding the project, the City recently awarded a contract to complete a subarea plan and environmental impact statement for the Fruit Valley Neighborhood. Development of this plan is likely to take approximately 18 months and public meetings to initiate the process have not yet been held.


West Vancouver
Freight Access Project
Schedules 2 through 4
Figure 9. Existing General
Land Use Categories
Legend
Study Area
Port Current Operations
Future Operations
Arterial Road
Schedules 2 through 4
BNSF Existing Railway
City/County Boundary
Land Use
Agriculture
Community Facility
Duplex
Education / Corrections Facilities
Multi-Family Residential
Single Family Residential
Parks/Open Space
Unused Land/Open Space
Public Facilities
Warehouse/Storage
Service
Water
Manufacturing
Utilities
Waterfront Terminals/Piers
Office Building
Source: Clark County (2008), WSDOT (2009)
Map Prepared: August 2009
Feet
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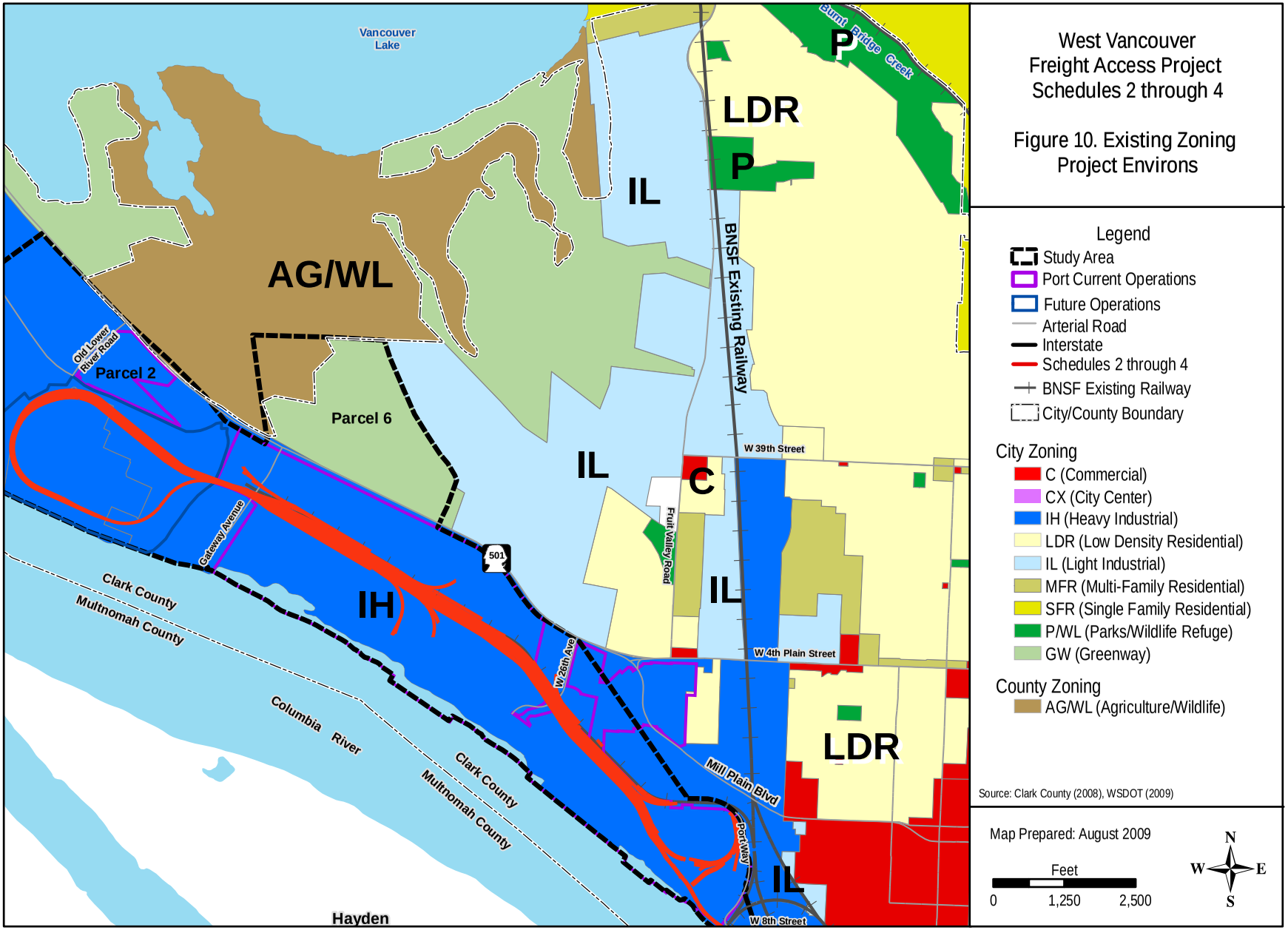
E
S
Wetland Mitigation Site
Parcel 2
Old Lower River Road
Tristar Transload Facility Stormwater pond
Terminal 4 Stormwater pond
Gateway Avenue
BNSF Existing Railway
Fruit Valley Road
W 26th Ave
Liberty Park
Columbia River
Clark County
Multnomah County
Hayden Island
Columbia River Rail Bridge
Port Way
501


West Vancouver
Freight Access Project
Schedules 2 through 4
Figure 10. Existing Zoning
Project Environs
Legend
Study Area
Port Current Operations
Future Operations
Arterial Road
Interstate
Schedules 2 through 4
BNSF Existing Railway
City/County Boundary
City Zoning
C (Commercial)
CX (City Center)
IH (Heavy Industrial)
LDR (Low Density Residential)
IL (Light Industrial)
MFR (Multi-Family Residential)
SFR (Single Family Residential)
P/WL (Parks/Wildlife Refuge)
GW (Greenway)
County Zoning
AG/WL (Agriculture/Wildlife)
Source: Clark County (2008), WSDOT (2009)
Map Prepared: August 2009
Feet
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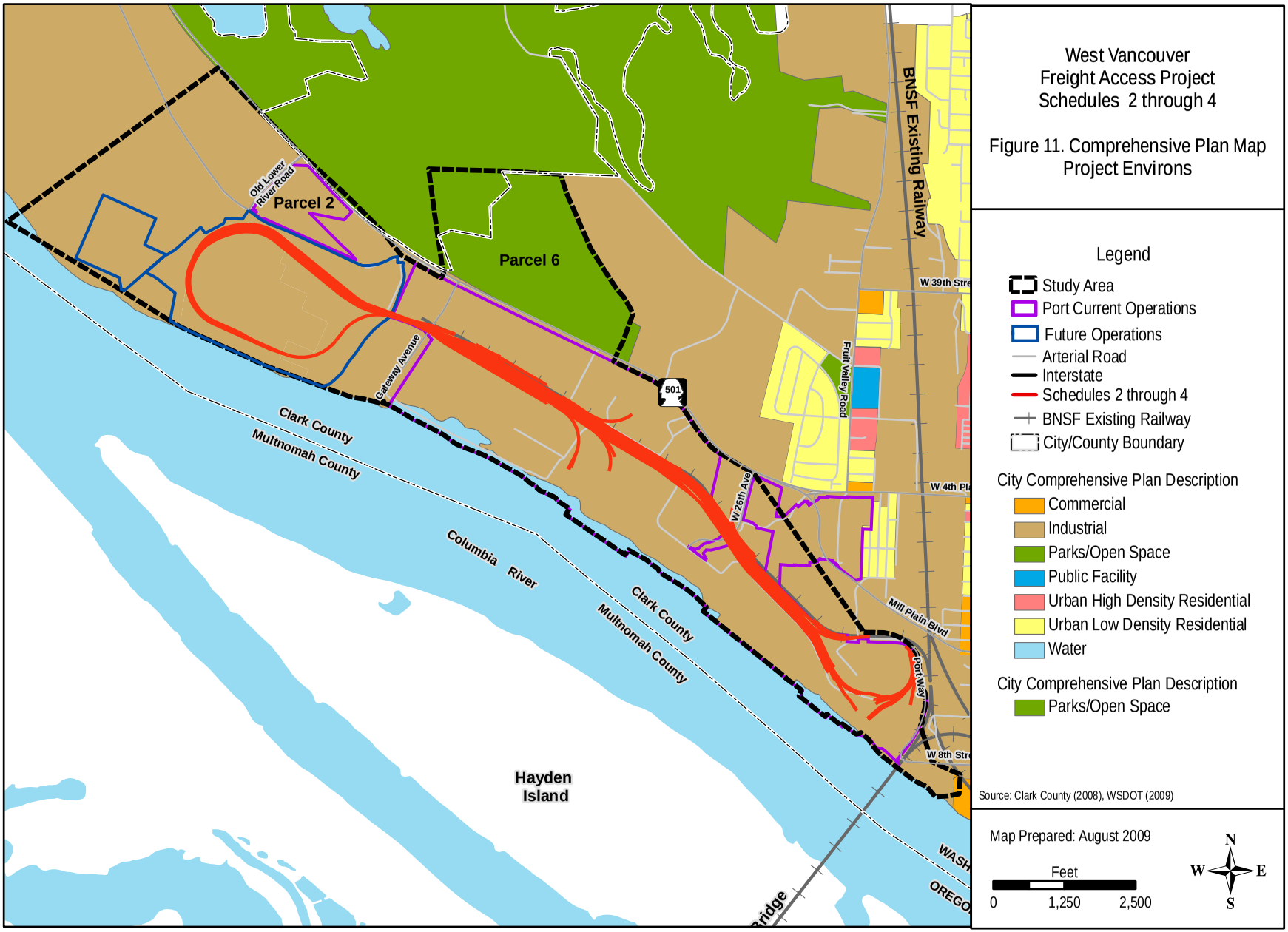
Vancouver Lake
Burnt Bridge Creek
P
LDR
P
IL
AG/WL
BNSF Existing Railway
Old Lower River Road
Parcel 2
Parcel 6
IL
W 39th Street
C
Fruit Valley Road
501
Gateway Avenue
IL
IH
Clark County
Multnomah County
W 26th Ave
W 4th Plain Street
Columbia River
LDR
Mill Plain Blvd
Portway
Clark County
Multnomah County
IL
Hayden
W 8th Street


West Vancouver
Freight Access Project
Schedules 2 through 4
Figure 11. Comprehensive Plan Map
Project Environs
Legend
Study Area
Port Current Operations
Future Operations
Arterial Road
Interstate
Schedules 2 through 4
BNSF Existing Railway
City/County Boundary
City Comprehensive Plan Description
Commercial
Industrial
Parks/Open Space
Public Facility
Urban High Density Residential
Urban Low Density Residential
Water
City Comprehensive Plan Description
Parks/Open Space
Source: Clark County (2008), WSDOT (2009)
Map Prepared: August 2009
Feet
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Parcel 2
Parcel 6
Old Lower River Road
Gateway Avenue
501
Clark County
Multnomah County
Columbia River
Hayden Island
BNSF Existing Railway
W 39th Stre
Fruit Valley Road
W 26th Ave
W 4th Pla
Mill Plain Blvd
Port Way
W 8th Stre

5.6 SECTION 4(F) RESOURCE DESCRIPTION

The Great Western Malting Company drum house and grain storage silos (Figure 4) and Rail Car Loading Facility have been identified as eligible for listing on the National Register of Historic Places as the Great Western Malting Complex and are therefore eligible for protection under Section 4(f) of the US Department of Transportation Act of 1966. Operations at Great Western Malting Company include drum houses 1 through 4, former administrative offices, and associated grain elevators and silos.

The drum house and grain storage silo structures were built (and subsequently modified) between 1934 and 1975. These structures are identified as Building 1895 within the Port and combine to total 121,608 square feet. The Great Western Malting plant is considered historically significant for its role in the regional development of the brewing industry in the Pacific Northwest. It also has an historic association with a group of regional brewers who established the company to provide a ready supply of malt in Washington and Oregon following the repeal of Prohibition in 1933. Emil Sick (Sick's Rainier Brewing Company in Seattle), Phillip Polsky (Star Brewing in Vancouver), Henry Collins (Pacific Continental Grain Company in Vancouver), Peter Schmidt (Olympia Brewing Company in Tumwater, Washington), and Arnold Blitz and William Einzig (Blitz-Weinhard Company in Portland) were the company's principal financiers. In addition, the property is significant because it houses murals painted by the artist Jose Moya del Pino, who is best known for his work as part of the Federal Art Project for the Works Progress Administration in the 1930s and 1940s. The paintings, which date to this period, represent scenes related to malt production and were installed in the facility's taproom, a large meeting room with a bar and open fireplace for cooking that was designed in a restrained Bavarian theme and is reportedly well-known among older residents of Vancouver (ICF Jones & Stokes 2009b). Approximately 45 employees work in the Great Western Malting facility (Appendix G).[1]

[1] ICF Jones & Stokes, Section 4(f) Evaluation, March 2009, p. 25

West Vancouver
Freigth Access Project
Schedules 2 through 4

Figure 12. 4(f) Resources -
Great Western Malting Drum House
and Grain Storage Silo

Legend

- Schedules 2 through 4
- GWM Drum House and Storage Silos
- Study Area

Data Source: Clark County (2008)
Image Source: Image Trader "www.landsat.com"(2002)

Map Prepared: August 2009

Feet
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6 IMPACTS

6.1 NO-BUILD ALTERNATIVE

As the no-build scenario would involve no proposed construction, there would be no construction-related effects. Operation of the existing Port facilities would continue as it does under current conditions. Because there would be no rail expansion, congestion issues on the BNSF main line would likely worsen as rail traffic within the region continued to increase.

To compensate for the lack of expanded rail capacity, a no-build scenario would likely involve greater truck traffic within the Port, resulting in higher levels of truck traffic on the primary arterials (Fourth Plain Boulevard, Lower River Road, and Mill Plain Boulevard) that lead to the Port. Ambient effects from such increased truck traffic could include a potential for increased noise, associated air emissions, and potential bicycle and pedestrian safety conflicts. Depending on the degree of increased traffic, there is a potential for these effects to be cumulatively significant and affect residents of the nearest residential neighborhoods (Fruit Valley, Hough, Carter Park, and Esther Short).

6.2 BUILD ALTERNATIVE

6.2.1 Direct Impacts

The Proposed Project involves expansion of the Port's existing freight right-of-way in areas currently in rail use and also into new areas currently used for industrial business operations, existing stormwater ponds, and on unused land zoned IH by the City (Appendix A). This will require additional right-of-way acquisition in some areas and would result in the conversion of land that is zoned for and in industrial use and to rail facilities. Specifically, the Proposed Project alignment would require removal and/or relocation of the following buildings and right-of-way acquisitions in the following locations:

- A portion of the Great Western Malting Plant grain storage silos and drum house (Figure 4) would be demolished to make way for the rail alignment. In addition, the lost capacity would be replaced on site.

- United Grain Corporation maintenance and operations (Figure 4) building would be removed. This facility is vacant and no longer in use.

- Kinder Morgan bulk handling facility buildings 2755, 2765, 2775, 2785, and 2795 would be relocated as indicated in Figure 5.

- There would be a slight reduction in storage space at the Subaru of America auto storage area to make way for the expanded rail yard (Figures 5 and 6).

- A portion of the southeastern corner of the CPU River Road Generation Plant (Figure 7) would be acquired to make way for the rail alignment.

- The rail alignment would result in impacts at the Terminal 4 stormwater pond (Figures 5 and 6). Lost capacity would be replaced on site.

- There would also be impacts at the Tristar Transload facility (Figures 6 and 7). Lost capacity would also be replaced on site.

As noted above, the Proposed Project would require right-of-way acquisition in some areas and would result in the conversion of lands in industrial use to rail facilities; however, this conversion would not conflict with any existing land uses or land use zoning.

The table provided in Appendix B identifies the extent of land conversion that will occur to properties transected by the rail alignment. As noted in Appendix B, the Proposed Project will result in the conversion of approximately 10.71-acres of industrial uses into rail use. However, as noted previously, "rail lines" and "railroad yards" are permitted uses in the heavy industrial zoning provisions of Vancouver Municipal Code (VMC) Section 20.440.030. Thus, this conversion is consistent with the planned uses for the property.

The proposed rail facilities are consistent with industrial zoning and would greatly improve the operational efficiency for Port businesses, thereby improving land use efficiency within the Port. The facilities at Great Western Malting and Kinder Morgan would be relocated as part of the Proposed Project. These facilities would be located on site within each company's existing operations and would be developed as far as possible to avoid disturbance of on-going business operations. The following sections identify the anticipated acquisition and land use impacts to property owners where construction and right-of-way acquisition would occur in greater detail. The Proposed Project would not result in any changes in the way that these businesses operate or function compared with existing conditions.

6.2.1.1 Impacts to Port-owned and leaseholder properties

Impacts to Port-owned and leaseholder properties are as follows:

6.2.1.1.1 Great Western Malting Plant Grain Silos and Drum House

Construction of the proposed rail alignment and an associated road access would require the relocation of a portion of the Great Western Malting drum house and storage silos (Figure 4). The drum house is a plant that produces malted and roasted malt barley and has extensive equipment to facilitate this process. The portion of the facility to be demolished includes some storage capacity within the silos and a portion of the drum house that is not currently in full use. Great Western Malting owns the buildings, structures, and equipment that support its business and leases the underlying land from the Port. The Port will amend its lease with Great Western Malting to reflect the 1.6 acres that will be taken for the construction of the proposed rail alignment.

The drum house and storage silos are part of the Great Western Malting Complex, along with the rail car loading facility, which is eligible for listing on the National Register of Historic Places and therefore considered a resource under Section 4(f) of the US Department of

Transportation Act of 1966. A discussion of the impacts on cultural resources is included as part of the evaluation required under Section 4(f) (ICF Jones & Stokes 2009f) (presented in Appendix G) and in the cultural resources survey prepared for the Proposed Project (ICF Jones & Stokes 2009c). Although the Proposed Project would result in taking this Section 4(f) resource, as documented in the Section 4(f) Evaluation, no "feasible and prudent avoidance alternative" exists to avoid impacts on the resource, as defined in 23 CFR 774. As indicated in the evaluation, implementation of the measures described in the memorandum of agreement (MOA) among the Port, WSDOT, DAHP, and FHWA would minimize the effects on the Section 4(f) resource.

6.2.1.1.2 United Grain Corporation Maintenance and Operations Relocation

The Proposed Project would impact approximately 1.25 acres of United Grain Corporation's leasehold and require relocating a maintenance shop and establishing revised pedestrian and vehicular access. There will be approximately 10 short-term (daylong or less) interruptions as the United Grain operation is shifted onto the new tracks. No jobs would be lost as a result of the Proposed Project. As the new arrangement will provide significant benefit to United Grain Corporation, the company is amenable to these brief disruptions.

6.2.1.1.3 Kinder Morgan Bulk Handling Facility Buildings 2755, 2765, 2775, 2785, and 2795

The Proposed Project will impact Kinder Morgan's Vancouver bulk terminals by requiring a complete relocation of the rail car unloading facility in order to make room for the construction of the Port's new rail yard. While Kinder Morgan does not have an interest in real property because the firm operates at the Port under a management agreement and not a lease, the Port is working closely with Kinder Morgan to facilitate this relocation of its rail car unloading facility and minimize disruption to ongoing business operations. There will be an approximately 1-week shutdown when the relocated unloading facility is connected to the existing Port rail infrastructure. This 1-week disruption will occur during Kinder Morgan's off season and will not result in the loss of any jobs.

6.2.1.1.4 Subaru of America Auto Storage Yard

The Proposed Project will impact approximately 5.0 acres of the existing Subaru America leasehold to allow for the Port's rail corridor. The Proposed Project will require the rail yard to expand south of its existing area to accommodate new trackage, thereby decreasing Subaru's auto storage area and requiring the relocation of the Subaru rail loading tracks further to the south, clear of the new yard tracks. Loss of this area would not result in a significant reduction in business for Subaru because the Port will provide 5.0 acres of replacement auto storage area to Subaru before the displacement. Because of this arrangement, impacts to Subaru will be kept to a minimum and would not include any lost jobs.

6.2.1.1.5 Terminal 4 Stormwater Pond

The updated rail alignment will traverse the existing Terminal 4 stormwater detention pond diagonally on an earth embankment. The earth embankment will be raised to the 26-foot elevation and become the bottom of the sub-grade for the new rail lines. This proposed design will displace approximately 35,000 cubic yards of available water storage and treatment area of the existing pond. Modifications to the stormwater pond will include:

- Constructing a wall along the west side of the pond, moving the edge of the pond approximately 33 feet westward.
- Moving the east side of the pond approximately 33 feet to the east and maintaining the 3:1 side slope.
- Repositioning the north side of the pond along the new earth embankment with a 2:1 side slope.
- Relocating the existing berm that separates the northern portion of the pond approximately 98 feet southward. The top of the berm will be approximately 10 feet wide with 2:1 side slopes. The top elevation of the berm will be approximately 16.9 feet.
- Replacing two crumbling gabion basket weirs with gravity block walls that are 5 feet wide with a top elevation of approximately 17.9 feet.
- Relocating/extending four intake drain pipes to the new pond.
- Relocating the 36-inch storm drainage pipe along the west side of the pond approximately 20 feet west of the new wall.
- Relocating illumination and electrical lines along the east side of the pond to a new Harborside Drive alignment.
- Relocating Harborside Drive along the east side of the pond to approximately 20 feet east of the new pond.
- Constructing new pond maintenance roadways into the east side slope and along the north side of the new berm.
- Constructing an 8-foot-high fence around the entire pond.

6.2.1.1.6 Tristar Transload Facility

The Proposed Project will impact the southern stormwater facility at the Tristar Transload facility on Parcel 1C. The existing facility consists of a traditional catchbasin, manhole, and pipe conveyance system. This system conveys flows to the bio-filtration swale before discharging to a stormwater retention facility. Once stormwater enters this retention facility, water is discharged to groundwater through infiltration. Impacts to the existing facility will include fill material that will impact approximately 1,200 square feet of infiltration area and displace a pond volume of approximately 645 cubic feet (24 cubic yards). To offset these impacts, the following actions will be taken:

- Construction of a railroad supporting retaining (T-wall) to minimize impacts to the existing facility.

- Expansion of existing pond grading to the south and southeast to create a minimum of 1,200 square feet of mitigated pond area available for infiltration.
- Side slopes of the mitigated areas will not exceed the 2 to 1 side slopes of the existing facility.
- Using 2 to 1 side slopes, the excavation associated with this pond will create at least 645 cubic feet of new pond volume.

6.2.1.2 Impacts to non-Port owned properties

6.2.1.2.1 CPU River Road Generation Plant

The Proposed Project will impact the CPU River Road Generating Plant property by obtaining 1.2 acres for construction of the proposed rail alignment. Currently, the area dedicated for the Proposed Project is not in active CPU use and these impacts therefore are not anticipated to affect ongoing business operations or result in job loss.

6.2.1.2.2 City of Vancouver

Expansion of freight line capacity at the convergence of the Hill track and lead track will require acquisition of right-of-way from the City wastewater treatment plant, located at the northwest corner of the intersection of Thompson Street and 16th Avenue. This acquisition is not anticipated to conflict with any existing operational facilities at the wastewater treatment plant.

6.2.1.2.3 Lafarge

The new south lead track of the Proposed Project will begin at the end of the Port's completed Schedule 1 alignment, and will connect near where Schedule 1 ties into the BNSF north-south main line just south of the wye (triangular) intersection to the east of the Columbia River Rail Bridge. The Schedule 1 lead track would descend at a grade of 1.26% from the BNSF main line to where it would split to provide access to the Lafarge and Albina facilities. Access to the Lafarge facility would be provided via the pile-supported trench. A Lafarge offloading pipe-bridge (underpass) will be demolished and rebuilt at this location. The proposed rail alignment will continue on as the south lead track, descending at a rate of 1.26% (a curve-adjusted percentage as required by the BNSF for safety reasons) until crossing under the Columbia River Rail Bridge at Port Way, encroaching into the northern edge of the Columbia River (Figure 4).

6.2.1.2.4 General Chemical

The Proposed Project will require acquisition of right-of-way from General Chemical's facilities located at 2611 West 26th Street near the 26th Street overpass of the rail corridor.

6.2.1.2.5 Columbia Renaissance Trail

Construction of the proposed rail alignment could potentially conflict with the Columbia Renaissance Trail extension being proposed by the City near the Columbia River in the vicinity of the Columbia River Rail Bridge. As noted in Figure 14, the current terminus of the existing Columbia Renaissance Trail is approximately 4,000 feet east of the Columbia River Rail Bridge. As noted in the Project Description, critical efficiencies to the freight rail system are gained due

to the proposed grade-separated crossing lead track at the Columbia River Rail Bridge (Figure 4). Due to the limited flexibility in alignment at this location, the Proposed Project alignment is planned in the same location as the planned extension of the Columbia Renaissance Trail (Figure 14). This potential conflict was recognized by the City in its review of the shoreline substantial development permit (SSDP) for the project (SHL2007-00004) and the conditions of approval included conditions (21, 22, 44, and 45) that require that the Port establish an agreement with the City regarding a potential trail crossing over the rail alignment in this area (Appendix B).

6.2.2 Indirect Impacts

The Proposed Project entails expanding the Port's existing rail facilities to promote more efficient operations for the Port's existing and future tenants while minimizing disruptions to existing tenants and to alleviate congestion within the rail system. Construction and operation of the Proposed Project have the potential to result in indirect land use impacts as discussed below.

6.2.2.1 Indirect Construction Effects

Construction has the potential to result in increased noise, dust, and air emissions that could indirectly affect adjacent land uses by disrupting existing activities. As indicated in the Noise and Vibration Discipline Report (ICF Jones & Stokes 2009c), City and state noise regulations exempt temporary daytime construction activity from numerical noise ordinance limits. However, it is acknowledged that temporary daytime construction noise could potentially be disruptive to nearby residents. Therefore, an analysis of daytime construction noise was evaluated by predicting the temporary increase in construction noise levels compared to existing background levels. Construction noise levels were evaluated based on three types of construction activity: construction activity related to the pile-supported rail trench along the Columbia River, construction of the new NW Gateway Avenue overcrossing, and construction activity for the at-grade rail lines along the remainder of the proposed rail alignment.

Noise sensitive and vibration sensitive receptors were identified within the areas surrounding the Study Area that could potentially be affected. These included four noise sensitive receptors, 3 residential (Figure 4) and one, the Clark County Corrections Facility located immediately south of the proposed alignment, and the Tidewater Barge office (Figure 7). Residential areas are considered to be noise-sensitive because people live in these areas and could be exposed to increased noise over a prolonged period of time. The Clark County Corrections Facility is a residential facility and also includes outdoor work areas. The CPU River Road Generation Facility was considered a vibration-sensitive receptor.

As indicated in the analysis, the construction noise caused by the Proposed Project would likely be similar to or less than background noise levels for the majority of noise sensitive receptors due to the distance (more than 1,400 feet) of the construction activities from these receptors. At noise sensitive receptors located more closely to the project site, noise levels are not anticipated to exceed a 10 dBA threshold. Therefore, construction noise is not anticipated to result in significant indirect effects on surrounding noise-sensitive land uses.

As indicated in the Air Quality Discipline Report (ICF Jones & Stokes 2009e), emissions from demolition and construction would be temporary and localized, and are not expected to affect areas beyond the Port facility boundary. Federal and local regulations prohibit demolition of structures that contain asbestos containing material. The Port would retain certified inspectors to identify all such material in the buildings, and would remove asbestos-containing material before building demolition begins.

The highest construction emissions are expected to occur during grading, excavation, and embankment placement for the rail alignment. For this analysis it is assumed that all construction emissions are subject to the General Conformity regulation. The forecasted construction emissions for carbon monoxide during the anticipated peak year of construction were found to be less than the General Conformity applicability threshold. While the ambient air pollutant concentrations generated by the Proposed Project construction activities were not modeled, the ambient air pollutant concentrations at public areas beyond the construction zones during construction would likely be below the National Ambient Air Quality Standards because the construction operations would occur over an extended period of time, and the construction emissions would be relatively small and would be distributed over a large area. The Proposed Project is a linear rail construction project along several miles of rail corridor, and construction activity would generally not occur along the alignment for extended periods of time. All construction equipment must satisfy Environmental Protection Agency emission standards for nonroad engines. These factors ensure that ambient air pollutant concentrations at public areas outside the construction zones would not approach significant levels.

6.2.2.2 Indirect Operation Effects

Implementation of the Proposed Project has the potential to result in the conversion of existing land uses to industrial land uses that may result in incompatible ambient land use effects. In addition, the Proposed Project has the potential to result in increased operational air emissions and noise and vibration effects that could also be incompatible with surrounding land uses. These effects are discussed in greater detail below.

The Proposed Project would have the indirect effect of promoting growth within the Study Area for existing tenants because the improved efficiency would allow existing tenants to slightly expand their operations. In addition, the construction of the loop track at Terminal 5, which is currently vacant industrial area, would provide added incentive for future tenants to locate in the Terminal 5 area. This would represent a conversion of land from its current use, a vacant industrial lot, to a rail-dependent industrial use. In addition, implementation of the loop track at Terminal 5 could also provide added incentive to convert adjacent lands outside of the Port's boundary, most notably the area to the west, to industrial uses in the future. Although zoned for heavy industrial use, these lands are currently in agriculture and open space uses. Future development in these locations would represent a conversion of land from these uses to industrial uses. This intensification of future development could result in ambient effects such as additional lighting, operational noise, grading/soils disturbance, etc. that may be incompatible with the surrounding land uses.

As described above under Section 4.2, it is anticipated that the Proposed Project could result in an additional six new train trips per day (three inbound and three outbound trains per day) upon full build out associated with future growth. This information was considered in the analysis of air quality emissions and noise and vibration effects.[4]

As indicated in the air quality discipline report (ICF Jones & Stokes 2009e), the increase in rail operations would not result in significant air quality concerns. Although air quality emissions may increase slightly as a result of the Proposed Project, the increase would be negligible. Furthermore, most of the land immediately adjacent to the proposed rail alignment is currently in an industrially compatible use or is rail-dependent and is already subject to the existing conditions associated with an operating industrial Port with an active rail system.

As discussed in the noise analysis for the Proposed Project (ICF Jones & Stokes 2009c), operation of the Proposed Project would not result in significant noise impacts at the noise-sensitive receptors or vibration-sensitive receptors. Although the Tidewater Barge Company office building is not considered a noise-sensitive receptor, concerns have been raised about future increased noise at this location. It is not know at this time if Tidewater Barge Company would prefer to relocate its offices, but the Port is working with the Tidewater Barge Company to address noise concerns at its office building. The office building is currently located within land zoned for heavy industrial use and is adjacent to vacant land at Terminal 5 that historically has been in industrial use and is zoned for heavy industrial use consistent with the proposed rail operations. Because the projected noise generation is consistent with the intensity of impacts anticipated in a heavy industrial zoning district and with the existing operations and would not exceed any local, state, or federal noise thresholds, the noise impacts are not considered to be significant.

Because the rail operations are consistent with the operations already ongoing within the Study Area, it is not anticipated that the remaining businesses would want to relocate due to potential noise or other ambient effects. This is especially true since the majority of businesses within close proximity to the rail line are rail-dependent and would benefit directly from the implementation of the Proposed Project. When compared to the no-build alternative, the Proposed Project may result in fewer indirect land use impacts, as it would permit substantial freight transportation to continue via rail versus an expansion of freight truck traffic. As indicated above, the expansion of truck traffic would likely represent a much greater impact on residential and commercial uses located in the surrounding Fruit Valley, Hough, and Esther Short neighborhoods.

7 CONSISTENCY WITH LAND USE PLANS AND IMPLEMENTING REGULATIONS

7.1 FEDERAL PLANS

The Proposed Project would not transect or impact areas subject to any federal land use plans. The Columbia River is not a wild and scenic river as defined in 36 CFR 297.3 and is therefore not subject to the Wild and Scenic Rivers Act. Similarly, no Columbia River tributaries in the

project vicinity are subject to the Act. Furthermore, no federal lands immediately adjacent to the Proposed Project would be affected by it.

Approximately 11 miles north of the Study Area, the US Fish and Wildlife Service (USFWS) owns and operates the 5,147-acre Ridgefield National Wildlife Refuge. The Refuge occupies most of the northern portion of the Vancouver Lowlands within the County. The City, County, Port, Washington Department of Fish and Wildlife (WDFW), and the Washington Department of Natural Resources (WDNR) own most lands south of the Refuge. The USFWS is currently developing a comprehensive conservation plan (CCP) for the Refuge that is intended to guide its overall management for the next 15 years. The Proposed Project is expected to be consistent with the CCP because it does not include the construction of any rail segments within, through, or near the Refuge.

7.2 STATE PLANS

The State of Washington regulates land use and development through a number of regulatory programs. The following section discusses the project's consistency with the applicable state plans.

7.2.1 Washington Transportation Plan (2007-2026)

On November 14, 2006, the Washington State Transportation Commission and WSDOT published the Washington Transportation Plan (WTP). The purpose of the document is to establish guidelines and priorities for infrastructure investment in the state, as well as policy recommendations for managing transportation resources in the state. One such policy recommendation is to enhance rural economic vitality by working to "[i]mprove farm-to-market access by determining strategic investments in rail."[2] (Washington State Department of Transportation, 2006b) Consistent with this policy, the Proposed Project would allow agricultural products to reach the Port more easily so that they can be conveyed to markets throughout the Pacific Rim.

The WTP also addresses environmental quality and includes a policy to "[d]evelop, implement, and use transportation investments in ways that promote energy conservation, enhance healthy communities, and protect the environment."[3] Recently, the Port has experienced a significant expansion in the number of wind turbine components being moved through the Port to destinations across the Pacific Northwest. Consistent with the above-noted policy, the Proposed Project would permit more efficient and expanded distribution of renewable energy products such as the wind turbine components to expand their use in the Northwest. No project inconsistencies with the WTP are anticipated.

[2] Washington State Transportation Commission-WSDOT, Washington Transportation Plan (2007-2026), November 15, 2006, p. 82.

[3] Ibid., p. 105.

7.2.2 Shillapoo Wildlife Area Management Plan

WDFW recently developed the Shillapoo Wildlife Area Management Plan to guide activities in the 2,371-acre Shillapoo Wildlife Area located west of Vancouver Lake, approximately 2 miles north of the Study Area (WDFW 2006). In previous freight rail design iterations, an alternative rail alignment with benefits similar to those of the Proposed Project (reducing congestion and improving safety on the BNSF main line) was considered that would have extended into the vicinity of the Shillapoo Wildlife Area. However, after an evaluation period from 2003 to 2005, the alternative design was rejected, in part due to its impacts on the Shillapoo Wildlife Area and adjacent wetland and upland habitat areas. Because the proposed rail alignment and associated facilities would not extend into the immediate vicinity of the Shillapoo Wildlife Area, no direct, indirect, or cumulative impacts on the Shillapoo Wildlife Area are anticipated to occur as a result of the Proposed Project.

7.2.3 Washington State Freight Rail Plan

The Washington State Freight Rail Plan (1998) fulfills Federal Railroad Administration requirements that the state establishes, updates, and revises a rail plan in order to receive local rail freight assistance funds. The freight rail plan also fulfills a state legislative directive (RCW 47.76.220) that WSDOT prepare and periodically revise a state rail plan that identifies, evaluates, and encourages rail services.[4]

Generally, the freight rail plan seeks to limit rail line abandonment (an ongoing statewide phenomenon) and to optimize the efficiency of Washington's rail system. To this end, WSDOT is charged with implementing a state freight rail program to support the freight rail service objectives identified in the Washington State Freight Rail Plan as stated below:

- Service Objective 1—Ensure adequate freight capacity and safety and enhance access to and capacity of intermodal terminals.
- Service Objective 2—Preserve and enhance service on branch lines, promote continued service on light density lines, and preserve essential lines threatened with abandonment.
- Service Objective 3—Identify and preserve essential rail corridors for future rail service.

Consistent with the above-noted objectives, the purpose of the Proposed Project is to expand Port rail capacity within the existing Port facility and to relieve congestion on the existing BNSF north-south and west-east main lines. The Proposed Project would decrease congestion by providing rail access to the Port via a grade-separated main line crossing, and would increase rail capacity and access within the Port's existing facilities. The Port's existing rail infrastructure is limited in its ability to provide adequate service to the current and future industrial uses in southwestern Vancouver. The Proposed Project helps to resolve these capacity concerns and satisfy the applicable service objectives noted above from the Washington State Freight Rail

[4] Washington State Department of Transportation & Wilbur Smith Associates, Washington State Freight Rail Plan, 1998 Update, November 1998, p. 1 and Appendix A.

Plan. Therefore, no inconsistencies with the plan are anticipated to result from the Proposed Project.

7.3 REGIONAL PLANS

The Southwest Washington Regional Transportation Council maintains the Metropolitan Transportation Plan (MTP) for the county, the only regional plan that affects it. The MTP is the region's principal transportation planning document. Its most recent update (December 2007 / amended July 2008) identifies specific goals, objectives, and policies for planning and programming transportation projects in the county. The MTP identifies future regional transportation system needs, and outlines transportation plans and improvements necessary to serve existing and planned land uses. The MTP addresses regional systems for transporting people and freight, including systems for streets and highways, transit, and pedestrian and bicycle transit, as well as for ports, airports, and rail facilities of regional significance. The MTP recognizes WSDOT's freight rail program, planning activities, and established freight rail policies.[5]

The MTP specifically addresses the Proposed Project as follows:

> *The Port of Vancouver has recommended improved rail access to the Port's industrial lands and a project to provide freight rail access to the Port of Vancouver is identified in the MTP list of projects. A project to provide a grade-separated crossing of the main BNSF north/south rail-line to improve access to the Port of Ridgefield is included in this MTP.*[6]

As such, the Proposed Project is recognized and addressed in the MTP.

7.4 COUNTY PLANS AND REGULATIONS

As noted previously, parcels 152799-000 and 152798-000 at the location of the former Evergreen and Alcoa plants were in the County until recently, but these parcels were annexed into the City via annexation adoption ordinance M-3914. The ordinance was approved by the City on May 4, 2009 and became effective on June 3, 2009. With the annexation of the Evergreen / Alcoa property, the only portion of the Study Area that remains in Clark County is a 29.3-acre area located at the northwest corner of Parcel 6, the location of the proposed wetland mitigation bank. As noted in Figures 10 and 11, this 29.3-acre area has a County comprehensive plan designation of Parks / Open Space and a zoning designation of AG-WL, Agriculture-Wildlife.

The proposed activities within this 29.3-acre area are limited to the planting of wetland species to establish greater wetland function at the wetland mitigation bank. As identified previously, the City and County have signed an interlocal agreement that allows the City to process a

[5] Regional Transportation Council, Metropolitan Transportation Plan for Clark County, December 2007 / amended July 2008, p. 1-2 (Introductory Memorandum).

[6] Ibid, p. 5-5.

shoreline permit for these limited activities in the 29.3-acre County area.[7] The Port of Vancouver is pursuing an annexation request with the City for this 29.3-acre area, but the annexation has not yet been scheduled for a hearing. Regardless, in the event that this annexation does not occur, the proposed wetland enhancement activities at the 29.3-acre site are believed to be consistent with the Clark County plans and regulations that would regulate uses on the property.

7.4.1 Clark County Comprehensive Plan and Zoning Code Compliance

As noted, the 29.3-acre county area has a comprehensive plan designation of Parks/Open Space and a zoning designation of AG-WL. The proposed planting activities at the 29.3-acre County site are not anticipated to be out of context or represent a land use conflict with the site or adjoining properties, which are planned to remain in agricultural or open space use.

Chapter 40.450 addresses the Clark County Code (CCC), Critical Areas and Shorelines – Wetlands, and regulates wetland impact and enhancement activities. As a component of their wetland mitigation bank permitting, the Mitigation Partners submitted a wetland permit to Clark County along with a draft wetland MBI. Upon the signing of the MBI by the bank sponsor and affected agencies, the County will close the wetland permit file. With the completion of this process, the County will make a finding that the proposed planting activities on the 29.3-acre site are consistent with Chapter 40.450 of the CCC.

7.5 CITY PLANS AND REGULATIONS

7.5.1 Vancouver Comprehensive Plan 2003–2023

The following paragraphs identify the 2003-2023 Vancouver comprehensive plan policies that are relevant to the Proposed Project and Study Area. A brief description of project consistency with these policies follows. Consistency with the broad policy framework of the City has been demonstrated through compliance with the regulatory framework that implements the City's comprehensive plan, specifically through the permits approved by the City for the project on April 17, 2008 (PRJ2007-00322/SHL2007-00004) and with the post-decision review (PRJ2007-00322/PST2009-00003) approved on July 31, 2009.

Community Development Policies

CD-9 Compatible uses

Facilitate development that minimizes adverse impacts to adjacent areas, particularly neighborhoods.

The above noted policy requires the City to consider land use compatibility within its regulatory framework and with future development. As noted above, the Proposed Project has received land use approvals from the City, who has determined that the proposed project is consistent with the intended use of the properties transected by future rail facilities.

[7] City of Vancouver and Clark County, Interlocal Cooperation Agreement Between The City of Vancouver and Clark County Under the Authority of Chapter 39.34, RCW, P.2

Economic Development Policies

EC-2 Family-wage employment
Promote the formation, recruitment, retention and growth of businesses that provide a wide range of employment opportunities, particularly family-wage employment. Prioritize family-wage employment in land use policies and practices.

Generally, jobs within the manufacturing, wholesale distribution, and maritime transportation industrial sectors offer higher wages than jobs in sectors such as food service, tourism, hospitality, and personal services. The Proposed Project would improve rail service to local industries, reduce transportation costs, and provide comparative advantages for local businesses within the Port's industrial corridor.

EC-3 Public revenue enhancement
Promote development that enhances revenue generation for public services.

The Proposed Project would provide infrastructure for local industries that employ family-wage jobs in the community. The potential for increased productivity through increased transportation efficiencies, coupled with the potential for industrial expansion and job growth, could increase revenue generation for public services significantly.

EC-6 Efficient use of employment land
Maximize utilization of land designated for employment through more intensive new building construction, and redevelopment and intensification of existing sites.

The existing industrial area in southwest Vancouver could become more intensively utilized through improvements to infrastructure. The Proposed Project would improve this infrastructure, thus reducing time and possibly costs associated with moving goods in and out of the industrial area.

Public Infrastructure and Services Policies

PFS-4 Transportation system
Develop and maintain an interconnected and overlapping transportation system grid of pedestrian walkways, bicycle facilities, roadways for automobiles and freight, transit and high-capacity transit service. Include support programs such as traffic operations, transportation demand management, neighborhood traffic management, and the regional trails program. Work towards completing and sustaining individual components and programs to ensure success of the entire system.

The Proposed Project would improve the existing transportation system by updating and expanding rail lines. When trains come from the north, south, and east and attempt to unload cars just southwest of Thompson Avenue and West 18th Avenue, the efficiency of the system is reduced, creating a bottleneck so that trains extend across the north-south main line at the Columbia River Rail Bridge. The obstruction of the north-south main line creates additional constraints and costs for the rail transportation system. The Proposed Project would relocate the crossing of the north-south main line below grade at the Columbia River Rail Bridge and

provide increased track capacity for loading and unloading trains. The combination of these two actions would remove the bottleneck and increase rail efficiency.

PFS-8 Transportation circulation and system connectivity
Develop a transportation grid that provides good connections to surrounding land uses and activity centers and allows for multiple circulation routes to/from each location. Close gaps and complete system connections through the development and capital improvement processes.

The Proposed Project is designed to improve the existing rail transportation grid and provide more storage capacity for railcars. The increased efficiency of the rail line would allow for more intense use of the land, creating a denser industrial center in Vancouver. Further, consistent with the desire to improve system connectivity, the Proposed Project would enhance connectivity between port's Columbia River freight cargo terminals and inland rail ports.

PFS-16 Economic development
In order to support the continued economic vitality of Vancouver, major transportation system investments should facilitate freight mobility, job creation, regional competitive position, and revenue growth.

The Proposed Project would facilitate freight mobility, job creation, regional competitive position, and revenue growth by updating and expanding the existing rail system. The Proposed Project would allow for more gross freight to be transported by rail with increased efficiency. The increased efficiency could allow for job creation as relative transportation costs decrease. Increased employment coupled with increased efficiency could have a positive impact on the regional competitiveness of Vancouver's industrial area.

7.5.2 Vancouver Urban Parks, Recreation, and Open Space Plan

In May 2007, the Vancouver-Clark Parks and Recreation department updated its comprehensive parks, recreation and open space plan, which identifies current and future recreation needs for the Vancouver-Clark County area, and articulates goals, objectives, standards, and guidelines for the system.[8] The plan includes financing strategies to implement capital projects and achieve programmatic goals.

The urban park facility nearest to the Study Area is Liberty Park, at the intersection of Mill Plain Boulevard and Thompson Street, approximately 1,000 feet from the proposed rail alignment. After Liberty Park, the nearest residential parks are the Fruit Valley Neighborhood Park and Esther Short Park, each located approximately 1 mile from the Study Area. The nearest regional park is Vancouver Lake Regional Park, located approximately 1 mile northwest of the west terminus of the proposed rail alignment.

The Columbia River Renaissance Trail connects downtown Vancouver to the renovated riverfront area east of I-5 and generally parallels the northern shoreline of the Columbia River,

[8] Vancouver-Clark Parks & Recreation, Vancouver Urban Parks, Recreation, and Open Space Plan, April 2002, Executive Summary.

extending about 4 miles east of I-5 to Wintler Park. A planned 8-mile extension of the trail would extend west along a redeveloped downtown waterfront, beneath the Columbia River Rail Bridge, north to Lower River Road, and connect to recreational paths and trails around Vancouver Lake and Frenchman's Bar parks, north of the flushing channel.

The proposed trail near the Columbia River would cross the proposed rail alignment in the area of 8th Street, just east of the Columbia River Rail Bridge. As a condition of approval of the SSDP for the Proposed Project, the Port is required to "[p]rovide an agreement with Vancouver-Clark Parks & Recreation relating to the potential trail crossing over the rail lines in the area of this project."[9] The Port would address this condition and coordinate the adoption of an agreement with Vancouver-Clark Parks & Recreation before approval of final construction documents. The consolidated City/County parks agency manages the South Vancouver Lake open space and restoration project site located northeast of LaFrambois Road, about 1 mile northeast of the Study Area.

Aside from the potential conflict of the proposed rail alignment with the proposed trail noted above (for which mitigation is proposed herein), the Proposed Project is not anticipated to affect any of the above-mentioned recreation facilities, parks, trails, or open space areas adversely. The Proposed Project is separated physically from these uses and sites by distance and by built and natural features as described above.

7.5.3 Esther Short Subarea and Redevelopment Plan

The City adopted the Esther Short Subarea and Redevelopment Plan in 1998. The plan supports redevelopment efforts in and around Esther Short Park in downtown Vancouver and provides policy guidance for public investment and private development in this downtown section. Policies relevant to the Proposed Project are paraphrased below.

P11. Provide opportunities for at least 33,000 new jobs in the Vancouver Urban Area during the 20-year planning period (1998–2018).

P12. Ensure the long-term economic health of the region by encouraging a wide range of employment opportunities.

P14. Ensure an adequate supply of serviceable commercial and industrial lands located near transportation services.

P15. Provide attractive urban and local employment centers, mixed employment/housing—particularly in urban centers, an adequate industrial and commercial land supply, and utilize telecommunications and other technological advances to encourage non-traffic generating, in-home work opportunities.

[9] City of Vancouver Hearings Examiner Final Order - PRJ2007-00322, April 17, 2008, p. 5, condition #21.

P39. Develop land use patterns that facilitate multi-purpose trips and minimize the number and length of vehicle trips to improve air quality, reduce energy consumption, and allow for continued economic development.

P46. Rehabilitate and/or redevelop declining or deteriorating industrial areas downtown.10

The Proposed Project is consistent with and furthers these economic and land use objectives by facilitating reinvestment in and redevelopment of Port industrial lands.

7.5.4 Vancouver City Center Vision Subarea Plan and Environmental Impact Statement

The portion of the Study Area that is east of the Columbia River Rail Bridge falls within the boundaries of the VCCV subarea plan adopted by the City on June 18, 2007. The purpose of the VCCV was to ensure that SEPA goals would be integrated into future projects within the subarea as well as to establish new plan policies and implementing regulations to guide future development in downtown.

The VCCV also included amendments to the City's comprehensive plan and zoning maps within the subarea. This included changes to the Boise Cascade property, just east of the Study Area, from an IH to a CX zone.[11] Because the VCCV subarea plan anticipated the integration of a mixed-use development immediately adjacent to the industrial properties to the east, there are provisions in the document that relate to land use compatibility that are relevant to the Proposed Project and its impacts on surrounding land uses. Primarily, the subarea plan includes an in-depth discussion of existing and projected noise levels in the subarea plan. The subarea plan's analysis of the proposed alternative concluded that "[n]o significant adverse impacts are anticipated to result from the Proposed Alternative." However, the subarea plan identifies several mitigation measures pertaining to minimizing incompatibilities between residential properties and train noise. Specifically, the subarea plan includes the following discussion on possible future measures to be taken to address train traffic noise:

> *In the case of the area around the 8th Street/Jefferson rail crossing, some allowable uses in a CX zone would be incompatible with the high levels of ambient noise. It may be possible to close the at grade crossing at 8th Street and Jefferson once the rail under crossing on 6th and Grant Street is reconstructed. If this crossing is closed sometime in the future, noise levels would be substantially reduced.*
>
> *Another option would be to establish a train horn quiet zone for areas around rail crossings. A quiet zone can be established by installing supplemental safe improvements (quad-gates for example) that are as safe as or safer than rail/public crossings that rely on train horns.*

[10] City of Vancouver, Esther Short Subarea and Redevelopment Plan, January 5, 1998, Appendix 4 – Table 1.

[11] City of Vancouver, Final Environmental Impact Statement for the Vancouver City Center Vision Subarea Plan, November 2006, p.25.

> *To mitigate the conflict between train horn noise and residential land use, a downtown train horn study should be prepared to narrow down the list of supplemental safety improvements that best meet the needs of the downtown, develop a cost for the downtown quiet zone and identify funding options."*[12]

As noted previously, a noise and vibration assessment has been conducted by ICF Jones & Stokes to analyze and quantify the extent of noise impacts on adjacent land uses. As noted in its summary conclusion, "[t]he noise and vibration impacts from the operation and construction of the Rail Access Project are expected to be less than significant because noise-sensitive receivers are far enough from the construction and operation of the Rail Access Project and trains moving at low speed generally produce little noise because the locomotives operate at a low engine load, and steel train wheels produce relatively little clacking noise."[13] (ICF Jones & Stokes 2009c).

With the review of the Post Decision Review application for the Proposed Project, the Port held discussions with the City regarding the possibility of providing noise mitigation at the at-grade crossing that currently exists at the intersection of 16th Street and Thompson, north of the Great Western Malting complex (Figure 4). These discussions resulted in revised language regarding possible noise mitigation at this intersection in the future. Specifically, the July 31, 2009 approval of the post-decision review included Condition 5, which states:

> *Before approval of engineering design for construction of the proposed at-grade rail crossing of West 16th Street between Thompson Avenue and Port Way, prepare a noise study identifying train horn noise impacts on the nearest noise sensitive receivers. Should the noise study identify a significant impact (greater than 70 decibels) on the nearest sensitive noise receiver, a Quiet Zone Study, as identified, in the Vancouver City Center Vision Subarea Plan and Supplemental Environmental Impact Statement, will be prepared. The Quiet Zone Study shall consider standard Supplemental Safety Measures (SSMs) which may include either the installation of four-quadrant gates, the establishment of median barriers, wayside horns, or the closure of the crossing. The City of Vancouver, as the authority having jurisdiction over vehicular traffic at the grade crossing within the quiet zone, shall prepare and complete the Quiet Zone Notice of Intent and Notice of Quiet Establishment processes with the FRA. The FRA approved recommendation will be incorporated into the at-grade crossing design.*

With the application of the steps outlined in Condition 5 above, the proposed project will be consistent with the VCCV Subarea Plan and EIS.

[12] Ibid., p. 57.

[13] Jones & Stokes, Technical Memorandum, Noise and Vibration Assessment, Port of Vancouver Rail Access Project, February 3, 2009, p. 11.

7.5.5 Vancouver Transportation System Plan

The City adopted the Vancouver Transportation System Plan in May 2004. This 20-year plan assesses mobility needs, identifies solutions, and directs the City's future transportation investments. The plan focuses on roads and highways, signal systems, pedestrian facilities, and enhancements that support and increase bicycle and transit use (City of Vancouver 2004). Figure 14 is the Proposed Project with the designated routes and multi-use recreation paths appearing on the Vancouver Transportation System Plan (City of Vancouver 2004).

The Vancouver Transportation System Plan proposes a multi-use path near the Columbia River Rail Bridge. Although the precise location and future design of the multi-use path are not yet determined, the path may need to cross the proposed rail alignment near the bridgehead or within a short distance (approximately 300 feet) east of the Columbia River Rail Bridge. The route for the multi-use path generally parallels the Columbia River shoreline from I-5 to the Columbia River Rail Bridge. The route extends west beneath the BNSF main line (south of the bridgehead structure) and then curves away from the shoreline and follows Port Way to Mill Plain Boulevard and then west along Lower River Road. As a condition of approval of the SSDP and SCUP for the Proposed Project, the Port is required to "[p]rovide an agreement with Vancouver-Clark Parks & Recreation relating to the potential trail crossing over the rail lines in the area of this project."[14]

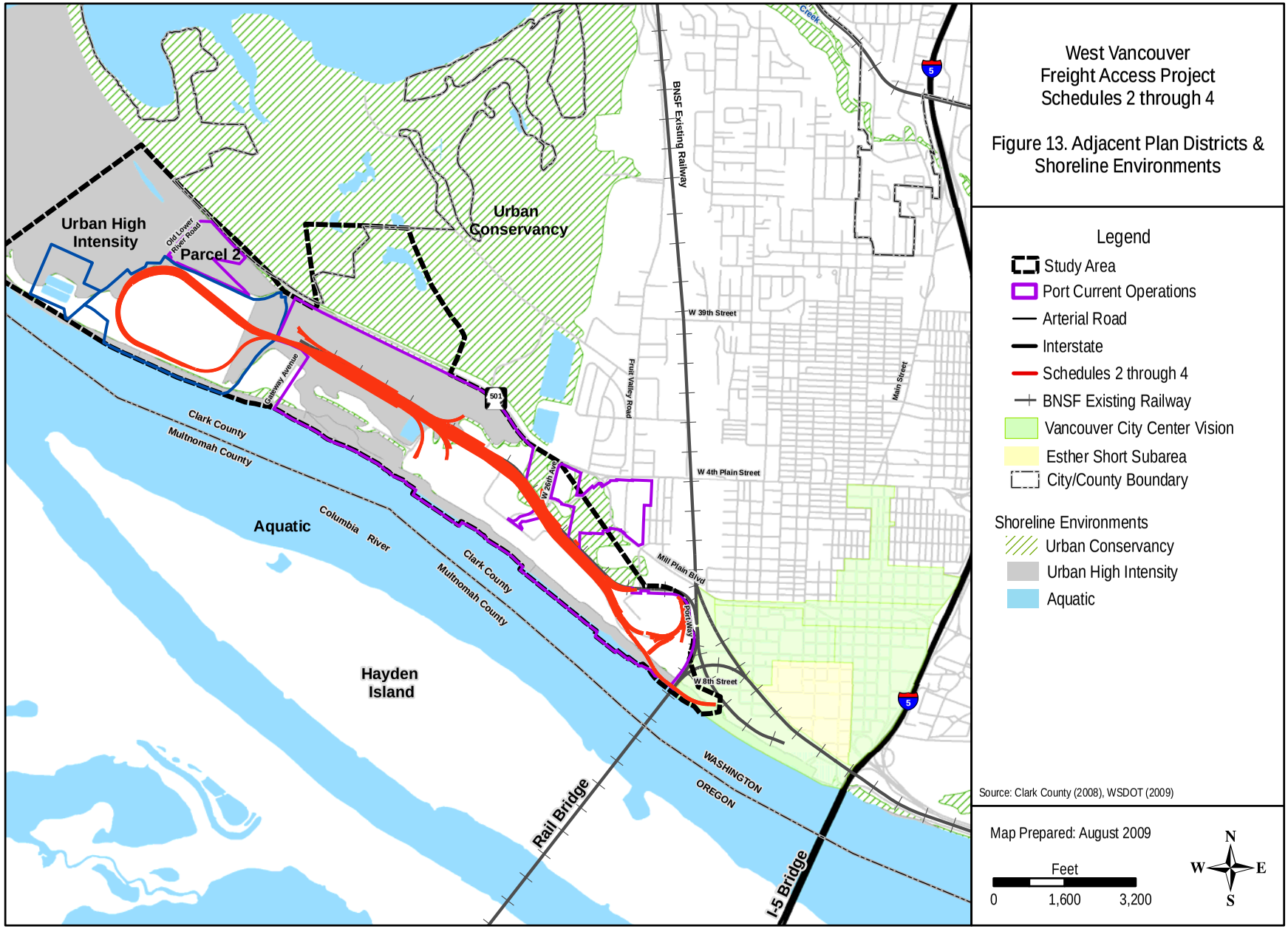
Additionally, the Vancouver Transportation System Plan encourages freight mobility investments in key locations to ensure continued viability for Port activities and the movement of goods. The Proposed Project furthers the Vancouver Transportation System Plan inasmuch as the proposed grade-separated rail alignment into the Port would enhance safety, reduce congestion on the BNSF main line, increase on-time performance of Amtrak's passenger rail service, and improve and extend new rail access to the Port's industrial lands.

7.5.6 Downtown Transportation System Plan

The Downtown Transportation System Plan, completed in 1999, applies only to the downtown area, while the Vancouver Transportation System Plan described above applies citywide. Chapter 4.10 of the Downtown Transportation System Plan includes a freight mobility plan, which has as its primary goal "[t]o facilitate the provisions of a multi-modal transport system for the efficient, safe, and competitive movement of goods and services to, from, and within the downtown Vancouver planning area."

The Proposed Project furthers this goal of the Downtown Transportation System Plan since it would enhance the movement of goods to and through the downtown area and improve both the safety and efficiency of the rail infrastructure near the downtown area. There are no anticipated inconsistencies between the Proposed Project and the Downtown Transportation System Plan.

[14] City of Vancouver Hearings Examiner Final Order - PRJ2007-00322, April 17, 2008, p. 5, condition #21.


West Vancouver
Freight Access Project
Schedules 2 through 4
Figure 13. Adjacent Plan Districts & Shoreline Environments
Legend
Study Area
Port Current Operations
Arterial Road
Interstate
Schedules 2 through 4
BNSF Existing Railway
Vancouver City Center Vision
Esther Short Subarea
City/County Boundary
Shoreline Environments
Urban Conservancy
Urban High Intensity
Aquatic
Urban High Intensity
Parcel 2
Urban Conservancy
Aquatic
Hayden Island
Clark County
Multnomah County
Columbia River
BNSF Existing Railway
W 39th Street
Fruit Valley Road
Main Street
W 4th Plain Street
Mill Plain Blvd
W 8th Street
Port Way
Gateway Avenue
Old Lower River Road
501
Rail Bridge
I-5 Bridge
WASHINGTON
OREGON
Source: Clark County (2008), WSDOT (2009)
Map Prepared: August 2009
Feet
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3,200
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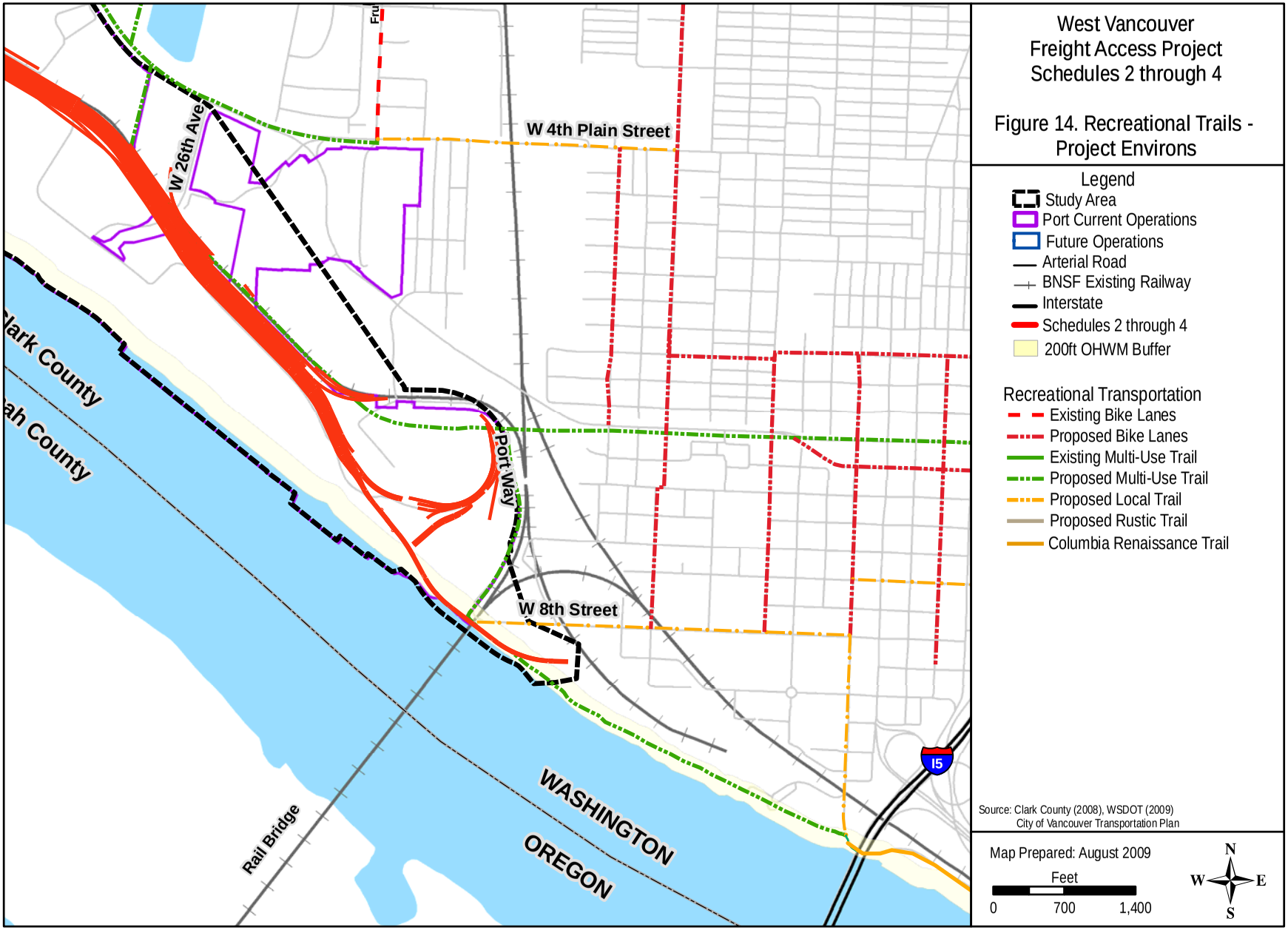
S


W 4th Plain Street
W 26th Ave
Port Way
W 8th Street
lark County
ah County
WASHINGTON
OREGON
Rail Bridge
I5
West Vancouver
Freight Access Project
Schedules 2 through 4
Figure 14. Recreational Trails -
Project Environs
Legend
Study Area
Port Current Operations
Future Operations
Arterial Road
BNSF Existing Railway
Interstate
Schedules 2 through 4
200ft OHWM Buffer
Recreational Transportation
Existing Bike Lanes
Proposed Bike Lanes
Existing Multi-Use Trail
Proposed Multi-Use Trail
Proposed Local Trail
Proposed Rustic Trail
Columbia Renaissance Trail
Source: Clark County (2008), WSDOT (2009)
City of Vancouver Transportation Plan
Map Prepared: August 2009
Feet
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S

7.5.7 Local Land Use Approval Status

In 2008, the Port submitted and received approval of City development permits for an earlier iteration of the design for the Proposed Project. These included SSDP, SCUP, Essential Public Facility Conditional Use Permit, archaeological predetermination review, critical areas permit, and tree conservation ordinance approvals. (City case file #PRJ2007-00322/SHL2007-00004).

On July 31, 2009, the City completed a review of a post-decision review application for the Proposed Project. This post-decision review included a City analysis of project consistency with the local land use ordinances and concluded that with the conditions noted (Appendix A), the Proposed Project could be made consistent with all applicable local land use regulations. This post-decision review of the original City permit approval included a review of multiple permit applications submitted to the City. These permits, as well as other land use permits for the proposed project are listed below.

7.5.8 City of Vancouver

The recently approved Type 1 post-decision review application (PRJ2007-00322/PST2009-00003) requested to modify permit approvals that were obtained in April of 2008 for a previous design iteration of the Proposed Project. The original permit approvals (City Permit # PRJ2007-00322/SHL2007-0004) included a SSDP, a SCUP, a Critical Areas Permit, a Tree Permit, and an Archaeological Predetermination Survey. Due to the minimal nature of project changes proposed with the Proposed Project, the City determined that the revisions would warrant a Type 1 (administrative) Post-decision review of the original permit approvals. In addition to the City permits associated with the Proposed Project, additional permits have been requested of the City for the Parcel 6 wetland mitigation site. These permits are also listed below.

7.5.8.1 Type 1 Post Decision Review of a Shoreline Substantial Development Permit (2008 Permit #PRJ2007-00322 / SHL2007-00004)

The Proposed Project design incorporates changes that have been made from the original 2008 permit alignment. This request included the following project changes within shorelines jurisdiction.

7.5.8.1.1 Alternate mitigation site

The Proposed Project now includes the creation of a 0.38-acre wetland through excavation and plantings on the Port's Terminal 5 West property to mitigate for wetland impacts from the project. This wetland creation will occur within flood fringe areas (100-year floodplain) that are adjacent to the Columbia River. As a consequence, the proposed mitigation activities were subject to a post-decision review of the shoreline substantial development permit (SSDP) approved with the 2008 permit approval. Previously, it was anticipated that the Port would mitigate for the rail project's wetland impacts on the Parcel 6 property. While the Port is still considering providing mitigation on Parcel 6, the Washington State Department of Ecology (Ecology) and other agencies must first approve a mitigation bank on Parcel 6. In the event that the timing of the wetland mitigation bank approval is delayed, the Port requested to have an approved alternative mitigation site on the Terminal 5 West property. Therefore, the Port has

developed a mitigation plan for the Terminal 5 West site and the temporary wetland creation activities will occur in shorelines jurisdiction.

7.5.8.1.2 Rail realignment at the Columbia River rail trench

The Proposed Project involves a change in the alignment at the west end of the Columbia River rail trench that will result in a slight reduction in shoreline impacts in this area. The alignment of the approximately 1,350-foot rail trench will now turn north, away from the Columbia River, from a point approximately 40 feet east of the original north turn. This revision is due to the recent refinement of the 10% design plan set—the basis for the original rail project shoreline permit submittal package—to the current 30% design plan set. This revision is not anticipated to result in any significant differences in project impacts or necessary mitigation and the construction methods of the trench will remain as identified with the 2008 permit approval.

7.5.8.2 Type 1 Post Decision Review of a Critical Areas Permit (2008 Permit #CAP2007-00033)

7.5.8.2.1 Geologic hazard area review

The Proposed Project now includes the construction of a "loop track" on the site of the former Evergreen and Alcoa aluminum processing plants. The northern side of the loop would consist of staging tracks and car loading and unloading facilities, while the remainder of the track would provide rail circulation around the perimeter of the former Evergreen and Alcoa properties, where wind turbine storage and distribution is currently planned.

However, as with all areas of the proposed alignment, the loop track area is identified as having a high susceptibility to liquefaction, a seismic geologic hazard regulated in the critical areas protection ordinance under 20.740.130 of the VMC. Thus, a post-decision review of the 2008 critical areas permit approval (CAP2007-00033) is being requested to incorporate a geologic hazard area review for the Evergreen Alcoa site and for the revised project alignment.

7.5.8.2.2 Fill of isolated 100-year floodplain areas

The Proposed Project will fill several small isolated areas that fall below the 100-year base flood elevation and are surrounded by areas above the 100-year floodplain. At the time of the 2008 permit approval, the City's interpretation of the floodplain ordinance did not require City review and approval of fills occurring within these isolated areas. Because of the revision of City policy, the Port has requested a Type I post-decision review approval of the critical areas permit (CAP2007-00033) to permit the fills of these isolated areas. A technical memorandum with findings regarding the impacts of isolated fills on flood capacity has been prepared for the Proposed Project (ICF Jones & Stokes, 2009d) (Appendix F). It should be noted that the "Applicability" section of the City's SMMP states specifically that Shorelines of the State apply to "floodways and contiguous floodplain areas landward two hundred feet from such floodways."[15]

[15] City of Vancouver, Shoreline Management Master Program, April 9, 2007, p. 3.

7.5.8.3 Type 1 Post Decision Review of a Archaeological Predetermination Survey (2008 Permit #ARC2007-00047)

Because the 2008 permit approval did not include archaeological review and approval of all portions of the WVFA Project, Schedules 2 through 4, a post-decision review approval is requested for the areas that were not addressed in the December 2007 Cultural Resources Survey, the last study completed for the 2008 permit approval. A technical memorandum was submitted with the post-decision review application (dated April 21, 2009) along with a Cultural Resources Survey (March 2009) prepared by ICF Jones & Stokes that provides findings of an archaeological survey of the entire WVFA Project, Schedules 2 through 4. In the case of the Evergreen and Alcoa sites, archaeological review has already occurred through earlier County review and Port SEPA processes. Further, the Port, acting as the lead agency for the project, has prepared a SEPA checklist that addresses the project's archaeological impacts and proposed mitigation measures. A SEPA mitigated determination of non-significance (MDNS) has been issued for the Proposed Project by the Port and this MDNS includes a mitigation measure that states: "[c]oordination with the Washington Department of Archaeology and Historic Preservation . . . will be conducted to ensure the Proposed Project would have no effect on cultural or historic resources."[16] (Port of Vancouver 2007b) (Appendix E)

7.5.8.4 Type 1 Post Decision Review of a Tree Permit (2008 Permit #TRE2007-00143)

A tree inventory was performed in April and May 2007 for the Rail Access Project and a Level II tree plan was subsequently prepared in accordance with VMC 20.770.050. Originally, the project would have resulted in impacts to 256 trees, or 452 tree units. Replacement for these tree impacts was proposed to be mitigated by installing native trees at two locations. A total of 251 tree units would have been installed on Parcel 6, within the buffer setback of the proposed Columbia River wetland mitigation bank. The remainder of the mitigation trees (201 trees) would be planted within a portion of the Parcel 2 wetland mitigation area.

The proposed revisions associated with the Proposed Project have resulted in a reduction of tree impacts at the Parcel 1A wetland mitigation area from 72 trees (124 tree units) to 30 trees (70 tree units). Consequently, the total number of tree units to be mitigated based on the current project would be 398 tree units, 54 tree units fewer. Because certification and final permit approvals of the Columbia River wetland mitigation bank are not complete, the Port proposed (as part of the post-decision review) that all tree mitigation will be performed on Parcel 2.

7.5.8.5 Parcel 6 – Wetland Mitigation Bank

As noted above, the Study Area includes the Port's Parcel 6, an approximately 157-acre site that is the location of a wetland mitigation bank proposal by Clark County Mitigation Partners, LLC. While the mitigation bank proposal is a separate project from the Proposed Project and would likely occur with or without the Proposed Project, it is addressed in this report because it is one of two alternative sites being considered as the location of wetland mitigation for the wetland impacts of the Proposed Project (with the T5 west mitigation site also being considered). An

[16] Port of Vancouver, Notice of Supplemental Mitigated Determination of Nonsignificance (MDNS) West Vancouver Freight Access Schedules 2-4 Formerly Rail Access Project (SEPA CPO144), p. 6.

approximately 29.3-acre area of Parcel 6 is currently in the Clark County. Although the Port intends to annex this area into the City before the end of 2009, this annexation has not yet occurred. The majority of the proposed wetland creation activities, including all of the grading necessary for the project will occur in the City. Further, the City, on January 5, 2009, and Clark County, on February 3, 2009, signed an interlocal cooperation agreement under the authority of RCW Chapter 39.34 that allows for the City to review and process the shoreline review of the 29.3-acres of the site that currently falls in Clark County[17]. As such, the SSDP and SCUP for the entire wetland mitigation bank project on Parcel 6 has been submitted to the City for review. In total, the following permits have been submitted to the City for the wetland mitigation bank proposal:

- Critical Areas Permit
- Grading Permit
- Conditional Use Permit (to allow wetland banking in the Vancouver Lake Greenway Zone)
- SSDP/SCUP
- SEPA
- Tree Conservation Permit
- Archaeological Review
- Erosion Control Review

7.5.9 Clark County

In addition to the permits submitted for the project in the City, the following permit requests have been made to Clark County.

7.5.9.1 Parcel 6 Wetland Mitigation

In addition to the City permits noted above, restoration activities on the 29.3-acres of Parcel 6 that are in Clark County will involve the planting of wetland plants in this area, which requires a Wetland Permit from Clark County. A wetland permit has been submitted to Clark County with the draft wetland mitigation bank instrument (MBI), a document that establishes the implementation and maintenance program for the wetland mitigation bank. Upon the signing of the MBI by the bank sponsor and affected agencies, the County will close the wetland permit file.

7.5.9.2 Evergreen/Alcoa Laydown Areas

Mass grading activities were recently approved on the former Evergreen and Alcoa aluminum processing sites by the County (GRD2009-00002/DIN2009-00013) in conjunction with the redevelopment of these properties. The County grading permit included grading for a temporary wind turbine storage and distribution yard. Additionally, the Port issued an MDNS

[17] City of Vancouver and Clark County, Interlocal Cooperation Agreement Between The City of Vancouver and Clark County Under the Authority of Chapter 39.34, RCW, p.2.

threshold determination on February 24, 2009 for the grading and site preparation activities for the wind turbine storage and distribution site. The turbine storage and distribution site is identified in the County permitting and SEPA documentation as the "Alcoa/Evergreen Laydown Area."

7.6 Reduction in Affected Areas due to Project Changes

The alignment revision at the Columbia River rail trench will remove a portion of the rail line from shorelines jurisdiction while affecting a small sliver of area not addressed in the 2008 permit approval. In total, grading and development impacts within shorelines jurisdiction at the Columbia River rail trench will be reduced by approximately 5,256 square feet compared to the 2008 city approval. Further, the Proposed Project revisions will reduce wetland impacts of the Rail Access Project by approximately 1.02 acres compared to the 2008 approval. In-water impacts at the Columbia River rail trench have been reduced from 0.49 acres to 0.42 acres. While temporary grading impacts will occur in shorelines jurisdiction on the Terminal 5 West property, these impacts will be for the purpose of creating a 0.38 acre Category 3 wetland and will ultimately result in restored wetland functions at that location. Other Proposed Project revisions deviate little from the 2008 permit approval and will occur within previously disturbed industrial areas within the Port of Vancouver.

The project revisions submitted to the City in the post-decision review application do not introduce any new conditional uses within shorelines-of-the-state as regulated under the SMMP. With the former alignment of the Rail Access Project, a SCUP was required to address the following uses, identified as conditional uses, per the "Shoreline Use Table" in the SMMP:

- Fill imported and placed in shorelines-of-the-state
- Revetment (rock reinforcement of shoreline) in the area of the Columbia River rail trench
- Installation of a bulkhead as part of constructing the Columbia River rail trench

In addition to the Type 1 post-decision review application for the above-noted permits, permit requests have been made to the City for the following permits deemed necessary for the wetland mitigation bank proposal on the Parcel 6 site:

- Critical Areas Permit
- Grading Permit
- Conditional Use Permit (to allow wetland banking in the Vancouver Lake Greenway Zone)
- SSDP/SCUP
- SEPA
- Tree Conservation Permit
- Archaeological Review
- Erosion Control Review

7.6.1 Zoning and Development Codes

Although the Proposed Project will alter the nature of industrial use where acquisition and new rail lines are proposed, it should be noted that "rail lines" and "railroad yards" are permitted uses in the heavy industrial zoning provisions of VMC Section 20.440.030. As a consequence, the Proposed Project would not introduce a new non-permitted use into the Study Area and is not anticipated to create compatibility impacts on existing and long-term uses in the Study Area. Rather, the Proposed Project is being implemented specifically to improve freight rail access to existing Port tenants and to assist in the economic growth and development of Port properties.

VMC Section 20.440.040 includes development standards that apply to industrial properties. As noted previously, the Proposed Project will require right-of-way acquisition and building demolition in some instances along the project alignment. Because preliminary engineering for the Proposed Project is not yet complete and not all of the details are yet known about the exact location of acquisition, it is not known if any non-conformities to building setbacks or other development standards would result from the Proposed Project. However, the development standards for the IH district in the City are very permissive and so it is doubtful that any non-conformities would be created. For example, there is no minimum lot size, no maximum lot coverage, no minimum lot width, no minimum lot depth, and no side or rear yard setback requirements where industrially-zoned properties abut one another. The Proposed Project is not anticipated to preclude compliance with any landscaping standards or building height requirements. As such, no non-conformities with VMC Section 2.440.040 are anticipated to result from the Proposed Project.

As noted above, a Conditional Use Permit has been submitted to the City for the wetland mitigation bank use on Parcel 6. This is due to the fact that the City zoning designation for the property is Vancouver Lake Greenway District, within which "wetland banking" and "wetland mitigation" are listed as conditional uses.

The City's approval criteria for conditional use permits (per VMC Section 20.245.040) are as follows:

1. *The site size and dimensions provide adequate area for the needs of the proposed use;*

2. *The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features;*

3. *All required public facilities have adequate capacity to serve the proposed development;*

4. *The applicable requirements of the zoning district, comprehensive plan, and other applicable documents are met except as amended by the conditional use permit or variances requested pursuant to Chapter 20.290 VMC; and*

5. *Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.*

The proposed mitigation use can meet all of the above criteria, namely:

1. The site size and dimensions are adequate for the proposed use.

2. The existing condition of the site is rolling pastureland with depressional wetlands. There are no natural features that preclude excavation to create larger wetland areas and plantings to re-establish wetlands vegetation.

3. The proposed mitigation bank will require minimal to no public facilities and so public facilities are adequate for this use.

4. The proposed mitigation use is consistent with other uses that are permitted in the district, namely "Environmental, restoration, rehabilitation, or Enhancement Projects, and Activities." As a consequence, the impacts of the proposed project are consistent with the impacts of other similar permitted uses and the use can be found to be consistent with the zoning district and comprehensive plan.

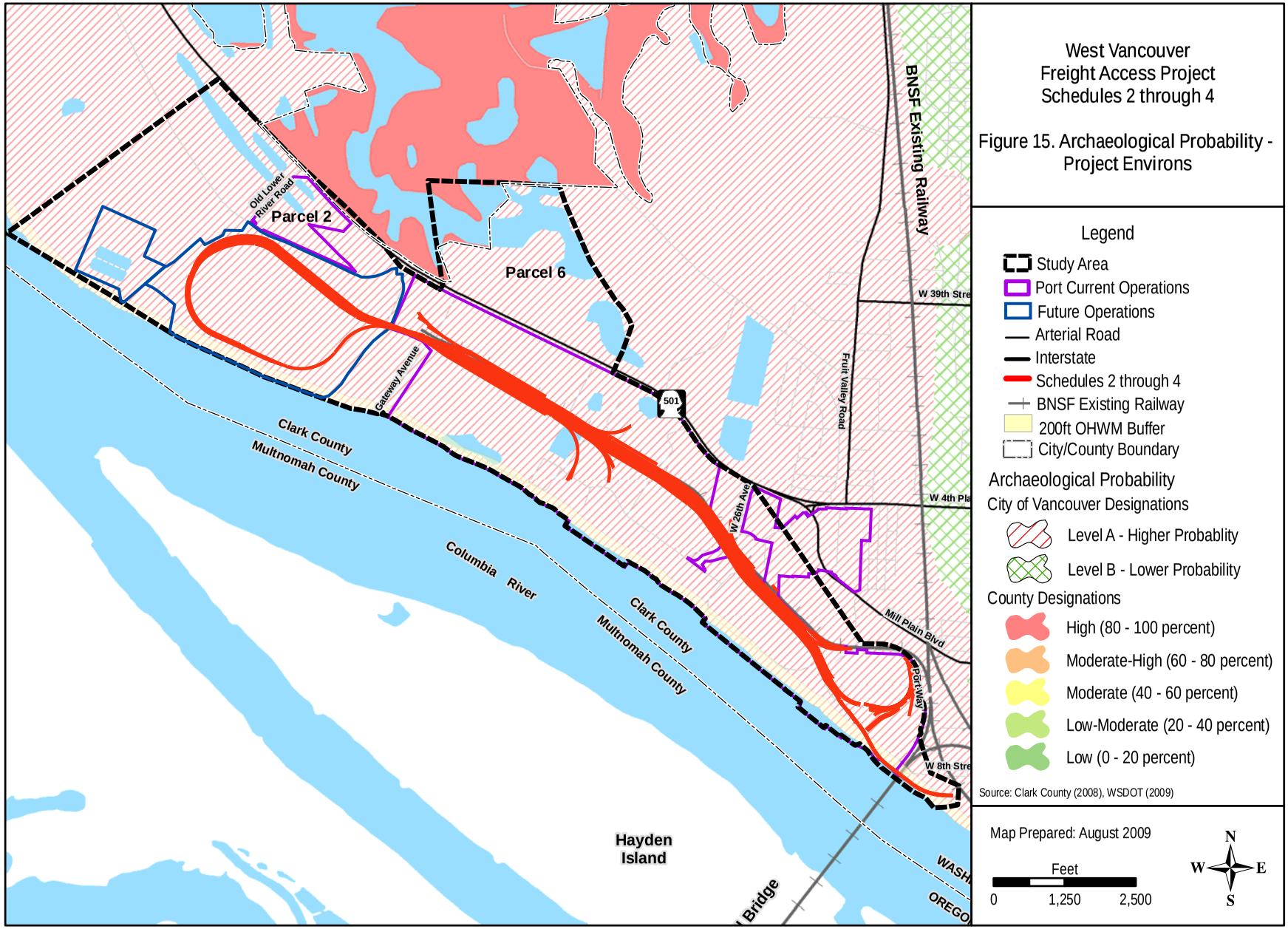
5. The proposed mitigation bank is not anticipated to have a negative impact on either the existing or planned use of surrounding properties.

As such, the wetland mitigation use is believed to be consistent with the conditional use permit criteria of the City and will not pose a conflict with existing or surrounding uses.

7.6.2 Archaeological Resource Protection (VMC 20.710.080)

VMC Section 20.710.080 details procedures and regulations for surveying and protecting archaeological resources potentially affected by the Proposed Project. Figure 15 depicts areas that may contain archaeological resources as defined on the County archaeological predictive model. In addition, a cultural resources inventory report was completed for the Proposed Project (ICF Jones & Stokes 2009b) that documented cultural resources and the potential for the Proposed Project to affect these resources.

As required by the terms of the shorelines permit for this project (SHL2007-00004), the City and its contracted archaeologist reviewed the preliminary cultural resources inventory in 2007 and concluded that the Port met the City's standards related to VMC 20.710. Because the Proposed Project has been updated since 2007, the Port is required to submit additional cultural resource documentation for local review and approval of the Proposed Project revisions. The local review of this additional archaeological/ cultural resource documentation would occur through completion of the updated SEPA checklist. This would ensure compliance with VMC 20.710.08 as well as all applicable state and federal policies governing archaeological preservation.



West Vancouver
Freight Access Project
Schedules 2 through 4

Figure 15. Archaeological Probability - Project Environs

Legend

- Study Area
- Port Current Operations
- Future Operations
- Arterial Road
- Interstate
- Schedules 2 through 4
- BNSF Existing Railway
- 200ft OHWM Buffer
- City/County Boundary

Archaeological Probability

City of Vancouver Designations

- Level A - Higher Probablity
- Level B - Lower Probability

County Designations

- High (80 - 100 percent)
- Moderate-High (60 - 80 percent)
- Moderate (40 - 60 percent)
- Low-Moderate (20 - 40 percent)
- Low (0 - 20 percent)

Source: Clark County (2008), WSDOT (2009)

Map Prepared: August 2009

Feet
0 1,250 2,500

N
W E
S

7.6.3 Special Columbia River Management Area and Columbia River Shoreline Enhancement Plan District

The City's Special Columbia River Management Area and Columbia River Shoreline Enhancement Plan District (VMC 20.620) extend westward of the Interstate 5 Bridge to include the lands immediately east of the Columbia River Rail Bridge and south of the project area. The eastern limits of the proposed project that transect the Lafarge Cement Facility fall within this district. The primary requirement of developments that occur within this district is to provide a development master plan to the City. The master plan requirement was not conceived with the intent to regulate rail infrastructure projects such as proposed. As a consequence, the Port of Vancouver, submitted a minor adjustment request from the City to seek relief from the master plan requirement of the Columbia River Shoreline Enhancement District. In response, David Scott, the manager of Development Review Services issued a decision on March 27, 2007 that found that "The requirement for a master plan under the provisions of the Columbia River Shoreline Enhancement Plan District would not serve a public purpose. The proposal is subject to full review and a public hearing. The port, at this time is not considering full development of the site. Therefore, the proposal meets the standards to allow for a minor adjustment to not require the Port to meet the master plan requirement of the Columbia River Shoreline Enhancement Plan District."[18] Thus, the City has found that the Columbia River Shoreline Enhancement District's master plan requirement is not applicable to the Proposed Project.

7.6.4 Shoreline Management Area (VMC 20.760) and Shoreline Management Master Program

Two areas of the Proposed Project occur within 200 feet of the OHWM of the Columbia River and adjoining 100-year floodplain areas and wetland areas, thereby triggering review of the project under the City's SMMP. These areas are the Columbia River rail trench (Figure 4) and the wetland mitigation site planned on the Port's Parcel 5 (Figure 7). The impacts at the Columbia River rail trench include some slight impacts waterward of the Columbia River OHWM within the Aquatic Environment designation of the SMMP. Construction activities at the rail trench will also affect areas landward of the OHWM within the Urban: High Intensity Environment designation. The area impacted by the proposed wetland mitigation on the Terminal 5 west site is also within the Urban: High Intensity Environment designation. The Proposed Project involves the following activities within these two designations.

[18] David Scott, City of Vancouver, Approval of Minor Adjustment, March 27, 2007

Table 4. Proposed Activities in Shoreline Jurisdiction and Affected Environment

Activity	High-Intensity Environment	Aquatic Environment (Rail Trench)
Transportation	Substantial Development Permit	Permitted per regulations 62 and 68
Landfill	Shoreline Conditional Use	Not applicable
Revetments	Shoreline Conditional Use	Shoreline Conditional Use
Bulkhead	Shoreline Conditional Use	Not applicable
Bridge	Substantial Development Permit	Substantial Development Permit
Stormwater Management	Substantial Development Permit	Not applicable
Shoreline Restoration, Rehabilitation, Enhancement	Substantial Development Permit	Not applicable

As such, the Proposed Project requires a demonstration of consistency with the City's SMMP and critical areas protection ordinance. An SSDP and a SCUP were submitted to the City for shoreline impacts associated with the pile-supported trench. The SSDP permit received City approval on April 17, 2008 (PRJ2007-00322).[19] The SCUP permit received a recommendation of approval from Ecology, the ultimate decision-making authority, on May 22, 2008. Thus, with the approval of PRJ2007-00322, the City and Ecology determined that the original Rail Access Project was consistent with the City's SMMP or could be consistent with conditions of approval. A copy of the final order on this land use decision (which includes all of the applicable conditions of approval) is included as Appendix C, while Appendix D contains a copy of the Ecology approval of the SCUP.

As noted previously, a modification to the rail alignment since the original Rail Access Project approval has been submitted to the City along with a Type I post-decision review application that addresses modifications to the 2008 SSDP/SCUP approval. This Type I post-decision review application is currently pending a decision from the City (PRJ2007-00322/PST2009-00003). Specifically, the modifications to the rail alignment affecting development in shorelines jurisdiction (per the post-decision review application) are discussed below.

7.6.4.1 Alternate mitigation site

The Proposed Project includes the creation of 0.38 acre wetland through excavation and plantings on the Port's Terminal 5 West property to mitigate for wetland impacts from the project (Figure 7). Previously, it was anticipated that the Port would mitigate for the rail project's wetland impacts on the Parcel 6 property (Figure 6). While the Port is still considering providing mitigation on Parcel 6, Ecology and other agencies must first approve a mitigation bank on Parcel 6. In the event that the timing of the wetland mitigation bank approval is delayed, the Port wishes to have an approved alternative mitigation site on the Terminal 5 West property. Therefore, the Port has developed a mitigation plan for the Terminal 5 West site and

[19] City of Vancouver Hearings Examiner Final Order - PRJ2007-00322, April 17, 2008.

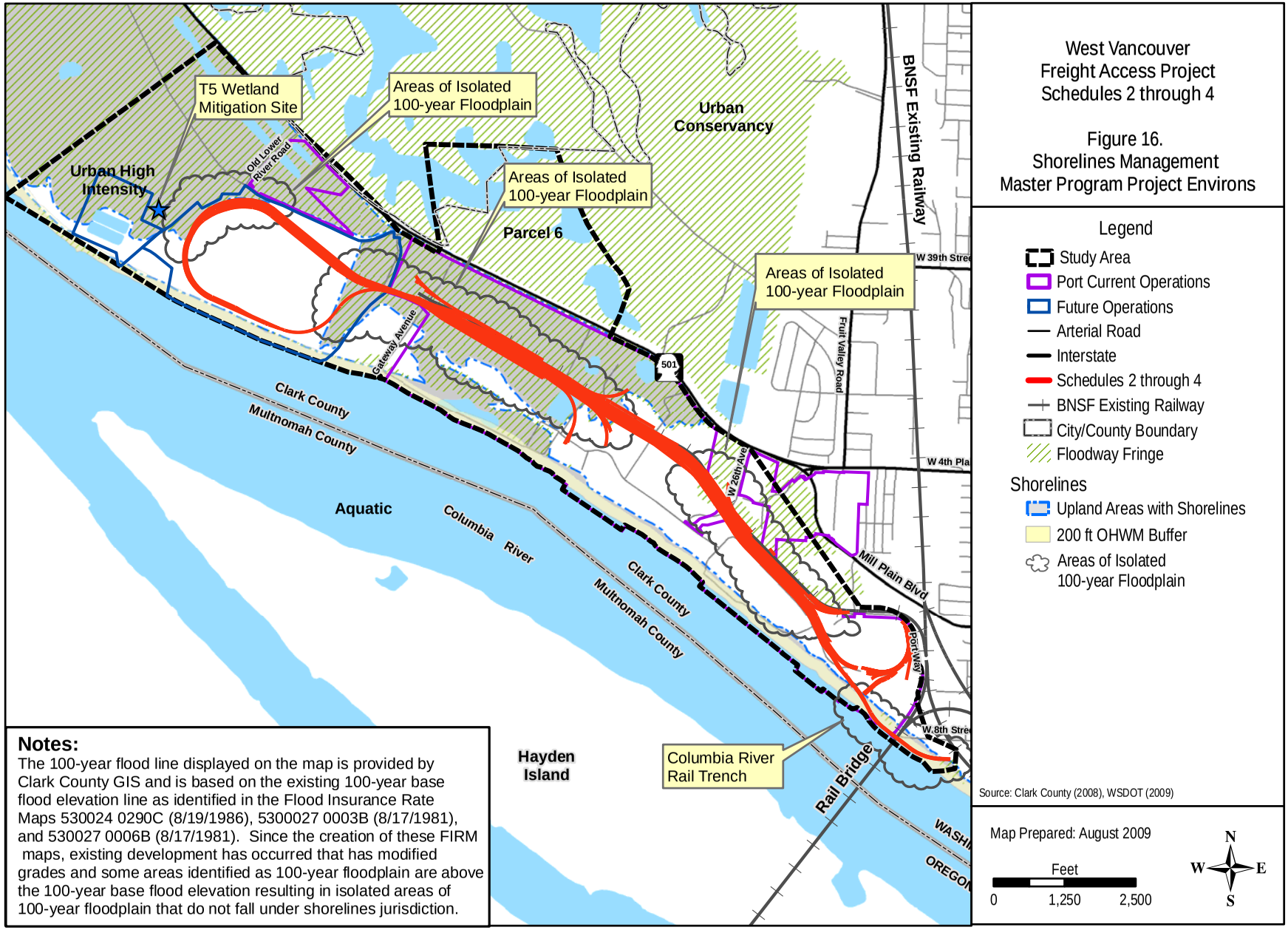
this wetland creation will occur within flood fringe areas contiguous to the shoreline, necessitating additional shorelines review with the City.

As noted in Table , "shoreline restoration, rehabilitation, enhancement" are permitted uses within the Urban: High Intensity Environment. As a consequence, the post-decision review application requests a modification to the original SSDP approval (SHL2007-00322) to include the wetland mitigation activities, including some soils excavation, in the list of permitted activities under SHL2007-00322.

7.6.4.2 Rail realignment at the Columbia River rail trench

A minor revision at the west end of the Columbia River rail trench alignment will result in a slight reduction in shoreline impacts in this area. The alignment of the approximately 1,350-foot rail trench will now turn north, away from the Columbia River, from a point approximately 40 feet east of the original north turn. This alignment revision at the Columbia River rail trench will remove a portion of the rail alignment from shorelines jurisdiction while affecting a small sliver of area not addressed in the 2008 permit approval. In total, grading and development impacts within shorelines jurisdiction at the Columbia River rail trench will be reduced by approximately 5,256 square feet from those approved with the 2008 SSDP and SCUP approvals. Because no new impacts are proposed, no new uses will be introduced in this area, and the proposed changes represent a reduction in impacts at this location, this proposed change will remain consistent with the original shoreline approval for the rail project (SHL2007-00004).

The Proposed Project, with the recent alignment modifications discussed above, will continue to be consistent with the City SMMP as was determined with the original shoreline approval for the project (SHL2007-00004).



Notes:
The 100-year flood line displayed on the map is provided by Clark County GIS and is based on the existing 100-year base flood elevation line as identified in the Flood Insurance Rate Maps 530024 0290C (8/19/1986), 5300027 0003B (8/17/1981), and 530027 0006B (8/17/1981). Since the creation of these FIRM maps, existing development has occurred that has modified grades and some areas identified as 100-year floodplain are above the 100-year base flood elevation resulting in isolated areas of 100-year floodplain that do not fall under shorelines jurisdiction.

7.6.5 City of Vancouver Critical Areas Protection (VMC 20.740)

The City's critical areas protection ordinance regulates fish and wildlife conservation areas, frequently flooded areas, geologic hazard areas, and wetlands. The Proposed Project will not affect any identified fish and wildlife conservation areas. However, the Proposed Project will impact areas that fall below the 100-year base flood elevation, areas identified as having a high susceptibility to liquefaction (a geologic hazard), and wetland areas. As a consequence, the Port applied for and received approval of a critical areas permit for an earlier alignment of the Proposed Project on April 17, 2008 (CAP2007-00033).

The current alignment of the Proposed Project includes some changes from the alignment that was the subject of the April 17, 2008 City approval (CAP2007-00033). These changes slightly reduced the extent of wetland impacts from those approved in CAP2007-00033. As such, no new permit was requested for impacts to wetlands. However, additional review and approval were requested in the Type 1 post-decision review application to address impacts to frequently flooded areas and geologic hazard areas. These are discussed below.

7.6.5.1 Geologic hazard area review

The Proposed Project now includes the construction of a "loop track" on the site of the former Evergreen and Alcoa aluminum processing plants. The northern side of the loop would consist of staging tracks and car loading and unloading facilities, while the remainder of the track would provide rail circulation around the perimeter of the former Evergreen and Alcoa properties, where wind turbine storage and distribution is currently planned.

The loop track will not occur within shorelines jurisdiction. However, as with all areas of the proposed alignment, the loop track area is identified as having a high susceptibility to liquefaction, a seismic geologic hazard regulated in the critical areas protection ordinance under 20.740.130 of the VMC. Thus, the post-decision review of the 2008 critical areas permit approval (CAP2007-00033) is requested to incorporate a geologic hazard area review for the Evergreen/ Alcoa site and for the revised project alignment. The post-decision review application included a geotechnical investigation report, dated March 13, 2009 and prepared by GRI, that indicates that liquefaction settlement and possible ruptures of the ground surface could occur as a result of a strong seismic event on the site. In such an event, repairs may be necessary to the rail line including possible re-ballasting to level the tracks.[20] Liquefaction, however, is not anticipated to present a significant constraint to development of the Proposed Project and can be addressed through appropriate geotechnical mitigation.

7.6.5.2 Fill of isolated 100-year floodplain areas

The Proposed Project will fill several small isolated areas that fall below the 100-year base flood elevation and are surrounded by areas above the 100-year floodplain. At the time of the 2008 permit approval, the City interpreted its floodplain ordinance in a manner that did not require City review and approval of fills occurring within these isolated areas. Because of the revision of City policy, the Port requested a Type I post-decision review approval of the critical areas

[20] GRI, Geotechnical Investigation, March 13, 2009, p.5.

permit (CAP2007-00033) to permit the fills of these isolated areas. In order to address the impacts of isolated fills on flood capacity, ICF Jones & Stokes prepared a memorandum that states that because the isolated fill areas are not connected to the main channel flows, the floodplain function of these isolated areas is removed with regard to flood storage (ICF Jones & Stokes, 2009d).[21]

No additional wetland impacts would occur from the Proposed Project changes, and the original critical areas permit (CAP2007-00033) addresses the full extent of wetland impacts of the Proposed Project.

7.6.6 Tree Conservation (VMC 20.770)

In conjunction with the critical areas permit that was obtained for the previous proposed rail alignment, the Port applied for tree removal approval consistent with VMC 20.770. This approval addressed the impacts associated with removing 256 trees and 452 tree units (per the City's ordinance). The current Proposed Project involves changes that reduce the total number of trees and tree units removed to 214 trees and 398 tree units. Therefore, the Proposed Project reduces tree impacts below those already approved with the City's permit approval (PRJ2007), and can be found to be consistent with the City's tree conservation ordinance (VMC 20.770).[22]

8 MITIGATION

As noted in this report, the Proposed Project would result in:

- Taking of a portion of the Great Western Malting complex, a resource determined to be eligible for listing on the National Register of Historic Places and protected under the National Historic Preservation Act and Section 4(f) of the US Department of Transportation Act of 1966;
- Conversion of existing industrial business operations into freight rail use; and
- Potential conflict between the rail corridor and the proposed Columbia River Renaissance Trail in the vicinity of the Columbia River Rail Bridge.
- Potential impact of train horn noise at the at-grade crossing located at 16th and Thompson.

In order to address the impacts noted above, the following measures will be implemented.

- The Port will follow the process required by the FHWA and WSDOT as detailed in the LAG Manual for right-of-way acquisition. The Port is working with the Great Western Malting Company, which has been a Port tenant since the 1930s, to minimize any potential impacts on business operations during relocation. Great Western Malting supports the Proposed Project. It is anticipated that the Port would have a relocation assistance responsibility and a

[21] ICF Jones & Stokes, Addendum to the Port of Vancouver Flood Impacts Analysis, 2006, April 13, 2009.
[22] City of Vancouver Staff Report and Recommendation to the Hearings Examiner – PRJ2007-00322 / SHL2007-00004, April 4, 2009, p. 27.

just compensation requirement under the Uniform Relocation Assistance and Real Property Acquisition Policy Act (Uniform Act). It is not anticipated that any jobs would be lost or that Great Western Malting would experience any financially significant impacts as a result of the relocation. Further, the Port has agreed to construct a new facility for Great Western Malting to replace the operational capacity lost through demolition of the drum house and storage silos; the new facility would be in operation prior to demolition.

- The measures described in the MOA between the Port, WSDOT, DAHP, and FHWA will be implemented to minimize the effects of taking a portion of the Great Western Malting Complex, a Section 4(f) resource. These measures are described in detail in Appendix A of the Section 4(f) Evaluation, which is presented in Appendix G of this report.

- No businesses will be displaced in their entirety within the project. However, the Proposed Project will require right-of-way acquisition and modifications to lease agreements for some existing businesses and leaseholders within the Port. The Port is in consultation with existing lease holders who will be affected by the Proposed Project and is developing compensatory measures to ensure that these businesses are provided just compensation and relocation assistance consistent with the Uniform Act. Right-of-way

- The Port will comply with a condition of approval of the SSDP for the Proposed Project that requires "an agreement with Vancouver-Clark Parks & Recreation relating to the potential trail crossing over the rail lines in the area of this project." The Port will address this condition and coordinate with Vancouver-Clark Parks & Recreation for the adoption of an agreement before approval of final construction documents.

- The Port will comply with Condition 5 of the Post Decision Review approval which states:

  Before approval of engineering design for construction of the proposed at-grade rail crossing of West 16th Street between Thompson Avenue and Port Way, prepare a noise study identifying train horn noise impacts on the nearest noise sensitive receivers. Should the noise study identify a significant impact (greater than 70 decibels) on the nearest sensitive noise receiver, a Quiet Zone Study, as identified, in the Vancouver City Center Vision Subarea Plan and Supplemental Environmental Impact Statement, will be prepared. The Quiet Zone Study shall consider standard Supplemental Safety Measures (SSMs) which may include either the installation of four-quadrant gates, the establishment of median barriers, wayside horns, or the closure of the crossing. The City of Vancouver, as the authority having jurisdiction over vehicular traffic at the grade crossing within the quiet zone, shall prepare and complete the Quiet Zone Notice of Intent and Notice of Quiet Establishment processes with the FRA. The FRA approved recommendation will be incorporated into the at-grade crossing design.

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10 PERSONAL COMMUNICATIONS

Wiser, Tom. Rail Engineer. Wiser Rail Engineering. March 27, 2009—Email regarding future projections for rail traffic volume.

Wiser, Tom. Rail Engineer. Wiser Rail Engineering. March 26, 2009—Telephone call regarding current and future rail traffic volumes.

MainLine Management. February 19, 2009—Memorandum to Tom Wiser regarding crossing blockages at Thompson Avenue, Port of Vancouver, WA.

APPENDIX A:
City of Vancouver Post-Decision Review Approval

P O Box 1995
Vancouver WA 98668-1995

City of VANCOUVER WASHINGTON

www.cityofvancouver.us

Staff Report and Decision

Project Name West Vancouver Freight Access Project Schedules 2 – 4 Post Decision Review (Formerly known as the Port of Vancouver Rail Access Project) PRJ2007-00322/PST2009-00003

Report Date July 31, 2009

Proposal The applicant proposes a series of minor revisions. These include: extending the approval time for the shoreline permit from the previously approved 10 years to 15 years, an alternate wetland mitigation site, minor realignment of the west end (downstream end) of the rail trench, minor realignment of the a portion of the rails near Parcel 1A, construction of loop track rail line at the western end of the project, fill of two isolated wetlands, and revisions to the tree conservation permit.

Location The overall project includes a rail line running westerly from Hill Street, generally near the north shore of the Columbia River, under the existing rail bridge then northwesterly though the Port of Vancouver and other ownerships to the proposed terminus near Northwest Old Lower River Road, and the construction of a loop rail line on what is commonly known as the Alcoa site.

The proposal impacts portions of the following parcels:

153109-000,	152169-000,	152906-000,	152903-000,	152184-000,
152799-000,	152167-000,	152172-000,	152170-000,	152174-000,
152185-000,	152166-000,	152175-000,	152181-000,	59117-885,
152187-000,	152186-000,	59118-004,	152189-000,	152182-000,
059117-884,	157974-000,	151977-000,	152188-000,	151981-000,
059118-030,	059115-010,	059115-054,	151981-000,	059115-025,
059115-065,	059775-066,	059115-062,	058630-000,	058657-000,
059115-063,	059115-064,	058919-000,	058918-000	058920-000,
502080-000,	502080-002,	502090-001,	502090-000,	502100-000,
502120-000,	502130-000,	502140-000,	502150-000,	058720-000,
058743-000,	058740-000,	058760-000,	058770-000	

These parcels are located in the SE, NE and NW Quarter Sections of Section 28; SW Quarter Section of Section 21; SE, NE and NW Quarter Sections of Section 20; NE Quarter Section of Section 19; and the SE Quarter of Section 18, all within Township 2 North, Range 1 East of the Willamette Meridian.

Contact	Helen Devery BergerABAM Engineers, Inc. 1111 Main St., Ste. 300 Vancouver, WA 98660 360-696-1338
Applicant/ Property Owner	Monty Edberg Port of Vancouver, USA 3103 N.W. Lower River Road Vancouver, WA 9860 360 696-3611
Staff	Jon Wagner, Senior Planner, Case Manager Johnnie Haggerty, Assistant Planner Randy Stark, Civil Engineer, Transportation Development Review Jennifer Patrick, Engineering Technician II, Transportation Debi Davis-Turman, Engineering Technician II, Water Aaron Odegard, Civil Engineer, Sanitary Sewer Mike Swanson, Civil Engineer, Surface Water Management John Gentry, Lead Deputy Fire Marshal Sree Thirunagari, Plans Examiner Supervisor
Staff Decision	Type I Post Decision Review Approval subject to conditions. Required revisions are identified in the conclusion of this report.

APPEAL

For a Type I decision, only the applicant and property owner are entitled to an appeal.

The 14-day appeal period is now in effect and ends at **5 p.m., Friday, Aug. 14, 2009**. You will be notified immediately upon receipt of any appeal of this decision.

Requests to appeal this decision must be made in writing. The letter of appeal shall state the case number designated by the city, the name of the applicant, name and signature of each petitioner, a statement showing that each petitioner is entitled to file the appeal under VMC Chapter 20.210, the specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error. A substantive appeal of the SEPA determination must be filed in conjunction with and within the limitation period applicable to an available administrative appeal of the applicable permit or approval (VMC 20.790.640.D).

A fee of $1,145.10 must accompany the appeal. Submit the appeal request and fee to Development Review Services at the Customer Service Counter, 4400 N.E. 77th Ave., Ste. L-50, or mail to P.O. Box 1995, Vancouver, WA 98668-1995.

For questions or additional information, you may contact the case manager by telephone at 360-487-7885, or by e-mail at jon.wagner@ci.vancouver.wa.us.

Report Prepared By
Jon Wagner, AICP, Senior Planner/Case Manager

7/31/2009
Date

BACKGROUND

Project Summary/Key Issues

Per Vancouver Municipal Code 20.210.050, the city of Vancouver determined the above-referenced application to be fully complete for purposes of review.

April 17, 2008, the hearing examiner approved the following cases associated with the PRJ2007-00322 Port of Vancouver Rail Access Project: ARC2007-00047, CAP2007-00033, CUP2007-00004, ENG2007-00173, GRD2007-00130 and TRE2007-00143 subject to conditions of approval. The Hearings Examiner also recommended approval of SHL2007-00004 to the Department of Ecology subject to conditions of approval.

The applicant has requested certain minor revisions to the approved project. These include:

- Modification to the Shoreline Substantial Development (SHL2007-00004) permit to allow for the creation of a 0.38-acre wetland mitigation site on the Port of Vancouver's Terminal 5 property and the realignment of the rail trench to allow for a slight reduction in shoreline impacts.
- Modifications to the critical area permit (CAP2007-00033) to allow for the construction of a loop track on the former Evergreen and Alcoa Aluminum processing plant sites. The modification also proposes filling of isolated areas which are below the base flood elevation.
- As additional area will be disturbed, additional archaeological (ARC2007-00004) information has been provided and reviewed.
- Modification to the approved tree plan (TRE2007-00143) to allow for the required mitigation trees to be planted on the Port of Vancouver's Parcel 2.
- Revision of the permit approval period to extend it from the current 10 years to 15 years (for the date of initial approval).

General Site Information

Zoning District	IH
Adjacent Zoning Designation	IH, OCI, CX
Comprehensive Plan Designation	IND
Parcel Size	26 parcels containing 801.38 acres
Adjacent Land Uses	Port and heavy industrial facilities
Access Roads	Not applicable
Existing Vegetation	With the exception of the areas of three wetlands and the proposed pile-supported trench, the route of the rail line is devoid of trees and other vegetation
Existing Structures	The application indicates there are structures which may need to be razed or moved to allow for construction of the rail access
Topography	The area is generally flat. GIS indicates 82% of the area has slopes of 5% or less
Habitats of Local Importance	No mapping indicators
Fish and Wildlife Habitat Conservation Areas	Endangered, threatened and sensitive fish and wildlife (Columbia River); Species indicators; Riparian management area and buffers
Frequently Flooded Areas	Mapping indicators
Geological Hazard Areas	Mapping indicators
Wetlands	Mapping indicators
Shoreline Management Areas	Mapping indicators, Upland Urban High-Intensity and Aquatic
Archaeology	Level A
Drainage Basin	Vancouver South Slope and Vancouver Lake
Wellhead Protection	No mapping indicators
Soils	Fill (Fn), Pilchuck fine sand, 0% to 8% (PhB); Newberg silt loam 3% to 8% (NbB); Newberg silt loam, 0% to 3% (NbA); Water (WAT); Sauvie silt loam, 3% to 8% (SmA); Sauvie silty clay loam, 0% to 8% (SpB); Riverwash (sandy) (Ra); and Rough broken land (Ro)
Park Impact Fee District	1
School Impact Fee District	Vancouver
Impacted Schools	None, no residential development proposed
Traffic Impact Fee District	Vancouver
Traffic Impact Overlay	None
Transportation Analysis Zone	26 and 38
Sewer District	Vancouver
Water District	Vancouver
Fire Service	Vancouver
Neighborhood Associations	Fruit Valley and Esther Short

Procedural History

Activity	Case #	Date
Annexation history, Ordinance M-3299	Incorporation Special Election M-1478 M-3152	01/23/1857 04/06/1937 02/04/1974 12/14/1994
Application submitted	PST2009-00003	04/24/2009
Application determined fully complete		05/12/2009
Date of vesting		04/24/2009

APPLICABLE REGULATIONS

Vancouver Municipal Code

VMC Chapters 11.80 Street Standards; 11.90 Transportation; 11.95 Transportation Concurrency; 14.04 Water and Sewer Use Regulations; 14.16 Water and Sewer Service Connections; 14.24 Erosion Control; 14.25 Stormwater Control; 16.04.160 Water Supply and Fire Hydrants; 16.04.150 Fire Apparatus Access; 16.04.170 through 16.04.210 Fire Protection Systems; 16.04.010 Premises Identification; 20.210 Decision-Making Procedures; 20.440.030 Industrial Zoning Districts; 20.710 Archaeological Resource Protection; 20.740 Critical Areas Protection; 20.770 Tree Conservation; 20.760 Shoreline Management; and 20.790 State Environmental Policy Act Regulations.

Public Works Publications

General Requirements & Details for Water Main Construction
General Requirements & Details for Sewer Main Construction

Other

Manual on Uniform Traffic Control Devices (MUTCD)

AGENCY AND PUBLIC COMMENT

This post decision review is processed using the Type I process. No public notice is required; no comments were received.

ANALYSIS

Major Issues

Staff reviewed the proposal for compliance with applicable regulations, code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code. Staff's recommendation reflects review of agency and public comments received during the comment period and knowledge gained from a site visit.

Only the major issues, errors in the development proposal and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements and require no discussion in this report.

Building code review is not performed during post decision review. Filing of building permit application with required fees and review materials is required for a building code review.

FINDINGS

Land Use

20.210 Decision-Making Procedures

Finding: This application involves minor revisions to the development permits approved for this project. The initial review was processed using the Type III application process which included a public hearing.

Under the provisions of 20.210.140.C.4, an application for post-decision review of a Type III decision shall be subject to a Type I review procedure if the review authority finds the requested change in the decision:

a. Reduces the potential adverse impact of the development authorized by the decision; and
b. Is consistent with the applicable law or variations permitted by law, including a permit to which the development is subject; and
c. Does not involve an issue of broad public interest, based on the record of the decision.

Staff has reviewed the application and the revision to reduce the impact on existing wetland and shoreline areas. These revisions are required to meet the applicable laws and development standards and are of such a minor nature that the changes would not be easily discernable by the general public. Further, no public testimony was presented at the public hearing (April 15, 2008) regarding the original approval. Therefore, staff finds the proposed post decision application meets the criteria for processing this request using the Type I process. No public notice or public hearing is required.

Conclusion: Staff followed the appropriate Type I procedures for this application.

Environmental

20.710 Archaeological Resource Protection

Finding: A cultural resources survey was prepared for the initial request by Jones & Stokes in September 2007. After review and discussions with the city's contract archaeologist, Rob Freed, a revised report was prepared and submitted to the city Dec. 3, 2007. It was reviewed by Freed and found acceptable Dec. 5, 2007.

City staff reviewed the report and the recommendation by Freed and Dec. 10, 2007, accepted the report.

As part of this post decision review application, supplemental archaeology information was submitted April 24, 2009. It was reviewed and recommended for recommended for approval by Rob Freed May 8, 2009, and approved by city staff May 11, 2009.

Conclusion: The applicant has met the city's standards related to VMC20.710.

20.740 Critical Areas Protection

20.740.120 Frequently Flooded Areas

Finding: Frequently flooded areas are areas of special flood hazards as identified by the Federal Insurance Administration and the Federal Emergency Management Agency. These areas are identified on maps and are regulated in this section of the critical areas ordinance.

As part of the original review and approval, the applicant submitted appropriate reports and exhibits indicating the frequently flooded provisions of the Critical Areas Protection provisions could be met.

As part of this post decision review application, the applicant has submitted a revised flood impact analysis relating to the proposed fill of isolated area with elevations below the base flood elevation. The Addendum to the Port of Vancouver Flood Impacts Analysis 2006 dated April 13, 2009, was prepared by Steven R. Seville, PE, of IFC/Jones & Stokes. It indicates no rise in flood elevation is expected due to the proposed modifications (Exhibit 4).

Conclusion: The applicant has demonstrated the proposed changes can meet the requirements of 20.740.120.

20.740.130 Geologic Hazard Areas

Finding: As part of the April 2008 application, the applicant submitted a geotechnical report prepared by GRI Geotechnical & Environmental Consultants, entitled Geotechnical Investigation, Columbia Gateway Rail Expansion, Port of Vancouver, Washington. Staff found the applicant has addressed the requirements of the geologic hazards areas standard and regulations. Staff required that the recommendations contained in the Geotechnical Investigations, Columbia Gateway Rail Expansion report were made conditions of this approval.

As part of this application, the applicant has submitted additional information relating to the proposed loop track on the former Alcoa and Evergreen sites. The geotechnical evaluations prepared by GRI and dated March 13 and April 24, 2009 (Exhibit 6), address the geologic hazard areas provisions of the Critical Area Protection ordinance. **As a condition of approval, the applicant must adhere to the recommendations presented in these documents.**

Conclusion: The applicant has shown the proposal can meet the applicable standards of 20.740.130.

20.740.140 Wetlands

Finding: For the original application, the applicant submitted a Wetland Delineation Report prepared by JD White, a division of BERGER/ABAM Engineers Inc. dated September 2007. The applicant also provided a companion document prepared by Jones & Stokes entitled Conceptual Mitigation Plan, Port of Vancouver Rail Access Project, Port of Vancouver USA, May 2007.

These documents addressed the wetland areas proposed to be disturbed by the project and the measures proposed to mitigate the impacts. As a note, staff clarified that the Conceptual Mitigation Plan was, in fact, the proposed final mitigation plan.

Staff reviewed these documents and received a review from Brent Davis, the Clark County Wetland Biologist. Mr. Davis concurred that these documents adequately address the city's wetlands requirements.

The port is in the process of developing a wetland mitigation bank on Port Parcel 6. This area was indicated in the original report. The intent of the port is to obtain agency approval of the mitigation bank, ensuring bank credits are available prior to disturbing any wetlands associated with this proposal. The wetland bank is anticipated to mitigate the impacts to the wetlands impacted by this project.

Staff conditioned the original approval to require that the applicant will not impact any delineated wetland areas associated with this project until the wetland mitigation bank has been established and wetland mitigation credits are available.

If the port determines to proceed with this project prior to approval of the mitigation bank and availability of bank credits and chooses not to utilize the Terminal 5 Site as an alternative, other mitigation measures must be presented for review and approval by the city of Vancouver prior to issuance of any permits for disturbance within wetlands or wetland buffers.

At this time, the mitigation bank on Parcel 6 has not yet been approved. In the event the timing of the wetland mitigation bank is delayed or other issues make mitigation at Parcel 6 impractical, the Port wishes to have an approved alternative site for wetland mitigation as was required in the original approval. Therefore the Port has developed a mitigation plan encompassing 0.38 acres on the Port's Terminal 5 West site.

The proposed alternative wetland mitigation plan has also been reviewed by Brent Davis; he concurs these documents adequately address the city's wetlands requirements.

Conclusion: The applicant has demonstrated the proposed changes can meet the requirements of 20.740.140.

20.760 Shoreline Management Area

Finding: The post decision review application proposes two minor physical changes that involve development within Shoreline Jurisdiction. The first is a revision to allow the construction of a 0.38-acre wetland on a portion of the Port's Terminal 5 West property. This is to mitigate for wetland impacts created by this project. The wetland creation is to be constructed within the flood fringe adjacent to the Columbia River.

As part of the original approval, the Port anticipated wetland mitigation would take place on Parcel 6, where a wetland mitigation bank is proposed. At this time, the mitigation bank on Parcel 6 has not yet been approved. In the event that the timing of the wetland mitigation bank is delayed, the Port wishes to have an approved alternative site for wetland mitigation; therefore, the Port has developed a mitigation plan for the Terminal 5 West site.

The second request relates to a minor modification of the rail trench. The applicant proposes to revise the alignment to turn away from the Columbia River approximately 40 feet further east than originally approved. This will result in a slight reduction in impacts to the shoreline area.

In addition, the applicant has requested the shoreline permit related approval period be extended from the current 10 years to 15 years. The port has requested this due to the complexity and the necessity to sequence the improvements in numerous incremental phases.

The criteria for approval of a shoreline revision are in WAC 173-27-100 Revisions to permits.

When an applicant seeks to revise a permit, local government shall request from the applicant detailed plans and text describing the proposed changes.

(1) If local government determines that the proposed changes are within the scope and intent of the original permit, and are consistent with the applicable master program and the act, local government may approve a revision.

(2) "Within the scope and intent of the original permit" means all of the following:

- (a) No additional over water construction is involved except that pier, dock, or float construction may be increased by five hundred square feet or ten percent from the provisions of the original permit, whichever is less;
- (b) Ground area coverage and height may be increased a maximum of ten percent from the provisions of the original permit;
- (c) The revised permit does not authorize development to exceed height, lot coverage, setback, or any other requirements of the applicable master program except as authorized under a variance granted as the original permit or a part thereof;
- (d) Additional or revised landscaping is consistent with any conditions attached to the original permit and with the applicable master program;
- (e) The use authorized pursuant to the original permit is not changed; and
- (f) No adverse environmental impact will be caused by the project revision.

Staff has reviewed the application and determined that no additional over water construction is proposed. By revising the alignment of the western portion of the rail trench, marginally less over water construction will occur.

The ground area coverage and heights of structures has not been increased in any manner. No additional landscaping is proposed. The uses proposed within the shoreline jurisdiction are unchanged from the originally-approved permit. The Port of Vancouver issued a Supplemental MDNS for this proposal April 28, 2009; no adverse environmental impacts will be caused by the revisions.

Regarding the time limit extension from the current 10 years to 15 years, staff finds that because of the complexity of the project the extension is warranted.

Conclusion: The applicant has demonstrated the proposed revisions comply with the applicable provisions of the Vancouver Shoreline Management Master Program, the Shoreline Management Act and WAC 173-27-100.

20.770 Tree Conservation

Finding: With the original application, the applicant submitted a tree plan. This was reviewed and approved be the city's Urban Forester, Charles Ray. He found the proposed tree species to be acceptable.

Based on refinements to the engineering plans, the number of trees that will be removed has been reduced. Where the original plan indicated a total of 256 trees (452 tree units) would be impacted, the revisions indicate 214 trees (398 tree units) will be impacted.

The 2008 tree plan indicated trees replacement trees would be planted on both Port Parcels 2 and 6. The revised plan proposes that all tree mitigation will be on Parcel 2.

Staff is aware that as this project progresses, additional changes to the tree impacts may occur. The project is to be processed in phases over several years. Staff has determined it is appropriate to require an updated tree accounting for each phase. This will require the **applicant to show the number of trees and the total tree units to be impacted for each phase and provide an accounting of the replacement trees planted on Parcel 2 as mitigation for each phase,**

Conclusion: The applicant has shown the project meets the requirements of the tree conservation provisions.

11.95 Transportation Concurrency Management

Finding: In accordance with the pre-application conference dated March 20, 2007, this project is not subject to review under the city of Vancouver transportation concurrency management per VMC 11.95.020.

Conclusion: Transportation impact fees are not required for this project.

11.90 Transportation Street Standards – Development Regulations
Public Street Improvements

Finding: As indicated in the staff report issued April 4, 2008, staff has reviewed the preliminary engineering relating to public improvements impacted by the proposal. This was not a complete review as the plans were not yet at that detailed a level. Staff is aware the applicant will be submitting complete plans once the permits requested at this time are approved.

Based on the plans submitted, staff finds the applicant can comply with the transportation regulations with the following conditions:

Per VMC 11.90.060 and city standard plans T04-03 and T04-04, meet the sight distance requirements for all driveway, public, and private street intersection exits and demonstrate them on the plans.

For public streets only, identify, label and dimension existing public streets and rights of way adjacent to (within 200 feet) or intersecting with the proposed rail alignment on all submitted documents and plans.

Identify and dimension private streets and easements intersecting with or adjacent to public streets at proposed rail crossing locations.

Show all proposed at-grade rail crossings of public streets as fully upgraded and mitigated for safety through the use of appropriate supplemental safety measures (SSM). The design of at-grade rail crossings shall address street structural quality, as well as safety for motor vehicles, bicycles and pedestrians.

Before approval of engineering design for construction of the proposed at-grade rail crossing of West 16th Street between Thompson Avenue and Port Way, prepare a noise study identifying train horn noise impacts on the nearest noise sensitive receivers. Should the noise study identify a significant impact (greater than 70 decibels) on the nearest sensitive noise receiver, a Quiet Zone Study, as identified, in the Vancouver City Center Vision Subarea Plan and Supplemental Environmental Impact Statement, will be prepared. The Quiet Zone Study shall consider standard Supplemental Safety Measures (SSMs) which may include either the installation of four-quadrant gates, the establishment of median barriers, wayside horns, or the closure of the crossing. The City of Vancouver, as the authority having jurisdiction over vehicular traffic at the grade crossing within the quiet zone, shall prepare and complete the Quiet Zone Notice of Intent and Notice of Quiet Establishment processes with the FRA. The FRA approved recommendation will be incorporated into the at-grade crossing design.

For public streets, proposed at-grade crossing designs and measures shall be reviewed by city of Vancouver Transportation Services staff.

For public streets, traffic control and detour routing plans and permitting shall be coordinated with Transportation Services staff.

For public streets, an approved traffic control plan is required prior to obtaining a right of way permit.

Show on the plans trimming of vegetation and relocation of fencing to meet site distance and vision clearance triangle requirements.

Show ADA-compliant pedestrian ramps per VMC 11.80.070, at all intersections and where pedestrian crossing will occur. New ADA regulations require the use of truncated domes for all ramps.

Show signing and striping in accordance with the VMC, standard plans and the MUTCD.

Show that all walls supporting public and private streets are designed to account for all traffic loading that will be placed on them.

Provide typical cross-sections for all existing and proposed private roadways and/or private parking areas adjacent to the proposed rail improvements.

Show the construction of Gateway Avenue to a section consisting of a 38-foot roadway width and a 6-foot sidewalk.

Provide approval from Washington State Department of Transportation (WSDOT) for all intersections along SR 501 including but not limited to Gateway Avenue. All conditions required by WSDOT shall be conditioned as part of these improvements.

Conclusion: Transportation Services has reviewed the submitted civil plans and found minor comments that can be addressed during the civil plan approval. Transportation comments are based on the preliminary civil plans submitted to the city of Vancouver Sept. 18, 2007. Transportation standards will be reviewed with the engineering plans.
Discussions with the applicant and further review of the original conditions of approval have resulted in text modifications to the conditions of approval to add clarity to the plan and submittal requirements for each construction phase of the project.

14.04 Water
Finding: The applicant is connected to city water. There is a 24-inch water main in Lower River Road. There is also a 10-inch main that crosses under the railroad tracks at 26th Street bridge and east for several hundred feet.

Preliminary plans were submitted and reviewed for water under case number PST2009-00003. There appears to be no water proposed for this review.

Conclusion: There are no water requirements from for this post decision review.

14.04 Sanitary Sewer
Finding: As indicated in the April 2007 Staff Report, there are several existing public sanitary sewers in the project vicinity. Sewer locations and general sewer conditions were outlined in the pre-application report.

The original application plans were reviewed in Oct. 2007 under case number ENG2007-00173. Plans show the proposed schedules and their locations relative to existing sanitary sewers. The application was deemed complete for sanitary sewer and no substantive issues were noted. Sanitary sewer reviews will be completed with future submittals. Some sewers will need protection and other facilities will need to be relocated.

Conclusion: Sanitary sewer review will be conducted through the civil plan review process.

14.24 Erosion Control
Finding: The erosion control requirements are being reviewed under case number ENG2007-00173.

Conclusion: Erosion control standards will be met prior to issuance of final civil plan approval.

14.25 Stormwater
Finding: The surface water management requirements are being reviewed under case number ENG2007-00173.

Conclusion: Stormwater standards will be met prior to issuance of final civil plan approval.

Title 16 Fire

Finding: Title 16 of the Vancouver Municipal Code contains adopted and modified codes and standards. The standards include review for fire protection systems, minimum emergency vehicle access, fire hydrant spacing, water supply for fire protection, and special uses and processes.

The project entails appropriate relocation of existing fire hydrants and will facilitate fire apparatus access.

Conclusion: The Fire Department will have no further comments or conditions for approval of this project.

DECISION

Approval subject to the conditions listed below

CONDITIONS OF APPROVAL

Note: All conditions of approval in the April 2008 staff report, the final order issued by the hearings examiner April 17, 2008 and those attached to approval of the shoreline conditional use permit in a letter from the Department of Ecology, Shorelands Division dated May 22, 2008, apply to the request with the following modifications/clarifications:

For conditions 1, 2, 3, 6, 9, 11, 13, and 14, the city recognizes that there are several streets on-site at the Port including Northwest Harborside Drive, 26th Avenue (private portion), Gateway Avenue, and the Alcoa Dike Road that are designated private streets. Private streets are typically required to meet the requirements of city standard plan T10-17. The Port's private streets traverse large open paved areas that are secure and not open to the general public. Streets in these areas are separated with pavement marking delineation from the surrounding surfacing. As a result, it is neither practical nor desirable to construct these streets to city private street standards. Although these streets are not required to meet standard plan T10-17, the Port will provide plans to the city showing dimensions, sight distance, signing and striping for private streets.

Prior to Civil Plan Approval

1. Per VMC 11.90.060 and city standard plans T04-03 and T04-04, meet the sight distance requirements for all driveway, public, and private street intersection exits and demonstrate them on the plans.

2. For public streets only, identify, label and dimension existing public streets and rights of way adjacent to (within 200 feet) or intersecting with the proposed rail alignment on all submitted documents and plans.

3. Identify and dimension private streets and easements intersecting with or adjacent to public streets at proposed rail crossing locations.

4. Show all proposed at-grade rail crossings of public streets as fully upgraded and mitigated for safety through the use of appropriate supplemental safety measures (SSM). The design of at-grade rail crossings shall address street structural quality, as well as safety for motor vehicles, bicycles and pedestrians.

5. Before approval of engineering design for construction of the proposed at-grade rail crossing of West 16th Street between Thompson Avenue and Port Way, prepare a noise study identifying train horn noise impacts on the nearest noise sensitive receivers. Should the noise study identify a significant impact (greater than 70 decibels) on the nearest sensitive noise receiver, a Quiet Zone Study, as identified, in the Vancouver City Center Vision Subarea Plan and Supplemental Environmental Impact Statement, will be prepared. The Quiet Zone Study shall consider standard Supplemental Safety Measures (SSMs) which may include either the installation of four-quadrant gates, the establishment of median barriers, wayside horns, or the closure of the crossing. The City of Vancouver, as the authority having jurisdiction over vehicular traffic at the grade crossing within the quiet zone, shall prepare and complete the Quiet Zone Notice of Intent and Notice of Quiet Establishment processes with the FRA. The FRA approved recommendation will be incorporated into the at-grade crossing design.

6. For public streets, proposed at-grade crossing designs and measures shall be reviewed by city of Vancouver Transportation Services staff.

7. For public streets, traffic control and detour routing plans and permitting shall be coordinated with Transportation Services staff.

8. For public streets, an approved traffic control plan is required prior to obtaining a right of way permit.

9. Show on the plans trimming of vegetation and relocation of fencing to meet site distance and vision clearance triangle requirements.

10. Show ADA-compliant pedestrian ramps per VMC 11.80.070, at all intersections and where pedestrian crossing will occur. New ADA regulations require the use of truncated domes for all ramps.

11. Show signing and striping in accordance with the VMC, standard plans and the MUTCD.

12. Show that all walls supporting public and private streets are designed to account for all traffic loading that will be placed on them.

13. Provide typical cross-sections for all existing and proposed private roadways and/or private parking areas adjacent to the proposed rail improvements.

14. Show the construction of Gateway Avenue to a section consisting of a 38-foot roadway width and a 6-foot sidewalk.

15. Provide approval from Washington State Department of Transportation (WSDOT) for all intersections along SR 501 including but not limited to Gateway Avenue. All conditions required by WSDOT shall be conditioned as part of these improvements.

16. Submit a complete erosion control plan for review.

17. Submit a complete stormwater plan for review.

18. Submit a complete water engineering plan for review.

19. Show compliance with the applicable provisions of 20.740.120.C. 2 – 13 in conjunction with the engineering plans for the pile-supported trench.

20. Relating to the potential trail crossing over the rail lines, provide proof of an agreement with Vancouver-Clark Parks & Recreation prior to civil plan approval for the phase of the project which includes the trial crossing. .

Prior to Construction

21. Provide Development Review Services a copy of the agreement with Vancouver-Clark Parks and Recreation for review and approval prior to issuance of any ground-disturbing activity permits that would affect the area of the planned trail crossing. The agreement, either a covenant or an easement, must be approved as to form by the city attorney. The content regarding the continued use of the site as mitigation must be approved by Development Review Services.

22. All erosion control measures shall be in place and approved by the city before ground-disturbing activities begin.

During Construction

23. If the site of the trench is inundated during construction, implement measures to protect the shoreline environment.

24. Follow all recommendations contained in the Geotechnical Investigations, Columbia Gateway Rail Expansion report.

25. Appropriate qualified professionals shall be on-site to monitor and guide all mitigation activities.

26. A qualified geotechnical professional shall be on-site to observe all excavation and filling. If conditions other than expected are encountered, notify the city.

27. Locate or park all construction and accessory equipment outside the riparian management areas, the wetlands and their buffers. If a piece of equipment must be located in one of these areas, locate it so impacts to the area are minimized.

Conditions of Critical Areas Permit

28. Do not permit impacts to any delineated wetland areas or buffers associated with this project until the wetland mitigation bank has been approved and wetland mitigation credits are available and allowed for mitigation or the applicant has secured an approved alternative

wetland mitigation site, such as the Terminal 5 site which is approved as an alternative with this Post Decision Review.

a. If the port determines to proceed with this project prior to completion of the mitigation bank and chooses not to utilize the Terminal 5 site as an alternative, other mitigation measures must be presented for review and approval by the city of Vancouver prior to issuance of any permits for disturbance within wetlands or wetland buffers.

29. Provide written acceptance from WDFW and other appropriate agencies for placement of the large woody debris.

30. All plans for wetland mitigation shall include monitoring at years 0, 1, 3, 5, 7, and 10 with reports being sent to the city. The year 0 report shall include an as-built map of planting and other work that was completed.

31. Continue monitoring and maintenance of the riparian mitigation at Frenchman's Bar Park for a period of seven years from the date Development Review Services determines the planting has been completed.

32. The proposed mitigation measures indicated in the wetland and habitat conservation plans/reports, with any modification caused by these conditions, are conditions of this approval.

33. Obtain approval by the city of all modifications to mitigation plans before implementation.

34. All recommendations in the GRI Geotechnical & Environmental Consultants report entitled Geotechnical Investigation, Columbia Gateway Rail Expansion, Port of Vancouver, Washington, are conditions of this report. Where alternatives are provided in the report, the alternative that results in the least impact to critical areas shall be used and justification for the choice shall be delivered to the city for approval.

35. Appropriate qualified professionals shall be on-site to monitor and guide all mitigation activities.

36. A qualified geotechnical professional shall be on-site to observe all excavation, and filling. If conditions other than expected are encountered, notify the city.

37. All construction and accessory equipment shall be located or parked outside the riparian management areas, the wetlands and their buffers. If a piece of equipment must be located in one of these areas, it shall be located so impacts to the area are minimized.

38. Base all mitigation and work upon Washington State Department of Ecology's definition of ordinary high water mark for compliance with this ordinance (VMC 20.740).

39. Put in place all erosion control measures and obtain approval by the city before ground-disturbing activities begin.

40. Remove all excavated material, spoils and construction debris to a location where the habitat conservation area or wetlands will not be impacted during rain or flooding events.

41. If approvals by other regulating agencies conflict with these conditions, notify the city for approval before construction activities begin.

42. Obtain all permits required by other agencies for work within the various critical areas, buffers or mitigation areas prior to commencing any ground-disturbing activities.

Conditions Relating to Tree Mitigation

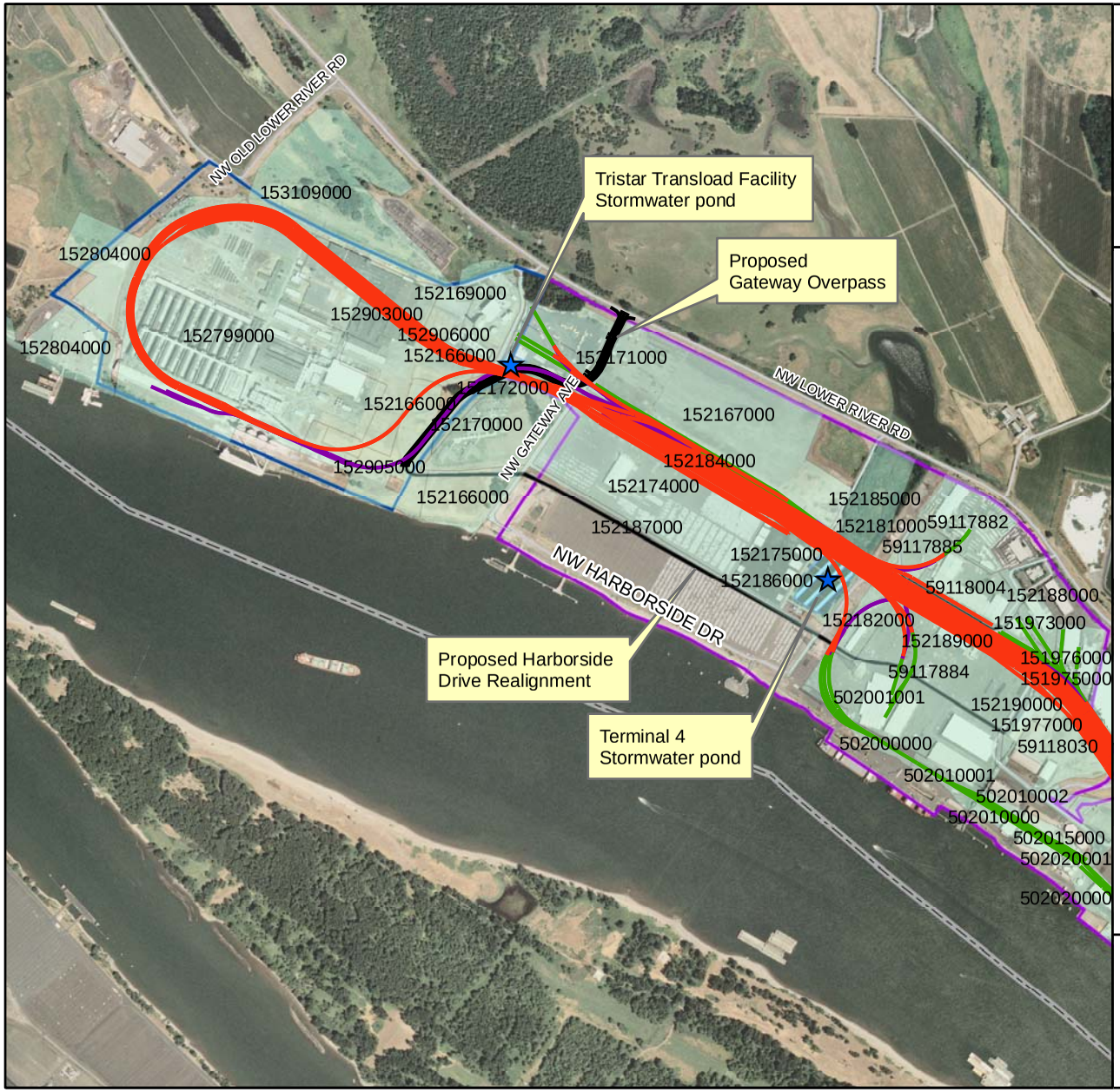
43. Show the number of trees and the total tree units to be impacted for each phase and provide an accounting of the replacement trees planted on Parcel 2 as mitigation for each phase.

EXHIBITS

1. Vicinity maps
2. Notice of supplemental mitigated determination of nonsignificance issued by the Port of Vancouver April 22, 2009
3. Post decision review application form and narrative
4. Revised wetland mitigation plan dated April 2009 **
5. Revised flood plain analysis memorandum from Jones & Stokes dated April 13, 2009**
6. Geotechnical evaluations prepared by GRI dated March 13 and April 24, 2009**
7. Authorization to extend Type I decision deadline dated June 1, 2009
8. Authorization to extend Type I decision deadline dated June 22, 2009
9. Authorization to extend Type I decision deadline dated July 1, 2009
10. Authorization to extend Type I decision deadline dated July 16, 2009
11. Authorization to extend Type I decision deadline dated July 31, 2009

**Because of the size of the exhibit, it is not included with this report. The document is available for review at Development Review Services, 4400 N.E. 77th Ave., Ste. 300, Vancouver, Washington, Monday through Friday between 8 a.m. and 5 p.m.

APPENDIX B:
Table of Affected Properties and Reference Map



West Vancouver
Freight Access
Schedules 2 through 4

Appendix B
Figure 1. Affected Parcels

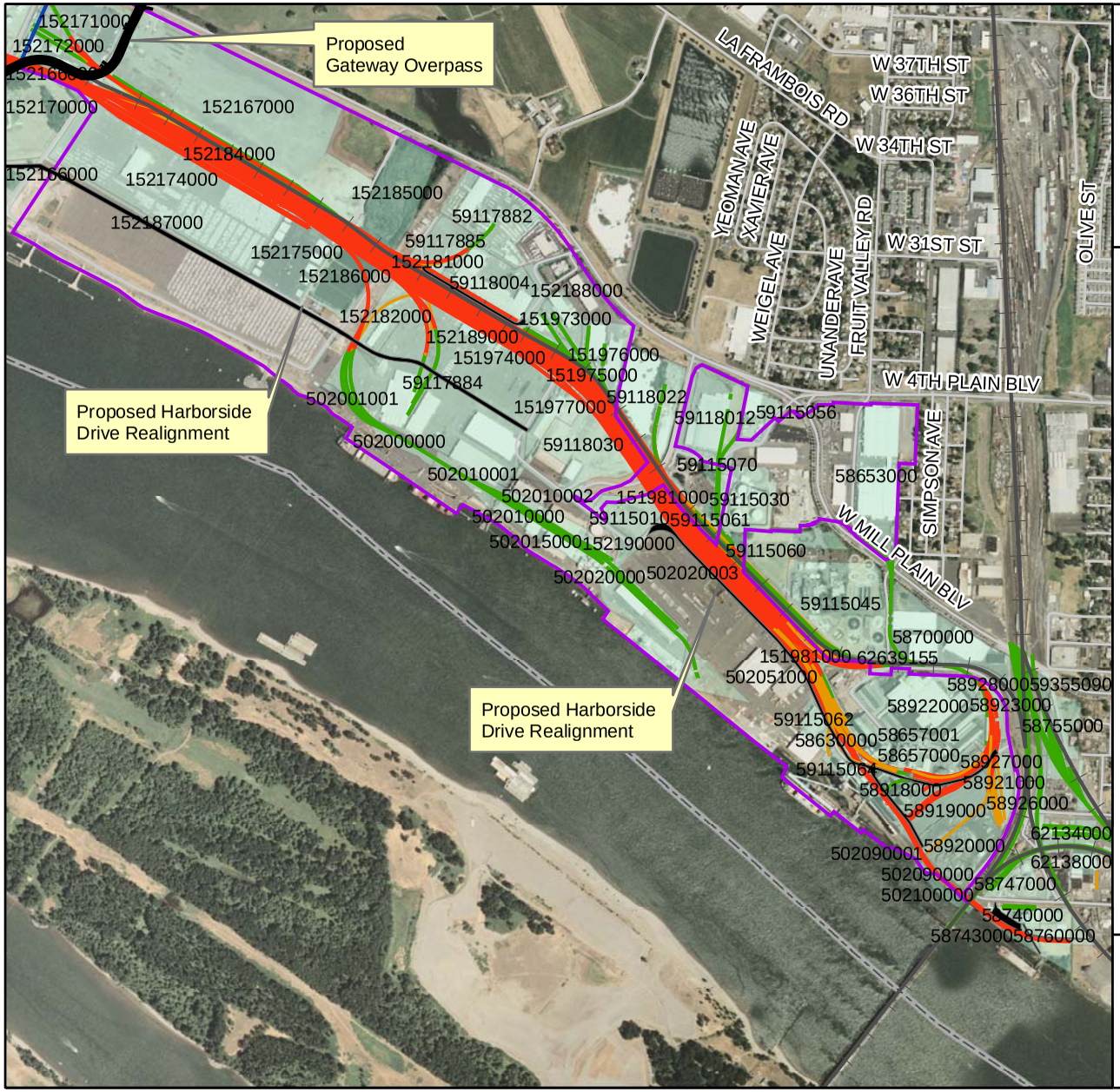
Legend

- POV Current Operations
- Future Operations
- Parcels Impacted by Rail
- Schedules 2 through 4
- Existing Rail
- Existing Rail to be Removed
- BNSF Main Line Existing Rail
- Roadways

Map Prepared: August 2009

Feet
0 800 1,600

N
W E
S



West Vancouver
Freight Access
Schedules 2 through 4

Appendix B
Figure 2. Affected Parcels

Legend

- POV Current Operations
- Future Operations
- Parcels Impacted by Rail
- Schedules 2 through 4
- Existing Rail
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- BNSF Main Line Existing Rail
- Roadways

Map Prepared: August 2009

Feet
0 800 1,600

N
W E
S

Tax Lot #	Total Parcel Area (Acres)	Owner	Land Use Description	Zone	Total New Rail Area (Acres)	Existing Rail Area (Acres)	Existing Rail Area to be Removed (Acres)	Net Conversion to Rail (Acres)
058630-000	4.36	Port of Vancouver	Farm product raw materials (cotton, grain, hides, raw furs, livestock).	IH	0.00	1.56	0.12	-0.12
058653-000	12.42	Port of Vancouver	Storage Warehouse	IH	0.00	0.09	0.00	0.00
058657-000	5.19	Port of Vancouver	Mfg - Paper Products	IH	0.00	0.02	0.00	0.00
058657-001	0.00	Great Western Malting Co	Mfg - Miscellaneous	IH	0.00	0.02	0.00	0.00
058720-000	0.27	Port of Vancouver	Misc. Bldg. with Office Functionality	IH	0.10	0.00	0.00	0.10
058740-000	2.48	Lafarge North America Inc	Mfg - Stone, Clay & Glass Processors	IH	0.18	0.00	0.00	0.18
058743-000	0.63	Lafarge North America Inc	Mfg - Stone, Clay & Glass Processors	IH	0.11	0.00	0.00	0.11
058760-000	3.28	Aschieris Patricia Etal Trst	SERVICE REPAIR SHOP	IH	0.17	0.00	0.00	0.17
058918-000	4.81	Port of Vancouver	MANUFACTURING BUILDINGS (250-279)	IH	0.00	0.06	0.00	0.00
058919-000	7.43	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.83	0.00	0.00	0.83
058920-000	6.85	Port of Vancouver	Mfg - Miscellaneous	IH	0.00	0.16	0.16	-0.16
058921-000	1.96	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.55	0.54	-0.54
058922-000	15.55	Port of Vancouver	Storage Warehouse	IH	0.00	0.04	0.00	0.00
058923-000	1.16	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.07	0.00	0.00
058925-000	0.07	Port of Vancouver	Minimal Strg Bldgs, Equip, Sheds, Open Pole Bldgs	IH	0.00	0.00	0.00	0.00
058926-000	1.14	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.90	0.73	-0.73
058927-000	1.82	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.86	0.01	-0.01

Tax Lot #	Total Parcel Area (Acres)	Owner	Land Use Description	Zone	Total New Rail Area (Acres)	Existing Rail Area (Acres)	Existing Rail Area to be Removed (Acres)	Net Conversion to Rail (Acres)
058928-000	0.91	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.67	0.00	0.00
059115-010	4.27	Port of Vancouver	Petroleum and petroleum product tank farms and bulk terminals.	IH	0.14	0.00	0.00	0.14
059115-030	6.37	Port of Vancouver	Gas storage tanks, pumping, distribution, pipelines, production.	IH	0.00	0.06	0.00	0.00
059115-045	16.83	City of Vancouver	Sewage Related Bldg or Structure	IH	0.00	0.10	0.00	0.00
059115-054	12.94	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.00	0.00	0.00
059115-060	6.50	City of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.09	0.00	0.00
059115-061	3.14	City of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.36	0.00	0.00
059115-062	1.60	Port of Vancouver	Storage Warehouse	IH	0.00	0.02	0.02	0.00
059115-063	0.44	Port of Vancouver	Misc. Bldg. with Office Functionality	IH	0.00	0.02	0.02	0.00
059115-064	1.98	Port of Vancouver	Misc. Bldg. with Office Functionality	IH	0.00	0.02	0.02	0.00
059115-069	0.69	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.15	0.00	0.00
059115-070	2.54	Port of Vancouver	Private streets.	IH	0.00	0.06	0.00	0.00
059117-882	10.99	Port of Vancouver	Storage Warehouse	IH	0.00	0.06	0.00	0.00
059117-884	45.68	Port of Vancouver	Storage Warehouse	IH	0.00	1.60	0.00	0.00
059117-885	4.06	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.10	0.00	0.00
059118-004	8.40	Port of Vancouver	Storage Warehouse	IH	0.00	0.02	0.00	0.00
059118-012	9.31	Port of Vancouver	Storage Warehouse	IH	0.00	0.21	0.00	0.00
059118-022	10.85	General Chemical LLC	Storage Warehouse	IH	0.00	0.18	0.00	0.00
059118-030	10.27	Port of Vancouver	Storage Warehouse	IH	1.72	0.00	0.00	0.00
151973-000	3.01	Port of Vancouver	Storage Warehouse	IH	0.00	0.11	0.00	0.00
151974-000	1.89	Port of Vancouver	Storage Warehouse	IH	0.00	0.46	0.00	0.00

Tax Lot #	Total Parcel Area (Acres)	Owner	Land Use Description	Zone	Total New Rail Area (Acres)	Existing Rail Area (Acres)	Existing Rail Area to be Removed (Acres)	Net Conversion to Rail (Acres)
151975-000	2.55	Port of Vancouver	Storage Warehouse	IH	0.00	0.17	0.00	0.00
151976-000	2.88	Port of Vancouver	Storage Warehouse	IH	0.00	0.12	0.00	0.00
151977-000	4.89	Port of Vancouver	Storage Warehouse	IH	0.00	0.25	0.00	0.00
151981-000	18.93	Port of Vancouver	Railroad Operations	IH	0.00	5.61	0.00	0.00
151981-000	18.93	Port of Vancouver	Railroad Operations	IH	0.00	7.71	0.01	-0.01
152166-000	23.17	Port of Vancouver	Paved storage area / Private streets.	IH	0.19	0.00	0.00	0.00
152167-000	45.92	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	2.07	0.10	-0.10
152169-000	13.24	Clark Public Utilities	UTILITIES: ELECTRIC, GAS, STEAM PLANTS & SUPPORT COMPONENTS & STRUCTURES	IH	0.55	0.00	0.00	0.55
152170-000	7.75	Clark County	Vocational, commercial, trade and specialized schools	IH	1.01	0.00	0.00	1.01
152171-000	6.51	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.07	0.00	0.00
152172-000	6.29	Port of Vancouver	Storage Warehouse	IH	0.00	0.97	0.00	0.00
152174-000	40.02	Port of Vancouver	Office Bldg: Leasing Class B & C	IH	0.00	1.92	0.00	0.00
152175-000	9.89	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.00	0.00	0.00
152181-000	0.37	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.01	0.00	0.00	0.01
152182-000	5.12	Port of Vancouver	Storage Warehouse	IH	0.00	0.26	0.17	-0.17
152184-000	6.08	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	3.45	0.15	-0.15
152188-000	3.58	Port of Vancouver	Zero value property for various reasons	IH	0.00	0.52	0.00	0.00
152189-000	2.81	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	1.89	0.00	0.00
152190-000	10.36	Port of Vancouver	Zero value property for various reasons	IH	0.00	0.32	0.02	-0.02

Tax Lot #	Total Parcel Area (Acres)	Owner	Land Use Description	Zone	Total New Rail Area (Acres)	Existing Rail Area (Acres)	Existing Rail Area to be Removed (Acres)	Net Conversion to Rail (Acres)
152799-000	96.34	Port of Vancouver	Unused buildings, burned out etc.	MH	0.00	0.56	0.40	-0.40
152804-000	34.27	Russell Towboat & Moorage Co	Towing and tugboat facilities.	IH	2.38	0.00	0.00	2.38
152903-000	33.83	Port of Vancouver	Unused or Vacant Land - No improvements	IH	6.74	0.00	0.00	6.74
152905-000	16.06	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.00	0.46	0.51	-0.51
152906-000	4.53	Clark Public Utilities	Storage Warehouse	IH	0.91	0.00	0.00	0.91
153109-000	30.91	Port of Vancouver	Unused or Vacant Land - No improvements	IH	0.29	0.00	0.00	0.29
502090-000	0.86	Port of Vancouver	Tidelands	IH	0.18	0.00	0.00	0.18
502090-001	0.16	Port of Vancouver	Tidelands	IH	0.02	0.00	0.00	0.02
502100-000	0.31	Port of Vancouver	Tidelands	IH	0.15	0.00	0.00	0.15
Total Net Conversion (in acres) of Affected Properties to Rail Facilities								**10.71**

1. Table compiled from 2009 Clark County GIS Data.

APPENDIX C:
City of Vancouver Shorelines and Critical Areas Permit Approval Final Order

Last date to appeal: Thursday, May 1, 2008

BEFORE THE LAND USE HEARING EXAMINER
OF CITY OF VANCOUVER, WASHINGTON

Regarding applications by the Port of Vancouver	)	**FINAL ORDER**
for approvals necessary to construct 3.2 miles of	)	**PRJ2007-00322**
rail lines through the heavy industrial area along the	)	**SHL2007-00004**[1]
Columbia River in the City of Vancouver, Washington	)	**(Port Rail Access Project)**

A. SUMMARY

1. The Port of Vancouver (the "applicant") requests approval of conditional use, shoreline substantial development, shoreline conditional use, wetland, riparian habitat, tree removal, archaeological, and flood plain permits to construct 3.2 miles of rail lines running westerly from Hill Street, generally near the north shore of the Columbia River, under the existing rail bridge then northwesterly though the Port of Vancouver and other ownerships to the proposed terminus near Northwest Old Lower River Road. The proposal impacts portions of the following parcels: 153109-000, 152169-000, 152906-000, 152903-000, 152184-000, 152799-000, 152167-000, 152172-000, 152170-000, 152174-000, 152185-000, 152166-000, 152175-000, 152181-000, 59117-885, 152187-000, 152186-000, 59118-004, 152189-000, 152182-000, 059117-884, 157974-000, 151977-000, 152188-000, 151981-000, 059118-030, 059115-010, 059115-054, 151981-000, 059115-025, 059115-065, 059775-066, 059115-062, 058630-000, 058657-000, 059115-063, 059115-064, 058919-000, 058918-000, 058920-000, 502080-000, 502080-002, 502090-001, 502090-000, 502100-000, 502120-000, 502130-000, 502140-000, 502150-000, 058720-000, 058743-000, 058740-000, 058760-000, and 058770-000, These parcels are located in the SE, NE and NW Quarter Sections of Section 28; SW Quarter Section of Section 21; SE, NE and NW Quarter Sections of Section 20; NE Quarter Section of Section 19; and the SE Quarter of Section 18, all within Township 2 North, Range 1 East of the Willamette Meridian (the "site").

2. Hearing Examiner Joe Turner (the "examiner ") conducted a public hearing to receive testimony and evidence about this application. City staff recommended approval of the application, subject to conditions of approval as amended at the hearing. See the Staff Report and Recommendation to the Hearing Examiner dated April 4, 2008 (the "Staff Report"). The applicant testified in support of the application and accepted the findings and conditions in the Staff Report as amended without objections. Other than public service providers and agencies, no one else testified orally or in writing.

3. The examiner concludes that the applicant sustained the burden of proof that the proposed use does or can comply with the relevant approval standards of the Vancouver Municipal Code (the "VMC"), provided the applicant complies with conditions of approval recommended by City staff or warranted by the facts and law to ensure the proposed use does comply in fact with those standards. Therefore the examiner recommends approval of the Shoreline Conditional Use permit to the Department of Ecology and approves the remainder of the application, subject to the conditions at the end of this final order.

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[1] This application also includes Casefiles ARC2007-00047, CAP2007-00033, CUP2007-00004, ENG2007-00173, GRD2007-00130 and TRE2007-00143

B. HEARING AND RECORD HIGHLIGHTS

1. The examiner received testimony at the public hearing about this application on April 15, 2008. All exhibits and records of testimony are filed at the City of Vancouver. The examiner announced at the beginning of the hearing the rights of persons with an interest in the matter, including the right to request that the examiner continue the hearing or hold open the public record, the duty of those persons to testify and to raise all issues to preserve appeal rights and the manner in which the hearing will be conducted. The examiner disclaimed any *ex parte* contacts, bias or conflicts of interest. The following is a summary by the examiner of selected testimony and evidence offered at the public hearing.

2. City planner Jon Wagner summarized the Staff Report and the applicable standards, described the proposed development on the subject property and showed a PowerPoint presentation of the project. Exhibit 16. He recommended that the examiner approve the shoreline permit for ten years in order to accommodate the construction schedule of this large project. He requested the examiner clarify condition of approval 5. He initially requested the examiner merge conditions of approval 31 and 32 to require a ten-year monitoring period for the wetland mitigation area. However he subsequently agreed with Mr. Strohmaier that these conditions are intended to address different mitigation aspects of the project. He requested the examiner add a condition of approval to allow the applicant to provide additional mitigation, subject to City approval, if the applicant chooses to proceed with the project prior to completion of the proposed wetland mitigation bank. He recommended the examiner recommend approval of the shoreline conditional use permit to the Department of Ecology and approve the remainder of the application, subject to the conditions of approval in the Staff Report, as modified at the hearing.

3. Curtis Shuck, Director of Facilities for the Port of Vancouver, Patty Boyden, Director of Environmental Affairs for the Port of Vancouver and consultant Ed Strohmaier testified on behalf of the applicant, the Port of Vancouver.

a. Mr. Shuck summarized the design and the purpose of the project. He testified that the proposed alignment has the least impact on the environment and provides for the most efficient design. The project will increase the rail capacity of the Port by roughly 100,000 rail cars per year. He testified that the project is needed to relieve congestion on the existing north-south and east-west rail lines. Under existing conditions, all through rail traffic on these lines must stop in order to allow rail cars to move between the Vancouver rail yard and the Port. The proposed project will provide a grade separated crossing, eliminating this existing congestion problem.

b. Ms. Boyden summarized the environmental impacts of the project, the alternative alignments considered by the applicant and the proposed mitigation. She noted that the applicant is also required to obtain a number of state and federal permits and approvals prior to constructing the project. She accepted the findings and conditions of approval in the Staff Report, as amended, without objections or corrections.

c. Mr. Strohmaier noted that condition of approval 31 is intended to address monitoring of the wetland mitigation. Condition 32 is intended to address monitoring of the riparian mitigation at Frenchman's Bar Park. He requested the examiner retain and clarify these conditions.

4. No one else testified orally or in writing. The examiner closed the record at the end of the hearing and announced his intention to recommend approval of the proposed Shoreline Conditional Use permit to the Department of Ecology and approve the remainder of the application subject to the conditions in the Staff Report, as modified at the hearing.

C. DISCUSSION

The examiner finds that the Staff Report identifies all of the applicable approval standards for the applications and contains sufficient findings showing the applications do or can comply with those standards subject to conditions of approval set out in the Staff Report. These findings were not disputed and are supported by substantial evidence in the record. The examiner adopts the findings in the Staff Report as his own.

D. CONCLUSION

Based on the findings and discussion provided or incorporated herein, the examiner concludes that File Nos. PRJ2007-00322, SHL2007-00004, ARC2007-00047, CAP2007-00033, CUP2007-00004, ENG2007-00173, GRD2007-00130 and TRE2007-00143 (Port of Vancouver Rail Access Project) should be approved, because the applications do or can comply with applicable standards of the Vancouver Municipal Code (the "VMC"), provided it is subject to conditions that ensure timely compliance in fact with the VMC and relevant Comprehensive Plan Policies incorporated by reference in the Staff Report. The proposed Shoreline Conditional Use Permit must be reviewed and approved by the proper state and federal agencies, in this instance, the Washington State Department of Ecology.

E. ORDER

The Hearings Examiner APPROVES File No. PRJ2007-00322, ARC2007-00047, CAP2007-00033, CUP2007-00004, ENG2007-00173, GRD2007-00130 and TRE2007-00143 (Port of Vancouver Rail Access Project) subject to the following conditions of approval, and recommends APPROVAL of File No. SHL2007-00004 to the Department of Ecology subject to the following conditions of approval:

CONDITIONS OF APPROVAL

Prior to Civil Plan Approval

1. Per VMC 11.90.060 and city standard plan T04-04, meet the sight distance requirements for all driveway, public, and private street intersection exits and demonstrate them on the plans.
2. Identify, label and dimension existing public streets and rights of way adjacent to (within 200 feet) or intersecting with the proposed rail alignment on all submitted documents and plans.
3. Identify and dimension private streets and easements intersecting with or adjacent to public streets at proposed rail crossing locations.
4. Show all proposed at-grade rail crossings of public streets as fully upgraded and mitigated for safety through the use of appropriate supplemental safety measures (SSM). The design of at-grade rail crossings shall address street structural quality, as well as safety for motor vehicles, bicycles and pedestrians.
5. Before approval of engineering design for construction of the proposed at-grade rail crossing of West 16th Street between Thompson Avenue and Port Way, prepare a noise study. The design shall assume the implementation of a train horn quiet zone as identified in the Vancouver City Center Vision Subarea Plan and Supplemental Environmental Impact Statement.
6. Proposed at-grade crossing designs and measures shall be reviewed by city of Vancouver Transportation Services staff.
7. Traffic control and detour routing plans and permitting shall be coordinated with Transportation Services staff.
8. An approved traffic control plan is required prior to obtaining a right of way permit.
9. Show on the plans trimming of vegetation and relocation of fencing to meet site distance and vision clearance triangle requirements.
10. Show ADA-compliant pedestrian ramps per VMC 11.80.070, at all intersections and where pedestrian crossing will occur. New ADA regulations require the use of truncated domes for all ramps.
11. Show signing and striping in accordance with the VMC, standard plans and the MUTCD.
12. Show vision clearance and sight distance triangles in compliance with standard plans T04-03 and T04-04 at intersections proposed to be upgraded.
13. Show that all walls are designed to account for all traffic loading that will be placed on them.

14. Provide cross-sections for all existing and proposed roadways and/or parking areas adjacent to the proposed rail improvements.
15. Show the construction of Gateway Avenue to a section consisting of a 38-foot roadway width and a 6-foot sidewalk.
16. Provide approval from Washington State Department of Transportation (WSDOT) for all intersections along SR 501 including but not limited to Gateway Avenue. All conditions required by WSDOT shall be conditioned as part of these improvements.
17. Submit a complete erosion control plan for review.
18. Submit a complete stormwater plan for review.
19. Submit a complete water engineering plan for review.
20. Show compliance with the applicable provisions of 20.740.120.C. 2 – 13 in conjunction with the engineering plans for the pile-supported trench.
21. Provide an agreement with Vancouver-Clark Parks & Recreation relating to the potential trail crossing over the rail lines in the area of this project.

Prior to Commencing Construction

22. Provide Development Review Services a copy of the agreement with Vancouver-Clark Parks & Recreation for review and approval prior to issuance of any ground-disturbing activity permits. The agreement, whether it be a covenant or an easement, must be approved as to form by the City Attorney. The content regarding the continued use of the site as mitigation must be approved by Development Review Services.
23. All erosion control measures shall be in place and approved by the city before ground-disturbing activities begin.

During Construction

24. If the site of the trench is inundated during construction, implement measures to protect the shoreline environment.
25. Follow all recommendations contained in the Geotechnical Investigations, Columbia Gateway Rail Expansion report.
26. Appropriate qualified professionals shall be on-site to monitor and guide all mitigation activities.
27. A qualified geotechnical professional shall be on-site to observe all excavation and filling. If conditions other than expected are encountered, notify the city.
28. Locate or park all construction and accessory equipment outside the riparian management areas, the wetlands and their buffers. If a piece of equipment must be located in one of these areas, locate it so impacts to the area are minimized.

Conditions of Critical Areas Permit

29. Do not permit impacts to any delineated wetland areas or buffers associated with this project until the wetland mitigation bank has been established and wetland mitigation credits are available and allowed for mitigation.
    a. If the Port determines to proceed with this project prior to completion of the mitigation bank, other mitigation measures must be presented for review and approval by the city of Vancouver prior to issuance of any permits for disturbance within wetlands or wetland buffers.
30. Provide written acceptance from WDFW and other appropriate agencies for the placement of the large woody debris.
31. All plans for wetland mitigation shall include monitoring at years 0, 1, 3, 5, 7, and 10 with reports being sent to the city. The year 0 report shall include an as-built map of planting and other work that was completed.
32. Continue monitoring and maintenance of the riparian mitigation at Frenchman's Bar Park for a period of seven years from the date Development Review Services determines the planting has been completed
33. The proposed mitigation measures indicated in the wetland and habitat conservation plans/reports, with any modification caused by these conditions, are conditions of this approval.
34. Obtain approval by the city of all modifications to mitigation plans before implementation.
35. All recommendations in the GRI Geotechnical & Environmental Consultants report entitled Geotechnical Investigation, Columbia Gateway Rail Expansion, Port of Vancouver, Washington are conditions of this report. Where alternatives are provided in the report, the alternative that results in the least impact to critical areas shall be used and justification for the choice shall be delivered to the city for their approval.
36. Appropriate qualified professionals shall be on-site to monitor and guide all mitigation activities.
37. A qualified geotechnical professional shall be on-site to observe all excavation, and filling. If conditions other than expected are encountered, notify the city.
38. All construction and accessory equipment shall be located or parked outside the riparian management areas, the wetlands and their buffers. If a piece of equipment must be located in one of these areas, it shall be located so impacts to the area are minimized.
39. Base all mitigation and work upon Washington State Department of Ecology's definition of ordinary high water mark for compliance with this ordinance (VMC 20.740).
40. Put in place all erosion control measures and obtain approval by the city before ground-disturbing activities begin.
41. Remove all excavated material, spoils and construction debris to a location where the habitat conservation area or wetlands will not be impacted during rain or flooding events.
42. If approvals by other regulating agencies conflict with these conditions, notify the city for approval before construction activities begin.

43. Obtain all permits required by other agencies for work within the various critical areas, buffers or mitigation areas prior to commencing any ground-disturbing activities.

Recommended Conditions Relating to the Shoreline Conditional Use Permits

44. Work with the Vancouver-Clark Parks & Recreation on potential trail crossing over the rail lines.

45. Prior to initial ground-disturbing activity, provide Development Review Services a copy of the agreement with Vancouver-Clark Parks & Recreation relating to the proposed mitigation site at Frenchman's Bar Park. The agreement, whether it be a covenant or an easement, must be approved as to form by the City Attorney. The content regarding the continued use of the site as mitigation must be approved by Development Review Services.

DATED this 17th day of April 2008.

Joe Turner, AICP
City of Vancouver Hearing Examiner

NOTE: *Only the decision and the condition of approval are binding on the applicant as a result of this order. Other parts of the final order are explanatory, illustrative and/or descriptive. They may be requirements of local, state, or federal law, or requirements which reflect the intent of the applicant, the city staff, or the examiner, but they are not binding on the applicant as a result of the final order unless included as a condition.*

APPEAL: Decisions of the Hearings Examiner may be appealed to City Council. Any party with standing under Section 20.210.130(B) VMC may submit a written appeal to the planning official containing the items listed below.

1. The case number designated by the city and the name of the applicant;
2. The name and signature of each petitioner or their authorized representative and a statement showing that each petitioner has standing to file the appeal under this chapter. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative for all contact with the planning official. All contact with the planning official regarding the appeal, including notice, shall be with the contact representative;
3. The specific aspect(s) of the decision or determination being appealed, and the specific reasons why each aspect is in error as a matter of fact or law;
4. A statement demonstrating that the specific issues raised on appeal were raised during the period in which the record was open.
5. The appeal must be received no later than 14 calendar days after written notice of the decision is mailed.
6. The appeal fee is $2,000 as per Chapter 20.180 VMC, Fees. The fee shall be refunded if the appellant requests withdrawal of the appeal in writing at least 14 calendar days before the scheduled appeal hearing date.

APPENDIX D:
Ecology Shorelines Conditional Use Permit
May 22, 2008 Approval Letter

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

May 22, 2008

I certify that I mailed a copy of this document to the persons and addresses listed herein, postage prepaid, in a receptacle for United States mail in Lacey, Washington, on
May 22, 2008
Signature Donna Nicholson

Curtis Shock
Port of Vancouver
3103 NW Lower River Rd
Vancouver WA 98660

Subject: City of Vancouver Permit #SHL2007-00004
VANCOUVER PORT - Applicant
Shoreline Substantial Development and Conditional Use Permits
2008-SW-03329 - CONCURRENT FILING

Dear Mr. Shock:

Purpose: Notification of Receipt of Concurrent Permit Filings and Approval of Conditional Use Permit

On 5/8/2008, the Department of Ecology received notice that the City of Vancouver approved your application for a Substantial Development Permit and a Shoreline Conditional Use Permit. Your permit authorizes the construction of 3.2 miles of new rail line through the heavy industrial section along the Columbia River. Approximately 2,100 feet of the proposal, including 1,350 lineal feet of pile-supported concrete trench, retaining wall, berm and stormwater facilities, is located within shoreline jurisdiction of the Columbia River (Chapter 90.58, RCW).

Shoreline Substantial Development Permit:

Before you begin activities authorized by this permit, the law requires you to wait at least 21 days from the date (05/08/2008) we received the decision letter from the City of Vancouver. This waiting period allows anyone who may disagree with any aspect of this permit, including you, to appeal the decision to the state Shorelines Hearings Board. The appeal period ends May 29, 2008.

You must wait for the conclusion of an appeal before you can begin the activities authorized by this permit.

Shoreline Conditional Use Permit:

By law, Ecology must review all Conditional Use Permits for compliance with the following:

- The Shoreline Management Act (Chapter 90.58 RCW)
- Ecology's Conditional Use Permit approval criteria (Chapter 173–27–160 WAC)
- The City of Vancouver Shoreline Master Program

After reviewing for compliance, Ecology must decide whether to approve, approve with conditions, or disapprove a Conditional Use Permit.

Our Decision:

Ecology approves your Conditional Use Permit provided your project complies with the conditions required by the City of Vancouver. **Please note that other federal, state, and local permits may be required in addition to this shoreline permit.**

What Happens Next?

Before you begin activities authorized by this permit, the law requires you to wait at least 21 days from the mailing date of this letter (see certification above). This waiting period allows anyone (including you) who disagrees with any aspect of this permit, to appeal the decision to the state Shorelines Hearings Board. You must wait for the conclusion of an appeal before you can begin the activities authorized by this permit.

The Shorelines Hearings Board will notify you by letter if they receive an appeal. We recommend, however, you contact the Shorelines Hearings Board before you begin permit activities to ensure no appeal has been received. They can be reached at (360) 459-6327 or http://www.eho.wa.gov/Boards/SHB.asp.

If **you** want to appeal this decision, you can find appeal instructions (Chapter 461–08 WAC) at the Shorelines Hearings Board website above. They are also posted on the website of the Washington State Legislature at: http://apps.leg.wa.gov/wac.

If you have any questions, please contact Kim Van Zwalenburg at (360) 407-6520.

Sincerely,

Perry J Lund, Unit Manager
Shorelands and Environmental Assistance Program

PJL:KV:dn

cc: Jon Wagner, City of Vancouver

APPENDIX E:
MDNS Notice – Port of Vancouver Rail Access Project

Notice of Mitigated Determination of Non-Significance (MDNS)

Port of Vancouver Rail Access Project

CP0144

Description of Proposal

The Port of Vancouver Rail Access Project would construct 3.2 miles of new rail line to expand the Port of Vancouver's rail capacity within the Port of Vancouver's existing facility and to relieve track congestion on Burlington Northern Santa Fe (BNSF) main line in order to improve local and regional rail access. The need for the proposed project has arisen because existing rail access to the Port of Vancouver currently occurs via a single rail line, which crosses BNSF north/south and east/west main line tracks at grade, causing delays when rail traffic volumes are high.

Proponent

Port of Vancouver, USA

Location of Proposal

The proposed project is located in the City of Vancouver, Clark County, Washington at the Port of Vancouver facilities. The proposed project starts at approximately 1,200 feet east of the Columbia River Rail Bridge and extends approximately 3.2 miles to the west and terminates just before the intersection of NW Old Lower River Road. USGS Quadrangle Vancouver T2N, R1E, Sections 17-21 and USGS Quadrangle Sauvie Island T2N, R1W, Sections 11-12.

Lead Agency Determination

The lead agency for this proposal has determined that the project does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist on file with the lead agency. The environmental checklist includes the following documents which are incorporated by reference:

- **Community and Housing Discipline Report, Port of Vancouver Rail Access Project** (June 2007). This report documents information related to environmental justice to identify

whether the proposed project would potentially impact minority and low-income populations and to ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

- **Hazardous Materials Discipline Report, Port of Vancouver Rail Access Project** (June 2007). This report provides information identifying documentation of known hazardous materials, waste, and spills occurring within the project study area. The report is based on a search of regulatory databases completed in November 2005.

- **Land Use and Shorelines Discipline Report, Port of Vancouver Rail Access Project** (June 2007). This report provides information regarding existing land uses, zoning, and comprehensive plan designations and identifies consistency of the proposed project with such land use regulations.

- **Water Quality Discipline Report, Port of Vancouver Rail Access Project** (June 2007). This report identifies water quality standards, existing water quality within the project study area, and an evaluation of the proposed project's water quality treatment.

- **Air Quality Assessment Technical Memorandum, Port of Vancouver Rail Access Project** (June 2007). This technical memorandum evaluates emissions of regulated pollutants from the operation of the proposed project and provides an evaluation of construction phase emissions.

- **Noise and Vibration Assessment Technical Memorandum, Port of Vancouver Rail Access Project** (June 2007). This technical memorandum provides analysis of noise modeling and identification of potential impacts related to vibration and noise increases.

- **Soils and Geology Assessment Technical Memorandum, Port of Vancouver Rail Access Project** (June 2007). This technical memorandum supplements the Geotechnical Report (December 2006) and evaluates the surface and subsurface conditions of geological resources, including geological hazards within the project study area identified from the Geotechnical Report (December 2006).

- **Transportation Assessment Technical Memorandum, Port of Vancouver Rail Access Project** (June 2007). This technical memorandum provides information and analysis of traffic impacts related to project construction and operational activities on vehicular, bicycle, and pedestrian movement and use.

- **Wetlands Assessment Technical Memorandum** (June 2007). This report provides a function and quality assessment of the wetlands documented within the project study area.

- **Rail Access Project Wetland Delineation Report** (June 2007). This report provides information on wetlands and waters of the state/U.S. within the project study area as determined using the USACE 1987 Wetland Delineation Manual.

- **Geotechnical Report** (December 2006). This report provides the evaluation of the surface and subsurface conditions of geological resources, including geological hazards within the project study area.

- **Rail Access Project Critical Areas Report** (July 2007). This report identifies and evaluates the designated critical areas mapped within the project study area and project consistency with Vancouver Municipal Code (VMC) Title 20.740.
- **Rail Access Project Level II Tree Plan** (July 2007). This report evaluates tree removal activities proposed within the project study area and provides a plan to address these activities in accordance with VMC 20.770.
- **Biological Assessment (August 2007).** This report evaluates potential effects of the proposed Rail Access Project on federally listed and proposed species, designated critical habitat, and essential fish habitat (EFH) in the project area.

This environmental checklist and appendices are available to the public on request or from the Lead Agency's website: www.portvanusa.com/property/SEPA.htm

☐ There is no comment period for this Mitigated DNS.

☐ This Mitigated DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the Mitigated DNS.

☑ This Mitigated DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted to the Responsible Official November 21, 2007.

Description of Mitigation/Conditions of Approval

The following conditions of approval are required. These conditions include completion of requirements issued as part of the following permits and approvals:

Permits/Approvals:

- United States Army Corps of Engineers (USACE) Clean Water Act (CWA) Section 404 Permit will be obtained for impacts to wetland and water resources.
- USACE River and Harbors Act Section 10 Permit approval will be obtained for the construction of structures and excavation/dredging in navigable waters of the U.S. (Columbia River).
- National Marine Fisheries Service (NMFS) Endangered Species Act (ESA) Biological Opinion will be issued for impacts to anadromous listed fish species in the Columbia River.
- United States Fish and Wildlife Service (USFWS) ESA Letter of Concurrence will be received for impacts to listed fish species in the Columbia River.
- United States Coast Guard (USGS) General Bridge Act Permit will be obtained for construction of a pile supported rail trench over a navigable water (Columbia River).

- USCG Private Aids to Navigation (Non-bridge) will be submitted for USCG review of the project to determine if work performed within the navigable waters of the United States (Columbia River) will require the installation of a fixed structure (pile supported rail trench) to be marked with private aid to navigation (PATON).

- Washington Department of Fish and Wildlife (WDFW) Hydraulic Project Approval (HPA) will be obtained for project impacts that will use, divert, obstruct, and/or change the bed or flow of state waters.

- Washington Department of Ecology (Ecology) CWA 401 Water Quality Certification will be obtained because the proposal will obtain a Section 404 Permit from USACE and/or USCG permit to ensure project will meet water quality standards for dredged/fill activities.

- Ecology Approval Model Toxics Control Act (MTCA) Restrictive Covenant Revisions and other requirements, if any, will be coordinated because the proposed project site has historical releases of hazardous materials and under the MTCA regulations, owners and operators must report to WDOE any release or threatened release of a hazardous substance on their site.

- Ecology NPDES Construction Permit will be obtained because construction will occur within an area that is larger than one acre and there is a discharge of stormwater to surface water.

- Ecology NPDES Stormwater Permit will be amended to address new industrial stormwater discharges from impervious surfaces to the Columbia River.

- Washington Department of Natural Resources (WDNR) Aquatic Resources Use Authorization Notice will be obtained because the proposal would take place within state-owned aquatic lands.

- Clark County Planning Director Review (Type II Review) will be conducted to determine if the proposed project is consistent and meets the requirements of the applicable sections of the Clark County Code (CCC).

- Clark County Final Engineering Review will be conducted to ensure that final site plans and final landscaping plans are consistent with final construction plans, approved preliminary site plan review, conditions of approval, and other sections of the CCC.

- City of Vancouver Shoreline Substantial Development Permit will be obtained because the proposed project will develop portions of the project within jurisdictionally designated shorelines of the state (Columbia River) located within the City of Vancouver.

- City of Vancouver Shoreline Conditional Use Permit will be obtained because the proposed activity is listed as a conditional use and/or is not specifically listed as a use element within the City of Vancouver.

- City of Vancouver Critical Areas Ordinance Permit will be obtained because the proposed project is located within areas mapped as Frequently Flooded, Fish and Wildlife Habitat Areas, Wetlands, and Geological Hazard Areas. The City of Vancouver requires Critical Area Reports and permits to be obtained to ensure proposed project activities do not cause a significant harm.

- City of Vancouver Tree Removal Permit will be obtained because the proposed project will remove trees and vegetation; a Level II Tree Plan has been prepared and will be implemented.
- City of Vancouver Essential Public Facilities Conditional Use Permit will be obtained because the City of Vancouver identified that Essential Public Facilities were not prohibited, shall be conditional uses per the requirements of VMC 20.245; therefore Conditional Uses are subject to Section 20.855.020 Development Requirements.
- City of Vancouver Demolition Permit will be obtained because the proposed project will removal existing building structures; therefore a demolition permit must be obtained from the City of Vancouver prior to commencing demolition or removal of any structure and/or portion of a structure.
- City of Vancouver Grading Permit will be obtained because the proposed project will disturb more than 10 cubic yards of earth and vegetation.
- City of Vancouver Council Approval Modification for Restrictive Covenants will be obtained because the proposed project property has several restrictive covenants encumbering certain wetland mitigation sites and hazardous materials sites in the project area. The restrictive covenants will be modified with the approval of the City of Vancouver Council.
- Coordination with the Washington Department of Archaeology and Historic Preservation (DAHP) will be completed to ensure the proposed project would have no effect on cultural or historic resources.

Additional Conditions:

- Engineering design will incorporate International Building Code (IBC) standards, American Association of State Highway and Transportation Officials (AASHTO) standards, and geohazard (seismic) engineering standards.
- Stormwater Pollution Prevention Plan (SWPPP) will be developed and implemented.
- Temporary Erosion and Sedimentation Control Plan (TESC Plan) will be developed and implemented.
- Stormwater detainment (catch basins) and treatment (vault) for new impervious surfaces will be designed according to specifications described in the Stormwater Manual for Western Washington and the Washington Department of Transportation (WSDOT) Highway Runoff Manual.
- Continued implementation of Port of Vancouver's Wellhead Protection Plan and relocation and decommissioning of groundwater monitoring wells as required under state and local requirements
- Port of Vancouver Stormwater Management Plan will be revised to address new stormwater treatment.
- Construction erosion, sedimentation, and air best management practices (BMPs) will be implemented.
- Lead, Asbestos, and/or PCB Abatement Plans will be prepared as required.
- Emergency Response Plans for hazardous material spills or containment will be implemented and practiced during construction and operational activities.

- All agreed-to Restrictive Covenants with the Washington Department of Ecology will be adhered to (as modified).
- To minimize impacts from light and glare, track illumination on the pile-supported trench will be installed and positioned away from waterway and vegetation areas.
- If unknown archaeological resources are encountered during ground disturbing activities, ground disturbing work will be halted in accordance with Revised Code of Washington (RCW) 27.53.060 and 27.44.020.
- The Applicant will coordinate with the City of Vancouver to develop and implement a Transportation Management Plan to minimize impacts to vehicles, bicycles, and pedestrians associated with construction delays and temporary roadway detours.
- The Applicant will coordinate with the City of Vancouver and other applicable utility providers to address utility relocations including replacement and sanitary sewer pump station and pipeline, casement of other sanitary and water supply pipelines, relocation of a fire hydrant, and other applicable abandonment or relocation requirements.

Responsible Official

Kim Shaffer

Port of Vancouver, USA

3103 Lower River Road

Vancouver, Washington 98860

Phone: 360.693.3611

KShaffer@portvanusa.com

11-02-07

Date

Signature

Distribution List

Agency/Name	Attention	Address	City, State, Zip
Dept. of Ecology	SEPA Unit	PO Box 47703	Olympia, WA 98504
Clark County	Travis Goddard	1300 Franklin	Vancouver, WA 98666
City of Vancouver	Jon Wagner	P.O. Box 1995	Vancouver, WA 98668-1995
U.S. Army Corp of Engineers	Tom Taylor	333 SW 1st Ave	Portland, OR 97204
NOAA-NMFS	Dan Guy	510 Desmond Drive SE, Suite 103	Lacey, WA 98503
U.S. Dept. of Fish and Wildlife	Anne Friesz	2108 Grand Blvd	Vancouver, WA 98661
U.S. Dept. of Natural Resources	Staff	P.O. Box 280	Castle Rock, WA 98611
U.S. Coast Guard	Tim Wescott & Austin Pratt	13th Coast Guard District (DPW) 915 2nd Ave, Room 3510	Seattle, WA 98174-1067

APPENDIX F.
Port of Vancouver Public Outreach Documentation

Port of Vancouver, USA
Public Meeting Record

Event	Date	Purpose
2005		
Clark County Democrats	December 12, 2005	Presentation on the Port, Rail and Development
Project Partners Team Meeting	December 7, 2005	Discuss Scoping for Gateway Development
Patty Murray Fund Announcement Event	December 5, 2005	Press Conference on Rail project and Federal Funding for Design
Fruit Valley NA	December 1, 2005	Attended
Concordia University Business Students	November 28, 2005	Presentation on the Port, Rail and Development
Pacific Middle School	November 22, 2005	School student Tour on Port
Washington State Workforce Development Council	November 17, 2005	Tour & Presentation on the Port, Rail and Development
NE Hazel Dell NA	November 15, 2005	Presentation and Q&A with NE Hazel Dell Neighborhood Association
Cascade Highlands NA	November 14, 2005	Presentation on the Port, Rail and Development
NEPA Stakeholder Meeting	November 10, 2005	Presentation on the Port, Rail and Development
Citizen Forum	November 10, 2005	Present and discuss road alignments with West Hazel Dell Neighborhood Association
Citizen Forum	November 8, 2005	Present and discuss road alignments with Fruit Valley Neighborhood Association
NEPA Stakeholder Meeting	November 8, 2005	Presentation on the Port, Rail and Development
Pre-Scoping Workshop	November 5, 2005	Pre-scoping workshop with 2005–2006 Leadership Clark County class.
Eighth Street Stakeholders Meeting	October 29, 2005	Rail presentation
Walla Walla HS FFA	October 21, 2005	Port and United Harvest Tour and Discussion on Channel Deepening
WPPA Trade and Economic Development Conference	October 7, 2005	Presentation on the Port, Rail and Development
VIP Candidate Tour	October 3, 2005	Public Tour and Presentation on the Port of Vancouver

Event	Date	Purpose
South Rail Property/Business Owner Meeting	September 29, 2005	Introduce rail alignment to business property owners
Rotary Open World Program	September 26, 2005	Tour & Presentation on the Port to visitor's from Russia
Retired Teachers	September 22, 2005	Presentation on the Port, Rail and Development
PNWA Environmental Conference	September 14, 2005	Presentation on Port Environmental Programs
Waterfront Appreciation Lunch	August 25, 2005	Annual lunch for tenants & waterfront workers
KinderCare School-Agers	August 16, 2005	School student Tour on the Port
City of Vancouver Management Leadership Team	August 16, 2005	Presentation on the Port, Rail and Development
Columbia River Crossing Task Force	August, 10, 2005	Freight Mobility discussion
Channel Coalition Celebration	August 4, 2005	Kickoff for Channel Deepening hosted by Port of Vancouver at Frenchman's Bar Park
Salmon Creek Kiwanis	August 3, 2005	Presentation on the Port, Rail and Development
Vancouver Rotary	August 3, 2005	Presentation on the Port, Rail and Development
KinderCare School-Agers	July 21, 2005	School student Tour on the Port
KinderCare School-Agers	July 20, 2005	School student Tour on the Port
Washington Transportation Commission	July 19, 2005	Presentation on Rail and Freight Mobility
Sertoma Club	July 7, 2005	Presentation on the Port, Rail and Development
HomePort Adventure	June 25, 2005	Port Summer Community Event with Bus tours
Pre-Scoping Workshop	June 16, 2005	Public pre-scoping workshop to discuss Port's plan and options
Pre-Scoping Workshop	June 14, 2005	Public pre-scoping workshop to discuss Port's plan and options
Identity Clark County Tour	June 8, 2005	Tour & Presentation on the Port, Rail and Development
Stakeholder Interviews	May-June 2005	27 stakeholder interviews with interested parties
Hearthwood Elementary	May 26, 2005	School student Tour on the Port
VanMall retirement Center Tour	May 1, 2005	Tour & Presentation on the Port, Rail and Development

Event	Date	Purpose
Clark County Assessor's Office	April 21, 2005	Presentation on the Port, Rail and Development
WPPA Freight Rail Presentation	April 21, 2005	WPPA Rail study
Pasco Freight Rail Presentation	April 20, 2005	WPPA Rail study
Waterford Community Tour	April 4, 2005	Tour & Presentation on the Port, Rail and Development
VIP tour	March 30, 2005	Public Tour and Presentation on the Port of Vancouver
Washington Transportation Symposium	March 23 & 24, 2005	WSDOT symposium on rail study
Portland Business Alliance	March 16, 2005	Presentation on the Port, Rail and Development
Crossroads Community Church	March 15, 2005	Presentation on the Port, Rail and Development
Clark County Sheriff's Office Outreach Unit	February 17, 2005	Presentation on the Port, Rail and Development
Port Re: Port Breakfast	February 2, 2005	Annual update to the public on Port business and projects
Access to River, Road & Rail with WPPA	February 2, 2005	Rail Presentation to WPPA including first Rail Study
Legislative Representatives	January 20, 2005	Presentation on the Port, Rail and Development
Washington State Retired Teachers	January 1, 2005	Presentation on the Port, Rail and Development
Access to River, Road & Rail with Senator Patty Murray	January 1, 2005	Rail Presentation to Patty Murray and Staff

Port of Vancouver, USA
Public Meeting Record

2006		
Tenant Holiday Event	December 8, 2006	Tenant Holiday Event, sponsored by Port of Vancouver
Fruit Valley NA-	December 7, 2006	Presentation and Q & A to Fruit Valley NA meeting on TCE clean up status and Parcels 7 & 8 status
Vancouver Lake Watershed	December 6, 2006	Independent watershed group supported (in part) by the Port
Presentation	December 6, 2006	Presentation and Q & A to Vancouver Wildlife League on Port Development and Mitigation
Panasonic 20th Anniversary	November 28, 2006	Cake & Plaque Presentation at Panasonic
VIP tour--	November 16, 2006	Public tour and presentation on the Port and Port Development (Included AARP and Retired Teachers Associations)
Boy Scout Troop 633 Tour	November 15, 2006	Port tour for scouts and parents
West Hazel Dell NA	November 15, 2006	Presentation and Q & A to West Hazel Dell NA Meeting on Port Rail & Development
Fairgrounds NA	November 9, 2006	Presentation and Q & A to Fairgrounds NA Meeting in Collaboration with Port of Ridgefield
Fruit Valley NA-	November 2, 2006	Presentation and Q & A to Fruit Valley NA meeting on TCE Cleanup
Shumway NA	November 2, 2006	Presentation and Q & A to Shumway NA meeting on Transportation concerns involving Port Rail & Development
Vancouver Lake Watershed	November 1, 2006	Independent watershed group supported (in part) by the Port
City Univ. MIT Program	October 27, 2006	Presentation on the Port, Rail and Development
Presentation	October 27, 2006	Presentation to Labor Round Table on Port Rail & Development
Central Labor Council	October 26, 2006	Presentation to Central Labor Council on Port Rail & Development
Quarterly Rail Meeting	October 19, 2006	Rail meeting for tenants of the Port
Hazel Dell Oaks Club	October 18, 2006	Presentation on the Port, Rail and Development
Presentation	October 16, 2006	Presentation and Q & A to West Hazel Dell Lions Club on Port Rail & Development

Heritage High School Tour	October 13, 2006	Heritage High School Tour of Port
Natural Resource Leaders Tour	October 11, 2006	Tour of Port for Ag Forestry Seminar
Fruit Valley NA-	October 05, 2006	Fruit Valley Meeting – no presentation
Vancouver Lake Watershed	October 04, 2006	Steering Committee Meeting regarding new program manager and potential use of TCE clean water for Vancouver Lake
Rail Stakeholder Meetings	September 29, 2006	Rail Stakeholder Meetings re: Port Rail & Development
Vancouver's Downtown Association	September 28, 2006	Speakers Bureau Presentation to the Vancouver Downtown Association on Port Rail & Development and City Development
Neighborhood Leadership Update	September 25, 2006	NEPA briefing to Chair of West Hazel Dell NA
Vancouver Lake Watershed	September 20, 2006	Independent watershed group supported (in part) by the Port
Project Partners Team Meeting	September 19, 2006	Project Partners Team Meeting providing an update on NEPA Scoping
Arnada NA	September 14, 2006	Presentation and Q & A to update Arnada Neighborhood Association meeting on Port Rail & Development
Public Scoping Meeting	September 12, 2006	Public scoping meeting for US Army Corps of Engineers/Columbia Gateway NEPA
Waterfront Appreciation Lunch & Crane Ceremony	September 8, 2006	Annual lunch for tenants & waterfront workers and community event to commission new crane
Fruit Valley NA-	September 7, 2006	Presentation and Q&A to update Fruit Valley Neighborhood Association regarding Columbia Gateway
Vancouver Lake Watershed	September 6, 2006	Steering Committee Meeting regarding new program manager and potential use of TCE clean water for Vancouver Lake
Waterford Sr. Center Tour	August 24, 2006	Presentation on the Port, Rail and Development & Tour
Fruit Valley NA-	August 3, 2006	Presentation and Q&A to update Fruit Valley Neighborhood Association regarding land use changes to Parcels 4, 5 and 7
Port of Vancouver USA International Festival	July 30, 2006	Port Summer Community Event with Bus Tours
Quarterly Rail Meeting	July 14, 2006	Rail meeting for tenants of the Port

Fruit Valley NA-	July 6, 2006	Presentation and Q&A to update Fruit Valley Neighborhood Association regarding Parcel 8 site development planning process
Local Environmental Groups Tour and meeting	July 6, 2006	Tour and presentation on Port Environmental Programs and development to local environmental groups: Sierra Club, Vancouver Audubon, Friends of Clark County, & Vancouver Wildlife League.
Citizen Forum	June 22, 2006	Citizen Forum to discuss traffic study and NW 26th Avenue extension
Neighborhood Leadership Meeting	June 20, 2006	Meeting with West Vancouver neighborhood area leaders to discuss area transportation projects with Port and other public agencies
Burnt Bridge Elementary 3rd Grade	June 2, 2006	School Student Tour and Presentation on the Port of Vancouver
Shumway NA	June 1, 2006	Presentation and Q&A with Shumway Neighborhood Association to discuss EDCP and surface transportation components
VIP tour	June 1, 2006	Public tour and presentation on the Port and Port Development
Central Park NA	May 31, 2006	Presentation on the Port, Rail and Development
Cascade Middle School 6th Grade	May 26, 2006	School Student Tour and Presentation on Port
East Vancouver Rotary	May 25, 2006	Presentation on the Port, Rail and Development
Clark College WFD & Port Tenant Executives	May 24, 2006	Lunch and Workforce Needs Discussion
Central Park NA	May 23, 2006	Presentation and Q&A with Central Park Neighborhood Association
Van Mall Retirement Center	May 17, 2006	Tour & Presentation on the Port, Rail and Development
Sara J Anderson Elementary-VSD	May 10, 2006	School Student Tour and Presentation on the Port
Fruit Valley NA-	May 5, 2006	Presentation and Q&A with Fruit Valley Neighborhood Association to discuss traffic study and TCE update.
WNPA Visit	May 3, 2006	Tour & Presentation on the Rail, Development and Freight Mobility Issues
Legislative Breakfast	April 28, 2006	Presentation on the Port, Rail and Development
Vancouver Executives Club	April 27, 2006	Presentation on the Transportation, Rail and Development

TCW	April 27, 2006	Tour & Presentation on the Port, Rail and Development as well as Shop Demonstration
Quarterly Rail Meeting	April 26, 2006	Rail meeting for tenants of the Port
AAUW World Affairs Group	April 25, 2006	Port Security Issues
Downtown "Heart" Association	April 20, 2006	Presentation on the Port, Rail and Development
Project Partners Team Meeting	April 13, 2006	Update on DEIS development
Rail Citizen Forum	April 11, 2006	Citizen Forum to discuss south rail alignment with Arnada, Columbia Way, Esther Short, Hough, and Fruit Valley neighborhoods
Clark County NACCC	April 10, 2006	Presentation on the Port, Rail and Development
Senior Group	April 8, 2006	Presentation on the Port, Rail and Development
Current Issues Coalition	April 5, 2006	Presentation on the Port, Rail and Development
Sierra Club	March 30, 2006	Presentation on Port Environmental Programs, Development and Columbia Gateway NEPA
Carter Park NA	March 23, 2006	Presentation and Q&A with Carter Park Neighborhood Association
Northwest NA	March 23, 2006	Presentation and Q&A with Northwest Neighborhood Association
VIP tour	March 23, 2006	Public Tour and Presentation on the Port of Vancouver
CTED	March 22, 2006	Presentation on the Development, Rail and Freight Mobility
Ester Short NA	March 21, 2006	Presentation and Q&A with Esther Short Neighborhood Association
West Hazel Dell NA	March 15, 2006	Presentation and Q&A with West Hazel Dell Neighborhood Association
Crestline Elementary-Evergreen	March 14, 2006	School Student Tour and Presentation on Port
South Rail Property/Business Owner Meeting	March 9, 2006	Update business/property owners on Port's preferred rail alignment to 7th Street
South Rail Key Agencies	March 2, 2006	Meeting with partners for Rail development
Sierra Club – Loowit Group	March 1, 2006	Presentation on Port Environmental Programs and Development

Lincoln NA	February 21, 2006	Presentation and Q&A with Lincoln Neighborhood Association
Speakers Bureau	February 8, 2006	Presentation and Q&A with Identity Clark County Board
Business Association Meeting	February 8, 2006	Presentation and Q&A with Hazel Dell/Salmon Creek Business Association
Fruit Valley NA-	February 2, 2006	Presentation and Q&A with Fruit Valley Neighborhood Association
ICRIP	February 2, 2006	Channel Deepening Meeting
FMSIB	January 27, 2006	Presentation on the Port, Rail and Development
Port Re:PORT Breakfast	January 26, 2006	Annual update to the public on Port business and projects
Quarterly Rail Meeting	January 25, 2006	Rail meeting for tenants of the Port
PSU Hatfield School Tour	January 25, 2006	School Student Tour on Channel Deepening
Women's Shipping Club	January 19, 2006	Presentation on the Port, Rail and Development
Public Scoping Meeting	January 4, 2006	Public scoping meeting as required by National Environmental Policy Act (NEPA) guidelines.

Port of Vancouver, USA
Public Meeting Record

2007		
Tenant Holiday Event	December 11, 2007	Annual social for port tenants (dinner cruise)
Vancouver Lake Watershed Partnership	December 12, 2007	Independent meeting of local watershed group with Port support
Stakeholder Lunch	December 10, 2007	Pay As You Grow Plan Presentation
Union High School	December 10, 2007	Port Overview and Presentation
Shumway NA	December 06, 2007	Port Presentation on New Development Plans
Fruit Valley NA	December 06, 2007	Port Presentation on New Development Plans
VIP Tour	November 29, 2007	Port Overview and Presentation on Development
Freight and Industry Meeting	November 28, 2007	Port/City/CRC Joint Presentation on Development
Arnada NA	November 08, 2007	Port Presentation on Development
ROTC HS Program Tour	November 8, 2007	Presentation and tour of port
Vancouver Downtown Association	November 08, 2007	Presentation on Rail and Development
Fircrest NA	November 06, 2007	Presentation on the Port
Fruit Valley NA	November 01, 2007	Attended Meeting
VIP Tour	October 25, 2007	Port Overview and Development Presentation
NACCC Special Meeting	October 22, 2007	Attended meeting on county zoning process review
City University	October 19, 2007	Presentation on Port Development
NACCC	October 8, 2007	Provided update on port activities
Fruit Valley NA	October 04, 2007	Attended Meeting
VIP Tour	September 27, 2007	Port Overview and development presentation
Workforce Development Job Fair	September 13, 2007	
Vancouver Chamber Dinner	September 12, 2007	Sponsored and decorated table for annual dinner to promote port development and rail
John Muir Picnic	September 9, 2007	Booth at Environmental Picnic
Fruit Valley NA	September 6, 2007	Attended Meeting

Boulevard Kiwanis presentation	August 28, 2007	Speakers Bureau presentation on Port Development
POV/POP/WSDOT Congressional Tour	August 21, 2007	Tour of West Freight Access Project for Local Legislators
Vancouver Lake Watershed Partnership	August 15, 2007	Independent meeting of local watershed group with Port support
Community Cabinet Stakeholders Meeting	August 15, 2007	Local Business and Public Agency Leaders Meeting re: Development
Lincoln NA	August 13, 2007	Attended Meeting with 5 Neighborhoods on Transportation Issues
Community Cabinet Stakeholders Meeting	August 13, 2007	Local Business and Public Agency Leaders Meeting re: Development
Arnada NA	August 9, 2007	Attended Meeting on Transportation Issues
WSUV Presentation	August 9, 2007	Booth at Junior High School Job Fair at Washington State University
Clark Executive Club	August 9, 2007	Speakers Bureau engagement re: updates on the Port
Identity Clark County Presentation	August 8, 2007	Speakers Bureau engagement re: updates on the Port Rail Development
West Freight Access Project Groundbreaking	August 7, 2007	Public Groundbreaking Event for Schedule 1 of the Rail Development
Fruit Valley NA Meeting-	August 2, 2007	Neighborhood Stakeholders meeting re: Port Development Overview
Environmental Annual Mtg	August 1, 2007	Port update and tour of proposed wetland bank at port hosted annual meeting for local organizations
Quarterly Rail Meeting	August 1, 2007	Rail meeting for tenants of the Port
International Festival	July 29, 2007	Annual Public Event Sponsored by the Port: Port informational booth and port tours available
Fruit Valley Community Picnic	July 28, 2007	Port Booth on Rail & Development Plans
Clark County Realtors Association Presentation	July 26, 2007	Speakers Bureau presentation to Realtors on Port Development
PDX Lions Club	July 20, 2007	Speakers Bureau presentation on Port
Vancouver Lake Watershed Partnership	July 18, 2007	Independent meeting of local watershed group with Port support
Chkalov Delegation Tour	July 6, 2007	Port presentation and tour for visiting delegation from Russia and US hosts

Fruit Valley NA -	July 5, 2007	Neighborhood meeting re: Port Rail & Development Overview
4th of July Booth Historic Reserve	July 4, 2007	Booth Providing information on the Port of Vancouver and Port Development at the Fort of Vancouver Fireworks Event
Clark County Sustainability Conference	June 21 & 22, 2007	Booth Providing Information on Port Development and Environmental Programs
BNSF Tour	June 29, 2007	Tour for BNSF President on Port Development and Infrastructure
VIP Tour--	June 28, 2007	Public Tour and Presentation on the Port of Vancouver
Transportation Legislator's Tour	June 28, 2007	Tour for Legislators and Transportation Staff members on Port Development
Project Partners Team Meeting	June 27, 2007	Presentation for Gateway Development Stakeholders on Development Status
Port Jetboat Tours	June 23, 2007	Public Tour from Waterside describing Port and Port Development
Fruit Valley NA Fair	June 22, 2007	Participated in Fruit Valley NA Fair
Vancouver Lake Watershed Partnership	June 20, 2007	Independent meeting of local watershed group with Port support
Special Commission Meeting	June 19, 2007	Special Commission Meeting Regarding Announcement re: Gramor Lease of T1
Rail Development Stakeholder Open House	June 14, 2007	Open House at New Rail Office for West Freight Access Project
Fruit Valley 5th Grade Tour	June 14, 2007	Tour for local grade school
Tenant Meeting	June 7, 2007	Breakfast for local tenants and presentation on Port Rail & Development
FMSIB West Vancouver Freight Access Project Meeting	June 1, 2007	Meeting with FMSIB Board on Rail status
Evergreen HS Tour	June 1, 2007	Tour for a local high school
VIP tour--	May 24, 2007	Public Tour and Presentation on the Port of Vancouver
State DAR Convention Spouse tour	May 18, 2007	Tour and Presentation on the Port of Vancouver
Vancouver Lake Watershed Partnership	May 16, 2007	Independent meeting of local watershed group with Port support
Community Cabinet Stakeholders Meeting	May 10, 2007	Local Business and Public Agency Leaders Meeting re: Development & Rail

Community Cabinet Stakeholders Meeting	May 9, 2007	Local Business and Public Agency Leaders Meeting re: Development & Rail
Leadership Clark County Tour	May 4, 2007	Tour for local Community Involvement Group
Fruit Valley TCE Cleanup Tour	May 4, 2007	Environmental Tour for Fruit Valley Regarding Public Environmental Clean-up
Shumway NA	May 3, 2007	Neighborhood meeting re: Port Rail & Development Overview
Fruit Valley TCE Cleanup Tour	May 3, 2007	Environmental Tour for Fruit Valley Regarding Public Environmental Clean-up
Vancouver Heights NA	April 26, 2007	Neighborhood meeting re: Port Rail & Development Overview
Quarterly Rail Meeting	April 25, 2007	Rail meeting for tenants of the Port
VIP tour--	April 24, 2007	Public Tour and Presentation on the Port of Vancouver
Arnada NA	April 12, 2007	Neighborhood meeting re: Port Rail & Development Overview
Salmon Creek Grange Meeting	April 12, 2007	Speakers Bureau engagement re: Port Rail & Development Overview
Evergreen HS Faculty Meeting	April 11, 2007	Speakers Bureau engagement re: Port Rail & Development Overview
Hazel Dell/Salmon Creek Business Assoc.	April 11, 2007	Speakers Bureau engagement re: Port Rail & Development Overview
NACCC Meeting	April 9, 2007	Neighborhood meeting re: Port Rail & Development Overview
Lincoln NA	April 9, 2007	Neighborhood meeting re: Port Rail & Development Overview
AARP Meeting	April 7, 2007	Speakers Bureau engagement re: Port Rail & Development Overview
Fruit Valley NA -	April 5, 2007	Neighborhood meeting re: Port Rail & Development Overview
VLWP	April 4, 2007	Independent meeting of local watershed group with Port support
Northwest NA	April 4, 2007	Neighborhood meeting re: Port Rail & Development Overview
Vancouver Women's Club	March 27, 2007	Speakers Bureau engagement re: Port Rail & Development Overview

Rose Village NA	March 27, 2007	Presentation on Port Rail & Development plans and an overview of Port environmental programs
VIP tour--	March 22, 2007	Public Tour and Presentation on the Port of Vancouver
Retired Teachers Association	March 22, 2007	Speakers Bureau engagement re: Port Rail & Development Overview
Vancouver Lake Watershed Partnership	March 21, 2007	Independent meeting of local watershed group with Port support
POV Commission Forum	March 20, 2007	Public Forum re: tax levy and port development
Hough NA	March 20, 2007	Neighborhood Stakeholders meeting re: Port Rail & Development Overview
East Clark County Rotary	March 15, 2007	Speakers Bureau engagement re: Port Rail & Development Overview
POV Commission Forum	March 14, 2007	Public Forum re: tax levy and port development
POV Commission Forum	March 13, 2007	Public Forum re: tax levy and port development
Dept. of Health/Dept. of Ecology TCE Meeting	March 6, 2007	Joint Meeting at Fruit Valley NA to discuss TCE Cleanup with Neighborhood Stakeholder
Fruit Valley NA -	March 1, 2007	Neighborhood Stakeholders meeting re: Port Rail & Development Overview
Carter Park NA	February 22, 2007	Neighborhood meeting re: Rail and Development Update
Vancouver Lake Watershed Partnership	February 21, 2007	Independent meeting of local watershed group with Port support
Port Re:PORT Breakfast	February 21, 2007	Annual update to the public on Port business and projects
Heart District Presentation	February 15, 2007	Port Rail & Development update
Special Public Meeting-Community Conversation T1	February 7, 2007	Public Meeting of the Board of Commissioners re: future of T1
Special Commission Meeting	February 5, 2007	Public Meeting of the Board of Commissioners re: Industrial Development Tax Vote
Fruit Valley NA-	February 1, 2007	Neighborhood Stakeholder meeting re: Port update
Quarterly Rail Meeting	January 30, 2007	Rail meeting for tenants of the Port
Project Partners Rail Meeting	January 22, 2007	Updates on Rail development with area businesses and partners
VIP tour--	January 19, 2007	Public Tour and Presentation on the Port of Vancouver
Community Cabinet Stakeholder Meeting	January 18, 2007	Local Business and Public Agency Leaders Meeting re: Development

Propeller Club Presentation	January 18, 2007	Local Stakeholder Meeting re: updates on Development
Community Cabinet Stakeholder Meeting	January 16, 2007	Local Business and Public Agency Leaders Meeting re: Development
Esther Short NA	January 11, 2007	Neighborhood Meeting re: updates on Rail Project
Idaho Wheat Commission Tour	January 9, 2007	Port presentation and tour with tour of United Harvest to members of Commission
Fruit Valley NA-	January 4, 2007	Updates on Development

Port of Vancouver, USA
Public Meeting Record

2008		
School Tour	December 10, 2008	Tour and presentation on port and port development to local high school
NACCC Meeting-	December 8, 2008	Attended meeting
Fruit Valley NA-	December 4, 2008	Attended meeting, answered questions on parcels 6, 7, & 8 development
Tenant Holiday Event	December 4, 2008	Tenant holiday event
West Vancouver Freight Alliance Meeting	November 30, 2008	Presentation from Columbia River Crossing and City of Vancouver
Transportation Improvement Board Tour	November 20, 2008	Tour and presentation on rail project
VIP Tour--	November 20, 2008	Public tour and presentation on the Port of Vancouver
NACCC Meeting-	November 10, 2008	Attended meeting
Community Cabinet Stakeholders	November 6, 2008	Presentation and tour of rail project
Fruit Valley NA-	November 6, 2008	Attended meeting
VIP Tour--	October 16, 2008	Public tour and presentation on the Port of Vancouver
NACCC Meeting-	October 13, 2008	Attended meeting
Fruit Valley NA-	October 2, 2008	Attended meeting
Washington Agriculture and Forestry Foundation	October 1, 2008	Tour and discussion on port development and supported projects
Economies in Motion	September 26, 2008	Public symposium on transportation issues and trade
VIP Tour--	September 18, 2008	Public tour and presentation on the Port of Vancouver
Carter Park NA	September 16, 2008	Attended meeting
Boy Scout Tour	September 11, 2008	Tour and presentation on the Port of Vancouver
Environmental Forum	September 10, 2008	Community tour and discussion on current port environmental projects
WERC	September 10, 2008	Tour and presentation
Waterfront Appreciation	September 9, 2008	Luncheon for waterfront employees and port tenants
NACCC-	September 8, 2008	Attended meeting

Fruit Valley NA-	September 4, 2008	Attended meeting
VIP Tour--	August 21, 2008	Public tour and presentation on the Port of Vancouver
West Coast Corridor Coalition	August 20, 2008	Tour of rail project
Tenant Environmental Lunch	August 13, 2008	Environmental update for port tenants
Fruit Valley NA-	August 7, 2008	Attended meeting
Children's Village School Tour	August 7, 2008	Tour for local school group
International Festival	July 27, 2008	Festival: included an informational booth on the port, tours of the port every half hour and a series of performances from international venders
Fruit Valley Picnic	July 26, 2008	Picnic including port outreach on groundwater cleanup
Esther Short NA	July 17, 2008	Presentation on the Port of Vancouver
West Hazel Dell NA	July 16, 2008	Presentation on the Port of Vancouver
NACCC Meeting-	July 14, 2008	Attended meeting
Sustainability Conference	July 10-11, 2008	Booth on port environmental programs
West Hazel Dell BA	July 9, 2008	Presentation on the Port of Vancouver
Fruit Valley NA-	July 3, 2008	Attended meeting
Rail Walking Tour	June 26, 2008	Public tour of port rail project schedules 1A & 1B
VIP Tour--	June 19, 2008	Public tour and presentation on the Port of Vancouver
Tenant Breakfast	June 12, 2008	Tenant update on current port activities
NACCC Meeting-	June 9, 2008	Attended meeting
Fruit Valley NA-	June 5, 2008	Attended meeting
Rose Village NA	May 27, 2008	Presentation on the Port of Vancouver
Merchant Marine Tour	May 27, 2008	Tour and presentation on the Port of Vancouver
Community Cabinet Stakeholders Meeting	May 22, 2008	Presentation and update on port Development
Carter Park NA	May 20, 2008	Presentation on port development, potential industrial district
VIP Tour--	May 15, 2008	Public Tour and Presentation on the Port of Vancouver
West Vancouver Freight Alliance Meeting	May 13, 2008	Presentation from the CRC on the I-5 bridge and from the Port of Vancouver on port development

NACCC-	May 12, 2008	Attended meeting
Sarah J. Andersen Elementary School Tour	May 9, 2008	Tour and presentation to 5th grade class
Transportation Association of Portland	May 8, 2008	Presentation on the Port of Vancouver
Shumway NA	May 1, 2008	Presentation on the Port of Vancouver
Fruit Valley NA-	May 1, 2008	Attended meeting
Lewis River Rotary Club Meeting	April 29, 2008	Presentation on the Port of Vancouver
GVCC Board of Directors Tour	April 23, 2008	Tour of Port of Vancouver
VIP Tour--	April 17, 2008	Public tour and presentation on the Port of Vancouver
NACCC Meeting-	April 14, 2008	Attended meeting
Fruit Valley NA-	April 3, 2008	Attended meeting
Sustainability Conference	March 30, 2008	Booth with updates on Port of Vancouver environmental projects
Commission Open House	March 27, 2008	Public open house on the Port of Vancouver
VIP Tour--	March 27, 2008	Public tour and presentation on the Port of Vancouver
Cascade Inn Retirement Tour	March 26, 2008	Presentation and tour on the Port of Vancouver
Commission Open House	March 25, 2008	Public open house on the Port of Vancouver
Commission Open House	March 22, 2008	Public open house on the Port of Vancouver
WyEast Middle School Tour	March 20, 2008	Tour of the Port of Vancouver
Pacific Middle School Tour	March 18, 2008	Tour of the Port of Vancouver
Riverridge NA	March 13, 2008	Presentation on the Port of Vancouver
NACCC Meeting-	March 10, 2008	Attended meeting
Fruit Valley NA-	March 6, 2008	Attended meeting
Frontier Education	February 29, 2008	Tour of Port of Vancouver for local middle school
Columbia Crest Lion's Club Presentation	February 25, 2008	Presentation on the Port of Vancouver
East Vancouver Business Association	February 21, 2008	Presentation on the Port of Vancouver
Port Re:PORT 2008	February 21, 2008	Public presentation on the state of the port

New Heights Church Senior Group	February 20, 2008	Presentation and tour on the Port of Vancouver
NACCC-	February 11, 2008	Attended meeting
Lincoln NA	February 11, 2008	Presentation on the Port of Vancouver
Fruit Valley NA-	February 7, 2008	Attended meeting
Rail Open House	January 29, 2008	Public open house on Port of Vancouver rail project
East Vancouver Business Association	January 25, 2008	Presentation on the Port of Vancouver
Trinity Lutheran Church Bus Tour	January 25, 2008	Tour of the Port of Vancouver
Esther Short NA	January 24, 2008	Presentation on the Port of Vancouver
Northwest NA	January 24, 2008	Presentation on the Port of Vancouver
Presentation to House Transportation Committee	January 24, 2008	Executive Director presentation to House Committee
Cascade Middle School Tour	January 18, 2008	Tour of Port of Vancouver
VIP Tour--	January 17, 2008	Public tour and presentation on the Port of Vancouver
Hough NA	January 15, 2008	Presentation on the Port of Vancouver
Propeller Club	January 15, 2008	Presentation on the Port of Vancouver
Groundwater Cleanup Public Meeting	January 15, 2008	Public meeting on TCE cleanup`
NACCC Meeting-	January 14, 2008	Attended Meeting
Arnada NA	January 10, 2008	Presentation on the Port of Vancouver
Grain Elevator and processing Society Presentation	January 9, 2008	Presentation and tour on the Port of Vancouver
Luepke Senior Center Tour	January 7, 2008	Tour of the Port of Vancouver
Fruit Valley NA-	January 3, 2008	Attended Meeting

POV Communications		
POV Development		Overview of Port Transportation and Development circulated at meetings, with speakers bureau and posted on website
POV Rail Handout re: West Freight Access Project		Overview of West Vancouver Freight Access Project circulated at meetings, with speakers bureau and posted on website
POV Community Newsletter -		Circulated 3 times a year to all Port District Households. Includes updates on Port Rail and Development
Website		
PortVanusa.com		Includes Port Development, Rail, Community Information and Announcements

Legend:

Note: Each month has a public commission meeting on the 2nd and 4th Tuesday

- Port of Vancouver attends all FVNA and NACCC meetings

-- VIP tours include an overview of Port Rail & Development

NA – Neighborhood Association

Port of Vancouver, WVFA (Rail Access) Project: Outreach Publications and Events
VIP Tour, January 2009
Community Report Summaries, meetings held every month through 2008
Port Stakeholder Meeting, November 2008
VIP Tour August 2008
VIP Tour, September 2007
Port WVFA Newsletter, May 2007
Port Stakeholder Meeting, January 2007
Port Newsletter, Winter 2006
VIP Tour, October 2006
Port WVFA Newsletter, April 2006
Port Newsletter, November 2005
Port Newsletter, Spring 2005

Port of Vancouver: Port Tenant Interview List			
Tenant Name	**Tenant Attendees**	**Date**	**Time**
Boise	Bill Briseno (Operations Manager), Jerry Gaukroger (Manager)	01/21/09	2:00 pm
Commodities Plus	Brian Harris (Director of Operations)	01/22/09	1:00 pm
Clark County Jail	Joe Barnett (Commander – Custody Branch)	02/03/09	3:00 pm
Fabricated Products	Mike Blasko	01/20/09	11:00 am
Food Express	Marc Widing (Terminal Manager)	01/20/09	1:00 pm
General Chemical	Rick Buckmiller (Plant Manager)	02/03/09	1:00 pm
Great Western Malting	Jay Hamachek (Director of North American & Business Development), Ken Weaver (Engineering Manager)	01/27/09	2:00 pm
Kinder Morgan	Chris Alexander	01/28/09	1:00 pm
Pacific Coast Shredding/Metro Metals	Mike Vail (VP Operations)	01/21/09	1:00 pm
NuStar	Dale Swanson (Terminal Manager)	01/15/09	4:00 pm
Plastics NW	Unavailable for interview		
Subaru	Ann Tetreault (Port Operations Administrator), Jonathan Smith (Port Manager), Mike Repman (Operations Mgr, AWC)	01/28/09	2:00 pm
Tesoro	Mike Alleyn	01/27/09	1:00 pm
Trimac	Dave Hartmeier	01/22/09	2:00 pm
TriStar	Peter Howe	01/20/09	2:00 pm
United Harvest	John Todd (Operations Manager),	01/20/09	10:00 am
Vancouver CFS	Thomas Gefre	01/22/09	3:00 pm

APPENDIX G:
Section 4(f) Evaluation

Section 4(f) Evaluation

West Vancouver Freight Access Project, Schedules 2 through 4 ■ Port of Vancouver ■ June 2009

ICF Jones & Stokes
an ICF International Company

Section 4(f) Evaluation

West Vancouver Freight Access Project, Schedules 2 through 4
Port of Vancouver

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June 2009

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Acronyms

AREMA	American Railway Engineering and Maintenance of Way Association
BNSF	BNSF Railway Company
CFR	Code of Federal Regulations
City	City of Vancouver
DAHP	Washington Department of Archaeology and Historic Preservation
FHWA	Federal Highway Administration
Ecology	Washington Department of Ecology
FR	*Federal Register*
HUD	U.S. Department of Housing and Urban Development
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NGVD	National Geodetic Vertical Datum 29
NP	Northern Pacific
NRHP	National Register of Historic Places
OHWM	ordinary high water mark
Port	Port of Vancouver
Proposed Project	West Vancouver Freight Access Project, Schedules 2 through 4
RCW	Revised Code of Washington
SEPA	State Environmental Policy Act
SR	State Route
UPRR	Union Pacific Railroad
USC	United States Code
USDA	U.S. Department of Agriculture
WAC	Washington Administrative Code
WSDOT	Washington State Department of Transportation
WVFA	West Vancouver Freight Access

Introduction

The Washington State legislature created the Port of Vancouver (Port) to be an economic engine for Vancouver and Southwest Washington. The Port is one of the oldest ports in the State of Washington, established in 1912. Ports exercise local governmental authority. The Port's authority includes the ability to construct, operate, and expand terminals and industrial facilities. The Port has tax and eminent domain authority it can use to attract, encourage and develop industry, and promote trade (Revised Code of Washington [RCW] 53.04.010). The West Vancouver Freight Access (WVFA) Project was designed to support the infrastructure needs of the Port's current and future tenants to ensure continued economic growth throughout the region. In addition, the WVFA Project was designed to increase safe rail operations within the Port district while also minimizing impacts on the built and natural environment.

In 2004, the Port adopted its West Vancouver Freight Access Master Plan (Port of Vancouver 2006) to improve rail access and capacity between the Port's properties and clients and the BNSF Railway Company's (BNSF) main lines (north-south and west-east). The WVFA Master Plan is centered on rail improvements and includes associated building and roadway modifications as described in greater detail below that would be implemented in support of the rail expansion. The WVFA Master Plan is comprised of four essentially linear segments that have logical termini based on rail operational requirements and needs. Each segment is identified as a schedule in sequential order moving from the eastern end to the western end of the Port (Schedules 1, 2, 3, and 4). Environmental documentation and construction of Schedule 1 was completed in 2008. Schedule 1 included a new rail connection to the BNSF main line and has separate and independent utility from Schedules 2 through 4.

The Port is proposing to construct the remaining schedules associated with the WVFA Master Plan. The WVFA Project, Schedules 2 through 4 (Proposed Project), would be constructed from 2009 through 2017. Schedules 2 through 4 of the Proposed Project are interrelated with each other and function together as one single project and are being designed and constructed as such. The Proposed Project would expand Port rail capacity and operations, relieve congestion and ensure safe operations within the Port and on the BNSF main line, and minimize disruption to existing Port tenants. The Proposed Project and the Port's Preferred Alternative for this project is the subject of this environmental document. Figure 1 illustrates the Proposed Project's vicinity and the location of Schedule 1 improvements.

Environmental Documentation

Under Washington's State Environmental Policy Act (SEPA), any agency that proposes to take an official action is required to perform an environmental analysis to identify any benefits and/or impacts that may result from the action. At the federal level, pursuant to the National Environmental Policy Act (NEPA), an environmental analysis must be performed if the proposed

action is being implemented by a federal agency, requires a federal permit, or has federal funding. The scope of the analysis under NEPA differs with the degree of likely impacts.

The Proposed Project—which is being initiated by a public agency and has federal funding—must meet the federal and state environmental regulations of the designated lead agency for the NEPA environmental document. The Federal Highway Administration (FHWA) is the lead agency under NEPA. SEPA, similar to NEPA, also requires a lead agency. As the public agency proposing this project, the Port is the lead agency under SEPA.

All documents were prepared in support of a Documented Categorical Exclusion determination under NEPA. In addition to the Documented Categorical Exclusion, environmental documentation includes Discipline Reports for affected resources, and the Local Agency Environmental Classification Summary. SEPA documentation has been completed for the Preferred Alternative and a determination of nonsignificance was issued by the Port in November 2007. This Section 4(f) Evaluation has been prepared as a stand-alone document in support of the NEPA Documented Categorical Exclusion.

Documented Categorical Exclusion

As discussed above, if a project requires a federal action, the environmental impacts of that action must be identified and under certain circumstances mitigated. However, when the Council on Environmental Quality developed the regulations implementing NEPA, they realized that many federal actions would have little or no environmental impact. Therefore, they defined a class of actions called Categorical Exclusions. A Categorical Exclusion is defined (in part) as:

> "a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect... and for which, therefore, neither an environmental assessment nor an environmental impact statement is required."

A list of specific action classes not normally requiring NEPA documentation is set forth in 23 Code of Federal Regulations (CFR) 771.117(c) and 23 United States Code (USC) § 138.

In addition, a second group of actions may also qualify as Categorical Exclusions if it can be demonstrated that they will not cause a significant environmental impact to occur. These actions are referred to as Documented Categorical Exclusions. Such actions require some NEPA documentation, but not an Environmental Assessment or a full-scale Environmental Impact Statement (23 CFR 771.117 (d)).

Documented Categorical Exclusions will qualify as Categorical Exclusions only if appropriate documentation and analysis demonstrate that these actions will have no significant environmental impact or that such impacts will be mitigated. Part of the analysis and documentation for the Proposed Project is this Section 4(f) Evaluation

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Columbia River

Vancouver Lake

WASHINGTON

OREGON

Willamette River

5

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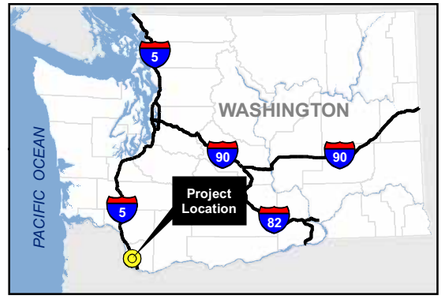
Port of Vancouver West Vancouver Freight Access Project, Schedules 2 through 4

Figure 1. Project Vicinity

Legend

- Current Port Operations
- Future Port Operations
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- BNSF Existing Railway
- Roadways

Location Map



Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: March 2009

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Section 4(f) Regulations

This Section 4(f) Evaluation complies with the federal requirements codified in 49 USC §303, commonly referred to as Section 4(f) of the Department of Transportation Act of 1966. Section 4(f) declares that "[i]t is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites" (49 USC 303).

Section 4(f) further requires consultation with the Department of the Interior. As appropriate, the involved offices of the U.S. Departments of Agriculture (USDA) and Housing and Urban Development (HUD) in developing transportation projects and programs that use lands protected by Section 4(f). Consultation with USDA would occur whenever a project uses Section 4(f) land from the National Forest system. Consultation with HUD would occur whenever a project uses Section 4(f) land for or on which certain HUD funding had been utilized. Since neither of these conditions applies to the Preferred Alternative, consultation with USDA and HUD is not required.

In general, a Section 4(f) "use" occurs with a U.S. Department of Transportation-approved project or program when any of the following events occurs.

- Section 4(f) land is permanently incorporated into a transportation facility.
- There is a temporary occupancy of Section 4(f) land that is adverse in terms of Section 4(f)'s preservationist purposes as determined by specified criteria (23 CFR §774.13[d]).
- There is a constructive use of a Section 4(f) property, meaning the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired (23 CFR §774.15).

In March 2008, FHWA promulgated new Section 4(f) regulations, codified at 23 CFR Part 774 (73 *Federal Register* [FR] 13368, March 12, 2008). These new regulations do not substantively change the requirements of the previous Section 4(f) regulations (23 CFR § 771.135). The new regulations do, however, clarify the factors to be considered and the standards to be applied when determining if an alternative for avoiding the use of Section 4(f) property is feasible and prudent, as well as the factors to be considered when selecting a project alternative in situations where all alternatives would use some Section 4(f) property. This Section 4(f) Evaluation has been prepared in compliance with Part 774.

Purpose and Need for the Action

NEPA analysis requires that a proposed project's alternatives be developed based on the project's purpose and need. The purpose and need statement should clearly and succinctly explain why the project is needed and the project's intended purpose. The purpose and need is considered the cornerstone of NEPA environmental documentation. The following purpose and need statement was prepared in accordance with FHWA Technical Advisory T 6640.8.

Purpose of the Proposed Project

The purpose of the Proposed Project is to:

- expand Port rail capacity and operations (within the existing Port facility), specifically unit train capacity to enhance the rail network for future growth and development while minimizing disruption to existing Port tenants and businesses;
- relieve congestion, improve operational efficiencies, and ensure continued safe operations as rail traffic grows in and around the Port and along the existing BNSF north-south and west-east main lines.

The Proposed Project would decrease rail congestion in the Vancouver area by providing rail access to the Port via a grade-separated main line crossing. This would vastly reduce the delays (congestion) in the Port as well as on the main lines for both the BNSF and the Union Pacific Railroad (UPRR). In addition, the Proposed Project would increase rail capacity and access within the Port's existing facilities and improve overall rail operational efficiencies.

Once completed, the Proposed Project would allow unit trains—trains that are 60 to 174 cars long, and that carry a single commodity—to be received, stored, utilized, and departed as full trains from inside the Port's facility without requiring that the trains be broken into smaller segments of cars. Unit trains could be received directly from the BNSF and UPRR main lines into the Port tenants' storage tracks with departure similar. This would free the lead tracks within the Port to allow for switching movements from the various storage tracks to the tenants and back, eliminating large delays and congestion as unit trains occupying the leads are broken into smaller segments and shoved into shorter tenant storage tracks. Businesses within the Port would be able to operate at maximum capacity, thus increasing regional employment.

The Proposed Project would help ensure the future success and economic growth of current Port tenants, allowing them to grow and expand their businesses. The Proposed Project would also facilitate development of new properties, bringing more jobs and revenue to the local community.

Need for the West Vancouver Freight Access Project, Schedules 2 through 4

The Washington State Transportation Commission completed the Statewide Rail Capacity and System Needs Study in 2006 (Cambridge Systematics et al. 2006). The conclusion of the study was that the state should continue to participate in the freight and passenger rail systems. The report explained that the state rail system was nearing capacity and rail improvements, including service to ports, was needed in order to accommodate future growth and to provide a number of business and societal benefits. The Port's rail project was mentioned in the report as a potential solution to resolving a critical bottleneck to Port access. A more recent study, completed in April 2008, confirms the 2006 findings, indicating that west coast ports will experience substantial growth over the next twenty years (West Coast Corridor Coalition Trade and Transportation Study, Cambridge Systematics and HDR Engineering, Inc. 2008).

The Port's existing rail infrastructure has a limited capacity to provide adequate service to the current and future industrial needs in southwestern Vancouver. Three elements contribute to this problem of inadequate service and are likely to cause the situation to worsen in the future: 1) the Port's existing rail infrastructure is inadequate and does not allow for efficient construction of unit trains; 2) projected economic growth will increase demands on existing and future tenants for more efficient rail operations; and 3) projected increases in traffic along the BNSF main line corridors will increase rail congestion within the general vicinity, further reducing service.

Port of Vancouver Existing Infrastructure

The Port's rail infrastructure was originally built in the early 1900s after an agreement was signed in 1918 with the Oregon-Washington Railroad & Navigation Company, the Great Northern Railway Company, the Northern Pacific (NP) Railway Company, and the Spokane, Portland and Seattle Railway Company (BNSF and UPRR predecessors). These railroads agreed to construct 2,500 feet of spur track extending westward from the BNSF north-south main line to serve various industrial plants, docks, piers, and terminals.

Significant improvements have been incrementally made over the years to the Port's rail facilities to keep up with the changing needs of its customers. But the Port is still served by a single track connection along the west side of the BNSF north-south main line. This track currently allows the railroad to move cars across the BNSF main line from the Vancouver Rail Yard into the NP Siding, and then down into the Port via the Port's north lead track, also called the Hill track or Alcoa lead. The cars make an at-grade crossing of the BNSF main line through a series of crossovers. In the 1990s, an at-grade diamond crossing was added to allow the trains from Pasco coming through the Columbia Gorge to cross the two north-south main lines and enter the Port directly. Figure 2 illustrates these locations.

The at-grade crossings that provide access to the Port cause significant delays and safety and reliability issues on the main lines in the region, since all crossings into the Port block rail movement in any other direction. To alleviate the blocked main line movements, the BNSF assigns various priorities to all train traffic on the BNSF main lines. The highest priority is given to Amtrak trains, then to unit train main line movements, Vancouver Rail Yard switching moves, and finally to trains seeking access to the Port. The BNSF's priority system gives lowest priority to Port access, thus constraining the rail service to Port tenants.

In the past decade, the rail industry has shifted from shipping a few cars at a time to a customer, to focusing on unit trains operating from origin to destination. Unit train operation, with an entire train dedicated to a single customer, reduces the transport costs and time associated with the delivery of goods. This focus on unit train operations has been the primary area of expansion in the rail industry; however, the existing Port rail infrastructure still reflects the operational perspective of 20 to 50 years ago and does not have the capacity or tracks to efficiently handle unit trains. The Port's rail infrastructure was expanded in the 1990s to allow for United Grain Corporation to receive unit trains, but all the trains must be broken into two units to be received, effectively stopping all train traffic in the Port during this operation. In addition, this system

blocks the main lines for up to 2 hours as the empty cars are prepared to be returned to their origin. Because the Port's internal rail system is at its capacity, trains traveling within the Port are experiencing maximum delay times as a result of current rail congestion.

Growth has been steadily increasing since 2000. Between 2006 and 2007 the number of rail cars entering the Port annually increased nearly 25%, from 44,000 to 57,520 (Port of Vancouver 2009a). Future projections indicate that the number of rail cars entering the Port annually may increase to around 350,000 by 2025 (Wiser pers. comm.). With these projected increases, the already strained rail infrastructure will be overwhelmed. Also, the dynamics of train movements are changing. Where freight was once moved by rail in trains made up of many different car types and carrying different commodities, modern train movements favor the unit train. Unit trains are single-commodity trains with a single origin and a single destination, using the same car types. Significant pricing incentives are given to unit train shippers and this economic benefit is driving the market and need for modern Port facilities to be compatible with unit trains. Increases in train traffic of this magnitude and changes in modern train movements will require adequate rail infrastructure to and from the Port, additional handling capacity in the Port, and more rail car storage in the Port.

Projected Economic Growth

The Port and its tenants create about 2,300 direct jobs, providing nearly $99 million in annual payroll (John Martin Associates 2006). The Port plans to add between 3,000 and 4,000 jobs within the next 15 years (Port of Vancouver 2007). In addition to providing jobs, the Port generates tax revenue that helps fund essential public services. This revenue comes from taxes, payroll, and disposable income generated by Port tenants, customers, and their employees. The Port currently provides about $82 million in tax revenue each year, and expects to double this revenue in the next 15 years (Port of Vancouver 2007).

To meet these goals of increased jobs and revenue, the Port must remain competitive in the global marketplace. Marine trade forecasts and business projections by Port tenants estimate significant growth in rail freight needs over the next decade. New rail infrastructure will be required to support Port businesses preparing for economic growth.

Projected Increases in Traffic along the BNSF Main Lines

As previously discussed, when traffic on the BNSF north-south and west-east main lines increases, the time available to deliver cars to the Port will decrease. The current level of service already severely affects a number of Port tenants. Increased freight traffic, as projected by the BNSF and the Washington State Department of Transportation (WSDOT), will further contribute to congestion and delays along the BNSF main line corridors, thus negatively affecting an already insufficient movement of goods to and from the Port. Continued growth in rail traffic will result in increased delays in freight movement, which will negatively affect Port tenants and their customers.

Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 2.
Existing Rail Operations

Legend

- Current Port Operations
- Existing Terminals
- Existing Port Rail Access
- BNSF Railway
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- Existing At-Grade Crossing
- Existing Intersection of Port Hill Track With BNSF Main Line
- Roadways

East Terminus Detail

- A = Former Boise Cascade Site
- B = Albina Fuels
- C = Lafarge Cement Company
- D = Great Western Malting
- E = United Grain Corporation
- F = Former Fort Vancouver Plywood

Source: Clark County (2005)

Map Prepared: March 2009

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In rail operational modeling, the term "delay" is the amount of time that a train has to stop and wait (for another train to move or for a sufficient window of time to allow the train to cross another track) before it can complete its movement. As part of its operational modeling for the Proposed Project, the Port reviewed any delays of 30 minutes or more for the following scenarios:

- total number of delays over 30 minutes for all trains within the Vancouver Rail Yard and the Port;
- total number of delays over 30 minutes for all Port-bound trains; and
- total minutes of delay over 30 minutes for Port trains.

Table 1 compares train delays of 30 minutes or more within the Vancouver Rail Yard or to Port trains for existing operations and for three rail infrastructure scenarios. This table shows a 3-day average delay using typical Vancouver Rail Yard operations.

Table 1. Current and Projected Delays Greater than 30 Minutes within Port and for Port Trains

	Case 1	Case 2	% Change	Case 3	% Change*	Case 6	% Change*
3-Day Average Delays(Total Number)	27	32	+19%	56	+220%	23	-15%
Port of Vancouver Trains	18	22	+22%	30	+206%	11	-39%
Total Delay (in minutes) for Port of Vancouver Trains	1,478	1,838	+24%	3,384	+229%	684	-54%

Key:
Case 1: Existing Port and Vancouver Rail Yard infrastructure and existing operations. Case 2: Existing Port rail infrastructure, BNSF Vancouver Yard with bypass tracks, 20 year growth. Case 3: Existing Port rail infrastructure, BNSF Vancouver Yard with bypass tracks, 20 year growth, and projected Port growth. Case 6: Existing Port rail infrastructure, BNSF Vancouver Yard with bypass tracks, 20 year growth, projected Port growth, and new improvements from the BNSF main line into Port facilities. * % change compared to base case (Case 1)

Source: MainLine Management 2005

Table 1 shows the base case (Case 1) depicting the existing Port and Vancouver Rail Yard infrastructure and operations. Case 2 leaves the Port infrastructure the same as Case 1 but includes improvements by the BNSF to their yard system and adds 20 years of projected growth. Case 3 is similar to Case 2 but adds the expansion of the Port to the west (the basic rail infrastructure remains the same). Case 6 includes the same assumptions as Case 3, but also includes a new rail access track from the BNSF into the Port to accommodate future Port growth.

As Table 1 shows, the projected growth of rail traffic will significantly affect the already strained Port rail system. Even with the Vancouver Rail Yard improvements, the number of delays increase (Case 2) by 20 to 24%. As discussed previously, to maintain current schedules and operations, the BNSF's priority system would result in Port rail traffic being severely delayed, thus decreasing the ability of the Port to continue current operations, and effectively threatening the viability of Port expansion and growth. Case 3 confirms this conclusion, showing that it would not be viable for the Port and its tenants to expand operations. Case 6 illustrates how a new southern alignment could improve delays in and around the Port and the BNSF main line.

The table also demonstrates an important secondary effect. Since there are no dedicated parking tracks, each delayed train occupies capacity needed for other trains while it is being delayed. In simple terms, trains delayed for such an extended time are extending the delay to themselves and other trains by causing congestion while waiting.

Passenger rail service, operated by WSDOT and Amtrak, is also projected to increase over the next 20 years. WSDOT's Amtrak Cascades Long Range Plan (2006) calls for 13 daily round trip trains between Portland and Seattle. Amtrak also provides daily north-south round trip service via the Coast Starlight train, and west-east service via the Empire Builder train. These additional passenger trains will compound the congestion along the main line tracks. WSDOT is currently working with the BNSF to help alleviate potential congestion resulting from increased passenger rail. The Vancouver Rail Project, which is currently under construction, modifies track configuration to eliminate most of the conflict between main line trains and low speed operations associated with Vancouver terminal operation. The conflict between through trains and low speed terminal operation is responsible for a substantial part of the delay of main line trains moving through Vancouver. Future Port operations and infrastructure can not nullify the benefits recognized from this WSDOT project. Table 2 shows projected freight and passenger rail growth in the Port and Vancouver Rail Yard area.

Table 2. Projected Daily Train Movements along the BNSF Main Lines

Type of Train	Year	
	2000[1]	2020[2]
Freight	100	330
WSDOT/Amtrak Cascades	6	26
Amtrak Coast Starlight	2	2
Amtrak Empire Builder	2	2
Total	110	309

Source: 1 Washington State Department of Transportation 2003.
2 Passenger rail numbers based on Long Range Plan for Amtrak Cascades 2006. Freight rail numbers developed using WSDOT 2003 base number (100) and applying BNSF standard growth rate of 5% per year (Jeffers pers. comm.)

Proposed Action

This Section 4(f) Evaluation (and associated NEPA and SEPA documentation) focuses on the Port's Preferred Alternative, because it is the only prudent and feasible alternative that meets the purpose and need for this project. Other alternatives considered (and rejected) during project development are discussed later in this document.

Preferred Alternative

The project area for the Preferred Alternative is defined by the horizontal and vertical extent of the proposed rail alignment, plus a 75-foot buffer around the horizontal extent. Generally speaking, the project area includes all Port-owned properties that would be bisected by the proposed rail alignment and any property that would be acquired to accommodate the proposed rail alignment.

The Preferred Alternative would extend from the BNSF main lines to Terminal 5 (the former Alcoa/Evergreen property) in order to accommodate existing and future Port tenants (Figures 3, 4, 5, 6, and 7). The Preferred Alternative would include an expanded rail facility, roadway modifications, stormwater facilities, building removal and relocation, and wetland and riparian mitigation. The Preferred Alternative would include both aboveground and below-grade construction, including the following major elements.

- A 1,300-foot-long, below-grade, pile-supported trench (roughly 30 feet wide and as much as 15 feet deep) would be constructed under the Columbia River Rail Bridge.
- A 600-foot-long trench, using retaining walls, would be constructed through the former Fort Vancouver Plywood site. This trench would be immediately adjacent and connected to the 1,300-foot-long section constructed in the Columbia River and would be up to 8 feet below the top of the slope. Because of adverse soil conditions, much of this trench section would be supported using gravel-filled, compacted stone columns.
- With the exception of the below-grade trenches described above, most of the proposed rail alignment would be constructed either at grade or on elevated berms.

The expanded rail facility and its implications for roadway modifications and building removal and relocation are discussed in greater detail below.

Proposed Rail Alignment

Under the Preferred Alternative, the Port would expand its existing rail facilities to serve existing and future Port tenants (Figure 3). The eastern end of the proposed rail alignment would tie into the BNSF main lines in two locations, one to the north and one to the south (Figure 4). The existing Hill track (the north lead track) would continue to provide Port access for BNSF switch engines and for the UPRR, and the at-grade crossing at Thompson/16th Avenues would continue to be used. The new south lead track would begin at the end of the Port's completed Schedule 1 alignment, and would connect near where Schedule 1 ties into the BNSF north-south main line just south of the wye (triangular) intersection to the east of the Columbia River Rail Bridge. The Schedule 1 lead track would descend at a 1.26% grade from the BNSF mainline to where it would split to provide access to the Lafarge and Albina facilities. Access to the Lafarge facility would be provided via the pile-supported trench and a Lafarge offloading pipe-bridge (underpass) would be demolished and rebuilt at this location. The proposed rail alignment would continue on as the south lead track at a downgrade of 1.26% (a curve-adjusted percentage as required by the BNSF

for safety reasons) until crossing under the Columbia River Rail Bridge at Port Way, encroaching into the northern edge of the Columbia River (Figure 4).

In order for the proposed rail alignment to pass beneath the Columbia River Rail Bridge, the pile-supported trench would be constructed along the Columbia River shoreline, lowering the rail alignment and protecting it from the Columbia River (Figure 4). A portion of the trench would extend about 30 feet beyond the ordinary high water mark (OHWM) and would be approximately 30 feet wide. The structure would be built on pilings and the elevation of the top of the wall would be 27.5 feet National Geodetic Vertical Datum 29 (NGVD), which is less than 1 foot above the 100-year flood elevation height of 26.8 feet. This intrusion into the high flow channel area would affect approximately 450 linear feet of the riprap-armored riverbank west of the Columbia River Rail Bridge and approximately 475 linear feet of unarmored riverbank under and east of the bridge.

After crossing under the Columbia River Rail Bridge, the proposed rail alignment would rise at about the same grade (1.26%) and continue through the Great Western Malting facility (Area D in Figure 4), reaching its maximum elevation near where it would meet up with the existing United Harvest Grain staging tracks. Just beyond Great Western Malting, the existing Port unit grain yard would be rebuilt to provide five unit train tracks for United Harvest Grain and two arrival and departure tracks (Figure 4). Further west, two unit train tracks would be provided for Kinder Morgan, for a total of ten unit train tracks (including the proposed rail alignment) (Figure 5). The two Kinder Morgan tracks would provide for two 60-car train units, serving a relocated unloading facility. Access to Terminal 3 from these two tail tracks would be constructed from the west. The United Harvest Grain and arrival and departure tracks would run west to Gateway Avenue, where they would connect back into the proposed rail alignment as it leads into the loop track on Terminal 5 (Figure 6). At this same point, an interconnection with the Hill track would allow an interchange between the various lead tracks, the three Port staging tracks, and their various rail-served tenants.

At the western end of the proposed rail alignment, the existing Subaru tracks would be relocated south and extended to the east to provide improved load tracks. The Jimmy yard, located north of Subaru and used to store rail cars for various tenants, would be reconfigured on the west end in line with a new crossing of NW Gateway Avenue (Figure 6). The crossing would either occur over NW Gateway Avenue or to the west. The proposed rail alignment would require modifications to an existing stormwater pond and the construction of a retaining wall to avoid impacts on wetlands at Parcel 1A. West of Gateway Avenue, a loop track would be constructed and would include staging tracks, a car preparation track, and a loop lead track at Terminal 5 (the former Alcoa/Evergreen site; Areas J and L in Figure 7).

At Terminal 5, the proposed rail alignment would form a loop track. The northern side of the loop would consist of staging tracks and car loading and unloading facilities. The loop track would be constructed over several areas that have soil caps over contaminated soils. Most of the proposed rail alignment would be constructed at grade. In a few cases, the soil caps would be partially excavated to install tracks; however, these installations would be completed in accordance with

Columbia River

Vancouver Lake

WASHINGTON

OREGON

Willamette River

Figure 7

Figure 6

Figure 5

Figure 4

5

5

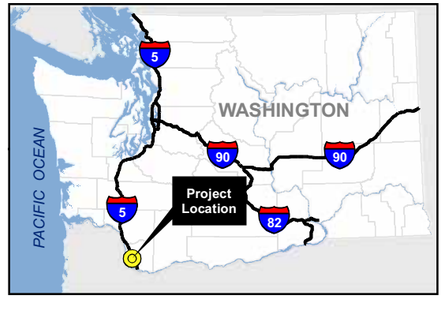
Port of Vancouver West Vancouver Freight Access Project, Schedules 2 through 4

Figure 3. Proposed Project Overview

Legend

- Current Port Operations
- Future Port Operations
- Mitigation Areas
- Potential Wetland Mitigation Site
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- BNSF Existing Railway
- Roadways

Location Map



Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: March 2009

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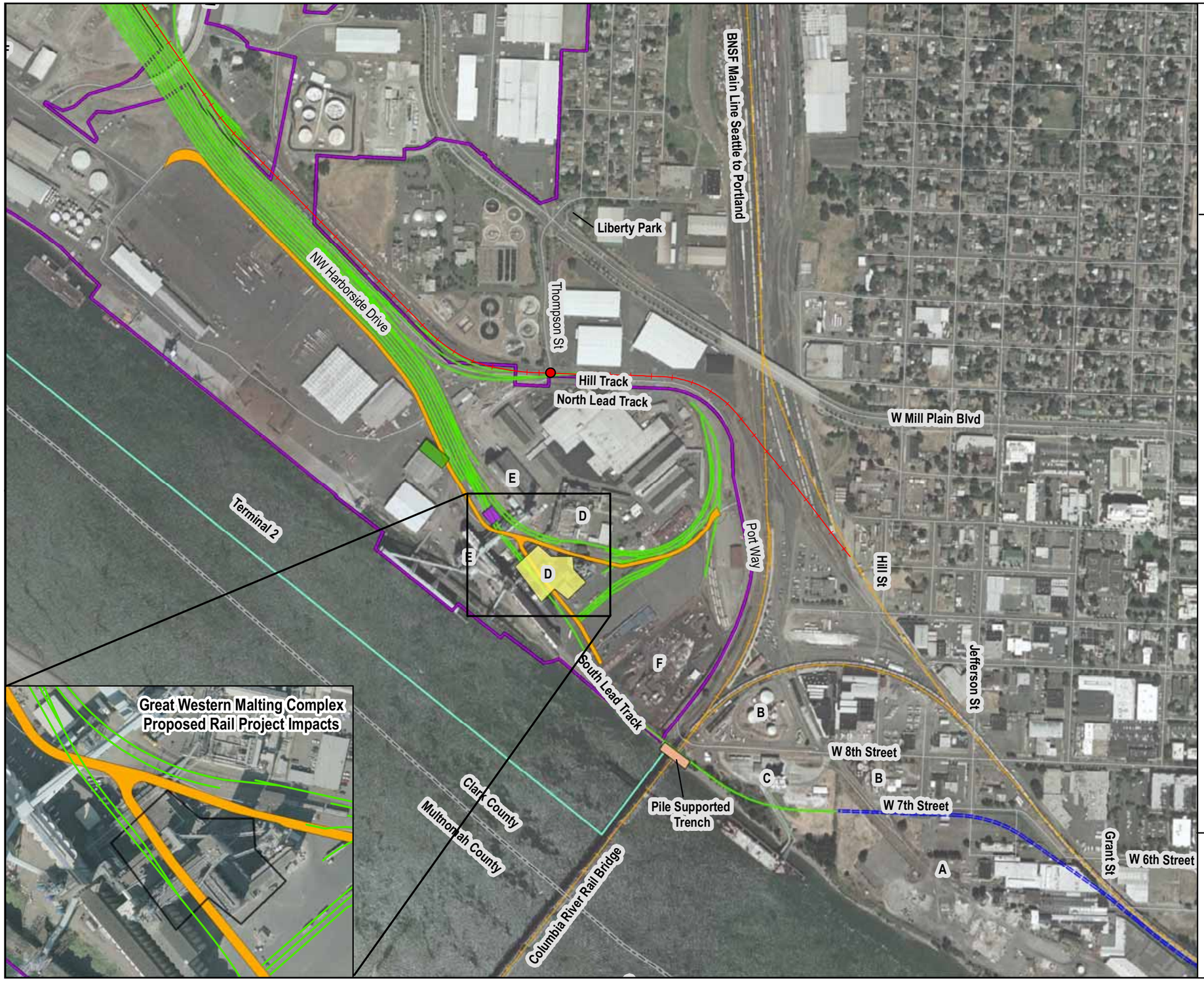
Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 4.
Project Detail:
East Terminus



Legend

- Current Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- Existing Port Rail Access
- BNSF Existing Railway
- Roadways
- Proposed Roadway Relocation
- GWM Drum House and Storage Silos Relocation (Building #1895)
- United Grain Corporation Maintenance and Operations Relocation (Building #1955)
- Port Warehouse Partial Removal (Building #2045)
- Existing At-Grade Crossing

East Terminus Detail

- A = Former Boise Cascade Site
- B = Albina Fuels
- C = Lafarge Cement Company
- D = Great Western Malting
- E = United Grain Corporation
- F = Former Fort Vancouver Plywood

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: June 2009

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Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 5.
Project Detail:
Rail Yard East

Legend

- Current Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Existing Port Rail Access
- Proposed Wetland Mitigation Bank (Parcel 6)
- Kinder Morgan Relocation (Buildings #2775, 2785, 2795)
- Proposed Roadway Relocation
- Roadways

Rail Yard Detail

F = Kinder Morgan
G = POV Administrative Office
H = Subaru

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: March 2009

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Parcel 6

NW Lower River Road

N

SLM-2

I

NSR-4
Clark County
Corrections

NW Gateway Ave

Parcel 1A

Jimmy Yard

Terminal 5

H

Terminal 4

G

Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 6.
Project Detail:
Parcel 6 and Rail Yard West

Legend

- Current Port Operations
- Future Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Existing Port Rail Access
- Proposed Wetland Mitigation Bank (Parcel 6)
- Existing At-grade Crossing
- Proposed Overpass
- Terminal 4 Stormwater Pond
- Tristar Transload Facility Stormwater Pond
- Proposed Roadway Relocation
- Roadways

Rail Yard Detail

G = POV Administrative Office
H = Subaru
I = Clark County Corrections

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: April 2009

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Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 7.
Project Detail:
West Terminus

Legend

- Current Port Operations
- Future Port Operations
- Existing Terminals
- Schedules 2 through 4 of the West Vancouver Freight Access Project (Planned)
- Tristar Transload Facility
- Stormwater Pond
- Potential Wetland Mitigation Site
- Proposed Overpass
- Roadways

Rail Yard Detail

- I = Clark County Corrections
- J = Alcoa
- K = BPA Access
- L = Evergreen Aluminum
- M = Tidewater Barge Offices

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: April 2009

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Washington Department of Ecology (Ecology) regulations to insure that cap integrity would be maintained. The loop track would be constructed in close proximity to the Clark Public Utilities power plant and within approximately 80 feet of the Tidewater Barge office building (Figure 7).

The loop track (Schedule 4) is proposed to be completed first, within 2 years of beginning project construction (2009 to 2011) with the grade separation at NW Gateway Avenue being constructed in 2012, followed by construction of the main staging yard (Schedule 3), also within 2 years of beginning the project construction (2010 to 2012). Construction of the south lead track (Schedule 2) would be completed by 2017.

Existing and Future Train Traffic

Currently, the Port handles an average of three train trips per day at the east end of the facility (1.5 inbound trains per day, plus 1.5 outbound trains per day. Under full buildout, it is anticipated that there could be up to an annual average of ten unit train trips traveling to and from the Port per day (five inbound trains and five outbound trains). Thus, the Preferred Alternative is expected to cause an increase of seven additional train trips per day after full buildout (3.5 inbound trains and 3.5 outbound trains). These additional trains would include an average of 96 fright cars pulled by an average of up to four engines. There would be slightly fewer trains traveling west of the Kinder Morgan facility because a large percentage of the Port's tenants relying on rail service are located at the eastern end. It is anticipated that the annual average number of train movements in this area would be up to three unit trains per day, ranging from 66 eighty-nine-foot-long unit cars pulled by two engines up to 174 forty-seven-foot-long unit cars pulled by an average of up to four engines (Wiser pers. comm.).

The Port and its tenants would continue to use switch engines to maneuver short strings of freight cars to assemble unit trains. Switch engines used at the Port are generally 1,200 to 1,500 horsepower in size, and each switch engine typically pulls from eight to twenty freight cars. Although the daily traffic volume for unit trains is expected to increase a result of the Preferred Alternative, it is uncertain whether any corresponding increase in switch engine traffic would be required to support the new unit trains. The Preferred Alternative would substantially improve the efficiency of the Port's rail yards, so the increase in unit train traffic might be more than offset by the improved efficiency (Wiser pers. comm.).

Train traffic also consists of switch engine trips that pull the local delivery trains into the Port and separate and connect cars into the larger units. Currently, there are an average of 37 movements per day into the Port from the BNSF main line as measured across the Thompson Avenue crossing (MainLine pers. comm.). Initially (after construction of the loop track and rail yard expansion), train traffic on the Hill track is expected to increase only slightly, by approximately two movements per day, but could increase by as many as 18 movements per day for a total of 57 movements per day. This increase would only occur once a new tenant was identified for Terminal 5, the facilities were developed and built, and if existing Port tenants expanded their operations to full capacity based on rail constraints. It is more likely that during this phase, train traffic would increase by some smaller number between 2 and 18 additional movements per day.

However, for the purposes of this analysis, it is assumed that train traffic would increase by the full amount during this interim phase.

Once the proposed rail alignment is constructed, the volume of traffic using the Hill track would decrease to 28 movements per day. This would represent a decrease below existing conditions (57 train movements) at this location. This is because the majority of the Port's existing rail traffic is from the BNSF and comes from or is headed to destinations to the east, up the Columbia River Gorge. If trains are from UPRR, then they come from and depart toward the south, using the Hill track, but not significantly affecting the north-south BNSF main line. The total number of switch moves is not anticipated to increase significantly under full buildout. This is because construction of the proposed loop track and expanded Jimmy yard would enable greater efficiencies in transporting and building unit trains and would allow the BNSF to operate 50-car local delivery trains compared to the existing 30-car trains (Wiser pers. comm.).

These trains would travel on Port property at 5 to 10 miles per hour and would carry varied cargo. The cars would include covered hoppers, tank cars, container cars, box cars, flats, gondolas, center beam, or other types. No loading activities are proposed near the existing Parcel 1A wetland mitigation site.

Building Removals or Remodels

The Preferred Alternative would require removing or remodeling several existing buildings. These buildings are shown in Figures 4 and 5 and include the following.

- Port Building 1895 – The Great Western Malting Company Drum House and a portion of the adjacent grain storage silos would be removed (Figure 4). Some functions contained in the Great Western Malting facility's affected portions would be relocated into a new facility on the site.
- Port Building 1955 – A United Harvest Grain maintenance and operations building would be relocated (Figure 4).
- Port Building 2045 – The front portion of a Port warehouse would be removed, but the remaining portion of the warehouse would remain (Figure 4).
- Port Buildings 2755, 2765,2775, 2785, and 2975 – These facilities would be demolished or relocated to the south side of the proposed rail alignment as part of the Kinder Morgan relocation (Figure 5). Relocation would also include construction of a new dry bulk material handling facility building and the excavation of a 31-foot-deep pit. This pit would be designed to allow dry bulk materials to be conveyed below grade to existing storage facilities located south of the proposed handling facility.

Roadways

The Preferred Alternative would restructure several internal Port roadways, including relocating access to Great Western Malting, relocating NW Harborside Drive, and modifying one roadway that is accessible to the public, NW Gateway Avenue (Figure 6). No new at-grade crossings are

proposed on public roadways. Trains would continue to use the existing at-grade crossing at Thompson/16th Avenues. The Port is continuing to work with the City of Vancouver (City) to address operational considerations at this location.

As the proposed rail alignment moves west, access to the Great Western Malting facility would be shifted to the southeast to accommodate the new rail lines. NW Harborside Drive would be relocated slightly to the south across the northern edge of Terminal 2. Access from Port Way would be relocated parallel to and east of the existing access. West of the Kinder Morgan facility, NW Harborside Drive would be relocated slightly south of a Port building across Terminal 3.

Aside from the Thompson/16th Avenues at-grade crossing, the only other existing at-grade crossing with public access occurs at NW Gateway Avenue (Figure 6). As part of the Preferred Alternative, a roadway overpass would eventually be constructed to replace the current NW Gateway Avenue at-grade crossing and would likely be located at the site of the current at-grade crossing or just to the west (Figure 6). The structure would provide unencumbered access to the Port's western property, which includes the Subaru facility. The current road access to Terminal 5 (the former Alcoa/Evergreen property), and to the Clark County Corrections Facility from Lower River Road would be closed at the proposed rail alignment crossing. New access would be provided from NW Gateway Avenue along the south side of the project area.

Description of Section 4(f) Resources

This section provides an overview of the Section 4(f) resource that would be used by the Preferred Alternative. The Cultural Resources Survey completed for the Preferred Alternative (ICF Jones & Stokes 2009) evaluates cultural resources located within the project area that are potentially eligible for protection under Section 106 of the National Historic Preservation Act. As recommended in that report, one facility, the Great Western Malting Drum House and Grain Storage Silos is considered eligible for listing in the National Register of Historic Places (NRHP) and is therefore considered a Section 4(f) resource. The Department of Archaeology and Historic Preservation (DAHP) is the office in the state of Washington that supports the State Historic Preservation Officer. DAHP issued a letter of concurrence with the findings that the Great Western Malting Drum House and Grain Storage Silos were eligible for listing in the NRHP. In addition, DAHP also found the associated Rail Loading Building to be eligible. Together with the Drum House and Storage Silos, these buildings represent the Great Western Malting Complex, which is considered a single property under Section 106 eligible for listing in the NRHP.

DAHP also found the Lafarge Cement Plant and Vancouver-Hayden Island Railroad Bridge to be eligible. The Lafarge Cement Plant was determined to be eligible under NRHP Criterion C, as a resource that exhibits the distinguishing characteristics of a particular building type, in this case an industrial cement production facility. The Vancouver-Hayden Island Railroad Bridge is listed

on the Washington Heritage of Historic Places and is also eligible for listing in the NRHP. As indicated in the letter, DAHP concurred that the only adverse effect of the Preferred Alternative would be to the Great Western Malting Complex (Hauser pers. comm.). Therefore, only the Great Western Malting Complex is discussed in greater detail below. The Cultural Resources Survey (ICF Jones & Stokes 2009) discusses additional cultural resources in the project area that are not Section 4(f) properties.

Great Western Malting Complex

The Great Western Malting Complex is owned by the Great Western Malting Company. The Drum House and Storage Silos were built (and subsequently modified) between 1934 and 1975. The Drum House and Storage Silos are located at 1895 NW Harborside Drive (Building 1895) within the Port. The building is 121,608 square feet and incorporates office space, warehouse, and silos. The Great Western Malting Rail Car Loading Building is located at 1795 NW Harborside Drive (Building 1795). Approximately 80 employees work in the Great Western Malting Complex (including Buildings 1895, 1725, and 1655). Building 1895 is currently partially dormant. Most of the malting operations occur in other facilities.

History of the Great Western Malting Company

The Great Western Malting Company plant produces brewer's malt and roasted malt products, both key ingredients for brewing beer. The Great Western Malting Company was established in 1933 following the end of prohibition by an association of regional brewers to provide a ready supply of malt for their breweries. Emil Sick of Sick's Rainier Brewing Company in Seattle, Washington; Phillip Polsky of Star Brewing in Vancouver, Washington; Henry Collins of Pacific Continental Grain Company located in Vancouver, Washington; Peter Schmidt of the Olympia Brewing Company in Tumwater, Washington; and Arnold Blitz and William Einzig of the Blitz-Weinhard Company in Portland, Oregon were the company's principal financiers. William Einzig organized the company and was its manager, and Morgan G. Kellett was the chief operator. The facility initially employed a total of 15 full-time employees, plus six additional employees at the adjacent Pacific Continental Grain Company elevator, which handled the plant's incoming barley and outgoing malt.

Morgan G. Kellet was the plant's superintendent. He remained in this position until his death in an automobile accident in 1946. He was succeeded by his son Orme Kellett, who became Vice President of production. Orme, who started working at the plant as a laborer in 1935, remained with company until 1973. William Einzig passed away in 1957. Orme Kellett and Russell Hamachek, Vice President and General Manager, assumed control of plant operations.

In the early 1940s, Rahr Malting of Manitowoc, Wisconsin purchased a controlling interest in the Great Western Malting Company. In 1964, company executives executed a leveraged buyout (then known as a "bootstrap buyout") and the Great Western Malting Company became independent. The Great Western Malting Company was operated as a privately owned company until 1968. At that time, the company became part of a conglomerate called the Columbia

Corporation, based in Portland, Oregon. Today, the company is an independent subsidiary within a group of malting companies that includes Country Malt Group, the Canada Malting Company, Bairds Malt in the United Kingdom, and Barrett Burston Malting in Australia. The group is known as a well-known malt supplier to leading brewers worldwide. The Great Western Malting Company has one other malting plant, located in Pocatello, Idaho. The Vancouver plant currently supports three separate malting processes – the Saladin, the Flexi Malt, and the Drum, with an annual malt production capacity of 155,000 metric tons. In addition to brewer's malt, the facility also produces wheat malt, specialty crystal, Munich malt products, and roasted malt products along with animal feed from the malt byproducts.

The company's first facility on the Vancouver property was the Drum and Kiln House 1. The company announced plans to erect the $350,000 malt plant, near what was then known as the Pacific Continental grain elevator, in December 1934. Construction of the facility began in January 1935. Construction of the Great Western Malting Company facility began in January 1935. It was designed by the Galland Henning Manufacturing Company of Milwaukee, Wisconsin, and included a malt leg (elevator), head house, and a small malt storage facility. It had an operating capacity of 1,800 bushels of barley per day and was intended to provide 35% of the malt supply to regional brewers. Because of its limited storage space, the plant's early operation used storage space leased from the neighboring grain operation. It was fully operational by July 1935, when a *Columbian* newspaper article described the malting facility as "a never ceasing factory running 24 hours a day, 7 days a week" (Van Arsdal 1986:124-125).

By January 1940, a growing market for brewer's malt prompted the Great Western Malting Company to announce the expansion of the Vancouver facility with the construction of its own grain elevator, malt sacking shed, and railcar loading area. Over the next six decades, Great Western Malting constructed a series of expansions adding onto its malt production and grain storage facilities.

Eligibility for the National Register of Historic Places

The Great Western Malting Complex, which includes the Drum Houses 1 through 4, former administrative offices, associated grain elevators and silos, and the Rail Car Loading Building are eligible under NRHP Criteria A and C. It is considered eligible under NRHP Criterion A for its role in the regional development of the brewing industry in the Pacific Northwest following the repeal of the Eighteenth Amendment in 1933. The plant was established by several well-known regional brewers and is one of the last facilities in the world that represents the Drum malting process. Under NRHP Criterion C, the property is considered historically significant because it houses murals painted by the artist Jose Moya del Pino, who is best known for his work as part of the Federal Art Project for the Works Progress Administration in the 1930s and 1940s. The paintings, which date to this period and represent scenes related to malt production, were hung in the facility's Tap Room. This large meeting room with a bar and large open fireplace for cooking was designed in a restrained Bavarian theme and is reportedly well-known among long-time residents of Vancouver for the many gatherings and social events held there. The Drum House and Silos and the Rail Car Loading Building are shown in Figure 8. Photographs of the murals and Tap Room inside the Drum House are shown in Figure 9.

Impacts on the Section 4(f) Property

The Preferred Alternative would expand the Port's existing rail facilities with the construction of a new rail alignment. The Preferred Alternative would require the demolition of the Great Western Malting Company Drum House and a portion of the adjacent Grain Storage Silo. This action would be considered an adverse effect on a historic property under Section 106 of the National Historic Preservation Act, pursuant to the criteria of 36 CFR 800.5.

Avoidance Alternatives and Measures to Minimize Harm

As outlined in 23 CFR 774.3, the U.S. Department of Transportation may not approve the use of Section 4(f) property unless it first determines that there is no prudent and feasible avoidance alternative to the use of land from the property. Feasible and prudent avoidance alternatives are defined in 23 CFR 774.17 as follows.

(1) A feasible and prudent avoidance alternative avoids using Section 4(f) property and does not cause other severe problems of a magnitude that substantially outweighs the importance of protecting the Section 4(f) property. In assessing the importance of protecting the Section 4(f) property, it is appropriate to consider the relative value of the resource to the preservation purpose of the statute.

(2) An alternative is not feasible if it cannot be built as a matter of sound engineering judgment.

(3) An alternative is not prudent if:

It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;

It results in unacceptable safety or operational problems;

After reasonable mitigation, it still causes:

Severe social, economic, or environmental impacts;

Severe disruption to established communities;

Severe disproportionate impacts to minority or low income populations; or

Severe impacts to environmental resources protected under other Federal statutes;

It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;

It causes other unique problems or unusual factors; or

It involves multiple factors in paragraphs (3)(i) through (3)(v) of this definition, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.

Photos for: *Great Western Malting Company* **at** *1795 NW Harborside Dr, Vancouver, WA 98660*

View of North Elevation, Looking South **taken** 1/8/2009

Photography Neg. No (Roll No./Frame No.): GWM_02.jpg

View of North Elevation of Drum and Kiln House, Looking Southwest **taken** 1/8/2009

Photography Neg. No (Roll No./Frame No.): GWM_03.jpg

View of West Elevation of Drum and Kiln House, Looking East **taken** 1/8/2009

Photography Neg. No (Roll No./Frame No.): GWM_04.jpg

View of East and North Elevations, Looking Southwest **taken** 1/8/2009

Photography Neg. No (Roll No./Frame No.): 1795_GWMRailCarLoadingBldg_01.JPG

Figure 8. Great Western Malting Drum House

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Photos for: *Great Western Malting Company* **at** *Great Western Malting Company*

View of North and East Elevations of Silos, Looking South **taken** 1/8/2009

Photography Neg. No (Roll No./Frame No.): GWM_06.jpg

Comments:

View of East Elevation of Silos, Looking West **taken** 1/8/2009

Photography Neg. No (Roll No./Frame No.): GWM_07.jpg

Comments:

View of 2nd Floor Tap Room, Looking West **taken** 1/8/2009

Photography Neg. No (Roll No./Frame No.): GWM_08.jpg

Comments:

View of 2nd Floor Tap Room, Looking East **taken** 1/8/2009

Photography Neg. No (Roll No./Frame No.): GWM_09.jpg

Comments:

Figure 9. Great Western Malting Storage Silos and Tap Room

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Avoidance Alternatives

It has been determined there are no prudent and feasible avoidance alternatives that can simultaneously meet the project's purpose and need while also avoiding Section 4(f) resources. During project development, a number of conceptual alternative alignments were identified, most of which appeared to avoid Section 4(f) resources. Although these potential avoidance alternatives were evaluated during initial screening, all of these alternative alignments were rejected from further study because they did not meet standard engineering constructability requirements (had fatal flaws) or did not meet the purpose and need.

The following discussion describes the conceptual alternatives, the evaluation process, and alternatives considered but rejected.

Development of Alternatives

Using aerial photography and Port building and facility maps showing existing rail infrastructure, topography, and general landscape features, seven conceptual alignments were developed. Project engineers identified potential corridors where rail facilities could extend from the Port to the BNSF main lines. The conceptual alignments were not engineered, nor were detailed impacts or costs identified.

Instead, the project team used these alignments to evaluate which general corridors, if any, could meet the project's purpose and need while also meeting engineering design and operational standards. It was decided that, after these initial screenings were performed, the alternatives with the most promise would be engineered to a level where further environmental and engineering analysis could be developed. These initial conceptual alignment alternatives are listed below and presented in Figure 10. Table 3 lists each alternative and its potential to impact Section 4(f) resources.

Table 3. Summary of Conceptual Alternative Alignments and Potential Section 4(f) Resource Impact

Alternative	Potential Section 4(f) Resource Impact
Alternative 1 – Great Western Malting Route (Preferred Alternative)	Great Western Malting Drum House and Storage Silos
Alternative 2 – Great Western Malting Pit Route	Great Western Malting Drum House
Alternative 3 – United Grain Corporation Pit Route	None
Alternative 4 – United Grain Corporation Extended Route	None
Alternative 5 – Hill Track Route	None
Alternative 6 – Northwest Route	Vancouver Lake Park
Alternative 7 – Northeast Route	City of Vancouver Open Space Designated land
Alternative 8 – No Build Alternative	None

Alternative 1: Great Western Malting Route (Preferred Alternative):

Alternative 1, the Preferred Alternative, would provide access to the Port from the west-east BNSF tracks through the Columbia River Gorge. This alternative would use the 7th Street corridor that runs under the BNSF main lines at the Columbia River. It would follow the edge of the Columbia River south of Pacific Coast Shredding prior to turning back into the Port. It would connect with the existing Port rail corridor and the United Grain Corporation storage yard through the Great Western Malting Drum House, also affecting a section of the Great Western Malting Storage Silos and malt rail car loading facilities.

Alternative 2: Great Western Malting Pit Route

Similar to Alternative 1, Alternative 2 would provide access to the Port from the west-east BNSF tracks through the Columbia River Gorge. Alternative 2 would use the 7th Street corridor that runs under the BNSF main lines at the Columbia River. This alignment differs from Alternative 1 by turning under the Columbia River Rail Bridge, continuing through 8th Street and entering the Port via the Pacific Coast Shredding facility, providing access to the Port's rail corridor at the easternmost location and limiting impacts on the Columbia River. It would connect with the existing Port rail corridor and the United Grain Corporation storage yard through Pacific Coast Shredding, and the Great Western Malting Malt House and Silos.

Alternative 3: United Grain Corporation Pit Route

Alternative 3, like Alternatives 1 and 2, would provide access to the Port from the west-east BNSF tracks through the Columbia River Gorge. Alternative 3 would also use the 7th Street corridor that runs under the BNSF main lines at the Columbia River. Once it turns under the Columbia River Rail Bridge, the alignment would continue along the edge of the Columbia River and would enter the Port via the central portion of the United Grain Corporation facility, providing access to the Port's rail corridor at the easternmost location.

Legend

- Alternative 1: Great Western Malting Route (Preferred Alternative)
- Alternative 2: Great Western Malting Pit Route
- Alternative 3: United Grain Corporation Pit Route
- Alternative 4: United Grain Corporation Extended Route
- Alternative 5: Hill Track Route
- Alternative 6: Northwest Route
- Alternative 7: Northeast Route

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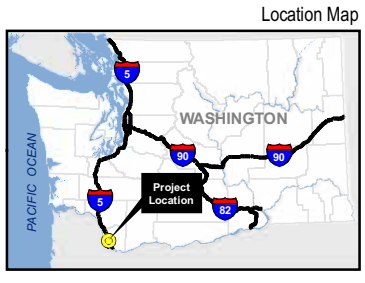
Map Prepared: March 2009

Location Map



Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 10.
Alternatives

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Alternative 4: United Grain Corporation Extended Route

Alternative 4, similar to Alternatives 1, 2, and 3, would provide access to the Port from the west-east BNSF tracks through the Columbia River Gorge. Alternative 4 would also use the 7th Street corridor that runs under the BNSF main lines at the Columbia River. Alternative 4 differs from the other alternatives in that once it turns under the Columbia River Rail Bridge, it would continue along the edge of the Columbia River, through the United Grain Corporation facility, and would enter the Port via the eastern end of Terminal 2.

Alternative 5: Hill Track Route

Alternative 5 would begin at the existing south lead and switching track in the Vancouver Rail Yard, and then cross the BNSF north-south main lines via a tunnel or an overpass, thus grade-separating the two rail lines. The alignment would then leave the tunnel or overpass just west of the BNSF main lines and connect to the existing Alcoa lead into the Port.

Alternative 5 would provide capacity for the Port's increased rail traffic without permanently affecting the BNSF north-south main lines. This would reduce the impacts (delays) on the regional rail infrastructure. However, Alternative 5 would not provide access to the Port's rail corridor and United Grain Corporation storage yard in a location that would allow for the needed unit train expansion. Nor would this alignment separate UPRR and BNSF train traffic. Alternative 5would significantly increase rail delays within the Port.

This alignment would bisect the Vancouver Rail Yard, affecting all movement into and out of the south portion of the yard as well as the west-east main lines. In addition, the Vancouver Rail Yard office and operations would be affected, requiring relocation of BNSF operations. This alignment would require closure of Port Way, limiting emergency access to the Port. Access to Northwest Pack would be severely affected.

Both options for this alignment have fatal flaws, as described below.

- Overpass option: the grade (slope) needed to go over the BNSF main line would not be feasible given the short distance (the rise would be too steep for a freight train to operate).
- Tunnel option: the main line would have to be shut down for an extended period of time during tunnel construction, making this option infeasible from an operational perspective.

Alternative 6: Northwest Route

Alternative 6 would provide access to the Port via the main line BNSF tracks north of the Vancouver Rail Yard and west of Vancouver Lake. This route would depart from the BNSF main lines north of Vancouver Lake and would follow the roadway between the wildlife preserve and Vancouver Lake Park. Alternative 6 would then cross over the flushing channel and follows along the south side of State Route 501.

Alternative 6 would separates UPRR and BNSF access, which would increase efficiency within the Port. However, this alignment would require trains en route to the Port to travel through the already congested Vancouver Rail Yard and to cross over both north-south main lines increasing

overall system delays. This alignment would not provide the needed yard capacity for the United Grain Corporation. It would also restrict access to the Port's Parcel 3 property, which is targeted for future development.

Alternative 6 would affect Vancouver Lake Park (a Section 4(f) resource), and wetlands on the Port's Parcels 1A, 2, 3, and 4. It would displace the houseboat development located along Lake River. View from properties located on Vancouver Lake would be blocked or vastly reduced in quality. Roadways in the area would experience impacts, including the intersection of State Route 501 and NW Lower River Road, as would access for businesses and parcels along NW Lower River Road. NW Erwin O. Rieger Memorial Highway, just northwest of NW Lower River Road, would require closure.

In a letter dated March 30, 2006, the BNSF states that it supports a southern Port rail connection because such a connection would better serve the Port's current operations and access while decreasing the impacts on the existing BNSF main line. Without BNSF approval (the owner and operator of the main line), a rail connection could not be made at this northwest location and this alignment could not be built.

Alternative 7: Northeast Route

Alternative 7 would provide access to the Port from the northeast via the NP Siding along the west side of the Vancouver Rail Yard. The alignment would then cross from the NP Siding over Fruit Valley Road, over the Frito Lay spur and the NuStar property, and would then proceed southwest through the Vancouver-Clark Parks and Recreation wetland restoration project. The project is jointly sponsored by the U.S. Department of Agriculture, Ducks Unlimited, and local government agencies. It would cross the Port's Parcels 6 (wetland mitigation bank), 7, and 8 and into the Port over State Route 501 in two to three places.

Alternative 7 would separate UPRR and BNSF access, which would increase efficiency within the Port. However, this alignment would require trains en route to the Port to travel through the already congested Vancouver Rail Yard and to cross over both north-south main lines, greatly increasing delays. This alignment would not provide the needed yard capacity for the United Grain Corporation. In addition, the BNSF is opposed to this alternative because of the significant impacts on their yard operations.

This alignment would potentially affect a parcel designated by the City as Open Space (potentially a Section 4(f) resource), as well as a number of wetlands on the Port's property. Other wetlands located on Washington State's Department of Fish and Wildlife's property just north of State Route 501 would also be affected. Access to Clark County's Public Utilities District River Road Generation facility and State Route 501 would be affected. Closure of Fruit Valley Road and an extension of 26th Street would be required.

In a letter dated July 20, 2004, the BNSF states that it does not support this concept because it would interfere with current and future freight and passenger rail operations.

Alternative 8: No Build Alternative

Under Alternative 8, no rail alignment project would be implemented, and rail capacity would not be expanded. Congestion and delays would continue along the BNSF main lines and within Port facilities. No improvements to the Port's rail infrastructure or connection to the BNSF main lines would be made. Although there would not be any physical disruption to existing businesses, these businesses would lack the opportunity to grow afforded by expansion of the needed rail infrastructure. Eventually, as a result of the projected growth in the national rail network and on the BNSF main lines, access to the Port via the existing Hill track would eventually be blocked. The Port and its tenants would not be able to move their cargo, thus jeopardizing the existence of Port tenants that rely on rail operations. The resulting economic effects would be devastating to the region.

Alternatives Considered but Rejected

During the course of project development, seven conceptual alternative alignments (plus the No Build Alternative) were identified. These preliminary conceptual alternatives were screened in a two-tiered process, described below.

Tier One Evaluation

A fatal-flaw analysis was performed to determine if the proposed conceptual alignments could be constructed, based on engineering and operating design standards. In other words, if the alternative could not be built based on sound engineering judgment, the alternative was dismissed from further consideration. Table 4 provides a summary of some of the most common railroad design and operating requirements, which are discussed in this evaluation. Based on input from BNSF representatives and Port engineers, three of the conceptual alternatives (Alternatives 5, 6, and 7) were eliminated because they could not be designed and constructed using standard engineering and operating requirements. Table 5 provides a summary of this evaluation.

Table 4. Summary of Railroad Design and Operating Standards

Characteristic	Why is it important?
Track Structure	Track structure has four elements: rails, ties, ballast, and sub-ballast. Rails are made of steel. Even though the steel is very hard, the rail wears out, just as highway pavement wears out. The ties, typically made of wood or concrete, support the rails. Ballast is crushed rock used to support the ties and keep the track in correct alignment. Sub-ballast is a finer grade of crushed rock placed beneath the ballast to divert water from the ballast and distribute the weight of the track to the sub-grade below. The condition of each of these elements dictates the weight and type of equipment that can be used on the track, as well as the speeds allowed on the track.
Number of Tracks and Sidings	The number of tracks affects the capacity of the line. Two tracks (also called double track) have more capacity (the number of trains that can move through the area) than one track (single track). Sidings also increase the capacity of a rail line. Sidings located along the line allow faster trains to overtake slower trains without affecting train traffic on the other track. The capacity of the rail line and the reliability of operation are affected by the time required to move between sidings.
Grade (the steepness of the tracks at various locations)	The steepness of the track dictates the types of trains that can use the rail line. A grade of two% (2-foot rise in 100 feet of track) is considered a very steep grade for freight train operation.
Curves (often presented in degrees)	The tightness of the curve dictates the speed that a train can travel. The higher the degree, the tighter the curve, and the slower the speed. A curve radius of 573 feet is considered a sharp curve for train operation.
Speed Regulations	Train speed limits are generally regulated by the Federal Railroad Administration. The Code of Federal Regulations (49 CFR 213, Track Safety Standards) establishes classes of track with associated speed limits and detailed physical requirements for tracks in a given class. Speeds may also be restricted by the Washington Utilities and Transportation Commission for local safety-related conditions.
Traffic (Number of Trains)	The number and type of trains along a rail line relate directly to capacity. The more trains that are put on a track, the more the need for additional track signals and controls. Without these signals and controls, the speed and capacity of the rail line would diminish as traffic increases.
Width (Gage and Track Centers)	The rails of a railroad track are spaced 56.5 inches apart (the gage of track). To allow sufficient clearance between vehicles on adjacent tracks, the tracks are spaced at least 15 feet apart (the track centers). The minimum safe distance from the center of a track to a fixed obstruction such as a building is 9 feet, although substantially larger margins are allowed for additional safety. Recent Federal Railroad Administration safety regulations dictate that if rail traffic is to continue while maintenance is performed on an adjacent track, the tracks must be placed at least 25 feet apart from the center of each track. This is often referred to as 25-foot track centers.
Length	Each track that is not a through-route must be long enough to serve the intended purpose. Just as a parking space for a tractor-trailer must be of sufficient length for the vehicle, a railroad track must be long enough to hold even the longest train. Depending on the type of train traffic handled, the length of a typical passenger train is between 500 feet and 1,700 feet. The length of a typical freight train can be between 7,000 feet and 10,000 feet.
Signals and Traffic Control	Signals help extend the engineer's sight distance and therefore allow greater speeds. Traffic control determines which trains can use which tracks – it increases safety and movement of trains.

Table 5. Tier One Fatal Flaw Evaluation: Railroad Design and Operating Standards

Preliminary Alternative	Reason for Elimination
Alternative 5: Hill Track Route	Alternative 5 could not be constructed using standard engineering guidelines. Both options begin at the existing south lead and switching track in the Vancouver Rail Yard, and then cross either over or under the BNSF north-south main line. Both options (tunnel or overpass) are fatally flawed because. • Overpass option: the grade (slope) needed to go over the BNSF main line would not be feasible given the short distance (the rise would be too steep for a freight train to operate). • Tunnel option: the grade (slope) needed to tunnel under the main line would not be feasible given the short distance (the rise would be too steep for a freight train to operate exiting the tunnel). In addition, construction would result in safety issues related to tunneling under the main line, making this option infeasible from an operational perspective.
Alternative 6: Northwest Route	Alternative 6 does not meet railroad operating standards. This alternative would tie in to the BNSF main line at Felida Landing and would require Port trains to cross over the BNSF main line to access this new rail alignment. • In a letter dated March 30, 2006, the BNSF states that it supports a southern Port rail connection because such a connection would better serve the Port's current operations and access while decreasing the impacts on the existing BNSF main line. Without BNSF approval (the owner and operator of the main line), a rail connection could not be made at this northwest location and this alignment could not be built. Alternative 6 would likely impact Vancouver Lake Park, a Section 4(f) resource.
Alternative 7: Northeast Route	Alternative 7 is fatally flawed because it does not meet standard railroad operating requirement. This alternative would tie in to the BNSF main line along the NP Siding, which is owned and operated by the BNSF. • In a letter dated July 20, 2004, the BNSF states that it does not support this concept because it would interfere with current and future freight and passenger rail operations. Without BNSF approval (the owner and operator of the main line), a rail connection could not be made at this northeast location and this alignment could not be built. • In addition, this route would require more Port trains to cross the seven yard tracks, thus contributing to safety concerns. This alignment would make an at-grade crossing of Fruit Valley Road, a heavily used major arterial, thus increasing the risk of unsafe operations and delay. BNSF safety and operations standards seek to minimize the use of new at-grade crossings. Alternative 7 would likely impact City of Vancouver Open Space Designated land, a Section 4(f) resource.

Tier Two Evaluation

Following the fatal-flaw evaluation, the remaining conceptual alignments were evaluated based on whether they would meet the purpose and need to:

- expand Port rail capacity and operations (within the existing Port facility), to enhance the rail network for future growth and development while minimizing disruption to existing Port tenants and businesses; and
- relieve congestion and ensure continued safe operations as rail traffic grows in and around the Port and along the existing BNSF north-south and west-east main lines.

The following discussion regarding these alternatives is focused on each alternative's ability to meet the three-fold purpose and need as summarized above.

While most of these alternatives could provide some operational benefits within the Port, they would do little to address safety, congestion, and delay along and around the BNSF main lines. In addition, some of these alternatives resulted in the elimination of jobs and revenue because they would displace active, thriving businesses, which directly conflicts with the purpose and need.

Tables 6 through 10 summarize the results of the Tier Two screening for each remaining alternative. Figure 11 shows a detailed Port facility map and the location of the potential impacts of each alternative on Port businesses in relation to potential effects on the identified Section 4(f) resource.

Alternative 1 – Great Western Malting Route (Preferred Alternative)

As summarized in Table 6, this alternative would meet the purpose and need to expand Port rail facilities while minimizing disruption to existing port tenants and relieve congestion and ensure safe operations. Alternative 1 would provide capacity for the Port's increased rail traffic without affecting the BNSF north-south main lines and the Vancouver Rail Yard. This alternative would reduce the impacts (delays) within the regional rail infrastructure by the equivalent of 20 to 25 years of rail growth. This alternative would separate UPRR and BNSF access, which would increase efficiency within the Port.

Although Alternative 1 would take portions of the Great Western Malting Complex, a Section 4(f) resource, the Drum House portion of the Great Western Malting facility is no longer in full operation. In a letter dated February 25, 2009, Great Western Malting indicates their support of this alternative. Although the Drum House was the first building constructed by the Great Western Malting Company and much of their electrical, communications, and conveyor operations meet or pass through the affected facility, impacts on existing business operations could be limited through thoughtful planning and execution of the Preferred Alternative.

In addition to operational impacts at Great Western Malting, there would be some disruption to United Grain Corporation Building 1955. It is anticipated that operations for United Grain Corporation would be relocated to other existing facilities with minimal disruption to ongoing operations. Under Alternative 1 there would also be some impacts on the Columbia River.

Port of Vancouver
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Access Project,
Schedules 2 through 4

Figure 11.
Alternatives Detail

Legend

- Building
- Great Western Malting Complex – Section 4(f) Resource
- Arterial Road
- Alternative 1: Great Western Malting Route (Preferred Alternative)
- Alternative 2: Great Western Malting Pit Route
- Alternative 3: United Grain Corporation Pit Route
- Alternative 4: United Grain Corporation Extended Route
- Alternative 5: Hill Track Route
- Alternative 6: Northwest Route
- Alternative 7: Northeast Route

Columbia River

Hayden Island

NW HARBORSIDE DRIVE

NW LOWER RIVER ROAD

W. 39TH AVE.

GENERAL CHEMICAL

MILL PLAIN BLVD.

THOMPSON AVE.

W. 16TH AVE.

PORT WAY

PACIFIC COAST SHREDDING

LAFARGE

ALBINA

HILL ST.

KING ST.

JEFFERSON ST.

8TH ST.

7TH ST.

6TH ST.

GRANT ST.

5TH ST.

Map Prepared: June 2009

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Table 6. Alternative 1, Great Western Malting Route (Preferred Alternative): Purpose and Need Assessment

Purpose and Need Statement	Result of Evaluation
Expand Port rail capacity and operations (within the existing Port facility) to enhance the rail network for future growth and development while minimizing disruption to existing Port tenants and businesses?	Alternative 1 would provide storage tracks and a new connection to the BNSF main line. Alternative 1 has the least number of impacts on existing businesses. • Great Western Malting Company (Port Building1895). Port Building 1895 is no longer in full operation. Alternative 1 would require relocation of silo storage space and demolition of the Drum House, but would result in minimal disruption to the existing business. In a letter dated February 25, 2009, Great Western Malting indicates their support of this alternative. • United Grain Corporation operations offices (Port Building 1955). It is anticipated that operations for United Grain Corporation would be relocated to other existing facilities with minimal disruption to ongoing operations. Once completed, a new rail alignment and storage tracks would enhance future growth for current and future tenants.
Relieve congestion and ensure continued safe operations as rail traffic grows in and around the Port and along the existing BNSF north-south and west-east main lines?	Alternative 1 would build a grade-separated connection to the BNSF main line, thus removing substantial rail car switching movements between the Port and the main line. By decreasing such movement, congestion and delay would be minimized.

Alternative 2 – Great Western Malting Pit Route

As summarized in Table 7, Alternative 2 would provide storage tracks and a new connection to the BNSF main line; however it would do so by adversely affecting major Port tenants: Pacific Coast Shredding, Great Western Malting, and United Grain Corporation. In addition, the track design near Great Western Malting would pose some safety concerns. The curved track combined with rising grade at this location, would increase the potential for derailing and wear and tear on the track and trains.

Table 7. Alternative 2, Great Western Malting Pit Route: Purpose and Need Assessment

Purpose and Need Statement	Result of Evaluation: Eliminated
Expand Port rail capacity and operations (within the existing Port facility) to enhance the rail network for future growth and development while minimizing disruption to existing Port tenants and businesses?	Alternative 2 would provide storage tracks and a new connection to the BNSF main line; however it would do so by impacting major Port tenants: Pacific Coast Shredding, Great Western Malting, and United Grain Corporation. Impacts on current tenants would include the following. • Pacific Coast Shredding (Figure 11). Operations involving 75 employees would be bisected by the rail alignment, causing a substantial disruption to business operations with possible relocation requirements. This facility has substantial site- specific requirements, such as heavy load bearing pavement requirements to support shredding operations, which is challenging given the underlying soil properties throughout much of the Port. Relocation costs are estimated to be in excess of $50 million (Coleman pers. comm.). • The Great Western Malting Complex (Section 4(f) resource) would also be affected. Under Alternative 2, the existing Great Western Malting storage tracks would also have to be relocated. These tracks are essential for the operations of this business. A suitable option for relocating these tracks has not been identified. The malt load-out facility would also have to be relocated. This would represent a substantial disruption to this business. Because of the location of the rail corridor under Alternative 2, there would be a more substantial disruption to Great Western Malting compared to the Preferred Alternative. United Grain Corporation operations offices (Port Building 1955). It is anticipated that operations for United Grain Corporation would be relocated to other existing facilities with minimal disruption to ongoing operations.
Relieve congestion and ensure continued safe operations as rail traffic grows in and around the Port and along the existing BNSF north-south and west-east main lines?	No – Alternative 2 would build a grade-separated connection to the BNSF main line, thus removing substantial rail car switching movements between the Port and the main line. By decreasing such movement, congestion and delay would be minimized. However, the reverse curve design approaching Great Western Malting would pose some safety concerns. The curved track combined with rising grade at this location, would increase the potential for derailing and wear and tear on the track and trains.

Expand Port Rail Capacity and Operations with Minimum Disruption to Tenants

Alternative 2 would provide capacity for the Port's increased rail traffic without affecting the BNSF north-south main lines and the Vancouver Rail Yard, which would reduce the impacts (delays) within the regional rail infrastructure by the equivalent of 20 to 25 years of rail growth.

Alternative 2 would require extensive relocation to existing businesses and facilities, including Pacific Coast Shredding, the Great Western Malting rail yard and the rail load-out, and the United Grain Corporation transfer towers and conveyors.

Pacific Coast Shredding - The Pacific Coast Shredding facility has site-specific requirements, making relocation difficult and costly. Alternative 2 would require relocation of the shredder, which is estimated to cost approximately $5 million (Coleman pers. comm.). Because there is insufficient space to relocate the shredder at this location, the entire facility would need to be relocated. This cost of complete relocation is estimated to be in excess of $50,000,000, which represents more than one third of the total cost to permit and construct the Preferred Alternative

(Edberg pers. comm., Coleman pers. comm.). Within the Port, the only location large enough to accommodate these facilities would be at Terminal 5. However, relocation to Terminal 5 would be an inefficient use of Port facilities. Specifically, although Pacific Coast Shredding requires rail and marine access, they do not require the loop configuration that other potential tenants would need. Relocating these facilities to Terminal 5 would preclude attracting other businesses that need to be able to use the loop track configuration for their operations. These types of businesses include mineral and liquid bulk transloaders, roll on/roll off terminal operations, containerized freight facilities, and other similar operations. These businesses require unit train operations that maintain the integrity of the train to unload – the complete unit train is pulled through a pit to unload without disconnecting the locomotives and uncoupling the cars. This type of operation requires enough acreage to be able to land and unload a complete unit train intact.

Great Western Malting - In addition, Alternative 2 would require taking a Section 4(f) resource, the Great Western Malting Complex. The Alternative 2 alignment would also bisect the Great Western Malting Complex, thus limiting access within the Great Western Malting operations. This would more severely disrupt business by separating the malting facilities and rail loading area from the storage silos. With approximately 10 unit trains coming through this corridor per day, trains would block the tracks for up to 7 hours per day (Wiser pers. comm.). This would increase safety issues for Great Western Malting workers that would need to cross the tracks, and would disrupt the efficient transfer of materials within the Great Western Malting Complex.

The malt load-out facility and the rail storage tracks would also have to be relocated. Great Western Malting moves their product by semitruck and freight rail and has both a rail load track and a truck load-out and scales in the area where the new track would be situated. This load-out facility is conveniently located adjacent to their existing silos. Alternative 2 would require that the load-out be located a distance away from their facility, which would make their operations less efficient. This would represent a substantial disruption to this business while the conveyors, controls, electrical wiring, and other elements of the infrastructure are constructed and operations are shifted. The distance must be short enough to make conveyer handling of the product between processing and load-out practical. The existing Great Western Malting storage tracks would also have to be relocated. These tracks are essential for the operations of this business. A suitable option for relocating these tracks has not been identified.

United Grain Corporation - In addition to the impacts that could occur at Pacific Coast Shredding and Great Western Malting, the United Grain Corporation transfer towers and transfer conveyors would also have to be relocated. It is anticipated that these relocations could occur with minimal disruption to United Grain Corporation.

Relieve Congestion and Ensure Continued Safe Operations

Although Alternative 2 would provide a solution to addressing rail congestion, the reverse curve design approaching Great Western Malting would pose some safety concerns. The curved track combined with increasing grade at this location increases the potential for derailing and wear and tear on the track and trains.

Alternative 3 - United Grain Corporation Pit Route

As summarized in Table 8, Alternative 3 would not minimize disruption to existing Port tenants and buildings nor would the design provide for continued safe operations. Although Alternative 3 would avoid the Section 4(f) resource, it would result in substantial safety and operational impacts at United Grain Corporation.

United Grain Corporation is one of the Port's largest tenants. United Grain Corporation exports from the Port account for approximately 16% of all wheat exported from the United States (Port of Vancouver 2009b). United Grain Corporation exports wheat that is brought in by rail and kept in the storage silos before being transported by conveyor to vessels for marine export. Therefore, the connection between the rail and the marine facilities is integral to the way the business operates and functions. United Grain Corporation would be one of the primary beneficiaries of the Proposed Project.

Expand Port Rail Capacity and Operations with Minimum Disruption to Tenants

Alternative 3 would provide storage tracks and a new connection to the BNSF main line. However, the configuration may cause a loss in current and potential track length for United Grain Corporation unit train operations. The Alternative 3 alignment would join the alignment of the current United Grain Corporation receiving, departure, and storage yard approximately 1,000 feet west of the east end of the yard. This configuration would reduce the length of currently and potentially available trackage for United Grain Corporation, limiting the effectiveness of unit train operations.

Because of the close proximity of the tracks to the United Grain Corporation facilities, any maintenance of the dust ducts or conveyor house would require accessing the rail tracks to provide adequate staging space. In the event that an explosion or some other maintenance issues were to occur, the rail tracks would have to be closed. During the 2006 explosion at the Port, United Grain Corporation was closed for approximately 3 to 4 months. During any of these events, rail access could be shut down through this corridor for a substantial period of time as repairs and construction take place.

Similarly, in the event that the rail line had any maintenance issues, access to the United Grain Corporation marine facilities could be severely impaired for the duration of the repairs. Even under prime operating conditions, with 10 unit trains traveling through this corridor each day, there would be trains on the track for up to 7 hours each day (Wiser pers. comm.). In addition to the safety issues discussed above, this would represent a significant disruption to the transfer of materials and equipment across this corridor.

Table 8. Alternative 3, United Grain Corporation Pit Route: Purpose and Need Assessment

Purpose and Need Statement	Result of Evaluation: Eliminated
Expand Port rail capacity and operations (within the existing Port facility) to enhance the rail network for future growth and development while minimizing disruption to existing Port tenants and businesses?	Alternative 3 would provide storage tracks and a new connection to the BNSF main line. However, the configuration may cause a loss in current and potential track length for United Grain Corporation unit train operations. Although the new rail infrastructure would support new tenants, Alternative 3 would impact United Grain Corporation (Port Buildings 2155, 2045, 2025, 2005, 1975, 1925, 1905). • Alternative 3 would bisect the United Grain Corporation facility, limiting operations and access to the facilities. Unit trains could block the tracks for up to 7 hours per day. • Because of the close proximity of the tracks to the facilities, maintenance access at either the rail or United Grain Corporation facilities would adversely impact the other. Closure of either facility would require closure of the other.
Relieve congestion and ensure continued safe operations as rail traffic grows in and around the Port and along the existing BNSF north-south and west-east main lines?	• Alternative 3 could increase congestion and delay on the BNSF west-east main line. • Alternative 3 would nullify some of the capacity and reliability gains made by the WSDOT rail project by introducing new low speed traffic to the BNSF west-east route. The primary goal of the WSDOT rail project is the reduction or elimination of low speed main line train movements in the Vancouver area including increasing the speed of trains on the west-east route from 10 miles per hour to 25 miles per hour. • Alternative 3 would present very difficult train handling conditions that could lead to potential derailment in a situation requiring emergency brake application. • Alternative 3 would construct track that would meet only the minimum horizontal clearance to buildings required by state law, and less than the AREMA recommended minimum. Because there are incompatible uses within close proximity to the rail, there is a greater potential for safety issues in the event of derailment. • Safety issues would occur for longshoremen and United Grain Corporation employees accessing marine areas, specifically during transport of equipment on and off dock and in response to fire and medical emergencies because these areas would be closed off from emergency access routes by the proposed rail alignment. Such safety issues compromise operations and ability to attract new employees, thus inhibiting growth and expansion.
Other Considerations	• Alternative 3 would also require the relocation of a significant portion of the company's operations and the removal of Buildings 2155, 2045, 2025, 2005, 1975, 1925, and 1905. The costs associated with relocation are prohibitive and would make Alternative 3 infeasible. • Furthermore, Alternative 3 would require United Grain Corporation to expand their operations into the Columbia River.

Relieve Congestion and Ensure Continued Safe Operations

Alternative 3 would provide capacity for the Port's increased rail traffic without affecting the BNSF north-south main lines and the Vancouver Rail Yard. However, this benefit would be offset by some loss of capacity on the west-east route. This is because approximately 4,000 feet of United Grain Corporation's unit trains would have to extend onto the main line. Trains at this

location would be required to travel at substantially slower speeds due to limited visibility, which would result in some increased delays along this segment from slow movement of unit trains onto Port property.

This route would also nullify some of the capacity and reliability gains made by the WSDOT rail project by introducing new low speed traffic to the BNSF west-east route. The Vancouver Rail Project is being proposed by WSDOT and would provide a third north-south main line through the yard and a bypass to the yard to allow the trains that are coming from the east and going north to transit the area without affecting or being affected by the yard operations. The primary goal of the WSDOT rail project is the reduction or elimination of low speed main line train movements in the Vancouver area, including an increase in west-east route speed from 10 miles per hour to 25 miles per hour. On non-main line tracks, trains must move at a speed that allows stopping within half the range of vision. The range of vision limited by the United Grain Corporation facility may require movement at 5 miles per hour or less. At the very low speed of movement anticipated through United Grain under Alternative 3, if it would be necessary to make an emergency brake application (e.g., because a United Grain Corporation employee or contractor has walked or moved equipment onto the track in front of an approaching train), the cars at the front of the train would stop almost immediately as a result of the emergency brake application. There would be very little momentum to overcome the braking force. While the front few cars would have stopped, because of the grade and the momentum, 10,000 or more tons of train would continue to push forward for several seconds. This condition could result in a derailment. The still-moving rear portion of the train may be deflected upward or sideways, just as if it had collided with a stationary object. By placing the main Port rail line through an active business not tied directly to loading or unloading along this segment, increased conflicts between unit trains traveling to other Port customers and United Grain Corporation operations could occur for the reasons discussed above. These increased conflicts could result in a higher potential for derailing.

Under existing conditions, the corridor available for the rail alignment is located between the storage silos, the conveyor building (dockside), and the dust collectors, and would travel under dust collector ducts that connect these facilities. There would be an 8.5-foot-wide clearance, which is not sufficient space for any type of structural safety separation, such as a wall, or for a maintenance access corridor to provide a safe distance for accessing the conveyors or dust ducts. Although State law allows a minimum of 8.5 feet of available clearance (Washington Administrative Code [WAC] 296 860 20040), it is less than the 9-foot minimum safe clearance recommended by the American Railway Engineering and Maintenance of Way Association (AREMA). Since AREMA standards are the minimum safety standards, individual railroads often establish their own standards that are stricter than AREMA recommended practice. Therefore, Alternative 3 presents a hazard during operation in the event of a derailment since no structural safety separations may be constructed.

Safety issues would also occur for longshoremen and United Grain Corporation employees accessing marine areas and maintenance areas near the proposed alignment, specifically during transport of equipment on and off dock, in response to fire and medical emergencies, and during maintenance work at the storage silos, dust collector ducts, or conveyor house. These areas would

be closed off from emergency access routes by the Alternative 3 rail alignment and active work areas would be in close proximity to unit train movements. Such safety issues compromise operations and ability to attract new employees, thus inhibiting growth and expansion.

Additional Construction, Maintenance, or Operational Costs

Relocation of United Grain Corporation to another facility is estimated to cost up to $300 million (Coleman pers. comm.) The total cost to construct the Preferred Alternative would be approximately $140 million (Coleman pers. comm.). Because relocation would cost as much as three times that of the Preferred Alternative, relocation of United Grain Corporation to another location is considered to be infeasible by the Port. Other considerations related to potentially relocating United Grain Corporation include the fact that the vacated space would remain segmented and would not be useable by another bulk materials tenant. To be competitive, most new bulk customers would want a loop-type rail system that would not require the trains to be broken up. This would reduce the area available to the Port for future tenants.

Furthermore, Alternative 3 would have a large impact on the Columbia River, requiring the extension of United Grain Corporation's operations into the river.

Alternative 4 – United Grain Corporation Extended Route

Although Alternative 4 would provide capacity for the Port's increased rail traffic without affecting the BNSF north-south main lines and the Vancouver Rail Yard, it would not provide access to the east portion of the Port's rail corridor serving Kinder Morgan, nor would it provide access to the United Grain Corporation storage yard in a location that would allow for the needed unit train expansion. In addition, Alternative 4 would result in substantial disruption to United Grain Corporation. For these reasons, Alternative 4 does not meet the purpose and need as summarized in Table 9.

Expand Port Rail Capacity and Operations

Alternative 4 would extend the proposed rail alignment a substantial distance into the Columbia River and would require the track to stay at a lower elevation well into Terminal 2 and the Terminal 2 dock area. It is only after this point that the tracks would be able to rise to the correct grade for connection with the existing facilities. In effect, this would make the connection point at about one-half the length of the Kinder Morgan storage tracks before it could be up to grade and functional. Therefore, this alternative would not provide the needed access to Kinder Morgan or United Grain Corporation.

The Alternative 4 alignment would join the alignment of the current United Grain Corporation receiving, departure, and storage yard approximately 2,500 feet west of the east end of the yard. This configuration would reduce the length of currently and potentially available trackage for United Grain Corporation, limiting the effectiveness for unit train operations.

Table 9. Alternative 4, United Grain Corporation Extended Route: Purpose and Need Assessment

Purpose and Need Statement	Result of Evaluation: Eliminated
Expand Port rail capacity and operations (within the existing Port facility) to enhance the rail network for future growth and development while minimizing disruption to existing Port tenants and businesses?	Alternative 4 would not provide access to the Port's rail corridor and United Grain Corporation's storage yard in a location that would allow for the needed unit train expansion. Although the new rail infrastructure would support new tenants, Alternative 4 would impact a number of existing tenants, their employees, and their operations. Affected facilities and buildings include Terminals 2 and 3 and Buildings 2185 and 2155. Use of Buildings 2155 and 2045 would also be adversely affected due to limited access to the docks. Impacts on current tenants would include the following impacts specific to United Grain Corporation. Alternative 4 would result in the need to relocate a number of critical loading conveyors, dock access, and facility space and would effectively bisect operations by separating the marine facilities from the landward facilities and silos. Disruptions to this business would impact approximately 35 employees.
Relieve congestion and ensure continued safe operations as rail traffic grows in and around the Port and along the existing BNSF north-south and west-east main lines?	No– Because Alternative 4 would not expand the Port's rail capacity for unit train assembly, as rail traffic continues to grow and no changes are made to Port infrastructure, operations could be compromised and safety issues could increase, both in and around the Port along the rail alignment and at existing at-grade crossings. Similar to Alternative 3, safety issues would occur for longshoremen and United Grain Corporation employees accessing marine areas, specifically during transport of equipment on and off dock. Response to fire and medical emergencies would be hindered or limited because these areas would be closed off from emergency access routes by the proposed rail alignment. Such safety issues compromise operations and ability to attract new employees, thus inhibiting growth and expansion.
Other Considerations	Alternative 4 would require construction of an embankment into the Columbia River to accommodate the relocated United Grain Corporation facilities. This embankment would provide new access to portions of the United Grain Corporation marine facilities. However, additional impacts on the Columbia River would result in the need for extensive mitigation and would likely pose challenges and uncertainty associated with permitting under Section 404 of the Clean Water Act, the Federal Endangered Species Act, and local permitting processes.

Relieve Congestion and Ensure Continued Safe Operations

As rail traffic continues to grow and if no changes are made to Port infrastructure to address these concerns, operations could be compromised and safety issues could increase, both in and around the Port along the rail alignment and at existing at-grade crossings. Congestion and delay would increase if investments are not made to grade-separate Port and main line connections and additional rail storage facilities are not built on Port property. Increased Port traffic would continue to affect the BNSF main lines. Under Alternative 4, the at-grade crossing at Thompson Avenue would continue to be blocked by unit trains on the Hill track, which would create additional vehicular traffic, thus contributing to an increase in congestion in the general Port area.

All of the issues related to safety and business disruption at United Grain Corporation described above under Alternative 3 would also occur under Alternative 4 Terminal 2 buildings, operations, and docks would also be affected by this alignment because it would bisect this terminal. The

proposed rail alignment would approach Terminal 2 at a low elevation and rise as it crosses the terminal, thus preventing ready access to several Port buildings.

Other Considerations

In addition, Alternative 4 would have a large impact on the Columbia River, requiring the extension of United Grain Corporation's operations into the river. This would result in the need for extensive mitigation and would likely pose challenges and uncertainty associated with permitting under Section 404 of the Clean Water Act, the federal Endangered Species Act, and local permitting processes.

Alternative 8 – No Build Alternative

As summarized in Table 10, Alternative 8 does not meet the purpose and need. Congestion and delays would continue along the BNSF main lines and within Port facilities. No improvements to the Port's rail infrastructure or connection to the BNSF main lines would be made. Although there would not be any physical disruption to existing businesses, these businesses would lack the opportunity to grow afforded by expansion of the needed rail infrastructure. Eventually, as a result of the projected growth in the national rail network and on the BNSF main lines, access to the Port via the existing Hill track would be blocked. The Port and its tenants would not be able to move their cargo, thus jeopardizing the existence of Port tenants that rely on rail operations. The resulting economic effects would be devastating to the region.

Table 10. Alternative 8, No Build Alternative: Purpose and Need Assessment

Purpose and Need Statement	Result of Evaluation
Expand Port rail capacity and operations (within the existing Port facility) to enhance the rail network for future growth and development while minimizing disruption to existing Port tenants and businesses?	Under Alternative 8, no rail alignment project would be implemented, and capacity would not be expanded. Although there would not be any physical disruption to existing businesses under Alternative 8, opportunities to grow would be constrained by the lack of infrastructure. Eventually, due to the projected growth in the national rail network and on the BNSF main lines, access to the Port via the existing Hill track would eventually be blocked. The Port and its tenants would not be able to move their cargo, thus jeopardizing the existence of Port tenants that rely on rail operations. The resulting economic effects would be devastating to the region.
Relieve congestion and ensure continued safe operations as rail traffic grows in and around the Port and along the existing BNSF north-south and west-east main lines?	No–Under Alternative 8, congestion and delays would continue along the BNSF main lines and within Port facilities. No improvements to the Port's rail infrastructure or connection to the BNSF main lines would be made.

Results

Based on the two-tiered evaluation, three of the eight alternatives were eliminated due to fatal engineering and operational flaws. In the second tier of screening (ability to meet the purpose and need), four of the remaining five alternatives, including the No Build Alternative, were eliminated from further review in this Section 4(f) Evaluation. As discussed above and summarized in Tables 6 through 10, these alternatives were eliminated because they did not satisfy the purpose and need. As indicated in 23 CFR 774.3, as amended, approval of the use of a

Section 4(f) resource is allowed if no other prudent or feasible alternatives can be identified. No further analysis was completed because these alternatives did not meet the purpose and need. The remaining alternative – Alternative 1: Great Western Malting Route (Preferred Alternative) was discussed earlier in this document.

Measures to Minimize Harm

As discussed above, of the eight alternatives considered for this project, only one alternative, which affects a Section 4(f) resource, meets the project's purpose and need. As such, there are no prudent and feasible alternatives that would avoid all Section 4(f) resources. Therefore, all reasonable measures to minimize harm or mitigate for adverse effects were identified for the Preferred Alternative.

Because the Preferred Alternative calls for the demolition of the Great Western Malting Company Drum House and a portion of the adjacent Grain Storage Silos (Port Building 1895), the Preferred Alternative would have an adverse effect on this historic property.

The development of a Memorandum of Agreement (MOA) among the Port, DAHP, and FHWA, and with concurrence of WSDOT through the Section 106 Process has been completed and is presented in Appendix A. All other planning has been undertaken to minimize harm on the Section 4(f) resource. Although implementation of the measures presented in the MOA does not avoid an adverse impact, it does result in mitigating the adverse impact.

Coordination/Officials with Jurisdiction

Project sponsors have coordinated with two Tribes (Cowlitz Indian Tribe and the Confederated Tribes of Grand Ronde Community of Oregon), DAHP, the City of Vancouver, the affected property owner, and other interested parties in identifying Section 4(f) resources, evaluating the use of Section 4(f) resources, and considering potential measures for minimizing harm.

As the Preferred Alternative moves forward, FHWA, WSDOT, and the Port will continue coordination with the DAHP, the Tribes, and the existing property owner.

Preliminary Conclusion

Based on the above considerations, there is no feasible and prudent alternative to the use of the Great Western Malting Drum House and Grain Storage Silo. The Preferred Alternative includes all possible planning to minimize harm to the Great Western Malting Drum House and Grain Storage Silos resulting from such use as these terms are defined in 23 CFR 774.17.

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Appendix A

Memorandum of Agreement

MEMORANDUM OF AGREEMENT
AMONG THE FEDERAL HIGHWAY ADMINISTRATION, THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION, AND THE PORT OF VANCOUVER EXECUTED PURSUANT TO 36 CFR 800.6(b)(iv) REGARDING THE PORT OF VANCOUVER'S WEST VANCOUVER FREIGHT ACCESS RAIL PROJECT CLARK COUNTY, WASHINGTON

WHEREAS, the U.S. Department of Transportation, Federal Highway Administration (FHWA) has determined that the Port of Vancouver's West Vancouver Freight Access Rail Project (Project) will have an adverse effect on the Great Western Malting Company Plant, which is eligible for listing in the National Register of Historic Places, and has consulted with the Washington State Historic Preservation Officer (SHPO), in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. § 470), and its implementing regulations 36 CFR Part 800; and

WHEREAS the adverse effect is the demolition of the Great Western Malting Company's Drum House building; and

WHEREAS pursuant to 36 CFR 800.6(c)(2) FHWA has invited the Washington State Department of Transportation (WSDOT) and the Port of Vancouver (Port) to sign this Memorandum of Agreement (MOA) and

WHEREAS in accordance with 36 CFR Section 800.6(a)(1), FHWA has notified the Advisory Council on Historic Preservation (Council) of its adverse effect determination, and the Council has chosen not to participate in the consultation pursuant to 36 CFR Section 800.6(a)(1)(iii);

NOW, THEREFORE, FHWA, WSDOT, SHPO, and the Port agree that upon FHWA's decision to proceed with the Project, FHWA shall ensure that the following stipulations are implemented in order to take into account the adverse effect of the Project on historic properties, and that these stipulations shall govern the Project and all of its parts until this MOA expires or is terminated.

I. STIPULATIONS

FHWA shall ensure that the following measures are carried out:

I. Recordation of the Great Western Malting Company Plant according to Level II of the Historic American Engineering Record (HAER) standards for documentation. The documentation will include the following elements.

   a. Archival reproduction of existing historic images, maps, technical guides, or sketches of the resource.

   b. Archival reproduction of existing as-built plans and drawings of the resources.

c. Production of archive-quality large-format photographs of exterior and interior views of the resource (including views of the Tap Room), and views of the setting of the resource.

d. Narrative history and description of the property, including diagrams and information relevant to its historic use and significance.

II. The Historic American Engineering Record (HAER) documentation as specified above will be provided to the agencies as follows.

a. One set will be sent to the Washington State Department of Archaeology and Historic Preservation (DAHP).

b. One set will be offered to and, if accepted, provided to the City of Vancouver Department of Long Range Planning.

c. One set will be offered to and, if accepted, deposited in the collections of the Vancouver Public Library.

d. One set will be offered to and, if accepted, deposited in the collections of the Clark County Historical Society.

e. One set will be offered to and, if accepted, deposited in the collections of the Washington State Historical Society.

III. The Port will endeavor to erect an interpretative exhibit at the Amtrak station overlooking Port property subject to City of Vancouver (City) approval. The exhibit will describe the history of the Great Western Malting Company at the Port. If approval from the City cannot be obtained, then the Port will endeavor to place the exhibit in an alternate public location. The exhibit may employ images, narrative history, drawings, or other materials to illustrate this history and will consist of interpretative display panels or markers. A plan for the design and content of the exhibit will be developed and submitted to DAHP for review and approval within one year of the signing of this Memorandum.

IV. The history of the Great Western Malting Company at the Port will be incorporated into a publication on the history of the Port, currently being produced by the Port and expected to be published in 2012.

V. The history of the Great Western Malting Company at the Port will be published in an article placed on the Port website and offered for publication at HistoryLink.org.

VI. The Great Western Malting Company is currently the owner of the Drum House, which is scheduled for demolition. Great Western Malting retains ownership of the building and may remove its features or contents prior to ownership being transferred to the Port. The Drum House's contents include the three paintings, wood carving, light fixtures, stained glass door window, and other decorative features in the Tap Room. Upon the transfer of ownership of the property to the Port, the Port will evaluate the building's remaining

features and contents and prepare a written treatment plan for the salvage, removal, and relocation of significant elements. The plan will include:

a. An inventory of features in the building that are considered historically significant or character-defining and may be removed from their location without substantial damage, or could be reused in educational and interpretative programming or integrated into new development.

b. An established methodology for removing, packaging, and properly storing selected features and objects, including provisions for short-term or temporary storage.

c. Provisions for the permanent relocation or long-term care and storage of selected features and objects.

d. The treatment plan will be submitted to DAHP for review and approval within 12 months of the transfer of ownership.

VII. Relocation of the Kinder Morgan facilities includes construction of a new dry bulk material handling facility building and will require excavation to accommodate a conveyor system. Because the project is located within the Vancouver Lakes Archaeological District, the Port will implement the following measures:

a. A cultural resources specialist will be present during excavation of native soil at Kinder Morgan. Monitoring will be conducted as indicated by a monitoring plan, which would be developed in consultation with DAHP prior to beginning excavation work at this site.

b. In addition, an inadvertent discovery plan and human remains discovery plan will be developed in consultation with DAHP prior to beginning excavation work at this site. If any cultural resources are identified by the cultural resource monitor, work will stop immediately and the appropriate agencies will be contacted as indicated in the aforementioned plans.

II. DISPUTE RESOLUTION

Should any party to this agreement object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with the objecting party(ies) to resolve the objection. If FHWA determines, within 30 days, that such objections cannot be resolved, FHWA shall:

1. Forward all documentation relevant to the dispute to the Council in accordance with 36 CFR Section 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise FHWA on the resolution of the objection within 30 days. Any comment provided by the Council, and all comments from the parties to the MOA, will be taken into account by FHWA in reaching a final decision regarding the dispute.

2. If the Council does not provide comments regarding the dispute within 30 days after receipt of adequate documentation, FHWA will give consideration to comments from the parties to the MOA and make a final decision.

3. FHWA's responsibilities to carry out all other actions subject to the terms of this MOA that are not subject of the dispute will remain unchanged. FHWA will notify all parties of its decision in writing before implementing that disputed portion of the Project. FHWA's decision will be final.

III. AMENDMENTS, TERMINATION AND NONCOMPLIANCE

If any signatory to this MOA determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other parties to develop an amendment to this MOA pursuant to 36 CFR 800.6 (c)(7) and 800.6 (c)(8). The amendment will be effective on the date a copy is signed by all of the original signatories and is filed with the Council. If a MOA is not amended following the consultation set out in accordance with Dispute Resolution, it may be terminated by any signatory. Within 30 days following termination, FHWA shall notify the signatories if it will initiate consultation to execute an MOA with the signatories under 36 CFR 800.6(a)(1) or request the comments of the Council under 36 CFR 800.7(a) and proceed accordingly.

IV. DURATION

This MOA will take effect immediately upon execution by the Signatory Parties. The terms of this MOA shall be satisfactorily fulfilled within five years following the date of execution. Prior to such time, FHWA may consult with SHPO to reconsider the terms of the agreement and propose its amendment in accordance with Section III above. Unless terminated pursuant to Section III, this MOA will be in effect until FHWA, in consultation with SHPO, determines that all of its terms have been satisfactorily fulfilled.

V. EXECUTION OF AGREEMENT

Execution and implementation of the terms of this Memorandum of Agreement by FHWA, SHPO, WSDOT, and the Port serves as evidence that FHWA has afforded the Council and all concerned parties the opportunity to comment on the project and the effects on historic properties, and that FHWA has taken into account the effects of the Project on the Great Western Malting Company Plant and has satisfied the requirements of Section 106 of the National Historic Preservation Act (16 U.S.C.470(f)).

FEDERAL HIGHWAY ADMINISTRATION

By: Dan Mathis Date: 06/16/09

Dan Mathis
Division Administrator

WASHINGTON STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: 6/17/09

Allyson Brooks, PhD

CONCUR:

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

By: Kathleen Davis Date: 6-16-09

Kathleen Davis
Director, Highway and Local Programs

PORT OF VANCOUVER

By: Larry V Paulson Date: June 9, 2009

Larry Paulson
Executive Director

March 14, 2011

Ken Hash
Local Programs Engineer
Washington State Department of Transportation
11018 NE 51st Circle
Vancouver, WA 98682

Subject: **Port of Vancouver West Vancouver Freight Access Project Addendum to the Land Use and Shorelines Discipline Report**

Dear Mr. Hash:

The purpose of this letter is to serve as an updated addendum to the Land Use and Shorelines Discipline Report (BergerABAM 2009) that was prepared for compliance with the National Environmental Policy Act (NEPA) for the Port of Vancouver (Port) West Vancouver Freight Access (WVFA) Project , Schedules 2 through 4 (proposed project). Revisions have been made to address comments made by the Washington State Department of Transportation.

Proposed Project Modifications

Impacts

An overview of the proposed project is provided in Figure 1. Changes to the proposed project include the following elements which are shown in Figures 2 through 7 and discussed in greater detail below:

- Modifications to the proposed rail alignment in four locations: the Port's unit grain yard (Figures 2 and 3); tracks within the Jimmy Yard (Figures 4 and 5); tracks north of the Clark County Corrections Facility (Figure 6); and the loop track at Terminal 5 (Figure 6);
- Changes in the assumptions for train traffic (increase in the average number of locomotives [5 compared to 4]; increase in the average number of cars per train [from 96 to 146]);
- Construction of a screening wall at the Clark County Correctional Facility (Figure 6) associated with the acquisition of right-of-way at this location;
- Refinements to the design of the Gateway Overpass (Figure 6); and
- Minor modifications at the Terminal 4 stormwater facility (Figure 4) and the Tristar Transload stormwater facility (Figure 6), involving reconfigurations to maintain capacity, and relocation of the stormwater pump station at Terminal 5 (Figure 7).

Proposed Rail Alignment

The proposed rail alignment would be modified in four locations: the Port's unit grain yard (Figures 2 and 3); tracks within the Jimmy Yard (Figures 4 and 5); tracks north of the Clark County Corrections Facility (Figure 6); and the loop track at Terminal 5 (Figure 6).

At the Port's unit grain yard, four (compared to five) unit train tracks and three (compared to two) arrival and departure tracks would be constructed. Two lead tracks would still be constructed for Port tenants (Figures 2 and 3). Further west, two unit train tracks would still be provided for Kinder Morgan for a total of eleven unit train tracks (Figures 3 and 4). This is the same total number of tracks as the original proposed project but the configuration of tracks has been modified as described.

At the Jimmy Yard, tracks would still be converted into unit train tracks and connected to the grain yard. However, the tracks require different spacing than previously designed resulting in a shift of the Jimmy Yard approximately 30 feet to the north. In addition, the Jimmy Yard tracks converted to unit train tracks would be replaced to the north (Figures 4 and 5). Near the Clark County Corrections Facility, the track would be shifted approximately 120 feet to the south to accommodate the location of the Gateway Overpass and support structures (Figure 6).

At Terminal 5, the loop track would be modified to shift and extend the existing tracks approximately 140 feet to the south in the regulated shoreline of the Columbia River as shown in Figure 6. A new interior loop track would also be constructed outside of the regulated shoreline. The area proposed for track placement would require grading and placement of sub-ballast and ballast to support the tracks. As a result of track installation on Terminal 5, an existing stormwater pump station would be replaced and relocated approximately 200 feet to the south. The proposed location for the pump station is shown in Figure 5. The track relocation would require breaching the spent potliner cap (SPL Cap) at the southeast corner of Terminal 5 (Figure 6). A replacement cap approved by the Washington State Department of Ecology (Ecology) would be constructed. The replacement cap would be similar to the cap constructed in 2009 (as part of the original proposed project) and would be constructed primarily of asphalt meeting the required hydraulic connectivity of 10^{-6} centimeters per second, as required by the consent decree from Ecology. No other deed restricted areas would be breached by the track modifications at Terminal 5 although tracks would be placed over the top of the North/North 2 Landfill and Ingot Cap.

Existing and Future Train Traffic

None of the modifications would change the assumption for the number of train trips; however, modifications at Terminal 5 would allow for longer unit trains. For the purposes of this reevaluation, it was assumed that an average of 5 locomotives (compared with 4) would pull an average unit train of 146 cars (compared to trains of 96 cars).

Building Removals or Remodels

The modifications to the rail alignment described above would result in minor conversions of land use. More detailed information is provided below. In addition, the Port proposes to construct a screening wall (Figure 6) at the Clark County Corrections Facility as part of its agreement for

acquiring a portion of that property. The screening wall would be approximately 1,000 to 1,500 feet long with wall thickness, height, and materials to be determined when final engineering is performed. In addition, existing pavement and concrete foundations on the site will be demolished and removed where ground disturbance is proposed.

Roadways

As described in the 2009 project description, an overpass will be constructed to replace the existing at-grade crossing at NW Gateway Avenue. Detailed design information is now available for the Gateway Overpass and is provided below.

The existing NW Gateway Avenue at-grade crossing provides access to the Port, Clark County Corrections Facility, and Subaru facility. The Gateway Overpass will be a dual-purpose bridge, replacing the current access and providing grade-separated access to interior portions of Terminal 5 and the Port, Clark County Corrections Facility, and Subaru facility. NW Gateway Avenue will be partially realigned to the west and elevated over the railroad tracks, resulting in an S-shaped Gateway Overpass. The overpass structure will include a three-span concrete girder bridge at an elevated intersection, a three-span concrete girder bridge to provide access into the Terminal 5 Yard, and associated approaches.

The Terminal 5 yard access road-over-rail structure will be a three-span, precast concrete girder bridge. The western abutment length will be approximately equal to the roadway width, whereas the eastern abutment is significantly wider. The bridge will have short simple spans and will include a cast-in-place, reinforced concrete deck, and concrete barriers on either side of the roadway.

The approaches for both bridges and the elevated intersection will be constructed using either sloped fill, where possible, or vertical structural earth walls where the footprint of the grade separation needs to be minimized. Piles and stone columns will be placed to support both the Gateway Avenue and Terminal 5 yard access structures. Several of these piles and stone columns will be placed within the North/North 2 landfill cap and will require Ecology approval. The southern approach will connect to the existing access road for the Clark County Corrections Facility and Subaru facility at Terminal 4. The northern approach will match the existing NW Gateway Avenue alignment prior to the intersection with State Route 501. The existing access to the Tristar Transload facility and Parcel 1A will be slightly modified along the northern approach. Minor changes may occur to the existing roadway alignment and cross sections to meet safety and design standards.

Stormwater Management

The 2009 project description indicated that a small amount of fill would be placed in the Tristar Transload facility stormwater pond located on Parcel 1C (Figure 6) as a result of construction of the Terminal 5 loop track that occurred in 2010. The stormwater pond was shifted to the west (in 2010) to replace the capacity lost by placement of the fill. As a result of the new design for the Gateway Overpass (described above), a second modification to the Tristar Transload facility stormwater pond would be required. The Port would replace the lost capacity per the City of Vancouver's regulations.

The 2009 project description also indicated that a portion of the Terminal 4 stormwater pond (Figure 4) would be filled and equivalent capacity replaced. This is still part of the proposal; however, the pond would be reconfigured to lengthen the overall flow path while maintaining the existing volume, forebay configuration, and invert elevation. A new outlet structure within the pond would be constructed and the side slopes of the pond would be vegetated.

As a result of track installation on Terminal 5, an existing stormwater pump station (Figure 7) would be replaced and relocated to the south to intercept the existing forcemain. No upgrades to the trunk line, forcemain, or existing overflow outfall are proposed as part of the proposed project.

All the proposed project changes described above would result in a further net reduction in impervious service area. With the proposed changes, the total impervious surface area would be reduced by 11.2 acres (compared with 7.1 acres under the original proposal).

Wetland and Riparian Habitat Mitigation

The proposed changes would not result in any greater wetland impacts compared with those that have already been permitted. Impacts on wetlands of the state near the Clark County Corrections Facility would be mitigated through the purchase of credits at the Columbia River Wetland Mitigation Bank on the Port's Parcel 6 (Figure 5). This was one of two optional mitigation strategies that were previously considered in the past analysis of potential impacts.

Direct Impacts

The proposed changes would result in minor modifications to right-of-way acquisitions for construction of the rail alignment, and a slight increase in the area that would be converted from existing heavy industrial operations to rail. Updated acreages for required right-of-way acquisitions are presented in the table below. Some of the areas proposed for conversion were discussed in 2009, but quantities were unknown at that time. These areas are also included in the table. These land use changes are minor and are consistent with the land use impacts that were previously discussed in the 2009 discipline report.

As indicated in the table, the Port would continue to work with tenants and land owners to implement mitigation measures to avoid and minimize impacts on businesses and to compensate landowners per the Uniform Relocation Assistance and Real Property Acquisition Policy Act (Uniform Act). The City of Vancouver (City) has previously determined that the proposed land use changes would be consistent with the Heavy Industrial (IH) zoning designation of the properties (PRJ2007-0032/SHL2007-00004). Furthermore, the proposed rail improvements would result in an intensification of the existing industrial uses, making operations more efficient. Therefore, the land use impacts associated with additional land use conversions would remain minor.

Location	Additional Area	Mitigation
Tristar Transload	0.25 acre	The Port will work closely with Tristar Transload to provide an offer of just compensation and relocation assistance for project impacts. Final negotiations are being completed and will meet the requirements of the Uniform Act regarding just compensation and relocation assistance.
Boise Building Products	0.12 acre	The Port will work closely with Boise Building Products to provide an offer of just compensation and relocation assistance for project impacts. Final negotiations are being completed and will meet the requirements of the Uniform Act regarding just compensation and relocation assistance.
Nustar	0.33 acre	The Port will work closely with Nustar to provide an offer of just compensation and relocation assistance for project impacts. Final negotiations are being completed and will meet the requirements of the Uniform Act regarding just compensation and relocation assistance.
General Chemical	0.17 acre	The Port will work closely with General Chemical to provide an offer of just compensation and relocation assistance for project impacts. Final negotiations are being completed and will meet the requirements of the Uniform Act regarding just compensation and relocation assistance.
Vanport Trucking	1.52 acre	The Port will work closely with Vanport Trucking to provide an offer of just compensation and relocation assistance for project impacts. Final negotiations are being completed and will meet the requirements of the Uniform Act regarding just compensation and relocation assistance. The Port is looking to find space for their relocation.
Pacific Coast Shredding	1.09 acre	The Port has tendered a formal offer of just compensation to Pacific Coast Shredding that follows the requirements of the Uniform Act regarding just compensation and relocation assistance, and will work closely with them to amend the lease to reflect the changes to the lease premises upon final settlement.
Total	3.48 acres	

The proposed changes would also result in potential impacts on the regulated shoreline protected under the City's Shoreline Management Master Program (SMMP). Two rail tracks would be relocated approximately 50 to 75 feet south at Terminal 5 (Figure 6) within 200 feet of the ordinary high water mark (defined shoreline area). In addition, an existing stormwater pump station would also be relocated further to the south within the shoreline area.

While the City's SMMP includes provisions to enhance shoreline access, Policy 17, Regulation 36 of the SMMP includes provisions that permit a deviation from the shoreline access policies when "health or safety hazards to the public exist which cannot be prevented by any practical means" and where "inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions." The City has traditionally interpreted these provisions to exempt working shorelines at the Port from the shoreline access provisions of the SMMP. Thus, the location of the rail tracks and stormwater pump station would not conflict with shoreline access provisions of the SMMP. In conjunction with the previous local permit approval (PRJ2007-0032/SHL2007-00004), the City has recognized the proposed project as a permitted use in the Urban: High Intensity (UHI) shoreline environment, the SMMP-designated shoreline

environment for upland shoreline areas at the Port. Therefore, the proposed project changes would be considered a permitted use within the UHI shorelines designation. The Port will request City approval of the substantial shorelines development permit and shorelines conditional use permit application to permit the proposed relocation of the rail tracks and the stormwater pump station in shoreline jurisdiction prior to initiation of construction of these project elements.

The proposed project will also involve construction within an area designated by the City as a seismic hazard area due to potential for soils liquefaction. A seismic hazard area is considered a critical area regulated under Vancouver Municipal Code (VMC) Section 20.740. With the submittal of the shoreline substantial development permit and shoreline conditional use permit, the City will require a critical areas report and critical areas permit for the proposed project. This critical areas report must be accompanied by a preliminary geotechnical engineering analysis that assesses the potential for soils liquefaction and identifies any stabilization and construction measures necessary to ensure structural stability of proposed improvements in this area. Therefore, the proposed project will also require review and approval under the City's Critical Areas Protection ordinance found in VMC Section 20.740.

Additionally, construction of the Gateway Overpass and proposed screening wall may require the removal of trees located near the Clark County Correctional Facility. If these trees are to be removed, the Port would replace the trees at an off-site location at a 1:1 tree unit ratio per the standards of VMC Section 20.770.080. The Port will pursue local approval of permits necessary for these project changes and will apply for and obtain approval of a post-decision review application and all other applicable federal, state, and local permits before initiating construction of the proposed project modifications.

Indirect Impacts

Indirect impacts identified in the 2009 Land Use and Shorelines Discipline Report included potential construction impacts associated with noise and air quality. The proposed changes would not result in a significant increase in either noise or air emissions from project construction that would indirectly affect nearby land uses. Therefore, the indirect land use and shorelines impacts from the project would remain unchanged.

References

BergerABAM. 2009b. Documented Categorical Exclusion Land Use and Shorelines Discipline Report. Port of Vancouver West Vancouver Freight Access Project, Schedules 2 through 4. JDW Project (#VAJDW-07-101). July. Prepared for Washington State Department of Transportation, Vancouver WA. Federal Highway Administration, Olympia, WA.

Sincerely,

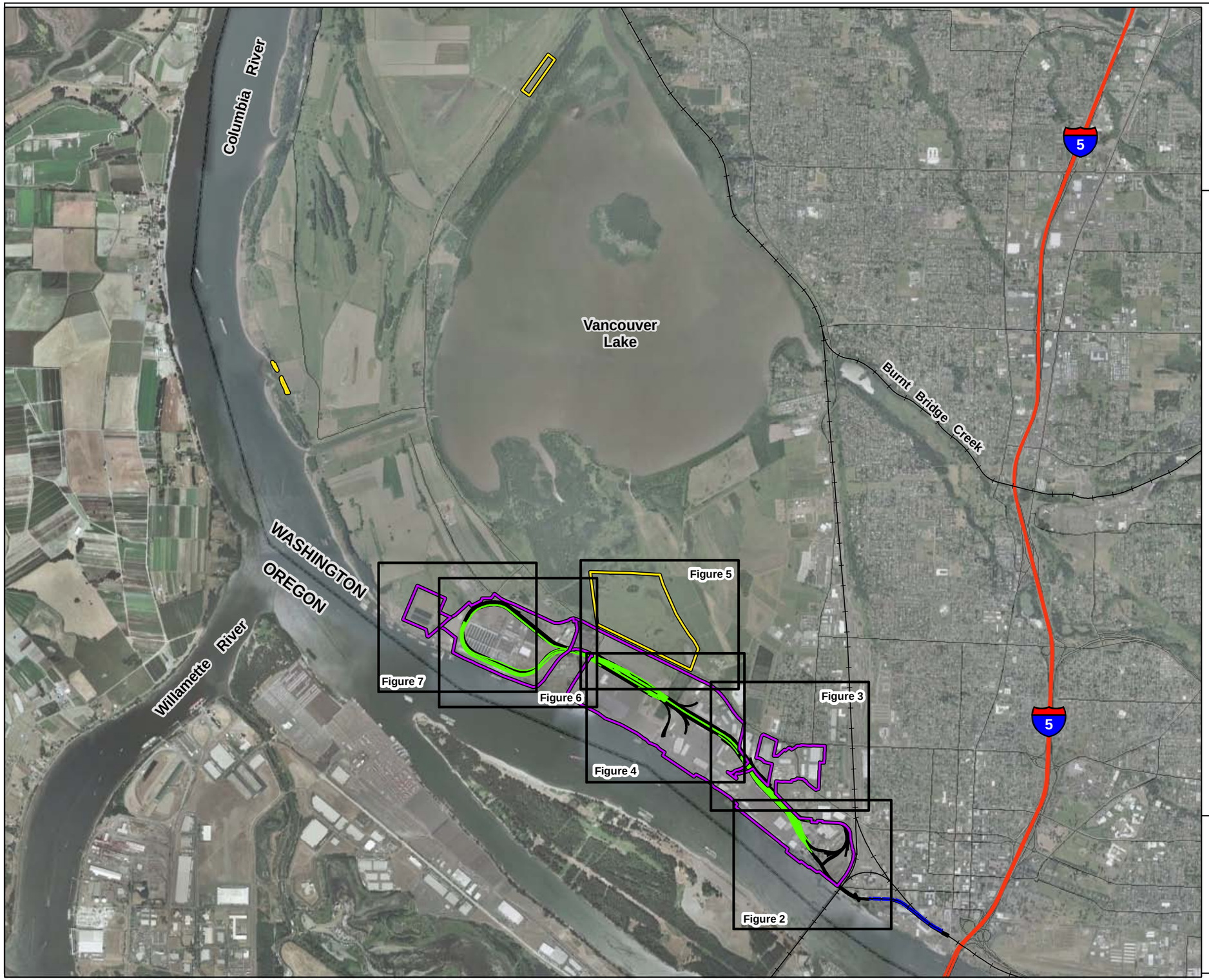
Kim Marcotte
Project Manager

Attachments

cc: Patty Boyden, Port of Vancouver
Monty Edberg, Port of Vancouver
John Runyon, ICF International
Leandra Cleveland, HDR

Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

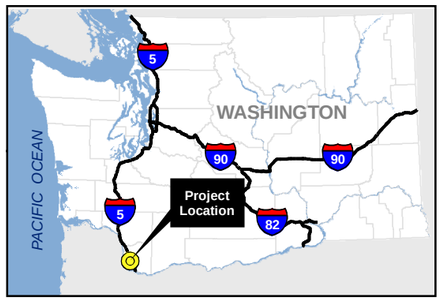
Figure 1.
Proposed Project Overview



Legend

- Current Port Operations
- Mitigation Areas
- West Vancouver Freight Access Schedules 2 through 4 – Proposed Project Changes
- West Vancouver Freight Access Schedules 2 through 4 – Original Project Design (2009)
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- BNSF Existing Railway
- Roadways

Location Map



Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: January 2011

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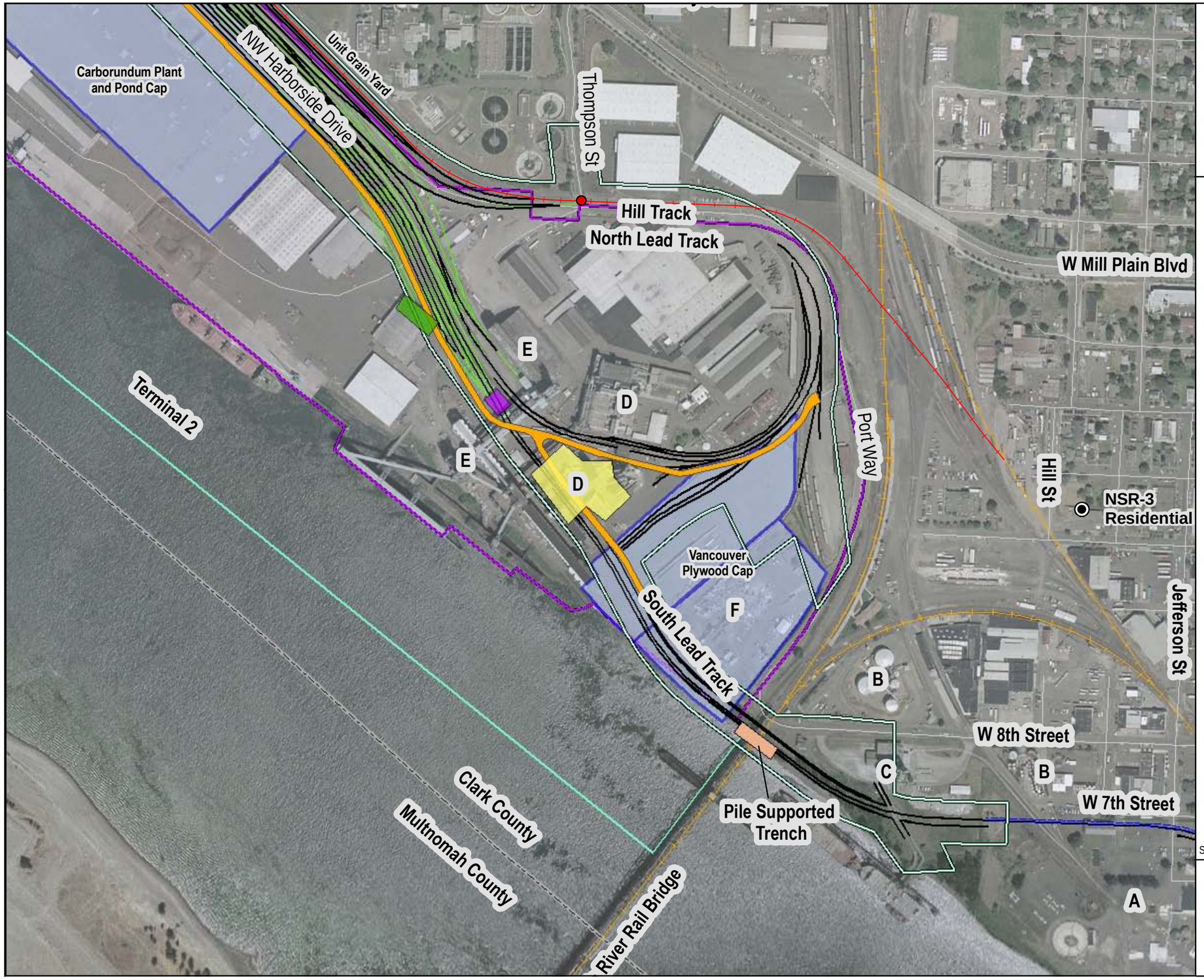
Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 2.
Project Detail:
East Terminus



Legend

- Current Port Operations
- Existing Terminals
- West Vancouver Freight Access Schedules 2 through 4 – Proposed Project Changes
- West Vancouver Freight Access Schedules 2 through 4 – Original Project Design (2009)
- Schedule 1 of the West Vancouver Freight Access Project (Complete)
- Existing Port Rail Access
- BNSF Existing Railway
- Area of Potential Effects
- GWM Drum House and Storage Silos Relocation (Building #1895)
- United Grain Corporation Maintenance and Operations Relocation (Building #1955)
- Port Warehouse Partial Removal (Building #2045)
- Environmental Caps
- Noise Sensitive Receiver
- Existing At-Grade Crossing
- Proposed Roadway Relocation

East Terminus Detail

- A = Former Boise Cascade Site
- B = Albina Fuels
- C = Lafarge Cement Company
- D = Great Western Malting
- E = United Grain Corporation
- F = Former Fort Vancouver Plywood

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: January 2011

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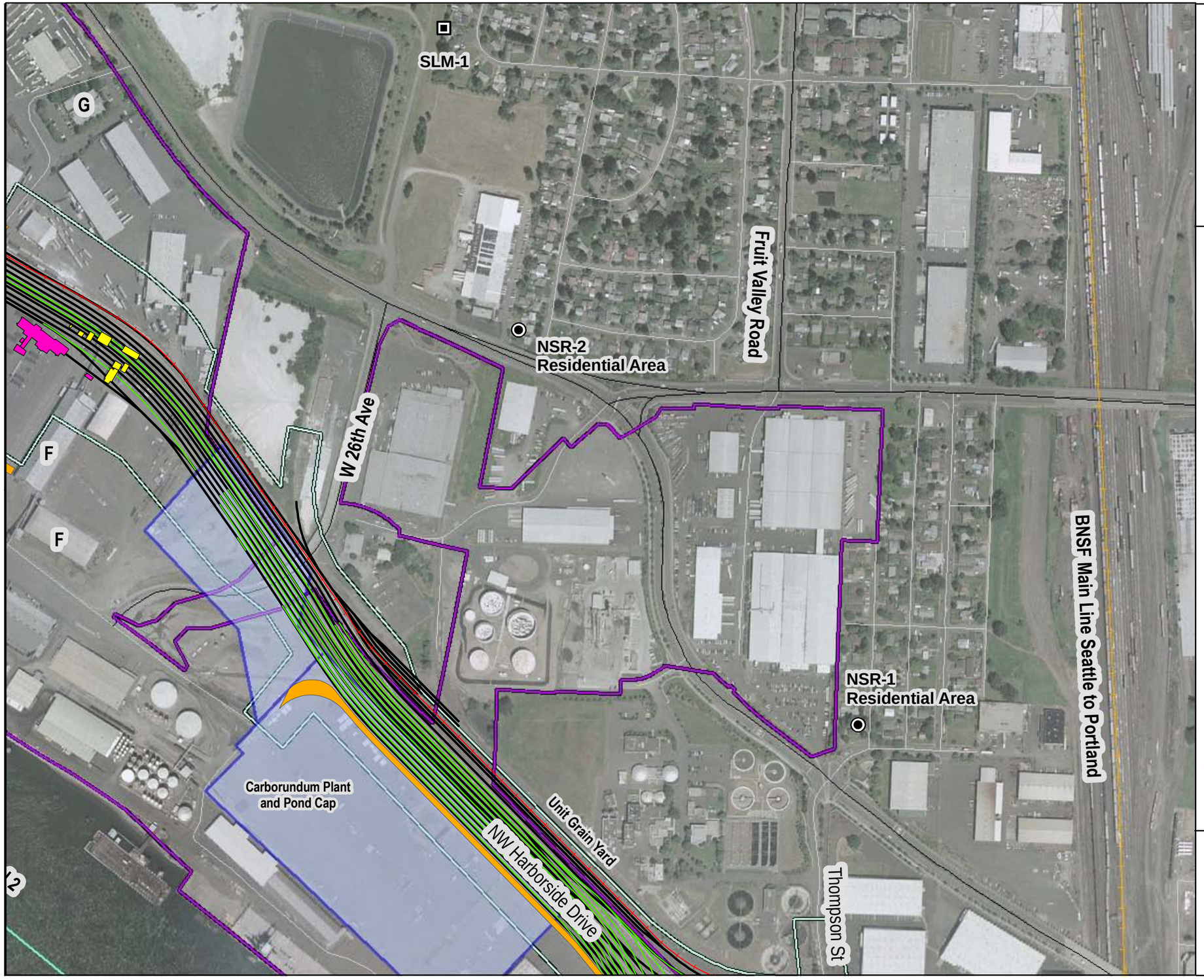

Port of Vancouver
West Vancouver Freight Access
Project, Schedules 2 through 4

Figure 3.
Project Detail:
Rail Yard East

Legend

- Current Port Operations
- Existing Terminals
- West Vancouver Freight Access Schedules 2 through 4 – Proposed Project Changes
- West Vancouver Freight Access Schedules 2 through 4 – Original Project Design (2009)
- Existing Port Rail Access
- Area of Potential Effects
- Noise Sensitive Receiver
- Noise Monitoring Location
- Proposed Kinder Morgan Buildings
- Existing Kinder Morgan Buildings to be Relocated (2755, 2765, 2775, 2785 and 2795)
- Environmental Caps
- Proposed Roadway Relocation

Rail Yard Detail

F = Kinder Morgan

G = POV Administrative Office

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: January 2011

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Parcel 1A

Jimmy Yard

Parcel 1A Wetland

Terminal 4 Stormwater Pond

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Terminal 4

F

F

Carborundum Plant and Pond Cap

Terminal 3

Columbia River

Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 4.
Project Detail:
Terminal 4 and Rail Yard West

Legend

- Current Port Operations
- Existing Terminals
- West Vancouver Freight Access Schedules 2 through 4 – Proposed Project Changes
- West Vancouver Freight Access Schedules 2 through 4 – Original Project Design (2009)
- Existing Port Rail Access
- Area of Potential Effects
- Columbia River Wetland Mitigation Bank (Parcel 6)
- Proposed Kinder Morgan Buildings
- Existing Kinder Morgan Buildings to be Relocated (2755, 2765, 2775, 2785 and 2795)
- Environmental Caps
- Parcel 1A Wetland
- Terminal 4 Stormwater Pond
- Proposed Roadway Relocation

Rail Yard Detail

F = Kinder Morgan

G = POV Administrative Office

H = Subaru

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: January 2011

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Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 5.
Project Detail:
Parcel 6 and Rail Yard West

Legend

- Current Port Operations
- West Vancouver Freight Access Schedules 2 through 4 – Proposed Project Changes
- West Vancouver Freight Access Schedules 2 through 4 – Original Project Design (2009)
- Existing Port Rail Access
- Area of Potential Effects
- Columbia River Wetland Mitigation Bank (Parcel 6)
- Parcel 1A Wetland
- Proposed Gateway Overpass
- Proposed Roadway Relocation

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: January 2011

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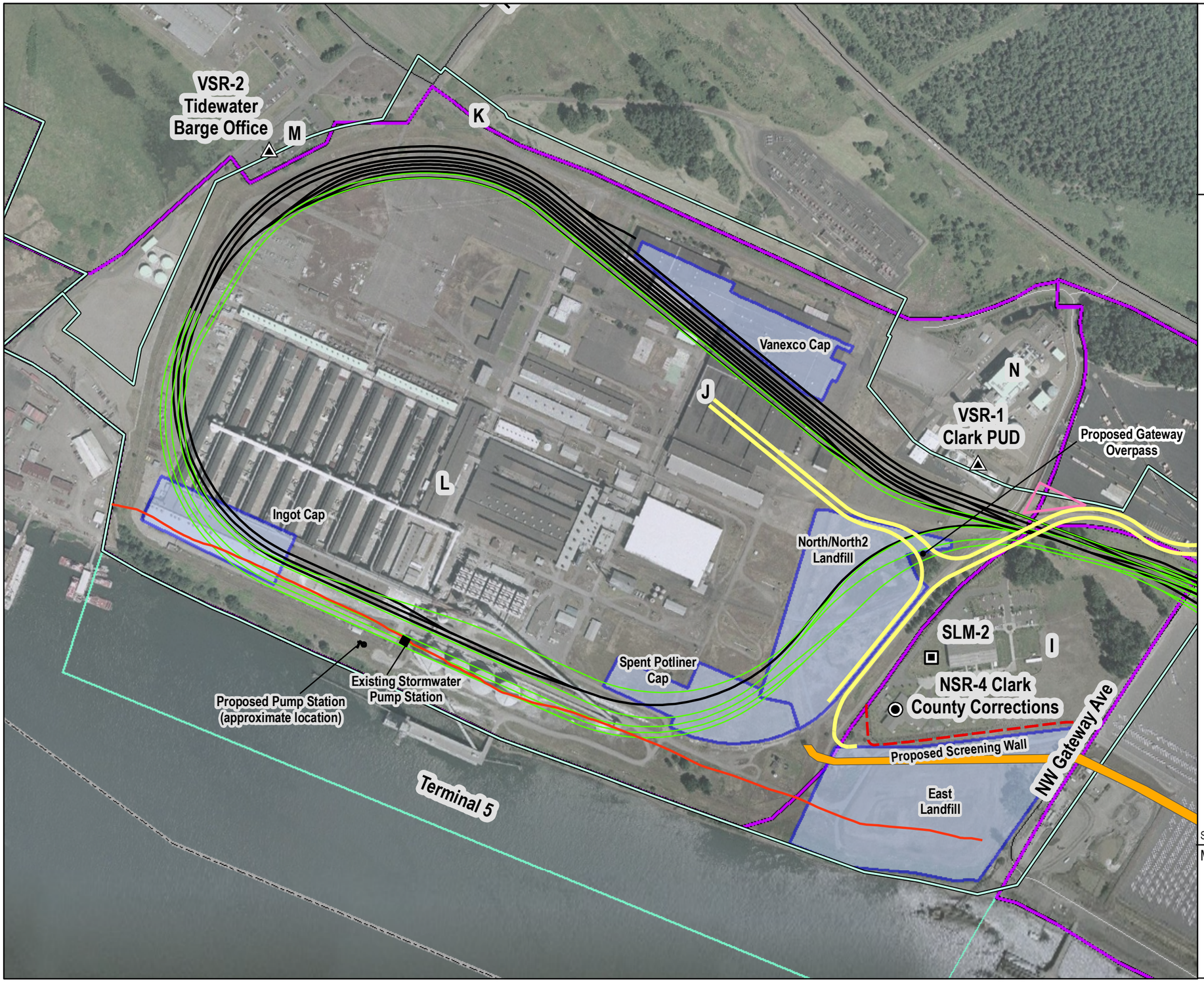
Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 6.
Project Detail:
Terminal 5 Loop Track



Legend

- Current Port Operations
- Existing Terminals
- West Vancouver Freight Access Schedules 2 through 4 – Proposed Project Changes
- West Vancouver Freight Access Schedules 2 through 4 – Original Project Design (2009)
- Noise Sensitive Receiver
- Noise Monitoring Location
- Vibration Sensitive Receiver
- Proposed Screening Wall
- Area of Potential Effects
- Proposed Gateway Overpass
- Shoreline Jurisdiction
- Tristar Transload Facility
- Stormwater Pond
- Environmental Caps
- Proposed Roadway Relocaton

Rail Yard Detail

- I = Clark County Corrections
- J = Alcoa
- K = BPA Access
- L = Evergreen Aluminum
- M = Tidewater Barge Offices
- N = Clark Public Utilities Power Plant

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: March 2011

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Port of Vancouver
West Vancouver Freight Access Project, Schedules 2 through 4

Figure 7.
Project Detail:
West Terminus

Legend

- Current Port Operations
- Existing Terminals
- West Vancouver Freight Access Schedules 2 through 4 – Proposed Project Changes
- West Vancouver Freight Access Schedules 2 through 4 – Original Project Design (2009)
- Vibration Sensitive Receiver
- Area of Potential Effects
- Proposed Gateway Overpass
- Shoreline Jurisdiction
- Environmental Caps

Rail Yard Detail

- J = Alcoa
- K = BPA Access
- L = Evergreen Aluminum
- M = Tidewater Barge Offices

Source: Clark County (2005). Imagery: ESRI (April 2007) i-cubed.

Map Prepared: March 2011

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